

March 25, 2009

S 857. ELIMINATE SAFETY INSP./EMISSIONS INSP. FREQ. Filed 3/25/2009. *TO REPEAL THE REQUIREMENT THAT MOTOR VEHICLES REGISTERED IN THIS STATE HAVE AN ANNUAL SAFETY INSPECTION, TO ELIMINATE THE REQUIREMENT THAT WINDOW TINTING BE INSPECTED AT AN INSPECTION STATION BY A LICENSED SAFETY INSPECTOR, TO ELIMINATE THE AFFIRMATIVE DEFENSE TO AN UNSAFE TIRES CHARGE, TO ELIMINATE THE REQUIREMENT THAT A VEHICLE BE SUBJECT TO A SAFETY INSPECTION BEFORE A CHARGE FOR TINTED WINDOWS MAY BE MADE, TO DEVELOP AND IMPLEMENT A MANAGEMENT IMPROVEMENT PLAN FOR THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM, ADMINISTERED BY THE DIVISION OF MOTOR VEHICLES, WHICH WILL INCREASE EFFICIENCY, REDUCE COSTS, AND IMPROVE CUSTOMER SERVICE, TO REQUIRE THE FISCAL RESEARCH DIVISION OF THE GENERAL ASSEMBLY TO CONDUCT A FISCAL REVIEW OF THE DIVISION OF MOTOR VEHICLES EMISSIONS INSPECTION PROGRAM, TO REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, DIVISION OF AIR QUALITY, TO STUDY HOW TO COMPLY WITH FEDERAL GUIDELINES RELATED TO THE QUALITY OF AMBIENT AIR WHILE REDUCING THE FREQUENCY OF EMISSIONS INSPECTIONS FOR MOTOR VEHICLES THAT ARE LESS THAN FOUR MODEL YEARS OLD AND TO REDUCE THE FREQUENCY OF EMISSIONS INSPECTION BY EXEMPTING VEHICLES THAT ARE LESS THAN FOUR MODEL YEARS OLD FROM THE EMISSIONS INSPECTION REQUIREMENT, AS RECOMMENDED BY THE PROGRAM EVALUATION DIVISION OF THE GENERAL ASSEMBLY.*

Amends various provisions in Part 2 of Article 3A of Chapter 20 of the General Statutes to eliminate annual safety inspection requirement for motor vehicles registered in the state and to make conforming changes. Effective October 1, 2009, and applies to motor vehicles inspected or registered on or after that date.

Amends GS 20-183.4A to eliminate requirements that (1) an applicant for a license as an emissions inspection station have a license as a safety inspection station, (2) an applicant for a license as an emissions inspection mechanic have a license as a safety inspection mechanic, and (3) an applicant for a license as an emissions self-inspector have a license as a safety self-inspector. Effective October 1, 2009, and applies to motor vehicles inspected or registered on or after that date.

Repeals GS 20-183.5A (When a vehicle that fails a safety inspection because of missing emissions control devices may obtain a waiver). Effective October 1, 2009, and applies to motor vehicles inspected or registered on or after that date.

Amends GS 20-183.7 to set the fee for an emissions inspection of a vehicle at \$9.13 and to set the fee for the issuance of an electronic inspection authorization for emissions at \$7.27. Modifies the distribution of the fee revenue to the following: (1) Highway Fund—\$0.00, (2) Emissions Program Account—\$4.04, (3) Telecommunications Account—\$2.36, (4) Volunteer Rescue/EMS Fund—\$0.00, (5) Rescue Squad Workers' Relief Fund—\$0.00, and (6) Division of Air Quality—\$0.87. Specifies that the clear proceeds of all civil penalties, civil forfeitures, and civil fines that are collected by the Division of Motor Vehicles must be remitted to the Civil Penalty and Forfeiture Fund in accordance with GS 115C-457.2. Effective October 1, 2009, and applies to motor vehicles inspected or registered on or after that date.

