

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 332 Session of 2013

INTRODUCED BY VOGEL, ALLOWAY, WOZNIAK, BAKER, SCARNATI, HUTCHINSON, WHITE, EICHELBERGER, ROBBINS, YUDICHAK, COSTA, WAUGH AND BRUBAKER, JANUARY 30, 2013

SENATOR RAFFERTY, TRANSPORTATION, AS AMENDED, JUNE 18, 2013

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

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

10 § 4702. Requirement for periodic inspection of vehicles.

11 \* \* \*

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

14 \* \* \*

15 (5) Emission inspection criteria for newest model year
16 vehicles. A subject vehicle shall be exempt from the
17 requirements for emission inspection for ten years from the
18 date of original registration.

1 ~~(6) Emission inspection criteria for alternative fuel~~  
2 ~~vehicles. A subject vehicle powered by electric, hybrid~~  
3 ~~electric or compressed natural gas shall be exempt from the~~  
4 ~~requirements for emission inspection. A certificate of~~  
5 ~~exemption shall be affixed to the subject vehicle in a manner~~  
6 ~~prescribed by department regulations.~~

7 ~~(h) Notification to Environmental Protection Agency. The~~  
8 ~~department, in consultation with the Department of Environmental~~  
9 ~~Protection, shall immediately notify the Environmental~~  
10 ~~Protection Agency of the modifications to the vehicle emission~~  
11 ~~program in subsection (g) (5) and (6) and of the intent to seek~~  
12 ~~its approval of the plan in accordance with the requirements of~~  
13 ~~Federal law.~~

14 ~~(i) Anti tampering inspections. Notwithstanding the~~  
15 ~~provisions of subsection (g) (5) and (6), newest ten model year~~  
16 ~~and alternative fuel vehicles shall be subject to visual anti-~~  
17 ~~tampering inspections for the presence of emissions control~~  
18 ~~components installed on the vehicle by manufacturers.~~

19 Section 2. This act shall take effect in 60 days.

20 SECTION 1. SECTION 4702(A), (F) AND (G) OF TITLE 75 OF THE <--  
21 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED AND THE SECTION  
22 IS AMENDED BY ADDING SUBSECTIONS TO READ:

23 § 4702. REQUIREMENT FOR PERIODIC INSPECTION OF VEHICLES.

24 (A) ANNUAL SAFETY INSPECTION.--EXCEPT AS PROVIDED IN  
25 [SUBSECTION (B)] SUBSECTIONS (B) AND (B.1), THE DEPARTMENT SHALL  
26 ESTABLISH A SYSTEM OF ANNUAL SAFETY INSPECTION OF VEHICLES,  
27 INCLUDING EMERGENCY VEHICLES, FARM VEHICLES WITH A GROSS WEIGHT  
28 OR GROSS VEHICLE WEIGHT RATING OF GREATER THAN 17,000 POUNDS FOR  
29 WHICH A TYPE D BIENNIAL CERTIFICATE OF EXEMPTION HAS BEEN ISSUED  
30 AND PRIVATE NONCOMMERCIAL VEHICLES USED TO TRANSPORT STUDENTS.

1 \* \* \*

2 (B.1) NEW VEHICLES.--A VEHICLE SHALL BE EXEMPT FROM SAFETY  
3 INSPECTION REQUIREMENTS FOR THE FIRST TWO YEARS AFTER THE  
4 VEHICLE IS MANUFACTURED. AFTER THE SECOND YEAR, THE VEHICLE  
5 SHALL BE SUBJECT TO INSPECTION AS REQUIRED IN THIS SECTION.

6 \* \* \*

7 (F) EMISSION INSPECTION.--SUBJECT VEHICLES OPERATED IN THIS  
8 COMMONWEALTH [MUST BE EMISSION] SHALL BE:

9 (1) EMISSION INSPECTED AS PROVIDED IN SECTION 4706  
10 (RELATING TO PROHIBITION ON EXPENDITURES FOR EMISSION  
11 INSPECTION PROGRAM) .

12 (2) SUBJECT TO BIENNIAL TESTING, UNLESS EXEMPTED FROM  
13 THE REQUIREMENTS FOR EMISSION INSPECTION.

