

Regulatory Analysis Form

2003 APR -9 AM 11: 22

Regulatory Analysis Form		This space for use by IRRC <small>COMMISSION</small> IRRC Number: # 2337
(1) Agency Transportation		
(2) I.D. Number (Governor's Office Use) #18-383		
(3) Short Title Emission Inspection Program		
(4) Pa Code Cite 67 Pa. Code, Chapter 177		(5) Agency Contacts & Telephone Numbers Primary Contact: Peter Gertz (717) 783-5842 Secondary Contact: Barry Williams (717) 783-9292
(6) Type of Rulemaking (Check One) <input type="checkbox"/> Proposed Rulemaking <input type="checkbox"/> Final Order Adopting Regulation <input checked="" type="checkbox"/> Final Order, Proposed Rulemaking Omitted		(7) Is a 120-Day Emergency Certification Attached? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes: By the Attorney General <input type="checkbox"/> Yes: By the Governor
(8) Briefly explain the regulation in clear and non-technical language. The purpose of these regulations is to amend Appendix A of Chapter 177 to include alternative final exhaust emission standards for vehicles subject to the acceleration simulation mode (ASM) test developed and issued by the EPA.		
(9) State the statutory authority for the regulation and any relevant state or federal court decisions. The statutory authority for these regulations is Sections 4103, 4531, 4701, 4706, 4707, 4710, 6103 and 9104 of the Vehicle Code, Act of June 17, 1976, P.L. 162, No. 81, as amended by the Act of April 17, 1997, P.L. 6, No. 3 (75 Pa.C.S. §§4103, 4531, 4701, 4706, 4707, 4710, 6103 and 9104).		
(10) Is the regulation mandated by any federal or state law or court, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action. These regulations are required by the Clean Air Act (42 U.S.C. §§ 7401-7671q) and the regulations promulgated thereunder, 40 CFR Part 51 (relating to regulations for preparation,		

Regulatory Analysis Form

adoption and submittal of implementation plans), and Part 85 (control of air pollution from mobile sources).

(11) Explain the compelling public interest that justifies this regulation. What is the problem it addresses?

The public interest that justifies these regulations is the attainment and maintenance of air quality in the Commonwealth by the reduction of pollutants emitted by vehicles through an appropriate vehicle inspection program. The alternative final exhaust emission standards developed and issued by the EPA should be recognized and implemented in the Department's regulations.

(12) State the public health, safety, environmental or general welfare risks associated with non-regulation.

The public health, safety, and general welfare risks associated with non-regulation relate primarily to pollution of the atmosphere by vehicles in the Commonwealth if emissions are not appropriately tested and regulated. In addition, non-regulation would place the Commonwealth out of compliance with Federal regulations, jeopardizing the availability of Federal highway funding.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

These regulations will benefit all citizens in the Commonwealth through cleaner air. Vehicle owners subject to ASM testing will also benefit through the implementation of alternative final cutpoints which will result in lower false fail results.

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

These regulations will not adversely affect any specific group

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

Owners of approximately 2 million vehicles registered in the counties in which vehicles are subject to ASM testing will be required to comply with these regulations. Station owners who offer ASM testing must also bring their equipment into compliance with these regulations.

Regulatory Analysis Form

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

The alternative final ASM standards have been reviewed by the Commonwealth Department of Environmental Protection as well as the I/M working group, which includes representatives of inspection stations which can and do offer ASM testing.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

Costs or savings to the general motoring public are not readily measurable. Costs of the ASM test is market driven and not regulated by the Department. Station owners vary in the fee charged for the ASM test and vehicle owners have the opportunity to choose a station with a fee acceptable to them. Unspecified savings to vehicle owners may result in the implementation of final cutpoints that result in fewer false fail results. The Department cannot, however, measure with any precision what costs and savings may result in the marketplace.

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including and legal, accounting or consulting procedures which may be required.

These regulations will not occasion any measurable costs or savings to local government.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including and legal, accounting or consulting procedures which may be required.

These regulations will not occasion any measurable costs or savings to state government.

(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local governments, and state government for the current year and five subsequent years.

There are no measurable costs associated with implementation of these regulations upon the general motoring public, local governments or state government. As noted in (17) above, costs of the ASM test is market driven and not regulated by the Department.

