

**STATE OF TEXAS
DEPARTMENT OF PUBLIC SAFETY
AUSTIN**



**VEHICLE EMISSIONS
INSPECTION & MAINTENANCE
RULES & REGULATIONS MANUAL
FOR
OFFICIAL VEHICLE INSPECTION STATIONS
AND
CERTIFIED INSPECTORS**

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01.05.00 INTRODUCTION

This manual provides the department's instruction to inspection stations and inspectors for conducting the vehicle emissions inspection in counties with vehicle emissions inspection and maintenance (I/M) programs. This manual supplements the "Rules and Regulations Manual for Operation of Official Vehicle Inspection Stations," which provides instructions for the annual safety inspection in those counties.

01.10.00 PROGRAM OVERVIEW

01.10.01 Purpose. The purpose of the state's I/M program is to ensure compliance with the requirements of the Federal Clean Air Act, U.S. Environmental Protection Agency (EPA) regulations, the Texas Clean Air Act, and the State Implementation Plan regarding vehicle emissions in affected counties.

01.10.02 Objective. The objective of the I/M program is the reduction of air pollution from motor vehicles by means of various emissions inspections to determine compliance with established emissions standards, and to ensure that necessary repairs are completed.

01.10.03 Goal. The goal of the I/M program is for the State of Texas to meet the National Ambient Air Quality Standard (NAAQS).

01.15.00 I/M PROGRAM DESIGN

The design of the IM program is to concentrate on specific pollutants found in vehicle exhaust emissions. Those pollutants are carbon monoxide (CO), hydrocarbons (HC), and nitrogen oxides (NOx). It is one of many similar programs in counties across the U.S. having air quality below the National Ambient Air Quality Standard.

Carbon monoxide is a colorless, odorless, and tasteless gas sometimes found in urban areas in concentrations that can be harmful to people. It is a by-product of combustion and the automobile is the single largest source of this pollutant.

Hydrocarbons are organic compounds composed of hydrogen and carbon. The energy in such compounds is released when combined with oxygen during combustion. Most engine fuels, such as gasoline, propane, methane, etc., contain hydrocarbons and some portion remains after combustion. Hydrocarbons and nitrogen oxides react with sunlight and warm temperatures to form ground-level ozone. Ground-level ozone, a main ingredient in smog, can cause upper respiratory problems and lung damage.

Nitrogen oxides, or NOx, is the generic term for a group of highly reactive gases, all of which contain nitrogen and oxygen in varying amounts. Many of the nitrogen oxides are colorless and odorless. However, one common pollutant, nitrogen dioxide (NO₂), along with particles in the air, is often seen as a reddish-brown haze (smog) over many urban areas. During combustion, high heat and pressure will cause nitrogen to combine with unused oxygen.

The specific vehicle emissions test used in the I/M program area or county focuses on the pollutant problem of the area.

01.20.00 I/M PROGRAM APPLICABILITY

The I/M program is applicable in all affected counties. The term "affected counties" applies to all counties classified as nonattainment, where the State Implementation Plan (SIP) requires an I/M program and "participating" counties that voluntarily enter the program in an effort to avoid classification as non-attainment.

In this manual, the affected counties are located in the following areas: Dallas/Ft Worth area (Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, and Tarrant counties), Houston/Galveston area (Brazoria, Ft Bend, Galveston, Harris, & Montgomery counties), El Paso area (El Paso County), and the Austin area (Travis and Williamson counties).

In El Paso, Travis and Williamson counties, the I/M program focuses on the reduction of carbon monoxide and hydrocarbon emissions. In all other affected counties, the focus is the reduction of carbon monoxide, hydrocarbon, and oxides of nitrogen emissions from designated vehicles.

01.25.00 LAYOUT OF MANUAL

This manual consists of five (5) chapters. Chapter 1 is an introductory chapter, which explains the purpose and goals of the program. Chapter 2 describes the Acceleration Simulation Mode 2 (ASM2) emissions test performed on 1995 and older designated gasoline powered vehicles in all affected counties except El Paso, Travis and Williamson counties. Chapter 3 describes the On-Board Diagnostic Second Generation (OBDII) emissions test performed on 1996 and newer designated gasoline powered vehicles in all affected counties. Chapter 4 describes the Two Speed Idle Test (TSI), which is the type of emissions test performed on all 1995 model year and older designated vehicles in El Paso, Travis and Williamson counties. Chapter 5 is a reference section. Additionally, Chapter 5 contains Rule 23.93 (37 TAC §23.93), which incorporates this manual into the Texas Administrative Code.

01.30.00 PUBLICATION AUTHORITY

This manual is promulgated under the authority of the Texas Transportation Code, Chapter 548, the Texas Health and Safety Code, Chapter 382 (Texas Clean Air Act), and administrative rules adopted by the Department of Public Safety.

