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S.84

Senator Bray moves that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

\* \* \* Motor Vehicles Subject to the Emissions Inspection \* \* \*

Sec. 1. 23 V.S.A. § 1222(a) is amended to read:

(a) Except for school buses, which shall be inspected as prescribed in section 1282 of this title, and motor buses as defined in subdivision 4(17) of this title, which shall be inspected twice during the calendar year at six-month intervals, all motor vehicles registered in this State shall ~~be inspected~~ undergo a safety and visual emissions inspection once each year and all motor vehicles that are registered in this State and are 15 model years old or less shall undergo an on board diagnostic (OBD) systems inspection once each year as applicable. Any motor vehicle, trailer, or semi-trailer not currently inspected in this State shall be inspected within 15 days following the date of its registration in the State of Vermont.

\* \* \* Rulemaking and Implementation \* \* \*

Sec. 2. RULEMAKING

(a) Within six months after the effective date of this section, the Commissioner of Motor Vehicles, in consultation with the Agency of Natural Resources, shall file with the Secretary of State a proposed amended rule governing vehicle inspections in this State (Periodic Inspection Manual) that is

1 consistent with federal law, including 40 C.F.R. part 51, subpart S, establishes  
2 a goal of a waiver rate of less than three percent, and only requires an on board  
3 diagnostic (OBD) systems inspection once each year, as applicable, for motor  
4 vehicles registered in this State that are of the most recent model years as  
5 approvable by the Environmental Protection Agency as part of the State's  
6 inspection and maintenance (I/M) program submitted as part of the State's  
7 state implementation plan.

8 Sec. 3. IMMEDIATE IMPLEMENTATION

9 (a) Notwithstanding 10 V.S.A. § 567(a), as soon as practicable after the  
10 effective date of this section, the Commissioner of Motor Vehicles shall update  
11 the content of inspections conducted through the Automated Vehicle  
12 Inspection Program to exclude any requirements of the Periodic Inspection  
13 Manual that are inconsistent with the amendments to 23 V.S.A. § 1222 in Sec.  
14 1 of this act, with the effect that no motor vehicle that is more than 15 model  
15 years old will be required to undergo an on board diagnostic (OBD) systems  
16 inspection.

17 (b) In the event that the Commissioner cannot update the content of  
18 inspections conducted through the Automated Vehicle Inspection Program in  
19 accordance with subsection (a) of this section within 30 days after the effective  
20 date of this section, the Commissioner shall, within 30 days after the effective  
21 date of this section, develop and implement a temporary work-around to ensure

1 that no motor vehicle that is more than 15 model years old will be required to  
2 undergo an OBD systems inspection.

3 \* \* \* Inspections Required After the Adoption  
4 of a New Periodic Inspection Manual \* \* \*

5 Sec. 4. 23 V.S.A. § 1222(a) is amended to read:

6 (a) Except for school buses, which shall be inspected as prescribed in  
7 section 1282 of this title, and motor buses as defined in subdivision 4(17) of  
8 this title, which shall be inspected twice during the calendar year at six-month  
9 intervals, all motor vehicles registered in this State shall ~~undergo a safety and~~  
10 ~~visual emissions inspection~~ be inspected once each year ~~and all motor vehicles~~  
11 ~~that are registered in this State and are 15 model years old or less shall undergo~~  
12 ~~an on board diagnostic (OBD) systems inspection once each year as applicable.~~  
13 Any motor vehicle, trailer, or semi-trailer not currently inspected in this State  
14 shall be inspected within 15 days following the date of its registration in the  
15 State of Vermont.

16 \* \* \* Effective Dates \* \* \*

17 Sec. 5. EFFECTIVE DATES

18 (a) This section and Secs. 2 (rulemaking) and 3 (implementation) shall take  
19 effect on passage.

20 (b) Sec. 1 (inspection program) shall take effect 30 days after passage.

21 (c) Sec. 4 (inspection program) shall take effect 30 days after the later of:

- 1           (1) the adoption of the rule governing vehicle inspections in this State  
2           (Periodic Inspection Manual) in conformance with Sec. 2 of this act; or  
3           (2) the approval of the State’s state implementation plan addressing its  
4           inspection and maintenance (I/M) program by the Environmental Protection  
5           Agency.