



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION

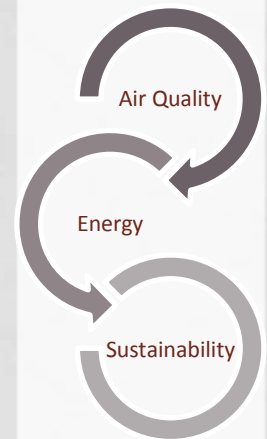


DIVISION OF AIR QUALITY

AIR QUALITY, ENERGY, AND SUSTAINABILITY

NJ TAMPERING INITIATIVE

MARCH 2019

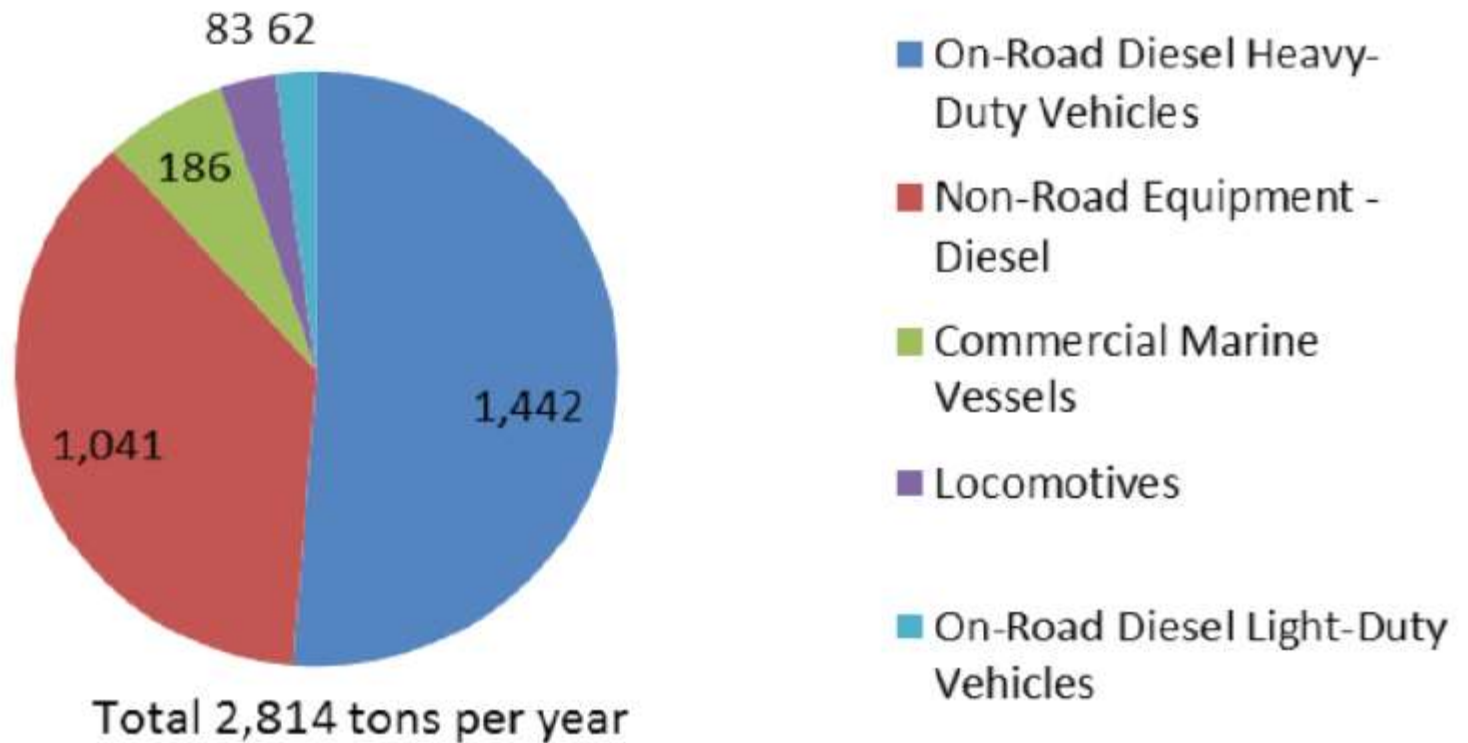


Why pay attention to tampering?



