

Chapter Trans 131

MOTOR VEHICLE INSPECTION AND MAINTENANCE PROGRAM (MVIP)

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Note: Chapter Trans 131 as it existed on June 30, 1993 was repealed and a new ch. Trans 131 was created effective July 1, 1993.

Trans 131.01 Purpose and scope. (1) STATUTORY AUTHORITY. As authorized by ss. 110.06, 110.20 (9) and 227.11 (2) (a), Stats., the purpose of this chapter is to establish the department's administrative interpretation of s. 110.20, Stats., relating to a motor vehicle emissions inspection program.

(2) APPLICABILITY. This chapter applies to all nonexempt vehicles customarily kept in those counties certified by the department of natural resources under s. 110.20 (5) (a), Stats. It also applies to all nonexempt vehicles customarily kept in any county whose board of supervisors has adopted a resolution under s. 110.20 (5) (b), Stats., requesting the department establish an inspection and maintenance program, and applies to any nonexempt vehicle which a person presents for a voluntary inspection at an inspection station pursuant to s. 110.20 (7), Stats., and s. Trans 131.07. For purposes of determining where a vehicle is customarily kept, the county of domicile as indicated by the vehicle owner and contained in the department's title data base shall be used. In the absence of an indicated county of domicile, the owner or lessee's post office address shall be used to determine county of domicile. The department may determine whether the vehicle domicile location is consistent with the owner or lessee's post office address or with other information that indicates the customary location of the vehicle. The department may change a vehicle domicile location in department title records to make it consistent with the results of its determination, and may require the vehicle to undergo emission inspection as required in this chapter. If the vehicle owner or lessee disputes the department's determination, the vehicle owner or lessee may present evidence satisfactory to the department of the correct vehicle domicile location. The department decision as to correct vehicle domicile location shall be the final decision of the department.

Note: Forms used in this chapter are MV 2016, substitute renewal notice; MV 2470, vehicle inspection report; MV 2472, application for letter of temporary exemption from emission test requirements; MV 2588, exchanged engine certificate; MV 2594, quality assurance inspection report. Copies can be obtained from the Wisconsin Department of Transportation, Dealer and Agent Section, P. O. Box 7909, Madison, WI 53707-7909.

History: Cr. Register, June, 1993, No. 450, eff. 7-1-93; CR 07-114: am. (2) Register June 2008 No. 630, eff. 7-1-08; CR 10-088: am. (2) Register December 2010 No. 660, eff. 1-1-11.

Trans 131.02 Definitions. Words and phrases defined in s. 110.20, Stats., have the same meaning in this chapter unless a different definition is specified. In this chapter:

(1) "Air pollution control equipment" or "emission equipment" means any equipment or feature which constitutes an operational element, device or mechanism which is part of the air pollution control system on a motor vehicle.

(1m) "Authorized inspection facility" means a self-service inspection facility, or a private inspection facility, or an inspection station or facility operated by the department, or by a contractor

or subcontractor authorized by the department to perform emission inspections.

(2) "CO" means carbon monoxide.

(3m) "Collector vehicle" means a nonexempt vehicle with a collector special interest vehicle registration under s. 341.266, Stats.

(6) "Contractor" means a person with whom the department has a contract that provides for the operation of one or more inspection stations or for the performance of emission inspection at an authorized inspection facility other than an inspection station or for the performance of a service related to the Wisconsin vehicle emission inspection program.

(6m) "DLC" means data link connector on a vehicle equipped with an OBD II system.

(6r) "DTC" means diagnostic trouble code stored by a vehicle's OBD II system.

(7) "Department" means the Wisconsin department of transportation.

(8) "Electronic reporting," "electronically reported" or "reported electronically" means reported directly to the department or its contractor electronically in a format specified by the department.

(9) "Emission limitations" means the maximum vehicle emission concentrations in s. NR 485.04.

Note: Chapter NR 485 may be obtained from the Wisconsin Department of Natural Resources, Bureau of Air Management, P.O. Box 7921, Madison, WI 53707.

(10) "Emission inspection" means the OBD II inspection.

(12) "Exempt vehicles" means all vehicles other than nonexempt vehicles which are identified in s. 285.30 (5), Stats., and s. NR 485.04 (10).

(13) "Exhaust emission" or "exhaust gas" means the combination of substances emitted into the atmosphere from the tailpipe or tailpipes of a motor vehicle.

(15) "Federal rule" means 40 CFR part 51, subpart S, inspection/maintenance program requirements; final rule.

Note: All references made to the Federal Rule in this document are to 40 CFR Part 51, Subpart S Inspection/Maintenance Program Requirements; Final Rule dated November 5, 1992, as amended through January 1, 2001.

(17) "GPM" means grams per mile.

(18) "GVWR" means gross vehicle weight rating and has the same meaning as provided in s. 340.01 (19r), Stats.

(19) "Government vehicle" means a motor vehicle both owned by this state or by any county, municipality, or federally-recognized Indian tribe or band and registered under s. 341.26 (2m), Stats., or a vehicle owned or leased by the United States.

(20) "HC" means hydrocarbon.

(20m) "Hobbyist vehicle" means a nonexempt vehicle with a hobbyist registration under s. 341.268, Stats.

(21) "Homemade vehicle" has the same meaning as provided in s. 341.268, Stats.

(22) “Inspection” means the mandatory vehicle emission inspection required by s. 110.20, Stats., consisting of an OBD II inspection.

(23) “Inspection report” has the same meaning as provided in sub. (54).

(24) “Inspection station” means an inspection facility operated by a party under contract with the department for the purpose of conducting vehicle emission inspections required by s. 110.20, Stats.

(25) “Inspector” means the individual who performs the vehicle emission inspection for the contractor or subcontractor.

(26) “MIL” means malfunction indicator lamp.

(28) “Master automotive technician” means a person possessing the highest level of any nationally recognized certification organization for automotive emission-related diagnosis and repair.

(29) “Model year” means the date of manufacture of the original vehicle within the annual production period of the vehicle as designated by the manufacturer, or if a reconstructed or home-made vehicle, the first year of tiling. If the manufacturer does not designate a production period, the term “model year” means the calendar year of manufacture. Determination of model year shall be as indicated in the VIN or on the vehicle’s registration documents.

(31) “New vehicle” means a motor vehicle to which the legal title has never been transferred to an ultimate retail purchaser as defined in s. Trans 139.02.

(34) “OBD II” means the on-board diagnostic system installed on 1996 and newer vehicles by the manufacturer that meets the regulations promulgated by the USEPA under 42 USC 7401–7671q.

(34m) “OBD inspection” or “OBD II inspection” means an emissions related inspection in which the vehicle’s on-board computer is accessed to evaluate the status of the vehicle’s emission control system.

(35) “Performance monitoring” means the system of evaluating automotive repair facilities’ performance by collecting and reporting the repair data as recorded on the vehicle inspection report or as reported electronically, upon performance of the repair.

(36) “Person” means an individual, corporation, association, firm, partnership, joint stock company, public or municipal corporation, political subdivision, the state or any agency thereof, and the federal government.

(37) “Proper” or “properly” means meeting original manufacturer’s equipment standards or the equivalent.

