

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

CHAPTER Env-A 1100 PREVENTION, ABATEMENT, AND CONTROL OF MOBILE SOURCE AIR POLLUTION

Statutory Authority: RSA 125-C:4, I(a), RSA 125-C:6, XII

PART Env-A 1101 DIESEL AND GASOLINE-POWERED MOTOR VEHICLES

Env-A 1101.01 Purpose. The purpose of this part is to regulate emissions from diesel and gasoline-powered motor vehicles pursuant to RSA 125-C:6, XII.

Source. #120, eff 8-31-73; ss by #721.9, eff 12-7-75; ss by #1717, eff 2-19-81; ss by #2332, eff 4-29-83; ss by #2938, eff 12-27-84; ss by #5033, eff 12-27-90; ss by #6343-B, eff 9-28-96, EXPIRED: 9-28-04

New. #8200, INTERIM, eff 11-6-04, EXPIRES: 5-5-05; ss by #8313, eff 3-26-05

Env-A 1101.02 Scope. This part shall apply to diesel and gasoline-powered motor vehicles.

Source. #120, eff 8-31-73; ss by #721.9, eff 12-7-75; ss by #1717, eff 2-19-81; ss by #2332, eff 4-29-83; ss by #2938, eff 12-27-84; ss by #5033, eff 12-27-90; ss by #6343-B, eff 9-28-96, EXPIRED: 9-28-04

New. #8200, INTERIM, eff 11-6-04, EXPIRES: 5-5-05; ss by #8313, eff 3-26-05

Env-A 1101.03 Opacity Standards for Diesel-Powered Motor Vehicles. The owner or operator of a diesel-powered motor vehicle shall comply with the following opacity standard requirements:

(a) Opacity standards for diesel engines in motor vehicles shall be as follows:

- (1) For engines manufactured before or during model year 1973, emissions shall not exceed 70 percent opacity;
- (2) For engines manufactured after model year 1973 and before model year 1991, emissions shall not exceed 55 percent opacity; and
- (3) For engines manufactured during or after model year 1991, emissions shall not exceed 40 percent opacity.

(b) Opacity for diesel engines in motor vehicles shall be measured using the methods referenced in Env-A 807.04.

Source. #120, eff 8-31-73; ss by #721.9, eff 12-7-75; ss by #1717, eff 2-19-81; ss by #2332, eff 4-29-83; ss by #2938, eff 12-27-84; ss by #5033, eff 12-27-90; ss by #6343-B, eff 9-28-96, EXPIRED: 9-28-04

New. #8200, INTERIM, eff 11-6-04, EXPIRES: 5-5-05; ss by #8313, eff 3-26-05

Env-A 1101.04 Maintenance Requirements for Diesel-Powered Motor Vehicles. The owner or operator of a diesel-powered motor vehicle shall comply with the following maintenance requirements:

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(a) A person shall not alter or remove any emission control equipment or system, including the basic fuel system, which might limit or reduce the ability of that equipment or system to control emissions; and

(b) All emission control equipment which is originally supplied on a diesel engine shall be maintained in place and in functional operating condition. Emission control equipment shall only be replaced with equipment that meets or exceeds the specifications of the original equipment.

Source. #120, eff 8-31-73; ss by #721.9, eff 12-7-75; ss by #1717, eff 2-19-81; ss by #2332, eff 4-29-83; ss by #2938, eff 12-27-84; ss by #5033, eff 12-27-90; ss by #6343-B, eff 9-28-96, EXPIRED: 9-28-04

New. #8200, INTERIM, eff 11-6-04, EXPIRES: 5-5-05; ss by #8313, eff 3-26-05

Env-A 1101.05 Operational Requirements for Diesel-Powered Motor Vehicles. The owner or operator of a diesel-powered motor vehicle shall comply with the following operational requirements unless specifically exempted from the operational requirements for diesel-powered motor vehicles:

(a) When the temperature is above 0 °C (32 °F), a diesel engine shall not idle for more than 5 consecutive minutes;

(b) When the temperature is -23 °C (-10 °F), 0 °C (32 °F), or anywhere in between the 2 temperatures, a diesel engine shall not idle for more than 15 consecutive minutes; or

(c) When the temperature is below -23 °C (-10 °F), and where no nuisance is created, a diesel engine shall not be subject to idling restrictions.

