

**AGENDA ITEM 3****Concept**

Inspection/Maintenance (I/M) Rules Revision (517)

**Reason for Action**

To incorporate statutory revisions to applicability of the vehicle inspection/maintenance program

**Scope/Nature/Summary**

On August 1st, Governor Purdue signed House Bill 585 “Vehicle Emissions Inspections” into law. This session law, S.L. 2012-199, exempts certain vehicles from needing an emissions inspection. Specifically, a vehicle needs an emissions inspection if either of the following are true:

- If a vehicle is a 1996 or later model year and older than the three most recent model years.
- or
- If a vehicle is a 1996 or later model year and has 70,000 miles or more on its odometer.

The exemptions become effective on the later of January 1, 2014 or the first day of a month that is 30 days after DENR certifies that US EPA has approved the amendment to the state implementation plan incorporating the statutory changes.

The state rules that implement the inspection and maintenance program in 15A NCAC 02D .1000, Motor Vehicle Emission Control Standard, need to be updated to reflect the new statutory exemption.

**Statutory Authority**

G.S. 20-128.2(a); G.S. 20-183.2(b); 143-215.3(a)(1); 143-215.107(a)(3); 143-215.107(a)(6); 143-215.107(a)(7); 143-215.107A

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011**

**SESSION LAW 2012-199  
HOUSE BILL 585**

AN ACT TO EXEMPT VEHICLES OF THE THREE NEWEST MODEL YEARS AND WITH LESS THAN SEVENTY THOUSAND MILES FROM EMISSIONS INSPECTIONS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 20-183.2(b)(3) reads as rewritten:

"(b) Emissions. – A motor vehicle is subject to an emissions inspection in accordance with this Part if it meets all of the following requirements:

- ...
- (3) It is (i) a 1996 or later ~~model~~ model and older than the three most recent model years or (ii) a 1996 or later model and has 70,000 miles or more on its odometer."

**SECTION 2.** The Department of Environment and Natural Resources shall submit for approval the emissions inspection program changes provided in Section 1 of this act to the United States Environmental Protection Agency as an amendment to the North Carolina State Implementation Plan under the federal Clean Air Act. If the United States Environmental Protection Agency approves the amendment, the Secretary of the Department of Environment and Natural Resources shall certify this approval to the Revisor of Statutes. In the certification, the Secretary of the Department of Environment and Natural Resources shall include the session law number of this act.

**SECTION 3.** After the Motor Vehicle Inspection and Law Enforcement System (MILES) is retired and the replacement system for MILES is operational, the Commissioner of Motor Vehicles shall certify to the Revisor of Statutes that MILES has been replaced. In the certification, the Commissioner of Motor Vehicles shall include the session law number of this act.

**SECTION 4.** Section 1 of this act becomes effective on the later of the following dates and applies to motor vehicles inspected, or due to be inspected, on or after the effective date of Section 1 of this act:

- (1) January 1, 2014.
- (2) The first day of a month that is 30 days after both of the following have occurred:
  - a. The Department of Environment and Natural Resources certifies to the Revisor of Statutes that the United States Environmental Protection Agency has approved the amendment to the North Carolina State Implementation Plan based on the change to the emissions inspection program provided in Section 1 of this act.
  - b. The Commissioner of Motor Vehicles certifies to the Revisor of Statutes that the Motor Vehicle Inspection and Law Enforcement System (MILES) has been replaced.



law. **SECTION 5.** Except as otherwise provided, this act is effective when it becomes  
In the General Assembly read three times and ratified this the 3<sup>rd</sup> day of July, 2012.

s/ Bill Rabon  
Presiding Officer of the Senate

s/ Thom Tillis  
Speaker of the House of Representatives

s/ Beverly E. Perdue  
Governor

Approved 11:40 a.m. this 1<sup>st</sup> day of August, 2012