FREQUENTLY ASKED QUESTIONS

Vehicle and Engine Emissions program

Environment and Climate Change Canada (ECCC)

Livingston

Simplify trade.

Frequently Asked Questions

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Information on the Vehicle and Engine Emissions program

The Vehicle and Engine Emissions Program (VEE) under the Single Window Initiative (SWI) is a program controlled collaboratively by both the Canada Border Services Agency (CBSA) and Environment and Climate Change Canada (ECCC). It is aimed at reducing the contribution to air pollution caused by on-road and off-road vehicles, engines and machines in Canada through the implementation of emission performance standards and test procedures for vehicles and engines being imported into Canada.

The standards and test procedures are closely aligned with those of the U.S. Environmental Protection Agency (EPA).

Therefore, products certified for sale in the U.S. are, for the most part, eligible for import and sale in Canada. Canada utilizes several regulations under the authority of the Canadian Environmental Protection Act, 1999 (CEPA), to help reduce air pollutants and greenhouse gas emissions from vehicles and engines.

Goods that are subject to Environment Canada's Vehicle and Engine Emissions program are governed by one or more of the following emission regulations:

- On-Road Vehicle and Engine Emission Regulations
- Off-road Compression-Ignition (Mobile & Stationary) & Large Spark-Ignition Engine Emission Regulations
- Off-Road Small Spark-Ignition Engine Emission Regulations
- Marine Spark-Ignition Engine, Vessel and Off-Road Recreational Vehicle Emission Regulations

Additional information on the new regulations is found in the Information on **Off-road Compression-Ignition (Mobile and Stationary) and Large Spark-Ignition Engine Emission Regulations**.

These regulations, and links to various related information and guidance documents, are found in the section entitled "**Additional Links to Emissions related Information**" of this document.

CBSA's Single Window Initiative

Until the CBSA's Single Window Initiative (SWI) came into force companies importing vehicles, engines, vessels, or machines were required to either bulk report or submit signed Import Declarations with statements of conformity to Environment and Climate Change Canada (ECCC).

Under SWI, release requests for vehicles, engines, vessels and machines may be provided to the CBSA electronically by submitting an Integrated Import Declaration (IID) (Service option 911), along with the different sets of data elements required by ECCC depending on which vehicles, vessels or engines are being imported.

CBSA will transmit applicable data elements directly to the ECCC for their review and retention.

Definitions/Acronyms

CEPA	The Canadian Environmental Protection Act. CEPA is an Act respecting pollution prevention and the protection of the environment and human health in order to contribute to sustainable development.

CFR	The Code of Federal Regulations of the United States, as amended from time to time. It's used throughout CEPA in reference to similar Canadian standards.
Company	**A person who:** (a) Is engaged in the business of manufacturing engines, vehicles, vessels, or machines in Canada; (b) Is engaged in the business of selling to other persons, for the purpose of resale by those persons, engines, vehicles, vessels, or machines obtained directly from a person described in paragraph (a) or the agent of such person; or (c) Imports any engine, vehicle, vessel, or machine into Canada for the purpose of sale.
Diesel engine	A type of engine that has operating characteristics significantly similar to those of the theoretical diesel combustion cycle. The non-use of a throttle during normal operation is indicative of a diesel engine.
Engine	In D19-7-4, "Importation of Engines, Vehicles, Vessels and Machines", an engine means any prescribed internal combustion engine but does not include an engine designed to propel an aircraft, rolling stock or a marine compression-ignition engine rated at 37 kW or more and is designed to propel a vessel. – Other engines are defined in their specific regulations.
Engine Family	A manufacturer's grouping of engine types for certification which have similar exhaust emission characteristics and maintains applicable emission limit values. The engine family name is found on the engine control label (ECL).
EPA	The United States Environmental Protection Agency (EPA).
EPA certificate	A certificate of conformity to U.S. federal standards issued by the EPA under Title 40, chapter I, subchapter C, part 86, of the CFR.
GVWR	The gross vehicle weight rating specified by a manufacturer as the maximum design loaded weight of a single vehicle.
Heavy-duty engine	An engine designed to be used for motive power in a heavy-duty vehicle, other than a medium-duty passenger vehicle, Class 2B vehicle, or Class 3 vehicle.
Heavy-duty vehicle	An on-road vehicle with a GVWR of more than 3,856 kgs (8,500 lbs.), a curb weight of more than 2,722 kgs (6,000 lbs.), or a basic vehicle frontal area over 4.2 m2 (45 sq.ft.). Definition also applies to "incomplete heavy-duty vehicles".
LSI	Large Spark Ignition Engines that operate under characteristics significantly similar to the theoretical Otto combustion cycle; uses a spark plug or other sparking device; and develops more than 19 kW of power measured at the crankshaft, or its equivalent, when equipped only with standard accessories that are necessary for its operation.
Light-duty vehicles	An on-road vehicle designed primarily for the transportation of persons, with a designated seating capacity of not more than 12 persons.

