

ENVIRONMENTAL HEALTH (VEHICLE EMISSIONS) REGULATIONS, 2013

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**ENVIRONMENTAL HEALTH SERVICES ACT
(CHAPTER 232)**

**ENVIRONMENTAL HEALTH (VEHICLE EMISSIONS)
REGULATIONS, 2013**

The Minister, in exercise of the powers conferred by section 17 of the Environmental Health Services Act, makes the following regulations —

1. Citation and commencement.

- (1) These regulations may be cited as the Environmental Health (Vehicle Emissions) Regulations, 2013.
- (2) These regulations shall come into operation on such date as the Minister may appoint by notice published in the Gazette.

2. Interpretation.

In these regulations —

“**Authority**” means the Road Traffic Authority appointed under the Road Traffic Act (*Ch. 220*);

“**Controller**” means the Controller as defined in the Road Traffic Act (*Ch. 220*);

“**motor vehicle**” means a passenger vehicle, light truck, heavy truck, rebuilt vehicle and diesel vehicle;

“**diesel vehicle**” means any motor vehicle that operates on diesel fuel;

“**Director**” means the Director of Environmental Health Services;

“**emissions compliance certificate**” means a certificate issued by the Inspector evidencing compliance with the standard;

“**emissions standards**” or “**standards**” mean the maximum vehicle emissions limits for Carbon Monoxide (CO) and Hydrocarbons (HCO) for motor vehicles as specified in Parts I to V of the Schedule;

“**emissions test location**” means a location authorized by the Director where an Inspector conducts a vehicle emissions test;

“**emissions test report**” means a report evidencing the result of a vehicle emissions test;

- “GVWR”** means the gross vehicle weight rating and includes the value specified by the vehicle manufacturer as the loaded weight of a single vehicle;
- “heavy truck”** means a motor vehicle that is a truck, utility vehicle, van or bus that operates on fuel other than diesel with GVWR that exceeds ten thousand (10,000) pounds;
- “Inspector”** means the Inspector referred to under the Road Traffic (Vehicle Inspection) Regulations (*Sub. Leg. Vol. III, Ch. 220-33*), and any other person or government agency authorized by the Minister and trained to conduct vehicle emissions test;
- “light truck”** means a motor vehicle that is a truck, utility vehicle, van or bus that operates on fuel other than diesel with a GVWR that is ten thousand pounds or less;
- “Minister”** means the Minister responsible for Environmental Health Services;
- “model year”** means, when used with respect to a motor or chassis, the model year designated by the manufacturer or, there is no such designation, the calendar year in which the manufacture is completed;
- “motorcycle”** means a motor vehicle less than four wheels, the weight of which does not exceed eight hundred pounds;
- “owner”** means in relation to any motor vehicle means the person by whom or on whose behalf the vehicle is normally kept and used, and in the case of a vehicle which is the subject of a hiring agreement or hire purchase agreement, means the person in possession of that vehicle under that agreement;
- “passenger vehicle”** means a motor vehicle that is a passenger car, minivan, van or station wagon that operates on fuel other than diesel, with a GVWR that does not exceed ten thousand pounds, but does not include a motorcycle, bicycle with a motor attached, or motor scooter;
- “rebuilt vehicle”** means a vehicle that has been constructed using various used or new component parts, such as body, chassis, or frame, obtained from other vehicles or from auto wreckers, dealers or manufacturers.

3. Application.

These regulations shall not apply to —

- (a) historic or antique vehicles which are licensed as such; and

- (b) motorcycles, bicycles with an electric motor attached, or motor scooters.

4. Visible emissions.

- (1) No person shall operate or cause to permit the operation of a motor vehicle from which there is visible emission of exhaust for more than fifteen seconds in any five minute period.
- (2) The motor vehicle referred to under subsection (1), applies to every motor vehicle operating in The Bahamas.