(37m) “Readiness monitors” means the tests performed internally by a vehicle’s OBD II system that determine if an emission component is ready to be checked by the on-board vehicle computer.

(38) “Recognized automotive emission repair technician” means a person who has received and has proof of formal training in both diagnosis and repair of automotive engines and related systems.

(39) “Recognized repair facility” means a franchised new car dealer or other business with a Wisconsin sales tax number that performs emission repairs as a regular part of its business activities and employs at least one recognized automotive emission repair technician.

(40) “Reconstructed vehicle” has the same meaning as provided in s. 341.268 (1) (d), Stats.

(41) “Registration” has the same meaning as provided in s. 344.01 (2) (e), Stats.

(42) “Remote sensing test” means the test conducted under s. Trans 131.14.

(44) “Tamper” or “tampering” has the same meaning as in s. 285.30 (6) (a) 3., Stats.

(45) “Technical assistance center” means either a separate contractor facility or a portion of an inspection station which, under the direction of a master automotive technician, is equipped to perform both emission inspections and complete diagnostic evaluations of nonexempt vehicles.

(48) “Truck” has the same meaning as “motor truck” as provided in s. 340.01 (34), Stats.

(50) “USEPA” means the United States Environmental Protection Agency.

(50m) “USEPA technical guidance” means the USEPA publication “Performing Onboard Diagnostic System Checks as Part of a Vehicle Inspection and Maintenance Program,” dated June, 2001, which is incorporated herein by reference. Any alternative inspection procedures or changes in procedural details shall be approved by the USEPA administrator prior to use.

Note: Copies are on file with the Legislative Reference Bureau and the Attorney General’s office. These procedures are available in published form from the Wisconsin Department of Transportation, Bureau of Field Services, P. O. Box 7909, Room 253, Madison, WI 53707–7909 and can be accessed on the internet at <http://www.epa.gov/otaq/regs/im/obd/r01015.pdf>.

(51) “Van” means a motor vehicle constructed on a truck chassis, or indicated as a truck on the manufacturer’s statement of origin, with a completely enclosed driver and cargo compartment useable as a cargo carrying vehicle or as a passenger vehicle depending upon equipment.

(52) “Vehicle” or “motor vehicle” has the same meaning as provided in s. 340.01 (35), Stats.

(53) “Vehicle inspection notice” means a document mailed to vehicle owners as a result of failing a remote sensing test indicating that the nonexempt vehicle has been inspected in accordance with the provisions of s. Trans 131.14 and, if necessary, shall be presented at an inspection station or other authorized inspection facility for inspection under s. 110.20 (6) (a) 4., Stats.

(54) “Vehicle inspection report” means a serially numbered document issued at an inspection station or authorized inspection facility or technical assistance center or by an inspector designated by the department to perform the functions of a technical assistance center at the time of vehicle inspection, indicating that the vehicle has been inspected in accordance with the provisions of this chapter, and may include data reported electronically.

(55) “VIN” means a unique vehicle identification number as defined in s. 340.01 (23r), Stats.

(56) “Voluntary inspection” means the voluntary presentation of a nonexempt vehicle for an emission inspection.

(56m) “Waiver” means a conditional one-cycle exemption from emission inspection that may be granted to a vehicle owner or lessee.

(57) “Waiver emission equipment inspection” means a visual inspection conducted to determine the presence and proper connection of selected emission equipment on vehicles presented for waiver determination under s. Trans 131.04.

(58) “Waiver investigator” means the department employee or designated contractor representative who approves or disapproves applications for waivers.

History: Cr. Register, June, 1993, No. 450, eff. 7–1–93; emerg. revise eff. 12–4–95; am. (intro.), renum. (1) to (4), (6) to (10), (14) to (16), (18) to (22), (24), (26) to (28) and (34) to (42) to be (2), (3), (6) to (10), (12), (13), (16), (19) to (25), (29) to (32), (36), (37), (41), (43), (44), (48), (51), (52), (54), (56), (58), respectively, and am. (6), (8) to (10), (12), (19), (22), (23), (25), (29), (32), (43), (44), (51), (52), (54), (56), (58), cr. (1), (3m), (4), (14), (15), (18), (20m), (27), (28), (34), (35), (38), (39), (40), (42), (45), (47), (49), (50), (50m), (53), (55) and (57), r. (5), (12), (13), (23), (25), (29), (30), r. and recr. (11), (17), (33), Register, April, 1996, No. 484, eff. 5–1–96; correction in (44) made under s. 13.93 (2m) (b) 7., Stats., Register, August, 1996, No. 488; correction made to delete duplicative subsection and correction in (12) and (20m) made under s. 13.93 (2m) (b) 7., Stats., Register, April, 1999, No. 520; cr. (6m), (6r), (26), (34m), (37m), am. (11), (22), (32), (50m) and (58), Register, May, 2001, No. 545, eff. 6–1–01; CR 07–114; cr. (1m) and (56m), r. (3), (4), (11), (14), (16), (27), (30), (32), (33), (43), (47) and (49), am. (6), (6r), (10), (22), (25), (34) to (35), (50m), (53) and (54), r. and recr. (8) Register June 2008 No. 630, eff. 7–1–08; **CR 10–088: am. (1m), (6), (10), (34m), (50m), (54) and (56m) Register December 2010 No. 660, eff. 1–1–11.**

Trans 131.03 Emission inspection and reinspection. (1) GENERAL. (a) All nonexempt vehicles that are customarily kept in counties certified under s. 110.20 (5) (a), Stats., or in a county whose county board adopts a resolution under s. 110.20 (5) (b), Stats., shall be inspected as provided in this chapter. Penalty for failure to comply with this section consists of either denial of registration renewal or suspension of vehicle registration as set forth in s. 341.63 (1) (e), Stats.

Note: The 6 counties of Kenosha, Milwaukee, Ozaukee, Racine, Washington and Waukesha were certified by the department of natural resources in a letter to the department dated August 21, 1981. Sheboygan County was certified by the department of natural resources in a letter to the department dated April 20, 1992.

(b) Nothing in this chapter waives an expired registration because of failure to pass inspection requirements by the registration deadline.

(c) A vehicle is first subject to the requirements of this chapter when the vehicle is 4 model years old.

(d) For purposes of calculating the number of model years of vehicle age under ss. 110.20 (13) and 285.30 (5), Stats., a model year shall be considered synonymous with a calendar year. Not satisfying the inspection requirements of this chapter prior to the date of registration expiration shall not extend vehicle age.

Note: For example, a 2004 model year vehicle shall be considered as being more than 4 model years old commencing January 1, 2008.

(2) WHEN INSPECTION REQUIRED. Nonexempt vehicles subject to an inspection shall have the inspection completed as provided in this chapter when any of the following apply:

(a) No more than 180 days prior to renewal of annual registration. This requirement applies when the vehicle is 4 model years old and every 2 years thereafter.

(b) Within 45 days of an ownership change registration issuance for vehicles more than 5 model years old at the time of ownership change, unless the vehicle passed inspection within 180 days prior to such ownership change registration, or

Note: For example, a 2004 model year vehicle shall be considered as being more than 4 model years old commencing January 1, 2008.