Machine	Anything, including a vehicle, device, appliance, or implement, powered by a prescribed engine.
Make	Means the name that a manufacturer applies to a group of vehicles.
Medium-duty passenger vehicles	**A heavy-duty vehicle that has a GVWR of less than 4,536 kgs (10,000 lbs.) and is designed primarily for the transportation of persons, but does not include any vehicle that:** (a) is an incomplete truck because it does not have a primary load carrying device or container attached; (b) has a seating capacity of more than 12 persons; (c) is designed to seat more than 9 persons behind the driver; or (d) is equipped with an open cargo area (for example, a pick-up truck box or bed) of 183 cm (72 in.) in interior length or more or with a covered box not readily accessible from the passenger compartment.
Off-road engine	An engine that is designed to be or is capable of being carried or moved; or is used or designed to be used in or on a machine.
Off-road small spark-ignition engines	**Are those engines that:** (a) operate under characteristics significantly similar to the theoretical Otto combustion cycle; (b) use a spark plug or another sparking device; and (c) develop no more than 19 kW of power measured at the crankshaft, or its equivalent, when equipped only with standard accessories (such as oil pumps or coolant pumps) necessary for their operation.
On-road motorcycles	An on-road vehicle with a headlight, taillight and stoplight that has two or three wheels and a curb weight of 793 kg (1,749 lbs.) or less. Additional classes of motorcycles are further defined in the On-Road Vehicle and Engine Emission Regulations.
SCI	Stationary Compression-Ignition engines means any engine that is designed to be used in or on a machine that is designed to be stationary.
Tractor	A heavy-duty vehicle that has a GVWR of more than 11,793 kg (26,000 lbs) and that is manufactured primarily for pulling a trailer but not for carrying cargo other than in the trailer.
Vehicle	Any prescribed self-propelled vehicle, that does not include an aircraft, rolling stock, or a vessel with a marine compression-ignition engine rated at 37 kW or more, for propulsion.
Class 2B and Class 3 vehicles	• **Class 2B vehicle** is a heavy-duty vehicle that has a GVWR of more than 3,856 kgs (8,500 lbs) but less than or equal to 4,536 kg (10,000 lbs). • **Class 3 vehicle** means a heavy-duty vehicle that has a GVWR of more than 4,536 kg (10,000 lbs) but less than or equal to 6,350 kg (14,000 lbs).
Vessel	A boat, ship, or craft, in which a fuel line or fuel tank is installed, designed to be propelled by a prescribed engine.
VIN	Vehicle Identification Number. Since 1981, it is expressed as a 17-character serial number. Each of the positions in a VIN describes a specific aspect of the vehicle.

Frequently asked questions

1) Why does Environment Canada regulate and monitor these importations?

The purposes for regulating Vehicle and Engine Emissions under the Canadian Environmental Protection Act, 1999 (CEPA), and the related regulations are to:

a) Reduce emissions of hydrocarbons, carbon monoxide, oxides of nitrogen, formaldehyde, and particulate matter from on-road vehicles and engines by establishing emission limits for those substances;
b) Reduce emissions of certain toxic substances through the establishment of emission limits and
c) Establish emission standards and test procedures for on-road vehicles and engines that are aligned with those of the EPA (in the U.S.).

The regulations define the prescribed classes of on-road vehicles and engines that must comply with CEPA, as well as the requirements respecting the conformity with CEPA emission standards.

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2) Which Vehicles, Vessels and Engines must comply with the regulations?

The import requirements under CEPA apply to the following regulated engines, vehicles, vessels and machines:

- Light-duty vehicles including light trucks – various types – see regulations;
- Medium-duty passenger vehicles;
- Class 2b and class 3 vehicles;
- Heavy-duty vehicles and heavy-duty engines;
- On-road motorcycles;
- Passenger automobiles;
- Vocational vehicles such as school or intercity buses, freight, service, cement, and dump trucks;
- Tractors;
- Heavy-duty incomplete vehicles;
- Off-road compression-ignition engines (mobile and stationary);
- Off-road small spark-ignition engines rated up to 19 kw (25hp);
- Spark-ignited outboard engines, inboard engines, and personal watercraft engines;
- A vessel, in which a fuel line or fuel tank is installed;
- Snowmobiles, all-terrain vehicles, utility vehicles, and off-road motorcycles; and
- Incomplete engines and vehicles of the above-regulated classes of vehicles and engines;
- Large Spark Ignition engines

In addition to the vehicles and engines listed above, the Off-road Compression-Ignition (Mobile and Stationary) and Large Spark Ignition Engine Emission Regulations (CI-LSI) mandated the regulation of additional machines. The CI-LSI regulations, which were implemented in June 2021 repealed and replaced the old Off-Road Compression-Ignition Engine Emission Regulations and established standards for large spark-ignition engines, such as forklifts, ice re-surfacing vehicles, aerial lifts, industrial pumps, fire pumps, air compressors and stationary diesel engines used in generators. The emission standards applicable to mobile diesel engines remained unchanged under the new regulations.

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3) How does Livingston know if your import is subject to VEE?

When Livingston is alerted by the classification number to the possibility of VEE-regulated goods being imported, we will review the description of the goods and the applicable regulations to confirm if the regulations apply. Decisions are made based on the information provided in the importation documentation regarding the fuel source, power output, compliance with EPA standards, and the application and exceptions provided in the regulations. It is imperative that importers communicate their Vehicle and Engine Emissions import processes and information with Livingston to ensure that we have the records and information to correctly code your tariff base and avoid delays at the border.

4) Which HS Classification numbers are subject to the VEE Program?

The HS Classification numbers for the VEE Program encompass hundreds of classification numbers found in Chapters 84, 85, 86, 87, and 89. Since hundreds of engines and vehicles are subject to the VEE program based on the classification, the Vehicle and Engine Emissions Program within the Data Element Matching Criteria Tables, as well as regulations, must be referenced at the time of import.

Environment and Climate Change Canada (ECCC) must be consulted to see if a specific HS Classification number is regulated.

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5) Which goods do not require SWI data to be entered at the time of release?

Certain vehicles and engines are targeted by ECCC by HS classification number, however, under SWI a CBSA-recognized code is transmitted rather than entering data to indicate that either the goods are not regulated or that an importer is authorized by ECCC to use periodic (bulk) reporting or apply a National Emissions Mark.

