

April 4, 2001

H 969. AIR QUALITY/MOTOR VEHICLE INSPECTION FEES. *TO PROVIDE FOR THE IMPLEMENTATION OF THE AMBIENT AIR QUALITY IMPROVEMENT ACT OF 1999, AS AMENDED BY S.L. 2000-134, BY INCREASING THE FEES CHARGED FOR MOTOR VEHICLE EMISSIONS AND SAFETY INSPECTIONS AND TO MAKE OTHER AMENDMENTS TO THE LAWS GOVERNING MOTOR VEHICLE SAFETY AND EMISSIONS INSPECTIONS.* Subject to certain transitional provisions, this bill increases the "safety only" inspection and sticker fee to \$14.45 and the "emissions and safety" fee to \$33.55, effective Oct. 1, 2001. Adds two new sections establishing a civil penalty schedule for violations of the emissions and safety inspection statutes. Penalties are divided into three classes, and within each class there are graduated penalties for repeated violations. Penalties vary from a warning letter for first violation of a Type III offense to \$1,000 for a third violation of a Type I offense. Effective Jan. 1, 2002, adds provisions relating to on-board diagnostic equipment.

Intro. by Hackney.

Ref. to Finance	GS 20
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May 16, 2001

H 969. AIR QUALITY/MOTOR VEHICLE INSPECTION FEES. Intro. 4/4/01. House committee substitute makes the following changes to 1st edition. (1) Amends bill's new GS 20-183.7A to make clear that the bill's categorization of violations by safety inspectors applies to both emissions inspection violations (as in original bill) and to safety inspection violations. (2) Amends the same statutory section to provide that if there are multiple violations in a single safety inspection, then the Div'n is to take only the action specified for the most significant violation. (3) Moves from Type I violation to Type II violation the conducting of a safety inspection outside the designated inspection area. (4) Makes it a Type II violation to pass a vehicle that has inoperative equipment or equipment that does not conform to the vehicle's original equipment or design specifications or illegal equipment (original bill, "improper equipment"). (5) Removes from the list of Type III violations the failure to maintain a safety analyzer maintenance log. (6) Adds an amendment to GS 20-183.8F, which requires that a Div'n auditor is to give notice to a safety inspector when violations are discovered that could result in loss of inspector's license, to require that the notice is to be given within five days of the completion of the investigation that resulted in the discovery of the violation (now, within five days of the violation).

May 30, 2001

H 969. AIR QUALITY/MOTOR VEHICLE INSPECTION FEES. Intro. 4/4/01. House committee substitute makes the following changes to 2nd edition. Amends GS 20-183.7(a) to provide that the inspection fee is the maximum amount that an inspection station or inspection mechanic may charge for an inspection of a vehicle, and that a lesser amount may be charged. The sticker fee may not be increased or decreased. Adds GS 20-183.7(f) to require inspection stations to post fee information and specify contents of sign. Adds GS 20-183.2(b1) to exempt motor vehicles over 25 years old from emissions inspection and requirement for emissions control device.

June 5, 2001

H 969. AIR QUALITY/MOTOR VEHICLE INSPECTION FEES. Intro. 4/4/01. House amendments make the following changes to 3rd edition:

Make various editorial and conforming changes to provide that exhaust emission tests apply to vehicles that are fewer than 25 model years old but are not newer than a 1995 model.

Add new GS 20-183.5A to provide for the circumstances in which a vehicle that fails a safety inspection because of missing emissions control devices may obtain a waiver. Provide that such a waiver may be issued for a vehicle if it fails a safety inspection because it (a) lacks one or more emissions control devices and (2) has documented repairs within the previous calendar year to replace missing emissions control devices costing at least the amount of the waiver. The amount of such a waiver is \$75 for pre-1981 vehicles and \$200 for post-1980 vehicles. Provide that a waiver is to be granted by an employee of the local enforcement office of the DMV. Direct the employee, before issuing a waiver, to review the inspection receipts issued for vehicle inspections,

review the documents establishing what repairs were made to the vehicle and at what cost, review any statement denying warranty coverage of the repairs made, and visually inspect the vehicle, if necessary to see whether documented repairs were made. Provide that the following repair costs must be excluded in determining whether repair costs exceed the waiver amount: (a) repairs covered by a warranty that applies to the vehicle; (b) repairs needed as a result of tampering with an emission control device; and (c) repairs made by an individual not engaged in the vehicle repair business, if the vehicle is a post-1980 vehicle. Provide that the inspection sticker for vehicles for which the safety inspection has been waived expires at the same times it would if the vehicle had passed the safety inspection. Make waiver provisions effective Jan. 1, 2003

Require that information about inspection fees, sticker fees, and the consequences of failing the inspection test must be set out in not smaller than 12-point type and shown graphically in the form of a pie chart on the inspection receipt.

