

Auxiliary Emission Control Strategy

An Auxiliary Emission Control Strategy (AECS) means any system, function, device or element of design, installed on an engine or on a vehicle, that senses or responds to operating variables, such as vehicle speed, engine rpm, transmission gear, temperature, intake pressure or any other parameter, for the purpose of activating, modulating, delaying, or deactivating the operation of any part of the emission control system.

Defeat Strategy

Defeat Strategy means an AECS that reduces the [effectiveness] of the emission control system under conditions that may reasonably be expected to be encountered in normal vehicle operation and use, unless:*

- *the use of such a strategy is substantially included in the applicable type approval or certification test procedures;*
- *the use of such a strategy is activated only temporarily under certain reasonable conditions as to protect the engine and/or vehicle from damage or accident and no other reasonable measure for the same purpose without deteriorating the emission performance is available*
- *the use of such a strategy does not go beyond the requirements of engine cold start, engine warm-up and smoke management*

**effectiveness: to be further clarified*

Irrational Emission Control Strategy*

Irrational emission control strategy means any strategy or measure that, when the vehicle is operated under normal conditions or use, reduces the effectiveness of the emission control system to a level below that expected on the applicable emission test procedures.

** further discussion as this definition is likely redundant*

Element Of Design

Element of design means, in respect of a vehicle or engine,

- (a) any control system, including computer software, electronic control systems and computer logic;*
- (b) any control system calibrations;*
- (c) the results of systems interaction; or*
- (d) any hardware items*