Regulatory Analysis Form

	Current FY Year	FY + 1 Year	FY + 2 Year	FY + 3 Year	FY + 4 Year	FY + 5 Year
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community	Not Readily measurable					
Local Government	Not Readily measurable					
State Government	Not Readily Measurable					
Total Savings						
COSTS:						
Regulated Community	Not Readily measurable					
Local Government	Not Readily measurable					
State Government	Not Readily measurable					
Total Costs						
REVENUE LOSSES:						
Regulated Community	None					
Local Government	None					
State Government	None					
Total Revenue Losses						

(20a) Explain how the cost estimates listed above were derived.

There are no cost estimates derived.

(20b) Provide the past three year expenditure history for programs affected by this regulation.

Appropriation	FY-3	FY-2	FY-1	CurrentFY
183 Safety Administration	\$ 99,930,000	\$ 106,182,000	\$ 119,141,000	\$ 120,492,000

Regulatory Analysis Form

<p>(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs. A measurable cost/benefit analysis cannot be computed for these regulations.</p>				
<p>(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal. There were no nonregulatory alternatives considered since the regulations are required by Federal statute and regulation. Non-regulation would result in the implementation of final cutpoints with historically higher false fail rates.</p>				
<p>(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide reasons for their dismissal. There were no alternative regulatory schemes considered since non-regulation would result in the implementation of final cutpoints with historically higher false fail rates. Use of the alternative final exhaust emission standards issued by the EPA can only be accomplished through regulation.</p>				
<p>(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation. No, these regulations are not more stringent than Federal Standards.</p>				
<p>(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states? These regulations will not put Pennsylvania at a competitive disadvantage with other states.</p>				
<p>(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations. These regulations will not affect other existing or proposed regulations of the promulgating agency or other state agencies.</p>				
<p>(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available. These regulations will be proposed as a change to the State Implementation Plan under the Federal Clean Air Act. Public hearings will be scheduled as part of the Federal review process. These regulations will also be forwarded to the House and Senate Transportation Committees and will be considered at a public meeting of the Independent Regulatory Review Commission.</p>				
<p>(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available. These regulations will not change any existing reporting, record keeping or other paperwork requirements.</p>				

Regulatory Analysis Form

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small business, and farmers.

There are no special provisions in these regulations developed to meet the needs of any particular group.


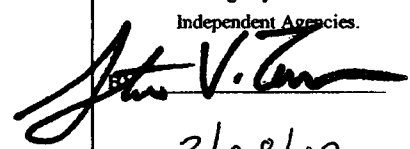
(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

These regulations will become effective immediately upon publication in the Pennsylvania Bulletin.

(31) Provide the schedule for continual review of the regulation.

The I/M inspection process will be monitored by the Department for its effectiveness and changes incorporated when necessary.

<p>FACE SHEET FOR FILING DOCUMENTS WITH THE LEGISLATIVE REFERENCE BUREAU</p> <p>(Pursuant to Commonwealth Documents Law)</p> <p style="text-align: right;"># 2337</p>	<p>2003 APR -9 AM 11:22</p> <p>INDEPENDENT MOTOR REVIEW COMMISSION</p> <p>DO NOT WRITE IN THIS SPACE</p>
--	---

<p>Copy below is hereby approved as to form and legality. Attorney General</p> <p></p> <p>By: _____ (Deputy Attorney General)</p> <p style="text-align: center;"><u>MAR 27 2003</u> Date of Approval</p> <p><input type="checkbox"/> Check if applicable Copy not approved. Objections attached.</p>	<p>Copy of below is hereby certified to be true and correct copy of a document issued, prescribed or promulgated by:</p> <p style="text-align: center;"><u>Department of Transportation</u> (Agency)</p> <p>DOCUMENT/FISCAL NOTE NO. <u>18-383</u></p> <p>DATE OF ADOPTION _____</p> <p>BY <u>Allen D. Biehler</u> Secretary of Transportation (Executive Officer, Chairman or Secretary)</p>	<p>Copy below is hereby approved as to form and legality. Executive or Independent Agencies.</p> <p></p> <p style="text-align: center;"><u>3/28/03</u> (Date of Approval)</p> <p>(Deputy General Counsel) (Chief Counsel, Independent Agency) (Strike Inapplicable Title)</p> <p><input type="checkbox"/> Check if applicable. No attorney General Approval or Objection within 30 days after submission.</p>
--	---	---

