

1068.325(g).

United States Environmental Protection Agency Engine Declaration Form Importation of Engines, Vehicles, and Equipment Subject to Federal Air Pollution Regulations

U.S. EPA, Certification & Compliance Division, 2000 Traverwood Dr., Ann Arbor, Michigan 48105. (734) 214-4100; imports@epa.gov; www.epa.gov/otaq/imports/

This form must be prepared by the importer for each imported stationary, nonroad or heavy-duty highway engine, including engines incorporated into vehicles or equipment. Note that references in this form to engines generally include vehicles or equipment if they are subject to equipment-based standards. One form per engine or group of engines in a shipment may be used, with attachments including all information required to fully describe each engine as below. Provide a duplicate form and attachments to the U.S. Customs and Border Protection (CBP) upon request (42 U.S.C. 7522, 7601, 19 CFR 12.73 or 12.74). This form must be retained for five years from the date of entry (19 CFR 163.4). Additional requirements may apply in California. NOTE: While certain imports require specific written authorization from EPA, CBP may request EPA review of importer documentation and eligibility for any import using this form. For light-duty motor vehicles, highway motorcycles, and the corresponding engines, use form 3520-1. This form does not apply to aircraft engines.

Identify the type of highway, nonroad, or stationary engine, vehicle, or equipment you are importing from the following list of products: ☐ A. Heavy-duty highway engines (for use in motor vehicles with gross vehicle weight rating above 8500 pounds). See 40 CFR parts 85 and 86. ☐ B. Locomotives or locomotive engines. See 40 CFR parts 1033 and 1068.
□ C. Marine compression-ignition engines. See 40 CFR part 94 or 40 CFR parts 1042 and 1068. This includes propulsion engines and auxiliary engines installed on marine vessels.
 D. Other nonroad compression-ignition engines. See 40 CFR part 89 or 40 CFR parts 1039 and 1068. □ E. Marine spark-ignition engines. See 40 CFR parts 1045 and 1068.
□ F. Recreational engines and vehicles, including snowmobiles, off-highway motorcycles, all-terrain vehicles, and offroad utility vehicles that are subject to the same emission standards as all-terrain vehicles. See 40 CFR parts 1051 and 1068.
□ G. Other nonroad spark-ignition engines at or below 19 kW (or at or below 30 kW if total displacement is at or below 1000 cc). See 40 CFR part 90 or 40 CFR parts 1054 and 1068.
☐ H. Other nonroad spark-ignition engines above 19 kW. See 40 CFR parts 1048 and 1068.
□ I. Stationary compression-ignition engines. See 40 CFR part 60, subpart IIII. □ J. Stationary spark-ignition engines. See 40 CFR part 60, subpart JJJJ.
Check one of the following Codes to indicate the provision under which you are importing the engine, vehicle, or equipment:
□ 1. U.S. certified engine or engine installed in a certified vehicle, covered by a valid U.S. EPA certificate of conformity and bearing a U.S. EPA emission control label in English. Additional information for Category G engines from 2010 and later model years, starting January 1, 2010 (see 40 CFR 90.1007 or 1054.690): Exempt from bond? If not exempt, NAIC # for bond issuer:, policy number:, state of issue:
Permanent Exemptions for Nonconforming Engines
□ 2. National security. Importing a labeled (where applicable) engine subject to the provisions of 40 CFR 1068.315(a). For certain types of tactical equipment, this exemption may require prior EPA approval.
□ 3. Manufacturer-owned engine. Importing a labeled engine by an engine manufacturer holding a current U.S. EPA certificate of conformity, subject to the provisions of 40 CFR 1068.315(b) or 85.1706.
□ 4. Replacement engine. Importing a labeled engine by an engine manufacturer holding a current U.S. EPA certificate of conformity subject to the provisions of 40 CFR 1068.315(c) or 85.1714 This exemption does not apply to locomotive engines.
