An Act Concerning The State’s Motor Vehicles Emissions Inspection Contract.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (c) of section 14-164c of the general statutes is repealed and the following is substituted in lieu thereof:

(c) The commissioner shall adopt regulations in accordance with chapter 54 to implement the provisions of this section. Such regulations shall include provision for a periodic emissions inspection and compliance or waiver with exhaust emission standards, air pollution control system integrity standards and purge system standards defined by the Commissioner of Environmental Protection for all motor vehicles registered or which will be registered in this state except: (1) Vehicles having a gross weight of more than ten thousand pounds; (2) vehicles powered by electricity; (3) bicycles with motors attached; (4) motorcycles; (5) vehicles operating with a temporary registration; (6) vehicles manufactured twenty-five or more years ago; (7) new vehicles at the time of initial registration; (8) vehicles registered but not designed primarily for highway use; (9) farm vehicles, as defined in subsection (q) of section 14-49; (10) antique, rare or special interest motor vehicles, as defined in section 14-1, as amended; (11) diesel-powered type II school buses; (12) a vehicle operated by a licensed dealer or repairer either to or from a location of the purchase or sale of such vehicle or for the purpose of obtaining an
official emissions or safety inspection. The commissioner may require emissions inspection and compliance or waiver prior to completion of the sale and registration of a motor vehicle over one year old. Not later than July 1, 2002, any agreement entered into between the commissioner and an independent contractor, pursuant to subsection (e) of this section, shall include a waiver of an emissions inspection for a vehicle manufactured four or less years ago. If the Commissioner of Environmental Protection finds that it is necessary to inspect motor vehicles which are exempt under subdivision (1) of this subsection in order to achieve compliance with federal law concerning emission reduction requirements, the Commissioner of Motor Vehicles may adopt regulations, in accordance with the provisions of chapter 54, to require the inspection of motorcycles or designated motor vehicles having a gross weight of more than ten thousand pounds.

Sec. 2. Subsection (g) of section 14-164c of the general statutes, as amended by section 18 of public act 99-268, is repealed and the following is substituted in lieu thereof:

(g) The commissioner, with approval of the Secretary of the Office of Policy and Management, shall establish, and from time to time modify, the inspection fees, not to exceed ten dollars per inspection, required pursuant to this chapter for inspections performed at official emissions inspection stations. Such fees shall be paid in a manner prescribed by the commissioner. If the costs to the state of the emissions inspection program, including administrative costs and payments to any independent contractor, exceed the income from such inspection fees, such excess costs shall be borne by the state. Any person whose vehicle has been inspected at an official emissions inspection station shall, if such vehicle is found not to comply with any required standards, have the vehicle repaired and have the right within thirty consecutive calendar days to return such vehicle for one reinspection without charge, provided, where the thirtieth day falls on any day when the official emissions inspection station is closed for business, such person may return [his] such vehicle for reinspection on the next day on which such station is open for business. The commissioner shall assess
a late fee of twenty dollars for the emissions inspection of a motor
vehicle performed at an official emissions inspection station later than
thirty days after the expiration date of the assigned inspection period
provided the commissioner may waive such late fee when it is proven
to [his] the commissioner's satisfaction that the failure to have the
vehicle inspected within thirty days of the assigned inspection period
was due to exigent circumstances. If ownership of the motor vehicle
has been transferred subsequent to the expiration date of the assigned
inspection period and the new owner has such motor vehicle inspected
within thirty days of the registration of such motor vehicle, the
commissioner shall waive the late fee. If the thirtieth day falls on any
day when the official emissions inspection station is closed for
business, such vehicle may be inspected on the next day on which such
station is open for business and no late fee shall be assessed. Fifty per
cent of such late fees received by the commissioner pursuant to this
subsection shall be deposited in the General Fund and the remainder
shall be deposited in the Emissions Enterprise Fund. The ten-dollar fee
imposed pursuant to this subsection shall terminate at the expiration
of the negotiated agreement in effect on June 1, 1992. The
commissioner shall then establish a temporary inspection fee to remain
in effect until such time as the General Assembly establishes a new fee.

Sec. 3. Section 14-164g of the general statutes is repealed and the
following is substituted in lieu thereof:

On or before [January 1, 1981] February 6, 2002, any inspection
agreement or agreements negotiated by the commissioner shall be
submitted to the clerk of the House and the clerk of the Senate for
review by a committee consisting of five members of the House, three
of whom shall be appointed by the speaker of the House of
Representatives and two of whom shall be appointed by the minority
leader of the House of Representatives, and five members of the
Senate, three of whom shall be appointed by the president pro tempore
of the Senate and two of whom shall be appointed by the minority
leader of the Senate. Said committee shall submit the agreement to an
independent auditor for review. The auditor shall review and analyze
the agreement to determine if such agreement serves the best interests of the state. The review shall include, but not be limited to, an examination of the following: (1) Efficiency and effectiveness of delivery of services; (2) economy of services; (3) environmental impact; and (4) contractor qualifications, including, but not limited to, capacity for performance and accountability. The auditor shall submit a report with recommendations based on such review to said committee within forty-five days of receipt of the contract for review. Said committee shall, within [forty-five days,] thirty days of receiving the report, approve or reject such agreement or agreements as a whole by a majority vote of those present and voting. If rejected, such agreement or agreements shall be returned to the commissioner for further action. The agreement shall be deemed to be approved if not acted upon by said committee within thirty days of receiving the independent auditor's report.

Sec. 4. Not later than January, 2001, the Commissioner of Motor Vehicles shall submit a report to the joint standing committee of the General Assembly having cognizance of matters relating to transportation on the progress of said commissioner's negotiations with an independent contractor to perform emissions inspections pursuant to subsection (e) of section 14-164c of the general statutes.

**TRA Committee Vote:** Yea 24 Nay 0 JFS

**ENV Committee Vote:** Yea 20 Nay 1 JF

**FIN Committee Vote:** Yea 44 Nay 0 JF