October 3, 2001

H 969. AIR QUALITY/MOTOR VEHICLE INSPECTION FEES. Intro. 4/4/01. Senate committee substitute makes the following changes to 4th edition. Statutory change became effective after the filing of the 4th edition of the bill, but prior to the filing of the Committee Substitute. The Committee substitute therefore makes the following changes to the current version of GS 20-183.7 (effective July 1, 2001). Amends GS 20-183.7(a) by phasing in a series of fee increases for the performance of vehicle inspections and the issuance of inspection stickers as shown in the table below.

Type of Fee	Rate as of 11/1/01	Rate as of 1/1/03
Safety Only: Inspection Fee/Sticker Fee	9.40/1.05	9.40/2.60
Emissions and Safety: Inspection Fee/Sticker Fee	19.50/6.60	19.70/6.30

Establishes two new accounts: the Telecommunications Account, in new section GS 20-183.7(d1), and the Highway Trust Fund Repayment Fee, in new section GS 20-183.7(d2). Phases in changes in the level of distribution of sticker fees allocated to the various funds as shown below.

Recipient Fund	Distribution as of 11/1/01 (Safety / emissions and safety)	Distribution as of 1/1/02 (Safety / emissions and safety)	Distribution as of 1/1/03 (Safety / emissions and safety)
Highway Fund	.75/.00	.75/.00	.55/.55
Emissions Program Acc't	.00/2.55	.00/3.80	.00/2.90
Telecommunications Acc't	.00/1.75	.00/1.75	1.75/1.75
Volunteer/Rescue/EMS Fund	.18/.15	.18/.18	.18/.18
Rescue Squad Workers' Relief Fund	.12/.10	.12/.12	.12/.12
Division of Air Quality	.00/.40	.00/.65	.00/.65
Hwy. Trust Fund Repayment Fee	.00/1.55	.00/.00	.00/.15

Eliminates Highway Trust Fund Repayment Fee effective July 1, 2007. After that date, the fees are distributed to the remaining funds as follows:

Recipient Fund	Safety only Sticker Fees	Emissions & Safety Sticker Fees
Highway Fund	.55	.55
Emissions Program Acc't	.00	3.00
Telecommunications Acc't	1.75	1.75
Volunteer/Rescue/EMS Fund	.18	.18
Rescue Squad Workers' Relief Fund	.12	.12

Division of Air Quality	.00	.70
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Adds provision allowing the Dep't of Transportation to transfer up to \$2.2 million from the Highway Trust Fund to the Dep't of Motor Vehicles to pay for telecommunications costs associated with the emissions inspection and maintenance program incurred during 2001 calendar year. Establishes the Highway Trust Fund Repayment Fee to repay these funds to the Highway Trust Fund. Amends the effective date of all provisions previously effective on Oct. 1, 2001, so that they now become effective on Jan. 1, 2002. Directs Joint Legislative Transportation Oversight Committee to study motor vehicle safety inspection program. Authorizes interim report to 2002 Session and requires final report to 2003 Session. Makes technical corrections.