(c) Within 45 days of notification of failing a remote sensing test, as required by s. 110.20 (9) (g), Stats.

(d) Within 45 days of collector or hobbyist registration issuance.

(3) DOCUMENT REQUIREMENTS. Each vehicle presented for inspection at an inspection station or at an authorized inspection facility shall be accompanied by at least one of the following documents which identifies the vehicle by make, model year, VIN, and license plate number:

(a) A current Wisconsin vehicle license renewal notice.

(b) A current Wisconsin certificate of registration.

(c) A current Wisconsin certificate of title.

(d) A vehicle inspection report if a reinspection, unless repair performance data has, upon performance of the repair, been reported electronically.

(e) A letter of temporary exemption issued by the department.

(f) A properly completed substitute renewal notice, form MVD 2016.

(g) A letter issued by the department notifying the vehicle owner that the vehicle requires inspection.

(h) A properly completed voluntary inspection request form, obtainable from the manager at each of the inspection stations or at other authorized inspection facilities as determined by the department.

(4) SCOPE AND NATURE OF INSPECTION. The vehicle emission inspection shall consist of an OBD II inspection which indicates whether the MIL is commanded on and, if so, the DTCs causing the command.

(5) EMISSION STANDARDS. (a) Vehicles that meet any of the following conditions shall fail the inspection:

1. The DLC is missing, has been tampered with, or is otherwise inoperable.

2. The MIL does not illuminate at all when the ignition key is turned to the "key on, engine off" position.

3. The MIL illuminates continuously or flashes when the vehicle is in the "key on, engine running" condition, even if no DTCs are present.

4. A scan tool indicates that any DTCs are present and that the vehicle's MIL status is commanded on.

(b) If the MIL is not commanded to be illuminated, the vehicle shall pass the OBD inspection, even if DTCs are present.

(6) EMISSION INSPECTION. (a) *General requirements.* 1. Vehicles shall be inspected in an as-received condition. Prior to inspection, the engine shall be operating at the manufacturer's recommended engine idle speed without excessive smoke, at normal operating temperature, not overheating, as indicated by gauge, warning light or boiling radiator, and with all accessories off.

2. The vehicle shall be nearly level when inspected in order to prevent abnormal fuel distribution.

4. Vehicles that are designed to operate with more than one type of fuel shall be inspected on the fuel in use at the time of inspection.

(d) *OBD inspection procedures.* 1. An OBD II inspection shall be performed on all model year 1996 and newer vehicles equipped with OBD II systems. The OBD inspection shall be performed according to the procedures specified in section 85.2222 of the federal rule.

2. If the vehicle's DLC cannot be located, or is located such that an inspector cannot reasonably access it during the course of a vehicle inspection, the vehicle shall receive a waiver equipment inspection as provided in s. Trans 131.05 and, pending the outcome of this inspection, be referred to a technical assistance center or other facility or inspector designated by the department to perform the functions of a technical assistance center for issuance of a technical waiver of compliance as provided in s. Trans 131.04 (1) (b).

3. The inspector shall connect the inspection system to the vehicle by connecting the vehicle's DLC to the OBD II inspection system. The inspection system shall determine what readiness monitors are supported by the vehicle's OBD II system, and perform a readiness evaluation or applicable readiness monitors in accordance with the USEPA technical guidance. If the readiness evaluation indicates that any on-board tests are not complete, the vehicle shall be rejected from inspection. Vehicles rejected because on-board tests are not complete shall be required to leave the inspection station, pursue a means of completing on-board tests, and return for inspection.

4. An exception is allowed for model year 1996 to model year 2000 vehicles, with 2 or fewer unset readiness monitors, and for model year 2001 and newer vehicles with no more than one unset readiness monitor. Vehicles from those model years which would otherwise pass the OBD inspection, but for the unset readiness monitors in question, may be issued a passing certificate without being required to operate the vehicle in such a way as to activate those particular readiness monitors. Vehicles from those model years with unset readiness monitors which also have DTCs stored resulting in the MIL to be commanded on shall fail the OBD inspection.

5. If the inspection computer system is not able to download the vehicle OBD II records, the OBD inspection shall be aborted, and the vehicle shall be reinspected with an OBD II inspection in a separate inspection facility inspection lane.

8. If the malfunction indicator status indicates that the MIL has been commanded to be illuminated, the inspection system shall record all DTCs resulting in MIL illumination in the vehicle inspection record.

10. Vehicles failing the OBD inspection may not be reregistered within the state of Wisconsin until such failing items have

been repaired or replaced if necessary as required by s. 285.30 (6), Stats.

(10) REINSPECTIONS. (a) Vehicles failing initial inspection may receive a reinspection at no additional charge under the following conditions:

1. The reinspection shall take place within 30 days of the initial inspection or the owner or lessee shall present satisfactory evidence that the repairs and adjustments which were performed on the vehicle could not have been made within 30 days of the initial inspection. Additionally, the vehicle shall have been repaired or adjusted according to s. 110.20, Stats., and this chapter.

2. The vehicle shall be accompanied by its previous vehicle inspection reports. Repair information, as completed by the person performing the repairs, shall be indicated in the space provided on the reports, unless it is reported electronically, upon performance of the repair. The completed repair section on the vehicle inspection report, or the data reported electronically, shall indicate all of the following:

a. The repairs performed as well as any recognized automotive emission repair technician recommended repairs not performed per owner's request.

b. The name, address and telephone number of the repair facility.

c. The name of the individual who performed the repairs.

d. If available, the appropriate identification number of the recognized repair facility and technician.

3. The vehicle is not prohibited from inspection pursuant to sub. (11).

(b) 2. A vehicle that fails the OBD inspection shall be reinspected after repair provided a readiness evaluation indicates that:

a. All applicable on-board tests are complete for the component for which the vehicle failed its prior inspection, and

b. All applicable on-board tests are complete except as allowed under sub. (6) (d).

Note: For example, a catalytic monitor must be ready after a catalyst is repaired.

(c) If the vehicle passes the reinspection, the contractor shall retain all previously-issued vehicle inspection reports and issue a vehicle inspection report indicating compliance. If the vehicle does not pass the reinspection, the contractor shall issue a vehicle inspection report indicating non-compliance. If the owner or lessee requests a waiver of compliance from emission limitations, the waiver investigator shall review the request and shall either approve or deny the request in accord with s. Trans 131.04. If approved, the waiver investigator shall retain all previously-issued vehicle inspection reports, except the latest on which the waiver is indicated as granted.

(d) The following limitations on the total number of inspections performed at no additional charge shall apply for each vehicle requiring compliance with this chapter:

1. A vehicle may receive no more than 2 reinspections. The reinspections shall occur within 30 days of initial inspection.

2. If the vehicle does not meet applicable emission inspection standards, the owner or lessee may apply for a waiver of compliance from these standards in accord with s. Trans 131.04.

(e) Nonexempt vehicles may be reinspected at any time according to the voluntary inspection procedure of s. Trans 131.07.

