

## Delete Kits - Tip Sheet

### Emissions Tampering Impacts the Environment and Fair Competition

We all want a cleaner world for our children and future generations. Like the trucking industry – which has gone through great pains to virtually eliminate smog and illness-causing nitrous oxides and particulate matter; and is well on its way in drastically reducing GHG emissions from diesel engines – many Canadian companies are proud of their modern environmental progress and even state their commitment to protecting the environment in corporate mission statements. Unfortunately, there are customers who either knowingly or unconsciously employ carriers who use emission delete kits or tamper with a truck's emission controls by removing, bypassing, or reprogramming federally-mandated emission control systems in heavy-duty diesel engines – technology which has been supported by the trucking industry since the late 1990's as a fundamental principle of environmental stewardship.

Non-compliance with these regulations by drivers, fleets and garages who offer these deletion services continuously damages the environment, but – like the usage of [Driver Inc.](#) – also provides an unfair competitive advantage over compliant operators. By defeating emissions control systems, non-compliant operators can reduce their maintenance and fuel costs by up to 40 percent and leads to severe market distortions in how environmental compliance costs are passed along to the supply chain and, eventually, to consumers in Ontario.

The Ontario Trucking Association (OTA) supports the government of Ontario's commitment to review and modernize the Drive Clean Program for Heavy-Duty vehicles in Ontario, which will improve air quality as well as the safety of all road-users who share the road with trucks. It will also ensure Ontario is open for fair-business by removing red-tape for all compliant businesses, creating a level playing field within the province.

### Helpful Tips and Being Part of the Solution

Make sure your company isn't part of the problem by using carriers who contravene the environmental progress your corporation publicly stands for:

- Again, plainly ask your service provider if they have working emissions control devices on all their trucks and include in your RFP the requirement the technology is in good working order.
- Sight and smell test. Simply, if the trucks picking up or delivering freight on your property look like they're polluting, they probably are. Unlike most clean trucks built after 2010, vehicles that have delete kits or disabled their emissions controls usually produce soot and can be seen with stains around exhaust pipes; or the pipes have been painted over.
- Trucks with working emissions reduction technology require diesel exhaust fluid (DEF). If a DEF tank is empty, or if the cap has been crystalized shut, chances are it's not being used.
- OTA supports adding an electronic engine test to the annual safety inspections, which would identify the length of time elapsed since the regeneration of a diesel engine occurred and recognize key fault codes indicating an issue with a trucks emissions system. Ontario is one province that will merge this into the annual safety inspection and publishes convictions and violations on their website [here](#).

### Changes to Emissions Regulations for Commercial Vehicles in Ontario

OTA applauds the Government of Ontario and the Ministry of Environment, Conservation and Parks (MECP) for taking a progressive approach in addressing emissions tampering. MECP has brought regulation changes forward that will impact roadside enforcement and emissions testing beginning January 1, 2020, including:

- Ensuring all vehicles that are on Ontario roads, regardless of where they are plated or domiciled, will be subject to the same levels of enforcement for tampering and emissions systems violations
  - Clarifying that the prohibition of the sale of delete kits will be included in the proposed new regulations (prohibiting installation is already in regulation)
  - Continuing to tighten visible and current opacity standard for older vehicles (pre-2007), to ensure that pollution from these older vehicles continues to be addressed at roadside
  - Mandating the use of a computer-based diagnostic test for vehicles between 4500 kgs – 6350 kgs.
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The following proposed changes will come into effect as of July 1, 2020:

- The requirement to pass a mandatory electronic emissions diagnostic test to ensure emissions systems are working as intended for heavy diesel commercial motor vehicles between 4500 kgs – 6350 kgs.

OTA supports MECP's direction in developing a simplified electronic emissions test, tied to the annual safety inspection of a truck, with the intention of extending this to all heavy trucks by 2021. This initial testing period with smaller vehicles between 4500 kgs – 6350 kgs will allow MECP and the Ministry of Transportation (MTO) to pilot the electronic technology prior to the full testing program being introduced for heavy trucks.

## On-Road Enforcement and Targeted Reporting Showing Results

From April 1, 2019 to December 31, 2019, when new legislation for tackling emissions tampering and the use of delete kits was announced by the province, enforcement of regulations regarding tampering led to the following actions by MECP enforcement:

- Over 2500 vehicles/operators assessed for environmental compliance;
- The issuing of 620 tickets for vehicle emissions contraventions in Ontario;
- Conviction of two individuals under the Provincial Offences Act with fines of \$5000 and \$20,000, with one referred for additional inspection and investigation;
- Completion of 12 fleet inspections and 16 garage inspections, with MECP in the process of assessing fleet/site compliance;
- Increased enforcement on heavy-duty vehicles with an out-of-province licence plate. Nearly 60 per cent of trucks inspected were found to be non-compliant and subject to fines, abatement or other enforcement action

To further aid in identifying emissions tampering in Ontario, MECP has also announced the introduction of a public reporting function for polluting vehicles. If a smoking vehicle is seen or a business/technician or garage is suspected of vehicle tampering, a report can be filled out [here](#) or you can notify the Emissions Test Contact Centre by calling 1-888-758-2999.

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