THIS IS A CONSOLIDATION, FOR REFERENCE PURPOSES, OF:

- “Metro Vancouver Regional District Non-Road Diesel Engine Emission Regulation Bylaw No. 1161, 2012”. (Adopted March 2, 2012)

- “Metro Vancouver Regional District Non-Road Diesel Engine Emission Regulation Amendment Bylaw No. 1262, 2018”. (Adopted March 23, 2018)

As of March 23, 2018

COPIES OF THE ORIGINAL BYLAWS MAY BE INSPECTED AT BOARD AND INFORMATION SERVICES, METRO VANCOUVER.
Whereas:

A. The *Environmental Management Act* authorizes the Metro Vancouver Regional District to provide the service of air pollution control and air quality management and, for that purpose, the Board of the Metro Vancouver Regional District may, by bylaw, prohibit, regulate and otherwise control and prevent the discharge of air contaminants;

B. The *Environmental Management Act* authorizes the Metro Vancouver Regional District to, by bylaw, establish different prohibitions, regulations, rates or levels of fees, conditions, requirements and exemptions for different persons, operations, activities, industries, trades, businesses, air contaminants or works, to establish different classes of persons, operations, activities, industries, trades, businesses, air contaminants and works, and to require the keeping of records and the provision of information respecting air contaminants and their discharge; and

C. It is deemed desirable to regulate the discharge of particulate matter from non-road diesel engines.

NOW THEREFORE the Board of Directors of the Metro Vancouver Regional District in an open meeting duly assembled enacts as follows:

**Repeal**

1. The Greater Vancouver Regional District Non-Road Diesel Engine Emission Regulation Bylaw No. 1137, 2011 is hereby repealed.

**Citation**

2. For citation purposes, the name of this bylaw is the “Metro Vancouver Regional District Non-Road Diesel Engine Emission Regulation Bylaw No. 1161, 2012” (“this bylaw”).

*Revised by Bylaw 1262, 2018*

**Definitions**

3. In this bylaw:

   “*annual*” means a consecutive 365-day period;

   “*approved*” means an approval given by the district director;

   “*emergency*” means a present or imminent event or circumstance that:

   (1) is caused by accident, fire, explosion, technical failure, labour strike or the forces of nature; and

   (2) requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of a person or to limit damage to property or the environment;
“emission reduction measure” means an approved retrofit, repower, remanufacture, or similar device, alteration or technological change made to a non-road diesel engine that reduces the particulate matter emission rate;

“emission standard” means the maximum particulate matter emission rate stipulated for a non-road diesel engine, corresponding to both the engine’s year of manufacture and its horsepower group, all as set out in Table 2 of Schedule 1;

“engine tier classification” means the classification of a non-road diesel engine as determined in accordance with Schedule 1;

“farm business” has the same meaning as defined in the Farm Practices Protection (Right to Farm) Act;

“farm operation” has the same meaning as defined in the Farm Practices Protection (Right to Farm) Act;

“g/bhp-hr” means grams per brake-horsepower hour;

"government body" includes a federal, provincial, and local government body, including an agency or ministry of the Crown in right of Canada or British Columbia, and any other body or entity prescribed by the district director;

“hour meter” means a functioning non-resettable meter that measures and displays the number of hours that an engine has operated, with a minimum display capability of 9,999 hours, or as approved by the district director;

“hp” means the maximum horsepower of a non-road diesel engine;

“kW” means the maximum power of a non-road diesel engine expressed in kilowatts;

“label” means a label, decal or other approved mark;

“land owner” means a person who is in possession, has the right to control, or occupies or controls the use of land on which a non-road diesel engine is or will be operated;

“low-use” means no more than 200 hours of operation within a low-use engine operating period;

“low-use engine” means a non-road diesel engine registered for a low-use engine operating period;

“low-use engine operating period” means an operating period of 365 consecutive days authorizing low-use of a non-road diesel engine in accordance with the requirements of Part 3 and Part 5 of this bylaw;

