

**Agenda Item: 14-01 Request for Approval of Correction to Inspection/Maintenance (IM) Rules Revision (517a)**

**Explanation:**

The Environmental Management Commission (EMC) is requested to approve a correction of the recently approved amendments on the exemption of certain motor vehicles from emission inspections.

Rule amendments incorporating Session Law 2012-199 were approved in the November 2013 EMC meeting to amend the existing rule's exclusion of the current model year from emissions inspection to exclude vehicles of the three most recent model years with less than 70,000 miles on its odometer. This change directly involved amending four rules:

- 15A NCAC 02D .1002, Applicability;
- 15A NCAC 02D .1003, Definitions;
- 15A NCAC 02D .1005, On-Board Diagnostic Standards; and
- 15A NCAC 02D .1006, Sale and Service of Analyzers

However, there was an inadvertent inconsistency in the Rule 02D .1003 language between Chapter 1- Summaries and Recommendations, and Chapter II – Amended Rules. A clerical error was made by not including the four-word phrase “or the registration card” in the definition of the new term “three most recent model years” in Chapter II paragraph 10 as it was included correctly in Chapter I. The correct definition should read “For the purposes of this section, the term “Three most recent model years” shall be calculated by adding three years to the vehicle’s model year obtained from the Vehicle Identification Number (VIN) *or the registration card* to determine the first calendar year an emissions inspection is required.”

**Recommendation:**

The Director recommends that the Commission approve the correction in Rule 02D .1003.