

Inspection of Class E Vehicles

Gasoline Powered Vehicles required to be registered in Cumberland County

In addition to the requirements of Section 2 of the Inspection Manual, the following shall apply to Class E vehicles.

Beginning January 1, 1999 the fuel cap on 1974 and subsequent models of gasoline powered vehicles will be subject to a pressure test. The inspecting mechanic will utilize a gas cap pressure testing device that has been approved by the Commissioner of the Department of Environmental Protection. The inspecting mechanic will follow the manufacturer's instructions when employing the gas cap pressure testing device. The fee for this test shall be \$9.50.

Beginning January 1, 2000 the on-board diagnostics (OBD) system on 1996 and subsequent models of gasoline powered vehicles will be inspected in accordance with the following procedure:

ON-BOARD DIAGNOSTICS SYSTEMS TEST (EFFECTIVE 01/01/00)

Procedure:

Conduct a visual and electronic examination of the on-board diagnostic (OBD) system on all 1996 and newer passenger cars and light-duty trucks.

1. Connect an acceptable scan tool to the vehicle's data link connector.
2. Visually examine the instrument panel to determine if the Malfunction Indicator Light (MIL) illuminates when the ignition key is turned to the "key on, engine off" position.
3. Start the vehicle's engine, and following the scan tool manufacturer's instructions, determine:
 - a) the vehicle's readiness status.
 - b) if diagnostic trouble codes (DTCs) are present, and
 - c) MIL status (on or off)
4. Turn off vehicle ignition, then disconnect scan tool.

Effective January 1, 2000 through December 31, 2000, any vehicle that does not pass the OBD test may still receive an inspection sticker, provided the vehicle meets all other inspection requirements. During this period, advise the owner/operator of the need to have the necessary service or repair done to the vehicle, and provide them with the OBD Fact Sheet. The

owner/operator must also be informed that the vehicle must be serviced or repaired in order to meet the requirements for this emissions inspection prior to the next inspection on or after January 1, 2001.

Reject vehicle if: (Effective January 1, 2001)

1. It is a 1996 or newer vehicle and the data link connector is missing, has been tampered with, or is otherwise inoperable.
2. The MIL does not illuminate when the ignition key is turned to the “key on, engine off” position. It is acceptable for the MIL to go out within a few seconds after the key is turned to “key on, engine off” position, but if it does not come on at all, the vehicle must be rejected.
3. DTCs are present and the MIL status, as indicated by the scan tool, is **on**. Do not reject the vehicle if DTCs are present and the MIL status, as indicated by the scan tool, is off. MIL status must be determined with the engine running.
4. A vehicle shall be considered not ready for testing if no DTCs are present, MIL not commanded to be illuminated and the monitors are not complete. The station shall provide information to the vehicle owner on how to make the vehicle ready for testing. The vehicle shall return after self correction. An additional inspection fee may be charged for a retest.

Equipment:

An “acceptable scan tool” is a scan tool which complies with the Society of Automotive Engineers (SAE) Recommended Practice J1978 and J1979, or has been approved by the Commissioner of the Department of Environmental Protection.

The fee for this test shall be \$12.50. A vehicle, which fails the OBD test and meets all other inspection requirements, shall not be denied an inspection sticker until January 1, 2001.

A vehicle which passes a Class E inspection shall receive a distinctive inspection sticker indicating compliance with the Enhanced Inspection Program. A Cumberland County registered vehicle not subject to Enhanced Inspection (either a 1973 or older vehicle or not gasoline powered) shall receive the distinctive Enhanced Inspection Sticker, the fee for such vehicles shall be \$6.50.

NOTE: The age of the vehicle is determined by the year of the chassis. Installing an older engine in a vehicle is a violation of the Federal Clean Air Act.

Class E inspection stations must also be licensed for Class A vehicles and must employ an inspection mechanic licensed for both Class A and Class E vehicles. In addition to the equipment listed for Class A, B, and D inspection stations a Class E station must obtain an approved gas cap pressure testing device by January 1, 1999 and an OBD II scan tool by January 1, 2000.

~~D. EXHAUST SYSTEM~~

~~* * * * *~~

~~1. Reject Vehicle If:~~

~~* * * * *~~

- ~~g. Vehicle not equipped with a catalytic converter on 1983 and subsequent models.~~

PUBLIC LAWS OF MAINE
Second Special Session of the 118th

CHAPTER 786

H.P. 1594 - L.D. 2223

**An Act to Reduce Air Pollution from Motor Vehicles and to Meet Requirements of the
Federal Clean Air Act**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 29-A MRSA §1751, sub-§2-A is enacted to read:

2-A. Enhanced inspection. Beginning January 1, 1999, a motor vehicle that is required to be registered in Cumberland County and that is subject to inspection pursuant to subsection 1 must have an annual enhanced inspection. The following equipment is subject to inspection:

- A. Equipment subject to inspection pursuant to subsection 2;
- B. The fuel tank cap on 1974 and subsequent models of gasoline-powered vehicles; and
- C. The on-board diagnostic system on 1996 and subsequent models.

