Measures on Supervision of Exhaust Pollution from Automobiles

(Issued by the National Environmental Protection Agency, the Ministry of Public Security, the State Administration for the Inspection of Import and Export Commodities, General Logistics Department of the People's Liberation Army, the Ministry of Communications, and the China National Automotive Industry Corp., on August 15, 1990)

Chapter I General Provisions

Article 1 The Measures are formulated to strengthen the supervision and administration of exhaust pollution of automobiles, and to prevent and control air pollution.

Article 2 All individuals and units who produce, modify, use, and repair imported automobiles or engines, must implement these Measures.

Article 3 Departments in charge of environmental protection administration of people's governments at all levels that shall implement uniform supervision and administration of the exhaust pollution of automobiles. They shall guide and coordinate all departments to supervise and administer exhaust pollution of automobiles.

Departments in charge of environmental protection administration of people's governments of provinces, autonomous regions and municipalities shall conduct supervision and administration of exhaust pollution of automobiles and their engine products produced by enterprises in zones under their jurisdiction.

Departments of public security and traffic controlling of people's governments at all levels shall implement specific supervision and administration for exhaust pollution of automobiles in use, based on State rules and regulations on environmental protection. State Administration for Import and Export Commodity Inspection and local import and export commodity inspection authorities shall, in accordance with State rules and regulations on environmental protection, implement specific supervision and administration for exhaust pollution discharged by imported automobiles.

Automobile administration departments of the army shall implement specific supervision and administration for exhaust pollution discharged by military-use vehicles, in accordance with State rules and regulations on environmental protection.

Article 4 Relevant departments of the people's governments at all levels shall incorporate the prevention and control of exhaust pollution of automobiles into the national economy and social development plan, strengthen scientific research for the prevention and control of exhaust pollution of automobiles, and adopt measures to control this kind of pollution, so as to protect the air environment.

Article 5 Administrative departments of automobile production of the people's governments at all levels shall incorporate the control of exhaust pollution of automobiles into production and construction plan, and adopt technical measures to make the exhaust index of automobiles and their engines as one of quality indexes of products, so as to ensure that the emission of automobiles and their engines will eventually reach the national standard of discharged pollutants.

Article 6 Administrative departments of automobile maintenance should adopt effective technical measures to incorporate emission standards into the quality standard of automobile maintenance, so as to ensure the maintenance quality of automobiles and engines to eventually reach the national standard of pollution emission.

Article 7 Units and individuals that have made contributions in controlling exhaust pollution of automobiles should be commended and awarded.
Chapter II  Supervision and Administration for Automobiles and their Engines

Article 8  Administrative departments of the production of automobiles and their engines shall conduct supervision and administration of emission pollution of automobiles and their engines leaving the factory. Article 9  Administrative of production of automobiles and their engines must put the emission pollution index of the automobiles and their engines as one of product quality indexes. Enterprises producing automobiles and their engines must be equipped with necessary facilities of testing the emission pollution, and examining section of the enterprise shall, in accordance with the standard, conduct strict inspection of products leaving the factory, and products failing to meet national standards shall not be allowed to leave the factory.

Article 10  The finalized design of new automobiles and their engines (not including those re-assembled new automobiles adopting the set automobile chassis) must include emission pollution index, and related materials shall be submitted to the department administrating the enterprise and in charge of environmental protection administration in the province, autonomous region or municipality for record.

Article 11  Emission of automobiles and their engines shall be sampled and tested by inspecting and examining institutions approved by administrative departments of the environmental protection of provinces, autonomous regions and municipalities. The time of sampling and testing shall not be more than once each quarter, and less than twice each year. Products failing to meet the national emission standard must not be allowed to leave the factory.

Article 12  Enterprises whose automobile and engine products fail to meet or fail to meet stably the national emission standard shall be ordered to meet the national standard stably within a limited time.

Article 13  For enterprises directly under the administration of different departments of the State Council or under the administration of people's governments of provinces, autonomous regions and municipalities, the time limit for their automobile emission reaching the national standard stably shall be proposed by departments in charge of environmental protection administration of the people's governments at provincial, autonomous region and municipality levels, and be reported to the people's government at the same level for decision. For enterprises under the administration of governments at city and county levels, and under county level, the time limit for their automobile emission on reaching the national standard stably shall be proposed by the relevant departments of environmental protection administration of the people's governments at city and county levels, and be reported to the government at the same level for decision.

Chapter III  Supervision and Administration for Automobiles In Use

Article 14  Automobiles in use must meet the national standard for the discharge of pollutants.

Article 15  Public security and traffic controlling departments shall incorporate the testing for exhaust pollution of automobiles into initial testing, annual testing and sampling testing for road-worthy automobiles. Automobiles failing to meet the national standard for the discharge of exhaust in the initial testing shall not be issued the license tag. Automobiles failing to meet the national standard for the discharge of exhaust in annual testing shall be banned from further travelling. Vehicles failing to meet the national standard in sampling testing shall be punished as conducted by the security and traffic controlling departments according to the Regulations of the People's Republic of China Governing Road and Traffic Control.

