



Q&A for Dealerships on ECU Tuning and DEF Delete



This Q&A sheet is intended to answer some of the more common questions equipment dealers have.

Feel free to share these answers with your employees.

What should I tell a customer looking to buy or install a DEF delete kit?



Tampering with a DEF system is illegal in the U.S., but that's not the only risk involved. It may also void the manufacturer's warranty. Ultimately, the dealer cannot accept the trade-in since it is non-compliant.

Today's DEF systems work better than in the past. They have more current technology and perform far more reliably than earlier DEF systems. So, delete kits are not only illegal, they're unnecessary.

We've been called to a customer's business/jobsite to work on a machine that looks like it's been tuned. Should we repair it?



If the work that needs to be performed is on the engine or any component affecting the exhaust system, the dealer must inform the customer that they cannot service the equipment unless the engine is brought back to the original equipment manufacturer (OEM) standards. In addition, the customer should be informed that any chip or ECU tuned engine may void the manufacturer's warranty and could lead to inaccurate readings on the dealer's computer system.

It doesn't look like any modifications have been done on a piece of used equipment we're taking in on trade. How can I protect my dealership in case we can't detect the changes?



It's true that some modifications – like changes to software – may not be evident until a problem shows up, and that can be after a used sale takes place. In this case, we encourage all dealers to consider using our compliance form for potential trade-in customers. The form asks the customer to confirm that:

- The equipment **HAS NOT** or **HAS BEEN MODIFIED** (ECU tuned/chipped or DEF deleted) and they (the customer) will assume payment for equipment to be brought back in compliance with CAA & EPA regulations and to OEM specifications.

This 'Trade-In/Service Release Form' can be found on the illegaltampering.com website for download. Please make copies of this form and have your salespeople use it when taking in equipment to be serviced or traded.

My customer wants to trade in equipment that has been DEF deleted. What now?



The customer must be informed that the equipment needs to have its original DEF settings restored before it can be taken as a trade-in. When equipment with altered DEF comes to a dealership as a trade-in, avoid penalties and maintain your reputation by making sure all used equipment at your dealership comply with EPA regulations.

My customers are telling me that they've been approached by a private service company to have chipping done. What should I tell them?



Tell them “no.” A company chipping or tuning to boost a piece of equipment’s horsepower may not tell the customer the long-term consequences of chipping or tuning.

When equipment is run at a higher horsepower, temperature or groundspeed than it was engineered for, the integrity of the equipment suffers over time, leading to damage in the transmission, rear end and final drive systems.

Dealers see this problem frequently – equipment showing far more wear than it should, given the hours of operation – due to modifications that shouldn’t have been done in the first place.

If a customer asks my dealership to modify their engine, do I have to do that?



Absolutely not.

You should advise your customer of the potential risks, the fines under environmental regulations, and how the changes could affect the resale of the equipment.

As a dealer, you need to understand that illegal tampering of equipment places your dealership and your reputation at risk.

I refused a customer request to perform a DEF delete on their equipment, and they took their business to another dealership. How can I protect my customer relationships in this situation?



Ultimately, the equipment belongs to the customer and altering it (or not) is their decision. We know how difficult it is to refuse a customer request like this. Unfortunately, a modification that is illegal should not be performed by any dealer. When some dealers perform these services, it hurts the whole industry – not just in lost sales, voided warranties or unexpected repairs, but in the inconsistent message it sends to the contractor.

It is vitally important that all dealers take a common stand against these illegal modifications. Doing so will protect both dealers and customers from the many risks associated with chipping. When dealerships unite in the best interests of the industry, we all benefit.

What are the penalties for equipment that has been modified or tuned?



Violation of the anti-tampering and defeat device provisions of the Clean Air Act (CAA) may result in fines for manufacturers and dealers up to \$47,357 per violative vehicle or engine.

For repair facilities, commercial mechanics and fleet operators, individuals may be fined up to \$4,735 per violative vehicle or engine and \$4,735 per defeat device.¹

¹CAA § 205, 42 U.S.C. § 7524



For more information, go to:
illegaltampering.com