01.35.00 OBLIGATION TO ADHERE TO MANUAL

Failure to comply with any law, rule, regulation, or provision of this manual pertaining to vehicle emissions inspection will result in adverse administrative action that may result in the denial, suspension, or revocation of your inspection authority, and/or criminal charges when applicable.

**CHAPTER TWO
ACCELERATION SIMULATION MODE 2 (ASM2)
INSPECTION PROCEDURE**

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BLANK IN EI PASO, TRAVIS & WILLIAMSON COUNTIES**

**CHAPTER TWO
ACCELERATION SIMULATION MODE 2 (ASM2)
INSPECTION PROCEDURE**

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02.05.00 ACCELERATION SIMULATION MODE 2 (ASM2) EMISSIONS INSPECTION

02.05.01 GENERAL

The primary vehicle emissions analyzer certified by the Texas Commission on Environmental Quality (TCEQ) is capable of performing all emissions tests required by the Texas I/M program. The tests are the Acceleration Simulation Mode 2 (ASM2), On-Board Diagnostic II (OBDII), and Two-Speed Idle (TSI). The analyzer software is designed to administer the required emissions test. This analyzer must be used for inspections in all affected counties except those stations with an OBD-only waiver.

This chapter describes the procedures used by certified inspectors in conducting the Acceleration Simulation Mode 2 (ASM2) emissions inspection on designated vehicles in affected counties.

02.05.02 ASM2 TEST PROTOCOL

The Acceleration Simulation Mode 2 (ASM2) is a loaded-mode emissions test using a five-gas analyzer and dynamometer (a treadmill-like device for the front or rear traction tires of the vehicle). It measures exhaust emissions for levels of hydrocarbon, carbon monoxide, and nitrogen oxides.

This I/M program uses an ASM test with two modes, hence the use of "2" as a suffix. In the 50/15 mode, the vehicle is tested on the dynamometer simulating the use of 50% of the vehicle available horsepower to accelerate at a rate of 3.3 miles per hour (mph) per second to a constant speed of 15 mph. In the 25/25 mode, the vehicle is tested on the dynamometer simulating the use of 25% of the vehicle available horsepower to accelerate at a rate of 3.3 mph per second to a constant speed of 25 mph.

In this manual, the term "ASM" shall refer to the Acceleration Simulation Mode 2 (ASM2) test.

02.05.03 STATION REQUIREMENTS FOR ASM TESTING

In addition to all equipment required to perform safety inspections, all inspection stations performing Acceleration Simulation Mode (ASM) emissions testing must also have a minimum of the following:

1. A five-gas analyzer and dynamometer with gas

cap tester certified by TCEQ.

2. Approved Bar 97 Hi and Low calibration gas for the analyzer.

3. A designated telephone line dedicated solely to each analyzer in the program.

4. The engine cooling fan provided by the analyzer manufacturer or a replacement fan meeting the original equipment specifications; i.e. maximum outside diameter of 30 inches, and a minimum CFM rating of 3000 cfm.

5. An adequate supply of printer supplies.

6. All required analyzer manuals.

7. A business arrangement with the Texas Information Management Systems (TIMS) contractor to obtain a telecommunications link to the Vehicle Information Database (VID).

Note: If the inspection station fails to pay its data link fees to the contractor, then the analyzer will be locked out from any further inspections until the problem is resolved.

02.05.04 TESTING DATA COLLECTION

All certified emissions inspection stations must report the results of emissions testing, since the collection and reporting of accurate vehicle emissions testing data has significant importance for the inspection and maintenance (I/M) program.

Each analyzer is allowed a certain number of off-line inspections since occasional telephone line problems may occur. After restoration of the telephone link, the off-line data will be sent to the VID. However, when the analyzer exceeds the off-line inspection limit the analyzer will be locked out from any further inspections until the problem is resolved. Failure to reestablish the telecommunications link to the VID will result in either suspension or revocation of the inspection station license.

02.10.00 CERTIFIED INSPECTORS

Only certified inspectors who have completed training with either DPS or a DPS approved outside training school and received a certified vehicle inspector access ID card (scan card) may perform vehicle emissions testing.

02.15.00 ASM TESTING APPLICABILITY

ASM emissions testing will be performed in the following counties:

1. Brazoria,
2. Collin,
3. Dallas,
4. Denton,
5. Ellis,
6. Ft Bend,
7. Galveston,
8. Harris,
9. Johnson,
10. Kaufman,
11. Parker,
12. Rockwall,
13. Montgomery, and
14. Tarrant.

