

Automated Vehicle Inspection Program

House Transportation Overview

1/22/2019

History....

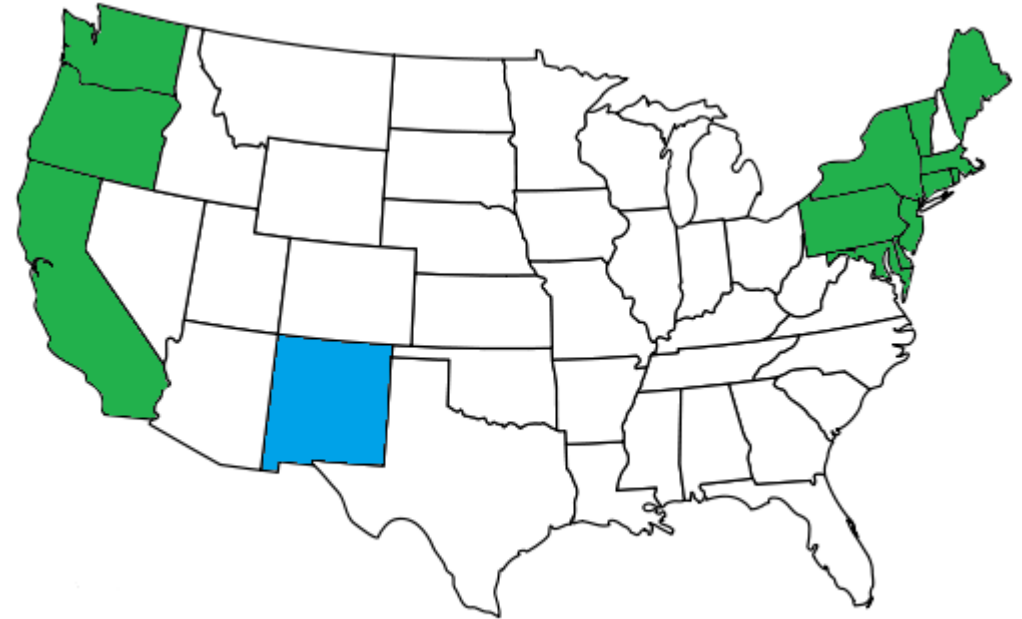
- 1990 Congress established the Ozone Transport Region (a single 13-state ozone nonattainment area) as part of the Clean Air Act. Vermont being part of this region meant we were **required to have an emissions testing program.**
- 1996/1997 OBD testing began on vehicles with a Gross Vehicle Weight Rating (GVWR) of 8500 or less.
- 2013 Rules adopted (APA) authorizing the Commissioner the ability to require use of specific hardware and/or software to complete the inspection process (safety & emissions).
- 2015 Issued RFP to procure the hardware and software services for electronic data collection as required in the Clean Air Act.
- 2016 Signed the contract with Parsons to provide the hardware and software for the Automated Vehicle Inspection Program.
- 2017 The introduction of a conditional pass was put into place at the onset of implementing the Automated Vehicle Inspection Program (AVIP) to allow Stations to become familiar with the electronic process.
- 2018 Legislature gave the authority to;
 - Issue conditional passes (retroactively to the beginning of 2017).
 - Required that conditional pass end on January 15, 2019.
 - Required DMV & DEC to develop a Waiver Program consistent with the EPA requirements.
- September – December 2018 Waiver Plan finalized and software development began.
- January 15, 2019 Ended Conditional Passes – Implemented the “Time Extension Waiver”
 - For those Vermonters who have an emissions problem not covered under warranty that need additional time to save for the necessary repairs.
 - This time extension will allow those Vermonters who qualify up to 12 months to make the necessary repairs. **Vehicles are not eligible for consecutive time extensions, so the repairs must be made prior to the next Vermont State Inspection.**

Ozone Transport Region



Member states of the Ozone Transport Commission - Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, parts of Virginia and Washington DC.

States Adopting California Emissions Standards



States that have adopted California Emissions Standards - Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New Mexico (2011 model year and later), New York, Oregon, Pennsylvania, Rhode Island, Vermont, Washington and Washington DC.

Act 206, Sec. 22 – Vehicle Inspection Program Update

(f) On November 30, 2018 the Commissioners of Motor Vehicles and of Environmental Conservation shall send a written update to the Joint Transportation Oversight Committee that includes:

1. a copy of any criteria developed under the authority granted in subsection (d) of this section

Beginning in January of 2017 a vehicle that passes all required safety-related checks, but that fails any of the On-Board Diagnostics (OBD)/emissions tests is issued a “conditional pass”, allowing the motorist the opportunity to fix emissions-related issues while still obtaining their Vermont State Inspection sticker. Failure to pass the OBD emissions test is the only criteria for receiving a conditional pass.

2. if the authority granted in subsection (d) is exercised:
 - (A) whether the authority is still being exercised; and

Yes, conditional passes are still being issued. Conditional passes will no longer be issued as of 1/15/2019.