NOTICE OF RULEMAKING

**DEPARTMENT OF TRANSPORTATION
BUREAU OF MOTOR VEHICLES**

Title 67 Transportation
Part I. Department of Transportation
Subpart A. Vehicle Code Provisions
Article VII. Vehicle Characteristics
Chapter 177
Enhanced Emission Inspection Program
Bureau of Motor Vehicles

**Final Regulation with Notice of Proposed Rulemaking Omitted
pursuant to Section 4706 of the Vehicle Code, 75 Pa. C.S. § 4706**

**DEPARTMENT OF TRANSPORTATION
BUREAU OF MOTOR VEHICLES**

**Title 67 Transportation
Part I. Department of Transportation
Subpart A. Vehicle Code Provisions
Article VII. Vehicle Characteristics
Chapter 177
Emissions Inspection Program
Bureau of Motor Vehicles**

**Final Regulation with Notice of Proposed Rulemaking Omitted
Pursuant to 75 Pa. C.S. §§ 4706 & 4710**

Preamble and Order

The Department of Transportation (Department), Bureau of Motor Vehicles (Bureau), by this Order adopts amendments to 67 Pa. Code, Chapter 177 (Enhanced Emission Inspection Program) by adding provisions to include alternative final exhaust emission standards recently developed by the Federal Environmental Protection Agency (EPA).

The I/M program, implemented under Sections 4103, 4531, 4701, 4706, 4707, 4710, 6103 and 9104 of the Vehicle Code (75 P.S. §§ 4103, 4531, 4701, 4706, 4707, 4710, 6103 and 9104), is required by the Federal Clean Air Act (Clean Air Act), as amended by Pub. L. No. 101-52, 104 Stat. 2399-2712 (42 U.S.C. §§ 7401-26718) and Pub. L. No. 104-59, 109 Stat. 568 (1995) (known as the National Highway System Designation Act of 1995 (NHS Act)).

Proposed rulemaking is omitted pursuant to Section 4706 of the Vehicle Code, 75 Pa. C.S. § 4706, which exempts these regulations from the proposed rulemaking provisions of the Commonwealth Documents Law and the Regulatory Review Act, and Section 4710 of the Vehicle Code, 75 Pa. C.S. §4710, which provides for initial

submission of final regulations relating to the vehicle emission inspection program to the Office of Attorney General for review as to form and legality and thereafter to the Independent Regulatory Review Commission and the designated Committees of the Pennsylvania House of Representatives and the Senate, in accordance with the Regulatory Review Act, Act of June 25, 1982 (P.L. 622, No. 181), *as amended*, 71 P.S. § 745.1 *et seq.*

Purpose of this Chapter

The purpose of this Chapter is to implement an emissions I/M program as required by the Clean Air Act (42 U.S.C. §§ 7401–7671q) and the regulations promulgated thereunder, 40 CFR Part 51 (relating to regulations for preparation, adoption and submittal of implementation plans), and Part 85 (control of air pollution from mobile sources).

Purpose of these Amendments

The purpose of these regulations is to include alternative final exhaust emission standards recently developed by the Federal Environmental Protection Agency (EPA). By memorandum dated August 16, 2002, EPA provided alternative final exhaust emission standards for states to consider for use in I/M programs using the acceleration simulation mode (ASM) test. The alternative exhaust emission standards were generated in response to evaluations of the original final exhaust emission standards that suggested application of the original exhaust emission standards would result in false failures. The Appendix of this Chapter has been amended to include the alternative final exhaust emission standards.

Significant Provisions of these Amendments

The significant amendments to this regulation are in the Appendix which has been amended to include the alternative final exhaust emission standards.

Persons and Entities Affected

The amendment will affect the owners and operators of vehicles registered in the counties in the Commonwealth in which the I/M program uses the acceleration simulation mode (ASM) test.

Fiscal Impact

These amendments to the I/M regulations may result in savings to vehicle owners in the form of a lower false failure rate of vehicles subjected to the ASM test and subsequent avoidance of possibly unnecessary repairs and retesting. The Department cannot, however, measure with any precision what costs and savings may result.

Regulatory Review

Pursuant to section 4710 (e) of the Vehicle Code (75 Pa. C.S. § 4710(e)), the Department submitted a copy of this rulemaking to the Office of Attorney General on March 28, 2003. The rulemaking was approved as to form and legality by the Office of Attorney General on March 31, 2003. The Department submitted a copy of this final rulemaking on April 9, 2003 to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Transportation Committees and the House and Senate Environmental Resources and Energy Committees for review under the Regulatory Review Act. This amendment was deemed approved by the Committees on _____, 2003 and was approved by IRRC on _____, 2003.