(11) INSPECTION PROHIBITED. The inspector shall refuse to perform any inspection required by this section for any vehicle if any of the following apply:

(b) The vehicle is carrying explosives or other hazardous material which is recognized as a safety hazard by the contractor.

(c) The vehicle is towing a trailer or another vehicle which is considered a safety hazard by the contractor.

(d) Gasoline, oil or other fluid leaks are considered a safety hazard by the contractor.

(e) The vehicle exhibits excessive idle speed, in the judgment of the contractor.

(f) The vehicle is emitting smoke in amounts greater than the limitations specified in s. NR 485.05.

(j) The vehicle is subject to a manufacturer's recall for emission problems and the recall repair has not been performed. Vehicles for which emission-related recall notices have been issued shall have the recall repairs completed prior to submitting the vehicle for inspection. The owners or lessees of these vehicles shall present proof of compliance with the recall notice at time of inspection, unless the emission-related recall notice has been issued within 45 days prior to submitting the vehicle for inspection. This paragraph applies to vehicles for which emission-related recall notices have been issued after January 1, 1995.

(k) The vehicle operator refuses to disclose the odometer reading to the inspector.

(L) The vehicle operator refuses to yield the driver's seat.

(m) Upon a reinspection, the vehicle operator fails to provide a properly completed repair form to the inspector, unless the repair information is reported electronically, upon performance of the repair.

(n) The vehicle exhibits any condition which is recognized as a safety hazard by the contractor, or any condition that appears to the contractor as making the vehicle unsafe for inspection.

(o) Vehicles shall be rejected from inspection if a scan of the vehicle's OBD II system reveals a "not ready" status for 3 or more readiness monitors on model year 1996 through model year 2000 vehicles, or for 2 or more readiness monitors on model year 2001 and newer vehicles, as provided in 40 CFR 85.2222 (c) (2).

(12) RECONSTRUCTED AND HOMEMADE VEHICLES. Any nonexempt vehicle registered as reconstructed or homemade under s. 341.268, Stats., shall be inspected for compliance with requirements applicable to the model year of the vehicle as indicated on the vehicle's registration documents, unless the owner both requests that the vehicle be inspected by engine year and provides a completed MV2588, exchanged engine certification form, to the waiver investigator. In addition, the vehicle owner shall locate the engine number on the engine for purposes of engine year verification by the waiver investigator.

(13) VEHICLES WITH EXCHANGED ENGINES. (a) A motor vehicle with an exchanged engine shall be subject to OBD II inspection compliance standards established in s. Trans 131.03 (5).

(14) TRUCKS AND VANS. All trucks and vans shall be inspected in accord with the standards applicable to the manufacturer's GVWR as indicated either in the vehicle's identification number or on the vehicle's doorpost. If there is no manufacturer's GVWR available, then the vehicle shall be inspected according to the registered GVWR as indicated on the vehicle's entry document described in sub. (3).

(15) VEHICLE INSPECTION REPORT. (a) The operator of each vehicle inspected shall receive a vehicle inspection report, MV 2470, at the conclusion of the inspection. The vehicle inspection report data may also be reported electronically. The inspection report, or the vehicle inspection report data reported electronically, shall indicate:

1. Inspection serial number.
2. Date of the inspection.
3. VIN.
4. Year, make and type of the vehicle.
5. Number of cylinders or engine displacement.
6. Transmission type.
7. Fuel type.
8. Present odometer reading in thousands of miles.
12. The results of any OBD inspection.
13. The final result.

14. Instructions indicating that the inspection report, together with the vehicle, shall be returned to any inspection station or other authorized inspection facility for reinspection to occur.

15. Space to indicate who repaired the vehicle, such as owner, repair facility or other private party.

16. Space to indicate the name, address and telephone number of the facility where repairs occurred.

17. Space to indicate the appropriate identification number of the recognized repair facility and technician, if available.

18. Space to indicate the cost of parts and labor for emission-related repair.

19. Space to indicate the emission-related repairs performed.

20. Space to indicate the emission-related repairs recommended, but not performed per owner's request.

21. Advisory diagnostic information for failing vehicles.

22. Vehicle license number, if available.

23. Inspection station or other authorized inspection facility number, and inspector number if the inspection is performed by an inspector.

24. Emission inspection start time and the time of final emissions result determination.

25. GVWR.

26. Inspection number, such as initial, first reinspection, or subsequent reinspection number.

28. A statement indicating the availability of emission warranty coverage as provided in section 207 of the Clean Air Act.

29. A statement certifying that the inspection is performed in accordance with applicable federal regulations.

30. The cause for any aborted or rejected inspection.

31. Other information as the department may reasonably require to enable it to determine compliance with this chapter, state laws, federal laws and regulations.

(b) Each operator of a vehicle failing the inspection shall receive an inspection report supplement containing repair, reinspection and waiver application instructions, as well as information on the possible causes of failure found during the inspection.

(c) Each operator of a vehicle failing the initial inspection shall receive a list of registered automotive emission repair facilities by area which includes information required under s. Trans 131.15. This listing may include other consumer information useful in obtaining vehicle emission repair service.

History: Cr. Register, June, 1993, No. 450, eff. 7-1-93; am. (1) (a), (2) (intro.), (a), (b), (3) (intro.), (6) (a) 1., (7) (a) to (c), r. and recr. (2) (c), (6) (b), (c), cr. (2) (d), (6) (a) 4., r. (3) (f), (7) (d), (8), (9), renum. (3) (g) to (i) to be (f) to (h), (10) and (12) to be (12) and (14) and am. all, renum. (11) to be (13) and am. (b) and (c), renum. (8), (9) and (13) to be (10), (11) and (15) and r. and recr., Register, April, 1996, No. 484, eff. 5-1-96; correction in (1) (d) and (7) (c) made under s. 13.93 (2m) (b) 7., Stats., Register, April, 1999, No. 520; am. (2) (b), Register, August, 2000, No. 536, eff. 9-1-00; am. (4), (6) (b) 3., (7) (a) (intro.), (c), (9) (g), r. (6) (b) 8., (8) (g), (15) (a) 12., renum. (10) (b) to be (10) (b) 1., cr. (6) (d), (10) (b) 2., (11) (o), Register, May, 2001, No. 545, eff. 6-1-01; CR 01-121: am. (2) (a), Register March 2002 No. 555, eff. 4-1-02; CR 07-114: am. (title), (1) (a), (c), (2) (intro.) and (a), (3) (intro.), (d) and (h), (4), (6) (d) 1., 3., 5., 8. and 10., (10) (a) 2., (b) 2., (d) 2., (11) (m) to (o), (12), (13) (a), (14) and (15) (a) (intro.), 14. and 23., (b) and (c), r. and recr. (5), (6) (d) 2., r. (6) (a) 3., (b), Table 2 and (c), (d) 6., 7., and 9., (7) to (9), (10) (b) 1., (11) (a) and (g) to (i), (13) (b) to (d), (15) (a) 9. to 11. and 27. Register June 2008 No. 630, eff. 7-1-08; **CR 10-088: am. (title), (4), (6) (title), (a) 1., 2., 4., (d) 2., 3., 5., and 8., (10) (a) 3. and (d) 2., (11) (title), (n) and (o) and (15) (a) 1., 2., 12., 23., 24. and 29. Register December 2010 No. 660, eff. 1-1-11.**

Trans 131.04 Waiver of compliance. (1) ELIGIBILITY. A vehicle which fails the initial inspection, and which after repair or adjustment, or both, again fails the inspection, shall be eligible for a waiver of compliance valid until the next required inspection of the vehicle provided the following conditions are met:

(a) For all 1996 and newer model year vehicles which have not exceeded the terms of the manufacturer's emission performance or defect warranty coverage at the time of the scheduled emission inspection, the operator shall either present a written statement from a vehicle dealership or other manufacturer's designated agent declaring that the vehicle is not eligible for emission control

system warranty work, or present a dated invoice indicating that the vehicle has received eligible emission control system warranty work.