Article 16  Administrative departments of automobiles of the army and the people's armed police forces shall incorporate the testing for exhaust pollution of automobiles into initial testing, annual testing, and sampling testing. Automobiles failing in the initial testing shall not be issued the license tags, and those failing to meet the national standard for the discharge of exhaust shall be banned from further running.
Article 17  Automobiles passing the annual testing may not be further sampling tested in localities they reached when they are making inter-provincial/municipal travelling.

Article 18  Before finalizing the design and putting into production, the device controlling emission pollution must be identified by the testing institutions appointed by the departments in charge of environmental protection administration of the State. The departments in charge of environmental protection administration will be responsible for the quality supervision.

Departments supervising and administrating exhaust pollution of automobiles at all levels shall not be allowed to force the promotion of the sale of devices that control exhaust pollution of automobiles.

Chapter IV  Supervision and Administration for Maintenance of Automobiles

Article 19  Administrating departments of automobile maintenance shall conduct the supervision and administration for automobiles that are repaired.

Article 20  Administrating departments of automobile maintenance shall incorporate indexes of emission pollution of automobiles into the examinations of maintenance quality. Automobiles after repair their exhausts must meet the national standard.

Article 21  Administrating departments of automobile maintenance shall be responsible for formulating the maintenance code of preventing and controlling exhaust pollution of automobiles, and professional training for managerial personnel of maintenance quality.

Article 22  Enterprises engaging in automobiles' general overhaul and engines' assembly repair must be equipped with the specified testing facilities to test exhaust pollution of automobiles. The state of emission of automobiles after repair must be tested to prove being qualified by the enterprise itself before leaving the work.

Article 23  Maintenance enterprises responsible for the installation, changing and regulation of the devices controlling exhaust pollution, must be examined and be issued the certificate of special maintenance by administrative departments of automobile maintenance, and report to local administrative departments of environmental protection for the record.

Article 24  Administrative departments of environmental protection at and higher than municipality level shall conduct sampling tests for exhaust pollution of such automobiles leaving the work after general overhaul and engine assembly repair, and have such emission devices repaired. Products failing to meet the standard of emission shall not be allowed to leave the work.

Chapter V  Supervision and Administration on Imported Automobiles

Article 25  Commodity inspection departments shall conduct quality licensing systems and legal examinations for imported automobiles. Individuals and units importing automobiles must abide by the rules and regulations of commodity inspections, and incorporate the standard of emmission as regulated by the State into the goods purchasing contract. Automobiles failing to meet the national standard for the discharge of exhaust shall not be allowed to be imported.

Article 26  For those units and individuals failing to incorporate the emission standard set by the State into the contract of goods purchasing, commodity inspection departments shall impose punishment on them, in accordance with the Law of the People's Republic of China on Import and Export Commodity Inspection, and other laws, rules and related regulations.

Chapter VI  Administration for Exhaust Pollution Testing of Automobiles

Article 27  For public security and traffic control departments whose testing equipment capability to test emission of automobiles fails to satisfy the requirements of annual test, the supervising institutions of departments in charge of environmental protection administration shall undertake the annual test on emission of automobiles.

Article 28  Administrative departments of environmental protection administration at and higher
than the municipality level shall conduct random sampling examinations on exhaust pollution of automobiles in enterprises promoting automobiles.

**Article 29** Departments in charge of environmental protection administration at and higher than the municipality level are responsible for sampling examinations on automobile emission testing instruments and equipment and relevant professional guidance. For individuals and units failing to meet specific requirements, the departments in charge of environmental protection administration shall order them not to do the testing professions until they are qualified.

**Article 30** Units undertaking the examination and testing on exhaust pollution of automobiles must, according to the requirements, regularly submit statistical data of the test to local administrative departments of environmental protection.

**Article 31** Costs of initial, annual and sampling tests for automobile producers shall be charged according to criteria set by local price management departments. During road-worthy testing, sampling testing in the units owning automobiles and sampling testing of automobiles after maintenance in the factory, the charge will be exempted if the result of testing proves that the automobile tested is not exceeding the national standards for the discharge of exhaust.

**Chapter VII Supplementary Provisions**

**Article 32** Pollutants discharged as referred in these Measures include waste gas discharged from exhaust pipes of engines, leakage of crankshaft boxes, pollutants discharged from evaporation of fuel tank and fuel systems.

The Standard for pollutants discharged from exhaust pipes of engines was issued in 1983 and testing shall be carried out in accordance with the dates stipulated in the Standard.

The Standard of measuring methods and limiting values of pollutants discharged by crankshaft box was issued in 1989, and testing shall be carried out in accordance with the dates stipulated in the Standard.

Upon issuing of the standard for pollutants discharged from evaporation of fuel tank and fuel system, testing shall be carried out in accordance with the dates stipulated in the Standard.

**Article 33** These Measures are also applicable to the supervision and administration for exhaust pollution of motorcycles.

**Article 34** The National Environmental Protection Agency is responsible for the interpretation of these Measures.

**Article 35** These Measures shall come into force on the date of promulgation.

**Article 36** On the promulgation of Administration Measures on Motor Vehicle and Ship by the State Council, these Measures shall in the meantime be abrogated.