

1 H.9

2 Introduced by Representative Anthony of Barre City

3 Referred to Committee on

4 Date:

5 Subject: Motor vehicles; inspections

6 Statement of purpose of bill as introduced: This bill proposes to exempt motor
7 vehicles, except for buses, from the safety inspection for the first 40 months
8 after manufacture in the case of plug-in hybrid electric vehicles; from all
9 inspections for the first 40 months after manufacture in the case of zero-
10 emission vehicles; and from the safety inspection for the first 30 months after
11 manufacture in the case of other motor vehicles.

12 An act relating to motor vehicle inspections

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

14 Sec. 1. LEGISLATIVE FINDINGS

15 The General Assembly finds:

16 (1) Despite there not being a statutory exemption, zero-emission
17 vehicles, by their very nature as manufactured, are not subject to an annual
18 visual emissions inspection, because they are not manufactured with a gas cap
19 or a catalytic converter, or an annual on board diagnostic (OBD) systems
20 inspection.

1 (2) New motor vehicles are much more efficient and reliable than older
2 models, which reduces the need for a safety inspection.

3 (3) Under the Vermont Global Warming Solutions Act of 2020 and
4 10 V.S.A. § 578, Vermont has a legal obligation to reduce greenhouse gas
5 emissions to specific levels by 2025, 2030, and 2050.

6 (4) As required by the Vermont Global Warming Solutions Act of 2020,
7 the Vermont Climate Council published the Initial Vermont Climate Action
8 Plan on December 1, 2021. As noted in that plan, approximately 40 percent of
9 Vermont's greenhouse gas emissions come from the transportation sector.

10 (5) Per the requirements of the Climate Action Plan, Vermont adopted
11 California's Advanced Clean Cars II, which promotes the electrification of
12 light-duty cars and requires automakers to offer a gradually increasing
13 percentage of new zero-emission vehicles within the Vermont market,
14 eventually putting Vermont's new passenger car and light truck sales on a
15 pathway toward 100 percent zero-emission vehicle sales by 2035.

16 (6) Vermont has taken steps to incentivize the purchase of new plug-in
17 electric vehicles through programs like the Incentive Program for New PEVs
18 and the Replace Your Ride Program.

19 (7) Exempting zero-emission vehicles and plug-in electric vehicles from
20 the annual safety inspection during the first 40 months after the date of

1 manufacture will further encourage the adoption of these vehicles by
2 Vermonters.

3 Sec. 2. 23 V.S.A. § 4 is amended to read:

4 § 4. DEFINITIONS

5 * * *

6 (85) “Plug-in electric vehicle” means a motor vehicle that can be
7 powered by an electric motor drawing current from a rechargeable energy
8 storage system, such as from storage batteries or other portable electrical
9 energy storage devices, provided that the vehicle can draw recharge energy
10 from a source off the vehicle such as electric vehicle supply equipment. A
11 “plug-in electric vehicle” includes both a “battery electric vehicle” and a
12 “plug-in hybrid electric vehicle” where:

13 (A) “battery electric vehicle” means a motor vehicle that can only be
14 powered by an electric motor drawing current from a rechargeable energy
15 storage system; and

16 (B) “plug-in hybrid electric vehicle” means a motor vehicle that can
17 be powered by an electric motor drawing current from a rechargeable energy
18 storage system but also has an onboard combustion engine.

19 (86) “Zero-emission vehicle” means a motor vehicle that produces zero
20 exhaust emissions of any criteria pollutant, precursor pollutant, or greenhouse

1 gas, excluding emissions from air conditioning systems, under any possible
2 operational modes or conditions.

3 (87) “On-track equipment” means any car, locomotive, rolling stock,
4 equipment, or other device that, alone or coupled, is operated on stationary
5 rails.

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

7 § 1222. INSPECTION OF REGISTERED VEHICLES

8 (a)(1) Except for school buses, which shall be inspected as prescribed in
9 section 1282 of this title, and motor buses as defined in subdivision 4(17) of
10 this title, which shall be inspected twice during the calendar year at six-month
11 intervals, all motor vehicles registered in this State shall undergo a safety and
12 visual emissions inspection once each year and all motor vehicles that are
13 registered in this State and are 16 model years old or less shall undergo an
14 emissions or on board diagnostic (OBD) systems inspection once each year as
15 applicable.

16 (2) Notwithstanding subdivision (1) of this subsection, and except for
17 school buses and motor buses:

18 (A) a plug-in hybrid electric vehicle as defined in subdivision
19 4(85)(B) of this title shall be exempt from the safety portion of the safety and
20 visual emissions inspection until the first day of the 40th month after the date
21 of manufacture;

1 (B) a zero-emission vehicle as defined in subdivision 4(86) of this
2 title shall always be exempt from the OBD systems inspection and the
3 emissions portion of the safety and visual emissions inspection and shall be
4 exempt from the safety portion of the safety and visual emissions inspection
5 until the first day of the 40th month after the date of manufacture; and

6 (C) all other motor vehicles shall be exempt from the safety portion
7 of the safety and visual emissions inspection until the first day of the 30th
8 month after the date of manufacture.