(b) The emission related repairs and adjustments made to the vehicle's emission control system, including cost for parts and labor, have been performed on the vehicle within 180 days prior to renewal of annual registration or within 180 days of vehicle ownership change registration and such repairs and adjustments are indicated in the space provided on the vehicle inspection report by the person performing the repairs, unless the repair information is reported electronically, upon performance of the repair. If the labor for vehicle repair is performed without charge or cost, only the cost of replacement parts shall be indicated. An itemized receipt indicating the parts, labor cost, and date of purchase shall be provided to the waiver investigator.

(c) 1. For all vehicles which have exceeded the terms of the manufacturer's emission performance or defect warranty coverage at the time of the scheduled emission inspection, the owner shall have emission related repairs performed on the vehicle at a recognized repair facility as defined in s. Trans 131.02 (39) or by a recognized automotive emission repair technician as defined in s. Trans 131.02 (38). The operator shall present a vehicle inspection report with the repair information section completed according to s. Trans 131.03 (13), unless it is reported electronically, upon performance of the repair. The statement shall contain the actual cost of emission related repairs performed on the vehicle including itemized costs for parts and labor. If the labor for vehicle repair is performed without charge or cost, only the cost of replacement parts shall be indicated. An itemized receipt indicating the parts, labor cost and date of repair shall be provided to the waiver investigator.

2. Proof of recognized automotive emission repair technician training shall consist of either ASE certification in level L1, or valid documentation indicating successful completion of a WISE-TECH course under s. Trans 131.16 or an equivalent program as determined by the department.

(d) The vehicle shall pass a waiver emission equipment inspection as described in s. Trans 131.05.

(2) CRITERIA. A vehicle which meets the eligibility requirements of sub. (1) may receive a waiver of compliance valid until the next required inspection of the vehicle if it meets any one of the following conditions:

(b) Technical difficulties in the manufacturer's design or construction of the vehicle or restrictions imposed by the department on the operation of vehicles registered under s. 341.14 (1m), Stats., prevent emission inspection of the vehicle.

(c) After repairs are performed by a recognized automotive emission technician, a complete, documented, physical and functional diagnosis and inspection performed at a technical assistance center by the master automotive technician or at another facility by an inspector designated by the department to perform the functions of a technical assistance center shows that no additional emission related repairs could produce a passing result.

(d) If the owner is in compliance with the requirements set forth in s. 110.20 (13), Stats., the department shall issue a waiver of compliance as required by s. 110.20 (13), Stats.

History: Cr. Register, June, 1993, No. 450, eff. 7-1-93; emerg. am. (1) (intro.), (a) and (b), (2) (intro.), (a) and (b), r. and recr. (1) (c), cr. (1) (d) and (2) (c), eff. 12-4-95; am. (1) (intro.), (a), (b), (2) (intro.), (a), (b), r. and recr. (1) (c), cr. (1) (d), (2) (c), Register, April, 1996, No. 484, eff. 5-1-96; am. (1) (intro.), Register, May, 2001, No. 545, eff. 6-1-01; CR 01-121: am. (1) (b), Register March 2002 No. 555, eff. 4-1-02; CR: 07-114: am. (1) (intro.), (a), (b) and (c) 1. and 2., r. (2) (a), cr. (2) (d) Register June 2008 No. 630, eff. 7-1-08; **CR 10-088: am. (2) (b) and (c) Register December 2010 No. 660, eff. 1-1-11.**

Trans 131.05 Waiver emission equipment inspection. (1) PURPOSE. When a vehicle owner or lessee requests a waiver of compliance from emission inspection standards, the emission equipment shall be inspected by the waiver investigator. This waiver emission equipment inspection is designed to detect

either tampering or disrepair on the vehicle. The waiver emission equipment inspection does not include removal or disassembly of parts except for removal of the fuel cap. The waiver investigator shall determine both the presence and proper connection, if originally equipped, of the following:

- (a) A properly sized fuel filler restrictor.
- (b) A properly connected catalytic converter.
- (c) A proper fuel cap.
- (d) A proper evaporative emission control canister system.
- (e) A properly connected positive crankcase ventilation system.
- (f) A proper exhaust gas recirculation system.
- (g) A proper air pump system.
- (h) A properly installed thermostatic air cleaner system.
- (i) A properly connected oxygen sensor.
- (j) An operational and non-active MIL or other emission service indicator light, regardless of whether the MIL or emission service indicator light is illuminated.

(3) CONSEQUENCES. Vehicles failing the waiver emission equipment inspection shall not receive a waiver of compliance or acceptance for voluntary inspection under s. Trans 131.07 until the failing emission equipment items are either repaired or replaced.

History: Cr. Register, June, 1993, No. 450, eff. 7-1-93; emerg. am. (1) to (3), cr. (1) (i) and (j), eff. 12-4-95; am. (1), (2), (3), cr. (1) (i), (j), Register, April, 1996, No. 484, eff. 5-1-96; am. (1) (j), Register, May, 2001, No. 545, eff. 6-1-01; CR 07-114: r. (2), am. (3) Register June 2008 No. 630, eff. 7-1-08; **CR 10-088: am. (1) (intro.) and (j) and (3) Register December 2010 No. 660, eff. 1-1-11.**

Trans 131.06 Inspection compliance. (1) REGISTRATION ELIGIBILITY. To be eligible for license plate renewal or ownership change registration, collector registration, or hobbyist registration, a vehicle shall comply with one of the following:

- (a) Either pass the emission inspection or receive a waiver of compliance from emission limitations.
- (b) Receive a temporary exemption according to s. Trans 131.08.

(2) EVIDENCE. Evidence of inspection compliance shall consist of one of the following:

- (a) A vehicle inspection report indicating either "passed" or on which the waiver investigator has indicated "waived."
- (b) An entry on the department's data records indicating the vehicle license number, VIN, inspection serial number, and the notation "passed" or "waived."

History: Cr. Register, June, 1993, No. 450, eff. 7-1-93; emerg. am. (1) (intro.) and (2), r. (1) (a), renum. (1) (b) and am., eff. 12-4-95; am. (1) (intro.), (2), r. (1) (a), renum. (1) (b) to be (a) and am., cr. (1) (b), Register, April, 1996, No. 484, eff. 5-1-96; **CR 10-088: am. (2) (b) Register December 2010 No. 660, eff. 1-1-11.**

Trans 131.07 Voluntary inspections. (1) CRITERIA. The contractor shall inspect any nonexempt vehicle presented for inspection at an inspection station or other authorized inspection facility provided:

- (a) The vehicle operator provides a properly completed request for voluntary emission inspection form, obtainable from the manager at each of the emission inspection stations or at other authorized inspection facilities as determined by the department.
- (b) The vehicle is not prohibited from inspection under s. Trans 131.03 (11).
- (c) The operator presents payment to the contractor of a monetary fee as determined by contract.

