

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

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, DECEMBER 16, 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 PROVIDING FOR VEHICLE EMISSIONS MODELING BY DEPARTMENT OF <--
5 TRANSPORTATION AND FOR REPORT TO GENERAL ASSEMBLY.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 ~~Section 1. Section 4702(g) of Title 75 of the Pennsylvania~~ <--
9 ~~Consolidated Statutes is amended by adding a paragraph and the~~
10 ~~section is amended by adding subsections to read:~~

11 ~~§ 4702. Requirement for periodic inspection of vehicles.~~

12 * * *

13 ~~(g) Exceptions. The following are exceptions to subsection~~
14 ~~(f):~~

15 * * *

16 ~~(5) Emission inspection criteria for newest model year~~
17 ~~vehicles. A subject vehicle shall be exempt from the~~
18 ~~requirements for emission inspection for eight years after~~

1 ~~the vehicle is manufactured. A one time certificate of~~
2 ~~exemption shall be affixed to the subject vehicle for the~~
3 ~~entire duration of the exemption and in a manner prescribed~~
4 ~~by department regulation. After the eighth year, the subject~~
5 ~~vehicle shall receive an emission inspection in accordance~~
6 ~~with this section. The department shall notify the official~~
7 ~~inspection stations on a periodic basis of vehicles exempt~~
8 ~~from the requirements for emission inspection.~~

9 ~~(h) Revised State implementation plan. Within 60 days of~~
10 ~~the effective date of this subsection, the Department of~~
11 ~~Environmental Protection shall initiate the process for emission~~
12 ~~inspection criteria for newest model year vehicles in the~~
13 ~~vehicle emission inspection and maintenance program. The~~
14 ~~following shall apply:~~

15 ~~(1) The revised State implementation plan shall be~~
16 ~~completed no later than January 1, 2020, and shall~~
17 ~~convincingly demonstrate that the emission inspection~~
18 ~~criteria for newest model year vehicles can maintain the~~
19 ~~relevant standards without benefit of the emissions~~
20 ~~reductions attributable to the vehicle emission inspection~~
21 ~~and maintenance program.~~

22 ~~(2) The Department of Environmental Protection shall~~
23 ~~comply with Federal law during the process, including~~
24 ~~ensuring that the revision will not interfere with attainment~~
25 ~~requirements or reasonable further progress toward attainment~~
26 ~~and that Federal funding is not negatively impacted as a~~
27 ~~result of the revision.~~

28 ~~(3) The Department of Environmental Protection shall~~
29 ~~notify the chair and minority chair of the Transportation~~
30 ~~Committee of the Senate, the chair and minority chair of the~~

~~1 Transportation Committee of the House of Representatives, the
2 chair and minority chair of the Environmental Resources and
3 Energy Committee of the Senate and the chair and minority
4 chair of the Environmental Resources and Energy Committee of
5 the House of Representatives of the Department of
6 Environmental Protection's notification to the Environmental
7 Protection Agency.~~

~~8 (i) Notice of approval. Upon approval by the Environmental
9 Protection Agency under subsection (h), the Secretary of
10 Environmental Protection shall transmit notice of the approval
11 to the Legislative Reference Bureau for publication in the
12 Pennsylvania Bulletin. The emission inspection criteria under
13 subsection (g) (5) shall apply 120 days following publication of
14 the notice.~~

~~15 (j) Antitampering inspections. Notwithstanding the
16 provisions of subsection (g) (5), the eight most recent model
17 year vehicles shall be subject to visual antitampering
18 inspections for the presence of emissions control components
19 installed on the vehicle by manufacturers, which may occur
20 during the annual safety inspection.~~

~~21 Section 2. This act shall take effect in 120 days.~~

22 SECTION 1. SHORT TITLE.

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23 THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE NEW VEHICLE
24 EMISSIONS MODELING ACT.

25 SECTION 2. DECLARATION OF PURPOSE.

26 THE PURPOSE OF THIS ACT IS TO DEVELOP VEHICLE EMISSIONS
27 MODELING SCENARIOS TO DETERMINE THE IMPACTS OF EXEMPTING NEW AND
28 RECENT MODEL YEAR VEHICLES FROM THE DEPARTMENT OF
29 TRANSPORTATION'S VEHICLE EMISSIONS INSPECTION PROGRAM.

30 SECTION 3. POWER AND DUTIES.

1 THE DEPARTMENT OF TRANSPORTATION, IN CONSULTATION WITH THE
2 DEPARTMENT OF ENVIRONMENTAL PROTECTION, SHALL CONDUCT
3 APPROPRIATE VEHICLE EMISSIONS MODELING TO DETERMINE THE DURATION
4 OF AN EXEMPTION PERIOD THAT ENSURES COMPLIANCE WITH THE
5 PERFORMANCE STANDARD UNDER THE CLEAN AIR ACT (69 STAT. 322, 42
6 U.S.C. § 7401 ET SEQ.) AND UNITED STATES ENVIRONMENTAL
7 PROTECTION AGENCY INSPECTION/MAINTENANCE PROGRAM REGULATIONS.
8 THE MODELING SHALL INCLUDE SCENARIOS UP TO AND INCLUDING THE
9 NEWEST EIGHT VEHICLE MODEL YEARS.

10 SECTION 4. REPORT TO GENERAL ASSEMBLY.

11 WITHIN 180 DAYS OF THE EFFECTIVE DATE OF THIS SECTION, THE
12 DEPARTMENT OF TRANSPORTATION, IN CONSULTATION WITH THE
13 DEPARTMENT OF ENVIRONMENTAL PROTECTION, SHALL REPORT THEIR
14 FINDINGS TO THE CHAIR AND MINORITY CHAIR OF THE TRANSPORTATION
15 COMMITTEE OF THE SENATE, THE CHAIR AND MINORITY CHAIR OF THE
16 TRANSPORTATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES, THE
17 CHAIR AND MINORITY CHAIR OF THE ENVIRONMENTAL RESOURCES AND
18 ENERGY COMMITTEE OF THE SENATE AND THE CHAIR AND MINORITY CHAIR
19 OF THE ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE OF THE HOUSE
20 OF REPRESENTATIVES.

21 SECTION 5. EFFECTIVE DATE.

22 THIS ACT SHALL TAKE EFFECT IMMEDIATELY.