PM_{2.5} emissions

Draft 2017 Mobile PM_{2.5} Emissions in NJ - Diesel Only (tons per year)



WHY FOCUS ON TAMPERING?

- Gap in NJ's Inspection & Maintenance Program
- No diesel inspections for vehicles having a GVWR between 8,501-17,999 lbs
- This weight class is ripe for tampering

CRAIGSLIST SEARCH



Coal Rolling Law – signed May 5, 2015



- **Coal Rolling Law** -No person shall retrofit any diesel-powered vehicle with any device, smoke stack, or other equipment which enhances the vehicle's capacity to emit soot, smoke, or other particulate emissions, or shall purposely release significant quantities of soot, smoke, or other particulate emissions into the air and onto roadways and other vehicles while operating the vehicle, colloquially referred to as “coal rolling.”

[rolling coal video](#)

NJ DEP'S RULES FORBID:

- **Tampering with vehicle emissions controls** by disconnecting, detaching, deactivating or otherwise altering or modifying emissions control devices, N.J.A.C. 7:27-14.3(e)(1);
- **Operating a tampered vehicle on the road** without properly-functioning emissions controls, N.J.A.C. 7:27-14.4(a)(4);
- **Selling or offering for sale or lease any tampered vehicle**, N.J.A.C. 7:27-14.3(e)(2); and
- **Selling or offering for sale any defeat device** or emissions-related component designed to be installed or used with a vehicle except those that faithfully duplicate OEM parts. N.J.A.C. 7:27-14.3(e)(3).

INVESTIGATIONS

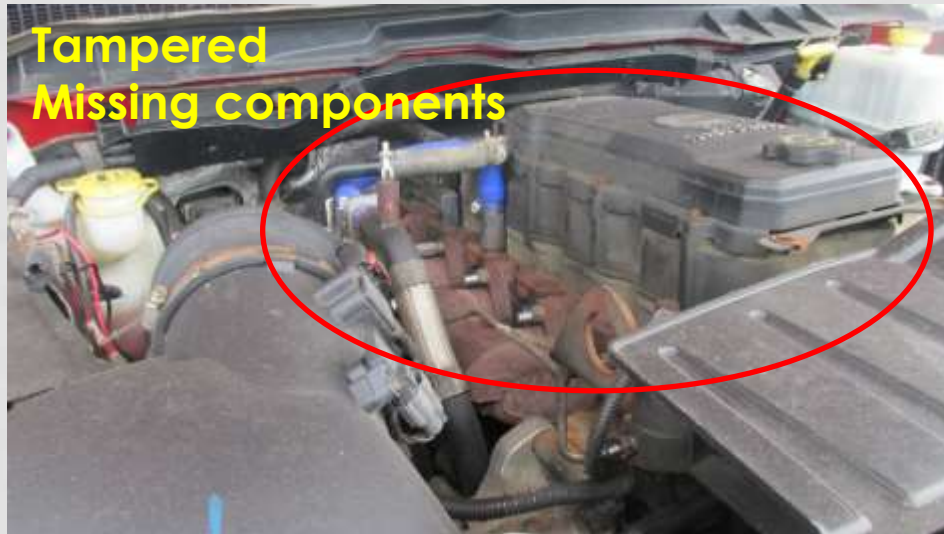
- Focus on medium duty pickup trucks – low hanging fruit
- Focus on used car dealerships – advertise tampered vehicles
- 3 investigations at used car dealerships = 30%
 - Phoenix Truxx – South Amboy
 - 35 trucks inspected and 11 tampered
 - Tampered trucks MY 2006-2016
 - TSJ Auto Brokers – Lakewood
 - 15 trucks inspected and 4 tampered
 - Tampered trucks MY 2008-2016
 - Wholesale Outlet – Waterford
 - 16 trucks inspected and 5 tampered
 - Tampered trucks MY 2007-2013
- Enforcement action 1st offense
 - \$2,000 penalty per vehicle and vehicle must be made whole

