

TITLE 67. TRANSPORTATION
CHAPTER 177. ENHANCED EMISSION INSPECTION PROGRAM
Subchapter C. EMISSION TEST PROCEDURES AND EMISSION STANDARDS

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GENERAL

§ 177.201. General requirements.

I/M emission tests, OBD-I/M checks, evaporative system function tests, gas cap tests and visual inspections shall be subject to the following requirements:

- (1) Vehicles shall be tested in as-received condition. A vehicle capable of operating on gasoline and other fuel is subject to testing and shall be tested while operating in the gasoline mode.
- (2) An initial test is the emission test that occurs the first time in a test cycle. The initial test shall be performed without prior repair or adjustment to the subject vehicle at the emission inspection station, except as provided for in the evaporative system integrity test. An emission inspection performed after the initial test in a test cycle shall be considered a retest.
- (3) An official test, once initiated, shall be performed in its entirety regardless of immediate outcome except in the case of an invalid test condition, unsafe conditions or fast pass/fail algorithms.
- (4) Tests involving measurements shall be performed with approved equipment that has been calibrated according to the quality control procedures contained in 40 CFR Part 51, Subpart S, Appendix A (relating to calibrations, adjustments and quality control), which is adopted by reference, or as specified in Appendix A (relating to acceleration simulation mode: Pennsylvania procedures, standards, equipment specifications and quality control requirements).
- (5) Vehicles may not be tested if the exhaust system is missing or leaking, or if the vehicle is in an unsafe condition.
- (6) Alteration of a vehicle's configuration so that it changes from a certified to a noncertified configuration is prohibited. In the inspection process, vehicles that have been altered from their original certified configuration shall be tested in the same manner as other subject vehicles, in accordance with the following:
 - (i) Vehicles with engines other than the engine originally installed by the manufacturer, or an identical replacement engine shall be subject to the test procedures and standards for the chassis type and model year, including visual equipment inspections for components that are part of the

original certified configuration and part of the normal inspection.

(ii) Vehicles that have been altered from an engine of one fuel type to another fuel type that is subject to the I/M program, for example, from a diesel engine to a gasoline engine shall be subject to the test procedures and standards for the current fuel type, and to the requirements of subparagraph (i).

(iii) Vehicles that are altered to a fuel type for which there is no certified configuration shall be tested according to the most stringent emission standards established for that vehicle type and model year. Emission control device requirements may be waived if the Department determines that the alternatively fueled vehicle configuration would meet the new vehicle standards for that model year without these devices.

§ 177.202. Emission test equipment.

(a) *Performance features of emission test equipment.* Computerized test systems are required for performing any emission measurement on subject vehicles. The test equipment shall be certified to meet as applicable EPA requirements, including those contained in 40 CFR Part 51, Subpart S, Appendix D (relating to steady-state short test equipment), which is adopted by reference, or the performance standards of California BAR 97 as they apply to the PA97 analyzer and Appendix A (relating to acceleration simulation mode: Pennsylvania procedures, standards, equipment specifications and quality control requirements). Newly acquired systems shall be subjected to acceptance test procedures to ensure compliance with program specifications.

(1) Emission test equipment shall be capable of testing subject vehicles and shall be updated as needed to accommodate new technology vehicles as well as changes to the program.

(2) At a minimum, emission test equipment shall be:

(i) Automated to the highest degree commercially available to minimize the potential for intentional fraud or human error, or both.

(ii) Secure from tampering or abuse, or both.

(iii) Based upon written specifications.

(iv) Capable of simultaneously sampling dual exhaust vehicles.

(b) *Functional characteristics of computerized test systems.* The test system is composed of emission measurement devices and other motor vehicle test equipment controlled by a computer.

(1) The test system shall automatically:

(i) Make pass/fail decisions for all measurements.