These codes are as follows:

- XE05 – The Importer has authorization to apply the National Emissions Mark (NEM) by ECCC and the NEM is applied to their goods
- XE06 – The Importer has bulk reporting approval from ECCC
- XE07 – The Importer informed ECCC that they will report retroactively for imports of off-road small spark-ignition engines
- XE99 goods are not subject to any of the Vehicle and Engine Emissions Program regulations
- Exemptions are also available in limited quantities for non-commercial imports and companies importing for their own use

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6) How does CBSA transmit information to ECCC using SWI?

When an SWI submission is received by the CBSA, the CBSA will transmit applicable data elements directly to the ECCC for their review and retention. This allows ECCC to receive the data in real-time, allowing the department to engage with stakeholders as needed.

SWI reduces the number of paper declarations to be submitted to ECCC and facilitates compliance with regulatory requirements. SWI also provides the added benefit of reducing the effort to produce mandatory annual reports required for certain regulations.

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7) What is an "On-Road Vehicle"?

The On-Road Vehicle and Engine Emission Regulations define an on-road vehicle as a self-propelled vehicle designed for or capable of transporting persons, property, material, or permanently or temporarily affixed apparatus on a highway, but does not mean a vehicle that:

- Cannot exceed a speed of 40 km/h (25 mph) on a level paved surface;
- Lacks features customarily associated with safe, practical highway use such as a reverse gear, unless the vehicle is a motorcycle, a differential, or safety features required by federal or provincial laws;
- Exhibits features that render its use on a highway unsafe, impractical, or highly unlikely, such as tracked road contact means or inordinate size; or
- Is a military vehicle designed for use in combat or combat support.

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8) Which on-Road Vehicles and Engines are excluded from the regulations?

The exceptions to the prescribed vehicles are covered in the regulations for each specific program, but generally speaking, the prescribed classes of vehicles and engines referred to in the regulations do not include any:

- vehicle whose main assembly was completed 15 years or more before the date of importation into Canada; or

- vehicle or engine that is being exported and that is accompanied by written evidence establishing that it will not be sold for use or used in Canada;
- vehicle or engine to be used in Canada solely for purposes of exhibition, demonstration, evaluation, or testing;
- engine that is to be installed in a heavy-duty vehicle before the first retail sale of the vehicle; and
- engine that is to be installed as a replacement in a heavy-duty vehicle that has a national emissions mark applied to it if the replacement engine;
  - is of the same model year as the original engine, and
  - is identical to the original engine in all respects, from material to emissions.

Other exemptions may apply depending on the type of vehicle/engine or its use in Canada as specified in the regulations.

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9) What information do I need to import On-Road Vehicles?

When imported goods match an HS classification number that is regulated under the VEE program, Livingston will require very specific information about the vehicle, engines, or parts, to avoid delays at the border. If this information is available on the documentation and in your tariff base where possible, delays will be minimal. Information specific to individual vehicles or engines will differ with each import and must be provided on a transactional basis unless an importer is authorized for periodic or bulk reporting.

Information to be provided includes:

- Vehicle/equipment/device model
- Vehicle/equipment/device brand/make
- Vehicle/equipment/device model year
- Vehicle/engine class
- Engine Manufacturer name
- Make of Engine or machine
- Model of Engine or machine
- Compliance Statement attesting to the importer's compliance
- Machine Manufacturer Name
- Model Year of Engine (must be provided in CCYY format) or Model Year of machine
- Engine Power Rating (the value and unit of measure of KW or HP)
- VIN (Vehicle Identification Number)
- Engine Identification No.
- Name of Engine Family/name of Emissions Family
- Test Group Name if applicable for On-Road Vehicles, Engines, and Equipment)
- Evaporative Family name

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10) What is the difference between Spark Ignition (SI) and Compression Ignition (CI) engine?

The main difference between Spark Ignition (SI) and Compression Ignition (CI) engines is the type of fuel used in each. In SI engines gasoline is usually used as fuel. In CI engines, diesel is used as fuel. In (CI) engines, the fuel is self-ignited as it is injected into the air that has been heated by compression. In (SI) engines, the fuel is ignited by sparking-plugs.

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11) Which Mobile or stationary compression-ignition engines or mobile large spark-ignition engines are regulated?

Mobile or stationary compression-ignition engines or mobile large spark-ignition engines, including those that have a complete fuel system — are prescribed for the purposes of the definition engine in section 149 of the Act.

The prescribed engines, however, do not include engines that:

a) are regulated under the On-Road Vehicle and Engine Emission Regulations;
b) are or will be installed in a vehicle that is regulated under the On-Road Vehicle and Engine Emission Regulations and are intended to propel such a vehicle;
c) are or will be installed in an auxiliary power unit, as defined in subsection 1(1) of the On-Road Vehicle and Engine Emission Regulations, that is or will be installed in a tractor that is regulated under those Regulations;
d) are regulated under the Marine Spark-ignition Engine, Vessel and Off-road Recreational Vehicle Emission Regulations;
e) are or will be installed in a vehicle that is regulated under the Marine Spark-ignition Engine, Vessel and Off-road Recreational Vehicle Emission Regulations and are intended to propel such a vehicle;
f) are designed exclusively for competition and meet specific requirements under subsection 5(1)(f) of the regulations;
g) are designed to be used exclusively in a military machine designed for combat or combat support during military activities only, including reconnaissance missions, rescue missions, and training missions, and bear labeling described in subsection 5(1)(g) of the regulations;
h) are to be exported, will not be used or sold for use in Canada, and bear a label that meets the requirements set out in section 34 and states that it is for export, not for use or sale for use in Canada;
i) are regulated under the Multi-Sector Air Pollutants Regulations and bear a label that meets the requirements set out in section 34 as well as the statement to the fact that it is regulated under the Multi-Sector Air Pollutants Regulations and will be used in a facility listed in subsection 46(4) of those regulations;
j) have a displacement of 1 000 cm3 or less, a gross engine power of 30 kW or less, and meet the requirements that apply under the Off-Road Small Spark-Ignition Engine Emission Regulations to an engine of the same model year that is designed to be used in a non-handheld machine;
k) are compression-ignition engines described in subsection 5(1)(k) of the regulations that are designed to be used in underground mines, but may also be used above ground, providing that requirements in the regulations are met;
l) are large spark-ignition engines, that are or will be installed in or on emergency machines where labeling and statement requirements under subsection 5(1)(l) of the regulations are met;

Also excluded are certain engines that have their manufacture completed in Canada by the addition of an emission control system and that are sold concurrently in Canada and the USA; or engines that are to be used in Canada solely for purposes of exhibition, demonstration, evaluation, or testing.

