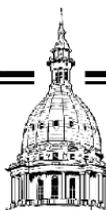




Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 747

Sponsor: Senator Mat J. Dunaskiss

Committee: Natural Resources and Environmental Affairs

Date Completed: 11-8-95

SUMMARY OF SENATE BILL 747 as introduced 11-2-95:

The bill would amend the Natural Resources and Environmental Protection Act to eliminate a requirement that the Michigan Department of Transportation (DOT) implement a vehicle emissions test and repair program in Wayne, Oakland and Macomb Counties; provide that the owner of a motor vehicle in any of those counties would not be required to have emissions testing and repairing unless an emissions test program were implemented; and eliminate two current conditions under which the DOT may implement a decentralized test and repair program.

Currently, the Act requires the DOT by January 1, 1996, to implement and administer in Wayne, Oakland, and Macomb Counties a decentralized motor vehicle emissions inspection test and repair program in compliance with provisions of the Federal Clean Air Act that were in effect before November 15, 1990. The bill provides instead, that on or after the effective date of the bill the owner of a motor vehicle who resided in Wayne, Oakland, or Macomb County would not be required to have the vehicle tested or repaired under the Act unless an emissions inspection test program were implemented by the DOT.

Currently, the DOT may implement and administer in Wayne, Oakland, and Macomb Counties a decentralized test and repair program designed to meet Environmental Protection Agency (EPA) performance standards using bar 90 testing equipment or an equivalent system approved by the EPA, only under one of the following conditions:

- 1) As a contingency measure included in the maintenance plan approved by the EPA as part of the redesignation as an ozone attainment area. The contingency measure must include authority to expand the program to Washtenaw County if other measures are not sufficient to meet the maintenance plan. The DOT may implement the contingency measure only if an actual violation of the ozone national ambient air quality standard during the maintenance period is observed.
- 2) An application for redesignation as an ozone attainment area is approved by the EPA but a condition of that approval requires implementing the program in order to comply with the Clean Air Act.
- 3) An application for redesignation as an ozone attainment area is not approved by the EPA and the program is required to meet the requirements of the Clean Air Act. The program may be expanded to include Washtenaw County, and if necessary to meet the basic emissions inspection/maintenance program requirements of the Clean Air Act, the Department may expand the program to St. Clair, Livingston, and/or Monroe Counties if

other measures are not sufficient to meet Clean Air Act requirements. The DOT may exercise this contingency only if the Department notifies the Legislature that this event has occurred and that the contingency will be implemented after a period of 45 days, and the Legislature fails to amend these requirements within the 45-day period.

The bill would eliminate the second and third conditions while maintaining the first condition; however, the DOT could exercise this contingency only if the Department notified the Legislature that the event had occurred and that the contingency would be implemented after 45 days, and the Legislature failed to amend these requirements within the 45-day period.

The Act provides that a testing station may not charge a fee to issue a certificate of compliance for a vehicle that has qualified for and received a low emission tune up. The bill would eliminate this provision.

The Act prohibits a person from engaging in motor vehicle inspections unless the person is a registered motor vehicle repair facility and has received a license to operate a testing station from the DOT. The bill would eliminate the requirement that the person be a registered motor vehicle repair facility.

MCL 324.6506 et al.

Legislative Analyst: G. Towne

FISCAL IMPACT

The annual cost of the auto emissions testing program administered by the Department of State (Wayne, Oakland, Macomb) was \$1.8 million General Fund/General Purpose. Public Act 451 of 1994 provided that the Department of Transportation would assume administration of this program not later than January 1, 1996. The Act also provided that \$3 fee of the testing fee would be remitted to the Department of Treasury to support the program. That fee would have generated approximately \$6.9 million annually.

Fiscal Analyst: B. Bowerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.