- (ii) Record test data to an electronic medium.
- (iii) Conduct regular self-testing of recording accuracy.
- (iv) Perform electrical calibration and system integrity checks before each test, as applicable.
- (v) Initiate system lockouts for:
 - (A) Tampering with security aspects of the test system.
 - (B) Failing to conduct or pass periodic calibration or leak checks.
 - (C) Failing to conduct or pass the constant volume sampler flow rate check, if applicable.
 - (D) Failing to conduct or pass one or more of the dynamometer checks, including coast-down, roll speed and roll distance, power absorption capability and inertia weight selection checks, if applicable.
 - (E) Failing to conduct or pass the pressure monitoring device check, if applicable.
 - (F) Failing to conduct or pass the purge flow metering system check, if applicable.
 - (G) Failing to have installed in the test analyzer a full data recording medium or one that passes a cyclical redundancy check.
- (2) Test systems shall include a real time data link to the Department computer or other computers as specified by the Department.
- (3) The test system shall insure accurate data collection by limiting, cross-checking or confirming manual data entry.
- (c) *Test equipment for acceleration simulation mode (ASM) emission testing.* Test equipment for ASM emission testing shall be as specified in Appendix A and quality control regulations of this chapter.
- (d) *One-speed idle test equipment.* One speed idle test equipment requirements for model years 1975—1980 shall be as specified in 40 CFR Part 51, Subpart S, Appendix (D)(I) which is adopted by reference.
- (e) *Two-speed idle test equipment.* Two-speed idle test equipment for model years 1981 and newer shall be as specified in 40 CFR Part 51, Subpart S, Appendix D which is adopted by reference or Appendix A, as applicable.

§ 177.202a. OBD-I/M check equipment.

(a) *Performance features of OBD-I/M check equipment.* The design and operation of any scanner or scan tool used in the performance of an OBD-I/M check shall meet all Federal requirements (contained in 40 CFR 85.2207-2231) and recommended Society of Automotive Engineers (SAE) practices (J1962, J1978 and J1979) for OBD system inspections.

(1) The equipment shall be automated and require no inspector intervention to collect and record OBD data retrieved by means of the diagnostic link.

(2) The equipment shall automatically retrieve an RPM signal, OBD readiness monitors, failure codes, MIL status, powertrain identification, powertrain control module identification and OBD vehicle identification number (where available) through a standard interface with the vehicle DLC.

(b) The equipment shall function in accordance with the specifications issued by the Department. Copies of the specifications are available from the Department.

§ 177.202b. Equipment for gas cap test and visual inspection.

The design and operation of equipment used in the performance of the gas cap test and visual inspection shall meet the specifications issued by the Department. Copies of the specifications are available from the Department.

§ 177.203. Test procedures.

(a) I/M emission test procedures.

(1) Idle testing. Idle tests of all model year subject vehicles shall be performed in accordance with the procedures in 40 CFR Part 51, Subpart S, Appendix B (I) and (II) (relating to test procedures-idle tests) which is adopted by reference, and Appendix A (relating to simulation mode: Pennsylvania procedures, standards, equipment specifications and quality control requirements). The following steps shall be taken when testing subject vehicles:

(i) Emission test data shall be entered into the analyzer by a certified emission inspection inspector using the bar coded vehicle registration card or the alpha-numeric keyboard in the sequence specified.

(ii) Idle tests shall be either one-speed or two speed as specified in § 177.51 (f) (relating to program requirements).

(2) ASM test. The ASM test of 1981 and newer model year subject vehicles shall be performed in accordance with the ASM test procedure and specifications and quality assurance requirements contained in Appendix A. The ASM test procedure, including algorithms and other procedural details, shall be approved by the EPA prior to use in the I/M program of the

Commonwealth. Special test algorithms and pass/fail algorithms may be employed to reduce test time when the test outcome is predictable with near certainty, if approved by the EPA.

(3) Evaporative system function tests. Evaporative system functions tests, including an evaporative system pressure test and an evaporative system purge test on 1981 and newer model year subject vehicles, shall be administered on subject vehicles registered in Bucks, Chester, Delaware, Montgomery and Philadelphia counties upon notification to the Department of EPA approved procedures and will be conducted based on the procedures approved by the Department.

(b) OBD-I/M check.

(1) Readiness requirement for a valid OBD-I/M check. An initial scan of the OBD system should determine the status of all readiness codes.

(i) A status indication of "not ready," "not supported" or similar message for one or more of the continuous monitors (that is, misfire, fuel trim or comprehensive components), may be disregarded for readiness determination purposes only and the OBD-I/M check can proceed.