□ 5. Extraordinary circumstances/hardship. Importing a labeled engine subject to the provisions of 40 CFR 1068.315(d), 85.1511(c)(2) or 1033.620. An EPA letter of approval must be attached.
□ 6. Hardship for small-volume manufacturers. Importing a labeled engine subject to the provisions of 40 CFR 1068.315(e). An EPA letter of approval must be attached to this form.
□ 7. Equipment-manufacturer hardship. Importing a labeled engine subject to the provisions of 40 CFR 1068.315(f) or 1033.620. This may also apply to secondary engine manufacturers. An EPA letter of approval must be attached to this form.
□ 8. Identical configuration. Importing an engine subject to the provisions of 40 CFR 1068.315(h). Such an engine must be identical in all material respects to a U.Scertified version as demonstrated by letter from the engine-manufacturer contact on the CBP list, subject to EPA review at CBPs' discretion. This exemption does not apply to locomotives or to stationary, highway, or marine compression-ignition engines. The applicable regulations may require that you own the engine for a certain period before and after importation.
□ 9. Ancient engine. Importing an engine first manufactured at least 21 years earlier that is still in its original configuration, subject to the provisions of 40 CFR 1068.315(i). This exemption does not apply to locomotives or to stationary, highway, or marine engines.
Temporary Exemptions for Nonconforming Engines
The following temporary exemptions apply for importing nonconforming engines. EPA requests bonding with the U.S. Customs and Border Protection for the full value of the imported products to make sure you comply with applicable requirements.
□ 10. Repairs or alterations. Importing an engine for repair or alteration subject to the provisions of 40 CFR 1068.325(a) or 85.1511(b)(1). An EPA letter of approval must be attached.
□ 11. Testing. Importing an engine for testing subject to the provisions of 40 CFR 1068.325(b) or 85.1511(b)(2). Appropriate labeling is required for some engines and recommended for all engines. An EPA letter of approval must be attached.
□ 12. Display. Importing an engine for display subject to the provisions of 40 CFR 1068.325(c) or 85.1511(b)(4). Appropriate labeling is required for some engines and recommended for all engines. An EPA letter of approval must be attached.
□ 13. Export. Importing an engine for eventual export, subject to the provisions of 40 CFR 1068.325(d) or 85.1709. NOTE: The engine and/or shipping container must be labeled or tagged to identify them as solely for export.
□ 14. Diplomatic or military. Importing an engine subject to the provisions of 40 CFR 1068.325(e) or 85.1511(d). This exemption is limited to member of the armed forces or personnel of a foreign government on assignment to the U.S. for whom free entry has been authorized in writing by the U.S. Department of State, or for members of the armed forces of a foreign country with official orders for duty in the U.S. This exemption does not apply to locomotive or marine compression-ignition engines. An EPA letter of approval may be required.
□ 15. Delegated assembly. Importing a labeled engine for delegated assembly subject to the provisions of 40 CFR 1068.325(f), 85.1713, or 1033.630 This exemption does not apply to handheld spark-ignition engines or engines for recreational vehicles.
□ 16. Partially complete engine. Importing an engine not yet in its final configuration covered by a certificate of conformity (or an engine that will be installed in a vehicle covered by a certificate of conformity), subject to the provisions of 40 CER 1068 325(a). This also applies to an engine covered

by a valid exemption. A certificate holder may also import a partially complete engine from its foreign facility to its U.S. facility as described in 40 CFR

EPA Form 3520-21 (Rev. 01-2012). This form approved under OMB control number 2060-0320 until Dec. 31, 2014.

CBP entry no:

