

Rule Proposal Notice

Air Quality Program

February 2011

Chapter 173-422A WAC, Motor Vehicle Emission Inspection

The Department of Ecology proposes to adopt Chapter 173-422A WAC, Motor Vehicle Emission Inspection (Emission Check Program). The rule proposal will be published in the Washington State Register on March 2, 2011.

The purpose of this rule proposal is to allow businesses other than the state contractor to test vehicles. Other changes to the Emission Check Program requirements include:

- Having all testing by authorized testers done online using with the state contractor's computer system.
- Eliminating the gas cap test and dynamometer testing.
- Passing an OBD retest requires that the monitor(s) that detected a problem on the initial test be ready.
- Requiring the same test standards for all 1995 model year and older gasoline vehicles.
- Exempting light-duty diesel vehicles from testing.
- Tightening the test standards for heavy-duty diesel vehicles.
- Exempting heavy-duty diesel vehicles with an engine meeting 2007 emission standards or equipped with an exhaust particle filter from testing.
- Extensive rewording and reorganization to make the rule clearer and easier to understand.
- Other provisions necessary to implement the program.

Ecology issued a:

- Determination of Nonsignificance (DNS) under the State Environmental Policy Act.
- Small Business Economic Impact Statement (SBEIS).
- Preliminary Cost-Benefit analysis.

These documents and the proposed rule language are available for review and comment at www.ecy.wa.gov/laws-rules/activity/wac173422A.html until March 31, 2011.

MORE INFORMATION

Washington's legislature has required changes to the Emission Check Program. The current Emission Check contract expires in 2012. Ecology is currently updating the rule to reflect these changes.

The \$15 test fee will remain the same at Ecology's contractor test sites. There will be no limit on the fee non-contractor businesses may charge to perform emission tests.

Contact information:

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Special accommodations:

If you need this document in a format for the visually impaired, call the Air Quality Program at 360-407-6800.

Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

Public hearing schedule

March 22, 2011

6:00 p.m.

Federal Way 320th Library

848 S. 320th St.

Federal Way

There will be a brief presentation before the hearing, followed by public testimony.

You can listen to the hearing live over the Internet at

<http://feeds.feedburner.com/ApplyWashingtonStateEmissionTesting-testWebsite?format=xml>.

This link will be posted by March 15, 2011.

Ecology cannot accept comments over the Internet.

How to submit your comments

The comment period ends March 31, 2011. Ecology must receive comments by 5:00 pm on that date.

You can give us your official comments in the following ways:

1. Testify at the public hearing.
2. Email your comments to john.raymond@ecy.wa.gov
3. Mail comments to:
Department of Ecology
Air Quality Program
Attention: John Raymond
PO Box 47600
Olympia, WA 98504-7600

Ecology's response to your comments

All of the comments Ecology receives will become part of the official record. We will respond to all comments in a document called a Concise Explanatory Statement (CES). The CES is required by the Administrative Procedure Act (RCW 34.05) and is published after the rule is adopted. You will find your name listed in the document with a reference to where, in the document, Ecology responded to your comments.

Expected adoption date

Ecology expects to adopt this rule no earlier than June 23, 2011.