Exhaust gas recirculation – Nox



Missing

Repaired



Diesel Particulate Filter

TAMPERED



**Straight pipe
indicating DPF has
been removed**

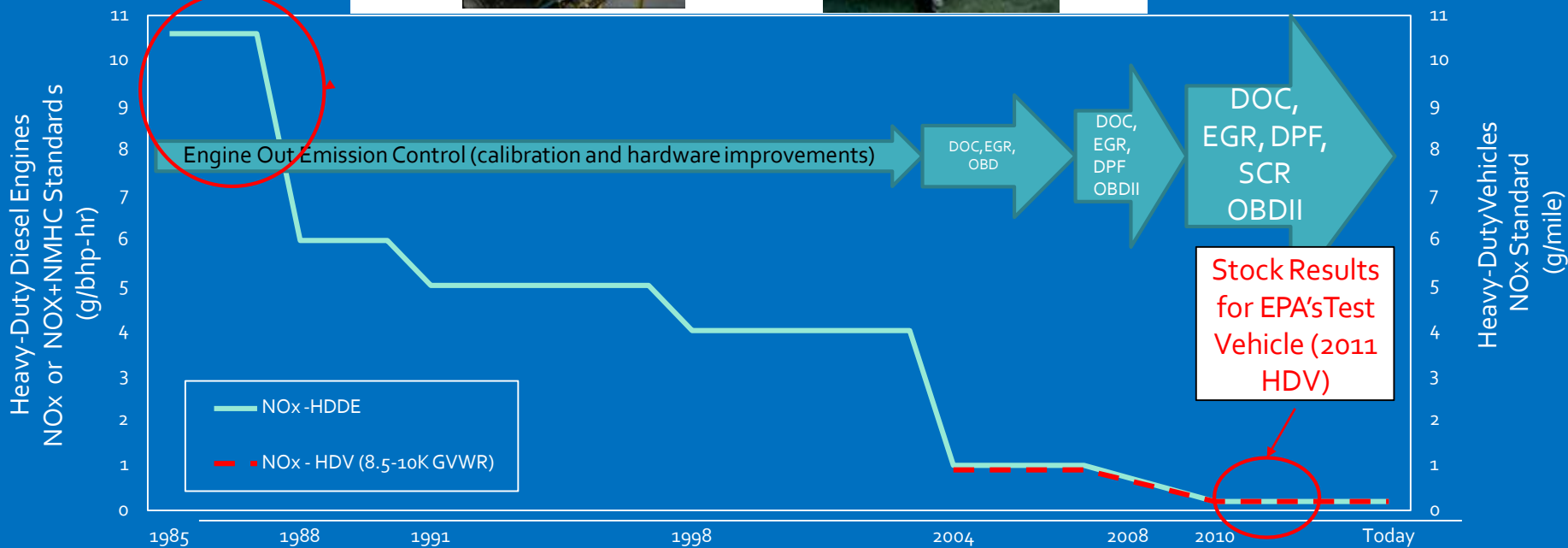
REPAIRED



**Straight pipe has
been removed
and DPF has been
installed**

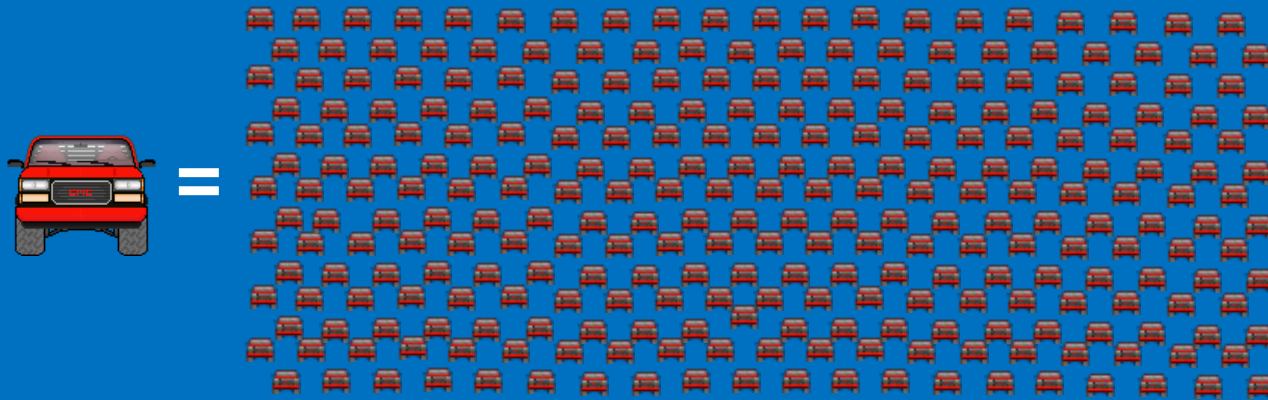
EMISSION INCREASES FROM EMISSION DELETE

Fully Deleted Results from EPA's Testing
Makes this.... ...run like this..



Source: <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockkey=P100OA01.pdf>

EMISSIONS INCREASE DUE TO FULL DELETE



These test results show the increase in NO_x, NMHC, CO, and PM when a tuner enables a full delete of the vehicle. These tests were conducted without the SCR, DPF, DOC, and EGR emission controls.

- Tailpipe NO_x increased ~310x
- Tailpipe NMHC increased ~1,140x
- Tailpipe CO increased ~120x
- Tailpipe PM increased ~40x



BIG NEWS TO COME.....

- Large tampering case
- Stay tuned for a future press release

Bottomline

- The word is out and these trucks are slowly disappearing from NJ.
- All I can say is..... NY, PA, DE, CT, VA these trucks are coming to you.
- Don't believe me?

“We stay out of those states that have emission rules so now we know NJ does. So we will take the vehicles somewhere else.....if you know what I mean”

N.J.A.C. 7:27-14.3(e)

(e) No person shall cause, suffer, allow, or permit any of the following, unless it is performed in accordance with EPA Memorandum 1A or it is exempt from prohibition by CARB Executive Order (information on devices or modifications approved by CARB Executive Order may be obtained from the California Air Resources Board, 1001 "I" Street, PO Box 2815, Sacramento, CA 95812 or at www.arb.ca.gov):

- 1. The disconnection, detachment, deactivation, or any other alteration or modification from the design of the original vehicle manufacturer or an element of design installed on any motor vehicle with a certified configuration or motor vehicle engine with a certified configuration, except temporarily for the purpose of diagnosis, maintenance, repair, or replacement;
