



Janet Napolitano
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.azdeq.gov



Stephen A. Owens
Director

September 26, 2005

Dear Pre-1988 HD Diesel Owner

Re: Pre-1988 HD Diesel Vehicles:

You have received this letter because you applied for the small fleet exemption under Arizona Revised Statutes (ARS), Sections 49-542.F.7 and 8. Under these laws, diesel powered vehicles having a gross weight greater than 26,000 pounds (and for which gross weight fees are paid) are prohibited from registering or operating in Area A (greater metropolitan Phoenix area) beginning January 1, 2006, unless the vehicle has a 1988 model year or newer engine.

As you may recall, the original deadline was extended two years to give owners of small fleets of fewer than 25 vehicles an opportunity to bring their pre-1988 heavy duty diesel vehicles into compliance with the law. This January 1, 2006 deadline for bringing your pre-1988 heavy duty diesels into compliance is rapidly approaching, however. This letter explains how this requirement is enforced and your options for compliance.

Bringing a pre-1988 heavy duty diesel vehicle into compliance requires one of the following options: (1) Replacement of the pre-1988 engine with a newer emissions compliance engine; (2) a rebuild of the engine to achieve compliance; or (3) a retrofit of the existing engine with catalytic converter(s) or particulate filter(s).

The most costly option is to replace the engine with a newer engine that complies with the 1988 model year emissions standards. Rebuilding the engine to meet 1988 standards may only be possible on a few engines. Retrofitting heavy duty diesel engines with oxidation catalysts is the option of choice for most pre-1988 engines. Most of the major heavy duty diesel engine servicers in the Phoenix metro area can install one or more catalytic converters on your vehicle (dependent on engine size).

When one of the above options has been completed, you must submit the appropriate Certificate application form, along with receipts for the work performed, to ADEQ Vehicle Emissions, HD Diesel Compliance, 600 N. 40th Street, Phoenix, Arizona 85008. Forms may be obtained by mail or from the ADEQ Web Site, at <http://carcare.azdeq.gov>. The links for downloading the forms are near the bottom of the Web page.

Northern Regional Office
1515 East Cedar Avenue • Suite F • Flagstaff, AZ 86004
(928) 779-0313

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

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You must have pre-1988 heavy duty diesel vehicles in compliance prior to the vehicle's 2006 emissions test. Gordon Darby Arizona Testing, the State emissions testing contractor, will not test a pre-1988 heavy duty diesel unless its owner/operator has been issued a Certificate of Compliance from ADEQ.

If you have any questions regarding compliance or what documentation will need to be submitted, please contact Mr. John Walls, Vehicle Emissions Program Manager, at (602) 207-7000.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nancy C. Wrona', with a stylized flourish at the end.

Nancy C. Wrona, Director
Air Quality Division

**Frequently Asked Questions Regarding the Arizona Law Prohibiting Registration
and Operation of Pre-1988 Heavy Duty Diesel Engines in Area A
Deadline – January 1, 2006**

Question 1: ARS § 49-542.F.8 states that the law applies to diesel-powered vehicles with a gross vehicle weight more than 26,000 pounds. My vehicle is registered at 26,000 pounds. Does the law apply to my vehicle?

Answer: Owners of vehicles with a gross vehicle weight rating *greater than* 26,000 pounds must comply with this law. “Vehicle weight” for the purposes of this law is the gross vehicle weight rating (GVWR) assigned to the vehicle by the manufacturer (this information may be found in the title of the vehicle or in the VIN tag found on the door jamb), **not the declared gross vehicle weight on the vehicle registration.**

Question 2: What is the size of the applicable area?

Answer: Please see the map of Area A on our Web site:
www.azdeq.gov/environ/air/vei/images/map.jpg

Question 3: Does the law provide for any exemptions or waivers?

Answer: ARS § 49-542.F.8 only applies to vehicles required to pay a vehicle weight fee as part of registration. As such, vehicles operated by religious institutions, school districts, and municipalities would, in effect, be exempt (see ARS § 28-5432.C). In addition, some vehicles operated under alternative proportional registration agreements, per ARS § 28-2261, may be exempt. The law does not provide for any other exemptions or waivers.

Question 4: Do I have to replace my engine to comply with the law?

Answer: In most cases you do not. There are several ways in which a pre-1988 engine can be brought into compliance with the statute so you can obtain an emissions test and re-register your vehicle. They are listed below:

Current Engine meets 1988 or newer standards - Owners should contact the engine manufacturer to see whether the engine meets the Arizona standards as found in EPA regulations; 40 Code of Federal Regulations § 86.088-11 (copy enclosed). If the manufacturer finds that the engine does meet the standards, the manufacturer can provide a letter or e-mail stating such to the owner who, in turn, can take it to the Vehicle Emissions Inspections (VEI) Section, Arizona Department of Environmental Quality, 600 North 40th Street, Phoenix, Arizona 85008. The VEI phone number is (602) 207-7000. If the manufacturer is unable to provide the required endorsement, the owner may request one from a local dealer or manager of a certified private workshop that is familiar with EPA’s engine standards for 1988 and newer engines. Phone numbers and Web sites for engine manufacturers are listed below.