(2) EFFECT. The voluntary presentation of a vehicle for inspection in accordance with sub. (1) shall not impose any requirement upon a vehicle owner to comply with this chapter.

History: Cr. Register, June, 1993, No. 450, eff. 7-1-93; emerg. am. eff. 12-4-95; am. Register, April, 1996, No. 484, eff. 5-1-96; CR 07-114: am. (1) (intro.), (a) and (2) Register June 2008 No. 630, eff. 7-1-08; **CR 10-088: am. (1) (b) Register December 2010 No. 660, eff. 1-1-11.**

Trans 131.08 Letter of temporary exemption from emission inspection requirements. (1) ELIGIBILITY. When a vehicle subject to the emission inspection requirements of this chapter is unavailable for an inspection due to either the vehicle's absence or inoperative condition, or the owner's or lessee's absence or incapacity, during the 180 day period prior to the license expiration date, or within 45 days of an ownership change registration or registration as a collector or hobbyist vehicle, and inspection is not available under s. Trans 131.10, the owner or lessee may request of the department a letter of temporary exemption from the requirements of this chapter.

(2) APPLICATION. The department shall provide an application form, MVD2472, on which the vehicle owner or lessee shall state their name, permanent address, temporary address, if used, and daytime telephone number. The vehicle owner or lessee shall identify the vehicle involved, provide the reason for requesting a letter of temporary exemption, certify that the vehicle is unavailable for emission inspection, and state the date when the vehicle will again be operated within a Wisconsin county subject to the emission inspection requirements of this chapter.

(3) ISSUANCE. Upon approval of the application by the department, a letter of temporary exemption shall be issued to the vehicle owner or lessee. Such approval letter shall allow the owner or lessee to proceed with vehicle registration renewal. As a condition of granting the letter of temporary exemption, the department shall require that the vehicle be inspected within 30 days of the date the applicant indicates that the vehicle will again be operated within a Wisconsin county subject to the emission inspection requirements of this chapter.

(4) DURATION. A letter of temporary exemption shall not be valid longer than the period of registration renewal.

History: Cr. Register, June, 1993, No. 450, eff. 7-1-93; emerg. am., eff. 12-4-95; am. (1) to (3), Register, April, 1996, No. 484, eff. 5-1-96; CR 01-121: am. (1), Register March 2002 No. 555, eff. 4-1-02.

Trans 131.09 Temporary operating permits.

(1) GENERAL. The department or its designated representative may issue a temporary operating permit, valid for not more than 30 days, to allow time for inspection and necessary repairs and adjustments of any vehicle subject to inspection under s. 110.20 (6), Stats. No temporary operating permit shall be issued for a vehicle with registration expired for more than 90 days.

(2) APPLICATION. The department shall provide an application form, MV2505, on which the vehicle owner or lessee shall state their name, permanent address, and daytime telephone number. The vehicle owner or lessee shall identify the vehicle involved, and provide the reason for requesting a temporary operating permit.

(3) ISSUANCE. Upon approval of the application, the department shall issue a temporary license plate to the vehicle owner or lessee. Such plate shall contain the date of expiration. The owner or lessee shall affix the temporary license plate to the vehicle in accord with the requirements of s. 341.09 (5), Stats.

(4) TERM. A temporary operating permit shall be valid for 30 days after issuance. The department may approve the application for a second or third temporary operating permit provided that application is made within 90 days of the vehicle's registration expiration date.

History: Emerg. cr., eff. 12-4-95; cr. Register, April, 1996, No. 484, eff. 5-1-96; correction in (3) made under s. 13.93 (2m) (b) 7., Stats., Register, April, 1999, No. 520; CR 07-114: am. (3) Register June 2008 No. 630, eff. 7-1-08.

Trans 131.10 Reciprocity. (1) COMPLIANCE. When a vehicle subject to the emission inspection requirements of this chapter is unavailable for an inspection due to the vehicle's absence from the Wisconsin inspection area during the 180 day period prior to the license expiration date, or within 45 days of an ownership change registration or registration as a collector or hobbyist vehicle, but is operating in another nonattainment area requiring vehicle emission inspections, the owner or lessee shall submit an

official vehicle inspection report, or the equivalent document, from that area indicating that the vehicle has passed the emission inspection in that area.

(2) REGISTRATION ELIGIBILITY. The submission of satisfactory evidence of emission inspection compliance from another nonattainment area shall allow the owner or lessee to proceed with vehicle registration renewal or to satisfy ownership change, collector, or hobbyist vehicle registration inspection requirements.

(3) EXCEPTION. When a vehicle operates in a nonattainment area which does not allow the inspection of vehicles from other nonattainment areas, the owner or lessee may apply for a temporary exemption under s. Trans 131.08.

History: Emerg. cr., eff. 12-4-95; cr. Register, April, 1996, No. 484, eff. 5-1-96; CR 01-121: am. (1), Register March 2002 No. 555, eff. 4-1-02.

Trans 131.11 Audits of inspection facilities.

(1) GENERAL. Representatives of the department or its designated agent shall conduct audits of inspection equipment, procedures, personnel and records as follows:

(a) All contractor inspection functions, including those occurring at the inspection stations, other authorized inspection facilities, technical assistance centers or other facility by an inspector designated by the department to perform the functions of a technical assistance center, and vehicles used to conduct remote sensing, shall be audited on an unscheduled basis, at a minimum, according to the frequency established in the federal rule.

(b) Scheduled audits may be performed at any time.

(c) Either the department or its agent may conduct covert audits in order to satisfy the requirements of the federal rule.

(d) Audits shall be performed according to written procedures either established or approved by the department.

(2) EQUIPMENT AUDITS. (c) Equipment used to perform remote sensing tests shall be audited according to written procedures either established or approved by the department.

(d) Equipment used to perform OBD inspections shall be audited according to written procedures either established or approved by the department.

(e) If equipment fails to operate within contractually specified tolerance during an overt or covert audit, the department's quality assurance auditor shall immediately re-audit the failing equipment. If the equipment fails again, the department's quality assurance auditor shall require the station manager to close the affected lane or other authorized inspection facility or emission inspection operation until such time as the equipment is properly repaired and documentation of corrective actions is available for review by the department.

(3) PENALTIES. (a) Equipment failure shall result in the imposition of a penalty. Penalties are established in the penalty schedule section of the contract and may require that the contractor either incur liquidated damages or suspend or revoke inspector licenses, or both.

(b) Contractor employees, removed from inspection duties through either suspension or revocation of their inspection license as a result of a department audit, may appeal the contractor's suspension or revocation to the department's hearing officer. In the case of immediate suspension due to a department audit, a hearing shall occur within 14 calendar days of receipt of a written request by the employee. Failure to hold a hearing within 14 days when requested shall cause the suspension or revocation to lapse.