14 (G) EXCEPTIONS.--THE FOLLOWING ARE EXCEPTIONS TO SUBSECTION  
15 (F) :

16 (1) EMISSION INSPECTION CRITERIA FOR [REGISTRATION OF]  
17 NEWER SUBJECT VEHICLES [WITH NEW REGISTRATION PLATES].--A  
18 SUBJECT VEHICLE [NEVER BEFORE REGISTERED IN THIS COMMONWEALTH  
19 OR ANY OTHER JURISDICTION HAVING LESS THAN 5,000 MILES ON ITS  
20 ODOMETER AND FOR WHICH AN ANNUAL OR TEMPORARY REGISTRATION  
21 PLATE WAS ORIGINALLY ISSUED WITHIN THE PAST 12 MONTHS SHALL  
22 BE EXEMPT FROM EMISSION INSPECTION FOR ONE YEAR FROM THE DATE  
23 OF ORIGINAL REGISTRATION.] SHALL BE EXEMPT FROM EMISSION  
24 INSPECTION UNTIL FIVE YEARS AFTER THE MODEL YEAR. A  
25 CERTIFICATE OF EXEMPTION SHALL BE AFFIXED TO THE SUBJECT  
26 VEHICLE IN A MANNER PRESCRIBED BY DEPARTMENT REGULATIONS. THE  
27 EXPIRATION DATE OF THE EXEMPTION SHALL BE DETERMINED WHEN THE  
28 CERTIFICATE OF EXEMPTION IS ISSUED BASED UPON THE MONTH THE  
29 REGISTRATION EXPIRES AND FIVE YEARS AFTER THE MODEL YEAR. NO  
30 SUBJECT VEHICLE SHALL BE EXEMPT FOR A PERIOD OF GREATER THAN

1       60 MONTHS UNDER THIS PARAGRAPH.

2           (2) EMISSION INSPECTION CRITERIA FOR [NEW VEHICLES WITH  
3 TRANSFERRED REGISTRATION PLATES.--A SUBJECT VEHICLE NEVER  
4 BEFORE REGISTERED IN THIS COMMONWEALTH OR ANY OTHER  
5 JURISDICTION HAVING LESS THAN 5,000 MILES ON ITS ODOMETER AND  
6 BEARING A REGISTRATION PLATE WHICH HAS BEEN TRANSFERRED FROM  
7 ANOTHER VEHICLE SHALL BE REQUIRED TO PASS AN EMISSION  
8 INSPECTION PRIOR TO THE NEXT REGISTRATION RENEWAL, BUT NOT  
9 WITHIN NINE MONTHS OF THE DATE OF PURCHASE OF THE SUBJECT  
10 VEHICLE.] PREVIOUSLY EXEMPTED VEHICLES.--A CERTIFICATE OF  
11 EXEMPTION PREVIOUSLY ISSUED UNDER PARAGRAPH (1) SHALL REMAIN  
12 VALID FOR THE PERIOD ORIGINALLY ISSUED REGARDLESS OF THE  
13 TRANSFER OF OWNERSHIP OF THE VEHICLE.

14           (3) [EMISSION INSPECTION CRITERIA FOR USED SUBJECT  
15 VEHICLES WITH NEW OR TRANSFERRED REGISTRATION PLATES.--A  
16 SUBJECT VEHICLE SOLD HAVING A TITLE ISSUED IN THIS OR ANY  
17 OTHER JURISDICTION OR SOLD WITH A MANUFACTURER'S STATEMENT OF  
18 ORIGIN AND HAVING 5,000 OR MORE MILES ON ITS ODOMETER AND  
19 WHICH DISPLAYS A CURRENTLY VALID CERTIFICATION OF EMISSION  
20 INSPECTION SHALL BE REQUIRED TO BE EMISSION INSPECTED PRIOR  
21 TO EXPIRATION OF THE CERTIFICATE OF EMISSION UNLESS THE  
22 RENEWAL OF REGISTRATION BECOMES DUE IMMEDIATELY BEFORE THE  
23 EXPIRATION OF THE CERTIFICATE OF EMISSION INSPECTION, IN  
24 WHICH CASE THE SUBJECT VEHICLE SHALL BE EMISSION INSPECTED  
25 PRIOR TO EXPIRATION OF THE NEW OR TRANSFERRED REGISTRATION  
26 PLATE. IF THERE IS NO EVIDENCE OF EMISSION INSPECTION, AN  
27 EMISSION INSPECTION MUST PRECEDE THE NEXT REGISTRATION  
28 RENEWAL.] (RESERVED).