(ii) For model year 1996 - 2000 vehicles, a status indication of "not ready," "not supported" or similar message for two or fewer other readiness codes may be disregarded for readiness determination purposes only and the OBD-I/M check can proceed.

(iii) For model year 2001 and newer vehicles, a status indication of "not ready" or "not supported" for no more than one other readiness code may be disregarded for readiness determination purposes only and the OBD-I/M check can proceed.

(iv) The readiness requirement may also be waived or otherwise accommodated for specific makes, models, and model years of vehicles with known readiness design problems, in accordance with applicable technical service bulletins or EPA guidance, or both. The Bureau will advise all participating stations by station bulletin whether the readiness requirements can be waived or otherwise accommodated for specific makes, models and model years of vehicles.

(2) Performing the OBD-I/M check. Following a determination of readiness, the seven step procedure delineated below shall be used when performing an OBD-I/M check:

(i) Initiate the official test by scanning or manually inputting the required vehicle and owner information.

(ii) Visually examine the vehicle instrument panel to determine if the MIL illuminates briefly when the ignition key is turned to the "key on, engine off" (KOEO) position. A brief period of illumination of the MIL at start-up is normal and helps confirm the MIL bulb is in proper operating condition. This portion of the test procedure is also known as the "bulb check." Enter the results of the bulb check for downloading into the VIID.

(iii) Locate the vehicle's data link connector (DLC) and plug the scan tool into the connector.

While it is recommended that this step be performed with the ignition in the "off" position, this step can also be performed with the vehicle running.

(iv) Start the vehicle's engine so that the vehicle is in the "key on, engine running" (KOER) condition. The MIL may illuminate and then extinguish during this phase. Continued illumination of the MIL (MIL commanded on) while the engine is running is cause for failure of the OBD-I/M check under § 177.204 (2) (relating to basis for failure).

(v) With the scan tool in the "generic OBD" mode, follow the scan tool manufacturer's instructions to determine vehicle readiness status, MIL status (whether commanded on or off), and diagnostic trouble codes (DTCs) for those vehicles with the MIL commanded on.

(vi) The results of the OBD-I/M check will be transferred automatically to the VIID.

(vii) Without clearing DTCs or readiness codes, turn off the vehicle ignition and then disconnect the scan tool. Procedure for clearing codes as necessary is included in § 177.271 (relating to procedure).

(c) Gas cap test procedures. The gas cap test will be conducted using test equipment approved by the Department, in accordance with the manufacturer's instructions.

(d) Visual inspection procedures.

(1) A visual inspection of the vehicle emission control system shall look for the presence of the following emission control devices:

(i) Catalytic converter.

(ii) Exhaust gas recirculation (EGR) valve.

(iii) Positive crankcase ventilation (PCV) valve.

(iv) Fuel inlet restrictor.

(v) Air pump.

(vi) Evaporative control system components.

(2) Visual inspections shall be performed through direct observation or through indirect observation, using a mirror or other visual aid.

(3) Inspections shall include a determination as to whether each subject device is present and appears to be properly connected and to be the correct type for the certified configuration.

(e) Subsequent test procedures approved by the EPA. If the EPA develops or approves other test procedures, including test procedures prescribed in this section, the Department may adopt these subsequently approved test procedures consistent with section 4706(e) of the Vehicle Code (relating to prohibition on expenditures for emission inspection program).

§ 177.204. Basis for failure.

The basis for failure of the tests and procedures under this chapter shall be as follows:

(1) *I/M emission test.* A vehicle fails the I/M emission test if emissions exceed the following standards:

(i) *Idle test standards.*

(A) Passenger cars and trucks less than 6,000 pounds GVWR.

<i>MODEL YEAR</i>	<i>CO%</i>	<i>HC (PPM)</i>
1975-1979	4.0	400
1980	3.0	300
1981-1992	1.2	220
1993 and newer	1.0	130

(B) Trucks 6,000 pounds through 9,000 pounds GVWR.