In addition to the final rulemaking the Committees were provided with a copy of a detailed regulatory Analysis Form prepared by the agency. A copy of this material is available to the public upon request.

In preparing this final-form amendment, the Department has considered the comments received from the EPA, the public and individuals in the business of vehicle inspection and repair.

Sunset Provisions

The Department is not establishing a sunset date for this regulation since the regulation is necessary to comply with requirements of Federal laws relating to control of vehicle emissions.

Contact Person

The contact person for this regulation is Peter Gertz, Vehicle Inspection Division, 4th Floor, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104, or to pgertz@state.pa.us.

Authority

These amendments are adopted under the authority contained in sections 4103, 4531, 4701, 4706, 4707, 4710, 6103 and 9104 of the Vehicle Code (75 P.S. §§ 4103, 4531, 4701, 4706, 4707, 4710, 6103 and 9104).

Order

The Department, acting under the authorizing statutes, orders that:

- (a) The regulations of the Department, 67 Pa. Code Chapter 177, are amended by amending Chapter 177 to read as set forth in Annex A.

- (b) The Secretary of the Department shall certify this order and Annex A, and deposit them with the Legislative Reference Bureau as required by law.
- (c) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

Allen D. Biehler,

Secretary of Transportation

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

Subpart A. VEHICLE CODE CHARACTERISTICS

ARTICLE VII. VEHICLE CHARACTERISTICS

CHAPTER 177. [ENHANCED] EMISSION INSPECTION PROGRAM

Subchapter A. General Provisions

* * * * *

APPENDIX A

Acceleration Simulation Mode: Pennsylvania Procedures, Standards, Equipment Specifications and Quality Control Requirements

§ 1. ASM [Short Test] Exhaust Emission Standards and Calculations.

(a) *ASM Emissions Standards*

(1) ASM Start-Up Standards. The following standards shall be used for ASM tests performed until notice by the Department that the standards in subsection (2)(i) or (2)(ii) shall apply. [Start-up standards should be used for ASM tests performed from October 1, 1997, through November 30, 1998.] The exhaust emission standards for the following model years are cross referenced by the number in the column in ([A]a)(3) below:

* * * * *

(2) *ASM final standards.*

(i) ASM equivalent test weight methodology. Upon notice by the Department in the Pennsylvania Bulletin, the following exhaust emission standards will be used for ASM tests performed [after November 30, 1998]. The exhaust emissions standards for the following model years are cross-referenced by the number in the column in subsection ([A]a)(3) below:

(i) A Light Duty Vehicles.

* * * * *

(ii) B Light Duty Trucks 1 (less than 6000 pounds GVWR).

* * * * *

(iii) C Light Duty Trucks 2 (greater than 6000 pounds GVWR).

* * * * *

(ii) ASM vehicle engine displacement methodology. Upon notice by the Department in the Pennsylvania Bulletin, the exhaust emission standards used for ASM tests performed shall be in accordance with the following tables:

LDV Exhaust Emission Standards for the ASM 5015 test

	<u>HC</u>	<u>CO</u>	<u>Nox</u>
<u>5015 LDV MY 1980 and newer</u>	<u>275 liters* ppm</u>		
<u>5015 LDV MY 1980 to 1982</u>		<u>1.3 liters*% </u>	
<u>5015 LDV MY 1983 and newer</u>		<u>1.1 liters*% </u>	

<u>5015 LDV MY 1980 only</u>		<u>8,500 liters* ppm</u>
<u>5015 LDV MY 1981 and newer</u>		<u>3,600 liters* ppm</u>

LDT Exhaust Emission Standards for the ASM 5015 test

	<u>HC</u>	<u>CO</u>	<u>Nox</u>
<u>5015 LDT MY 1980 to 1983</u>	<u>1,140 liters* ppm</u>		
<u>5015 LDT MY 1984 to 1995</u>	<u>537 liters* ppm</u>		
<u>5015 LDT MY 1996 to 1998</u>	<u>275 liters* ppm</u>		
<u>5015 LDT MY 1980 to 1983</u>		<u>9.7 liters*%</u>	
<u>5015 LDT MY 1984 to 1995</u>		<u>5.4 liters*%</u>	
<u>5015 LDT MY 1996 and newer</u>		<u>1.1 liters*%</u>	

<u>5015 LDT MY 1980 to 1987</u>		<u>14,145 liters*ppm</u>
<u>5015 LDT MY 1988 to 1995</u>		<u>7,380 liters* ppm</u>
<u>5015 LDT MY 1996 and newer</u>		<u>6,150 liters* ppm</u>

All 5015 cut points are applied by the following method: The vehicle's engine displacement in liters multiplied by the exhaust constituent (HC, CO, or Nox) levels in concentration (HC and Nox in ppm; CO in % ten second average values). This liter*concentration value is compared to the appropriate cut point and if the value is above the cut point the vehicle is considered having failed the test.

