

HOUSE BILL 2548

By White D

AN ACT to amend Tennessee Code Annotated, Title 55,
Chapter 4; Title 55, Chapter 6 and Title 68,
Chapter 201, relative to emissions testing.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-4-130(e), is amended by deleting the language "the requirement for an annual emissions test" and substituting instead the language "the requirement for a biennial emissions test".

SECTION 2. Tennessee Code Annotated, Section 55-4-130, is amended by adding the following as a new subsection:

(i)

(1)

(A) Notwithstanding any other law to the contrary, an owner or lessee of a vehicle based in a county that has been designated by the Tennessee air pollution control board to have a motor vehicle inspection and maintenance program in order to attain or maintain compliance with national ambient air quality standards may elect to have a motor vehicle inspection that is valid for twenty-four (24) months, and expires on the last day of the last month of the inspection period for the vehicle.

(B) Beginning July 1, 2018, if requested pursuant to subdivision (i)(1), the commissioner may establish a system of motor vehicle inspection and maintenance renewals at alternate intervals that allow for the distribution of the motor vehicle inspection and maintenance workload

as uniformly as is practicable throughout the inspection and maintenance period.

(C) The department shall set twenty-four-month fees for motor vehicle inspections and maintenance in an amount that offsets revenue that would otherwise be generated by twelve-month registration fees in effect prior to July 1, 2018.

(2)

(A) Subdivision (i)(1) shall take effect on the January 1 following the date on which the United States environmental protection agency (EPA) approves a revised state implementation plan consistent with this subsection (i); provided, however, that if on such January 1, a contract exists between the department and a contractor providing motor vehicle inspection and maintenance services, or a local pollution control program and a contractor providing such services, then the biennial motor vehicle inspection and maintenance program created under this subsection (i) shall take effect in those jurisdictions that are covered by the contract upon the date of the contract's termination or expiration or the effective date of the contract's renewal or an applicable amendment to the motor vehicle inspection and maintenance service fee of such contract.

(B)

(i) The commissioner of environment and conservation shall certify in writing to the executive secretary of the Tennessee code commission the date of the approval by the EPA described in subdivision (i)(2)(A) and provide the executive secretary of the commission with a copy of such approval.

(ii) If a contract exists on the January 1 following the date of approval of the revised state implementation plan, then the commissioner or the chief public officer of the local pollution

control program, whichever is applicable, shall also certify in writing the date of the department's or local pollution control program's contract termination or expiration or the effective date of the contract's renewal or an applicable amendment to the motor vehicle inspection and maintenance service fee of such contract, and provide the executive secretary of the commission with a copy of the signed document.

SECTION 3. The air pollution control board is authorized to promulgate rules to effectuate the purposes of this act. All such rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to motor vehicle inspections conducted on or after July 1, 2018.