ASM emissions testing is performed on all motor vehicles that are:

1. capable of being powered by gasoline (except motorcycles),
2. model years 1995 and older, to and including 24 years old, and
3. presented for annual safety inspection; or
4. required by state law.

Note: Examples of "required by state law" are:

1. Department of Public Safety directs that a vehicle receive an out-of-cycle emissions test,
2. vehicle requires an emissions test on resale, or
3. a public college or university requires emissions testing prior to issuance of a school parking permit.

ASM emissions inspections will be performed on other vehi-

cles, as the Department of Public Safety shall direct.

02.20.00 INSPECTION CERTIFICATES

The following inspections will be entered into the analyzer at all certified ASM emissions inspection stations.

1. Safety only
2. Two Year Safety (new car and light duty truck)
3. Safety and Emissions
4. Emissions only
5. Federal Motor Carrier Safety Regulations (commercial windshield and trailer inspections)
6. Trailer/Motorcycle

The department approved "ASM Safety and Emissions Certificate" will be issued to vehicles passing the safety and ASM emissions inspection, with the following exceptions.

1. Vehicles model year 1996 and newer (OBDII) that would not be eligible to receive an ASM emissions inspection, but where DPS notifies inspection stations to perform the emissions inspection using the ASM emissions test on these specific vehicles. These vehicles, and only these specific vehicles, will receive a department approved "OBD Safety and Emissions Certificate" after passing both the safety and ASM emissions inspection.

2. Vehicles qualifying under DPS rules for a "unique emissions-test-only inspection certificate." These vehicles are exempt from the annual safety inspection or not required to be emissions tested at the time of the safety inspection. **Specifically, a unique emissions-test-only inspection certificate** shall be issued to:

a. **Federal Vehicles (not registered in Texas).** Federal government or quasi-governmental agency vehicles that are primarily operated in affected counties, but do not display Texas license plates, are exempt from the annual safety inspection; however, they shall be required to comply with all vehicle emissions requirements.

b. **Out-of-State Registered Vehicles (for out-of-state registration purposes only).** Vehicles registered in another state, that require an emissions test for registration purposes in that state, may be emissions tested and issued an emissions-test-only inspection certificate.

c. **Commercial Motor Vehicles Requiring an Emissions Test.** A motor vehicle requiring a Federal Motor Carrier Safety Inspection, that meets the definition of a designated vehicle, must pass an emissions inspection and display a unique emissions-test-only inspection certificate on the lower left-hand corner of the windshield, immediately above the registration certificate, prior to receiving a commercial vehicle inspection certificate. The commercial vehicle inspection must be performed within 15 calendar days of the issuance of the emissions-test-only inspection certificate. The inspector shall not remove the unique emissions-test-only certificate when the new commercial inspection certificate is issued.

d. **College Students Away From Home.**

(1) A vehicle, registered in an affected county, operated by a college student that was issued a safety-only inspection in a non-affected county, and upon return to the affected county who requests an emissions-only inspection.

(2) A vehicle, registered in a non-affected county or out of state, operated by a college student, where the public institution of higher learning is located in affected county and requires vehicles to be emissions tested as a condition to receive a permit to park or drive on the grounds of the institution.

e. **Current Safety or Safety and Emissions Inspection.** A vehicle with a valid inspection certificate, either safety only or safety and emissions, directed by DPS to undergo an emissions inspection (usually as a result of DPS on-road emissions testing).

3. Only the fee for the emissions test will be charged for emissions tests performed on the vehicles listed above.

Note: All unique emissions-test-only inspection certificates expire at the same time the safety-only inspection certificate expires or the last day of the month indicated on the back of the certificate and year indicated by the hole punch on the unique emissions test-only inspection certificate, or whichever occurs first.

02.25.00 ASM2 INSPECTION DETAILS

Order of inspection:

1. Conduct a preliminary examination of the vehicle to ensure that it can be tested on the ASM analyzer without hazard. Check the following items:

a. vehicle drive tires: both drive tires are

approximately the same size (no space-saver spare), look for the presence of bulges, cord showing, or any other defects that could cause a safety hazard on the dynamometer; and

b. presence of leaks (fuel, substantial coolant, or oil).

Note: Do not proceed with either the safety or emissions inspection if the vehicle fails the preliminary examination.

2. If necessary, prepare the analyzer for testing.

a. Leak checks and gas cap calibrations are required every 24 hours. Leak checks may only be performed by capping the ends of the probe. **If the analyzer fails the leak check or gas cap calibration test, no inspection may be performed until the problem is repaired.**

b. Gas calibrations and dynamometer calibrations are required every 72 hours.

