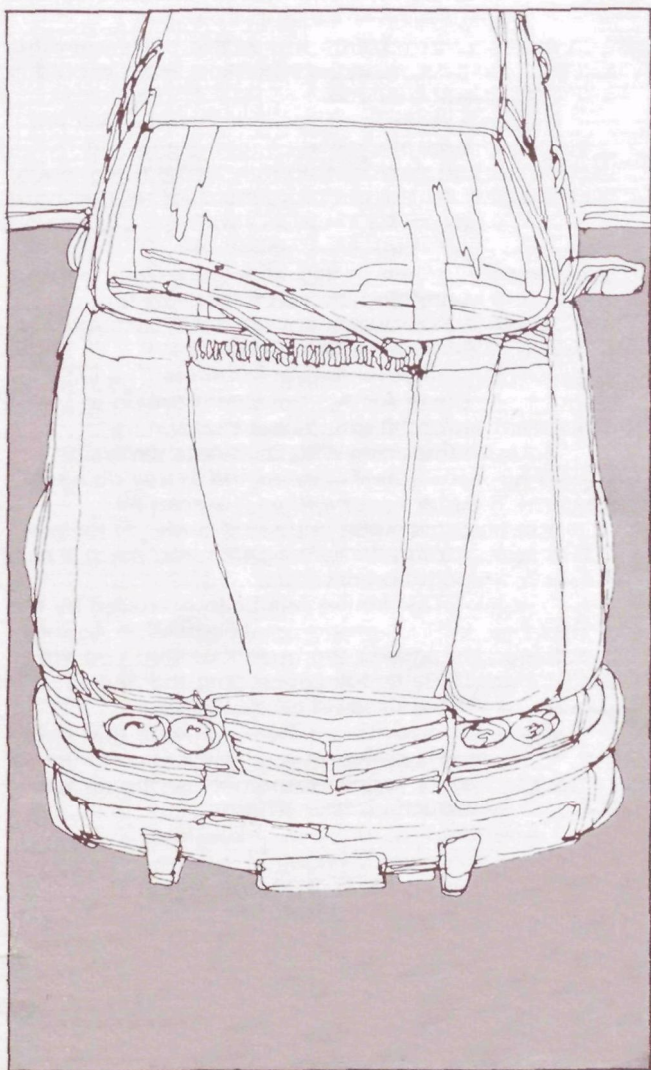




Do You Own a Car?



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If so, you should be aware of a new law. As of August 8, 1977, all automobile service or repair facilities are prohibited by Federal law from knowingly tampering with a car's emission controls.

This new law is contained in the 1977 Amendments to the United States Clean Air Act, and it is the primary reason why you should not ask your automobile repair facility to remove or disconnect some part of your car's emission control system in hopes of improving your car's gas mileage and driveability. If a repair facility breaks this law, it will be subject to a civil penalty of up to \$2,500.

In addition to the law, there are other good reasons why tampering should not be done:

- in most cases tampering will not improve a car's gas mileage and driveability and may make them worse.
- the one sure result of tampering is that it will increase your car's emissions and add to air pollution.
- tampering is an expensive waste, nullifying emission controls that on a new model car may have cost you between \$200 and \$300.

Another important point. The U.S. Clean Air Act does not contain a prohibition against car owners tampering with their cars' emission controls. *But nearly all States do have such a prohibition.* You can be prosecuted and fined under State law for any tampering that you do to a car's pollution controls.

This leaflet has been prepared by the U.S. Environmental Protection Agency to answer the questions that you are likely to ask concerning the new law. Please read it carefully. Your cooperation will help ensure that your car's pollution controls will continue to work properly and protect the air we breathe from pollution.

What Is the Purpose of the Anti-Tampering Law?

The tampering prohibition was passed by Congress to make sure that cars in use retain the emission control designs and functions that were built into them by their manufacturers. The law is necessary for reasons of public health. Motor vehicles contribute more than one half of the total amount of man-made air pollution in this country. They emit nearly three-quarters of the total amount of the poisonous gas, carbon monoxide. They also emit over one-third of the hydrocarbons and one-third of the oxides of nitrogen, two major causes of the unhealthy smog that hangs over a great many of our cities and suburbs.

To protect the health of the American public, Congress established light-duty motor vehicle emission standards that have to be met by every new car sold in this country. Each manufacturer is required to certify that his design will enable the car to meet these standards for the length of its useful life.

Tampering, however, changes the car's certified design and causes the car to exceed emission standards. Several surveys have shown tampering to be widespread. Some service and repair facilities have even advertised as one of their services the removal of emission controls to improve gas mileage. To stop practices like these and to make sure that cars in use continue to comply with emission standards throughout their useful life, Congress broadened the anti-tampering provision to cover all repair facilities and motor vehicle fleet operations.

What Is New About the New Anti-Tampering Law?