“machine” includes a stationary or mobile vehicle, equipment, device, appliance or implement that is powered by a non-road diesel engine;

“monthly” means a consecutive 30-day period;

“non-road diesel engine” means a diesel-fueled or alternative diesel-fueled compression ignition engine in a machine that is not primarily used or intended to be used for transportation on a public street, road or highway;

“online registration system” means the Metro Vancouver Non-Road Diesel Online Registration website that enables the registration of non-road diesel engines;
“opacity” means the degree to which the discharge of an air contaminant reduces the passage of light or obscures the view of a background object expressed numerically from 0 per cent (transparent) to 100 per cent (opaque), as determined by:

1. the SAE J1677 Snap-Acceleration Smoke test procedure;
2. by a certified observer using EPA Method 9; or
3. a method approved by the district director;

“operating period” means an operating period described in Schedule 2, which when purchased for an engine authorizes the engine’s operation for the time period stipulated and in accordance with this bylaw;

“operator” means a person who is in control of or responsible for the operation of a non-road diesel engine;

“owner” means a person who is in possession of, has the right to control, or occupies or controls the operation of a non-road diesel engine;

“particulate matter” means the particles emitted into the environment from the exhaust of a non-road diesel engine;

“particulate matter emission rate” means the rate of particulate matter emitted from a non-road diesel engine, expressed in grams per brake-horsepower hour;

“person” includes a land owner, an owner, an operator and a government body and any director, officer, employee or agent of a person or government body;

“registrant” means a person who has completed a registration;

“registration” means the submission to Metro Vancouver Regional District of all registration information required under Part 3 and if applicable Part 5 for a non-road diesel engine, and when payment is received for an operating period for that engine;

“registration fee” means the fee prescribed in Schedule 2 for the operating period stipulated in the registration;

“registration number” means the unique identification number issued by Metro Vancouver Regional District for a non-road diesel engine pursuant to this bylaw;

“registration number label” means a label, unless otherwise approved by the district director, that is:

1. painted on or otherwise permanently affixed to opposite sides of the exterior housing of a machine;
2. in black characters at least 10 cm (4 in.) tall and 6 cm (2.5 in.) wide on a yellow or white background; and
3. clearly visible and legible at all times during operation of the non-road diesel engine;

“remanufacture” means to rebuild an engine;

“repower” means the replacement of an older Tier 0 or Tier 1 engine with a less polluting higher tier engine;
“retire” means to voluntarily and permanently withdraw from operation pursuant to Part 7 of this bylaw a Tier 0 or Tier 1 non-road diesel engine, and upon such retirement, the engine can no longer be operated or registered to operate within the Metro Vancouver Regional District;

“retrofit” means a device installed on a non-road diesel engine that reduces particulate matter emissions;

“tier label” means a label, unless otherwise approved by the district director, that is:

1. painted on or otherwise permanently affixed to opposite sides of the exterior housing of a machine;
2. in black characters at least 10 cm (4 in.) tall and 6 cm (2.5 in.) wide on a yellow or white background; and
3. clearly visible and legible at all times during operation of the non-road diesel engine;

“Tier 0” means the engine tier classification described in Schedule 1;

“Tier 1” means the engine tier classification described in Schedule 1;

“Tier 2” means the engine tier classification described in Schedule 1;

“written anti-idling procedures” means a written policy or procedure established for the operation of an engine.

4. Terms defined in the Greater Vancouver Regional District Air Quality Management Bylaw No. 1082, 2008 or incorporated by reference into that bylaw have the same meaning in this bylaw.

5. References in this bylaw to an enactment include the enactment as it may be amended or replaced from time to time.

Replaced by Bylaw 1262, 2018

Part 1 – Application and Scope of this Bylaw

Replaced by Bylaw 1262, 2018

6. No person may discharge, or cause, permit, or allow the discharge of any air contaminant into the environment from a non-road diesel engine operating within the Metro Vancouver Regional District except in accordance with this bylaw.