A motor vehicle that is not required to be registered in Cumberland County may have an enhanced inspection under this subsection.

Sec. 2. 29-A MRSA §1751, sub-§3, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

3. Inspection fee. The inspection fee is as follows:

- A. Before January 1, 1999, the fee is \$6;
- B. Beginning January 1, 1999, the fee for an inspection under subsection 2 is \$6.50;
- C. From January 1, 1999 to December 31, 1999, the fee for an enhanced inspection under subsection 2-A is \$9.50; and
- D. Beginning January 1, 2000, the fee for an enhanced inspection under subsection 2-A is \$9.50 for each inspection performed on pre-1996 models and \$12.50 for each

inspection performed on 1996 and subsequent models.

The inspection fee is payable whether the vehicle passes inspection or not.

Sec. 3. 29-A MRSA §1751, sub-§4 is enacted to read:

4. Implementation. The enhanced inspection required by subsection 2-A must be implemented as follows.

A. The fuel tank cap is subject to inspection beginning January 1, 1999.

B. The on-board diagnostic system is subject to inspection beginning January 1, 2000. A motor vehicle may not fail inspection for failure to meet the inspection standard for the on-board diagnostic system until January 1, 2001.

Sec. 4. 29-A MRSA §1756, sub-§§6 and 7 are enacted to read:

6. Inspection standard for fuel tank cap. Notwithstanding the inspection standards of subsection 1, a fuel tank cap subject to the inspection required by section 1751, subsection 2-A, paragraph B must meet the standards in rules adopted by the Chief of the State Police. The Chief of the State Police shall adopt rules to establish procedures and standards for a fuel tank cap pressure test.

7. Inspection standard for on-board diagnostic system. Notwithstanding the inspection standards of subsection 1, an on-board diagnostic system subject to the inspection required by section 1751, subsection 2-A, paragraph C must meet the standards in rules adopted by the Chief of the State Police. The Chief of the State Police shall adopt rules that meet the requirements of 40 Code of Federal Regulations, Part 85 for on-board diagnostic test procedures, standards and equipment.

Sec. 5. 29-A MRSA §1762, sub-§8 is enacted to read:

8. Enhanced inspection stations. Beginning January 1, 1999, official inspection stations located in Cumberland County shall offer enhanced inspections pursuant to section 1751, subsection 2-A and may not offer inspections pursuant to section 1751, subsection 2. Official inspection stations located outside of Cumberland County may offer inspections under section 1751, subsections 2 and 2-A. An inspection station that offers enhanced inspections shall employ an inspection mechanic certified to perform enhanced inspections.

Sec. 6. 29-A MRSA §1766, sub-§3, as enacted by PL 1993, c. 683, Pt. A. §2 and affected by Pt. B, §5, is amended to read:

3. Fee. Stickers are furnished by the Chief of the State Police at \$1.50 each.

Sec. 7. 29-A MRSA §§2113 and 2114 are enacted to read:

§ 2113. Visible emissions

1. Prohibition. A person may not operate a gasoline-powered motor vehicle on a public way if the motor vehicle emits visible smoke, other than water vapor, in the exhaust emissions for a period in excess of 5 consecutive seconds.

2. Violation; penalty. A violation of this section is a traffic infraction for which a forfeiture not to exceed \$100 may be adjudged. A person against whom enforcement action has been taken for a violation of subsection 1 may not be adjudicated to have committed a subsequent violation of subsection 1 unless 24 hours have elapsed between the date and time of the first violation indicated on the Violation and Summons Complaint and the subsequent violation.

§ 2114. Diesel-powered Motor Vehicle Emission Opacity Testing Program

1. Program established. The Diesel-powered Motor Vehicle Emission Opacity Testing Program, referred to in this section as the "program," is established within the Department of Environmental Protection. The Department of Environmental Protection shall administer the program in cooperation with the Department of Public Safety.

2. Diesel-powered motor vehicle. As used in this section, "diesel-powered motor vehicle" refers only to diesel-powered motor vehicles that have a gross vehicle weight rating of 26,001 or more pounds and that are used in commerce. "Diesel-powered motor vehicle" does not include a truck registered as a farm truck.

3. Testing and repair requirement; penalties. A person who causes operation of a diesel-powered motor vehicle shall comply with the requirements of the program, including emission opacity standards and testing and repair requirements.

Only diesel-powered motor vehicles identified by certified inspectors as potential violators of the program's emission opacity standards are subject to testing under this section. Inspectors must be certified pursuant to the procedures for certification specified in 40 Code of Federal Regulations, Part 60, Appendix A, Method 9.

4. Standards and procedures. The Commissioner of Environmental Protection shall establish standards and procedures to implement the program.