29           (4) EMISSION INSPECTION CRITERIA FOR VEHICLES OPERATED  
30 WITH MISCELLANEOUS MOTOR VEHICLE BUSINESS REGISTRATION PLATES

1 OR DEALER REGISTRATION PLATE.--A SUBJECT VEHICLE WHICH  
2 DISPLAYS A MISCELLANEOUS MOTOR VEHICLE BUSINESS REGISTRATION  
3 PLATE OR A DEALER REGISTRATION PLATE SHALL BE EXEMPT FROM THE  
4 REQUIREMENTS FOR EMISSION INSPECTION UNTIL [IT HAS  
5 ACCUMULATED 5,000 MILES ON ITS ODOMETER. AT THAT TIME IT  
6 SHALL BE SUBJECT TO THE PROVISIONS OF SUBSECTION (F).] FIVE  
7 YEARS AFTER THE MODEL YEAR. A CERTIFICATE OF EXEMPTION SHALL  
8 BE AFFIXED TO THE SUBJECT VEHICLE IN A MANNER PRESCRIBED BY  
9 DEPARTMENT REGULATIONS. THE EXPIRATION DATE OF THE  
10 CERTIFICATE OF EXEMPTION SHALL BE DETERMINED WHEN THE  
11 CERTIFICATE OF EXEMPTION IS ISSUED BASED UPON THE MONTH OF  
12 THE MANUFACTURE OF THE VEHICLE AS DESIGNATED BY THE  
13 MANUFACTURER AND FIVE YEARS AFTER THE MODEL YEAR. NO SUBJECT  
14 VEHICLE SHALL BE EXEMPT FOR A PERIOD OF GREATER THAN 60  
15 MONTHS UNDER THIS PARAGRAPH.

16 (5) FOR PURPOSES OF THIS SUBSECTION, "MODEL YEAR" SHALL  
17 MEAN THE CALENDAR YEAR SO DESIGNATED BY THE MANUFACTURER OF A  
18 VEHICLE AS THE MODEL YEAR.

19 (H) NOTIFICATION TO ENVIRONMENTAL PROTECTION AGENCY.--THE  
20 DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF ENVIRONMENTAL  
21 PROTECTION, SHALL IMMEDIATELY NOTIFY THE ENVIRONMENTAL  
22 PROTECTION AGENCY OF THE MODIFICATIONS TO THE VEHICLE EMISSION  
23 PROGRAM IN SUBSECTIONS (F), (G) (1), (2), (3), (4) AND (7) AND  
24 (I) AND SECTION 4706(C.2) (RELATING TO PROHIBITION ON  
25 EXPENDITURES FOR EMISSION INSPECTION PROGRAM), AND OF THE INTENT  
26 TO SEEK ITS APPROVAL OF THE PLAN IN ACCORDANCE WITH THE  
27 REQUIREMENTS OF FEDERAL LAW.

28 (I) ANTITAMPERING INSPECTIONS.--NO VEHICLE SHALL BE REQUIRED  
29 TO UNDERGO ANTITAMPERING INSPECTIONS FOR EMISSIONS CONTROL  
30 COMPONENTS.

1 SECTION 2. SECTION 4706 OF TITLE 75 IS AMENDED BY ADDING A  
2 SUBSECTION TO READ:

3 § 4706. PROHIBITION ON EXPENDITURES FOR EMISSION INSPECTION  
4 PROGRAM.

5 \* \* \*

6 (C.2) CERTIFICATE OF EXEMPTION.--A FEE OF NO MORE THAN \$2  
7 PLUS THE FEE PAID TO ACCESS THE DEPARTMENT'S COMPUTER SYSTEM MAY  
8 BE CHARGED FOR A CERTIFICATE OF EXEMPTION ISSUED UNDER SECTION  
9 4702(G) (RELATING TO REQUIREMENT FOR PERIODIC INSPECTION OF  
10 VEHICLES) OR REPLACEMENT OF A CERTIFICATE OF EXEMPTION.

11 \* \* \*

12 SECTION 3. THIS ACT SHALL TAKE EFFECT JANUARY 1, 2014.