7. This bylaw applies to all non-road diesel engines having a maximum power of 25 hp or greater (19 kW or greater).

8. This bylaw does not apply to non-road diesel engines that power:

1. machines used in farm operations conducted as part of a farm business if each of the requirements in subsection 2(2) of the Farm Practices Protection (Right to Farm) Act is fulfilled in relation to that farm operation;
2. personal recreational machines, including personal snow mobiles and all-terrain vehicles; or
3. emergency generators or other stationary machines intended to be operated only in cases of emergency.

9. A person who is in compliance with the Greater Vancouver Regional District Air Quality Management Bylaw No. 1082, 2008 and this bylaw is exempt from the application of section 5 of the Greater Vancouver Regional District Air Quality Management Bylaw No. 1082, 2008 and from
subsections 6(2) and 6(3) of the *Environmental Management Act* in relation to the discharge of air contaminants from a non-road diesel engine operating within the Metro Vancouver Regional District, if the person is also in compliance with all other applicable provisions of the *Environmental Management Act*.

*Deleted by Bylaw 1262, 2018*

10.

11.

12.

*Replaced by Bylaw 1262, 2018*

**Part 3 – Registration Requirements**

13. Every person who causes, permits or allows the operation of a Tier 0 or Tier 1 non-road diesel engine must, prior to operation of the non-road diesel engine, register by:

   (1) providing the following registration information to the district director using the online registration system:

   (a) the maximum power and year of manufacture of the non-road diesel engine;

   (b) the engine serial number;

   (c) the engine tier classification as determined in accordance with Schedule 1; and

   (d) any additional registration information required under Parts 5, 6 or 7, if applicable; and

   (2) paying the registration fee for the engine tier classification of that non-road diesel engine for an operating period prescribed in Schedule 2 or in accordance with Parts 5 or 6 if applicable.

14. Every person must, immediately upon the request of the district director or officer, provide proof of identity and any other information the district director or officer deems necessary to ensure compliance with this bylaw.

*Deleted by Bylaw 1262, 2018*

15.

*Replaced by Bylaw 1262, 2018*

16. An operating period is valid when payment is received and expires on:

   (1) the last day of the operating period; or

   (2) the date on which an instalment payment amount, as determined in accordance with Schedule 2, is due and not paid.

*Replaced by Bylaw 1262, 2018*

17. If, prior to expiry of an annual, monthly or daily operating period, a registrant:

   (1) cancels registration; or

   (2) amends the registration information in accordance with Part 6,

then a refund will be issued to the registrant for the portion of the registration fee for the number of full days in the operating period that are unexpired on the date of cancellation or amendment less a $15 administration fee. Refunds will not be given in respect of a low-use engine operating period.
Part 4 – Labelling Requirements

18. Every person who causes, permits or allows the operation of a Tier 0 or Tier 1 non-road diesel engine must, prior to operation of the non-road diesel engine, and at all times during the engine’s operation, label and visibly display on the machine a registration number label and:

(1) a “T0” tier label if it is a Tier 0 non-road diesel engine or the particulate matter emitted does not meet the engine tier classification of a Tier 1 non-road diesel engine; or

(2) a “T1” tier label if it is a Tier 1 non-road diesel engine or the particulate matter emitted meets the engine tier classification of a Tier 1 non-road diesel engine but does not meet the engine tier classification of a Tier 2 non-road diesel engine.

Part 5 – Low-Use Engine Registration Requirements

20. A person may register a low-use engine for a low-use engine operating period by:

(1) providing all registration information required under Part 3;

(2) providing the low-use engine’s hour meter reading at the time of registration; and

(3) paying the registration fee for a low-use engine operating period, as prescribed in Schedule 2.

20A. No person may cause, permit or allow the operation of a low-use engine unless the person ensures that the low-use engine or machine has installed, mounted or built into it a functioning non-resettable hour meter. If a low-use engine’s hour meter is replaced, the owner must, within 10 calendar days of the hour meter replacement and using the online registration system, notify the district director of the replacement. The notice must include the following information:

(1) the old hour meter reading;

(2) the current reading of the replacement hour meter;

(3) a copy of the receipt for the new hour meter; and

(4) a declaration, in prescribed form, verifying the installation of the replacement hour meter.
(3) keep each record for at least three years after the year in which the record was first made; and

(4) upon the request of the district director or an officer,
   a) produce for inspection; or
   b) deliver copies

of any records or supporting documentation to the requesting party within 48 hours of such request.

