

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 705  
Committee Substitute Favorable 4/18/89  
Third Edition Engrossed 5/11/89

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

2 **"§ 20-183.3. Inspection requirements.**

3       (a) Before an approval certificate may be issued for a motor vehicle, the vehicle  
4 must be inspected by a safety equipment inspection station, and if required by Chapter  
5 20 of the General Statutes of North Carolina, must be found to possess in safe operating  
6 condition the following articles and equipment:

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

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

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

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

30       (b) When required pursuant to G.S. 20-128.2, and as a condition for approval  
31 certificate issuance under subsection (a) of this section, emission control devices and  
32 exhaust emissions shall be inspected and shall comply with those standards established  
33 pursuant to G.S. 20-128.2 on 1975 and later model gasoline-powered vehicles excluding  
34 manufactured within the previous 12 years which shall exclude the current year model and,  
35 to this end, the Commissioner of Motor Vehicles is authorized to adopt and enforce  
36 such rules and regulations as may be necessary to carry out the intent and purpose of  
37 this section. Provided that motorcycles as defined in G.S. 20-4.01(22) and G.S. 20-  
38 4.01(27)d shall not be subject to the requirements of this subsection."

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

40 **"§ 20-183.7. Charges for inspections and certificates; safety equipment inspection**  
41 **station records.**

42       (a) Every safety equipment inspection station shall charge a fee of ~~four dollars and~~  
43 ~~twenty five cents (\$4.25)~~ five dollars and twenty-five cents (\$5.25) effective October 1,  
44 1989; and a fee of six dollars and twenty-five cents (\$6.25) effective October 1, 1990

1 for inspecting a motor vehicle to determine compliance with the safety inspection  
2 requirements of this Article and shall give the vehicle operator a dated receipt,  
3 indicating the articles and equipment approved and disapproved. At any time within 90  
4 days thereafter, when the receipt is presented to the inspection station which issued it  
5 with a request for reinspection, that inspection station shall reinspect the vehicle at no  
6 charge. ~~When said~~ Whenever any vehicle is approved, the inspection station shall obtain  
7 a-an additional fee of one dollar (\$1.00) for a valid inspection certificate, and affix the  
8 certificate to that ~~vehicle-~~vehicle or otherwise document the issuance of the certificate in  
9 a manner prescribed by the Commissioner of Motor Vehicles.

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

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

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

- 35 (1) After making the transfer provided in subdivision (3) of this  
36 subsection, seventy-five cents (75¢) of the fee for the valid inspection  
37 ~~sticker-~~certificate collected pursuant to subsection (a) shall be  
38 transferred to the Highway Fund, and the remaining moneys shall be  
39 transferred to the Department of Insurance for the Volunteer Rescue  
40 Squad Fund created in G.S. ~~448-50~~118-51.
- 41 (2) After making the transfer provided in subdivision (3) of this  
42 subsection, the fee collected pursuant to subsection (a1) shall be  
43 transferred as follows: the first thirty-five cents (35¢) to the Division  
44 of Environmental Management; the next twenty cents (20¢) to the

1 Department of Insurance for the Volunteer Rescue Squad Fund created  
2 in G.S. ~~418-50~~118-51; and any excess up to one dollar and eighty-five  
3 cents (\$1.85) to the Highway Fund.

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

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

13 Sec. 3.1. The Environmental Review Commission, established by G.S. 120-  
14 70.41, is directed to study a contractor-operated, centralized emissions inspection  
15 program as an alternative to the current decentralized emissions inspection program and  
16 to make any recommendations on this topic it considers appropriate to the 1990 Regular  
17 Session of the 1989 General Assembly. In making this study, the Commission shall  
18 seek the advice of the Department of Transportation, Division of Motor Vehicles, and  
19 shall consider how the emissions inspection program can be operated most effectively  
20 and economically with the greatest reduction in pollutants generated by motor vehicles.

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.