Additional information on the prescribed engines and exclusions are found in Section 5 of the regulations.

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12) What are the reporting requirements under the Off-road Compression-Ignition (Mobile and Stationary) and Large Spark-Ignition Engine Emission Regulations?

Under the Off-road Compression-Ignition (Mobile and Stationary) and Large Spark-Ignition (CI-LSI) Engine Emissions program, the Regulations introduce the option to fulfill import declaration requirements via SWI. Importers who choose to use the IID are not required to submit separate import declarations to ECCC.

Companies that import 50 or more LSI, SCI, and MCI engines in a calendar year may submit a single import declaration to the ECCC for each year in which they import engines.

Companies that import fewer than 50 engines in a calendar year are required to submit a declaration to the Minister for each shipment of engines prior to their importation. Under the Regulations, a person who is not a company that imports fewer than 10 engines in a year would not be required to submit an import declaration.

The proposed Regulations would also include record keeping and several other administrative provisions that would be necessary to administer and enforce compliance with the regulatory requirements, similar to what is required under the current Regulations. **These provisions include the following:**

- A national emissions mark is required on engines manufactured in Canada. A company must be authorized by the Minister to apply the mark;
- Companies are required to provide emission-related maintenance instructions;
- Companies must be able to produce evidence of conformity;
- Engines to be installed in machines in Canada would need to be accompanied by instructions for installing the engine and emission control system;
- A notice of defect must be given by the company to the Minister and each current owner of the affected products if there is a defect in the design, construction, or functioning of the engine that affects or is likely to affect its compliance with a prescribed standard; and
- Companies that wish to import non-compliant engines exclusively for the purposes of demonstration, exhibition, evaluation, or testing must submit a declaration under paragraph 155(1)(a) of CEPA.

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13) What is an "Off-Road Small Spark-Ignition Engine"?

An "Off-road engine" is an engine that that is designed to be used by itself and that is capable of being carried or moved; or one that is designed to be used in or on a machine that:

- Is designed to be or is capable of being carried or moved,
- Is self-propelled,
- Serves a dual purpose by both propelling itself and performing another function, or
- Is designed to be propelled while performing its function.

Since these are Spark Ignition engines, they are powered by gasoline.

- For example, a gasoline-powered lawn mower, or a portable gas generator would be subject to the **Off-Road Small Spark-Ignition Engine Emission Regulations** and SWI data would be required.

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14) What is a Handheld machine?

Means a machine, other than a bicycle powered by a bicycle engine, that:

a) is designed to be carried by the operator during its use;
b) is designed to operate in more than one position during its use;
c) has a dry weight of less than 16 kg, has no more than two wheels, and is designed to be carried or supported by the operator during its use;
d) in the case of a vehicle, is designed to be used for recreational purposes and has a dry weight of less than 20 kg;
e) is powered by an engine that has a total displacement equal to or less than 80 cm3;
f) is an auger that has a dry weight of less than 22 kg; or
g) is a jackhammer or compactor that is designed to be supported by the operator.

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15) Which categories of off-road small spark-ignition engines are excluded from the Regulations?

a) Designed exclusively for competition, namely one that has the following characteristics, and bears a label that meets the requirements of subsections 17.2(3) and (4) and indicates that the engine is a competition engine: i) its performance characteristics are substantially superior to non-competition engines, and ii) it is not displayed for sale in any public dealership or otherwise offered for sale to the general public;
b) Regulated by the on-road vehicle and engine emission regulations;
c) Regulated by the marine spark-ignition engine, vessel, and off-road recreational vehicle emission regulations;
d) Designed to be used in reduced-scale models of vehicles that are not capable of transporting a person;
e) Designed to be used exclusively in emergency and rescue machines and that bears either a label to that effect and that meets the requirements set out in subsections 17.2(3) and (4) or the U.S. label referred to in paragraph 660(c) of subpart G of CFR 1054;

f) Designed to be used exclusively in military machines that are used only in combat or combat support during military activities, including reconnaissance missions, rescue missions, and training missions and that bears either a label to that effect and that meets the requirements set out in subsections 17.2(3) and (4) or the U.S. emission control information label referred to in paragraph 225(e) of subpart C of CFR 1068;

g) Being exported and that is accompanied by a written statement establishing that it will not be used or sold for use in Canada; or

h) Covered by the EPA certificate referred to in section 615 of subpart G of CFR 1054 and that bears the U.S. emission control information label set out in subchapter U, part 1048, subpart B, section 135 of the CFR.

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16) What is a National Emissions Mark (NEM)?

The NEM (below) is a standardized mark applied to engines to signify that they comply with National Emissions standards in Canada. Under the CEPA and related regulations, companies are not allowed to transport engines that are manufactured in Canada between provinces or territories unless the engine has a NEM applied.

Imported engines however are not required to have the NEM applied. Companies that are authorized to use the NEM may apply the mark to imported engines that comply. Engines that comply with the United States Environmental Protection Agency (EPA) standards as set out in the Code of Federal Regulations.