<i>MODEL YEAR</i>	<i>CO%</i>	<i>HC (PPM)</i>
1975-1978	6.0	650
1979	4.0	400
1980	3.0	300
1981-1992	1.2	220
1993 and newer	1.0	180

(C) Maximum exhaust dilution shall be measured as at least 6% CO plus CO₂ on vehicles subject to a steady-state test as described in 40 CFR Part 51, Subpart S, Appendix B

(relating to test procedures), which is adopted by reference.

(ii) *ASM test emission standards.* Model years 1981 and newer vehicles required to receive an ASM emission inspection shall be subject to standards specified in Appendix A (relating to acceleration simulation mode: Pennsylvania procedures, standards, equipment specifications and quality control requirements).

(2) *OBD-I/M check.*

(i) Unless otherwise noted, a vehicle fails the OBD-I/M check for any of the following:

(A) The MIL does not illuminate at all when the ignition key is turned to the KOEO position.

(B) The DLC is missing, has been tampered with, is otherwise inoperable or is inaccessible.

(C) The vehicle displays more than the requisite number of readiness codes as “not ready,” “not supported” or similar message under § 177.203(b)(1)(i)—(iii) (relating to test procedures), and there is no justification under § 177.203(b)(1)(iv) for disregard of the readiness requirement.

(D) The MIL illuminates continuously or flashes while the engine is running, even if no DTCs are present. If this condition is present, the vehicle shall fail under this paragraph, not subparagraph (ii), even if the MIL did not illuminate in the KOEO position.

(E) Any DTCs are present and the MIL status, as indicated by the scan tool, is commanded on, regardless of whether or not the MIL is actually illuminated.

(ii) During the first test cycle of emission inspection utilizing the OBD-I/M check in an I/M county or region, the inability to locate or access a vehicle’s DLC shall not be a basis for failure, provided that the MIL illuminates when the ignition key is in the KOEO position and does not illuminate continuously or flash while the engine is running.

(3) *Evaporative emission system function test (gas cap test) standards.* A vehicle shall fail the gas cap test if at any time during the gas cap test the pressure drops from the starting pressure by more than 6 inches of water, causing the test to be terminated. If the pressure does not drop more than 6 inches during the test, the vehicle shall pass the gas cap test.

(4) *Visual inspection of vehicle emission control system.* A vehicle shall fail the visual inspection if applicable required emission control equipment specified in §177.203(d) is not present, is not properly connected or is not the correct type for the certified configuration.

(5) *Subsequent test procedures and bases for failure approved by the EPA.* If the EPA

develops or approves other test procedures and bases for failure of test procedures, including the test procedures prescribed in this section, the Department may adopt these subsequently approved test procedures and bases for failure consistent with section 4706(e) of the Vehicle Code (relating to prohibition on expenditures for emission inspection program).

§ 177.205. (Reserved).

§ 177.206. (Reserved).

RECALL PROVISIONS

§ 177.231. Requirements regarding manufacturer recall notices.

When the EPA vehicle emission related database is available to the Department, owners or lessees of vehicles for which voluntary or mandatory manufacturer emission-related recall notices have been issued shall have the necessary repairs completed prior to submitting the vehicle for emission testing and shall present proof of compliance with the recall notice at the time of emission inspection. This is required to complete the emission inspection process.

§ 177.232. Compliance with recall notices.

Owners or lessees of subject vehicles for which the vehicle manufacturer has issued a recall notice more than 3 months prior to the beginning of the emission inspection period shall show proof of compliance with the recall notice prior to commencement of the emission inspection.

§ 177.233. Failure to comply.

Failure to comply with this section and §§ 177.231 and 177.232 (relating to requirements regarding manufacturer recall notices; and compliance with recall notices) shall be considered grounds to refuse to initiate an emission inspection.

EMISSION INSPECTION TEST REPORT

§ 177.251. Record of test results.

The station shall provide the vehicle owner or driver with a computer-generated emission inspection test report.

§ 177.252. Emission inspection report.

(a) The emission inspection report shall be as shown on the sample emission inspection report form contained in Appendix A (relating to acceleration simulation mode: Pennsylvania procedures, standards, equipment specifications and quality control requirements) and shall

include:

(1) A vehicle description, including license plate number, VIN, vehicle make, model, odometer reading, GVWR and estimated test weight, engine size, and inspection type.

(2) The date and time of the test.