The prohibition against tampering contained in the Clean Air Act Amendments of 1970 applied to any person with respect to a new car before it is sold and delivered to the purchaser and only to manufacturers and car dealers with respect to sold cars. This law applies to some 25,000 to 30,000 new car dealers, and violators are subject to civil penalties of up to \$10,000 for each car tampered with.

Now, the new amendment broadens the tampering prohibition to cover 300,000 to 350,000 motor vehicle repair facilities and several hundred thousand fleet operators. All repair facility owners, commercial mechanics, and fleet operators are now prohibited from tampering. Violators of this provision of the law are subject to a civil penalty of up to \$2,500 for each motor vehicle or motor vehicle engine tampered with.

What Exactly Is Tampering?

Tampering is removing, disconnecting, damaging, or in any way rendering ineffective any emission control device or element of design installed on a motor vehicle or motor vehicle engine. Tampering may include:

- removing or rendering inoperative such devices as the catalytic converter, air pump, and EGR valve.
- disconnecting vacuum lines and electrical or mechanical portions of the pollution control system such as electrical solenoids or vacuum-activated valves.
- adjusting an element of a car's emission control design out of line with the manufacturer's specifications.
- knowingly installing a replacement part that is not equivalent in design and function to the part that was originally on the car. Example: incorrect EGR valve. (This, however, does not mean that you have to use replacement parts sold by the motor vehicle manufacturer or its franchised dealers).
- adding on a part that was not originally certified on the car. Example: installation of dual carburetors to replace a single carburetor.
- enlarging the fuel filler restriction inlet to allow the use of regular leaded gas in cars that require unleaded gas.

**Can't
Tampering
Improve Gas
Mileage and
Driveability?**

Evidence suggests that tampering can do little to improve gas mileage and driveability, and in some cases will worsen them. One reason for this is that the catalytic converter—the primary means of pollution control on most cars made after 1974—has no negative effect on gas mileage and driveability. In fact, the catalyst has helped make it possible for cars with emission controls to achieve the same or even better gas mileage than cars had in 1967 before emission controls were installed on cars. Thus, damaging or disconnecting a catalyst can only result in increased emissions and the waste of an expensive piece of equipment.

Studies also show that tampering with pre-catalyst equipped cars will not improve gas mileage. In 1974, the Environmental Protection Agency delivered a number of 1973 and 1974 cars to a representative sample of non-dealer service garages advertising that they could improve fuel economy and asked them to do what they could to increase the gas mileage of these cars. The most frequent result was that both emissions and fuel economy were made worse. About two-thirds of the cars lost fuel economy and increased in emissions.

There are several possible reasons for these results. One is that emission controls are not simply stuck on a car in such a way that they can be harmlessly removed or maladjusted. Emission control is part of the total design and function of many components of a car's engine, including the carburetor, distributor, intake manifold, and EGR valve. When a mechanic changes the emission control design of one of these components, he is also likely to affect its other functions, often adversely. Maladjustments of such parts, therefore, often result in loss of fuel efficiency as well as increased emissions. In addition, carburetor setting, ignition timing, compression ratio, and EGR all affect an engine's durability. Tampering can shorten an engine's life and cause performance problems at the same time.

Can Keeping a Car Well Tuned Help Gas Mileage and Emission Control at the Same Time?

Yes. Maintaining your car according to the manufacturer's specifications will almost always enable your car to get better gas mileage and lower emissions. Studies of emissions inspection/maintenance programs show that cars failing the emission test get four to ten percent better gas mileage once their emission controls have been professionally serviced. In addition, keeping your car well tuned will almost always improve driveability and lengthen the life of your car's engine.

Can Tampering Void a Car's Warranty?

Yes. Under the Clean Air Act, car manufacturers are required to provide a warranty covering emission control devices for a period of five years or fifty-thousand miles, whichever comes first.

However, when a car's emission controls have been tampered with, or when leaded gas is used in cars requiring unleaded, a car manufacturer may not be obliged to honor warranty rights. The car manufacturer or dealer can justifiably argue that the car has not been properly maintained according to the manufacturer's specifications.

What Can I Do to Help?

The emission controls installed on motor vehicles and motor vehicle engines are there to reduce the pollution from these sources to help meet national ambient air quality standards which were established to protect public health. The removal or rendering inoperative of these devices defeats a vital portion of the nation's program to clean up the air. You can help clean the air by not requesting to have your emission controls tampered with but instead, make sure the mechanic follows the specifications recommended by the manufacturer for best performance and emission control.

If you should learn of automobile service or repair facilities that have a policy of breaking the anti-tampering law, or have further questions, contact the Regional Office of the Environmental Protection Agency for your State, or the Field Operations and Support Division (EN-397), Washington, D.C. 20460. EPA Regional Offices are located in Boston, New York City, Philadelphia, Atlanta, Chicago, Dallas, Kansas City, Denver, San Francisco, and Seattle.

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