

Vehicle engine tampering

Air pollution used to be symbolized by smokestacks. But as population and the number of vehicles on our roads have grown, cars and trucks have become one of the largest sources of air pollution. Pollution-control equipment has been standard on vehicles since the 1970s, and technology improvements have made cars and trucks cleaner than ever. But if the pollution controls are tampered with, engines can emit much more pollution than they're designed to. Federal law prohibits removal, alteration or otherwise tampering with a vehicle's pollution control equipment.

Tampering is illegal

Motor vehicles contribute nearly half the total amount of man-made air pollution in the United States today, emitting nearly 60% of the carbon monoxide, a quarter of the hydrocarbons, and about a third of the nitrogen oxides. Congress established emission standards for vehicles to reduce pollution and protect public health. Car manufacturers are required to certify that their designs meet the standards.

Today's vehicles are designed for the best possible balance between performance, mileage, and low emissions. But tampering changes the design and causes a vehicle to exceed emission standards.

Therefore:

- It is illegal to remove or render inoperative any emission control device which was installed on the vehicle when it was manufactured. This applies to auto repair facilities, commercial mechanics, fleet operators, vehicle dealers, **and individuals** working on their own vehicles. Fines can be assessed for each motor vehicle or engine tampered with.
- It is illegal to sell a vehicle whose emissions systems have been tampered with.

Newer pickup, clouds of black smoke? Chances are it's an illegal modification.



Why should we care?

Clean air is as vital to life as clean water, and tampering with gas or diesel engines can undo years of progress in reducing air pollution. "Can my one little modification really make a difference?" you might ask. Yes, and here's why:

- One illegally modified diesel can pollute as much as 50 diesels with properly maintained controls.
- Illegal modifications can cancel out the emission reductions achieved by the MPCA's grant-funded clean diesel projects costing tens of thousands of dollars.
- Properly functioning emission-control devices can reduce vehicle emissions by 90%.
- Disabling the catalytic converter reduces engine power and fuel economy while increasing harmful emissions by more than 800%. According to the U.S. Environmental Protection Agency (EPA) the catalytic converter is one of the greatest environmental inventions of all time.

- America's 11 million diesels—buses, trucks, trains, ships, and construction equipment—emit pollutants that lead to 21,000 premature deaths each year and create a cancer risk that is seven times greater than the combined risk of all 181 other air toxics tracked by the EPA.
- Diesel pollution is an environmental justice issue. Low-income people and people of color are two to three times more likely to be exposed to particulate pollution. Children and seniors are most vulnerable to the health effects of diesel pollution.
- Efforts to reduce air pollution from transportation have proven to be cost effective. The EPA estimates that every dollar spent on programs to reduce emissions creates nine dollars in benefits to public health and the environment.

Rolling coal

In the past few years it's become popular to modify vehicles, especially diesel pickup trucks, so they emit clouds of black smoke. People who do this call it "rolling coal." It's bad for the environment, public health and safety, and it wastes fuel.

- The particles in diesel emissions can cause cancer and trigger both asthma and heart attacks.
- The smoke can obscure the vision of other drivers, creating a safety hazard.
- Bills have been passed or are in house to make it illegal in several states.
- A new diesel pickup truck will consume 425 less gallons of fuel in one year compared to a comparable gasoline-powered pickup, but tampering with emissions control systems to purposely create higher emissions and smoke negates these fuel savings. Plus it may be polluting 50 times the particulate standard while rolling coal.
- If you see a newer diesel pickup spewing black smoke, it has probably been illegally modified.



It's illegal to sell a car with a non-intact emissions system

- Minnesota Statute 325E.0951 requires that anyone selling a vehicle in the state must certify, in writing, that the vehicle has all its proper pollution control equipment.
- Minnesota Rule 7023.0120 prohibits transfer of a vehicle title unless the emission controls are in place and working properly. Even vehicles sold "as is" must still have all their functioning pollution control equipment.

What if you bought a vehicle with a tampered emissions system?

- Document the events that have occurred since you bought the vehicle.
- Have the vehicle inspected by a qualified mechanic to itemize missing or altered emission control devices.
- Contact the seller to determine if the vehicle should be returned for a refund or if the seller will repair the vehicle at no cost. Even vehicles purchased without warranties ("as is") must still comply with the federal and state tampering laws.
- If an agreement cannot be reached, write a letter to the seller briefly describing the situation, set a date by which you want a response. Inform the seller of the action you will take if they refuse to cooperate. Mail your letter with a certified return receipt.
- If you wish to pursue legal action, contact your county court office for information on how to file a complaint. Be aware that the MPCA cannot take legal action on behalf of either party.
- Notify the MPCA of a repair shop or dealership that has tampered with vehicles at <https://www.pca.state.mn.us/about-mPCA/citizen-complaints>.