(3) The name, identification number and signature of the individuals performing the tests and the name, address and station number of the test station.

(4) The type of tests performed.

(5) The applicable test standards.

(6) The I/M emission test results, if applicable, including exhaust concentrations, pass/fail results for each mode measured and the results of visual inspection.

(7) The OBD-I/M check results, if applicable, including the status of the MIL illumination command, the alphanumeric DTC(s) as specified per SAE J2012 and J1930, unset readiness codes if the number of unset readiness codes exceeds the limit for which an exemption is allowed, that is, if the outcome of the test is unacceptable for testing based upon the presence of too many unset readiness codes. If, during the initial emission inspection cycle in an I/M county or region, a vehicle subject to the OBD-I/M check with a DLC which cannot be accessed nevertheless satisfies the MIL elements of the OBD-I/M check, that result shall be specifically noted in the report.

(8) The results of the gas cap test.

(9) The results of the visual inspection, if applicable.

(10) A statement indicating the availability of warranty coverage as required in section 207 of the Clean Air Act (42 U.S.C.A. § 7525).

(11) The results of the recall provisions check, if applicable, including the recall campaign number and date the recall repairs were completed.

(12) A certification that tests were performed in accordance with this chapter and EPA regulations.

§ 177.253. Responsibility of the station owner for vehicles which fail the emission inspection.

(a) Owners or operators of vehicles that fail the emission inspection shall be provided with an emission inspection report as described in § 177.252 (relating to emission inspection report) as well as the consumer complaint procedure, including the telephone number of the quality

assurance officer or the Vehicle Inspection Division.

(b) Owners or operators of vehicles that fail the emission inspection may challenge the results.

(1) A challenge regarding the performance or results of the test shall be made within 10 days of the failure of the emission inspection.

(2) A quality assurance officer or Department representative will function as a referee and will arrange to meet with the owner or operator of a vehicle that fails if requested.

(3) The referee will first determine whether test equipment functioned properly. If the test equipment is functioning correctly, the referee will determine whether proper test procedures were followed. If the equipment and procedures were correct and the vehicle still fails the inspection, the vehicle shall be brought into compliance prior to a retest. If the vehicle passes, a certificate of inspection will be affixed to the vehicle.

(4) If the referee determines that the test equipment malfunctioned, the equipment shall be brought into compliance prior to a referee test. If the equipment cannot be brought into compliance at this meeting, the owner or operator of the vehicle may request that the referee test be conducted at an alternate test location.

RETEST

§ 177.271. Procedure.

(a) I/M emission test. Vehicles that fail the initial I/M emission test or a retest shall be retested after repair.

(b) OBD-I/M check. Vehicles that fail the OBD-I/M check shall be retested after repair and clearing of the DTCs appearing in the initial check and compliance of the vehicle with the readiness requirements of § 177.203 (b)(1) (relating to test procedures).

(c) Gas cap test and visual inspection. Vehicles that fail the gas cap test or visual inspection shall be retested after repair.

§ 177.272. Prerequisites.

For a retest, the vehicle owner or driver shall present to the inspection station the emission inspection report and the diagnostic information repair data form as described in § 177.273 (relating to content of repair data form).

§ 177.273. Content of repair data form.

The repair data form shall include the following:

- (1) The repairs performed.
- (2) The cost of repairs.
- (3) The repair technician's number or name if the person who made the repairs does not have a Department issued technician number.
- (4) The repairs recommended by the repair facility or identified on the emission inspection report that were not performed.
- (5) The name, address and telephone number of the repair facility, and station number, if the repair facility is also a department-certified safety or emission inspection station.

§ 177.274. Retest fees.

(a) If the vehicle owner or driver presents the emission inspection report and the completed repair form to the emission inspection station that performed the initial inspection within 30 calendar days of the initial emission inspection, the vehicle owner or driver shall receive one free retest. Retests after the 30-day period or retests performed after the free retest shall only be performed upon payment of the required fee to the emission inspection station.

(b) If a referee test is requested after the vehicle has failed the free retest and the vehicle passes the referee test, a certificate of inspection shall be affixed to the vehicle and the vehicle owner or operator need not pay for this test.

