

Rule Recommended for Temporary Adoption, Docket No. 58-0101-1202

517. MOTOR VEHICLE INSPECTION AND MAINTENANCE PROGRAM.

01. Purpose. The purpose of Sections 517 through 5267 is to set forth the minimum standards for a motor vehicle inspection and maintenance program, established pursuant to Section 39-116B, Idaho Code, for registered motor vehicles as defined in Section 49-123, Idaho Code. This program is designed to follow the basic inspection and maintenance program defined in 40 CFR 51.352. ~~(3-29-10)~~(6-6-12)T

02. Applicability. Sections 517 through 5267 apply only to the counties of Ada and Canyon and the cities of Boise, Eagle, Garden City, Meridian, Kuna, Star, Caldwell, Greenleaf, Melba, Middleton, Nampa, Notus, Parma, and Wilder. ~~(3-29-10)~~(6-6-12)T

03. Options. (3-29-10)

a. Section 39-116B, Idaho Code, provides the counties and cities listed in Subsection 517.02 with the following implementation options. The counties and cities may: (3-29-10)

i. Enter into a joint exercise of powers agreement with the Director to implement a motor vehicle inspection and maintenance program; or (3-29-10)

ii. Obtain Department approval to implement an alternative motor vehicle emissions control strategy that will result in emissions reductions equivalent to that of a motor vehicle inspection and maintenance program. (3-29-10)

b. If neither of the options listed in Subsection 517.03.a. are selected, the Department shall implement the motor vehicle inspection and maintenance program. (3-29-10)

04. Governing Authority. For the purpose of Sections 517 through 5267, governing authority means the governing entity responsible for the development and implementation of the motor vehicle inspection and maintenance program. The governing entity may be the counties and cities listed in Subsection 517.02 or the Department. The governing authority shall adopt Sections 517 through 5267 of these rules. ~~(3-29-10)~~(6-6-12)T

05. Exemptions. Sections 517 through 5267 do not apply to the following: ~~(3-29-10)~~(6-6-12)T

a. Electric or hybrid motor vehicles; (3-29-10)

b. Motor vehicles with a model year less than five (5) years old; (3-29-10)

c. Motor vehicles with a model year older than 1981; (3-29-10)

d. Classic automobiles as defined by Section 49-406A, Idaho Code; (3-29-10)

e. Motor vehicles with a maximum vehicle gross weight of less than fifteen hundred (1500) pounds; (3-29-10)

f. Motor vehicles registered as motor homes as defined by Section 49-114, Idaho Code; (3-29-10)

g. Motorized farm equipment; and (3-29-10)

h. Registered motor vehicles engaged solely in the business of agriculture. (3-29-10)

518. REQUIREMENTS FOR LICENSING AUTHORIZED INSPECTION STATIONS OR RETEST STATIONS.

01. General. (3-29-10)

a. No person or enterprise shall in any manner represent any place as an inspection station or retest station unless such station is operated under a valid license issued by the governing authority. (3-29-10)

b. No license for any inspection station or retest station may be assigned, transferred or used by other than the original applicant for that specific station. (3-29-10)

02. Applications for License. Applications for license as an inspection station or retest station shall be made on the forms provided by the governing authority. No license shall be issued unless the governing authority finds that the facilities, tools and equipment of the applicant comply with the requirements set forth in Subsections 518.03 or 518.04. (3-29-10)

03. Requirements for Licensed Inspection Stations. In order to qualify for issuance and continuance of an inspection station license, an establishment must meet the following requirements: (3-29-10)

a. Must have a permanent location; (3-29-10)

~~**b.** Must sign a contract pledging the station will not make any emissions related adjustments or repairs on the vehicles it emissions tests;~~ (3-29-10)

eb. Must ensure that at least one employee, who has been issued an emissions technician license by the governing authority, is on duty at all times of station operation; (3-29-10)

ec. Must demonstrate the ability to perform the emissions test and comply with reporting and recordkeeping requirements established by the governing authority; (3-29-10)

ed. Must obtain and maintain in force appropriate business liability insurance; and (3-29-10)

ef. Must have the tools, equipment and supplies, as required by the governing authority, available for performance of the emissions test. (3-29-10)

04. Requirements for Licensed Retest Stations. In order to qualify for issuance and continuance of a retest station license, an establishment must meet the requirements listed in Subsection 518.03 ~~with the exception of Subsection 518.03-b.~~ (3-29-10)(6-6-12)T

05. Approval Procedure. (3-29-10)

a. Applications received by the governing authority will be reviewed for completeness and an inspection of the facility will be performed. An inspection report will be prepared for the governing authority's review. (3-29-10)

b. Stations which meet the requirements of Subsections 518.01 through 518.04 will be granted an inspection station license or retest station license and issued a station sign. The station sign and license shall be posted in a conspicuous place, readily visible to the public. The station sign and license shall remain the property of the governing authority. (3-29-10)

06. Revocation of Inspection Station or Retest Station License. The governing authority has the authority to issue warnings and suspend or revoke a station license upon a showing that emission tests are not being performed in accordance with these rules and any other specifications or procedures enacted by the governing authority. (3-29-10)

(Break in Continuity of Sections)

524. INSPECTION FEE.

The fee for a motor vehicle inspection, as established in Section 39-116B(2)(g), Idaho Code, shall not exceed twenty dollars (\$20) per vehicle. This fee is necessary to carry out the provisions of Sections 517 through 526~~7~~ and to fund an air quality public awareness and outreach program. ~~(3-29-10)~~(6-6-12)T

(Break in Continuity of Sections)

527. EXTENSIONS. The governing authority shall have the authority to grant extensions for vehicles or vehicle owners temporarily located outside of a testing area that cannot easily be returned to an area for testing. The extension shall not exceed one (1) year. For active duty military personnel and their families stationed outside the applicable testing area specified in Subsection 517.02, a time extension not to exceed the testing period is available. Military extensions shall be renewed with current military orders. (6-6-12)T

~~527~~528. -- 549.

(RESERVED)