

# DAVID J ENGLISH

September 22, 2003

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2003 SEP 24 AM 8:52

INDEPENDENT REGULATORY  
REVIEW COMMISSION

Kristen Singer  
Vehicle Inspection Division  
3rd Floor, Riverfront Office Center  
1101 South Front Street  
Harrisburg, PA 17104

Dear Ms. Singer:

I am writing to object to the proposed "safety inspection" rulemaking as published in the August 23, 2003 Pa Bul, specifically Subchapter E §175.80. Although the overall intent of the proposal is to improve air quality by ensuring emission control devices remain in place, in my case (and many others) it would have the opposite effect. There is a growing number of older cars being restored and kept on the road for which the original emission control equipment no longer functions. For many of these there is no "aftermarket replacement parts" available. By not allowing these cars to remain under a regular registration, they must pass the "safety inspection". Under this proposal they can't pass the inspection and can't be utilized as a "daily driver". In my case I would have to use a newer vehicle resulting in increased emissions by increased gasoline consumption.

I am in the process of restoring a 1976 Triumph Spitfire intended to use for my daily commute to work. The Spitfire gets about 30MPG. However, the air pump (refer to §175.80 (d)(2)(v)) is no longer working and a replacement is not available. Although the regulation is silent about the equipment actually being operational, there is no sense in keeping it on the vehicle when it doesn't function. In addition, all it really does is pump additional air into the exhaust to meet a tailpipe - emission control - not safety standard. The effect of keeping it on the car and connected so it "appears" to be working is to put more drag on the engine. This makes the MPG go down, for no benefit. Refer to the old adage - "dilution is not the solution to pollution". If I take the air pump off, it should not pass inspection under the proposed "safety inspection" rule. I could register it as an antique to get around the inspection requirement, but then I can't drive it every day. My alternative is to then drive a 1993 Ford van that gets 15 MPG. Note - half the MPG. Which vehicle used daily as a commuter keeps the air cleaner?

The proposal is titled as a "safety inspection" when the objective is emission control. However, by not being under the emission control provisions, there does not appear to be the \$150 repair waiver afforded newer cars. There should be. When a part is not available for an older car, the car cannot be kept under a regular registration with this proposal. It would have to be registered as an antique to be able to drive it, one day a week.

The FAQ posted on the web for emissions inspections appears to limit the provisions to 1975 and newer cars, but this is not detailed in the proposed regulation. The regulation should specify if the limit is by age of car or by type of registration.

In my case the proposed regulation is contrary to the stated purpose of 75 Pa. C.S. §4101 in regard to air quality.

Sincerely,

David J. English

**Singer, Kristen**

Original: 2347

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**From:** English, David  
**Sent:** Monday, September 22, 2003 9:54 AM  
**To:** Singer, Kristen  
**Subject:** Safety Inspection - Proposed Reg Comment.

The attached is in the regular mail to you. Sending by Email also to make the deadline.



Inspection  
Letter.doc (43 KB)

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REGULATORY  
REVIEW COMMISSION

Original: 2347

**Singer, Kristen**

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**From:** Mike Kramer [bowtieman@enter.net]  
**Sent:** Tuesday, September 16, 2003 9:17 PM  
**To:** Singer, Kristen  
**Subject:** Fw: Emission comments

----- Original Message -----

**From:** Mike Kramer  
**To:** Mike  
**Sent:** Tuesday, September 16, 2003 8:41 PM  
**Subject:** RE: Emission comments

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REGULATORY  
REVIEW COMMISSION

DRAFT NOTICE

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2003 SEP 24 AM 8:53

**NEW EMISSION REGULATIONS WILL AFFECT THOUSANDS OF PA DRIVERS AND YOUR CONSTITUENTS**

PENNSYLVANIA REGULATORY COMMISSION

**PennDOT is currently developing new regulations to implement emission testing this December in 42 PA counties. As a member of the General Assembly you will hear the complaints from your constituents in the affected counties when they cannot get their vehicles inspected.**

**Here are some examples how the new regulations will affect the vehicle of PA residents and your constituents. We believe that thousands of vehicles will not pass the VISUAL EMISSIONS check! These vehicles are used by your constituents to go to work, shop, run errands, pick the kids up, etc.**