History: Cr. Register, June, 1993, No. 450, eff. 7-1-93; renum. Trans 131.09 to be 131.11 and r. and recr., Register, April, 1996, No. 484, eff. 5-1-96; renum. (2) (d) to be (2) (e), cr. (2) (d), am. (3) (b), Register, May, 2001, No. 545, eff. 6-1-01; CR 07-114: am. (1) (a) and (2) (e), r. (2) (a) and (b) Register June 2008 No. 630, eff. 7-1-08; **CR 10-088: am. (1) (intro.) and (a) and (2) (e) Register December 2010 No. 660, eff. 1-1-11.**

Trans 131.12 Equipment specifications and quality control. (1) GENERAL.

All equipment utilized for emission in-

spections shall be calibrated and maintained according to the standards established in the federal rule.

(2) SPECIFICATIONS. Equipment used to perform OBD inspections shall meet the most current version of each of the following SAE International standards: J1850, J1962, J1978, and J1979.

(3) QUALITY CONTROL. All equipment used in the emission inspection process shall be maintained according to all manufacturer specifications.

History: Cr. Register, June, 1993, No. 450, eff. 7-1-93; renum. Trans 131.10 to be 131.12 and r. and recr., Register, April, 1996, No. 484, eff. 5-1-96; cr. (2) (d), Register, May, 2001, No. 545, eff. 6-1-01; CR 07-114: r. and recr. (2), am. (3) Register June 2008 No. 630, eff. 7-1-08; **CR 10-088: am. (3) Register December 2010 No. 660, eff. 1-1-11.**

Trans 131.13 Licensing of inspectors. (1) TRAINING.

(a) All contractor employees and all employees of any authorized inspection facility subcontractor who perform any official inspection functions shall have a license issued by the contractor. No person may either receive a license or have a license renewed as an inspector unless the person demonstrates to the department, by training and examination, proficiency in all of the following:

1. Air pollution causes and effects.
2. Purpose, function and goals of the inspection program.
3. State inspection regulations.
4. Inspection procedures and rationale for their design.
5. Emission control devices, configuration and inspection.
6. Inspection equipment operation and maintenance.
7. Quality control procedures.
8. Public relations.
9. Safety and health issues related to the inspection process.

(b) Trainees shall both pass, by a minimum of 80% correct responses, a written test and demonstrate the ability, without the assistance of another person, to conduct a proper inspection as a condition of successfully completing a licensing examination administered by a party other than the contractor.

(c) An applicant for a vehicle emissions inspection license who fails an examination for inspector shall successfully complete the applicable vehicle emissions inspector training program prior to reexamination for license.

(2) LICENSING. Upon completion of training and all other licensing requirements, the contractor shall issue a photo identification badge containing the inspector's photograph, name, unique, non-transferable inspector number and the expiration date of the inspector's license. Training and licensing records for each employee so licensed shall be maintained both at the contractor's headquarters and at the employee's primary inspection station or other authorized inspection facility.

(3) RENEWAL. Licenses issued to vehicle emissions inspectors shall be valid for 2 years. Inspectors shall complete both refresher training and testing prior to license renewal.

(4) AUDITING. Representatives of the department or its designated agent shall conduct both overt and covert, scheduled and unscheduled audits.

(5) PENALTIES. (a) Failure of either the contractor or any of its employees or of any authorized inspection facility subcontractor or its employees to pass any portion of an overt or covert audit shall result in the imposition of a penalty. These penalties, established in the penalty schedule section of the contract, may require that the contractor either suspend or revoke inspector licenses or incur liquidated damages, or both.

(b) Contractor or subcontractor employees who are removed from inspection duties through either suspension or revocation of their inspection license as a result of a department audit may appeal the contractor's suspension or revocation to the department's hearing officer. In the case of immediate suspension due to a department audit, a hearing shall occur within 14 calendar days of the department's receipt of a written request by the

employee. Failure of the department to hold a hearing within 14 days when requested shall cause the suspension to lapse.

(6) CHALLENGE MECHANISM. (a) A motorist who alleges that either an incorrect inspection occurred or that fraud or abuse influenced the results of the inspection may contest the results of that inspection by notifying the department immediately after the inspection, or as soon as possible after discovering the problem.

(b) The department's quality assurance representative shall investigate the complaint. If the results of that investigation indicate that the inspection may have occurred incorrectly or that fraud or abuse may have influenced the results of the inspection, the department's quality assurance representative shall arrange for a reinspection at the technical assistance center or other facility by an inspector designated by the department to perform the functions of a technical assistance center at a time convenient to all parties.

(c) Results of the technical assistance center inspection or inspection by an inspector designated by the department to perform the functions of a technical assistance center shall supersede the results of the contested station lane or other authorized inspection facility inspection.

History: Cr. Register, June, 1993, No. 450, eff. 7-1-93; r. and recr. Register, April, 1996, No. 484, eff. 5-1-96; am. (1) (a) (intro.), (2), (5) (a) and (b), Register, May, 2001, No. 545, eff. 6-1-01; CR 07-114; am. (1) (a) and 6., (2), (5) (a) and (b) and (6) (c) Register June 2008 No. 630, eff. 7-1-08; **CR 10-088: am. (1) (a) 4. and 6. and (6) (b) and (c) Register December 2010 No. 660, eff. 1-1-11.**

Trans 131.14 Remote sensing. (1) GENERAL. The contractor shall use remote sensing to measure the in-use vehicle emissions in any county identified under s. 110.20 (5), Stats. Any nonexempt vehicle that has passed its last emission reinspection under s. Trans 131.03 (11), and fails the remote sensing test by exceeding the remote emission standards under sub. (4), shall have an emission inspection under s. 110.20 (9) (g), Stats. Penalty for failure to comply with this section consists of suspension of vehicle registration as set forth in s. 341.63 (1) (e), Stats.

(2) WHEN INSPECTION REQUIRED. (a) The owner or lessee of a nonexempt vehicle that fails the remote sensing test shall have an emission inspection within 45 days of notification of a remote sensing test failure.

(b) Vehicles that fail the remote sensing test, but are scheduled to receive an emission inspection required under s. 110.20 (6), Stats., within 90 days of remote sensing test failure, or for which temporary exemptions will expire within 30 days of remote sensing test failure, shall receive notification of the remote sensing test failure but are exempt from the inspection requirements of s. 110.20 (9) (g), Stats.

(c) Vehicles that have a valid emission inspection waiver at the time of remote sensing test failure are exempt from the inspection requirements of s. 110.20 (9) (g), Stats.

(3) SCOPE AND NATURE OF REMOTE SENSING TEST. The test shall consist of using an open-path infrared sensor to measure the concentration of one or more of the following pollutants present in the vehicle's exhaust:

- (a) Hydrocarbons.
- (b) Carbon monoxide.
- (c) Carbon dioxide.
- (d) Oxides of nitrogen.

