Effective 11/29/99

R-39 REV. 1/77

IMPORTANT: Read Instructions on bottom of Certification Page before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations.

STATE OF CONNECTICUT

REGULATION

NAME OF AGENCY

DEPARTMENT OF ENVIRONMENTAL PROTECTION

concerning

SUBJECT MATTER OF REGULATION

LOW EMISSION VEHICLES

Section 1

Subsection (g) of section 22a-174-36 of the Regulations of Connecticut State Agencies is amended as follows:

(g) Alternative Means of Compliance VIA THE NATIONAL LOW EMISSION VEHICLE (LEV) PROGRAM. [Reserved]

(NEW)

(1) The provisions of subsections (b) through (f) of this section shall not apply to any 1999 and subsequent model year passenger car or light duty truck sold, leased, offered for sale or lease, imported, delivered, purchased, rented, acquired or received in the State of Connecticut for the time period specified in subdivision (3) of this subsection if a covered manufacturer, as defined at 40 CFR 86.1702, of such vehicle complies with a National LEV program adopted by the Administrator pursuant to 42 U.S.C. 7521(a)(1) and 42 U.S.C. 7601(a) in accordance with the provisions set forth in 40 CFR Parts 9, 85 and 86 and 63 Federal Register 926 (January 7, 1998).

(2) For the time period specified in subdivision (3) of this subsection, manufacturers may comply with National LEV or equally stringent mandatory federal standards in lieu of compliance with any program, including any mandates for sales of zero emissions vehicles, adopted by the Commissioner pursuant to the authority provided in section 177 of the Clean Air Act, 42 U.S.C. 7507, applicable to passenger cars, light-duty trucks up through 6,000 pounds GVWR, and medium-duty vehicles from 6,001 to 14,000 pounds GVWR if designed to operate on gasoline, as these categories of motor vehicles are defined in the California Code of Regulations, Title 13, Division 3, Chapter 1, Article 1, Section 1900.

(3) The State of Connecticut, as set forth by the provisions of this subsection, shall participate in the National LEV program from model year 1999, inclusive, until model year 2006, except as expressly provided in 40 CFR 86.1707. If, by December 15, 2000, the Administrator does not take final action to adopt standards at least as stringent as the National LEV standards provided in 40 CFR part 86 subpart R that apply to new motor vehicles in model years 2004, 2005 or 2006, participation in National LEV shall extend only until model year 2004, except as expressly provided in 40 CFR 86.1707.

R-39 REV. 1/77

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OF

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

(4) If a covered manufacturer, as defined at 40 CFR 86.1702, opts out of the National LEV program in accordance with the provisions of 40 CFR 86.1707, the transition from requirements imposed by the National LEV programs to the requirements imposed by the provisions of subsections (b) through (f) of this section or any program adopted by the Commissioner pursuant to the authority provided in section 177 of the Clean Air Act, 42 U.S.C. 7507, applicable to passenger cars, light-duty trucks up through 6,000 pounds GVWR, and medium-duty vehicles from 6,001 to 14,000 pounds GVWR if designed to operate on gasoline, as these categories of motor vehicles are defined in the California Code of Regulations, Title 13, Division 3, Chapter 1, Article 1, Section 1900, will proceed in accordance with 40 CFR 86.1707.

(5) Nothing in this subsection shall preclude the Commissioner from adopting and implementing requirements under section 177 of the Clean Air Act, 42 U.S.C. 7507, for heavy duty trucks and engines and diesel-powered vehicles between 6,001 and 14,000 pounds GVWR.

Statement of Purpose: To adopt a national low emission vehicle program as an alternative means of compliance with the low emission vehicle program adopted by the Department in accordance with the provisions of Clean Air Act section 177, 42 U.S.C. 7507, on December 22, 1994.

CERTIFICATION
R-39 REV. 1/77

Be it known that the foregoing:

☒ Regulations ☐ Emergency Regulations

Are:

☐ Adopted ☒ Amended as hereinabove stated ☐ Repealed

By the aforesaid agency pursuant to:

☒ Section 22a-174 of the General Statutes.

☐ Section _____ of the General Statutes, as amended by Public Act No. _____ of the ___ Public Acts.

☐ Public Act No. _____ of the Public Acts.

After publication in the Connecticut Law Journal on May 26 19 98, of the notice of the proposal to:

☐ Adopt ☒ Amend ☐ Repeal such regulations

(If applicable): ☒ And the holding of a public hearing on 25th day of June 19 98

WHEREFORE, the foregoing regulations are hereby:

☐ Adopted ☒ Amended as hereinabove stated ☐ Repealed

Effective:

☒ When filed with the Secretary of State.

(OR)

☐ The _____ day of _____ 19 ___

In Witness Whereof:	DATE 9/28/98	SIGNED *(Head of Board, Agency or Commission)*	OFFICIAL TITLE, DULY AUTHORIZED Commissioner
Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:		SIGNED	OFFICIAL TITLE, DULY AUTHORIZED

☒ Approved 10/21/98

☐ Disapproved

☐ Disapproved in part, *(Indicate Section Numbers disapproved only)*

☐ Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes.	DATE 1/26/99	SIGNED *(Clerk of the Legislative Regulation Review Committee)*

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED *(Secretary of the State.)*	BY

INSTRUCTIONS

1. One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes

2. Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.

3. Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.

4. Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.

RECEIVED
JAN 29 1999
RECORDS & LEGISLATIVE SERVICES
SECRETARY OF THE STATE

Office of Secretary of the State
State of Connecticut
30 Trinity Street, P.O. Box 150470, Hartford, CT 06115-0470

Susan Bysiewicz
Secretary of the State

RECEIVED
FEB 3 1999
Dept. of Environmental Protection
Office of the Commissioner

February 1, 1999

Hon. Arthur Rocque, Jr.
Commissioner of Environmental Protection
79 Elm Street
Hartford, CT 06105

Dear Commissioner Rocque:

This is to acknowledge receipt of two certified copies of the following regulation issued by your department concerning:

Abatement of Air Pollution-Low Emissions Vehicles.

Said regulation was received and filed in this office on January 29, 1999. The effective date of this regulation is January 29, 1999.

Very truly yours,

Peter J. Bartucca
Manager, Records & Legislative Services

PJB:ms
File