

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 742 Session of 2019

INTRODUCED BY K. WARD, LANGERHOLC, STEFANO, VOGEL, BROOKS, FOLMER, GORDNER, MENSCH, BAKER AND J. WARD, JUNE 10, 2019

SENATOR K. WARD, TRANSPORTATION, RE-REPORTED AS AMENDED, JUNE 25, 2019

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.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 4702(g) of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended by adding a paragraph and the
8 section is amended by adding subsections to read:

9 § 4702. Requirement for periodic inspection of vehicles.

10 * * *

11 (g) Exceptions.--The following are exceptions to subsection
12 (f):

13 * * *

14 (5) Emission inspection criteria for newest model year
15 vehicles.--A subject vehicle shall be exempt from the
16 requirements for emission inspection for eight years after
17 the vehicle is manufactured. A one-time certificate of
18 exemption shall be affixed to the subject vehicle for the

1 entire duration of the exemption and in a manner prescribed
2 by department regulation. After the eighth year, the subject
3 vehicle shall receive an emission inspection in accordance
4 with this section. The department shall notify the official
5 inspection stations on a periodic basis of vehicles exempt
6 from the requirements for emission inspection.

7 ~~(h) Notification to Environmental Protection Agency. The~~ <--
8 ~~Department of Environmental Protection shall immediately notify~~
9 ~~the Environmental Protection Agency of the modifications to the~~
10 ~~vehicle emission program in subsections (g) (5) and (j) and of~~
11 ~~the intent to seek its approval of the plan in accordance with~~
12 ~~the requirements of Federal law. The department shall notify the~~
13 ~~chair and minority chair of the Transportation Committee of the~~
14 ~~Senate, the chair and minority chair of the Transportation~~
15 ~~Committee of the House of Representatives, the chair and~~
16 ~~minority chair of the Environmental Resources and Energy~~
17 ~~Committee of the Senate and the chair and minority chair of the~~
18 ~~Environmental Resources and Energy Committee of the House of~~
19 ~~Representatives of the department's notification to the~~
20 ~~Environmental Protection Agency.~~

21 (H) REVISED STATE IMPLEMENTATION PLAN.--WITHIN 60 DAYS OF <--
22 THE EFFECTIVE DATE OF THIS SUBSECTION, THE DEPARTMENT OF
23 ENVIRONMENTAL PROTECTION SHALL INITIATE THE PROCESS FOR EMISSION
24 INSPECTION CRITERIA FOR NEWEST MODEL YEAR VEHICLES IN THE
25 VEHICLE EMISSION INSPECTION AND MAINTENANCE PROGRAM. THE
26 FOLLOWING SHALL APPLY:

27 (1) THE REVISED STATE IMPLEMENTATION PLAN SHALL BE
28 COMPLETED NO LATER THAN JANUARY 1, 2020, AND SHALL
29 CONVINCINGLY DEMONSTRATE THAT THE EMISSION INSPECTION
30 CRITERIA FOR NEWEST MODEL YEAR VEHICLES CAN MAINTAIN THE

1 RELEVANT STANDARDS WITHOUT BENEFIT OF THE EMISSIONS
2 REDUCTIONS ATTRIBUTABLE TO THE VEHICLE EMISSION INSPECTION
3 AND MAINTENANCE PROGRAM.

4 (2) THE DEPARTMENT OF ENVIRONMENTAL PROTECTION SHALL
5 COMPLY WITH FEDERAL LAW DURING THE PROCESS, INCLUDING
6 ENSURING THAT THE REVISION WILL NOT INTERFERE WITH ATTAINMENT
7 REQUIREMENTS OR REASONABLE FURTHER PROGRESS TOWARD ATTAINMENT
8 AND THAT FEDERAL FUNDING IS NOT NEGATIVELY IMPACTED AS A
9 RESULT OF THE REVISION.

10 (3) THE DEPARTMENT OF ENVIRONMENTAL PROTECTION SHALL
11 NOTIFY THE CHAIR AND MINORITY CHAIR OF THE TRANSPORTATION
12 COMMITTEE OF THE SENATE, THE CHAIR AND MINORITY CHAIR OF THE
13 TRANSPORTATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES, THE
14 CHAIR AND MINORITY CHAIR OF THE ENVIRONMENTAL RESOURCES AND
15 ENERGY COMMITTEE OF THE SENATE AND THE CHAIR AND MINORITY
16 CHAIR OF THE ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE OF
17 THE HOUSE OF REPRESENTATIVES OF THE DEPARTMENT OF
18 ENVIRONMENTAL PROTECTION'S NOTIFICATION TO THE ENVIRONMENTAL
19 PROTECTION AGENCY.

20 (i) Notice of approval.--Upon approval by the Environmental
21 Protection Agency under subsection (h), the ~~secretary~~ SECRETARY <--
22 OF ENVIRONMENTAL PROTECTION shall transmit notice of the
23 approval to the Legislative Reference Bureau for publication in
24 the Pennsylvania Bulletin. The emission inspection criteria
25 under subsection (g) (5) shall apply 120 days following
26 publication of the notice.

27 (j) Antitampering inspections.--Notwithstanding the
28 provisions of subsection (g) (5), the eight most recent model
29 year vehicles shall be subject to visual antitampering
30 inspections for the presence of emissions control components

1 installed on the vehicle by manufacturers, which may occur
2 during the annual safety inspection.

3 Section 2. This act shall take effect in 120 days.