

**UTAH STATE IMPLEMENTATION PLAN**

**SECTION X**

**VEHICLE INSPECTION AND MAINTENANCE PROGRAM**

**PART A**

**GENERAL REQUIREMENTS AND APPLICABILITY**

Adopted by the Utah Air Quality Board  
March 31, 2004

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**1. General Requirements**

*Federal I/M Program requirements* This SIP revision demonstrates compliance with the federal Basic I/M standards specified in 40 CFR 51 Subpart S, "Inspection/Maintenance Program Requirements" last amended at 66 FR 18156, April 5, 2001, as required by Section 182 of the Clean Air Act. The EPA I/M rule establishes a program performance standard and other requirements that will provide more effective control of carbon monoxide and ozone precursor emissions. The Utah State Implementation Plan establishes more stringent requirements for each designated I/M county. The requirements for Davis, Salt Lake, Utah and Weber Counties are described in parts B, C, D and E of this section.

*On-Board Diagnostics (OBD) Checks* By January 1, 2002, OBD checks and OBD-related repairs are required as a routine component of basic and enhanced I/M programs on model year 1996 and newer light-duty vehicles and light-duty trucks equipped with certified on-board diagnostic systems. The federal performance standard requires repair of malfunctions or system deterioration identified by or affecting OBD systems.

*Utah I/M program history and general authority* The legal authority for Utah's I/M programs, Section 41-6-163.6, was enacted during the First Special Session of the Utah legislature in 1983. I/M programs were initially implemented by Davis and Salt Lake Counties in 1984 and by Utah County in 1986.

In 1990, the legislature enacted Section 41-6-163.7 that requires that I/M counties use computerized I/M testing equipment, adopt standardized emission standards, and provide for reciprocity. Those requirements were fully implemented by Davis, Salt Lake, and Utah Counties on September 1, 1991, and by Weber County on January 1, 1992.

Section 41-6-163.6 was again amended by the legislature in 1992 to include vehicles owned and operated by the federal government, federal employees, and students and employees of colleges and universities. The 1992 revision of 41-6-163.6 also established more stringent restrictions for vehicles that qualify for a farm truck exemption.

Amendments to Section 19-2-104 in 1992 authorize the Utah Air Quality Board to establish requirements for county I/M programs after obtaining agreement from the affected counties. The same bill amended Section 41-6-163.6 to allow the counties to subject individual motor vehicles to inspection and maintenance at times other than the

annual inspection. This authority was sought in anticipation of adding an on-road testing element to the current I/M programs as soon as funding is available.

Section 41-6-163 was amended in 1994 to authorize implementation of I/M programs stricter than minimum federal requirements in counties where it is necessary to attain or maintain ambient air quality standards. Section 41-6-163 requires preference be given to a decentralized program to the extent that a decentralized program will attain and maintain ambient air quality standards and meet federal requirements. It also requires affected counties and the Air Quality Board to give preference to the most cost effective means to achieve and maintain the maximum benefit with regard to air quality standards and to meet federal air quality requirements related to motor vehicles. The legislature indicated preference for a reasonable phase-out period for replacement of air pollution test equipment made obsolete by program in accordance with applicable federal requirements, and if such a phase-out does not otherwise interfere with attainment of ambient air quality standards.

House Concurrent Resolution No. 9 of the 1994 General Session of the legislature (H.C.R. 9) was a concurrent resolution of the legislature and the governor expressing opposition to the EPA position regarding the implementation of enhanced automobile inspection and urging the EPA to recognize the benefits of other automobile inspection program options and to work with the state to develop workable plans for attaining ambient air quality standards and protecting public health. Parts B, C, D and E of this section document state I/M requirements and applicability that are specific to Davis, Salt Lake, Utah and Weber Counties, respectively.

In 1995, the legislature amended Section 41-6-163.7 to rescind the requirement for I/M program standardization and reciprocity between counties. While advantageous, standardization and reciprocity between I/M counties is no longer required, and each I/M county is free to develop an I/M program that best meets the respective county's needs.

In 2002, the Legislature amended Section 41-6-163.7 to allow for inspection every other year for cars that are six years old or newer on January 1 each year. This provision is applicable to the extent allowed under the current state implementation plan for each area.

## **2. Applicability**

*General Applicability* All of Utah's ozone and carbon monoxide non-attainment and maintenance areas are located in the four counties where Utah's State Implementation Plan for Automotive Inspection and Maintenance (I/M) Program is applicable.