Repeals GS 20-183.7A (Penalties applicable to license holders and suspension or revocation of license for safety violations) and GS 20-183.7B (Acts that are Type I, II, or III safety violations). Effective October 1, 2009, and applies to motor vehicles inspected or registered on or after that date.

Amends GS 20-87 (Passenger vehicle registration fees) to authorize an additional fee of \$1.00 on each vehicle registered under this section, in addition to the base fee and any other additional fee required. Directs that the revenue from the fee be distributed as follows: (1) Highway Fund—\$0.78, (2) Volunteer Rescue/EMS Fund—\$0.13, and (3) Rescue Squad Workers' Relief Fund—\$0.09. Effective October 1, 2009, and applies to motor vehicles inspected or registered on or after that date.

Amends GS 20-88 (Property-hauling vehicles) to authorize an additional fee of \$1.00 to be imposed on each vehicle registered under this section, in addition to the base fee and any other additional fee required. Directs that the revenue from the fee be distributed as follows: (1)

Highway Fund—\$0.78, (2) Volunteer Rescue/EMS Fund—\$0.13, and (3) Rescue Squad Workers' Relief Fund—\$0.09. Effective October 1, 2009, and applies to motor vehicles inspected or registered on or after that date.

Amends GS 20-122.1(b) to eliminate the defense to the safe tires requirement that the person arrested produce in court, or submit to the prosecuting attorney prior to trial, a certificate from an official safety inspection equipment station showing that within fifteen calendar days after such arrest, the tires on such vehicle has been made to conform with the requirements of GS 20-122.1(a) or that such vehicle has been sold, destroyed, or permanently removed from the highways.

Directs the Division of Motor Vehicles, with the assistance of the Department of Environment and Natural Resources, Division of Air Quality, to develop and implement a management improvement plan for the Motor Vehicle Emissions Inspection Program to increase efficiency, reduce costs, and improve customer service. The plan must include: (1) Reviews of how inspection program data is managed and analyzed; (2) performance metrics for program assessment as defined by the Division of Motor Vehicles and the Office of State Budget and Management; (3) an assessment of the types of reports that would be most useful to agencies, including field staff and management, the General Assembly, industry personnel, the Environmental Protection Agency, and the public; (4) a roadmap for how program information will be collected, analyzed, monitored and presented; and (5) appropriate allocation of personnel and resources to accomplish program oversight. The plan must meet federal and state reporting requirements.

Directs the Division of Motor Vehicles to present the management improvement plan for the Motor Vehicles Emissions Inspection program to the Joint Legislative Transportation Oversight Committee and the Joint Environment and Natural Resources Oversight Committee no later than December 31, 2009. The Division of Motor Vehicles must report to the Joint Legislative Transportation Oversight Committee annually, by January 15 of each year, on the prior fiscal year and include any recommended legislation that will increase efficiency, reduce costs, and improve customer service.

Directs the Fiscal Research Division of the General Assembly to conduct a fiscal review of the Motor Vehicle Emissions Inspection program according to specified criteria and report its findings to the Joint Legislative Transportation Oversight Committee, the Joint Environment and Natural Resources Oversight Committee, the Joint Program Evaluation Oversight Committee, and the Program Evaluation Division of the General Assembly by May 1, 2010.

Directs the Department of Environment and Natural Resources, Division of Air Quality, to study how to comply with federal requirements for ambient air quality while reducing the frequency of emissions inspections on motor vehicles that are less than four model years old and to report its findings and legislative recommendations to the Joint Legislative Transportation Oversight Committee, the Joint Environment and Natural Resources Oversight Committee, the Joint Program Evaluation Oversight Committee, the Program Evaluation Division of the General Assembly, and the Fiscal Research Division by December 31, 2009. Specifies certain criteria that must be included in the study.

Amends GS 20-183.2(b)(3) to specify that only vehicles that are four or more model years old are subject to emissions inspections. Effective when the Division of Air Quality certifies that the Environmental Protection Agency has approved the state's plan to exclude motor vehicles that are less than four model years old from the emissions inspection requirement.

Intro. by Albertson.

GS 20, STUDY