The regulations must be checked for each program to ensure compliance with the NEM for that program. Approximately 75% of large automotive companies are authorized to use the NEM.

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17) What is an EPA certification?

It is evidence of conformity to EPA (the United States Environmental Protection Agency) and the vehicle or engine bears the EPA emission control information label. EPA certification can be verified on the **Annual Certification Data for Vehicles, Engines, and Equipment website**. If a vehicle or engine family appears in the online report, it is certified by EPA. Vehicles or engines that do not appear on the site or were voided, do not conform to EPA certification standards.

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18) What are "Bulk Importation Declarations" for imported Engines, Vehicles, Vessels and Machines?

Any company that imports a high volume of regulated goods in a calendar year may provide the importation information on a periodic basis (i.e., bulk declarations or bulk reporting) rather than for each transaction. The volume threshold varies and the specific requirements for each program varies depending on the regulations.

- If choosing to bulk report, a company must send notice to ECCC of their intention to use bulk reporting. For Marine Spark-Ignition Engines, Vessels and Off-Road Recreational Vehicle engines, and the Off-road Compression-Ignition (Mobile & Stationary) & Large Spark-Ignition Engine Emissions program, prior authorization is required along with the number of goods they expect to import.

The company must later provide all information required in an importation declaration to ECCC for all the products imported during the previous year. This information is due 90 days following the calendar year of import. If importers are not set up for either bulk reporting or the NEM, they may submit information about the regulated products through the CBSA's SWI. Under SWI the information on the import declaration will be submitted to both CBSA and ECCC at the time of each importation.

Bulk reporting thresholds which are the minimum number of goods that are allowable for an importer to use bulk reporting are as follows:

- 50 for any Off-road Compression-Ignition (Mobile & Stationary) & Large Spark-Ignition Engines
- 50 for any combination of marine engines, vessels, or off-road recreational vehicles
- 50 for any Off-Road Small Spark-Ignition Engines (pre-authorization not required)

For On-Road Vehicles or engines, there is no prior authorization or threshold provided for bulk reporting in the regulations. To report on-road vehicles similarly to bulk reporting, the importer of new vehicles (who is not authorized to use the NEM on these imports) must e-mail an Import Declaration prior to importing the first vehicle of the year for the class vehicle they will be importing. The e-mail will be acknowledged but this is not the same as the pre-authorization provided under the Marine Spark-Ignition Engine, Vessel and Off-Road Recreational Vehicle Emission Regulations or the Off-road Compression-Ignition (Mobile & Stationary) & Large Spark-Ignition Engine Regulations. The thresholds and pre-authorization under the latter two programs must be adhered to; otherwise, individual Import Declarations will be required.

When importers of on-road vehicles and engines send Import Declarations to ECCC prior to the first import of that class of vehicle, it will be transmitted to CBSA using the same code (XE06) that is used for bulk reporting.

Any information regarding bulk reporting authorizations, retroactive reporting, or Import Declarations submitted directly to ECCC should be shared with Livingston to ensure that the correct codes will be transmitted to CBSA under SWI. Failure to follow proper reporting requirements could result in administrative penalties. If choosing this option, a company must send a notice to the Director of the Transportation Division to inform ECCC of its intention to use bulk declarations for certain programs.

There is no specific form or template for authorization to use bulk declarations, but the communication must contain the following information:

- Company name;
- Business number;
- Classes of engines, vessels, or vehicles to be imported into Canada, as well as the applicable models;
- Estimated annual quantity of engines, vessels, or vehicles to be imported into Canada;
- Estimated frequency of importations (e.g., 1 shipment/year, 1 shipment/month) and estimated period of importation for each class of engines, vessels, or vehicles (e.g., January to May, April to September, or throughout the year); and
- Desired frequency of bulk declarations.

Importers should share all pre-authorization for bulk reporting for their imports of any vessels, marine engines, recreational vehicles, and off-road Compression Ignition engines or large spark ignition engines with Livingston annually.

Although the bulk reporting process for on-road vehicles and off-road small spark ignition engines differs in how it is reported to ECCC this information should be communicated with Livingston as well to ensure the required SWI codes are transmitted to CBSA at the time of release to ensure seamless imports.

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19) If an Importer is a Bulk Reporter, do they still need to provide data at the time of import?

If an importer is authorized for bulk reporting for any VEE programs, Livingston can update your tariff base against each imported item so that no additional data elements will be required. On the rare occasion that an importer bulk reports for all programs and no regulated parts are ever imported, Livingston can set a default to automatically select bulk reporting for all commodities regulated under the VEE program. However, this is rare as most companies import a few regulated goods that are not under bulk reporting.

20) What is a bulk Notice of Intent?

Under the CI-LSI program, companies who import 50 engines or more in a calendar year, can request to submit the import declarations after importation, but no later than March 31 of the calendar year following the calendar year during which the engines are imported, rather than prior to each importation event.

Companies electing to use Bulk Importation Declaration reporting for the first time must, before importing the first of the engines during the calendar year, send a Notice of Intent to Environment and Climate Change Canada (ECCC) to inform them of their intention to use such reporting.

The Notice of Intent must include the information outlined under subsection 44(3) and/or 46(4) of the CI-LSI Regulations. ECCC has developed a suggested Notice of Intent template. Upon completion, this letter can be returned to the Regulatory Compliance Management Team, by email to: **infovehiculeetmoteur-vehicleandengineinfo@ec.gc.ca** with the completed Notice of Intent template attached to the e-mail.

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21) What is an Off-Road Recreational Vehicle?

