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SENATE BILL 5293

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State of Washington

55th Legislature

1997 Regular Session

By Senators McCaslin and Benton

Read first time 01/22/97. Referred to Committee on Agriculture & Environment.

1 AN ACT Relating to motor vehicle emission inspections; and amending  
2 RCW 70.120.170 and 46.16.015.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.120.170 and 1991 c 199 s 208 are each amended to  
5 read as follows:

6 (1) The department shall administer a system for emission  
7 inspections of all motor vehicles registered within the boundaries of  
8 each emission contributing area. Under such system a motor vehicle  
9 shall be inspected biennially except where an annual program would be  
10 required to meet federal law and prevent federal sanctions. ((In  
11 addition, motor vehicles shall be inspected at each change of  
12 registered owner of a licensed vehicle.))

13 (2) The director shall:

14 (a) Adopt procedures for conducting emission inspections of motor  
15 vehicles. The inspections may include idle and high revolution per  
16 minute emission tests. The emission test for diesel vehicles shall  
17 consist solely of a smoke opacity test.

18 (b) Adopt criteria for calibrating emission testing equipment.  
19 Electronic equipment used to test for emissions standards provided for

1 in this chapter shall be properly calibrated. The department shall  
2 examine frequently the calibration of the emission testing equipment  
3 used at the stations.

4 (c) Authorize, through contracts, the establishment and operation  
5 of inspection stations for conducting vehicle emission inspections  
6 authorized in this chapter. No person contracted to inspect motor  
7 vehicles may perform for compensation repairs on any vehicles. No  
8 public body may establish or operate contracted inspection stations.  
9 Any contracts must be let in accordance with the procedures established  
10 for competitive bids in chapter 43.19 RCW.

11 (3) Subsection (2)(c) of this section does not apply to volunteer  
12 motor vehicle inspections under RCW 70.120.020(1) if the inspections  
13 are conducted for the following purposes:

14 (a) Auditing;

15 (b) Contractor evaluation;

16 (c) Collection of data for establishing calibration and performance  
17 standards; or

18 (d) Public information and education.

19 (4)(a) The director shall establish by rule the fee to be charged  
20 for emission inspections. The inspection fee shall be a standard fee  
21 applicable state-wide or throughout an emission contributing area and  
22 shall be no greater than eighteen dollars. Surplus moneys collected  
23 from fees over the amount due the contractor shall be paid to the state  
24 and deposited in the general fund. Fees shall be set at the minimum  
25 whole dollar amount required to (i) compensate the contractor or  
26 inspection facility owner, and (ii) offset the general fund  
27 appropriation to the department to cover the administrative costs of  
28 the motor vehicle emission inspection program.

29 (b) Before each inspection, a person whose motor vehicle is to be  
30 inspected shall pay to the inspection station the fee established under  
31 this section. The person whose motor vehicle is inspected shall  
32 receive the results of the inspection. If the inspected vehicle  
33 complies with the standards established by the director, the person  
34 shall receive a dated certificate of compliance. If the inspected  
35 vehicle does not comply with those standards, one reinspection of the  
36 vehicle shall be afforded without charge.

37 (5) All units of local government and agencies of the state with  
38 motor vehicles garaged or regularly operated in an emissions  
39 contributing area shall test the emissions of those vehicles annually

1 to ensure that the vehicle's emissions comply with the emission  
2 standards established by the director. All state agencies outside of  
3 emission contributing areas with more than twenty motor vehicles housed  
4 at a single facility or contiguous facilities shall test the emissions  
5 of those vehicles annually to ensure that the vehicles' emissions  
6 comply with standards established by the director. A report of the  
7 results of the tests shall be submitted to the department.

8 **Sec. 2.** RCW 46.16.015 and 1991 c 199 s 209 are each amended to  
9 read as follows:

10 (1) Neither the department of licensing nor its agents may issue or  
11 renew a motor vehicle license for any (~~vehicle or change the~~  
12 ~~registered owner of a licensed vehicle, for any~~) vehicle that is  
13 required to be inspected under chapter 70.120 RCW, unless the  
14 application for issuance or renewal is: (a) Accompanied by a valid  
15 certificate of compliance or a valid certificate of acceptance issued  
16 pursuant to chapter 70.120 RCW; or (b) exempted from this requirement  
17 pursuant to subsection (2) of this section. The certificates must have  
18 a date of validation which is within six months of the date of  
19 application for the vehicle license or license renewal. Certificates  
20 for fleet or owner tested diesel vehicles may have a date of validation  
21 which is within twelve months of the assigned license renewal date.

22 (2) Subsection (1) of this section does not apply to the following  
23 vehicles:

24 (a) New motor vehicles whose equitable or legal title has never  
25 been transferred to a person who in good faith purchases the vehicle  
26 for purposes other than resale;

27 (b) Motor vehicles with a model year of 1967 or earlier;

28 (c) Motor vehicles that use propulsion units powered exclusively by  
29 electricity;

30 (d) Motor vehicles fueled by propane, compressed natural gas, or  
31 liquid petroleum gas, unless it is determined that federal sanctions  
32 will be imposed as a result of this exemption;

33 (e) Motorcycles as defined in RCW 46.04.330 and motor-driven cycles  
34 as defined in RCW 46.04.332;

35 (f) Farm vehicles as defined in RCW 46.04.181;

36 (g) Used vehicles which are offered for sale by a motor vehicle  
37 dealer licensed under chapter 46.70 RCW; or

1 (h) Motor vehicles exempted by the director of the department of  
2 ecology.

3 The provisions of subparagraph (a) of this subsection may not be  
4 construed as exempting from the provisions of subsection (1) of this  
5 section applications for the renewal of licenses for motor vehicles  
6 that are or have been leased.

7 (3) The department of ecology shall provide information to motor  
8 vehicle owners regarding the boundaries of emission contributing areas  
9 and restrictions established under this section that apply to vehicles  
10 registered in such areas. In addition the department of ecology shall  
11 provide information to motor vehicle owners on the relationship between  
12 motor vehicles and air pollution and steps motor vehicle owners should  
13 take to reduce motor vehicle related air pollution. The department of  
14 licensing shall send to all registered motor vehicle owners affected by  
15 the emission testing program notice that they must have an emission  
16 test to renew their registration.

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