Replaced by Bylaw 1262, 2018

22. Every person with a valid low-use engine operating period must:
   (1) using the online registration system, on or before each of April 15, July 15, October 15 and January 15 of each year, report the low-use engine’s hour meter reading from the last day of the previous calendar quarter; or
   (2) using the online registration system, immediately report the low-use engine’s hour meter reading when the engine has been used for a cumulative total of 200 hours; and
   (3) upon the request of the district director or an officer, provides the hour meter manufacturer name, model and serial number to the requesting party within 48 hours.

Replaced by Bylaw 1262, 2018

23. The registration of a low-use engine under this Part is immediately invalidated if that low-use engine is:
   (1) used for more than a cumulative total of 200 hours in the operating period; or
   (2) if the hour meter on a low-use engine has been tampered with, is not present, is not functioning correctly or at all, or if the display is not readable.

Replaced by Bylaw 1262, 2018

Part 6 – Engines with Emission Reduction Measures

Replaced by Bylaw 1262, 2018

24. A person who causes, permits or allows the operation of a registered Tier 0 or Tier 1 non-road diesel engine with an emission reduction measure is eligible for an exemption from the requirement to pay a registration fee under Part 3 if, as a result of the emission reduction measure, the particulate matter emission rate of that Tier 0 or Tier 1 non-road diesel engine meets the emission standard of a Tier 2 non-road diesel engine or better.

Revised by Bylaw 1262, 2018

25. A person who causes, permits or allows the operation of a registered Tier 0 non-road diesel engine with an emission reduction measure that, as a result of the approved emission reduction measure, has a reduced particulate matter emission rate but it does not meet the emission standard of a Tier 1 non-road diesel engine, is eligible to pay a reduced registration fee as determined in accordance with Schedule 3.

Revised by Bylaw 1262, 2018

26. A person who causes, permits or allows the operation of a registered Tier 0 or Tier 1 non-road diesel engine with an emission reduction measure that, as a result of the approved emission reduction measure, has a reduced particulate matter emission rate such that it meets the
emission standard of a Tier 1 but not a Tier 2 non-road diesel engine, is eligible to pay a reduced registration fee as determined in accordance with Schedule 3.

Replaced by Bylaw 1262, 2018

27. To qualify for the exemption from the registration fee under section 24 or the reduced registration fee under sections 25 and 26, a person must, prior to the operation of the non-road diesel engine provide to the district director:

(1) an accurate and detailed description of the emission reduction measure made to that non-road diesel engine; and
(2) upon request, any other information that the district director or an officer deems is necessary to evaluate the emission reduction measure or the application of this Part.

Revised by Bylaw 1262, 2018

28. The registration of a non-road diesel engine with an emission reduction measure under this Part is immediately invalidated if the approved emission reduction measure is modified, tampered with, removed or otherwise does not operate to reduce the particulate matter emission rate in the manner for which the district director gave approval.

Revised by Bylaw 1262, 2018

29. If an emission reduction measure is modified, tampered with, removed, or otherwise changed, a person who causes, permits or allows the operation of that non-road diesel engine must, prior to operation:

(1) amend the registration information; and
(2) pay the registration fee for the engine tier classification with which the non-road diesel engine conforms.

Replaced by Bylaw 1262, 2018

Part 7 – Registration Fee Refund for Emission Reduction Measure or Retirement

Replaced by Bylaw 1262, 2018

30. A registrant who:

(1) installs an emission reduction measure on a Tier 0 or Tier 1 non-road diesel engine and as a result the particulate matter emission rate of that Tier 0 or Tier 1 non-road diesel engine meets the emission standard of a Tier 2 non-road diesel engine or better; or
(2) retires a Tier 0 or Tier 1 non-road diesel engine from operation within the Metro Vancouver Regional District; and
(3) notifies the district director within 365 days of such installation or retirement
is eligible for a refund of 80% of the registration fees paid in the 1095 days immediately prior to the installation or retirement.

