

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 391
HOUSE BILL 705

AN ACT TO EXPAND CURRENT AUTHORITY OF THE INSPECTION MAINTENANCE PROGRAM TO INCLUDE HYDROCARBONS; PROVIDE FLEXIBILITY PERTAINING TO INSPECTION FACILITIES; AND ALTER THE FEE STRUCTURE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-128.2(a) reads as rewritten:

"(a) ~~The rules and regulations promulgated pursuant to G.S. 143-215.107(a)(6) for the purposes of this section shall be limited to carbon monoxide, shall be statewide in scope but enforced on a county unit basis when ambient air pollutant concentrations exceed the National Ambient Air Quality Standards established pursuant to the Clean Air Act of 1970 as amended by the Clean Air Act amendments of 1977 and shall be implemented~~ when the Environmental Management Commission certifies to the Commissioner of Motor Vehicles that the ambient air quality in an area will be improved by the implementation of ~~within a specified county requires~~ a motor vehicle inspection/maintenance ~~program;~~ program within a specified county or group of counties, as necessary to effect attainment or preclude violations of the National Ambient Air Quality Standards for carbon monoxide or ozone; provided the Environmental Management Commission may prescribe different ~~standards~~ vehicle emission limits for different areas as may be necessary and appropriate to ~~facilitate accomplishment of~~ meet the stated purposes of this section. ~~Such standards shall be no more restrictive or stringent than federal standards, as required by G.S. 143-215.107(f)."~~

Sec. 2. G.S. 20-183.3 reads as rewritten:

"§ 20-183.3. Inspection requirements.

(a) Before an approval certificate may be issued for a motor vehicle, the vehicle must be inspected by a safety equipment inspection station, and if required by Chapter 20 of the General Statutes of North Carolina, must be found to possess in safe operating condition the following articles and equipment:

- (1) Brakes,
- (2) Lights,
- (3) Horn,
- (4) Steering mechanism,
- (5) Windshield wiper,
- (6) Directional signals,
- (7) Tires,
- (8) Rearview mirror or mirrors.

No inspection certificate shall be issued by a safety equipment inspection station for a motor vehicle manufactured after model year 1967 unless the vehicle is equipped with such emission control devices to reduce air pollution as were installed at the time of manufacture which are readily visible, provided the foregoing requirements shall not apply where such devices have been removed for the purpose of converting the motor vehicle to operate on natural or liquified petroleum gas ~~or other gas~~. ~~Other modifications have been made in order to reduce air pollution, further provided that such modifications of emission control devices shall have first been approved by the Department of Water and Air Resources.~~ Environmental Management Commission before an inspection certification is issued.

In addition to the items listed above, safety inspection equipment stations shall inspect the exhaust systems of all vehicles inspected and report the condition of each exhaust system to the owners or to the persons offering the vehicles for inspection.

The inspection requirements herein provided for shall not exceed the standards provided in the current General Statutes for such equipment.

(b) When required pursuant to G.S. 20-128.2, and as a condition for approval certificate issuance under subsection (a) of this section, emission control devices and exhaust emissions shall be inspected and shall comply with those standards established pursuant to G.S. 20-128.2 on 1975 and later model gasoline-powered vehicles excluding manufactured within the previous 12 years which shall exclude the current year model and, to this end, the Commissioner of Motor Vehicles is authorized to adopt and enforce such rules and regulations as may be necessary to carry out the intent and purpose of this section. Provided that motorcycles as defined in G.S. 20-4.01(22) and G.S. 20-4.01(27)d shall not be subject to the requirements of this subsection."

Sec. 3. G.S. 20-183.7 reads as rewritten:

"§ 20-183.7. Charges for inspections and certificates; safety equipment inspection station records.

(a) Every safety equipment inspection station shall charge a fee of ~~four dollars and twenty five cents (\$4.25)~~ five dollars and twenty-five cents (\$5.25) effective October 1, 1989; and a fee of six dollars and twenty-five cents (\$6.25) effective October 1, 1990 for inspecting a motor vehicle to determine compliance with the safety inspection requirements of this Article and shall give the vehicle operator a dated receipt, indicating the articles and equipment approved and disapproved. At any time within 90 days thereafter, when the receipt is presented to the inspection station which issued it with a request for reinspection, that inspection station shall reinspect the vehicle at no charge. ~~When said~~ Whenever any vehicle is approved, the inspection station shall obtain ~~a~~ an additional fee of one dollar (\$1.00) for a valid inspection certificate, and affix the certificate to that ~~vehicle.~~ vehicle or otherwise document the issuance of the certificate in a manner prescribed by the Commissioner of Motor Vehicles.