The standards and procedures must include the following:

- A. Emission opacity standards for diesel-powered motor vehicles that are consistent with emission opacity standards for diesel-powered motor vehicles recommended by an interstate association of air quality control divisions in the northeast states;
- B. Standards and procedures, including testing methods and standards for test equipment, for safe and effective roadside testing of diesel-powered motor vehicles that operate on public ways of the State for the purpose of enforcing compliance with emission opacity standards;
- C. Standards and procedures for the administration and enforcement of the program. The rules may establish reciprocity agreements with other states that recognize enforcement actions related to diesel-powered motor vehicle testing programs in other states; and
- D. Repair requirements and standards and procedures for certification of repairs.

5. Educational program. A person who causes operation of a diesel-powered motor vehicle that does not comply with the program's emission opacity standards must be given educational materials by the Department of Environmental Protection regarding the environmental and other benefits of a vehicle that is in compliance with the standards set forth in subsection 4.

6. Implementation. The Department of Environmental Protection shall implement no later than 7 days following the effective date of this section. An operator of a diesel motor vehicle that does not comply with the program's emission opacity standard is not subject to penalties.

As used in this section, "opacity" means the degree of light-obscuring capability of emissions of visible air contaminants expressed as a percentage. Complete obscuration must be expressed as 100% opacity.

This section is repealed June 30, 1999.

Sec. 8. 38 MRSA §585-G is enacted to read:

§ 585-G. Motor vehicle inspection and maintenance program requirement

The department shall submit to the United States Environmental Protection Agency a revision to the state implementation plan, required in the federal Clean Air Act, Section 110, 42 United States Code, Section 7410, that incorporates the motor vehicle inspection program under Title 29-A, chapter 15, subchapter 1, to meet the requirement for a vehicle emission control inspection and maintenance program in the federal Clean Air Act, Section 184, 42 United States Code, Section 7511c.

Sec. 9. Certification of inspection mechanics. By January 1, 1999, the Chief of the State Police shall amend the rules regarding the certification of inspection mechanics to ensure that all inspection mechanics certified to perform enhanced inspections are knowledgeable about the requirements for motor vehicle inspections under the Maine Revised Statutes, Title 29-A, section 1751, subsection 2-A and section 1756, subsections 6 and 7. Notwithstanding Title 29-A, section 1769, these rules and rules adopted pursuant to Title 29-A, section 1756, subsections 6 and 7 are routine technical rules and are not subject to review by the Legislature.

Sec. 10. Rulemaking; Secretary of State. The Secretary of State shall adopt rules to establish a procedure for identifying on a certificate of registration those vehicles required to have an enhanced inspection pursuant to the Maine Revised Statutes, Title 29-A, section 1751, subsection 2-A. The rules may require that a certificate of registration contain a statement that a vehicle is registered in Cumberland County or that a vehicle is subject to enhanced inspection. These rules are routine technical rules under Title 5, chapter 375, subchapter II-A.

Sec. 11. Public education program. The Department of Environmental Protection shall establish and implement an ongoing public education program in Cumberland County related to air quality. The education program must be designed to enhance and facilitate the enforcement of state traffic laws governing automobile inspection and maintenance requirements by increasing public awareness of the ozone and air toxic problem in the State related to emissions from mobile sources and promoting measures that achieve the purpose of the automobile inspection and maintenance program.

Sec. 12. Report. The Department of Environmental Protection and the Department of Public Safety shall jointly evaluate the enhanced inspection program required by this Act, including the following: the status of the program, compliance with the program, enforcement of the program and air quality benefits from the program. The Department of Environmental Protection and the Department of Public Safety shall submit a joint report to the joint standing committee of the Legislature having jurisdiction over natural resources matters by January 1, 2000 that includes the findings of the evaluation and any recommendations for expanding the enhanced inspection program statewide.

Sec. 13. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

1998-99

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Air Quality

All Others \$33,500

Allocates funds for the establishment of a one-year pilot diesel testing program, for the establishment of an education program and for certain operational costs of automobile inspection and maintenance testing.

DEPARTMENT OF ENVIRONMENTAL PROTECTION _____
TOTAL \$33,500

PUBLIC SAFETY, DEPARTMENT OF

Motor Vehicle Inspection

Positions - Legislative Count (2.000)
Personal Services \$72,235
All Other 61,165
Capital Expenditures 52,000

Allocates funds for a State Police Sergeant and one State Police Trooper, operational support and equipment to implement the motor vehicle inspection program.

DEPARTMENT OF PUBLIC SAFETY _____
TOTAL \$185,400

TOTAL ALLOCATIONS \$218,900

Sec. 14. Effective date. That section of this Act that amends the Maine Revised Statutes, Title 29-A, section 1766, subsection 3 takes effect on January 1, 1999.

See title page for effective date, unless otherwise indicated.