

Texas Commission on Environmental Quality

Interoffice Memorandum

To: Commissioners **Date:** September 6, 2013

Thru: Bridget C. Bohac, Chief Clerk
Zak Covar, Executive Director

From: Steve Hagle, Deputy Director 
Office of Air

Subject: Docket No. **2013-1108-SIP** / Project No. 2013-041-SIP-NR
Highlight/Strikeout Version of House Bill 2305: Inspection and
Maintenance (I/M) SIP Revision PROPOSAL

The attached revisions are shown in highlight/strikeout and are provided as *REVISED BACKUP MATERIAL* to the documents filed on September 5, 2013 scheduled for your consideration on the September 24, 2013 agenda.

CHANGE(S) TO THE I/M SIP REVISION NARRATIVE

- On page 8-1 – Revisions to section 8.2: *Inspection Process and Standards* are proposed to remove inaccurate and redundant information. The reference to the Department of Public Safety (DPS) administrative rule 37 Texas Administrative Code (TAC) §23.93 has been removed from the I/M SIP Revision because the DPS repealed this rule on March 13, 2013. The tampering requirements that were in 37 TAC §23.93 are now addressed in 30 TAC Chapter 114, Control of Air Pollution from Motor Vehicles. The corresponding language regarding engine replacement requirements and guidance on engine switching requirements was removed to eliminate redundancy since tampering requirements are the basis for the engine switching guidance and the engine replacement requirements are a subset of the tampering requirements.

Attachments:

Page 8-1 of Proposed I/M SIP Revision

cc: Chief Clerk, 2 copies
Executive Director's Office
Anne Idsal
Tucker Royall
Office of General Counsel
Angela Kissel

CHAPTER 8: TEST PROCEDURES, STANDARDS, AND TEST EQUIPMENT (UPDATED)

8.1 GENERAL (NO CHANGE FROM 2009 I/M SIP REVISION)

8.2 INSPECTION PROCESS AND STANDARDS (UPDATED)

Owners of all subject gasoline-powered vehicles that are two through 24 years old that are annually inspected through the Texas Department of Public Safety (DPS) certified safety inspection stations are required to have an applicable emissions inspection performed. Vehicles less than two years or greater than 24 years old are exempt from the Inspection and Maintenance (I/M) program requirements. Texas implemented annual vehicle emissions inspections in:

- Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties in the Dallas-Fort Worth (DFW) area;
- Brazoria, Fort Bend, Galveston, Harris, and Montgomery Counties in the Houston-Galveston-Brazoria (HGB) area; and
- El Paso County in the El Paso area.

An acceleration simulation mode (ASM), two-speed idle (TSI), or On-Board Diagnostics (OBD) inspection, and a gas cap integrity inspection are performed on all subject vehicles as part of the annual safety and emissions inspection. In addition, as a part of the annual safety and emissions inspection, vehicles are subject to anti-tampering checks including:

- the exhaust gas recirculation system;
- the evaporative emissions control system;
- the positive crankcase ventilation system;
- the thermostatic air cleaner;
- the air injection system; and
- the catalytic converter for selected model-years.

Evaporative system purge testing is not performed in the I/M program. Unsafe vehicles or vehicles with missing or leaky exhausts that are presented for emissions inspections are rejected.

OBD inspections for 1996 and newer model-year vehicles and ASM inspections for pre-1996 model-year vehicles began on May 1, 2002 in Collin, Dallas, Denton, Tarrant Counties in the DFW area and Harris County in the HGB area. On May 1, 2003, these inspection requirements were expanded to include Ellis, Johnson, Kaufman, Parker, and Rockwall Counties in the DFW area and Brazoria, Fort Bend, Galveston, and Montgomery Counties in the HGB area.

On January 1, 2007, El Paso County continued emissions inspections on pre-1996 model-year vehicles using TSI and began emissions inspections on all 1996 and newer model-year vehicles using OBD inspections.

The vehicle emissions inspection begins when the vehicle identification number, license plate, make, model, model-year, and other relevant vehicle information have been entered into the inspection analyzer. Pre-existing data, based on the registration database and the prior vehicle emissions inspection history of the subject vehicle, are retrieved. The inspector confirms the vehicle information from the vehicle identification database (VID) with the subject vehicle

presented for emissions inspection. If no match or contact occurs with the VID, the inspector manually enters the vehicle information into the vehicle emissions inspection analyzer. All emissions inspection results are electronically sent via modem to the Texas Information Management System host computer immediately following the completion of each inspection. A copy of the inspection results can be obtained from any inspection station within 13 months of the inspection. All emissions inspection results are accessible to the Texas Commission on Environmental Quality and the DPS.

An official inspection, once initiated, is performed in its entirety regardless of the intermediate outcomes, except in cases of invalid inspection conditions, unsafe conditions, or fast pass/fail algorithms. Inspections involving measurements are performed with program-approved equipment that has been calibrated. Emissions standards are applicable to all vehicles subject to the I/M program and repairs are required for failure of any standard. The commission may adjust standards as necessary to maintain a passing rate of at least 80 percent. If a vehicle fails the emissions inspection, the vehicle is to be reinspected for all pollutants. A second failure of any pollutant level results in a second failure of the vehicle. Vehicles will fail visual inspections of subject emissions control devices if such devices are part of the original certified configuration and are found to be missing, modified, disconnected, improperly connected, or found to be incorrect for the certified vehicle configuration under inspection.

~~30 Texas Administrative Code (TAC) Chapter 114, Control of Air Pollution from Motor Vehicles, outlines requirements for engine replacement, removal and installation of emissions control components, and tampering. Additionally, the DPS Administrative Rule 37 TAC §23.93, Vehicle Emissions Inspection Requirements, gives guidance on engine switching. The DPS is responsible for enforcing engine switching and vehicle tampering requirements.~~

The DPS uses remote sensing to identify high-emitting vehicles operating in the DFW, HGB, and El Paso program areas. Remote sensing may also be used as a quality assurance tool for randomly selected or suspect vehicle emissions facilities. Remote sensing screening is conducted according to reliable engineering practices to assure the accuracy of the inspection.

8.3 INSPECTION EQUIPMENT AND REQUIRED FEATURES (NO CHANGE FROM 2009 I/M SIP REVISION)

8.4 ACCEPTANCE TEST PROCEDURES (NO CHANGE FROM 2009 I/M SIP REVISION)

8.5 INSPECTION EQUIPMENT CERTIFICATION REQUIREMENTS (NO CHANGE FROM 2009 I/M SIP REVISION)

8.6 DETECTION METHODS, INSTRUMENT RANGES, ACCURACY, AND REPEATABILITY (NO CHANGE FROM 2009 I/M SIP REVISION)

8.7 REFERENCES (NO CHANGE FROM 2009 I/M SIP REVISION)