Retrofitted Engine - In many other cases, it may be possible to modify or retrofit the engine to meet the EPA standards for engines of model year 1988 or a California Air Resources Board (CARB) standard. CARB has established diesel engine standards that are at least as stringent as the 1988 EPA engine standard. As a result any engine or retrofit that meets the CARB standard will be in compliance with Arizona laws. Some examples of what can be done include installing aftermarket devices that are compatible with a specific engine, such as an oxidation catalyst or a particulate filter. Engines that meet the EPA standard (40 CFR § 86.088-11) or CARB standard will be emission tested and may be re-registered.

Replaced Parts – In some very limited cases, the engine may be brought into compliance by replacing some parts in the engine. What is possible depends on the make and model year of the engine. Please contact the manufacturer of the engine by email or letter, or contact your dealer or certified workshop for more information about this option and to obtain an endorsement to submit to VEI. To find out more about your particular engine, the following websites and phone numbers may be helpful:

Detroit Diesel: www.detroitdiesel.com/Support/On-Highway/ServiceSupport/index.asp (313) 592-5800

International/ Navistar: www.navistar.com/site_layout/engine/index.asp (800) 448-7825

Mack: www.macktrucks.com/default.aspx (602) 258-4500 / (610)-709-3011

Caterpillar: www.cat.com (800) 343-7357

Renault: www.renault-trucks.com (602) 258-4500

Volvo: www.volvo.com/trucks/na/en-us (336) 393-2000

Cummins: www.cummins.com/na/pages/en/index.cfm (602) 257-5927 / (800) 343-7357

Please contact the manufacturer of the engine installed in the vehicle, if it is not among the ones listed above. You may also find information by referring to the: “Engines – Diesels” section of the Yellow pages for the engine dealers.

For information regarding retrofits that have been certified by EPA, go to:
www.epa.gov/otaq/retrofit/retroverifiedlist.htm

For information regarding retrofits certified by CARB, go to:
www.arb.ca.gov/diesel/verdev/verdev.htm

Question 5: How will the law be enforced?

Answer: The law is enforced through the emissions inspections program. In order to be registered, a vehicle owner must demonstrate compliance with the emissions inspection requirements by submitting to MVD the appropriate emissions inspection documents with the registration material. If the VEI inspector, during an emissions inspection procedure on a heavy duty diesel vehicle, finds that the engine has not been brought up to 1988 or newer emissions standards, the vehicle will be denied the emissions test.

Question 6: Why does the engine have to be changed/modified if it already passes the emissions inspection?

Answer: The Vehicle Emissions opacity test is different from the emissions tailpipe standards adopted by the Arizona Legislature in 1996. The opacity test, while very accurate at measuring the extent to which smoke blocks light, is only an indicator of the amount of smoke being emitted. It is designed to determine if an engine is in need of repair, but does not indicate if the engine can meet the standard set for a specific pollutant. Compliance with tailpipe emission standards adopted by Arizona (the standard is found at 40 CFR § 86.088-11, also enclosed) is based on the quantity, in grams of particulate matter per brake-horsepower-hour of the engine of the different pollutants emitted by the engine. Engines and engine retrofits are certified based on a test procedure conducted by EPA or CARB, prior to manufacturing.

Question 7: How do I show compliance?

Answer: If the engine in a vehicle has been replaced with one that meets or exceeds the 1988 EPA standards, the plaque or the serial number on the engine would be proof of compliance.

If compliance is achieved through a retrofit or some other means, you will need to submit an endorsement (letter or e-mail) that shows your engine meets Arizona's engine certification standards (refer to Question 4). Prior to the vehicle being emissions tested, the endorsement must be submitted to the Vehicle Emission Inspection (VEI) Section at:

Vehicle Emissions Inspection Section
Arizona Department of Environmental Quality
600 North 40th Street
Phoenix, Arizona 85008

Please click on the following link for forms to be submitted for each scenario shown on the following page:

www.azdeq.gov/enviro/air/vei/index.html#dl

- A) Remanufactured engine
- B) Replaced parts
- C) Retrofitted engine
- D) Current engine meets 1988 or newer standards (40 CFR § 86.088-11)

Following its review of the documentation, the VEI Section will mail a compliance document to the vehicle owner, which must be presented at the time of the emissions test. In order to process information in a timely manner, please provide relevant information and documents to the VEI Section at least two weeks prior to the date when you plan on taking your vehicle for its emissions test.

Question 8: What if I have ordered parts, but they haven't arrived; or I'm on a waiting list to have the engine updated but can't get it done by the registration deadline?

Answer: If you've ordered parts, paid a deposit of at least 50 percent, and the order is backlogged, or if you have the parts but are on a waiting list to have the work done by a certified technician, you may apply for a Director's Certificate, under ARS § 542(J). In such cases, you will need to take the parts invoice showing the deposit was paid or a statement from the manager of the repair shop indicating when the work will be completed to the ADEQ Vehicle Emissions Inspection offices at 600 North 40th Street, Phoenix, Arizona. If the documentation meets these requirements, a director's certificate will be issued to you that day, which will be good for one year.