- 1. Many Vehicles manufactured in 1975 through 1990 will not comply with current environmental laws and regulations. Over the years many air pumps, evaporator canisters, and cats were eliminated from the vehicles due to:  
A. Air pumps that seized up and were disconnected to give better gas mileage/performance  
B. Many V6 engines wore out and were replaced with less expensive V8 engines Without adding the air pump, evaporator canister and the catalytic convertor.**
- 2. These vehicles such as Vegas, Pinto's, Rangers and S10s were converted to V8's because it was less costly to replace the original V6, \$1400 versus \$250 for a V8 engine kit, \$500 for a V8 engine total of less than \$1000, and most earlier V8's had no provisions for smog equipment so it could not or was not added!**
- 3. Today most salvage yards only have late 80's, to present year vehicles in the yard, if there is any thing older or in that year, most parts are gone or not worth saving**
- 4. Most NEW car dealers only carry parts from the late 1980's to present, and most will not have an air pump for a 70's/80's vehicles.**
- 5. At most parts stores such as Pep Boys, Carquest, Napa, Big A, Auto Zone etc. it is very hard to get parts for 70's/ 80's vehicles!**
- 6. Most Inspection stations, independent, AASP stations, know that they won't be able to get parts, and are the people who will have to say to their customers that their vehicles will not pass the Visual check, and the vehicle owner will not receive the required State Inspection sticker. The inspection station owners and mechanics will face the wrath of the their customer who own the vehicles that fail to pass the visual check.**
- 7. One example of the problem that I, Mike Kramer, a member of PennDot's Taskforce Committee, have is I do work on an a couple's vehicle (they are in their 60's), and drive a 1980 vehicle, garage kept but the V6 had a valve problem. They could not afford to replace the factory installed V6. I had a V8 in my garage, they spent \$30 for V8 motor mounts, and \$200 for the motor, and I dropped it in the vehicle, which did not have any Air Pump or Evaporator Canister. Now their perfectly repaired vehicle will not pass the Visual Emissions check and therefore, they will not be able to get a State inspection sticker! This is not fair! It's the only transportation they can afford! Thousands of other will be facing the same situation and will not be able to use their vehicle.**

**8. We understand that if GM, FORD, CHRYSLER, HONDA, NISSAN, ETC. give THE VEHICLE OWNER A LETTER stating that an air pump, an evaporator canister or other parts are not available, then PA will pass that vehicle and give them an inspection sticker! This may be difficult to do. New car dealers want to sell NEW VEHICLES to the public.**

**9. Catalytic converters are not a problem because there are many aftermarket converters that can be used and they are more efficient then stock ones.**

**10. Questions have been asked about why there were no problems in the Philadelphia and Pittsburgh regions. When those emissions testing programs started most pollution related equipment was available from the vehicle dealers. Today, because of the age of the cars, dealers do not have the pollution related equipment. With available aftermarket additives passing the emissions test in the SE and SW is easy. You have owners who gutted out the air pump, faked the connections of the evaporator canisters, and most were only inspected at the tailpipe, and as long as they passed the required readings they received their emission sticker and State Inspection sticker! Yes, almost all the vehicles passed the tailpipe test and that was all that is required! There are many ways to make even a HI- Performance vehicle pass the required tests!**

**11. Your constituent does not know that tampering with pollution equipment or changing motors is illegal. Your constituent was never told it was illegal and it not was enforced at anytime in the 70's/80's.**

**12. I attended Emission meetings in Allentown twice a month in 2000! , and at those meetings it was agreed to do the emission testing on all vehicles with OBD (On Board Diagnostics) and OBD II's. I wonder what happened to that idea?**

**13. Your constituents are now going to have to pay more for a used vehicle in those years from a vehicle dealership. It's going to be another expense for them.**

**14. Your constituent will be calling you when they can't get the required stickers for their vehicle.**

**I am Mike Kramer, a member of PennDot's Streetrod Taskforce Committee, the Mid-Atlantic Streetrod Association, and the Legislative Representative for SEMA (Specialty Equipment Market Association), the PA contact for the PA Legislative Council of Motor Vehicles Board of Directors, and I have a website titled: [www.pavehiclenews.com](http://www.pavehiclenews.com)!**

**We are talking about thousands of vehicles without the required equipment that will no longer be on the road!**

**Most people like myself cannot afford to buy a new or newer vehicle! You can spend say 5 or 6 thousand dollars in your older vehicle, making it a newer and better vehicle for less than the average \$30,000 new vehicle of today! And I am willing to bet that 90% of all the 70's/80's vehicles without the air pump or evaporator canisters, and even egr [exhaust gas recirculation] that they would pass the tailpipe test! I really hope a solution can be found on the issue of older vehicle emissions!**

