

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 488  
Transportation Committee Substitute Adopted 5/3/89

Short Title: Inspection Maintenance Program.

(Public)

Sponsors:

Referred to:

March 20, 1989

A BILL TO BE ENTITLED

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)."~~

1           Sec. 1.1. The Environmental Review Commission shall make a study of  
2 contractor-operated, centralized emissions inspection as a possible alternative to the  
3 current decentralized emissions inspection program, and to make any recommendations  
4 it deems appropriate to the 1989 Session of the General Assembly, Regular Session  
5 1990, as to ways in which the inspection maintenance program can be most effectively  
6 and economically operated with the greatest convenience to vehicle owners and can  
7 achieve the greatest reduction in pollutants generated by motor vehicles.

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

9 **"§ 20-183.3. Inspection requirements.**

10       (a) Before an approval certificate may be issued for a motor vehicle, the vehicle  
11 must be inspected by a safety equipment inspection station, and if required by Chapter  
12 20 of the General Statutes of North Carolina, must be found to possess in safe operating  
13 condition the following articles and equipment:

- 14           (1) Brakes,
- 15           (2) Lights,
- 16           (3) Horn,
- 17           (4) Steering mechanism,
- 18                   (5) Windshield wiper,
- 19                   (6) Directional signals,
- 20                   (7) Tires,
- 21                   (8) Rearview mirror or mirrors.

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

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

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

37       (b) When required pursuant to G.S. 20-128.2, and as a condition for approval  
38 certificate issuance under subsection (a) of this section, emission control devices and  
39 exhaust emissions shall be inspected and shall comply with those standards established  
40 pursuant to G.S. 20-128.2 on 1975 and later model gasoline-powered vehicles excluding  
41 manufactured within the previous 12 years which shall exclude the current year model and,  
42 to this end, the Commissioner of Motor Vehicles is authorized to adopt and enforce  
43 such rules and regulations as may be necessary to carry out the intent and purpose of

1 this section. Provided that motorcycles as defined in G.S. 20-4.01(22) and G.S. 20-  
2 4.01(27)d shall not be subject to the requirements of this subsection."

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

4 **"§ 20-183.7. Charges for inspections and certificates; safety equipment inspection**  
5 **station records.**

6 (a) Every safety equipment inspection station shall charge a fee of ~~four dollars and~~  
7 ~~twenty five cents (\$4.25)~~ five dollars and twenty-five cents (\$5.25) effective October 1,  
8 1989; and a fee of six dollars and twenty-five cents (\$6.25) effective October 1, 1990  
9 for inspecting a motor vehicle to determine compliance with the safety inspection  
10 requirements of this Article and shall give the vehicle operator a dated receipt,  
11 indicating the articles and equipment approved and disapproved. At any time within 90  
12 days thereafter, when the receipt is presented to the inspection station which issued it  
13 with a request for reinspection, that inspection station shall reinspect the vehicle at no  
14 charge. ~~When said~~ Whenever any vehicle is approved, the inspection station shall obtain  
15 a-an additional fee of one dollar (\$1.00) for a valid inspection certificate, and affix the  
16 certificate to that ~~vehicle.~~ vehicle or otherwise document the issuance of the certificate in  
17 a manner prescribed by the Commissioner of Motor Vehicles.

18 (a1) For inspection of vehicles required to be inspected under the  
19 inspection/maintenance provisions of G.S. 20-183.3(b), every safety equipment  
20 inspection station shall charge a fee of ~~not less than four dollars and twenty five cents~~  
21 ~~(\$4.25), nor more than ten dollars (\$10.00),~~ ten dollars and ten cents (\$10.10) effective  
22 October 1, 1989; and a fee of thirteen dollars (\$13.00) effective October 1, 1990, for  
23 inspecting a motor vehicle to determine compliance with the safety inspection  
24 requirements and the exhaust emission standards pursuant to the inspection/maintenance  
25 requirements of this Article and shall give the vehicle operator a dated receipt indicating  
26 the articles and equipment approved or disapproved and whether the vehicle met the  
27 emission control standards. If the vehicle is disapproved, at any time within 30 days  
28 thereafter when the receipt is presented to the inspection station which issued it with a  
29 request for reinspection, that inspection station shall reinspect the vehicle at no charge.  
30 ~~When said~~ Whenever any vehicle is approved, the inspection station shall obtain a-an  
31 additional fee of ~~not less than one dollar (\$1.00) nor more than two dollars and forty cents~~  
32 ~~(\$2.40)~~ for a valid inspection certificate covering both the safety inspection  
33 requirements and the emission control inspection/maintenance requirements and affix  
34 the certificate to that ~~vehicle.~~ vehicle or otherwise document the issuance of the  
35 certificate in a manner prescribed by the Commissioner of Motor Vehicles. ~~The amount~~  
36 ~~of the fees under this subsection shall be set by the Commissioner of Motor Vehicles.~~

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

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

- 43 (1) After making the transfer provided in subdivision (3) of this  
44 subsection, seventy-five cents (75¢) of the fee for the valid inspection

1                   ~~sticker~~certificate collected pursuant to subsection (a) shall be  
2 transferred to the Highway Fund, and the remaining moneys shall be  
3 transferred to the Department of Insurance for the Volunteer Rescue  
4 Squad Fund created in G.S. 118-50.

5           (2) After making the transfer provided in subdivision (3) of this  
6 subsection, the fee collected pursuant to subsection (a1) shall be  
7 transferred as follows: the first thirty-five cents (35¢) to the Division  
8 of Environmental Management; the next twenty cents (20¢) to the  
9 Department of Insurance for the Volunteer Rescue Squad Fund created  
10 in G.S. 118-50; and any excess up to one dollar and eighty-five cents  
11 (\$1.85) to the Highway Fund.

12           (3) Five cents (5¢) of the fee for the valid inspection ~~sticker~~certificate  
13 collected pursuant to subsections (a) and (a1) shall be transferred each  
14 quarter of the year to the North Carolina Commissioner of Insurance,  
15 for the purpose of funding the Rescue Squad Workers' Relief Fund  
16 under Article 5 of General Statute Chapter 118.

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

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