Replaced by Bylaw 1262, 2018

31. A registrant who is eligible for a partial refund under this Part must submit any and all information that the district director or officer deems necessary to evaluate the application of this Part, before the partial refund may be given.
Part 8 – Operating Prohibitions

32. If a Tier 0 non-road diesel engine:
   (1) has not been registered for any operating period;
   (2) has previously been registered but the cumulative total number of days of registration was fewer than 90 days;
   (3) has been retired; or
   (4) has an emission reduction measure but the emission reduction measure has been modified, tampered with, removed or otherwise does not operate to reduce the particulate matter emission rate to meet the emission standard of at least a Tier 1 non-road diesel engine or better,

   then that non-road diesel engine must not be operated.

33. If, by January 31, 2020, a Tier 1 non-road diesel engine:
   (1) has not been registered for any operating period;
   (2) has previously been registered but the cumulative total number of days of registration was fewer than 90 days;
   (3) has been retired; or
   (4) has an emission reduction measure but the emission reduction measure has been modified, tampered with, removed or otherwise does not operate to reduce the particulate matter emission rate to meet the emission standard of a Tier 2 non-road diesel engine or better,

   then effective February 1, 2020, that non-road diesel engine must not be operated.

Part 9 – Opacity and Idling Restrictions

34. No person may cause, permit or allow the operation of a non-road diesel engine if the discharge of air contaminants from that non-road diesel engine exceeds 20% opacity.

35. Subject to section 36, no person may idle a non-road diesel engine for more than five consecutive minutes.

36. A person may idle a non-road diesel engine for more than five consecutive minutes if idling is:
   (1) for testing, servicing, repairing, or diagnostic purposes, including regeneration of a diesel particulate filter;
   (2) necessary to serve the purposes of the operation of the machine;
   (3) in the performance of emergency work or for public safety purposes; or
   (4) in accordance with an approved written anti-idling procedure.
37. A person who causes, permits or allows idling of a non-road diesel engine in accordance with a written anti-idling procedure under subsection 36(4) must submit the written anti-idling procedure to the district director or officer within 24 hours of being requested to do so by the district director or officer.

**Part 10 – Offences**

38. A person who provides false information in a registration application, a report or other submission of information, or to an officer or the district director in response to a request to produce records or other information, commits an offence and is liable on conviction to a fine not exceeding $200,000.

39. A person who contravenes any provision of this bylaw commits an offence and is liable on conviction to a fine not exceeding $200,000.

40. Nothing in this bylaw limits the district director or the Metro Vancouver Regional District from utilizing any other remedy that would otherwise be available at law.
Schedule 1

Engine Tier Classifications

1. “Tier 0” means a non-road diesel engine that has a maximum engine power as specified in Column 1 of Table 1 and:
   (1) was manufactured for sale in Canada, the United States, or the European Union during the period specified in Column 2 of Table 1; or
   (2) cannot be demonstrated, to the satisfaction of the district director, to meet the emission standard of a Tier 1 or Tier 2 non-road diesel engine.

2. “Tier 1” means a non-road diesel engine that has a maximum engine power as specified in Column 1 of Table 1 and:
   (1) was manufactured for sale in Canada, the United States or the European Union during the period specified in Column 3 of Table 1; or
   (2) can be demonstrated, to the satisfaction of the district director, to meet the emission standard of a Tier 1 non-road diesel engine.

