

111TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To amend the Clean Air Act to promote the certification of aftermarket conversion systems and thereby encourage the increased use of alternative fueled vehicles.

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IN THE SENATE OF THE UNITED STATES

Mr. WICKER introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Clean Air Act to promote the certification of aftermarket conversion systems and thereby encourage the increased use of alternative fueled vehicles.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Streamline Vehicle  
5 Conversions Act”.

1 **SEC. 2. EMISSION CERTIFICATION REQUIREMENTS FOR**  
2 **AFTERMARKET CONVERSION SYSTEMS.**

3 Part A of title II of the Clean Air Act (42 U.S.C.  
4 7521 et seq.) is amended by adding at the end the fol-  
5 lowing:

6 **“SEC. 220. EMISSION CERTIFICATION REQUIREMENTS FOR**  
7 **AFTERMARKET CONVERSION SYSTEMS.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) AFTERMARKET CONVERSION SYSTEM.—

10 The term ‘aftermarket conversion system’ has the  
11 meaning given the term in section 85.502 of title 40,  
12 Code of Federal Regulations (as in effect on the  
13 date of enactment of this section).

14 “(2) AFTERMARKET CONVERSION TEST

15 GROUP.—The term ‘aftermarket conversion test  
16 group’ means a group of vehicles or engines identi-  
17 fied pursuant to subsection (b)(4) for the purpose of  
18 testing aftermarket conversion systems.

19 “(b) CERTIFICATES OF CONFORMITY.—

20 “(1) IN GENERAL.—In the case of an  
21 aftermarket conversion system, the certificate of  
22 conformity issued by the Administrator for 1 or  
23 more aftermarket conversion test groups—

24 “(A) shall not expire; and

25 “(B) shall continue to apply in subsequent  
26 calendar years.

1           “(2) SUBSEQUENT RECERTIFICATION.—No re-  
2           certification of an aftermarket conversion system  
3           shall be required with respect to the aftermarket  
4           conversion test group covered by the certificate.

5           “(3) NAME CHANGES.—The names of test  
6           groups covered by a certificate of conformity de-  
7           scribed in paragraph (1) shall not change from year  
8           to year.

9           “(4) IDENTIFICATION OF MULTIPLE VEHICLE  
10          MAKES, MODELS, MANUFACTURERS, AND STAND-  
11          ARDS.—For purposes of aftermarket conversion, the  
12          Administrator shall—

13                 “(A) establish criteria for use in identi-  
14                 fying similar vehicle makes, models, original  
15                 equipment manufacturers, emission standards,  
16                 and different model years that may be used  
17                 under a single aftermarket conversion test  
18                 group;

19                 “(B) accept the aftermarket conversion  
20                 test group established under subparagraph (A)  
21                 on an aftermarket conversion system manufac-  
22                 turer application for a certificate of conformity.

23          “(c) CARRYOVER CERTIFICATION FOR ADDITIONAL  
24          MODEL YEARS.—At the request of an aftermarket conver-  
25          sion system manufacturer, the Administrator shall allow

1 the submission of previous vehicle emission test data and  
2 on-board diagnostic II system test data for the certifi-  
3 cation of additional model year vehicles if the aftermarket  
4 conversion system manufacturer is able to demonstrate  
5 that neither the aftermarket conversion system nor the de-  
6 sign and specifications of the applicable vehicle model are  
7 substantially different, from those identified in the origi-  
8 nal certificate of conformity, in a way that could affect  
9 the compliance of the aftermarket conversion system.

10 “(d) CARRY-ACROSS CERTIFICATION.—The Adminis-  
11 trator shall promulgate regulations to allow an  
12 aftermarket conversion system manufacturer to use emis-  
13 sion test data and on-board diagnostic II system test data  
14 generated for a single certified test group to serve as the  
15 basis for certifying additional test groups upon a showing  
16 that the additional test groups are sufficiently similar,  
17 even if produced by different original equipment manufac-  
18 turers.

19 “(e) USE OF ASSIGNED DETERIORATION FAC-  
20 TORS.—A manufacturer of aftermarket conversion sys-  
21 tems may use deterioration factors assigned by the Envi-  
22 ronmental Protection Agency without regard to any sales  
23 limits imposed on small-volume manufacturers.

24 “(f) WAIVER OF CERTAIN TESTING REQUIRE-  
25 MENTS.—In certifying an aftermarket conversion system,

1 the Administrator shall waive any emission testing and  
2 nonexhaust emission testing requirements pertaining to  
3 the fuel on which the vehicle or engine was originally cer-  
4 tified to run, if the aftermarket conversion system manu-  
5 facturer is able to demonstrate that waiving the testing  
6 requirements is appropriate.

7 “(g) ON-BOARD DIAGNOSTIC REQUIREMENTS.—The  
8 Administrator shall promulgate regulations applicable to  
9 on-board diagnostic systems for aftermarket conversion  
10 systems that—

11 “(1) ensure that aftermarket conversion sys-  
12 tems which are equipped with on-board diagnostic  
13 systems are effective at monitoring critical emission  
14 components;

15 “(2) take into account the inability of an  
16 aftermarket conversion system manufacturer to ac-  
17 cess proprietary on-board diagnostic technology of  
18 an original equipment manufacturer; and

19 “(3) are sufficiently flexible to encourage the  
20 increased use of alternative fueled vehicles.

21 “(h) OLDER VEHICLES.—

22 “(1) IN GENERAL.—Conversion of a vehicle out-  
23 side of the useful life of the vehicle, as specified on  
24 the certificate of conformity of the original equip-

1       ment manufacturer, to alternative fuel operation  
2       shall not—

3               “(A) be considered to be tampering under  
4       section 203, if the aftermarket conversion sys-  
5       tem manufacturer or the person performing the  
6       conversion is able to demonstrate that the de-  
7       velopment and engineering sophistication of the  
8       conversion technology is—

9                       “(i) matched to an appropriate vehicle  
10                      or group of vehicles; and

11                     “(ii) well-designed and installed in ac-  
12                     cordance with good engineering judgment  
13                     so that the installation of the aftermarket  
14                     conversion system does not degrade emis-  
15                     sion performance, as compared to the per-  
16                     formance of the vehicle or vehicles before  
17                     the conversion; or

18                     “(B) require the issuance by the Adminis-  
19                     trator of any certificate of conformity.

20               “(2) LABEL.—Upon conversion of a vehicle de-  
21       scribed in paragraph (1), the person performing the  
22       conversion shall affix to the motor vehicle a label  
23       that includes a statement that—

24                     “(A) the vehicle has been equipped with an  
25                     aftermarket conversion system; and

1           “(B) the installation of that system oc-  
2           curred outside of the useful life of the vehicle.

3           “(3) NO PRECLUSION OF ORDERS.—Nothing in  
4           this section precludes the Administrator from  
5           issuing an order to prohibit the manufacture, sale,  
6           distribution, or installation of an aftermarket con-  
7           version system if the Administrator has evidence  
8           that the installation of the aftermarket conversion  
9           system on a vehicle outside of the useful life of the  
10          vehicle degrades emission performance.”.