(c) If a referee test is requested after the vehicle has failed the free retest and the vehicle fails the referee test, the vehicle owner or operator shall pay for this test and any subsequent retests. If expenditures for repairs meet or exceed the requirements for a waiver stated in § 177.281 (relating to issuance of waiver), a certificate of inspection with a waiver indicator may be issued. If the requirements for a waiver have not been met, the vehicle shall then be repaired to meet the requirements for passing the emission inspection or for issuance of a waiver.

§ 177.275. Repair technician training and certification.

(a) *General rule.* Personnel who perform diagnosis and repair of automotive engines and related systems required to meet the emission standards of this chapter may be certified by the Department as certified repair technicians. Only certified repair technicians with a valid drivers license will be authorized to process requests for and deliver waivers.

(b) *Certified repair technician requirements.* A repair technician desiring to be certified shall:

- (1) Be 18 years of age or older.

(2) Have a valid driver's license.

(3) Have done one of the following:

(i) Completed a course pertaining to the Commonwealth's emission inspection program and regulations, including training specifically pertaining to evaluation of OBD systems, and passed a written test administered by the Department or its agents with a minimum of 80% correct test responses and obtained certification from an automotive manufacturer or from the National Institute for Automotive Service Excellence or other training identified by the Department as being equivalent and that certifies that the repair technician is proficient in evaluating and repairing emission control systems.

(ii) Completed a course pertaining to the Commonwealth's emission inspection program and regulations, including training specifically pertaining to evaluation of OBD systems, passed a written test administered by the Department or its agents with a minimum of 80% correct test responses and completed and passed a repair technician test, approved by the Department, that included testing pertaining to the Commonwealth's emission inspection program and regulations, and, at a minimum, also included:

(A) The diagnosis and repair of malfunctions in computer controlled close-loop vehicles.

(B) The application of emission control theory and diagnostic data to the diagnosis and repair of failures of the emission test and the evaporative system function tests.

(C) The utilization of diagnostic information on systematic or repeated failures observed in the emission test and the evaporative system function tests.

(D) Generalized testing on the various subsystems related to emission control.

(E) Additional testing specifically pertaining to evaluation and repair of OBD systems.

(c) *Completion of training program.* A person who successfully completes all phases of the training program and who passes the required testing will qualify as a certified repair technician.

(d) *Supplemental training.* By notice published in the *Pennsylvania Bulletin*, the Department may authorize periodic supplemental training as a requirement for a person to maintain the status of a certified repair technician.

ISSUANCE OF WAIVER

§ 177.281. Issuance of waiver.

The Department or a single contractor shall electronically issue a certificate of emission inspection with an indicator to show that the vehicle has received a waiver if:

(1) The subject vehicle has failed the initial emission inspection, qualifying repairs have been completed and the subject vehicle has failed the retest.

(2) Emission control devices, as originally equipped, are installed. Vehicles with emission devices which are obsolete and cannot be obtained through the original equipment manufacturer, aftermarket manufacturers or suppliers of used parts are exempt from this paragraph. Specific reporting requirements shall be completed and maintained as specified by the Department in this section and Appendix A (relating to acceleration simulation mode: Pennsylvania procedures, standards, equipment specifications and quality control requirements.)

(3) The procedure as described in Appendix A has been followed and the amount spent on qualifying repairs:

(i) Was an amount as determined in § 177.282 (relating to annual adjustment of minimum waiver expenditure for emission inspection).

(ii) Includes charges for electronic diagnostic inspection, parts costs and labor costs paid for qualifying emission repair services performed on the vehicle if paid by the vehicle owner and if the qualifying repairs were performed by a recognized or certified repair technician. For qualifying emission repair services performed by someone other than a recognized or certified repair technician, the cost of parts but not labor utilized by nonrepair technicians may apply toward the waiver limit. The cost of parts for the repair or replacement for the following emission control components may be applied: oxygen sensor; catalytic converter; thermal reactor; EGR valve; fuel filler or gas cap; evaporative canister; PCV valve; air pump; distributor; ignition wires; coil; spark plugs; and power train management system. The cost of hoses, gaskets, belts, clamps, brackets or other accessories directly associated with these components may also be applied to the waiver limit. These repairs shall have been performed no more than 60 days prior to the initial emission inspection test.