## U.S. BUREAU OF CENSUS POPULATION FOR OZONE MAINTENANCE AREAS

OZONE MAINTENANCE AREA	1980 CENSUS	1990 CENSUS	2000 CENSUS
Salt Lake County	619,066	725,956	898,387
Davis County	146,540	187,941	238,994
TOTAL	765,606	913,897	1,137,381

## U.S. BUREAU OF CENSUS POPULATION FOR CARBON MONOXIDE MAINTENANCE AREAS

CO MAINTENANCE AREAS	1980 CENSUS	1990 CENSUS	2000 CENSUS
Ogden City	64,407	6,909	77,226
Provo City	74,111	86,835	105,166
Salt Lake City	163,034	159,936	181,743
TOTAL	301,552	310,683	364,135

EPA's requirement for minimum mandatory geographic coverage for Basic I/M programs is the urbanized area in which an applicable nonattainment and maintenance area is located. Parts of Utah's carbon monoxide and ozone maintenance areas are geographically located within the following U.S. Bureau of Census urbanized areas. There is no direct correspondence between the geographic boundaries of the maintenance areas, the urbanized areas, and Utah's I/M programs.

## U.S. BUREAU OF THE CENSUS DATA FOR MAINTENANCE URBANIZED AREAS

URBANIZED AREAS	1980 CENSUS	1990 CENSUS	2000 CENSUS
Ogden Urbanized Area	205,744	259,147	417,933
Provo-Orem Urbanized Area	169,699	220,556	303,680
Salt Lake Urbanized Area	674,201	789,447	887,650
TOTAL	1,049,644	1,269,150	1,609,263

Utah's State Implementation Plan for I/M is applicable county-wide in Davis, Salt Lake, Utah, and Weber Counties. The carbon monoxide and ozone maintenance areas and the associated urbanized areas are located completely within these four counties.

*Enforcement mechanism* The I/M programs are registration-enforced on a county-wide basis. Section 41-6-163.6(1) requires that a certificate of emissions inspection or a waiver or other evidence that the motor vehicle is exempt from the I/M program requirements be presented prior to registration of a motor vehicle in the counties where I/M programs are required.

*Applicable zip codes* Federal I/M regulations require submittal of a list of ZIP codes for I/M program areas. EPA plans to use ZIP codes to help I/M programs identify vehicles subject to emissions-related recalls by the manufacturer. This I/M program element is only mandatory in areas where enhanced I/M is explicitly required by the Clean Air Act. Participation in the database and access to the information will provide consumer and air quality benefits should Utah's I/M programs elect to participate when the system is developed.

*Test frequency* Vehicles are tested on an annual basis, except that vehicles six years old or newer on January 1 each year may be tested every other year if allowed under the current state implementation plan for each area. A certificate of emissions inspection or a waiver or other evidence that the vehicle is exempt from the I/M program requirements must be presented at the time of, and as a condition precedent to, registration or renewal of registration of a motor vehicles as specified in Section 41-6-163.6 and 41-1a-203(1)(c). The I/M inspection is required within two months prior to the month the registration renewal is due. Owners of vehicles operated without valid license plates or with expired license plates are subject to ticketing by peace officers at any time. Registration status is also checked on a random basis at roadblocks and in parking lots at various locations around the state. Per Section 41-1a-402, Utah license plates indicate the county of registration and the expiration date of the registration.

*Valid registration required* Per Section 41-1a-1303, it is a Class C misdemeanor for a person to drive or move, or for an owner knowingly to permit to be driven or moved upon any highway any vehicle of a type that is required to be registered in the state that is not registered in the state. Section 41-1a-1315 specifies that it is a second degree felony to falsify evidence of title and registration.

*Registration schedules* Section 41-1a-215 specifies that vehicle registration dates are staggered throughout the year. Registrations continue for a period of twelve months beginning with the first day of the calendar month of registration and does not expire until the last day of the same month in the following year. Vehicle owners are not able to alter the test frequency by late registration of the vehicle. Section 41-1a-216 says that "the new registration shall retain the same expiration month as recorded on the original registration even if the registration has expired" unless the vehicle has been out of

service. This provision ensures that the vehicles are tested on an annual basis.

*Change of ownership* Vehicle owners are not able to avoid the I/M inspection program by changing ownership of the vehicle. Upon change of vehicle ownership the vehicle must be re-registered by the new owner. The new owner must present an emissions certificate, waiver, or proof of exemption from the I/M program as a condition precedent to registration. The I/M documents must be dated no more than two months prior to the registration date. The new annual registration and I/M inspection dates for the vehicle will be the date of registration.