**Thank you for allowing me to voice our opinion on the emissions testing issue.  
Mike Kramer**

**Singer, Kristen**

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**From:** Steve Mcdonald [stevem@sema.org]

**Sent:** Thursday, September 04, 2003 3:03 PM

**To:** Singer, Kristen

**Subject:** Comments to Proposed Rulemaking Relating to Inspection Procedure (Subchapter E., 175.80 (d))

September 4, 2003

Ms. Kristen Singer  
Vehicle Inspection Division  
3<sup>rd</sup> Floor, Riverfront Office Center  
1101 South Front Street  
Harrisburg, PA 17104

RECEIVED  
2003 SEP 16 AM 9:46  
INDIANA DEPARTMENT OF  
REVIEW COMMISSION

**RE: Request for Comments to Proposed Rulemaking Relating to Inspection Procedure (Subchapter E., 175.80 (d))**

Dear Ms. Singer:

On behalf of the Specialty Equipment Market Association (SEMA), I am writing with concerns regarding the Pennsylvania Department of Transportation's proposed rulemaking relating to vehicle equipment and inspection standards. For reasons that we will elaborate on below, SEMA is concerned that this proposal would discriminate against the motor vehicle aftermarket by restricting regulated emissions devices to those installed by the motor vehicle manufacturers, or equivalent replacement components meeting the same standards. Without certain qualifying language, we believe these provisions contradict prevailing practice and policy as implemented by the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB).

SEMA is an aftermarket trade association made up of approximately 5,000 mostly small businesses in Pennsylvania and nationwide that manufacture, rebuild, distribute and retail parts and accessories for motor vehicles. The products manufactured by our member companies include performance, functional, restoration and styling enhancement equipment for use on passenger cars, trucks, recreational and special interest vehicles. Among the products marketed by our members are engines and other performance and emissions-related products for all vehicles. We represent a \$27 billion a year industry. Our market is the many Pennsylvania constituents that modify their vehicles for improved performance and utility.

As you may know, the U.S. EPA in its Memorandum 1A (attached) provides for the use of emission-related aftermarket add-on and modified products. In short, if a manufacturer can demonstrate that the aftermarket company's product will not cause the regulated pollutants to exceed the applicable emissions standard, then it can be represented that the product meets the requirements of Memo 1A. The U.S. EPA accepts for Memo 1A purposes, aftermarket parts approved under the California Air Resources Board's (CARB) Executive Order (EO) aftermarket parts exemption program. By meeting the requirements of this program, a manufacturer can receive a CARB EO, thereby permitting the sale and use of such exempted parts.

9/5/2003

Under the CARB EO program, certified aftermarket equipment which replaces factory-installed equipment is acceptable. Often, situations exist where certified aftermarket product applications require removal of factory-installed products like, for example, an EGR valve. In these situations, aftermarket equipment is installed that replaces the function of the EGR valve resulting in a legal and CARB-approved removal.

**Subchapter E. PASSENGER CARS AND LIGHT TRUCKS (175.80. Inspection procedure)**

This section states that vehicles shall fail the visual inspections of emission control devices if such devices are part of the original certified configuration of the vehicle and are found to be missing, modified, disconnected, or improperly connected; and shall fail visual inspections of emission control devices if these devices are found to be incorrect for the certified vehicle configuration.

Aftermarket parts, as well as original equipment manufacturer parts, are considered correct if they are proper for the certified vehicle configuration. Where EPA aftermarket approval or a certification program exists for a particular class of subject parts, vehicles should only fail visual equipment inspections if the part is not from an original equipment manufacturer or from an approved or certified aftermarket manufacturer.

As discussed earlier, some aftermarket parts may apply for and receive an exemption under the CARB EO program, thereby permitting the sale and use of such exempted parts. Some of these exempted parts, when installed, may require the removal of mandated motor vehicle pollution control devices. SEMA is concerned that the proposed language could unintentionally call into question the use of approved aftermarket parts that include the removal of required parts.

Further, in April 2001 conversations with Eric Bugaile, Executive Director to the House Transportation Committee, it was SEMA's understanding that it was the intent of the Pennsylvania Legislature to recognize and approve the legal use of aftermarket parts that meet the qualifications of Memo 1A or carry a CARB EO certification. Accordingly, we request that this section be amended to specifically provide for their use.

