

HCS SS#2 SCS SB 583 -- VEHICLE EMISSIONS INSPECTION PROGRAM

SPONSOR: Griesheimer (Lembke)

COMMITTEE ACTION: Voted "do pass" by the Committee on Transportation by a vote of 14 to 0.

This substitute revises the state vehicle emissions inspection program by creating a decentralized emissions inspection program in which only motor vehicle safety inspection stations and other entities certified by the Air Conservation Commission will conduct emission inspections. The program will apply consistently throughout the City of St. Louis and the counties of St. Louis, St. Charles, Jefferson, and Franklin.

Prior to September 1, 2007, the commission must develop a program which allows official emissions inspection stations to conduct onboard diagnostic testing on 1996 and newer vehicles. Before issuing a certificate of authorization to a prospective station, the commission must determine if the applicant will be properly equipped, has qualified emission inspectors, and meets other requirements specified by the commission. Official inspection stations which are certified will be allowed to repair motor vehicles to bring them into compliance.

The Department of Natural Resources must issue a report to the General Assembly and the Governor regarding the progress of implementing the decentralized emissions inspection program. The report will include a summary describing how many inspection stations or individuals the department expects to participate in the program and how many inspection stations or individuals will be qualified by September 1, 2007, to conduct the emissions inspections. The department will also be required to actively promote participation in the decentralized emission inspection program among qualified motor vehicle dealers, service stations, and other individuals. After the implementation of the program, the department must monitor participation in the program and must attempt to ensure, through promotional efforts, that no more than 20% of all persons residing in the affected nonattainment area reside farther than five miles from the nearest inspection station.

The fee for an emission inspection will be \$24. Vehicle owners will not be charged an additional fee for a reinspection completed within 20 days, excluding Saturdays, Sundays, and holidays. The commission must establish, by rule, a waiver amount not to exceed \$450. The waiver amount for an owner that performs repair work on his or her own vehicle will be \$400 if the cost of the parts used by the owner is equal to or greater than \$400. The cost for labor performed by the owner will not

count toward the waiver limit. The commission may establish by rule a lower waiver amount for owners who provide reasonable and reliable proof that they are financially dependent solely on state and federal disability benefits and other public assistance programs. This proof must be submitted to the commission 30 calendar days prior to each subsequent emissions inspection before the lowered waiver amount is allowed. The Director of the Department of Revenue may verify a successful inspection electronically.

The substitute exempts from the inspection requirements diesel-powered vehicles except light-duty, diesel-powered vehicles manufactured after 1996 with a gross vehicle weight rating of 8,500 pounds or less; new motor vehicles previously titled and registered for a four-year period following their model year of manufacture if the odometer reading is less than 40,000 miles at their first required biennial safety inspection; vehicles which are engaged in interstate commerce and are proportionately registered with the Highway Reciprocity Commission; new motor vehicles of the current calendar year and any calendar year within two years of the current calendar year which have an odometer reading of less than 6,000 miles; school buses; and motor vehicles driven fewer than 12,000 miles between biennial safety inspections. Vehicles which are inspected and approved prior to a sale or transfer will not be subject to another emission inspection for 90 days after the date of sale or transfer.

The procedures for becoming an official emissions inspection station are specified. The commission may suspend a station's certificate of authority to conduct emission inspections if the station is given due process as specified in the substitute.

The Department of Natural Resources and the State Highway Patrol will provide oversight of the emissions inspection program. Beginning October 1, 2008, and every October 1 thereafter, the department and the patrol must jointly submit an annual report to the General Assembly detailing the oversight measures implemented for the program, data collected regarding compliance and incidents of fraud, and recommendations for improvements to the program.

The substitute abolishes the Missouri Air Pollution Control Fund and transfers its moneys to the Missouri Air Emission Reduction Fund.

The substitute becomes effective September 1, 2007.

FISCAL NOTE: No impact on state funds in FY 2007, FY 2008, and FY 2009.

PROPONENTS: Supporters say that emission inspection and maintenance, more commonly called I/M, is required by the federal Clean Air Act for certain areas that do not meet federal health-based air quality standards. The St. Louis area does not currently comply with the National Ambient Air Quality Standard for ozone. Pursuant to the Clean Air Act, the state must develop a plan to bring the area into compliance. This plan is due to the Environmental Protection Agency in June 2007. The program proposed in SB 583 exceeds the Basic Performance Standard and meets the legal requirements required. The bill also reflects views and concerns of many people in the St. Louis region by moving the current centralized emissions testing program to a decentralized testing system using onboard diagnostics for 1996 and newer vehicles only. The same vehicle repair shops that currently do safety tests will be able to do emissions testing as well.

Testifying for the bill were Senator Stouffer; Department of Natural Resources; Ken Storm; Missouri Tire Industry Association; Auto Service Association of Kansas City; and Alliance of Automotive Service Providers.

OPPONENTS: Those who oppose the bill say the safety inspections should not be repealed.

Testifying against the bill were Joe Mareschal and Michael A. Najjar, Najjar Car Care; AFL-CIO; Ted Schulte; and Greg Kinder, Autotech Auto Center.

OTHERS: Others testifying on the bill support the emission testing provisions but oppose the repeal of the safety inspection program.

Others testifying on the bill was AAA Auto Club of Missouri.

Robert Triplett, Legislative Analyst