

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

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 30, 2020

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) Revised State implementation plan.--

12 (1) ~~A subject vehicle with a model year of 1992 through <--~~

13 ~~1995 that is registered in a county under 67 Pa. Code §~~

14 ~~177.51(f)(2) or (4) (relating to program requirements), and a~~

15 ~~A subject vehicle with a model year of 1996 or newer with a <--~~

16 ~~gross vehicle weight rating between 8,501 and 9,000 pounds~~

17 ~~that is registered in a county under 67 Pa. Code § 177.51(f)~~

1 (2) or ~~(4)~~, (4) (RELATING TO PROGRAM REQUIREMENTS) shall be <--
2 required to undergo the following tests: <--

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

7 ~~(ii) A visual emission control device inspection,~~
8 ~~administered as specified in 67 Pa. Code § 177.204, of~~
9 ~~the vehicle emission control system. AN OBD-I/M CHECK, OR~~ <--
10 A GAS CAP TEST WITH A VISUAL INSPECTION OF THE VEHICLE
11 EMISSION CONTROL SYSTEM, TO BE ADMINISTERED AS SPECIFIED
12 IN 67 PA. CODE §§ 177.203 (RELATING TO TEST PROCEDURES)
13 AND 177.204 (RELATING TO BASIS FOR FAILURE). THE
14 DEPARTMENT SHALL DETERMINE WHICH EMISSION TEST SHALL BE
15 PERFORMED FOR EACH AFFECTED VEHICLE MANUFACTURER, VEHICLE
16 MODEL AND VEHICLE YEAR.

17 (2) Within 60 days of the effective date of this
18 subsection, the Department of Environmental Protection shall
19 initiate the process for the subject vehicles under this
20 subsection in the vehicle emission inspection and maintenance
21 program. The following shall apply:

22 (i) The revised State implementation plan shall be
23 completed no later than January 1, 2020 2022, and shall <--
24 convincingly demonstrate that the subject vehicles under
25 this subsection can maintain the relevant standards
26 without benefit of the emissions reductions attributable
27 to the vehicle emission inspection and maintenance
28 program.

29 (ii) The Department of Environmental Protection
30 shall comply with Federal law during the process,

1 including ensuring that the revision will not interfere
2 with attainment requirements or reasonable further
3 progress toward attainment and that Federal funding is
4 not negatively impacted as a result of the revision.

5 (iii) The Department of Environmental Protection
6 shall notify the chair and minority chair of the
7 Transportation Committee of the Senate, the chair and
8 minority chair of the Transportation Committee of the
9 House of Representatives, the chair and minority chair of
10 the Environmental Resources and Energy Committee of the
11 Senate and the chair and minority chair of the
12 Environmental Resources and Energy Committee of the House
13 of Representatives of the Department of Environmental
14 Protection's notification to the Environmental Protection
15 Agency.

16 (3) Upon approval by the Environmental Protection Agency
17 under paragraph (2), the Secretary of Environmental
18 Protection shall transmit notice of the approval to the
19 Legislative Reference Bureau for publication in the
20 Pennsylvania Bulletin. The emissions testing required by the
21 revised State implementation plan shall apply 120 days
22 following publication of the notice.

23 * * *

24 Section 2. This act shall take effect ~~in 120 days~~
25 IMMEDIATELY.

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