9 (3) Any motor vehicle, trailer, or semi-trailer that is required to be
10 inspected and is not currently inspected in this State shall be inspected within
11 15 days following the date of its registration in 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; provided, however, the scope of
16 the safety inspection of a motor vehicle other than a school bus or a
17 commercial motor vehicle shall be limited to parts or systems that are relevant
18 to the vehicle's safe operation, and such vehicles shall not fail the safety
19 portion of the inspection unless the condition of the part or system poses or
20 may pose a danger to the operator or to other highway users.

1 (2) A certification of inspection exemption shall be issued by a garage
2 or qualified service station, designated by the Commissioner as inspection
3 stations, upon sufficient proof, as determined by the Commissioner, that a
4 vehicle is completely exempt from inspection pursuant to subdivision (a)(2)(B)
5 of this section. The certification of inspection exemption shall display the last
6 date of the 39th month.

7 (3) The charges for such inspections or the issuance of a certification of
8 inspection exemption made by garages or qualified service stations designated
9 to conduct periodic inspections shall be subject to the approval of the
10 Commissioner. If a fee is charged for inspection or the issuance of a
11 certification of inspection exemption, it shall be based upon the hourly rate
12 charged by each official inspection station or it may be a flat rate fee, and, in
13 either instance, the fee shall be prominently posted and displayed beside the
14 official inspection station certificate. In addition, the official inspection station
15 may disclose the State inspection certificate charge on the repair order as a
16 separate item and collect the charge from the consumer.

17 (c) A person shall not operate a motor vehicle unless it has been inspected
18 as required by this section and has a valid certification of inspection or a valid
19 certification of inspection exemption affixed to it. A person shall be subject to
20 a civil penalty of not more than \$5.00, which penalty shall be exempt from
21 surcharges under 13 V.S.A. § 7282(a), if ~~he or she~~ the person is cited for a

1 violation of this section within the 14 days following expiration of the motor
2 vehicle inspection sticker. The month of next inspection for all motor vehicles
3 shall be shown on the current inspection certificate affixed to the vehicle.

4 * * *

5 Sec. 4. 23 V.S.A. § 1223 is amended to read:

6 § 1223. PROHIBITIONS

7 A person shall not affix or cause to be affixed to a motor vehicle, trailer, or
8 semi-trailer a certification of inspection or certification of inspection
9 exemption that was not assigned by an official inspection station to such motor
10 vehicle, trailer, or semi-trailer. No person shall reattach or cause to be reattached
11 an official sticker once removed; instead, replacement stickers shall be affixed
12 as prescribed by the rules for replacement sticker agents. A person shall not
13 knowingly operate a motor vehicle, trailer, or semi-trailer to which a
14 certification of inspection or certification of inspection exemption is affixed if
15 the certification of inspection or certification of inspection exemption was not
16 assigned by an official station to that vehicle, trailer, or semi-trailer.

17 Sec. 5. 23 V.S.A. § 1224 is amended to read:

18 § 1224. INSPECTION CERTIFICATES

19 For each inspection certificate or inspection exemption certificate issued by
20 the Department, the designated station shall pay the Commissioner the fee
21 required under section 1230 of this title. All unused inspection certificates,

1 ~~and~~ number tabs, and inspection exemption certificates shall be returned to the
2 Department within two months ~~of~~ following the certificate's expiration date.

3 A designated inspection station shall receive a refund for each unused
4 certificate returned during the two-month period. If the station's designation is
5 revoked or suspended under section 1228 of this title, the station shall return
6 all unused certificates to the Department and shall not receive a refund.

7 Sec. 6. 23 V.S.A. § 1229(a) is amended to read:

8 (a) The Commissioner may adopt rules necessary to implement the
9 provisions of sections 1222, 1224, 1227, and 1228 of this title, relating to
10 inspections ~~and~~, certification of inspection mechanics, and the issuance of
11 certifications of inspection exemption.

12 Sec. 7. 23 V.S.A. § 1230 is amended to read:

13 § 1230. CHARGE

14 For each inspection certificate or inspection exemption certificate issued by
15 the Department of Motor Vehicles, the Commissioner shall be paid \$6.00,
16 provided that State and municipal inspection stations that inspect only State or
17 municipally owned and registered vehicles shall not be required to pay a fee.

18 All vehicle inspection certificate charge revenue shall be allocated to the
19 Transportation Fund with one-half reserved for bridge maintenance activities.

1 Sec. 8. EFFECTIVE DATE

2 This act shall take effect on January 1, 2024 and apply to motor vehicles

3 with a model year of 2025 or later.