Source. #6343-B, eff 9-28-96, EXPIRED: 9-28-04

New. #8200, INTERIM, eff 11-6-04, EXPIRES: 5-5-05; ss by #8313, eff 3-26-05; ss by #8313, eff 3-26-05

Env-A 1101.06 Exemptions From the Operational Requirements for Diesel-Powered Motor Vehicles. The owner or operator of a diesel-powered motor vehicle shall be exempted from the operational requirements for diesel-powered motor vehicles when any one of the following conditions exists:

(a) When a diesel-powered motor vehicle is forced to remain motionless because of traffic conditions over which the operator has no control;

(b) When a diesel-powered motor vehicle is being used as an emergency motor vehicle;

(c) When a diesel engine is providing power takeoff for refrigeration, lift gate pumps or other auxiliary uses, or supplying heat or air conditioning necessary for passenger comfort in those vehicles intended for commercial passenger transportation;

(d) When a diesel-powered motor vehicle is being operated by a mechanic for maintenance or diagnostic purposes; or

(e) When a diesel-powered motor vehicle is being operated solely to defrost a windshield.

Source. #6343-B, eff 9-28-96, EXPIRED: 9-28-04

New. #8200, INTERIM, eff 11-6-04, EXPIRES: 5-5-05; ss by #8313, eff 3-26-05

Env-A 1101.07 Visible Emissions Requirements for Gasoline-Powered Motor Vehicles. The owner or operator of a gasoline-powered motor vehicle shall not emit visible emissions other than water vapor or steam, except during the initial starting of the engine.

Source. #6343-B, eff 9-28-96, EXPIRED: 9-28-04

New. #8200, INTERIM, eff 11-6-04, EXPIRES: 5-5-05; ss by #8313, eff 3-26-05

Env-A 1101.08 Maintenance Requirements for Gasoline-Powered Motor Vehicles. The owner or operator of a gasoline-powered motor vehicle shall comply with the following maintenance requirements:

(a) A person shall not alter or remove any emission control equipment or system, including the basic fuel system, which may limit or reduce the ability of that equipment or system to control emissions; and

(b) All emission control equipment which is originally supplied on a gasoline engine shall be maintained in place and in functional operating condition. Emission control equipment shall only be replaced with equipment that meets or exceeds the specifications of the original equipment.

Source. #6343-B, eff 9-28-96, EXPIRED: 9-28-04

New. #8200, INTERIM, eff 11-6-04, EXPIRES: 5-5-05; ss by #8313, eff 3-26-05

Env-A 1101.09 Operational Requirements for Gasoline-Powered Motor Vehicles. The owner or operator of a gasoline-powered motor vehicle shall comply with the following operational requirements unless specifically exempted from the operational requirements for gasoline-powered motor vehicles:

(a) When the temperature is above 0 °C (32 °F), a gasoline engine shall not idle for more than 5 consecutive minutes;

(b) When the temperature is -23 °C (-10 °F), 0 °C (32 °F), or anywhere in between the 2 temperatures, a gasoline engine shall not idle for more than 15 consecutive minutes; or

(c) When the temperature is below -23 °C (-10 °F), and where no nuisance is created, a gasoline engine shall not be subject to idling restrictions.

Source. #6343-B, eff 9-28-96, EXPIRED: 9-28-04

New. #8200, INTERIM, eff 11-6-04, EXPIRES: 5-5-05; ss by #8313, eff 3-26-05

Env-A 1101.10 Exemptions From the Operational Requirements for Gasoline-Powered Motor Vehicles. The owner or operator of a gasoline-powered motor vehicle shall be exempted from the operational requirements for gasoline-powered motor vehicles when any one of the following conditions exists:

(a) When a gasoline-powered motor vehicle is forced to remain motionless because of traffic conditions over which the operator has no control;

(b) When a gasoline-powered motor vehicle is being used as an emergency motor vehicle;

(c) When a gasoline-powered engine is providing power takeoff for refrigeration, lift gate pumps or other auxiliary uses, or supplying heat or air conditioning necessary for passenger comfort in those vehicles intended for commercial passenger transportation;

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(d) When a gasoline-powered motor vehicle is being operated by a mechanic for maintenance or diagnostic purposes; or

(e) When a gasoline-powered motor vehicle is being operated solely to defrost a windshield.

Source. #6343-B, eff 9-28-96, EXPIRED: 9-28-04

New. #8200, INTERIM, eff 11-6-04, EXPIRES: 5-5-05; ss by #8313, eff 3-26-05

**Appendix**

<b>Proposed Rule</b>	<b>Specific State Statute which the Rule is Intended to Implement</b>
Env-A 1100	RSA 125-C:6, XII