October 4, 2001

H 969. AIR QUALITY/MOTOR VEHICLE INSPECTION FEES. Intro. 4/4/01. Senate amendment makes the following changes to 5th edition. Provides that a motor vehicle that is subject to a safety inspection under GS 20-183.2 is subject to that inspection only as follows: (1) A new vehicle is subject to a safety inspection at the time it is sold to any person other than a new motor vehicle dealer or between a manufacturer and dealer of the same franchise. The vehicle is next subject to an inspection no later than the last day of the 36th month after the vehicle is sold. (2) A used vehicle is subject to a safety inspection as provided in GS 20-183.4C unless it has received such inspection, in which case it is not subject to another inspection until the later of the last day of the 36th month after it is sold to any person other than a new motor vehicle dealer or between a manufacturer and dealer of the same franchise, or the last day of the 12th month after it received an inspection. Requires Division of Motor Vehicles to adopt rules to implement the schedule of fees set out in GS 20-183.7 that specify: (1) that the inspection fee applicable to an emissions and safety inspection shall be reduced by the amount of the fee for a safety inspection only when a motor vehicle is not subject to a safety inspection; (2) that the sticker fee applicable to a safety only inspection shall be increased so that the revenue available to the Highway Fund, the Volunteer Rescue/EMS Fund, and the Rescue Squad Workers' Relief Fund will not be less than it would have been if the provisions in the amendment had not become law, and (3) that the sticker fee applicable to a safety-only inspection shall be increased so that the revenue available to the Telecommunications Account will be sufficient to achieve the purpose for which the Account was created. New provisions become effective January 1, 2002.

December 4, 2001

H 969. AIR QUALITY/MOTOR VEHICLE INSPECTION FEES. Intro. 4/4/01. Conference report recommends the following changes to 6th edition to reconcile matters in controversy. Deletes entire Sixth Edition Engrossed and adopts conference committee substitute. Makes following changes to Sixth Edition Engrossed. *Section 1 (effective Jan. 1, 2002).* Amends GS 20-183.7(a) to delete increase in safety only inspection fee and to increase emissions and safety inspection fee to \$23.50. Provides that inspection station or mechanic may charge maximum amount or any lesser amount for emissions and safety inspection, but safety only inspection fee and sticker fees may not be increased or decreased. Modifies fee distribution set out in GS 20-183.7(c) and deletes Highway Trust Fund Repayment Fee. Adds new GS 20-183.7(f) and (g) to require inspection stations to post fee information in manner set out in subsections. *Section 2 (effective Jan. 1, 2003).* Amends GS 20-187.3(a) to decrease safety only sticker fee from \$1.05 to 85 cents. Modifies fee distribution set out in GS 20-183.7(c) and carries forth same version of GS 20-183.7(f) and (g) as in Section 1 of bill. *Section 3 (effective July 1, 2007).* Amends GS 20-183.7(a) to decrease safety only sticker fee to 85 cents, safety only inspection fee to \$8.25, and emissions and safety sticker fee to \$6.25, and to increase emissions and safety inspection fee to \$23.75. Provides that inspection station or mechanic may charge maximum amount or any lesser amount for emissions and safety inspection, but safety only inspection fee and sticker fees may not be increased or decreased. Modifies fee distribution set out in GS 20-183.7(c) and deletes Highway Trust Fund Repayment Fee. Carries forth same version of GS 20-187.7(f) and (g) as in Section 1 of bill.

Deletes Sections 22.1(a) (exceptions to safety inspections) and 22.1(b) (adoption of rules by Division of Motor Vehicles concerning inspection and sticker fees) of Sixth Edition Engrossed.

January 9, 2002

SL 2001-504 (H 969). AIR QUALITY/MOTOR VEHICLE INSPECTION FEES. *AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF THE AMBIENT AIR QUALITY IMPROVEMENT ACT OF 1999, AS AMENDED BY S.L. 2000-134, BY INCREASING THE FEES CHARGED FOR MOTOR VEHICLE EMISSIONS AND SAFETY INSPECTIONS, AND TO MAKE OTHER AMENDMENTS TO THE LAWS GOVERNING MOTOR VEHICLE SAFETY AND EMISSIONS INSPECTIONS.* Summarized in *Daily Bulletin* 4/4/01, 5/16/01, 5/30/01, 6/5/01, 10/3/01, 10/4/01, and 12/4/01. Enacted Dec. 19, 2001. Sections 1, 4, and 9-18 of this act are effective Jan. 1, 2002. Section 7 is effective July 1, 2002. Section 2 of this act is effective Jan. 1, 2003. Sections 5 and 6 are effective July 1, 2003. Section 3 is effective July 1, 2007. Sections 8 and 19-23 of this act are effective Dec. 19, 2001.