

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

H

1

HOUSE BILL 705

Short Title: Inspection Maintenance Program.

(Public)

Sponsors: Representative Grimmer.

Referred to: Basic Resources.

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)."

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

"§ 20-183.3. Inspection requirements.

1 (a) Before an approval certificate may be issued for a motor vehicle, the vehicle
2 must be inspected by a safety equipment inspection station, and if required by Chapter
3 20 of the General Statutes of North Carolina, must be found to possess in safe operating
4 condition the following articles and equipment:

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

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

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

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

28 (b) When required pursuant to G.S. 20-128.2, and as a condition for approval
29 certificate issuance under subsection (a) of this section, emission control devices and
30 exhaust emissions shall be inspected and shall comply with those standards established
31 pursuant to G.S. 20-128.2 on 1975 and later model gasoline-powered vehicles excluding
32 manufactured within the previous 12 years which shall exclude the current year model and,
33 to this end, the Commissioner of Motor Vehicles is authorized to adopt and enforce
34 such rules and regulations as may be necessary to carry out the intent and purpose of
35 this section. Provided that motorcycles as defined in G.S. 20-4.01(22) and G.S. 20-
36 4.01(27)d shall not be subject to the requirements of this subsection."

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

38 "**§ 20-183.7. Charges for inspections and certificates; safety equipment inspection**
39 **station records.**

40 (a) Every safety equipment inspection station shall charge a fee of not less than
41 four dollars and twenty-five cents (\$4.25) and not more than six dollars and twenty-five
42 cents (\$6.25) for inspecting a motor vehicle to determine compliance with the safety
43 inspection requirements of this Article and shall give the vehicle operator a dated
44 receipt, indicating the articles and equipment approved and disapproved. At any time

1 within 90 days thereafter, when the receipt is presented to the inspection station which
2 issued it with a request for reinspection, that inspection station shall reinspect the
3 vehicle at no charge. ~~When said~~ Whenever any vehicle is approved, the inspection
4 station shall obtain ~~a~~ an additional fee of one dollar (\$1.00) for a valid inspection
5 certificate, and affix the certificate to that ~~vehicle~~ vehicle or otherwise document the
6 issuance of the certificate in a manner prescribed by the Commissioner of Motor
7 Vehicles. The maximum safety equipment inspection fee allowable shall be set by the
8 Commissioner of Motor Vehicles; provided, however, the Commissioner shall not
9 increase the fee by more than one dollar (\$1.00) during any single calendar year.

10 (a1) For inspection of vehicles required to be inspected under the
11 inspection/maintenance provisions of G.S. 20-183.3(b), every safety equipment
12 inspection station shall charge a fee of not less than four dollars and twenty-five cents
13 (\$4.25), nor more than ~~ten dollars (\$10.00),~~ thirteen dollars (\$13.00), for inspecting a
14 motor vehicle to determine compliance with the safety inspection requirements and the
15 exhaust emission standards pursuant to the inspection/maintenance requirements of this
16 Article and shall give the vehicle operator a dated receipt indicating the articles and
17 equipment approved or disapproved and whether the vehicle met the emission control
18 standards. If the vehicle is disapproved, at any time within 30 days thereafter when the
19 receipt is presented to the inspection station which issued it with a request for
20 reinspection, that inspection station shall reinspect the vehicle at no charge. ~~When said~~
21 Whenever any vehicle is approved, the inspection station shall obtain ~~a~~ an additional fee
22 of not less than one dollar (\$1.00) nor more than two dollars and forty cents (\$2.40) for
23 a valid inspection certificate covering both the safety inspection requirements and the
24 emission control inspection/maintenance requirements and affix the certificate to that
25 ~~vehicle~~ vehicle or otherwise document the issuance of the certificate in a manner
26 prescribed by the Commissioner of Motor Vehicles. The amount of the fees under this
27 subsection maximum safety equipment emissions inspection fee allowable shall be set by
28 the Commissioner of Motor Vehicles; provided, however, the Commissioner
29 shall not increase the fee by more than two dollars (\$2.00) during any single calendar
30 year.

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

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

37 (1) After making the transfer provided in subdivision (3) of this
38 subsection, seventy-five cents (75¢) of the fee for the valid inspection
39 ~~sticker~~ certificate collected pursuant to subsection (a) shall be
40 transferred to the Highway Fund, and the remaining moneys shall be
41 transferred to the Department of Insurance for the Volunteer Rescue
42 Squad Fund created in G.S. 118-50.

43 (2) After making the transfer provided in subdivision (3) of this
44 subsection, the fee collected pursuant to subsection (a1) shall be

1 transferred as follows: the first thirty-five cents (35¢) to the Division
2 of Environmental Management; the next twenty cents (20¢) to the
3 Department of Insurance for the Volunteer Rescue Squad Fund created
4 in G.S. 118-50; and any excess up to one dollar and eighty-five cents
5 (\$1.85) to the Highway Fund.

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

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

15 Sec. 4. This act is effective upon ratification.