To follow is a suggested amendment to this proposal that we feel would strengthen and focus the regulation while protecting aftermarket manufacturers of this equipment:

175.80. Inspection procedure.

(d) Visual inspection of emission control system. Vehicles registered in counties where there is not an emission inspection program under Chapter 177 (relating to emission inspection program), shall be checked visually for the presence of emission control components. These components may be original vehicle equipment or an equivalent aftermarket replacement component meeting the same standards **OR AFTERMARKET PARTS THAT MEET THE QUALIFICATIONS OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S MEMO 1A OR HAVE BEEN CERTIFIED TO STANDARDS REQUIRED BY THE CALIFORNIA AIR RESOURCES BOARD. USE OF CERTAIN APPROVED AFTERMARKET PARTS MAY REQUIRE THE REMOVAL OF MANDATED MOTOR VEHICLE POLLUTION CONTROL DEVICES.**

(1) The visual inspection shall be performed through direct observation or through indirect observation, using a mirror or other visual aid.

(2) Provided that the make and model year of the vehicle would have originally been equipped with the device, reject if one or more of the following apply, **EXCEPT WHERE AFTERMARKET PARTS**

**MEETING THE QUALIFICATIONS OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S MEMO 1A OR CERTIFIED TO STANDARDS REQUIRED BY THE CALIFORNIA AIR RESOURCES BOARD HAVE BEEN USED:**

- (i) The catalytic converter has been removed, disconnected or appears to be the wrong type for the certified vehicle configuration.
- (ii) Exhaust gas recirculation (EGR) valve has been removed, disconnected or appears to be the wrong type for the certified vehicle configuration.
- (iii) Positive crankcase ventilation (PCV) valve has been removed, disconnected or appears to be the wrong type for the certified vehicle configuration.
- (iv) Fuel inlet restrictor has been removed, disconnected or appears to be the wrong type for the certified vehicle configuration.
- (v) Air pump has been removed, disconnected or appears to be the wrong type for the certified vehicle configuration.
- (vi) Evaporative control system components have been removed, disconnected or appear to be the wrong type for the certified vehicle configuration.
- (e) Beneath the vehicle inspection. A beneath the vehicle inspection shall be performed as follows:

Thank you for your consideration of this amendment. Again, we are extremely concerned about the discriminatory effect this proposed regulation will have on law-abiding aftermarket manufacturers, retailers and installers. I would be pleased to speak with you again regarding this matter at your convenience. Please feel free to call me at 202/783-0864.

Sincerely,  
Stephen B. McDonald  
Senior Director, Government Affairs  
stevem@sema.org

<<EPA-Memo1A.doc>>



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**Washington D.C. 20460**

**Office of Enforcement and General Counsel**  
June 25, 1974

**Mobile Source Enforcement Memorandum No. 1A**

**SUBJECT: Interim Tampering Enforcement Policy**

**A** **Purpose**

The purpose of this Memorandum is to state the interim policy of EPA with regard to enforcement of the "tampering" prohibition--Section 203 (a) (3)--of the Clean Air Act. This Memorandum cancels and supersedes Mobile Source Enforcement Memorandum No. 1 of December 22, 1972.

1. Section 203(a) (3) of the Clean Air Act provides:

"The following acts and the causing thereof are prohibited

(3) for any person to remove or render inoperative any device or element of design installed on or in a motor vehicle or motor vehicle engine in compliance with regulations under this title prior to its sale and delivery to the ultimate purchaser, or for any manufacturer or dealer knowingly to remove or render inoperative any such device or element of design after such sale and delivery to the ultimate purchaser."

Section 205 of the Act provides for a maximum civil penalty of \$10,000 for any person who violates Section 203 (a) (3).

2. This "tampering" provision of the law has created a great deal of uncertainty, primarily among new vehicle dealers and automotive aftermarket parts manufacturers, regarding what action and/or use of what parts are prohibited. The terms "manufacturer" and "dealer" in 203(a) (3) refer only to motor vehicle and engine manufacturers and new motor vehicle dealers; however, the law impacts indirectly on aftermarket parts manufacturers through its applicability to vehicle dealers who are customers for their products. Other provisions in the Act establishing manufacturer warranties and authorizing compulsory recalls of properly maintained vehicles also have a potential for anti-competitive effects in the aftermarket.

