

§ 2409. Emission Reduction Credits – Production Credit Program for New Engines.

(a) Applicability. The 1998 to 2009 model year ~~and later~~ small off-road engines subject to the provisions of this article are eligible to participate in the production emission credit program described in this section for HC +NO_x (or NMHC+NO_x, as applicable) and Particulate Matter emissions. Previously banked production emission credits may continue to be used until exhausted through calendar year 2010 but production credits generated after model year 2009 will not be accepted into the production credit program.

(b) General provisions.

(1) The production credit program for eligible small off-road engines is described in this section. Participation in this program is voluntary.

(2) Any 2000 to 2009 model year ~~or later~~ engine family subject to the provisions of this article is eligible to participate in the production credit program described in this section. Any 1998 or 1999 model year engine family subject to the provisions of this article is eligible to participate in the production emissions credit program described in this section provided it conforms ~~with~~ to the requirements of section 2403.

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(5) Positive credits generated in a given model year may be used in that model year and/or in any subsequent model year. Positive credit generation may continue through the 2009 model year.

(6) All production credits will retain full value through year 2010. In model year 2011, all production emission credit balances will expire.

(c) [No Change]

(d) Banking.

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(3) As mentioned in paragraph (b)(6) of this section, production credits banked pursuant to this section will expire as of the 2011 model year and will no longer be available for use in averaging or trading.

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NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43102 and 43104, Health and Safety Code. Reference: Sections 43013, 43017, 43018, 43101, 43102, 43104, 43150-43154, 43205.5 and 43210-43212, Health and Safety Code.