one year before the year of importation.	sion standards star 068.360 disallows imp	tad to apply Those engines	must generally have already been placed into service Coo	
□ 18. Competition engine. The engine m		portation of new engines not	certified to current standards if the model year is more than	
ellei oi appiovai musi be allacheu.	ust be used solely for	competition, subject to the p	provisions of 40 CFR 1068.310(a) or 85.1511(e). An EPA	
19 kW that is not designed to run on ga standards under 40 CFR Subparts IIII and	soline or, if rich-burn JJJJ, but are not requ ngine must be labeled	n, on liquified petroleum ga ired to be certified. The engi	per cylinder or stationary spark-ignition engine above as. These stationary engines are subject to EPA emission ne must be used in a stationary manner. See 40 CFR 39.20 or 1048.20, as applicable. NOTE: Stationary engines	
□ 20. Underground mining. Engine must 40 CFR 89.1 and 1039.5; see also 30 CFR	be used in undergrou parts 7, 31, 32, 36, 5	6, 57, 70, and 75. For comp		
□ 21. Hobby engine. Engine must be use 1068.310(c).	d to power a reduced-	-scale model of a vehicle not	t capable of transporting a person. See 40 CFR	
Ex	emptions for Specif	ic Engine Categories or Ot	ther Special Cases	
1039.625 and 1039.626 (Category D) or 40) CFR 1054.625 and [^]	1054.626 (Category G, 2011 ne regulatory power category	subject to the provisions of 40 CFR 89.102 or 40 CFR through 2014). Maximum engine power (only for compres- b). Exempt from bond? If not exempt, NAIC # for bond	
☐ 23. Personal-use exemption for small purposes other than resale, where the imported by an Independent	orter has not used this	s exemption in the previous f	r nonroad spark-ignition engines at or below 19 kW for rive years, subject to the provisions of 40 CFR 1054.630.	
☐ 24a. For modification under an EPA	certificate issued for th	he specific make, model, and	d model year under 40 CFR 85.1505, 89.605 or 1039.660.	
□ 24c. For precertification testing to ob	tain an EPA certificate		NOTE: The imported engine must be at least 6 years old. 3), 89.611(b)(3), or 1039.660. NOTE: CBP bond is required.	
	rt up to five highway e		gines in a given model year that are certified to standards	
based on an engine's original production yom modified. See 40 CFR 85.1503 and 89.603	∍ar. You may import a ₃.	ny number of engines certific	ed to standards that apply based on the year the engine is	
☐ 25. Other exemption. Describe the exe	mption, attach EPA ap	oproval (if applicable), and id	lentify the regulatory cite:	
				
	1	 	Vehicle or Equipment, or Stationary Equipment	
Port code: CBP entry no:	Entry date:	Engine manufacturer; model and serial number of each engine; for certified engines or vehicles, also identify the engine family name:		
Format: <u>XXX-9999999-9</u>	Format: mm/dd/yyyy			
Identify the engine (or vehicle) build date:monthyear □ on engine □ other (explain)		Vehicle or equipment manufacturer; model, serial number, and type of equipment (if applicable):		
	other (explain)			
	lames, Addresses, a	nd Telephone Numbers of		
Certification: I certify that I have read and misleading information, or for concealing a	lames, Addresses, a understand the purpo material fact. The info	ose of this form, the penalties ormation I have provided is c	Relevant Parties s for falsely declaring information, for providing correct, and all required attachments are appended to y the Clean Air Act. I am the owner, the importer, or an	
Certification: I certify that I have read and misleading information, or for concealing a this form. I authorize EPA Enforcement Off agent of the owner or importer.	lames, Addresses, a understand the purpo material fact. The info	ose of this form, the penalties ormation I have provided is c	s for falsely declaring information, for providing correct, and all required attachments are appended to	
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Certification: I certify that I have read and misleading information, or for concealing a this form. I authorize EPA Enforcement Off agent of the owner or importer. Signature:	lames, Addresses, a understand the purpo material fact. The infoicers to conduct inspe	ose of this form, the penalties ormation I have provided is continuous or testing permitted by the continuous or testing permitted by the continuous or the importer, broker, and continuous or the importer or the im	s for falsely declaring information, for providing correct, and all required attachments are appended to y the Clean Air Act. I am the owner, the importer, or an Date: Format: mm/dd/yyyy	

Penalties: (1) Anyone who knowingly makes any false or fraudulent statement, or omits or conceals a material fact can be fined up to \$295,000 or imprisoned for up to 5 years, or both (18 U.S.C. 1001). Anyone who illegally imports an engine may be fined up to \$37,500 per engine (42 U.S.C. 7524), and may be subject to forfeiture of the entire importation bond, if applicable (40 CFR 1068.335, 89.612, 94.805), and the engine is subject to seizure by Customs (19 CFR 162.21). **(2)** Anyone who distributes in commerce, sells, offers for sale, or introduces into commerce an engine subject to EPA certification requirements but not covered by a certificate of conformity, may be fined up to \$37,500 per violation (40 CFR 1068.101(a), 89.1006, 94.1106). **(3)** Any person who circumvents or attempts to circumvent residence-time requirements for stationary engines may be fined up to \$37,500 per day of violation (40 CFR 1068.101(b)(3), 89.1006(a)(5)).

