

ENGROSSED HOUSE  
BILL NO. 2346

By: Roach, Hastings and  
Sullivan (John) of the  
House

and

Williams (Penny) of the  
Senate

( motor vehicles - amending 47 O.S., Section 856.1 -  
emission control equipment - effective date )

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 1991, Section 856.1, as amended by Section 273, Chapter 145, O.S.L. 1993 (47 O.S. Supp. 1995, Section 856.1), is amended to read as follows:

Section 856.1 A. 1. Any person who owns and drives a motor vehicle as that term is defined by the Motor Vehicle License and Registration Act, and resides within a county with a population of five hundred thousand (500,000) or more according to the 1980 Federal Decennial Census where there exists a U.S. Environmental Protection Agency designated air quality nonattainment area for auto-related pollutants, or resides within a twenty-five (25) mile radius of the centroid of the area of such a county, shall have said vehicle inspected within that area and shall maintain on the vehicle in good working order the federally required emission control equipment required by the Commissioner of Public Safety pursuant to recommendations of the Department of Environmental Quality. When any portion of a municipality is included within said twenty-five

(25) mile radius, the entire municipality shall be subject to the provisions of this chapter.

2. On and after January 1, 1986, any person who owns and drives a motor vehicle as that term is defined by the Motor Vehicle License and Registration Act, and resides within a county with a population of less than five hundred thousand (500,000) according to the 1980 Federal Decennial Census where there exists a U.S. Environmental Protection Agency designated air quality nonattainment area for auto-related pollutants, or resides within a metropolitan transportation study area as that term is defined by the Department of Transportation and approved by the United States Department of Transportation which includes said county, shall have said vehicle inspected within that area and shall maintain on the vehicle in good working order the federally required emission control equipment required by the Commissioner of Public Safety pursuant to recommendations of the Department of Environmental Quality. When any portion of a municipality is included within said metropolitan transportation study area, the entire municipality shall be subject to the provisions of this chapter.

B. The Commissioner of Public Safety shall require a visual inspection of the federally required emission control equipment required on vehicles by the provisions of subsection A of this section in counties where there exists a U.S. Environmental Protection Agency designated air quality nonattainment area for auto-related pollutants.

C. In addition to the vehicle mechanical equipment required to be inspected pursuant to the provisions of Section 856 of Title 47 of the Oklahoma Statutes, each person operating an official inspection station shall visually inspect the original manufacturer's automotive emission control equipment or proper replacements for said equipment installed on vehicles when required

by the Commissioner of Public Safety pursuant to the provisions of subsection B of this section.

D. The Commissioner of Public Safety shall require a gas cap integrity test for vehicles included in the provisions of subsection A of this section in counties where there has occurred a violation of the United States Environmental Protection Agency National Ambient Air Quality Standard for ozone. If a violation, as that term is defined by the federal Environmental Protection Agency, of federal air quality standards occurs, the Department of Environmental Quality shall notify the Department of Public Safety which shall promulgate rules necessary for including the gas cap integrity test into the annual vehicle emission control inspections for that area and which shall, in consultation with the Oklahoma Department of Environmental Quality, develop standards for the gas cap integrity test. Required rules and standards shall be promulgated and gas cap integrity testing shall begin no later than January 1 of the second year following the violation of air quality standards. The gas cap integrity test shall be conducted only in the area described in subsection A of this section in which a violation of the National Ambient Air Quality Standard for ozone has occurred.

E. The provisions of subsection D of this section shall not apply to vehicles which were manufactured prior to 1979. Active duty military personnel permanently assigned to a duty station outside of the State of Oklahoma, but still claiming Oklahoma residency, may register their vehicles in Oklahoma without a vehicle inspection if the state they reside in does not require vehicle inspection.

F. Any inspection of automotive emission control equipment required pursuant to the provisions of this section shall apply to emission control equipment installed on vehicles of a model year required by the Commissioner of Public Safety pursuant to

recommendations of the Department of Environmental Quality as is necessary to accommodate the resolution of the defined air pollution problem of the specific nonattainment area.

E. G. The provisions of this section shall not be construed to apply to:

1. Trucks or truck-tractors owned and operated by one or more farmers and used primarily for farm use, and not for commercial or industrial purposes, or trucks or truck-tractors used primarily for the transportation of logs, ties, stave bolts, and posts direct from the forest to mill, first market, or railroad shipping points, which are licensed pursuant to law; or

2. Motor vehicles or motor vehicle engines for which liquefied petroleum gas is used as a fuel.

SECTION 2. This act shall become effective November 1, 1996.

Passed the House of Representatives the 11th day of March, 1996.

Speaker of the House of Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1996.

President of the Senate