(4) EMISSION STANDARDS. Vehicles that exceed the standards shown in Table 1 shall fail the remote sensing test:

TABLE 1

MODEL YEAR	GVWR	REMOTE SENSING STANDARD		
		HC(ppm)	CO(%)	NO _x (%)
1996 and newer	All	400	2.0	Reserved

Note: Changes to these standards may occur either if the USEPA establishes remote sensing standards or if the department's program evaluation indicates that modifications should occur to identify more accurately gross polluting vehicles.

(5) VEHICLE INSPECTION NOTICE. The contractor shall mail a vehicle inspection notice to the owner or lessee of vehicles that fail a remote sensing test conducted under this section. The vehicle inspection notice shall be mailed to the owner's or lessee's address indicated on the department's registration database. The vehicle inspection notice shall include all of the following:

- (a) Remote sensing test serial number.
- (b) Date, location and time of the remote sensing test.
- (c) License plate number.
- (d) VIN.
- (e) Emission remote sensing test results and standards for the vehicle.
- (f) Instructions indicating that the report, together with the vehicle, shall be brought to any inspection station or other authorized inspection facility to receive an inspection as required under s. Trans 131.14 (2), if required.

(g) Information describing the remote sensing test.

(h) Explanation of both the legal requirements and registration penalties for failure to comply with an inspection notice.

(i) Other information that the department may decide to include to improve understanding of the remote sensing test.

(6) REMOTE SENSING EQUIPMENT SPECIFICATIONS AND MAINTENANCE. (a) All equipment utilized for remote sensing emission measurement shall be calibrated and maintained according to the manufacturer's specifications or as superseded by contract.

(b) Remote sensing equipment, personnel and procedures shall be subject to periodic audits by the department under s. Trans 131.11.

History: Cr. Register, June, 1993, No. 450, eff. 7-1-93; r. and recr. Register, April, 1996, No. 484, eff. 5-1-96; CR 07-114; am. (1), (2) (a), (4) and (5) (f) Register June 2008 No. 630, eff. 7-1-08; **CR 10-088: am. (3) (title) and (5) (a), (b) and (e) Register December 2010 No. 660, eff. 1-1-11.**

Trans 131.15 Performance monitoring of repair facilities. (1) GENERAL. The department, through its emission inspection contractor, shall both collect emission repair data and inform the public and automotive repair industry regarding repair efficacy.

(2) DATA COLLECTION. Whenever a nonexempt vehicle receives a reinspection, the contractor shall collect the following emission repair information from the vehicle inspection report as required by s. Trans 131.03 (11):

- (a) The repairs performed.
- (b) Any technician recommended repairs not performed, per owner's request.
- (c) The name and address of the facility that performed the repairs.
- (d) The name of the person who performed the repairs.
- (e) The identification number, if available, of the recognized repair facility or recognized automotive emission repair technician, or both.

(3) REPORTING. (a) The contractor shall compile a report which includes the emission repair facility name, address, telephone number, number of vehicles submitted for reinspection, and percentages indicating the number of vehicles that have passed, failed, and received waivers after repair.

(b) Beginning in the third month of the vehicle emission inspection program, the contractor shall produce a summary report of the performance of local repair facilities that have repaired vehicles for reinspection. The report shall be provided to the motorist at the time of initial vehicle emission inspection failure. The report shall be updated on a quarterly basis.

(c) Repair facilities shall receive summary reports at least quarterly. Reports to the repair facility shall include all informa-

tion made available to the public and may include reports on individual technicians if so requested by the employing repair facility.

(d) The department may include additional statistics that convey information on the relative ability of repair facilities in providing effective emission repair.

History: Emerg. cr., eff. 12-4-95; cr. Register, April, 1996, No. 484, eff. 5-1-96; CR 10-088: am. (1) Register December 2010 No. 660, eff. 1-1-11.

Trans 131.16 Automotive emission repair technician training. (1) **GENERAL.** The department, in cooperation with community and technical colleges located in counties certified under s. 110.20 (5) (a), Stats., shall establish guidelines for assessing programs for automotive emission repair technician education and training available at both public and private facilities. The department shall designate programs that meet these guidelines as Wisconsin emission technician training, or WISETECH, programs. Any public or private facility offering automotive emission repair technician training may request WISETECH designation from the department.

(2) **CRITERIA.** To meet WISETECH standards, training courses shall, at a minimum, include instruction in:

(a) Diagnosis and repair of malfunctions in computer controlled close-loop vehicles.

(b) Application of emission control theory and diagnostic data to the diagnosis and repair of vehicles failing OBD inspection.

(c) Utilization of diagnostic information on systematic or repeated failures observed in OBD inspection.

(d) General training on the various subsystems related to engine emission control.

(3) **EQUIPMENT.** Both private and public facilities offering WISETECH designated automotive emission repair training courses shall have available, and maintain in good working condition, tools and equipment necessary for the proper diagnosis, adjustment and repair of all nonexempt vehicles. All equipment utilized in the training courses shall be maintained according to the manufacturer's specifications.

(4) **PROGRAM RECOGNITION.** Programs shall be designated as meeting WISETECH standards if in compliance with one of the following:

(a) The department approves the course curricula, equipment and facility.

(b) The training facility presents documentation that the course meets National Automotive Technician Education Foundation, Inc., standards.

(5) **TECHNICIAN RECOGNITION.** (a) A person successfully completing all phases of a WISETECH training program shall achieve the designation of "recognized automotive emission repair technician" as defined in s. Trans 131.02 (38).

(b) A person who satisfactorily completes a WISETECH approved automotive emission training course shall receive from the organization providing the training, an identification card which states the technician's name, the name and location of the course, the date of completion and a WISETECH identification number.

(6) **REPORTING.** Both private and public facilities offering WISETECH automotive emission repair training courses shall supply the department with the names of the persons registered in their course, the percentage successfully passing the course and the names and WISETECH identification numbers of those passing.

(7) **SUPPLEMENTAL TRAINING.** The department may authorize periodic supplemental training as a requirement for a person to maintain the status of WISETECH automotive emission repair technician.

(8) **QUALITY ASSURANCE.** (a) WISETECH training programs are subject to periodic monitoring by the department or its representative to assure that courses continue to meet WISETECH standards.

(b) The department may use performance monitoring as described in s. Trans 131.15 to evaluate both the emission repair success of the technicians and the effectiveness of WISETECH designated courses.

History: Emerg. cr., eff. 12-4-95; cr. Register, April, 1996, No. 484, eff. 5-1-96; am. (2) (b) and (c), Register, May, 2001, No. 545, eff. 6-1-01; CR 07-114: am. (2) (b), (c) and (3) Register June 2008 No. 630, eff. 7-1-08.

Trans 131.17 Notification of inspection requirements. As part of the notification process for vehicle registration renewal under s. 341.08 (4m), Stats., or for inspection required due to ownership change registration under s. 110.20 (6) (a) 2., Stats., or for inspection required due to registration as a collector or hobbyist vehicle, the department shall include notification to vehicle owners whose vehicles either are or may be subject to the inspection requirements of this chapter.

History: Cr. Register, June, 1993, No. 450, eff. 7-1-93; emerg. renum. and am., eff. 12-4-95; renum. from Trans 131.15, Register, April, 1996, No. 484, eff. 5-1-96.