- 2. The sale, lease, or offer for sale or lease, of any motor vehicle with a certified configuration or motor vehicle engine with a certified configuration in which any element of design installed on such vehicle has been disconnected, detached, deactivated, or in any other way altered or modified from the design of the original vehicle manufacturer; or
- 3. The sale, or offer for sale, of any device or component as an element of design intended for use with, or as part of, any motor vehicle with a certified configuration or motor vehicle engine with a certified configuration that is not designed to duplicate the function and performance of any element of design installed by the original vehicle manufacturer.

| Penalty Category | Class | First Offense | Maximum Offense |
|--|---|---------------|-----------------|
| Idling | All vehicles | \$0 | \$1500 |
| Tampering of vehicles | Owner of 4 or less vehicles | \$400 | \$6000 |
| | Owner of 5 or more vehicles | \$1000 | \$15,000 |
| Sale, lease, or offer for sale or lease tampered vehicle | Owner of 4 or less | \$1000 | \$15,000 |
| | Owner of 5 or more vehicles | \$2000 | \$30,000 |
| Sale, or offer for sale any device or component | All vehicles | \$2000 | \$30,000 |
| Does not have a properly functioning and properly maintained emission ctrl apparatus | Offer for Sale/Sale of Device Component | \$2000 | \$30,000 |
| Installing disconnected, detached, deactivate or modified emission control apparatus | Passenger vehicles | \$500 | \$7500 |
| | Commercial vehicle | \$1000 | \$15,000 |

RECAP - 3 THINGS TO REMEMBER

1. Enforcement of tampered vehicles is an easy to achieve real emission benefits strategy.
2. Do a craigslist search for your state/area.
3. Having regulations for offer for sale or sale of a vehicle.



QUESTIONS

Melissa Evanego, Bureau Chief
NJ Department of Environmental Protection
Bureau of Mobile Sources
melissa.evanego@dep.nj.gov
609-292-1637