- (B) the number of conditional passes issued since the effective date of this section;

Safety inspections completed 1/1/2017-11/15/2018: **1,025,709**
Conditional passes issued 1/1/2017-11/15/2018: **117,709 (11.48%)**

Total Inspections	1,025,709	
Pass	891,256	(86.89%)
Conditional Pass	117,709	(11.48%)
Fail	16,744	(1.63%)



Act 206, Sec. 22 – Vehicle Inspection Program Update

- 3. a summary of the status of efforts to amend the Department's rule as required under subsection (a) of this section, and an estimate of the likely effective date of the amended rule if not yet adopted;*

On July 1, 2018 DMV modified the AVIP tablet software to remove requirements which were inconsistent with the permissible scope of a safety inspection as authorized in Sec 23 (3).

The Department's proposed changes to its rule were approved by the Interagency Committee on Administrative Rules (ICAR). Following ICAR approval, DMV conducted five public comment sessions throughout the state (Rutland, Newport, South Burlington, and Montpelier). Modifications were made based on public comments received. DMV requested an extension in November of 2018 and has been granted a four-month extension to complete the rule making process.

- LCAR will take up the proposed rules at it's January 31, 2019 Meeting
- With approval of proposed rules, DMV will then begin working to make the necessary software changes

Act 206, Sec. 22 – Vehicle Inspection Program Update

4. *a summary of the status of the requirement to develop a program of waivers related to the emissions component of the State's inspection program and any efforts to educate consumers and inspection stations about issues related to emissions inspections, including: the availability of any such waivers; manufacturer warranties available for emissions components for certain vehicle models and model years; and vehicle readiness for emissions testing.*

- The Departments have worked jointly on the development of a waiver program that will move Vermont in the direction of achieving compliance with the mobile emissions requirements of the Clean Air Act.
- Software development, testing and implementation of the waiver are underway with our contractor and full implementation is expected to be complete March 2019.
- Waivers will be available for motorists whose vehicles require significant repairs that are not covered by an emissions warranty (separate from a bumper-to-bumper warranty).
- Waivers will not be issued for vehicles that are “not ready” for emissions testing.
- Waivers will not be issued for repairs that are covered by warranty.
- Vermont has adopted the California emissions standards which provides additional warranties for Vermont consumers. Information on available warranties is published on both the DEC and DMV websites, the public facing AVIP website, and was included in the informational sessions conducted by DMV with inspections stations in Sept/Oct 2018. The information can be referenced at: <https://www.vt-avip.com/VTPublicWeb/>
- Implementation of the waiver program in 2019 will require, among other things, significant consumer and Inspection Station education, and changes to the AVIP software which runs on the tablet at the inspection station.
- At a minimum, compliance with the EPA Clean Air Act regulations for waiver programs will require additional software modifications, state or third-party review of waiver applications, and auditable results.
- Future obligations may also include proof and verification that repairs are appropriate for the emissions issue identified, and that repairs are conducted to a specified dollar amount.
- Representatives from DMV held twelve public outreach sessions throughout the state (St. Albans, Montpelier, Newport, Brattleboro, Rutland, and Essex Jct.) during September and October 2018 to provide an overview of EPA requirements, Vermont's emissions warranties, vehicle readiness, and basic diagnostic information.
- DMV, DEC, and Parsons created, and continue to distribute, informational bulletins for Inspection Stations and motorists on upcoming rule changes, manufacturer's warranties for emissions components, and vehicle readiness to assist in raising the level of consumer awareness.
- The Vehicle Information Report provided to motorists upon completion of their State Inspection also includes information on warranties and recalls that can allow them to have repairs made at no cost to the motorist.

Ending Conditional Pass – January 15, 2019

Goals

- Ensure motoring public understands what “readiness” for OBD test.
 - If your check engine light comes on, it means you have an emissions system problem. It doesn't illuminate to tell you the vehicle is not ready.
- Requires Vermonter's use warranty coverage to make necessary repairs.
- Education/Outreach Sessions for Industry
- Develop & Implement VT Time Extension Waiver Program: Provides those requiring repairs not covered under warranty additional time to complete those repairs.

DMV Educational Efforts

Industry

- Outreach Sessions (Sept. & Oct.)
- Tablet Messaging
- Emails
- Detailed time extension instructions
- Increased availability of Technical Support Hotline for questions related to applying for a time extension

Consumer

- Post card mailings
 - Announcing end of conditional pass
 - Provided generic information on how to get a vehicle ready
- Developed three brochures for stations to provide consumers

Implementation

- January 15 ended conditional pass as required and put a paper based time-extension process in place.

Date	Total Inspections	Result: Failed OBD/ Pass Safety	Result: Failed OBD/ Fail Safety	Pass Safety/ Fail OBD Result: Not Ready	Pass Safety/ Fail OBD , Result: DLC Tampered or missing	Possibly eligible for Time Extension	Time Extension Issued
1/15/2019	1,591	134	6	93	5	36	5
1/16/2019	1,521	103	7	75	0	28	2
1/17/2019	1,446	122	4	89	6	27	3

- Will begin testing the tablet based software later this week.
- We anticipate being able to begin rollout to stations beginning in a couple weeks and be completed in March.