5. Annual testing.

Unless otherwise specified in these regulations —

- (a) every motor vehicle operated in The Bahamas shall be subject to an emissions test on an annual basis;
- (b) the owner of a motor vehicle shall present such motor vehicle to test locations, for an emission test, on an annual basis;
- (c) the owner of a motor vehicle is solely responsible for compliance with the date and time of the annual emissions test;
- (d) the Government shall provide to the owner of a motor vehicle notice of date and time of the annual emissions test; and
- (e) the owner of a motor vehicle shall, on or before the expiration date shown on the emissions compliance certificate present such motor vehicle to the Inspector for further emissions testing.

6. Compliance certificate.

- (1) A motor vehicle which has been submitted for an emissions test shall be tested by the Inspector in accordance with the emissions test procedure prescribed by the Controller.
- (2) The applicant shall pay a fee for emissions test and if the vehicle is not passed the applicant is given four weeks to comply with the emissions test procedure.
- (3) Upon completion of an emission test, the Inspector shall provide the owner of the motor vehicle with the emission test report for the motor vehicle.
- (4) Where the motor vehicle is in compliance with the standards for that motor vehicle, the Inspector shall issue a certificate of standard to the owner of the motor vehicle to be attached to the motor vehicle as the Inspector may direct.

- (5) Where the motor vehicle is not in compliance or has failed the emissions test, the Inspector shall not issue an emissions compliance certificate.

7. Emissions compliance certificate.

Every emissions compliance certificate shall be registered by the Controller and shall remain in force until the expiration date shown on the emissions compliance certificate or the motor vehicle concerned is directed for testing in accordance with regulation 10, whichever occurs first.

8. Sale of vehicles.

- (1) The seller of a motor vehicle shall provide to the purchaser of such motor vehicle a copy of the emissions compliance certificate that is in force in relation to the motor vehicle.
- (2) The provisions of regulation 7 shall apply to the licensing of newly purposed motor vehicles which have been transferred from a seller to a purchaser.

9. Inspection transport.

- (1) If at any time a police officer or any other person or government agency authorized by the Minister is of the opinion that a motor vehicle should be inspected under this regulation, the police officer or any other persons or government agencies authorized by the Minister as the case may be, may require the owner of a motor vehicle to submit that vehicle for testing in the form specified in Part V of the Schedule within two working days of the date notice of the penalty was issued.
- (2) The applicant should also pay a fee for testing as specified in Part VI of the Schedule.

10. Failure to bring vehicle for testing.

An owner of a motor vehicle who fails to submit the vehicle for testing at the directed time commits an offence and is liable on summary conviction in the case of a first offence, to a fine not exceeding five hundred dollars, and in the case of a second or subsequent offence, to a fine not exceeding five hundred dollars.

11. Maintenance of vehicle.

The owner of a motor vehicle shall ensure that the motor vehicle is maintained and meets the required vehicle emissions standards.

12. Emissions Standards.

The emissions standards for exhaust emissions for gasoline or diesel powered motor vehicles shall apply to motor vehicles which have been modified or altered to use a fuel other than gasoline or diesel.

13. Prescribing standard and testing procedure.

The standards under this regulation shall be set at a level reasonably achievable for each class and model of motor vehicle when operating in reasonably sound mechanical condition, allowing for the effects of installed motor vehicle pollution control devices, the motor vehicle age and total mileage and such standards shall be designed to secure substantial reduction in vehicle emissions, and shall be revised from time to time.

14. Annual Fees.

There shall be payable in respect of an emissions compliance certificate issued under these regulations the appropriate fee as specified in Part VI of the Schedule.

15. Training of Inspectors.

An Inspector shall not conduct an emissions test on a motor vehicle unless he has successfully completed a course approved by the Director.

16. Offence and Penalty.

A person who contravenes the provisions of these regulations commits an offence and is liable on summary conviction to fine not exceeding five hundred dollars.

17. Derogation.

Nothing contained in these regulations shall apply so as to derogate from the operation of the provisions of the Road Traffic Act (*Ch. 220*) or any other regulations made thereunder.