3. In general, it is clear EPA's primary objective in enforcing the statutory prohibition on "tampering" must be to assure unimpaired emission control of motor vehicles throughout their useful life. It is EPA's policy to attempt to achieve this objective without imposing unnecessary restraints on commerce in the automotive aftermarket.

4. The long-range solution to minimizing possible anti-competitive effects that could result from implementation of these statutory provisions may lie in some type of certification program for at least certain categories of aftermarket parts. EPA is

4.2.3

currently studying the technical, administrative and legal problems such a program presents. EPA has yet to develop the policy, procedures, or facilities incidental to any long-range solution.

5. In the **absence of a long-term solution, and** in the absence of proof that use of nonoriginal equipment parts will adversely affect emissions, constraining dealers to the use of only original equipment parts would constitute an unwarranted burden on commerce in the automotive aftermarket. Pending development of a long-range solution, the following statement reflects EPA's interim policy in the tampering area. This policy is intended to reduce the uncertainty dealers now face by providing criteria by which dealers can determine in advance that certain of their acts do not constitute tampering.

6. New vehicle and engine manufacturers have also requested that they be treated, in their aftermarket parts role, similar to other aftermarket parts manufacturers. Memorandum No. 1 was intended to avoid unnecessary adverse impacts on all aftermarket manufacturers: this revision therefore makes it clear that EPA's interim policy extends to vehicle and engine manufacturers.

B.

#### Interim Policy

1. Unless and until otherwise stated, the Environmental Protection Agency will not regard the following acts, when performed by a dealer, to constitute violations of Section 203 (a) (3) of the Act:

(a) Use of a nonoriginal equipment aftermarket part (including a rebuilt part) as a replacement part solely for purposes of maintenance according to the vehicle or engine manufacturer's instructions, or for repair or replacement of a defective or worn-out part, if the dealer has a reasonable basis for knowing that such use will not adversely affect emissions performance; .

(b) Use of a nonoriginal equipment aftermarket part or system as an add-on, auxiliary, augmenting, or secondary part or system, if the dealer has a reasonable basis for knowing that such use will not adversely affect emissions performance; and

(c) Adjustments or alterations of a particular part or system parameter, if done for purposes of maintenance or repair according to the vehicle or engine manufacturer's instructions, or if the dealer has a reasonable basis for knowing that such adjustment or alteration will not adversely affect emissions performance.

2. For purposes of clause (1 a), a reasonable basis for knowing that a given act will not adversely affect emissions performance exists if:

(a) the dealer reasonably believes that the replacement part or rebuilt part is designed to perform the same function with respect to emission control as the replaced part; or

(b) the replacement part or rebuilt part is represented in writing by the part manufacturer to perform the same function with respect to emission control as the replaced part.

3. For purposes of clauses (1 b) and (1 c), a reasonable basis for knowing that a given act will not adversely affect emissions performance exists if:

(a) the dealer knows of emission tests which have been performed according to testing procedures prescribed in 40 CFR 85 showing that the act does not cause similar vehicles or engines to fail to meet applicable emission standards for their useful lives (5 years or 50,000 miles in the case of light-duty vehicles);

(b) the part or system manufacturer represents in writing that tests as described in (a) have been performed with similar results, or

(c) a Federal, State or local environmental control agency expressly represents that a reasonable basis exists. (This provision is limited to the geographic area over which the state or local agency has jurisdiction.)

4. For purposes of clauses (1 a), (1 b), and (1 c):

(a) except when necessarily done in conjunction with acts under 1(b) or 1 (c) which EPA does not consider to constitute violations of Section 203(a) (3), the permanent removal or disconnecting or blocking of any of the original system installed primarily for the purpose of controlling emissions will be presumed to affect adversely emission performance; and

(b) the proscription and appropriate publication by EPA of an act as prohibited will be deemed conclusive that such act will adversely affect emissions performance.

#### C. Discussion

1. Clause (1 a) will **apply to new or rebuilt replacement parts**, protecting the

dealer when it uses such a **part** to conduct **necessary maintenance if a person** familiar with the design and function of motor vehicles and engines would reasonably believe that such a part is designed to perform the same function as the replaced part, or if there is written representation by the parts manufacturer that the part is so designed. Other reasonable bases (e.g., emissions test showing no adverse effect) may exist, but these other bases will probably not occur often in the replacement part context. If EPA gains information that certain **replacement parts do** adversely affect emissions, a listing of such parts will be published.

