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H.232

Introduced by Representatives Keefe of Manchester, Ainsworth of Royalton,
Burditt of West Rutland, Chesnut-Tangerman of Middletown
Springs, Cupoli of Rutland City, Frenier of Chelsea, Gamache
of Swanton, Haas of Rochester, Hooper of Brookfield, Keenan
of St. Albans City, Lewis of Berlin, McFaun of Barre Town,
Morrissey of Bennington, Mrowicki of Putney, Noyes of
Wolcott, Parent of St. Albans Town, Pugh of South Burlington,
Rosenquist of Georgia, Sibia of Dover, Smith of Derby, Smith
of New Haven, Strong of Albany, Sullivan of Dorset, Trieber of
Rockingham, Troiano of Stannard, Willhoit of St. Johnsbury,
and Wood of Waterbury

Referred to Committee on

Date:

Subject: Motor vehicles; inspections

Statement of purpose of bill as introduced: This bill proposes to provide that a
motor vehicle shall not fail an annual inspection solely because of the
illumination of a malfunction indicator light through the vehicle's on-board
diagnostic system, unless the illumination indicates a malfunction related to
vehicle safety.

1 An act relating to motor vehicle inspections

2 It is hereby enacted by the General Assembly of the State of Vermont:

3 Sec. 1. 23 V.S.A. § 1222 is amended to read:

4 § 1222. INSPECTION OF REGISTERED VEHICLES

5 (a) Except for school buses which shall be inspected as prescribed in
6 section 1282 of this title and motor buses as defined in subdivision 4(17) of
7 this title which shall be inspected twice during the calendar year at six-month
8 intervals, all motor vehicles registered in this State shall be inspected once
9 each year. Any motor vehicle, trailer, or semi-trailer not currently inspected in
10 this State shall be inspected within 15 days from the date of its registration in
11 the State of Vermont.

12 (b)(1) The inspections shall be made at garages or qualified service
13 stations, designated by the Commissioner as inspection stations, for the
14 purpose of determining whether those motor vehicles are properly equipped
15 and maintained in good mechanical condition. A vehicle shall not fail
16 inspection solely because of the illumination of a malfunction indicator light
17 through the vehicle's on-board diagnostic system, unless the illumination
18 indicates a malfunction related to vehicle safety.

19 (2) The charges for such inspections made by garages or qualified
20 service stations designated to conduct periodic inspections shall be subject to
21 the approval of the Commissioner. If a fee is charged for inspection, it shall be

1 based upon the hourly rate charged by each official inspection station or it may
2 be a flat rate fee and, in either instance, the fee shall be prominently posted and
3 displayed beside the official inspection station certificate. In addition, the
4 official inspection station may disclose the State inspection certificate charge
5 on the repair order as a separate item and collect the charge from the consumer.

6 * * *

7 Sec. 2. 10 V.S.A. § 567 is amended to read:

8 § 567. MOTOR VEHICLE POLLUTION

9 (a) The ~~secretary~~ Secretary in conjunction with the ~~motor vehicle~~
10 ~~department~~ Commissioner of Motor Vehicles may provide rules for the control
11 of emissions from motor vehicles. Such rules may prescribe requirements for
12 the installation and use of equipment designed to reduce or eliminate emissions
13 and for the proper maintenance of the equipment and the vehicles; however,
14 the rules shall provide that a vehicle shall not fail an annual inspection solely
15 because of the illumination of a malfunction indicator light through the
16 vehicle's on-board diagnostic system, unless the illumination indicates a
17 malfunction related to vehicle safety. Rules pursuant to this section shall be
18 consistent with provisions of federal law, if any, relating to control of
19 emissions from the vehicles concerned and shall not require, as a condition
20 precedent to the initial sale of a vehicle or vehicular equipment, the inspection,
21 certification, or other approval of any feature or equipment designed for the

1 control of emissions from motor vehicles, if the feature or equipment has been
2 certified, approved, or otherwise authorized pursuant to federal law.

3 (b) Except as permitted or authorized by law, no person shall fail to
4 maintain in good working order or remove, dismantle, or otherwise cause to be
5 inoperative any equipment or feature constituting an operational element of the
6 air pollution control system or mechanism of a motor vehicle and required by
7 rules pursuant to this chapter to be maintained in or on the vehicle. Any failure
8 to maintain in good working order or removal, dismantling, or causing of
9 inoperability shall subject the owner or operator to suspension or cancellation
10 of the registration for the vehicle by the ~~motor vehicle department~~ Department
11 of Motor Vehicles. The vehicle shall not thereafter be eligible for registration
12 until all parts and equipment constituting operational elements of the motor
13 vehicle have been restored, replaced, or repaired and are in good working
14 order.

15 (c) The ~~secretary~~ Secretary shall consult with the ~~motor vehicle department~~
16 Commissioner of Motor Vehicles and furnish ~~it with~~ technical information,
17 including testing techniques, standards, and instructions for emission control
18 features and equipment.

19 (d) ~~When rules have been issued requiring the maintenance of features or~~
20 ~~equipment in or on motor vehicles for the purpose of controlling emissions~~
21 ~~therefrom, no motor vehicle shall be issued an inspection sticker unless all the~~

1 ~~required features or equipment have been inspected in accordance with the~~
2 ~~standards, testing techniques, and instructions furnished pursuant to subsection~~
3 ~~(b) hereof and has been found to meet those standards. [Repealed.]~~

4 * * *

5 Sec. 3. EFFECTIVE DATE

6 This act shall take effect on passage.