Off-road recreational vehicles consist of four classes of vehicles per regulation:

1. Off-road motorcycle means a two-wheeled vehicle that is equipped with a seat.
2. Snowmobile means a vehicle, including a vehicle that can be converted into a snowmobile, that has a maximum width of 1.5 m and is designed primarily for travel on snow.
3. All-terrain vehicle means a land-based or amphibious vehicle, other than a utility vehicle, that is designed to travel on three or four low-pressure tires, is equipped with a seat designed to be straddled and with handlebars for steering, and is designed to be used by a single operator and no passengers; or has three or more wheels and one or more seats, is designed for operation over rough terrain, is designed for transportation, and has a maximum vehicle speed of at least 40 km/h.
4. Utility vehicle means a vehicle that is designed for operation over rough terrain and that has at least four wheels and seating for at least two persons; has an engine displacement of at most 1000 cm^3, a maximum engine brake power of at most 30 kW, and a maximum vehicle speed of at least 40 km/h; and has either a rear payload of at least 159 kilograms (kg) or seating for at least six passengers.

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22) Are RIV and VEE requirements the same?

No, the Registrar of Imported Vehicles (RIV) Program refers to the national certification program established by Transport Canada that ensures qualifying vehicles purchased at the retail level in the US are modified, inspected, and certified to comply with means Canadian Motor Vehicle Safety Standards (CMVSS).

The CBSA office at the point of entry will process the import of vehicles into Canada and assist Transport Canada with the administration of the Motor Vehicle Safety Act and the Motor Vehicle Safety Regulations by administering and enforcing the conditions under which new and used vehicles may be imported at CBSA points of entry.

The RIV Program is concerned mainly with regulating imports of vehicles to reduce the risk of death, injury, and damage to property and the environment, whereas the VEE Program deals mainly with the regulation of engine emissions and includes regulation of certain goods that are not vehicles and not regulated by TC.

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23) What is an affirmation of compliance?

Livingston must transmit a specific code to indicate that an importer can provide an Affirmation of Statement Compliance for Incomplete Vehicles or Engines. These statements attest to the fact that the imported goods will comply with requirements for specific marking or conformity with EPA requirements.

As long as it is not a “Canada Unique” engine and we have the Emissions Family of the goods, then we can check the EPA Certification site, however, for compliance purposes, importers should communicate with their service team how and where all engines will be completed.

Under the Off-road Compression-Ignition (Mobile & Stationary) & Large Spark-Ignition Engines program, there are mandatory Affirmation requirements that were not in place under the old “ORVEER” program.
New product category information and data must be provided when there is an alternative emission standard conformity statement, including name and location details.

Additional details will be required in most situations where a replacement engine is being imported. Below are a few examples, however, our guidance documents on **Managing Environment and Climate Change Canada (ECCC) DATA under Single Window** provides detailed data requirements for importers.

Here are some of the situations where additional data will be required:

- Your company is authorized to apply the national emissions mark to the engine and will apply it after importation at the location specified in your application under section 26.
- The engine is a replacement and the engine it will replace will only be identified after importation.
- The required evidence of conformity is retained at a place of business of the importer other than what is provided for the importer address.
- The required evidence of conformity is retained at a location other than a place of business of the importer.
- The engine will have its manufacture completed prior to importation into Canada or the manufacture completed in Canada will be limited to either the addition of:
  - an emission control system for exhaust emissions, or part of such a system, in a manner that conforms to the certificate and the certificate holder’s installation instructions.
  - a complete fuel system, or part of such a system, in a manner that conforms to the certificate and the certificate holder’s installation instructions.

When an alternative standard conformity statement is provided, ECCC must be advised either at the time of import or when bulk reporting, the end use of the engine (loose or installed).

Alternative standard conformity statements are used for engines that are not required to conform to standard emission testing. These engines are subject to alternate exhaust emission standards specifically provided in the regulations engines such as those used for emergency machines, power outages, transport refrigeration systems, supplying power to fire pumps, or supplying power to remote locations or defense systems among other uses.

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24) What information do we need from the Manufacturer of a Vehicle or an engine?

For importation of incomplete vehicles or engines regulated under CEPA, a company must submit to ECCC a declaration that contains the information referenced in the applicable regulations along with a statement:

- from the manufacturer stating that when the engine or the main assembly of the vehicle, vessel, or machine is completed in accordance with instructions provided by the manufacturer, the engine, vehicle, vessel, or machine will conform to the standards prescribed under the regulations; and
- from the company stating that the engine, vehicle, vessel, or machine will be completed in accordance with the instructions provided by the manufacturer.

We also require information on the vehicle being imported such as the Gross Vehicle Weight Rating (GVWR) and model year of a vehicle or an engine. The VEE program always requires the manufacturer's information when goods are neither bulk reported or not authorized for use of the NEM. Manufacturers must attest that their vehicle/engine complies with VEE regulations. This is done by either ensuring it is EPA Certified or has the marks, attestations, or proof of compliance.

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25) How is an emergency machine defined under the Off-road CI & LSI Engine Emission Regulations?

An emergency machine means a machine that is designed:

(a) to be used exclusively for aircraft rescue or to fight fires at airports;

(b) primarily to fight wildfires, including a vehicle that is designed to be equipped with an auxiliary fire-fighting machine; or

(c) to be used exclusively in emergency situations.

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26) What are alternative standards for different classes of engines?

The USA and Canada continually work to align emission standards under CEPA and the EPA. The USA has adopted emission standards for almost every kind of engine, including everything from lawnmowers to cruise ships. To show compliance with these emission standards, engine manufacturers must follow test procedures specified in the Code of Federal Regulations (CFR). In Canada, each vehicle and engine Emissions program aligns the standard test procedures with the US EPA's test procedures which are cited under the regulations for each program.

