

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 353 Session of 2015

INTRODUCED BY VOGEL, EICHELBERGER, YUDICHAK, YAW, SCARNATI,
TARTAGLIONE, STEFANO, WHITE, WARD AND BROOKS,
JANUARY 28, 2015

REFERRED TO TRANSPORTATION, JANUARY 28, 2015

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in inspection of vehicles, further providing for
3 requirement for periodic inspection of vehicles and for
4 prohibition on expenditures for emission inspection program;
5 and requiring the Department of Transportation to notify the
6 United States Environmental Protection Agency of
7 modifications to the vehicle emission program.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 4702(f) and (g) of Title 75 of the
11 Pennsylvania Consolidated Statutes are amended and the section
12 is amended by adding a subsection to read:

13 § 4702. Requirement for periodic inspection of vehicles.

14 * * *

15 (f) Emission inspection.--Subject vehicles operated in this
16 Commonwealth [must be emission] shall be:

17 (1) Emission inspected as provided in section 4706
18 (relating to prohibition on expenditures for emission
19 inspection program).

20 (2) Subject to biennial testing, unless exempted from

1 the requirements for emission inspection.

2 (g) Exceptions.--The following are exceptions to subsection

3 (f):

4 (1) Emission inspection criteria for [registration of]
5 newer subject vehicles [with new registration plates].--A
6 subject vehicle [never before registered in this Commonwealth
7 or any other jurisdiction having less than 5,000 miles on its
8 odometer and for which an annual or temporary registration
9 plate was originally issued within the past 12 months shall
10 be exempt from emission inspection for one year from the date
11 of original registration.] shall be exempt from emission
12 inspection until five years after the model year. A
13 certificate of exemption shall be affixed to the subject
14 vehicle in a manner prescribed by department regulations. The
15 expiration date of the exemption shall be determined when the
16 certificate of exemption is issued based upon the month the
17 registration expires and five years after the model year. No
18 subject vehicle shall be exempt for a period of greater than
19 60 months under this paragraph.

20 (2) Emission inspection criteria for [new vehicles with
21 transferred registration plates].--A subject vehicle never
22 before registered in this Commonwealth or any other
23 jurisdiction having less than 5,000 miles on its odometer and
24 bearing a registration plate which has been transferred from
25 another vehicle shall be required to pass an emission
26 inspection prior to the next registration renewal, but not
27 within nine months of the date of purchase of the subject
28 vehicle.] previously exempted vehicles.--A certificate of
29 exemption previously issued under paragraph (1) shall remain
30 valid for the period originally issued regardless of the

1 transfer of ownership of the vehicle.

2 [(3) Emission inspection criteria for used subject
3 vehicles with new or transferred registration plates.--A
4 subject vehicle sold having a title issued in this or any
5 other jurisdiction or sold with a manufacturer's statement of
6 origin and having 5,000 or more miles on its odometer and
7 which displays a currently valid certification of emission
8 inspection shall be required to be emission inspected prior
9 to expiration of the certificate of emission unless the
10 renewal of registration becomes due immediately before the
11 expiration of the certificate of emission inspection, in
12 which case the subject vehicle shall be emission inspected
13 prior to expiration of the new or transferred registration
14 plate. If there is no evidence of emission inspection, an
15 emission inspection must precede the next registration
16 renewal.]

17 (4) Emission inspection criteria for vehicles operated
18 with miscellaneous motor vehicle business registration plates
19 or dealer registration plate.--A subject vehicle which
20 displays a miscellaneous motor vehicle business registration
21 plate or a dealer registration plate shall be exempt from the
22 requirements for emission inspection until [it has
23 accumulated 5,000 miles on its odometer. At that time it
24 shall be subject to the provisions of subsection (f).] five
25 years after the model year. A certificate of exemption shall
26 be affixed to the subject vehicle in a manner prescribed by
27 department regulations. The expiration date of the
28 certificate of exemption shall be determined when the
29 certificate of exemption is issued based upon the month of
30 the manufacture of the vehicle as designated by the

manufacturer and five years after the model year. No subject vehicle shall be exempt for a period of greater than 60 months under this paragraph.

(5) For purposes of this subsection, "model year" shall mean the calendar year so designated by the manufacturer of a vehicle as the model year.

(h) Antitampering inspections.--No vehicle shall be required to undergo antitampering inspections for emissions control components.

Section 2. Section 4706 of Title 75 is amended by adding a subsection to read:

§ 4706. Prohibition on expenditures for emission inspection program.

* * *

(c.2) Certificate of exemption.--A fee of no more than \$2 plus the fee paid to access the department's computer system may be charged for a certificate of exemption issued under section 4702(g) (relating to requirement for periodic inspection of vehicles) or replacement of a certificate of exemption.

* * *

Section 3. The Department of Transportation, in consultation with the Department of Environmental Protection, shall immediately notify the Environmental Protection Agency of the following:

(1) The modifications to the vehicle emission program under 75 Pa.C.S. §§ 4702(f), (g) and (h) and 4706(c.2).

(2) The Department of Transportation's intent to seek the Environmental Protection Agency's approval of the plan in accordance with the requirements of Federal law.

Section 4. This act shall take effect in 90 days.