(3) ASM 2525 and 5015 concentration tables follow (although both 2525 and 5015 standards are shown, the Pennsylvania test consists only of the 5015 mode)[.];

* * * * *

(b)ASM Test Score Calculation

* * * * *

A pass or fail determination shall be made for each applicable test mode based on a comparison of the applicable short test standards and the measured value for HC, CO, and NO as described in Paragraph (b)(1)(iii) of this section. A vehicle shall pass the test mode if the emission values for HC, CO and NO are simultaneously below or equal to the applicable short test standards for all three pollutants. A vehicle shall fail the test mode if the values for HC, CO or NO, or any combination of the three, are above the applicable standards at the expiration of the test time.

§ 2. ASM short test procedure

(16)12V PC controlled power switched

Notes:

The fan in the Pennsylvania/East Coast specification is a shop requirement.

**EXHIBIT A
SAMPLE
COMMONWEALTH OF PENNSYLVANIA
VEHICLE EMISSIONS INSPECTION REPORT**
Tax Due/Year: 01/20/19/7 @ 00.00

VEHICLE INFORMATION											
Year:	2008	Make:	BUICK	Model:	BUICKRANLURE						
VIN:	A1558417040012048	Engine Size:	2.4 L	Cylinders:	4						
Color:	WHITE	GVARS:	0400	Estimated Test:	0						
License:	3JL1234	Inspection Type:	INITIAL	Weight:	4000						
County:	FRANCE WILKINS			Record Number:	123456						
EMISSIONS CONTROL SYSTEMS VISUAL/FUNCTIONAL INSPECTION											
Air Purge System:	PASS	Escape Converter:	PASS	Gas Cap Integrity:	PASS						
EGR System:	PASS	Exhaustive Control System:	PASS	Exhaustive Pressure:	OK						
PCV System:	PASS			Evaporative Purge:	OK						
Fuel Pressure Regulator:	PASS										
TAILPIPE EMISSIONS INSPECTION											
MODE:	CO 2			HC ppm			NOx			EMISSION	
2 Speed Mile	Limit	Passing	Result	Limit	Passing	Result	Passing	Result	Passing	Result	Result
50% Mile	1.20	2.20	PASS	200	300	PASS	400	VALID	13.0%	VALID	VALID
25% RPM	1.20	2.20	PASS	200	150	PASS	200	VALID	14.0%	VALID	VALID
OVERALL TEST RESULTS: FAILED											
Emission Control Systems Visual/Functional Inspection: PASS Transaction Identification Number: 123456789											
Tailpipe Emissions Inspection: FAIL											
RETURN THE VEHICLE TO THE SAME STATION WITHIN THIRTY (30) DAYS FOR ONE (1) FREE RETEST.											
<p>The vehicle has failed the emissions inspection. REPAIRS MUST BE MADE TO REENTER PASS INSPECTION OR CLEARLY FOR A WAIVER. All emissions related repairs performed must be documented by the inspection station. The purchaser must read and accept the terms of the emissions inspection. It is the responsibility of the purchaser to ensure that the vehicle is repaired and ready for inspection at the time of reinspection.</p> <p>Vehicles that fail the inspection may be eligible for warranty coverage for the required repairs. Vehicle manufacturers are required by Federal law to provide EMISSIONS WARRANTIES FOR AT LEAST FIVE (5) YEARS OR FIFTY THOUSAND (50,000) MILES. Warranty coverage may vary depending on vehicle make and model year. For further information, refer to the EMISSIONS WARRANTY section of the vehicle's owner manual.</p> <p>In order for a vehicle to receive a "PASS" when subject emissions levels of CO, HC, and NOx (if applicable) are not falling to meet the standards at the time of reinspection, the following requirements must be met:</p> <ol style="list-style-type: none"> REPAIR WORK MUST BE APPROVED BY A CERTIFIED REPAIR TECHNICIAN. Exhaustive related repair expenditures must have been at least \$500.00. Copies of the repair receipts for emissions related repairs must be provided to the inspection station. Repairs must be performed no earlier than 60 days prior to the second inspection. 											
Vehicle tested in accordance with 40 CFR, Part 51 and Pa. Title 57, Chapter 177.											
EMISSIONS INSPECTION STATION											
STATION #:	12345	INSPECTOR NAME:	JOHN T. SMITH								
STATION NAME:	100 Quality Inspection	INSPECTOR ID:	12345								
ADDRESS:	1500 GROWN COURT, ANYTOWN 12345	ANALYZER ID:	23456								
PHONE:	717-555-1234	SOFTWARE VERSION:	1.00								
VEHICLE EMISSIONS INSPECTION QUESTIONS: If you have any questions, please contact the Department of Transportation, Vehicle Inspection Division at (717) 783-6842.								Inspector's Signature: _____ Date: _____			