3. “Tier 2” means a non-road diesel engine that has a maximum engine power as specified in Column 1 of Table 1 and:
   (1) was manufactured for sale in Canada, the United States or the European Union during the period specified in Column 4 of Table 1; or
   (2) can be demonstrated, to the satisfaction of the district director, to meet the emission standard of a Tier 2 non-road diesel engine.
Table 1 – Engine Tier Classifications

<table>
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<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
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<tr>
<td>Maximum Engine Power</td>
<td>Tier 0</td>
<td>Tier 1</td>
<td>Tier 2</td>
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<tr>
<td>19 ≤ kW &lt; 37 (25 ≤ hp &lt; 50)</td>
<td>1998 and prior years</td>
<td>1999 to 2003 inclusive</td>
<td>2004 and later years</td>
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<td>37 ≤ kW &lt; 75 (50 ≤ hp &lt; 100)</td>
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<td>130 ≤ kW &lt; 225 (175 ≤ hp &lt; 300)</td>
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<td>560 ≤ kW &lt; 900 (750 ≤ hp &lt; 1,200)</td>
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<td>kW ≥ 900 (hp ≥ 1,200)</td>
<td>1972 and prior years</td>
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Table 2 – Metro Vancouver Particulate Matter Emission Standards (g/bhp-hr)

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<td>0.015</td>
<td>0.015</td>
<td>0.015</td>
<td>0.03</td>
</tr>
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</table>

**LEGEND**

- Tier 0 Engine
- Tier 1 Engine
- Tier 2 Engine
- Tier 3 Engine
- Interim Tier 4
- Tier 4 Engine
### Annual Operating Period

1. The registration fee for an annual operating period is calculated as follows:

\[
\text{registration fee} = \text{hp} \times \text{prorated annual fee rate} + 15
\]

Where:

- \( \text{hp} \) is engine horsepower;
- \( \text{prorated annual fee rate} = \frac{[\text{current year fee rate} \times D] + [\text{next year fee rate} \times (365-D)]}{365 \text{ days}} \)
- \( D \) is the number of days calculated from the date of registration to December 31;
- \( \text{current year fee rate} \) is the fee rate specified in Column 3 of Table 3 for the calendar year of registration specified in Column 1 of Table 3 and the engine tier classification specified in Column 2 of Table 3; and
- \( \text{next year fee rate} \) is the fee rate specified in Column 3 of Table 3 for the calendar year after the year of registration specified in Column 1 of Table 3 and the engine tier classification specified in Column 2 of Table 3.

2. An annual operating period registration fee may be paid:

   (1) in full, in which case the operating period is for a consecutive 365-day period; or
   (2) in four instalments, in which case the operating period is limited to the quarterly period of three months for which the instalment fee has been paid.

3. If the annual operating period registration fee is paid in instalments under subsection 2(2) of Schedule 2, the amount of an instalment payment:

   (1) which is due must be paid prior to the date of commencement of the instalment period in which the non-road diesel engine will be operated;
   (2) includes interest at 5% \( \text{per annum} \); and
   (3) includes an administration fee of $15.
Table 3 – Registration fees per horsepower

<table>
<thead>
<tr>
<th>Year</th>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
</tr>
</thead>
<tbody>
<tr>
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<td>Engine Tier</td>
<td>Fee Rate ($ per hp)</td>
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<td>4.00</td>
<td></td>
</tr>
<tr>
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</tr>
<tr>
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<tr>
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<td>2017 and later</td>
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<tr>
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<td>0</td>
<td>20.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>10.00</td>
<td></td>
</tr>
</tbody>
</table>

Monthly Operating Period

4. The registration fee for a monthly operating period is calculated as follows:

\[
\text{registration fee} = \text{hp} \times \text{number of months} \times \text{prorated monthly fee rate} + \$15
\]

Where:

- \( \text{hp} \) is engine horsepower;
- number of months is the number of monthly operating periods;
- prorated monthly fee rate is \[\frac{\text{current year fee rate} \times D + \text{next year fee rate} \times (T-D)}{T \times 8}\]
- \( D \) is the number of days registered in the current calendar year of registration;
- \( T \) is the total number of days in the operating period;
- current year fee rate is the fee rate specified in Column 3 of Table 3 for the calendar year of registration specified in Column 1 of Table 3 and the engine tier classification specified in Column 2 of Table 3; and
- next year fee rate is the fee rate specified in Column 3 of Table 3 for the calendar year after the year of registration specified in Column 1 of Table 3 and the engine tier classification specified in Column 2 of Table 3.
Daily Operating Period

