



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 Service 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, Customs 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 with displacement below 30 liters per cylinder. 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), 85.1511(c)(1), 89.611(c)(1), 90.612(c)(1), or 94.804(c)(1). 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), 85.1706, 89.906, 90.906, or 94.906.
- 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), 85.1714, 89.1003(b)(7), 90.1003(b)(5), or 94.1103(b)(3). 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), 89.611(c)(2), 90.612(c)(2), or 1033.620. An EPA letter of approval must be attached to this form.
- 6. Hardship for small-volume manufacturers.** Importing a labeled engine subject to the provisions of 40 CFR 1068.315(e) or 94.209(b). 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), 89.102(f), or 94.209(b), 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), 89.611(c)(3), or 90.612(c)(3). Such an engine must be identical in all material respects to a U.S.-certified version as demonstrated by letter from the engine-manufacturer contact on the Customs list, subject to EPA review at Customs' 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), 89.611(f)(2), or 90.612(f)(2). 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 Service 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), 85.1511(b)(1), 89.611(b)(1), 90.612(b)(1), or 94.804(b)(1).
- 11. Testing.** Importing an engine for testing subject to the provisions of 40 CFR 1068.325(b), 85.1511(b)(2), 89.611(b)(2), 90.612(b)(2), or 94.804(b)(2). Appropriate labeling is required for some engines and recommended for all engines. An EPA letter of approval may be required.
- 12. Display.** Importing an engine for display subject to the provisions of 40 CFR 1068.325(c), 85.1511(b)(4), 89.611(b)(4), 90.612(b)(3), or 94.804(b)(3). Appropriate labeling is required for some engines and recommended for all engines.
- 13. Export.** Importing an engine for eventual export, subject to the provisions of 40 CFR 1068.325(d), 85.1709, 89.909, 90.909, or 94.909. 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), 85.1511(d), 89.611(d), or 90.612(d). This exemption is limited to members 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.
- 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), or importing an engine that will be installed in an application not yet subject to EPA emission standards (see Code 17), subject to the provisions of 40 CFR 1068.325(g). 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 1068.325(g).

Importation of Engines Excluded from U.S. EPA Emission Standards

- 17. Engine manufactured before emission standards started to apply.** These engines must generally have already been placed into service. See the attached schedule. Note that standards apply for spark-ignition sterndrive/inboard engines starting in model year 2010. Note also that 40 CFR 1068.360 disallows importation of new engines not certified to current standards if the model year is more than one year before the year of importation.
- 18. Competition engine.** The engine must be used solely for competition, subject to the provisions of 40 CFR 1068.310(a), 85.1511(e), 89.611(e), 90.612(e), or 94.804(c)(2). An EPA letter of approval must be attached to this form.
- 19. Stationary compression-ignition engine with displacement at or above 30 liters per cylinder or stationary spark-ignition engine above 19 kW that is not designed to run on gasoline or, if rich-burn, on liquified petroleum gas.** These stationary engines are subject to EPA emission standards under 40 CFR Subparts IIII and JJJJ, but are not required to be certified. The engine must be used in a stationary manner. See 40 CFR 60.4219, 60.4248 and 1068.310(b). The engine must be labeled as described in 40 CFR 1039.20 or 1048.20, as applicable. NOTE: Stationary engines may be subject to state or local regulations.
- 20. Underground mining.** Engine must be used in underground mining and regulated by the Mining Safety and Health Administration (MSHA). See 40 CFR 89.1 and 1039.5; see also 30 CFR parts 7, 31, 32, 36, 56, 57, 70, and 75. For compression-ignition engines only.
- 21. Hobby engine.** Engine must be used to power a reduced-scale model of a vehicle not capable of transporting a person. See 40 CFR 1068.310(c), 89.1(b)(5), and 90.1(d)(6).

Exemptions for Specific Engine Categories or Other Special Cases

- 22. Transition Program for Equipment Manufacturers.** Importing a piece of equipment, subject to the provisions of 40 CFR 89.102 or 40 CFR 1039.625 and 1039.626 (Category D only). Maximum engine power: _____ kW HP (or identify the regulatory power category).
 - 23. Personal-use exemption for small spark-ignition engines.** Importing three or fewer nonroad spark-ignition engines at or below 19 kW for purposes other than resale, where the importer has not used this exemption in the previous five years, subject to the provisions of 40 CFR 1054.630.
 - 24. Engine imported by an Independent Commercial Importer recognized by EPA.** Only for Categories A and D above.
 - 24a. For modification under an EPA certificate issued for the specific make, model, and model year under 40 CFR 85.1505, 89.605 or 1039.660.
 - 24b. For modification and testing according to 40 CFR 85.1509, 89.609, or 1039.660. NOTE: The imported engine must be at least 6 years old.
 - 24c. For precertification testing to obtain an EPA certificate under 40 CFR 85.1511(b)(3), 89.611(b)(3), or 1039.660. NOTE: Customs bond is required. Specify location of storage (required): _____
- NOTE: Under 24a and 24b, you may import up to five highway engines and five nonroad engines in a given model year that are certified to standards based on an engine's original production year. You may import any number of engines certified to standards that apply based on the year the engine is modified. See 40 CFR 85.1503 and 89.603.
- 25. Other exemption.** Describe the exemption, attach EPA approval (if applicable), and identify the regulatory cite: _____

Declaration of Stationary, Nonroad or Heavy-duty Highway Engine, Nonroad Vehicle or Equipment, or Stationary Equipment

| | | | |
|--|-------------------|-------------|--|
| Port code: | Customs entry no: | Entry date: | Engine manufacturer; model and serial number of each engine; for certified engines or vehicles, identify the engine family name: |
| Identify the engine (or vehicle) build date: _____month _____year <input type="checkbox"/> on engine <input type="checkbox"/> other (explain) | | | Vehicle or equipment manufacturer; model, serial number, and type of equipment (if applicable): |

Names, Addresses, and Telephone Numbers of Relevant Parties

Certification: I certify that I have read and understand the purpose of this form, the penalties for falsely declaring information, for providing misleading information, or for concealing a material fact. The information I have provided is correct, and all required attachments are appended to this form. I authorize EPA Enforcement Officers to conduct inspections or testing permitted by the Clean Air Act. I am the owner, the importer, or an agent of the owner or importer.

| | | |
|------------|---------------|-------|
| Signature: | Printed name: | Date: |
|------------|---------------|-------|

Identify the name, address, phone number, and e-mail address for the importer, broker, and owner as applicable:

| | | |
|----------------------|--------------------|-------------------|
| Importer (required): | Broker (optional): | Owner (optional): |
|----------------------|--------------------|-------------------|

Penalties: (1) Anyone who knowingly makes any false or fraudulent statement, or omits or conceals a material fact can be fined up to \$270,000 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 \$32,500 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, 90.613, 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 \$32,500 per violation (40 CFR 1068.101(a), 89.1006, 90.1006, 94.1106). **(3)** Any person who circumvents or attempts to circumvent residence-time requirements for stationary engines may be fined up to \$32,500 per day of violation (40 CFR 1068.101(b)(3), 89.1006(a)(5), 90.1006(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: Snowmobile 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: All-terrain vehicle 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: Spark-ignition 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.