

SUBCHAPTER I: NON-ROAD ENGINES
DIVISION 3: Non-Road Large Spark-Ignition Engine
§§114.420, 114.421, 114.422, 114.427, and 114.429
Effective September 13, 2001

§114.420. Definitions.

Unless specifically defined in the TCAA or in the rules of the commission, the terms used by the commission have the meanings commonly ascribed to them in the field of air pollution control. In addition to the terms which are defined by the TCAA, the following words and terms, when used in this division, shall have the following meanings, unless the context clearly indicates otherwise.

(1) The definitions found in Title 13, California Code of Regulations, Chapter 9, §2431, concerning Definitions, as effective on November 18, 1999, are hereby incorporated by reference.

(2) **Non-road, large spark-ignition (LSI) engine** - Any engine that produces a gross horsepower (hp) of 25 hp or greater, or is designed (e.g. through fueling, engine calibrations, valve timing, engine speed modifications, etc.) to produce 25 hp or greater. For engine families which have models at or greater than 25 hp, as well as models below 25 hp, only the models at or above 25 hp are considered LSI engines. The engine operating characteristics are significantly similar to the theoretical Otto combustion cycle, with the primary means of controlling power output being the limit on the amount of air that is throttled into the combustion chamber of the engine. LSI engines or alternate fuel-powered LSI internal combustion engines are designed for, but not limited to, powering forklift trucks, sweepers, generators, industrial equipment, and other miscellaneous applications.

(3) **New non-road, large spark-ignition (LSI) engine** - Non-road, LSI model year 2004 and subsequent engines, and all equipment and vehicles that use such an engine.

Adopted April 19, 2000

Effective May 11, 2000

§114.421. Emission Specifications.

(a) The provisions of this division shall apply to new non-road, large spark-ignition (LSI) engines as defined in §114.420 of this title (relating to Definitions).

(b) Exhaust emissions from new non-road, LSI engines manufactured for sale, sold, or offered for sale, or that are introduced, delivered or imported for introduction into commerce in the State of Texas shall not exceed the requirements of Title 13, California Code of Regulations, Chapter 9 (13 CCR 9), §2433(b), concerning Exhaust Emission Standards and Test Procedures -- Off-Road Large Spark-Ignition Engines, as effective on November 18, 1999.

(c) New non-road, LSI engines operated in the State of Texas shall not exceed the requirements of 13 CCR 9, §2433(b).

(d) Beginning on January 1, 2004, a new non-road, LSI engine, not including non-road equipment, intended solely to replace an engine in a piece of non-road equipment that was originally produced with an engine manufactured prior to the applicable implementation date as described in §114.429 of this title shall not be subject to the emissions requirements of subsection (b) of this section provided that the requirements of 13 CCR 9, §2433(e), have been met.

Adopted December 6, 2000

Effective January 18, 2001

§114.422. Control Requirements.

(a) The emissions standards for new non-road, large spark-ignition (LSI) engines as certified for use in the State of California in accordance with Title 13, California Code of Regulations, Chapter 9 (13 CCR 9), Article 4.5, concerning Off-Road Large Spark-Ignition Engines, §§2430 - 2439, as effective on November 18, 1999, are hereby incorporated by reference.

(b) The emission control label requirements for new non-road, LSI engines found in 13 CCR 9, §2434, concerning Emission Control Labels -- 2001 and Later Off-Road Large Spark-Ignition Engines, as effective on November 18, 1999, are hereby incorporated by reference.

(c) The warranty statement and requirements for new non-road, LSI engines found in 13 CCR 9, §2435 and §2436, concerning Defects Warranty Requirements for 2001 and Later Off-Road Large Spark-Ignition Engines, and Emission Control System Warranty Statement, as effective on November 18, 1999, are hereby incorporated by reference.

(d) In the event that a new non-road, LSI engine is recalled in the State of California under 13 CCR 9, §2439, concerning Procedures for In-Use Engine Recalls for Large Off-Road Spark-Ignition Engines with an Engine Displacement Greater than 1.0 Liter, the manufacturer shall take identical corrective action to remedy the cause of the recall.

Adopted April 19, 2000

Effective May 11, 2000

§114.427. Exemptions.

(a) All engines and equipment that fall within the scope of preemption as specified in the FCAA, §209(e)(1), as amended on November 15, 1990 (42 United States Code, §7543(e)(1)), and Title 40 Code of Federal Regulations, §85.1604, concerning Adoption of California Standards by Other States, as amended on December 30, 1997, are specifically excluded from the requirements of this division.

(b) The following new non-road, large spark-ignition engines are exempt from the requirements of this division:

(1) engines operated on or in any device used exclusively upon stationary rails or tracks;

- (2) engines used to propel marine vessels;
- (3) internal combustion engines attached to a foundation at a specific location for at least 12 consecutive months;
- (4) non-road, recreational vehicles and snowmobiles; and
- (5) stationary or transportable gas turbines used for power generation.

Adopted April 19, 2000

Effective May 11, 2000

§114.429. Affected Counties and Compliance Schedules.

(a) Beginning with model year 2004, but no later than January 1, 2004, all sales of new non-road, large spark-ignition (LSI) engines in the State of Texas shall comply with §114.421(b) of this title (relating to Emissions Specifications) and §114.422 of this title (relating to Control Requirements).

(b) Beginning January 1, 2004, new non-road, LSI engines as defined in §114.420 of this title (relating to Definitions) which are used in the State of Texas shall comply with §114.421(c) of this title.

Adopted December 6, 2000

Effective January 18, 2001