(iii) Is appropriate to the cause of the test failure.

(iv) Excludes expenses which are incurred in the repair of emission control devices which are:

(A) Found to be tampered with.

(B) Rendered inoperative.

(C) Rendered inaccessible.

(D) Not installed.

(v) Excludes costs recoverable under an emission warranty, insurance policy or prepaid maintenance agreement. These recoverable cost repairs shall be used before necessary repair

costs can be applied toward the waiver cost limitations. The operator of a vehicle within the statutory age and mileage coverage under section 207(b) of the Clean Air Act (42 U.S.C.A. § 7525(b)) shall present a written denial of warranty coverage from the manufacturer or authorized dealer for this provision to be waived.

(vi) Excludes the fee for emission inspection.

(vii) Excludes charges for giving a written estimate of needed repairs, except that the fee for an electronic diagnostic inspection may be included.

(viii) Excludes charges for checking for the presence of emission control devices.

(4) The vehicle owner or driver shall present the original of repair bills or receipts for parts to the inspection station to demonstrate compliance with the qualifying dollar amount established under paragraph (3). The bills shall:

(i) Include the name, address and telephone number of the repair facility.

(ii) Describe the repairs that were performed.

(iii) State the labor or parts costs, or both, for each repair.

(iv) State on the written estimate the general problem, the necessary major parts replacement items and the total necessary repair and labor costs which would exceed the total cost limitations.

(5) Upon completion of waiver requirements and a visual check to determine that repairs were actually made, a certificate of emission inspection with a waiver indicator shall be affixed to the subject vehicle.

(6) Vehicles subject to an emission test may be issued a certificate of emission inspection with a waiver indicator without meeting the emission test standards of § 177.204 (relating to basis for failure) if, after failing an emission retest, a complete, documented physical and functional diagnosis and inspection performed by emission inspection station personnel shows that no additional emission related repairs are needed.

§ 177.283. (Reserved).

PROCEDURES RELATING TO CERTIFICATES OF EMISSION INSPECTION

§ 177.291. Procedures relating to certificates of emission inspection.

(a) *Certificates issued.* The Department will issue a certificate of emission inspection, through an official emission inspection station, valid until the next scheduled emission inspection, for a subject motor vehicle which meets both the following:

(1) The motor vehicle has passed an inspection or reinspection performed by the emission inspection station.

(2) The motor vehicle has all required emission control devices installed under § 177.281 (relating to issuance of waiver).

(b) *Certification procedures.*

(1) Motor vehicles inspected under safety inspection regulations existing on October 1, 1997, shall have their registration card checked by the examining inspector for an I/M designated code printed on the registration card.

(2) A registration card containing the designation I/M shall indicate that the vehicles shall be emission inspected.

(3) A motor vehicle with a registration card containing the designation emission inspection required shall have a specified I/M indicator insert placed on the proper certificate of safety inspection and affixed to the windshield upon passing safety inspection.

(4) Upon compliance or issuance of a Certificate of Waiver an emission inspection sticker shall be affixed to the immediate right (when viewed from the driver's position) of the safety inspection sticker or, in the case where a truck weight class sticker is present, to the immediate right (when viewed from the driver's position) of the truck weight class sticker.

(5) If the vehicle fails the emission inspection, certificate of emission inspection may not be issued except under § 177.281.

(6) A motor vehicle bearing a specified safety inspection sticker with an I/M Indicator Insert which does not have a currently valid emission inspection sticker affixed to the windshield shall be in violation of section 4703 of the Vehicle Code (relating to operation of vehicle without official certificate of inspection) and shall be subject to the penalties and fines provided in the Vehicle Code.

(c) *Unauthorized display of certificate of emission inspection.* A certificate of emission inspection may not be marked and affixed to a vehicle until it has successfully passed emission inspection requirements of Chapters 45 and 47 of the Vehicle Code (relating to other required equipment; and inspection of vehicles) and this chapter.

(d) *Required information.* The required information on the rear of the certificate of emission inspection shall be completed in permanent ink.

