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HOUSE BILL NO. 1522

Offered January 26, 2000

A BILL to amend and reenact §§ 46.2-1176 and 46.2-1182 of the Code of Virginia, relating to motor vehicle emissions inspections; fees.

Patron—Dillard

Consent to introduce

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-1176 and 46.2-1182 of the Code of Virginia are amended and reenacted as follows:
§ 46.2-1176. Definitions.

The following words and phrases when used in this article shall have the following meanings except where the context clearly indicates a different meaning:

"Basic, test and repair program" means a motor vehicle emissions inspection system established by regulations of the Board which shall designate the use of a BAR-90, designed so it may be upgraded in the future to an ASM 50-15 (acceleration simulation mode or method), as the only authorized testing equipment. Only those computer software programs and emissions testing procedures necessary to comply with the applicable provisions of Title I of the Clean Air Act shall be included. Such testing equipment shall be approvable for motor vehicle manufacturers' warranty repairs.

"Board" means the State Air Pollution Control Board.

"Certificate of emissions inspection" means a document, device, or symbol, prescribed by the Director and issued pursuant to this article, which indicates that (i) a motor vehicle has satisfactorily complied with the emissions standards and passed the emissions inspection provided for in this article; (ii) the requirement of compliance with such emissions standards has been waived; or (iii) the motor vehicle has failed such emissions inspection.

"Director" means the Director of the Department of Environmental Quality.

"Emissions inspection station" means any facility or portion of a facility which has obtained an emissions inspection station permit from the Director authorizing the facility to perform emissions inspections in accordance with this article.

"Enhanced emissions inspection program" means a motor vehicle emissions inspection system established by regulations of the Board which shall designate the use of the ASM 50-15 (acceleration simulation mode or method) as the only authorized testing equipment. Only those computer software programs and emissions testing procedures necessary to comply with applicable provisions of Title I of the Clean Air Act shall be included. Such testing equipment shall be approvable for motor vehicle manufacturers' warranty repairs.

"Fleet emissions inspection station" means any inspection facility operated under a permit issued to a qualified fleet owner or lessee as determined by the Director.

"Motor vehicle" means any vehicle which:

1. Was *actually* manufactured ~~for the 1968~~ or designated by the manufacturer as a model manufactured in a calendar year ~~or a more recent model~~ less than twenty-five calendar years prior to January 1 of the present calendar year;

2. Is designed for the transportation of persons or property; and

3. Is powered by an internal combustion engine.

"On-road testing" means tests of motor vehicle emissions or emissions control devices by means of roadside pullovers or remote sensing devices.

"Referee station" means an inspection facility operated or used by the Department of Environmental Quality (i) to determine program effectiveness, (ii) to resolve emissions inspection conflicts between motor vehicle owners and emissions inspection stations, and (iii) to provide such other technical support and information, as appropriate, to emissions inspection stations and vehicle owners.

"Remote sensing" means the measurement of motor vehicle emissions through electronic or light-sensing equipment from a remote location such as the roadside. Remote sensing equipment may include devices to detect and record the vehicle's registration or other identification numbers.

"Test and repair" means motor vehicle emissions inspection facilities that perform official motor vehicle emissions inspections and may also perform vehicle repairs. No regulation of the Board pertaining to test and repair shall bar inspection facilities from also performing vehicle repairs.

§ 46.2-1182. Emissions inspection fees; exemption.

INTRODUCED

HB1522

60 Emissions inspection stations performing emissions inspections under subsection A of § 46.2-1178
61 may charge \$11.40 for each emissions inspection, but such charge shall not be mandatory. Any such fee
62 shall be paid to the emissions inspection station.

63 Each emissions inspection station performing emissions inspections under subsection B of
64 § 46.2-1178 may charge for each emissions inspection an amount not to exceed \$17.00. Any such fee
65 shall be paid to and retained by the emissions inspection station.

66 Beginning at such date upon which the program becomes an enhanced emissions program, each
67 emissions inspection station performing emissions inspections under subsection C of § 46.2-1178 may
68 charge an amount not to exceed ~~\$20.00~~ \$25.00 for each emissions inspection. Any such fee shall be
69 paid to and retained by the emissions inspection station.

70 Within fourteen days of an initial failure of an emissions inspection, the vehicle's owner shall be
71 entitled to one free reinspection at the station that conducted the original inspection.