2. Clause (1 b) will protect the dealer that installs add-on parts if it is known, or if it has been represented in writing by the part manufacturer, that emissions tests have been performed according to Federal procedures which show that such a part will not cause similar vehicles to fail to meet applicable emission standards over the useful life of the vehicle. The dealer is protected from prosecution even if the test results have not been reported to EPA. However, the aftermarket parts manufacturer who represents that such tests have been conducted should have available the data from the tests, including where, when, how and by whom the tests were conducted should EPA request it. Such add-on parts might be auxiliary fuel tanks, which would require evaporative emission control on light-duty vehicles to the prescribed standard, or superchargers, which would require emission testing showing conformance to standards over the useful life of the vehicle or engine. Clause (1b) will also protect the dealer who installs retrofit devices to reduce emissions at the request of a State or local environmental control agency.

3. Clause (1c) applies to dealers performing necessary ad-justments or alterations, according to the vehicle or engine manufacturer's instructions, of parts already on the vehicle or engine, e.g., adjustment of the carburetor or ignition timing. It also covers adjustments or alterations, as in the case of altitude "fixes," if a reasonable basis" exists as described above.

4. This interim policy provides general guidance to dealers as to those acts which do not constitute tampering and those acts which may constitute tampering. It also allows aftermarket parts manufacturers an opportunity to protect their markets by providing dealers with assurance that their parts do not cause emissions standards to be exceeded. Vehicle and engine manufacturers also often function as aftermarket parts manufacturers. For example, many vehicle and engine manufacturers provide aftermarket parts for the in-use vehicle and en-gines of other manufacturers as well as for their own in-use vehicles and engines. In their aftermarket parts role, vehicle and engine manufacturers may take the same steps (set forth in this Memorandum) as parts manufacturers who are not also vehicle or engine manufacturers to provide dealers with assurance that they are not violating Section 203 (a) (3). However, in their role as vehicle or engine manufacturers, procedures exist whereby they may obtain approval for any emission-related change in a vehicle or engine from 'Its certified configuration or parameters (see MSAPC advisory Circulars No. 2-13 "Field Fixes Related to Emission Control-Related Components" and No. 16-2 "Approval of Emission Control Modifications for High Altitude on New Light Duty Motor Vehicles".

March 5, 1974). This Memorandum does not relieve vehicle or engine manufacturers from complying with the procedures set forth in the advisory circulars except in their specific function as aftermarket parts manufacturers.

5. Any questions regarding this interim policy should be addressed to the Mobile Source Enforcement Division (EG-340), Office of Enforcement and General Counsel.

Norman D. Shutler, Director  
Mobile Source Enforcement Division  
Office of Enforcement and General Counsel

4.2.7

Original: 2347

September 16, 2003

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2003 SEP 30 AM 8:33

INDEPENDENT REGULATORY  
REVIEW COMMISSION

Kristen Singer  
Vehicle Inspection Division  
3<sup>rd</sup> Floor, Riverfront Office Center  
1101 South Front Street  
Harrisburg, PA 17104

Dear Ms. Singer:

I am writing to express my objection to the proposed rulemaking as published in the August 23, 2003 Pa Bulletin, specifically Subchapter E §175.80. Although the overall intent of the proposal is to improve air quality by ensuring emission control devices remain in place, the effect is likely to be unfairly removing hobby cars from the highway.

I understand the intent is to create some control of emissions in the 42 counties that are not subject to emission testing. This is to be done by checking for the presence of emission equipment per the original design of the vehicle. If this is the case, the same classes of vehicles should be exempted from the inspection checking that are exempt in the emission testing counties: that is, antiques, classics, collectibles, street rods, and vehicles driven less than 5000 miles in the previous year, irregardless of registration type. It makes no sense to have more stringent regulations in these 42 counties.

There is no recourse given for vehicles that are missing any of the emission components. For the most part, there are no aftermarket suppliers for any of these key components. The only recourse for the vehicle owner would be to scour salvage yards for the components. Depending on the rarity of the vehicle, this may not be feasible. Even if a used part is found, it will be a 30 year old part, and probably not functional. What is the environmental value of placing such a part on the vehicle?

In the case where parts are not readily available, an exemption needs to be made. In other regulations, a dollar limit is put in place. This assumes a replacement part is available. Since replacements may not be available, another type of exemption needs to be made.

I believe the best and easiest course of action would be to exempt all the categories that are exempt from emission testing.

Thank you for your consideration.

Jay L Snavely