(e) *Inspection cycle.* The proper I/M monthly insert for certificate of emission inspection shall be coordinated with the vehicle safety inspection. Vehicles which are emission inspected shall receive an inspection certificate which is valid for no more than 15 months, or no more than 27

months if § 177.51(c)(1) (relating to program requirements) becomes applicable and no less than 6 months, based on the vehicle's registration month and charts supplied by the Department

(f) *Affixing certificate.* The certificate of emission inspection shall be affixed to the vehicle only at the premises of the official emission inspection station and on a portion of the premises located within 100 feet and on the same side of the street as the official emission inspection station. Certificates of emission inspection may not be issued or affixed at any other area or location.

(1) The surface on which the sticker is to be attached shall be wiped dry and clean of road film, grease or moisture for proper adhesion. The following instructions apply:

(i) Clean the glass thoroughly.

(ii) Remove the protective slip sheet from the adhesive side of sticker.

(iii) Place the proper monthly indicator insert in the appropriate position so that month and year of expiration are visible to oncoming traffic.

(iv) Position the sticker carefully to the immediate right (when viewed from the driver's position) of the current certificate of safety inspection or, if a truck weight class sticker is present, to the immediate right (when viewed from the driver's position) of the truck weight class sticker. Press firmly until tightly affixed to the windshield.

(2) It is the responsibility of the certified emission inspector to affix the certificate of emission inspection. Only the certified emission inspector who performed the entire emission inspection shall affix the certificate of emission inspection to the vehicle.

(g) *Improper or faulty inspection.* A deviation or change in the procedure specified in this section shall be considered an improper or faulty inspection and the certificate of emission inspection issued as a result shall be void.

(h) *Unauthorized display of certificate of emission inspection.* A certificate of emission inspection may not be marked and affixed to a vehicle until the vehicle has successfully passed an emission inspection meeting the emission requirements of Chapters 45 and 47 of the Vehicle Code (relating to other required equipment and inspection of vehicles) and this chapter.

(i) *Data entry errors.* If a data entry error occurs, the error and the error correction shall be clearly noted on the computerized record of inspection.

(j) *Voided certificates of emission inspection.* If it is necessary to void a certificate of emission inspection, the certificate number and the reason shall be clearly noted on the computerized record of inspection.

§ 177.292. Recording inspection.

(a) Fraudulent recording. Fraudulent recording of required data or other forms and cards will be considered cause for suspension of inspection privileges.

(b) Proper forms. The emission inspection inspector shall enter required data for loading into the VIID and record required information on the proper and applicable report forms and place his signature in the appropriate columns designated. This shall be done immediately following the emission inspection.

(c) Certificate of waiver. The electronic waiver process shall be completed by the VIID. A waiver insert, as supplied by the Department, shall be placed on each emission certificate of inspection issued through the waiver process. The certificate of waiver form may be collected or the results of the electronic waiver process may be reviewed by the Department or its designee on an unannounced periodic basis.

(d) Nonrelated items. Gas, oil or other nonrelated items may not be included in the total charges for emission inspection.

(e) Supply. A supply of report sheets and other emission forms may be obtained from the Vehicle Inspection Division.

ON-ROAD TESTING

§ 177.301. Authorization to conduct on-road emission testing.

The Department will conduct on-road testing of subject vehicles as authorized in section 4704(a)(4) of the Vehicle Code (relating to inspection by police or Commonwealth personnel).

§ 177.302. On-road testing devices.

Testing may include the use of remote sensing devices or systematic roadside checks using tailpipe exhaust testing devices.

§ 177.303. (Reserved)

§ 177.304. Failure of on-road emission test.

The owner or operator of a subject vehicle that was required to have an emission inspection and that fails an on-road emission test shall have 30 days following notice of the failure in which to have the failed vehicle pass an emission inspection or to produce evidence that the subject vehicle has a valid emissions inspection waiver.

§ 177.305. Failure to produce proof of correction of on-road emission test failure.

If the owner of a subject vehicle fails to produce, within 30 days following notice of the failure of an on-road test, evidence that the vehicle has passed an emission inspection or evidence that the vehicle has a valid emissions inspection test waiver, the Department will recall the vehicle's registration. The vehicle may not be driven on the roads of this Commonwealth except as permitted under section 4703(b)(11) of the Vehicle Code (relating to operation of vehicle without official certificate of inspection).