5. The registration fee for a daily operating period is calculated as follows:

\[
\text{registration fee} = \text{daily registration fee multiplier} \times \text{current year fee rate} \times \text{hp} + $15
\]

Where:

- current year fee rate is the fee rate specified in Column 3 of Table 3 for the calendar year of registration specified in Column 1 of Table 3 and the engine tier classification specified in Column 2 of Table 3;
- daily registration fee multiplier is the multiplier specified in Column 2 of Table 4 for the number of days specified in Column 1 of Table 4; and
- hp is engine horsepower.

Table 4 – Daily registration fee multiplier

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</table>
Low-Use Engine Operating Period
(**Note the need to comply with Part 5 – Low-Use Engine Registration Requirements)

6. The registration fee for a low-use engine operating period is calculated as follows:

\[
\text{registration fee} = \frac{\text{prorated annual fee rate} \times \text{hp}}{4} + $15
\]

Where:

- **prorated annual fee rate** is \(\frac{[\text{current year fee rate} \times D] + [\text{next year fee rate} \times (365-D)]}{365 \text{ days}}\)
- **hp** is engine horsepower
- **D** is the number of days calculated from the date of registration to December 31;
- **current year fee rate** is the fee rate specified in Column 3 of Table 2 for the calendar year of registration specified in Column 1 of Table 2 and the engine tier classification specified in Column 2 of Table 2; and
- **next year fee rate** is the fee rate specified in Column 3 of Table 2 for the calendar year after the year of registration specified in Column 1 of Table 2 and the engine tier classification specified in Column 2 of Table 2.
Schedule 3

Fee Reductions for Emission Reduction Measures

1. The registration fee for a non-road diesel engine with an emission reduction measure is calculated as follows:

registration fee = reduced fee rate x hp + $15

Where:

reduced fee rate is the fee rate calculated in accordance with section 2 or section 3 of Schedule 3, as appropriate

2. The reduced fee rate for a Tier 0 non-road diesel engine with an emission reduction measure that does not meet the emission standard of a Tier 1 non-road diesel engine is calculated as follows:

\[
\text{reduced fee rate} = T1 \text{ rate} + \frac{(100 - Y) \times T0 \text{ standard}}{T0 \text{ standard} - T1 \text{ standard}} \times (T0 \text{ rate} - T1 \text{ rate})
\]

Where:

Y is the percentage of reduction in the particulate matter emission rate as a result of the emission reduction measure

T0 rate is the fee rate for a Tier 0 non-road diesel engine without an emission reduction measure, for the operating period;

T1 rate is the fee rate for a Tier 1 non-road diesel engine without an emission reduction measure, for the operating period;

T0 standard is the emission standard of a Tier 0 non-road diesel engine; and

T1 standard is the emission standard of a Tier 1 non-road diesel engine.
3. The reduced fee rate for a Tier 0 or Tier 1 non-road diesel engine with an emission reduction measure that meets the emission standard of a Tier 1 non-road diesel engine but does not meet the emission standard of a Tier 2 non-road diesel engine is calculated as follows:

\[
\text{reduced fee rate} = \left( \frac{100 - Y}{100} \times R \right) - \frac{T_2 \text{ standard}}{T_1 \text{ standard} - T_2 \text{ standard}} \times T_1 \text{ rate}
\]

Where:

- \( R \) is the emission standard for the engine tier classification applicable to the non-road diesel engine without the emission reduction measure;
- \( Y \) is the percentage of reduction in particulate matter emission rate as a result of the emission reduction measure;
- \( T_1 \text{ rate} \) is the fee rate for a Tier 1 non-road diesel engine without an emission reduction measure, for the operating period;
- \( T_1 \text{ standard} \) is the emission standard of a Tier 1 non-road diesel engine; and
- \( T_2 \text{ standard} \) is the emission standard of a Tier 2 non-road diesel engine.