In many programs, alternative standards exist for testing machine emissions. For example, Section 9 of the Off-road Compression-Ignition (Mobile and Stationary) and Large Spark-Ignition Engine Emission Regulations states that a company may, instead of using the test procedures set out in CFR 60 in respect of their stationary compression-ignition engines, replace one or more of those test procedures with alternative test procedures that have parameters and specifications that are equivalent to or more stringent than the parameters and specifications of the test procedures set out in CFR 60.

However, the alternative test procedures referred to in subsection (1) must be included in a test procedure published by an organization specified in section 9 of the regulations. A company that uses alternative test procedures must, have evidence of conformity that demonstrates that the alternative test procedures have parameters and specifications that are equivalent to or more stringent than the parameters and specifications of the test procedures set out in CFR 60.

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27) What is a model under the VEE Program?

A model means the name that a manufacturer applies to a family of vehicles of the same class, make, line, series, and body type.

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28) What is a Model Year?

Under Section 5 of the On-Road Vehicle and Engine Emission Regulations, the model year means the year used by a manufacturer to designate a model of vehicle or engine.

1. A year that is used by a manufacturer of an engine as a model year shall:
   a) if the period of production of a model of engine does not include January 1 of a calendar year, correspond to the calendar year during which the period of production falls or the calendar year following that calendar year, at the manufacturer's choice; or
   b) if the period of production of a model of engine includes January 1 of a calendar year, corresponding to that calendar year.
2. The period of production of a model of engine shall include only one January 1.

29) What is an engine identification number?

This is separate from the vehicle identification number only specific and stamped on the engine itself. This is usually used for engine shipments only.

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30) What do the Marine Spark-Ignition Engine, Vessel and Off-Road Recreational Vehicle Emission Regulations pertain to?

The Regulations prescribe emission-related standards for the different classes of marine spark-ignition engines, vessels, and off-road recreational vehicles, and stipulate the requirements respecting conformity of these products with the Regulations. Marine spark-ignition engines prescribed under the regulations are outboards, inboard engines, and personal watercraft engines. These engines are used or are capable of being used to propel a vessel.

Marine spark-ignition engines operate under characteristics significantly similar to the theoretical Otto combustion cycle and use a spark plug or other sparking device.

An Inboard engine in relation to a vessel, includes a stern drive (also known as an inboard/outboard engine) and a jet boat engine, but does not include a personal watercraft engine.

- A “Conventional inboard engine” is an inboard engine rated at 373 kW at most.
- A “High-performance inboard engine” means an inboard engine that is rated at more than 373 kW and has design features to enhance power output, such that the expected operating time until rebuild is less than 480 hours.

An outboard engine means an assembly of a spark-ignition engine and drive unit used to propel a vessel from a properly mounted position external to the hull of the vessel. An outboard drive unit is partially submerged during operation and can be tilted out of the water when not in use.In other words, the regulations apply to certain boats, vessels, and watercraft or engines for certain boats/vessels/watercraft; or off-road recreational vehicles such as off-road motorcycles, snowmobiles, all-terrain vehicles (ATVs) and utility vehicles (UVs).

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31) Which engines are excluded from Marine Spark-Ignition Engine, Vessel and Off-Road Recreational Vehicle Emission Regulations?

The classes of engines, vessels and off-Road recreational vehicles referred to in these regulations do not include:

a) an engine designed exclusively for competition that bears the required label and indicates that the engine is a competition engine and has performance characteristics that are substantially superior to non-competitive engines, and is not displayed for sale in any public dealership or otherwise offered for sale to the public;

b) a vessel in which a spark ignition engine is installed;

c) an off-road motorcycle designed exclusively for competition, namely one that meets at least four of the following characteristics, and bears either the label referred to in the definition of competition vehicle in the Motor Vehicle Safety Regulations or a label that meets the specific requirements and indicates that it is a competition off-road motorcycle:
   (i) it has no headlight or other lights,
   (ii) it has no spark arrestor,
   (iii) it has no manufacturer’s warranty,
   (iv) it has suspension travel that is greater than 25.4 cm,
   (v) it has an engine displacement that is greater than 50 cm3, and
   (vi) it has a seat surface that is less than 195 cm2;

d) a snowmobile or all-terrain vehicle designed exclusively for competition, namely one that has performance characteristics that are substantially superior to a non-competitive model and is not covered by a manufacturer’s warranty, and either bears the label of a competition vehicle or bears a label that meets requirements and indicates that it is a competition snowmobile or all-terrain vehicle;

e) an engine or vehicle that is regulated by the On-Road Vehicle and Engine Emission Regulations;
f) a vehicle or vessel that is propelled by power generated solely by one or more electric motors;
g) a vehicle that has one or more compression-ignition engines for its propulsion;
h) a vehicle, or a vessel, designed exclusively for use in combat or combat support during military activities, including reconnaissance missions, rescue missions, and training missions, and the engine of the vessel;
i) an engine, vessel, or vehicle that is being exported and is accompanied by written evidence that establishes that it will not be sold or used in Canada;
j) an engine, of a vessel, that uses natural gas as fuel and is rated at 250 kW or more; and;
k) a vehicle that has a dry weight of less than 20 kg.
l) vehicles where the main assembly is completed in Canada;
m) engines, vessels, or vehicles to be used in Canada solely for purposes of exhibition, demonstration, evaluation, or testing.

Additional details on exclusions are found in Subsections 5(4) and 5(5) of the regulations.

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32) What information do we need from the Manufacturer of a Vehicle or an engine?

