NOTE

This document contains the Connecticut regulations for the abatement of air pollution with the recently adopted revisions to the regulations that became effective March 4, 2003. This document was prepared by the State of Connecticut Department of Environmental Protection and is provided for the convenience of the reader. This is not the official version of the regulations. The official regulations are published by the State of Connecticut, Judicial Branch, Commission on Official Legal Publications in the Connecticut Law Journal. Official legal publications may by obtained from the Commission on Official Legal Publications, 111 Phoenix Ave Enfield, CT 06082 (telephone: (860) 741-3027, or www.jud.state.ct.us/colp/ColpDefault.htm**). In the event there is an inconsistency between this document and the regulations as published in the Connecticut Law Journal, the Connecticut Law Journal will serve as the official version.**

The Regulations of Connecticut State Agencies are amended by adding section 22a-174-36a, as follows:

(NEW)

Sec. 22a-174-36a. Heavy-duty diesel engines.

(a) Definitions. For purposes of this section, the following definitions shall apply:

(1) "Approved by CARB for sale in the State of California" means, with respect to a heavy-duty diesel engine and a heavy-duty motor vehicle containing such engine, CARB has made a finding that such heavy-duty diesel engine or heavy-duty diesel engine family has satisfied the criteria adopted by CARB for the control of specified air contaminants contained in Title 13, Section 1956.8 of the California Code of Regulations.

(2) "CARB" means the California Air Resources Board.

(3) "Executive order" means a document issued by CARB stating that a specified heavy-duty diesel engine family or model year heavy-duty diesel engine meets all applicable requirements of Title 13 of the California Code of Regulations for certification and sale in California.

(4) "Heavy-duty diesel engine" means a diesel engine that is used to propel a motor vehicle with a gross vehicle weight rating of 14,001 pounds or greater.

(5) "Heavy-duty motor vehicle" means a motor vehicle with a gross vehicle weight rating of 14,001 pounds or greater.

(6) "Manufacturer's certificate of origin" means "manufacturer's or importer's certificate of origin" as defined in Section 14-165 of the Connecticut General Statutes.

(7) "Model year" means "model year" as defined in Section 22a-174-36 of the Regulations of Connecticut State Agencies.

(8) "New motor vehicle" means "new motor vehicle" as defined in Section 14-1 of the Connecticut General Statutes.

(9) "Ultimate consumer" means "ultimate consumer" as defined in Section 14-1 of the Connecticut General Statutes.

(b) Applicability.

This section shall apply to all heavy-duty diesel engines produced for the model year 2006 and subsequent model years and to new heavy-duty motor vehicles containing such engines that are sold, leased, offered for sale or lease, imported, delivered, purchased, rented, acquired or received, in the State of Connecticut except that this section shall not apply to such engines in vehicles listed in subsection (d).

(c) Prohibitions.

(1) No person shall sell, lease, rent, import, deliver, or offer for sale, lease or rental a new heavy-duty motor vehicle in the State of Connecticut containing a heavy-duty diesel engine that is subject to this section unless the owner or lessor possesses documentation for such vehicle showing that such new heavy-duty diesel engine is approved by CARB for sale in the State of California.

(2) No person shall purchase, acquire or receive a new heavy-duty motor vehicle in the State of Connecticut containing a heavy-duty diesel engine that is subject to this section unless such person possesses documentation for such vehicle showing that such new heavy-duty diesel engine is approved by CARB for sale in the State of California.

(3) Documentation sufficient to satisfy subdivisions (1) and (2) of this subsection shall include an executive order or a valid manufacturer's certificate of origin stating that the subject engine is approved by CARB for sale in the State of California.

(d) Exemptions.

The following heavy-duty motor vehicles shall not be subject to this section:

(1) A vehicle transferred by inheritance;

(2) A vehicle transferred by decree of divorce, dissolution or legal separation entered by a court of competent jurisdiction;

(3) A vehicle purchased by a nonresident or nonresident business prior to establishing residency in the State of Connecticut;

(4) A vehicle sold for the purpose of being scrapped or dismantled;

(5) A vehicle sold directly from one dealer to another dealer;

(6) A vehicle sold for registration out of state;

(7) A vehicle designed and sold exclusively for use as "special mobile equipment" as defined in Section 14-165 of the General Statutes;

(8) A vehicle which has been designated to meet the standards promulgated pursuant to the authority contained in 42 U.S.C. 7521 and that is either:

(A) In the possession of a rental agency in Connecticut and is next rented with a final destination outside of Connecticut; or

(B) Registered by a rental agency in a state other than Connecticut and rented for use in Connecticut until return to the state of registration; or

(9) A vehicle that is an ambulance or emergency medical service organization vehicle, a fire department vehicle or a state or local police vehicle driven entirely or primarily in the course of providing medical, fire protection or police services.