

## Instructions for Requesting a Testing Exemption for Light-duty Vehicles

Section 203(b)(1) of the Clean Air Act (Act) provides that the Administrator may grant exemptions from the prohibitions of section 203(a) of the Act including tampering prohibitions of section 203(a)(3)(A) ‘for the purposes of research, investigations, studies, demonstrations, or training.

Any person requesting a testing exemption must submit a letter to EPA which must provide the following information:

1. A concise statement of purpose which shows that the proposed test program has an appropriate basis such as research, investigations, studies, demonstrations, or training.
2. The proposed test program necessitates the granting of an exemption. That is, that the stated purpose cannot be achieved without performing or causing to be performed one or more of the prohibited acts under section 203(a) of the Act.
3. The proposed test program exhibits reasonableness in its scope. The program must have a duration of reasonable length and affect a reasonable number of vehicle or engines. Required items of information include: (a) an estimate of the program duration; (b) the number of vehicles or engines involved; and (c) year and gross vehicle weight rating of each vehicle or engine.
4. The proposed test program exhibits a degree of control over the test program consistent with the purpose of the program and EPA’s monitoring requirements. As a minimum, required items of information include: (a) the technical nature of the test; (b) the site of the test; (c) the time or mileage duration of the test; (d) the ownership arrangement with regard to the vehicles or engines involved in the test; (e) the intended final disposition of the vehicles or engines; (f) the manner in which vehicle identification numbers or the engine serial numbers will be identified, recorded, and made available; and (g) the means or procedure whereby test results will be recorded.
5. You must include the current location of the vehicle(s)/engine(s) at the time of the exemption request as well as the Year, Make, Model, VIN or Serial Number of the vehicle or engine.

If EPA decides that the granting of an exemption is appropriate, we will issue an approval letter that includes the terms and conditions of the exemption. Such terms and conditions will generally include, but are not limited to, agreements by the applicant to conduct the exempt activity in the manner described to EPA, create and maintain adequate records accessible to EPA at reasonable times, to employ labels for the exempt engines or vehicles setting forth the nature of the exemption, to take appropriate measures to assure the terms of the exemption are met and to advise EPA of the termination of the activity and the ultimate disposition of the

vehicles or engines. Additionally, the vehicle may not be driven on public roads and highways in the U.S. except as an integral part of the test program as described.

The importer must file EPA Form 3520-1 with U.S. Customs, upon entry, an EPA Form 3520-1 and declaring code "I". The importer must post a bond with U.S. Customs.

At the end of the test program the applicant must regain physical possession, if necessary, of the vehicles or engines and either remove them from commerce by storing or scrapping them or bring them into a certified configuration.

Any exemption granted pursuant to these regulations shall be deemed to cover any subject vehicle or engine only to the extent that the specified terms and conditions are complied with. A breach of any term or condition shall cause the exemption to be void ab initio with respect to any vehicle or engine, and you may be subject to penalties as codified at [40 CFR 1068.101](#).

Requests for exemptions or further information concerning exemptions should be addressed to:

EPA Imports Line

Operated by: Dave Hurlin, Contractor to the U.S. EPA, Jacobs

Compliance Division

2000 Traverwood Drive

Ann Arbor, MI 48105

Phone: (734) 214-4100

Email: Imports@epa.gov