Information collection: This information is collected to ensure that engines imported into the U.S. conform with applicable emission requirements. Responses to this collection are mandatory (Clean Air Act sections 202, 203, and 208). Information submitted to the Agency under a claim of confidentiality will be safeguarded as described in 40 CFR part 2. The public reporting and recordkeeping burden for this collection of information is estimated to average 30 minutes per response. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822), 1200 Pennsylvania Ave., NW, Washington, DC 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Schedule for Application of New Emission Standards for Certifying Engines and Vehicles

Engine category	Engine subcategory	Manufacturing date after which emission standards start to apply
A. Heavy-duty highway engines	_	Model year 1970
B. Locomotives or locomotive engines	_	January 1, 1973
C. Marine compression-ignition engines at or above 37 kW	Commercial: displacement < 0.9 L/cyl	Model year 2005
	Commercial: 0.9 ≤ displacement < 2.5 L/cyl	Model year 2004
	Commercial: displacement ≥ 2.5 L/cyl	Model year 2007
	Recreational: displacement < 0.9 L/cyl	Model year 2007
	Recreational: 0.9 ≤ displacement < 2.5 L/cyl	Model year 2006
	Recreational: 2.5 ≤ displacement < 5.0 L/cyl	Model year 2009
D. Other nonroad compression-ignition engines.	Marine compression-ignition engines: Power < 19 kW	January 1, 2000
	Marine compression-ignition engines: 19 kW ≤ Power < 37	January 1, 1999
	Nonroad engines: Power < 19 kW	January 1, 2000
	Nonroad engines: 19 kW ≤ Power < 37	January 1, 1999
	Nonroad engines: 37 kW ≤ Power < 75	January 1, 1998
	Nonroad engines: 75 kW ≤ Power < 130	January 1, 1997
	Nonroad engines: 130 kW ≤ Power ≤ 560	January 1, 1996
	Nonroad engines: Power > 560 kW	January 1, 2000
E. Marine spark-ignition engines.	Outboard	Model year 1998
	Personal watercraft	Model year 1999
	Sterndrive/inboard	Model Year 2010
F. Recreational spark-ignition engines and vehicles	_	Model year 2006
G. Other nonroad spark-ignition engines at or below 19 kW	_	Model year 1997
H. Other nonroad spark-ignition engines above 19 kW	_	Model year 2004
I. Stationary compression-ignition engines	_	April 1, 2006
J. Stationary spark-ignition engines	All engines with maximum engine power ≤ 19 kW Non-emergency engines with maximum engine power between 19 and 373 kW	July 1, 2008
	Non-emergency engines with maximum engine power ≥ 373 kW	July 1, 2007
	Emergency engines with maximum engine power > 19 kW	January 1, 2009

Decision flowchart for vehicles

1. Is it a motor vehicle?

§85.1703: A vehicle which is self-propelled and capable of transporting a person or persons or any material or any permanently or temporarily affixed apparatus shall be deemed a motor vehicle, unless any one or more of the criteria set forth below are met, in which case the vehicle shall be deemed not a motor vehicle:

- The vehicle cannot exceed a maximum speed of 25 miles per hour over level, paved surfaces; or
- The vehicle lacks features customarily associated with safe and practical street or highway use, such features including, but not being limited to, a reverse gear (except in the case of motorcycles), a differential, or safety features required by state and/or federal law: or
- The vehicle exhibits features which render its use on a street or highway unsafe, impractical, or highly unlikely, such features including, but not being limited to, tracked road contact means, an inordinate size, or features ordinarily associated with military combat or tactical vehicles such as armor and/or weaponry.
- -If yes, 40 CFR parts 85 and 86 apply.
- -If not, see #2.
- 2. Is it an off-highway motorcycle or snowmobile?