SCHEDULE

PART I

MAXIMUM EMISSION STANDARDS FOR PASSENGER VEHICLES

4 Cylinder Vehicles					6 and 8 Cylinder Vehicles				
Model Year	Idle		>2500 RPM		Model Year	Idle		>2500 RPM	
	CO %	HC (ppm)	CO %	HC (ppm)		CO %	HC (ppm)	CO %	HC (ppm)
94 & after	0.6	80	0.5	60	94 & after	0.4	80	0.3	50
88-93	1.1	125	0.8	90	88-93	0.8	80	0.8	80
88	1.2	220	1	200	88	1.2	220	1	200
87	2.5	300	1.5	200	87	1.5	300	1	200
86	2.6	330	1.6	230	86	1.6	330	1.1	230
85	2.7	360	1.7	260	85	1.7	360	1.2	260
84	2.8	390	1.8	290	84	1.8	390	1.3	290
83	2.9	420	1.9	320	83	1.9	420	1.4	320
82	3	450	2	350	82	2	450	1.5	350
81	3.1	480	2.1	380	81	2.1	480	1.6	380
80	3.2	510	2.2	410	80	2.2	510	1.7	410
79	3.3	540	2.3	440	79	2.3	540	1.8	440
78	3.4	570	2.4	470	78	2.4	570	1.9	470
77	3.5	600	2.5	500	77	2.5	600	2	500
76	3.6	630	2.6	530	76	2.6	630	2.1	530
75	3.7	660	2.7	560	75	2.7	660	2.2	560
72-74	5	700	4	600	72-74	4	700	3.5	600
70-71	6	800	5	700	70-71	5	800	4.2	700
68-69	7	950	6	800	68-69	6	950	5	800
pre68	9	1100	7	900	pre68	8	1100	6	900

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PART II

MAXIMUM EMISSIONS STANDARDS FOR LIGHT TRUCKS

4 Cylinder Vehicles					6 and 8 Cylinder Vehicles				
Model Year	Idle		>2500 RPM		Model Year	Idle		>2500 RPM	
	CO%	HC (ppm)	CO%	HC (ppm)		CO%	HC (ppm)	CO%	HC (ppm)
94 & after	1.2	180	1.5	120	94 & after	1	160	0.5	110
88-93	2	240	2	200	88-93	1.2	180	1	150
80-87	4	350	2	300	80-87	3.5	300	1.5	160
75-79	5	450	3	400	75-79	4.5	400	3	360
73-74	6	750	4	500	73-74	5	650	4	500
pre73	7.5	1500	4	500	pre73	5.5	1500	3	500

PART III
MAXIMUM EMISSIONS STANDARDS FOR HEAVY TRUCKS

Hydrocarbons (ppm by volume)	Carbon Monoxide (per cent by volume)
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Model Year	Idle	>2500 rpm	Idle	>2500rpm
Before 1975	2160	720	8.6	4.3
1975 to 1979	720	580	6.5	5
1980 to 1987	580	4.3	4.3	2.9
1988 & after	360	220	3.6	1.2

PART IV
MAXIMUM EMISSIONS STANDARDS FOR DIESEL FUELED VEHICLES

Model Year	Opacity
1974 or earlier	70.00%
1975 to 1994	60.00%
1995 & after	40.00%

PART V
NOTICE TO SUBMIT MOTOR VEHICLE FOR TESTING

Take Notice that under the Environmental Health Services Act (*Ch. 232*) and the regulations made thereunder:

Name:

Address:

Driver's Licence Number:,

is required to submit the motor vehicle bearing Registration Plate Number

(year) to the inspection site at

within working days of the date below for testing and inspection.

Dated at this day of 20..

.....

Authorized Officer

PART VI
TESTING FEES

The Fees to be paid by the owners of motor vehicles for vehicle emissions test are those specified below:

TYPE	Test Fee
Passenger Vehicle	\$10.00
Light Trucks	\$10.00
Heavy Truck	\$20.00
Rebuilt Vehicles	\$10.00
Diesel Vehicles	\$10.00

Made this day of , 2013.

Minister responsible for Environmental Health Services