

record unless otherwise ordered by him.

(f)(1) The Presiding Officer shall make an initial decision which shall include written findings and conclusions and the reasons or basis therefor on all the material issues of fact, law, or discretion presented on the record. The findings, conclusions, and written decision shall be provided to the parties and made a part of the record. The initial decision shall become the decision of the Administrator without further proceedings unless there is an appeal to the Administrator or motion for review by the Administrator within 20 days of the date the initial decision was filed.

(2) On appeal from or review of the initial decision the Administrator shall have all the powers which he would have in making the initial decision including the discretion to require or allow briefs, oral argument, the taking of additional evidence or the remanding to the Presiding Officer for additional proceedings. The decision by the Administrator shall include written findings and conclusions and the reasons or basis therefor on all the material issues of fact, law, or discretion presented on the appeal or considered in the review.

[42 FR 32907, June 28, 1977, as amended at 49 FR 48479, Dec. 12, 1984]

**§ 86.079-31 Separate certification.**

Where possible a manufacturer should include in a single application for certification all vehicles (or engines) for which certification is required. A manufacturer may, however, choose to apply separately for certification of part of his product line. The selection of test vehicles (or test engines) and the computation of test results will be determined separately for each application.

[42 FR 45149, Sept. 8, 1977]

**§ 86.079-32 Addition of a vehicle or engine after certification.**

(a) If a manufacturer proposes to add to his product line a vehicle (or engine) of the same engine-system combination as vehicles (or engines) previously certified but which was not described in the application for certification

when the test vehicle(s) (or test engine(s)) representing other vehicles (or engines) of that combination was certified, he shall notify the Administrator. Such notification shall be in advance of the addition unless the manufacturer elects to follow the procedure described in § 86.079-34. This notification shall include a full description of the vehicle (or engine) to be added.

(b) The Administrator may require the manufacturer to perform such tests on the test vehicle(s) (or test engine(s)) representing the vehicle (or engine) to be added which would have been required if the vehicle (or engine) had been included in the original application for certification.

(c) If, after a review of the test reports and data submitted by the manufacturer, and data derived from any testing conducted under § 86.079-29, the Administrator determines that the test vehicle(s) or test engine(s) meets all applicable standards, the appropriate certificate will be amended accordingly. If the Administrator determines that the test vehicle(s) (or test engine(s)) does not meet applicable standards, he will proceed under § 86.079-30(b).

[42 FR 45149, Sept. 8, 1977]

**§ 86.079-33 Changes to a vehicle or engine covered by certification.**

(a) The manufacturer shall notify the Administrator of any change in production vehicles (or production engines) in respect to any of the parameters listed in § 86.079-24(a)(3), § 86.079-24(b)(1)(iii), § 86.079-24(b)(2)(iii) or § 86.079-24(b)(3)(iii) as applicable, giving a full description of the change. Such notification shall be in advance of the change unless the manufacturer elects to follow the procedure described in § 86.079-34.

(b) Based upon the description of the change, and data derived from such testing as the Administrator may require or conduct. The Administrator will determine whether the vehicle (or engine), as modified, would still be covered by the certificate of conformity then in effect.

(c) If the Administrator determines that the outstanding certificate would cover the modified vehicles (or engines) he will notify the manufacturer in

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writing. Except as provided in § 86.079-34 the change may not be put into effect prior to the manufacturer's receiving this notification. If the Administrator determines that the modified vehicles (or engines) would not be covered by the certificate then in effect, the modified vehicles (or engines) shall be treated as additions to the product line subject to § 86.079-32.

[42 FR 45149, Sept. 8, 1977]

**§ 86.079-36 Submission of vehicle identification numbers.**

(a) Upon request of the Administrator, the manufacturer of any light-duty vehicle or light-duty truck covered by a certificate of conformity shall, within 30 days, identify by vehicle identification number, the vehicle(s) covered by the certificate of conformity.

(b) The manufacturer of any light-duty vehicle or light-duty truck covered by a certificate of conformity shall provide to the Administrator, within 60 days of the issuance of a certificate of conformity, an explanation of the elements in any vehicle identification coding system in sufficient detail to enable the Administrator to identify those vehicles which are covered by a certificate of conformity.

[43 FR 52920, Nov. 14, 1978]

**§ 86.079-39 Submission of maintenance instructions.**

(a) The manufacturer shall provide to the Administrator, no later than the time of the submission required by § 86.079-23, a copy of the maintenance instructions which the manufacturer proposes to supply to the ultimate purchaser in accordance with § 86.079-38(a). The Administrator will review such instructions to determine whether they are reasonable and necessary to assure the proper functioning of the vehicle's (or engine's) emission control systems. The Administrator will notify the manufacturer of his determination whether such instructions are reasonable and necessary to assure the proper functioning of the emission control systems.

(b) Any revision to the maintenance instructions which will affect emissions shall be supplied to the Adminis-

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trator at least 30 days before being supplied to the ultimate purchaser unless the Administrator consents to a lesser period of time.

[42 FR 45151, Sept. 8, 1977]

**§ 86.080-12 Alternative certification procedures.**

(a)(1) The Administrator will determine which of the following certification procedures (paragraph (a)(3) or (a)(4) of this section) may be used to demonstrate compliance for each heavy-duty engine, light-duty vehicle, and light-duty truck engine family for which certification is sought.

(2) The families selected for the procedure described in paragraph (a)(3) of this section will be subject to this procedure at the option of the manufacturer.

(3) The following provisions apply to those heavy-duty engine, light-duty vehicle, and light-duty truck engine families which the Administrator has specified may be subject to the abbreviated certification review procedure.

(i) The manufacturer shall satisfy all applicable requirements of part 86 necessary to demonstrate compliance with the applicable standards for each class of new motor vehicles or new motor vehicle engines for which certification is sought.

(ii) As specifically allowed by the Administrator, the manufacturer shall assume the responsibility for part or all of the decisions applicable to the family for which certification is sought and which are within the jurisdiction of the Administrator, with the exception that the Administrator will determine whether a test vehicle, or test engine, has met the applicable emission standards.

(iii) The manufacturer shall maintain, update, and correct all records and information required.

(iv) The Administrator may review a manufacturer's records at any time. At the Administrator's discretion, this review may take place either at the manufacturer's facility or at another facility designated by the Administrator.

(v) At the Administrator's request, the manufacturer shall notify the Administrator of the status of the certification program including projected