§1051.801: Off-highway motorcycle means a two-wheeled vehicle with a nonroad engine and a seat (excluding marine vessels and aircraft). (Note: highway motorcycles are regulated under 40 CFR part 86.)

§1051.801: <u>Snowmobile</u> means a vehicle designed to operate outdoors only over snow-covered ground, with a maximum width of 1.5 meters or less.

-If yes, part 1051 applies. Note that §§1051.605 and 1051.610 allow for vehicles or engines to be certified under part 86 or 1048. Note also that diesel-fueled engines used with off-highway motorcycles or snowmobiles may be certified under part 89 or 1039 under the provisions of §1051.5.

-If not, see #3.

3. Is it an offroad utility vehicle?

§1051.801: Offroad utility vehicle means a nonroad vehicle that has four or more wheels, seating for two or more persons, is designed for operation over rough terrain, and has either a rear payload capacity of 350 pounds or more or seating for six or more passengers. Vehicles intended primarily for recreational purposes that are not capable of transporting six passengers (such as dune buggies) are not offroad utility vehicles. (Note: §1051.1(a) specifies that some offroad utility vehicles are required to meet the requirements that apply for all-terrain vehicles.)

- -If yes, see #4.
- -If not, see #5.
- 4. Is the offroad utility vehicle subject to part 1051? §1051.1(a)(4) Offroad utility vehicles with engines with displacement less than or equal to 1000 cc, maximum engine

power less than or equal to 30 kW, and maximum vehicle speed higher than 25 miles per hour. Offroad utility vehicles that are subject to this part are subject to the same requirements as ATVs. This means that any requirement that applies to ATVs also applies to these offroad utility vehicles, without regard to whether the regulatory language mentions offroad utility vehicles.

-If yes, part 1051 applies. Note that §§1051.605 and 1051.610 allow for vehicles or engines to be certified under part 86 or 1048. Note also that diesel-fueled engines used with offroad utility vehicles may be certified under part 89 or 1039 under the provisions of §1051.5.

-If not, see #6.

5. Is it an all-terrain vehicle?

§1051.801: <u>All-terrain vehicle</u> means a land-based or amphibious nonroad vehicle that meets either of the following criteria:

- (1) Vehicles designed to travel on four low pressure tires, having a seat designed to be straddled by the operator and handlebars for steering controls, and intended for use by a single operator and no other passengers are all-terrain vehicles.
- (2) Other all-terrain vehicles have three or more wheels and one or more seats, are designed for operation over rough terrain, are intended primarily for transportation, and have a maximum vehicle speed of 25 miles per hour or higher. Golf carts generally do not meet these criteria since they are generally not designed for operation over rough terrain. NOTE: Amphibious vehicle means a vehicle with wheels or tracks that is designed primarily for operation on land and secondarily for operation in water.
- -If yes, part 1051 applies. Note that §§1051.605 and 1051.610 allow for vehicles or engines to be certified under part 86 or 1048. Note also that diesel-fueled engines used with all-terrain vehicles may be certified under part 89 or 1039 under the provisions of §1051.5. -If not, see #6.

6. Does it have a spark-ignition engine?

§1054.801: <u>Spark-ignition</u> means relating to a gasoline-fueled engine or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark-ignition engines usually use a throttle to regulate intake air flow to control power during normal operation.

-If yes, see #7.

-If not, it is subject to standards for diesel engines (marine, locomotive, or other land-based nonroad).

7. Is it a marine vessel?

§1054.801: Marine vessel has the meaning given in 1 U.S.C. 3, except that it does not include amphibious vehicles [See #5]. The definition in 1 U.S.C. 3 very broadly includes every craft capable of being used as a means of transportation on water.

-If yes, part 1045 applies.

-If not, the engine is subject to standards for Small SI or Large SI engines, depending on the maximum engine power and total displacement.