(a1) For inspection of vehicles required to be inspected under the inspection/maintenance provisions of G.S. 20-183.3(b), every safety equipment inspection station shall charge a fee of ~~not less than four dollars and twenty five cents (\$4.25), nor more than ten dollars (\$10.00),~~ ten dollars and ten cents (\$10.10) effective

October 1, 1989; and a fee of thirteen dollars (\$13.00) effective October 1, 1990, for inspecting a motor vehicle to determine compliance with the safety inspection requirements and the exhaust emission standards pursuant to the inspection/maintenance requirements of this Article and shall give the vehicle operator a dated receipt indicating the articles and equipment approved or disapproved and whether the vehicle met the emission control standards. If the vehicle is disapproved, at any time within 30 days thereafter when the receipt is presented to the inspection station which issued it with a request for reinspection, that inspection station shall reinspect the vehicle at no charge. ~~When said~~ Whenever any vehicle is approved, the inspection station shall obtain ~~a~~ an additional fee of ~~not less than one dollar (\$1.00) nor more than two dollars and forty cents (\$2.40)~~ for a valid inspection certificate covering both the safety inspection requirements and the emission control inspection/maintenance requirements and affix the certificate to that ~~vehicle.~~ vehicle or otherwise document the issuance of the certificate in a manner prescribed by the Commissioner of Motor Vehicles. ~~The amount of the fees under this subsection shall be set by the Commissioner of Motor Vehicles.~~

(b) Self-inspector stations licensed under G.S. 20-183.4 are exempt from the inspecting fee provisions of subsection (a) above, but shall pay to the Division of Motor Vehicles the prescribed certificate fee for each inspection certificate issued by it.

(c) Fees collected for inspection certificates shall be paid to the Division of Motor Vehicles in accordance with its regulations and shall be periodically transferred as follows:

- (1) After making the transfer provided in subdivision (3) of this subsection, seventy-five cents (75¢) of the fee for the valid inspection ~~sticker~~ certificate collected pursuant to subsection (a) shall be transferred to the Highway Fund, and the remaining moneys shall be transferred to the Department of Insurance for the Volunteer Rescue Squad Fund created in G.S. ~~418-50-118-51~~.
- (2) After making the transfer provided in subdivision (3) of this subsection, the fee collected pursuant to subsection (a1) shall be transferred as follows: the first thirty-five cents (35¢) to the Division of Environmental Management; the next twenty cents (20¢) to the Department of Insurance for the Volunteer Rescue Squad Fund created in G.S. ~~418-50-118-51~~; and any excess up to one dollar and eighty-five cents (\$1.85) to the Highway Fund.
- (3) Five cents (5¢) of the fee for the valid inspection ~~sticker~~ certificate collected pursuant to subsections (a) and (a1) shall be transferred each quarter of the year to the North Carolina Commissioner of Insurance, for the purpose of funding the Rescue Squad Workers' Relief Fund under Article 5 of General Statute Chapter 118.

(d) Each inspection station shall maintain a record of inspections performed, in a form approved by the Division of Motor Vehicles, for a period of 18 months and such records shall be made available for inspection by any law-enforcement officer, upon demand, during normal business hours."

Sec. 3.1. The Environmental Review Commission, established by G.S. 120-70.41, is directed to study a contractor-operated, centralized emissions inspection program as an alternative to the current decentralized emissions inspection program and to make any recommendations on this topic it considers appropriate to the 1990 Regular Session of the 1989 General Assembly. In making this study, the Commission shall seek the advice of the Department of Transportation, Division of Motor Vehicles, and shall consider how the emissions inspection program can be operated most effectively and economically with the greatest reduction in pollutants generated by motor vehicles.

Sec. 4. This act is effective upon ratification, provided however, fees in effect prior to the effective date of this act shall remain in effect until October 1, 1989.

In the General Assembly read three times and ratified this the 21st day of June, 1989.