For importation of incomplete vehicles or engines regulated under CEPA, a company must submit to ECCC a declaration that contains the information referenced in the applicable regulations along with a statement:

i. from the manufacturer stating that when the engine or the main assembly of the vehicle, vessel, or machine is completed in accordance with instructions provided by the manufacturer, the engine, vehicle, vessel, or machine will conform to the standards prescribed under the regulations; and
ii. from the company stating that the engine, vehicle, vessel, or machine will be completed in accordance with the instructions provided by the manufacturer.

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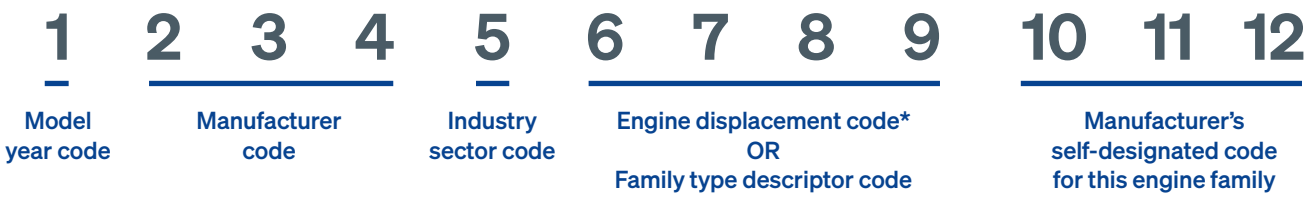
33) What is the typical naming convention for vehicles and engines?

A family is a basic unit that the EPA uses to identify a group of vehicles or engines for certification and compliance purposes. The EPA uses many terms for "family", such as the engine family, test group, and vehicle family among others. A "family name" is a 12-character code that identifies all parts of a particular engine. The typical naming convention is shown below, although some sectors have a slight variation.



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34) What is considered an "Engine Family"?

Engine Families differ depending on the regulations and CFR references. However, they are based-on groupings of engines consisting of similar characteristics such as the combustion cycle, cooling mechanism, cylinder number and configuration, and air aspiration. Each of the regulations must be referenced for the engine family information and CFR regulations applicable to the type of engine being imported.

For Example, under the On-Road Vehicles Regulations, an engine family means:

(a) In respect of a company's motorcycles,

(i) if they are covered by an EPA certificate, the grouping for which the EPA certificate was issued, or

(ii) if they are not covered by an EPA certificate, the grouping determined in accordance with section 420 of Title 40, chapter I, subchapter C, part 86, subpart E, of the CFR; and

(b) In respect of a company's heavy-duty engines,

(i) if they are covered by an EPA certificate, the grouping for which the EPA certificate was issued, or

(ii) if they are not covered by an EPA certificate, the grouping is determined in accordance with section 24 of Title 40, chapter I, subchapter C, part 86, subpart A, of the CFR.

Under the Off-road Compression-Ignition (Mobile & Stationary) & Large Spark-Ignition Engine Regulations, the engine family means an engine family as described in section 230, subpart C, of CFR 103.

Additional information is available in the links provided to the electronic Code of Federal Regulations.

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35) When do I need to submit an import declaration?

Import Declarations contain all data required by ECCC for the importation of goods regulated under the Vehicles Engines and Emissions program. The declarations are available for all programs except for On-Road Vehicles and engines. Apart from images for specific statements of conformity for unfinished replacement engines, all data found on the Import Declaration can be transmitted electronically in the form of an SWI transmission.

This means, in effect, that the hard copy import declarations are no longer needed; however, the data found on the declarations must be transmitted at the time of release or must be submitted annually (see Bulk Reporting).

We recommend that any importer who does not file an annual or bulk report, should include a completed an import declaration, or spreadsheet containing all required data as part of their release documents submitted to Livingston.

If the required data is not available at the time of release and the importer is not an annual or bulk reporter, a shipment could be delayed due to missing information. Delays can be costly if goods are held while importers try to gather the required information from the engines, documents, vendors and/or manufacturers.

Additional Links to Emissions related Information

Canadian Environmental Protection Act, 1999

Canada Gazette, Part I, Volume 153, Number 10: Off-road Compression-Ignition (Mobile and Stationary) and Large Spark-Ignition Engine Emission Regulations

CFR Code of Electronic Regulations – Part 86

CFR Code of Electronic Regulations - Part 1039

D19-7-4: "Importation of Engines, Vehicles, Vessels, and Machines

Guidance Document - Marine Spark-Ignition Engine, Vessel & Off-Road Recreational Vehicle Emissions

Guidance document for Off-Road Small Spark-Ignition Engine Emission Regulations

Heavy–duty Vehicle and Engine Greenhouse Gas Emission Regulations

Heavy-duty Vehicle and Engine Greenhouse Gas Emission Regulations guidance document

Importing motorcycles under the On-Road Vehicle and Engine Emission Regulations: quick guide

Information on Off-road Compression-Ignition (Mobile and Stationary) and Large Spark-Ignition Engine Emission Regulations

Livingston SWI – Managing ECCC data under SWI

Marine Spark-Ignition Engine, Vessel and Off-Road Recreational Vehicle Emission Regulations

Marine spark-ignition engine regulations technical guidance Ch 10

Naming Conventions for Vehicles and Engines – EPA

Notice of Defect Handbook (2015)

Off-road Compression-Ignition (Mobile & Stationary) & Large Spark-Ignition Engine Emission Regulations

Off-Road Small Spark-Ignition Engine Emission Regulations

On-Road Vehicle and Engine Emission Regulations

Vehicle and Engine Emissions Import Declarations

- Importation declaration for marine spark-ignition engines, vessels, or off-road recreational vehicles
- Importation declaration form for off-road small spark-ignition engines
- Import declaration forms for Off-road CI/LSI Engines

Contact Livingston

Have more questions?
Contact your account executive, write to us at: simplify@livingstonintl.com or give us a call at **1-800-837-1063**.