

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 745 Session of 2019

INTRODUCED BY STEFANO, K. WARD, LANGERHOLC, VOGEL, BROOKS, 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 prohibition on expenditures for emission inspection program.

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

6 Section 1. Section 4706 of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subsection to read:
8 § 4706. Prohibition on expenditures for emission inspection
9 program.

10 * * *

11 (g.1) ~~Enhanced emission inspection program amendment REVISED <--~~
12 ~~STATE IMPLEMENTATION PLAN.--~~

13 ~~(1) The Department of Environmental Protection, in <--~~
14 ~~cooperation with the department, shall develop and submit for~~
15 ~~approval to the Environmental Protection Agency an amendment~~
16 ~~to the existing enhanced emission inspection program. The~~
17 ~~amendment shall provide that a A subject vehicle with a model <--~~
18 ~~year of 1992 through 1995 that is registered in a county~~

1 under 67 Pa. Code § 177.51(f) (2) or (4) (relating to program
2 requirements), and a subject vehicle with a model year of
3 1996 or newer with a gross vehicle weight rating between
4 8,501 and 9,000 pounds that is registered in a county under
5 67 Pa. Code § 177.51(f) (2) or (4), shall be required to
6 undergo the following tests:

7 (i) A fuel filler gas cap test, as specified in 67
8 Pa. Code § 177.204(3) (relating to basis for failure),
9 that determines if the vehicle's gas cap is functioning
10 as designed.

11 (ii) A visual emission control device inspection,
12 administered as specified in 67 Pa. Code § 177.204, of
13 the vehicle emission control system.

14 (2) WITHIN 60 DAYS OF THE EFFECTIVE DATE OF THIS <--
15 SUBSECTION, THE DEPARTMENT OF ENVIRONMENTAL PROTECTION SHALL
16 INITIATE THE PROCESS FOR THE SUBJECT VEHICLES UNDER THIS
17 SUBSECTION IN THE VEHICLE EMISSION INSPECTION AND MAINTENANCE
18 PROGRAM. THE FOLLOWING SHALL APPLY:

19 (I) THE REVISED STATE IMPLEMENTATION PLAN SHALL BE
20 COMPLETED NO LATER THAN JANUARY 1, 2020, AND SHALL
21 CONVINCINGLY DEMONSTRATE THAT THE SUBJECT VEHICLES UNDER
22 THIS SUBSECTION CAN MAINTAIN THE RELEVANT STANDARDS
23 WITHOUT BENEFIT OF THE EMISSIONS REDUCTIONS ATTRIBUTABLE
24 TO THE VEHICLE EMISSION INSPECTION AND MAINTENANCE
25 PROGRAM.

26 (II) THE DEPARTMENT OF ENVIRONMENTAL PROTECTION
27 SHALL COMPLY WITH FEDERAL LAW DURING THE PROCESS,
28 INCLUDING ENSURING THAT THE REVISION WILL NOT INTERFERE
29 WITH ATTAINMENT REQUIREMENTS OR REASONABLE FURTHER
30 PROGRESS TOWARD ATTAINMENT AND THAT FEDERAL FUNDING IS

1 NOT NEGATIVELY IMPACTED AS A RESULT OF THE REVISION.

2 (III) THE DEPARTMENT OF ENVIRONMENTAL PROTECTION
3 SHALL NOTIFY THE CHAIR AND MINORITY CHAIR OF THE
4 TRANSPORTATION COMMITTEE OF THE SENATE, THE CHAIR AND
5 MINORITY CHAIR OF THE TRANSPORTATION COMMITTEE OF THE
6 HOUSE OF REPRESENTATIVES, THE CHAIR AND MINORITY CHAIR OF
7 THE ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE OF THE
8 SENATE AND THE CHAIR AND MINORITY CHAIR OF THE
9 ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE OF THE HOUSE
10 OF REPRESENTATIVES OF THE DEPARTMENT OF ENVIRONMENTAL
11 PROTECTION'S NOTIFICATION TO THE ENVIRONMENTAL PROTECTION
12 AGENCY.

13 ~~(2)~~ (3) Upon approval by the Environmental Protection <--
14 Agency of the amendment to the enhanced emission inspection <--
15 program, the secretary UNDER PARAGRAPH (2), THE SECRETARY OF <--
16 ENVIRONMENTAL PROTECTION shall transmit notice of the
17 approval to the Legislative Reference Bureau for publication
18 in the Pennsylvania Bulletin. The emissions testing required
19 by the amendment REVISED STATE IMPLEMENTATION PLAN shall <--
20 apply 120 days following publication of the notice.

21 * * *

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