APPENDIX B

Department Procedures and Specifications

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

www.dot.state.pa.us

Office of Chief Counsel
P.O. Box 8212
Harrisburg, Pennsylvania 17105-8212
(717) 787-6485



April 9, 2003

Robert E. Nyce
Executive Director
14th Floor Harrisstown 2
333 Market Street
Harrisburg, PA 17101

**Re: Regulation #18-383: 67 Pa. Code, Chapter 177 —
Emissions Inspection Program**

Dear Mr. Nyce:

Enclosed please find a copy of the Face Sheet, Preamble, Annex A and Regulatory Analysis Form for Amendments to 67 Pa. Code, Chapter 177, Emissions Inspection Program, which the Department of Transportation intends to adopt as a final regulation with notice of proposed rulemaking omitted pursuant to Sections 4706 and 4710 of the Vehicle Code, 75 Pa. C.S. §§ 4706 & 4710, and in accordance with the provisions of the Commonwealth Documents Law, Act of July 31, 1968, P.L. 769, 45 P.S. § 1201 *et seq.*, and the Regulatory Review Act, *as amended*, 71 P.S. § 745.1 *et seq.*

Copies of these materials were also delivered today to the majority and minority chairpersons of the Pennsylvania House and Senate Transportation and Environmental Resources and Energy Committees as well as to the Office of Attorney General.

The Department of Transportation will provide you with any assistance you require to facilitate a thorough review of this regulation. Thank you for your attention.

Very truly yours,

A handwritten signature in black ink, appearing to read "S. F. J. Martin". The signature is stylized and includes a long horizontal flourish extending to the right.

Stephen F. J. Martin
Regulatory Counsel

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT**

I.D. NUMBER: 18-383

SUBJECT: Emissions Inspection Program
67 Pa. Code Chapter 177

AGENCY: Department of Transportation

TYPE OF REGULATION

Proposed Regulation

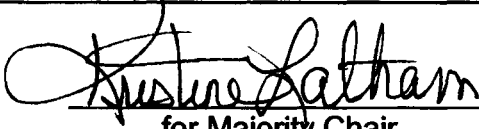


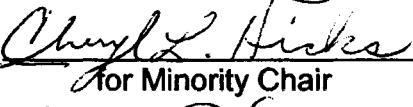


Final Regulation

✓ Final Regulation with Notice of Proposed Rulemaking Omitted

120-day Emergency Certification of the Attorney General

120-day Emergency Certification of the Governor

FILING OF REGULATION

<u>DATE</u>	<u>SIGNATURE</u>	<u>DESIGNATION</u>
<u>4/9/03</u>	<u></u> for Majority Chair	HOUSE COMMITTEE ON TRANSPORTATION
<u>4/9/03</u>	<u></u> for Minority Chair	
<u>4/9</u>	<u></u> for Majority Chair	SENATE COMMITTEE ON TRANSPORTATION
<u>4/9</u>	<u></u> for Minority Chair	
<u>4/9</u>	<u></u> for Majority Chair	HOUSE COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY
<u>4/9</u>	<u></u> for Minority Chair	

4/9 Patricia A. Carnathan
AK
for Majority Chair SENATE COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY

 A. R.
for Minority Chair

4/9/03 Elena Pagan
INDEPENDENT REGULATORY REVIEW COMMISSION

4/9/03 Mary Mummert
ATTORNEY GENERAL

Date: April 9, 2003