3. Scan the inspector ID card and enter the inspector pin number, then select the type of inspection to be performed.

4. Follow the screen prompts, answering questions and entering required data.

a. The inspector must enter all required information as accurately and correctly as reasonably possible. **Incorrect information may cause inaccurate test results.**

b. Any vehicle information displayed on the analyzer screen that is incorrect will be corrected by the inspector before continuing to the next screen.

5. Conduct a complete safety inspection, if required.

6. When prompted, the inspector should restrain the vehicle when operating it on the dynamometer.

a. Restrain front wheel drive vehicles with lateral wheel restraints, tie down straps, wheel chocks, and the park brake.

b. Restrain rear wheel drive vehicles with lateral wheel restraints, tie down straps, and wheel chocks.

7. When prompted by the analyzer, the inspector must place the engine cooling fan in front of the vehicle to aid in engine cooling.

8. If the vehicle has dual exhausts, then insert probes into both pipes.

9. The analyzer requires a RPM signal from the vehicle.

a. During testing, the minimum RPM for automatic transmissions is 100 RPM. The minimum RPM for standard transmissions is 1250 RPM. The maximum RPM for either is 3000 RPM.

b. If the length of the vehicle prevents the use of the analyzer tachometer lead when the exhaust probe is placed in the tail pipe, then a RPM bypass is approved. The authority to bypass any other RPM signals may only be granted by DPS.

10. Follow the screen prompts to conduct a complete emissions inspection using the ASM five-gas analyzer and dynamometer except under the following conditions:

a. Vehicle has All Wheel Drive, Full Time 4 Wheel Drive, Non-disengageable Traction Control, or

b. Gross Vehicle Weight (GVW) greater than 8500 pounds.

c. Under both conditions, the dynamometer cannot be utilized. When this information is entered into the analyzer, it will automatically prompt the inspector to conduct a Two-Speed Idle (TSI) test.

The analyzer will prompt the inspector, step by step, through a Two-Speed Idle (TSI) test.

NOTE: Vehicles too large to fit into a standard inspection bay can be inspected outside the building, as close to the analyzer as possible, in an area approved by a department representative.

11. **Gas Cap Testing.** Every gasoline-powered vehicle from 2-24 model years old will be checked for presence of a gas cap and then tested by a department approved "gas cap testing device" to determine if the gas cap is defective. The following vehicles are exempt:

a. Antique vehicles.

b. Slow-moving vehicles.

c. Motorcycles.

d. Vehicles operated exclusively by a fuel other than gasoline.

e. Vehicles newer than two (2) years old and older than 24 years old.

A. Inspection Procedure.

a. Conduct daily calibration check of gas cap testing device.

b. Check for presence (all gas caps must be present).

c. Check for correct type of gas cap(s).

d. Remove gas cap(s) and test using an approved testing device. (Gas cap present but not testable will not be cause for rejection.)

e. Any gas cap(s) failing the initial test will be tested a second time to verify failure.

B. Inspect for and reject if:

a. Vehicle not equipped with required gas cap(s).

b. Vehicle not equipped with proper type gas cap(s).

c. Gas cap(s) fails both tests.

12. Emissions test results are automatically recorded as pass/fail.

13. If the vehicle passes the required inspections, then the analyzer will prompt the inspector to enter the certificate number.

a. Use an ASM certificate only for a Safety and Emissions inspection, except as otherwise directed by DPS.

b. Use the unique Emissions-Test-Only inspection certificate for an emissions-only inspection.

14. The inspector must give a copy of the test results to the motorist. The inspector conducting the test will sign the test results.

Texas Transportation Code, Section 548.053, states "If an inspection discloses the necessity for adjustment, correction, or repair, an inspection station or inspector may not issue an inspection certificate until the adjustment, correction, or repair is made."

If a vehicle fails any item of inspection, the inspector shall enter the reason for rejection in the space provided on the rejection receipt (VI-7) by typing it in while the rejection receipt is displayed on the analyzer or by handwriting it in after the rejection receipt is printed by the analyzer. The inspector shall verbally explain the reason for the rejection and mark a large "X" on the back of the certificate currently displayed on the vehicle.

A vehicle presented for re-inspection within 15 days, not counting the day of inspection, will be inspected using the re-inspection menu only.

The inspector shall provide the motorist whose vehicle has failed with the following:

1. Rejection receipt,
2. Emissions test results (VIR) signed by the inspector conducting the test,
3. Vehicle Repair Form (VRF),
4. Brochure, "What to do if my vehicle fails the emissions test," and
5. A list of Recognized Emissions Repair Facilities of Texas.

02.30.00 FEES

An emissions inspection fee may be charged for those vehicles requiring the vehicle emissions inspection. This fee is in addition to any fee charged for conducting a Safety or Federal Motor Carrier Safety Regulations Inspection. Refer to Chapter 5 for current fees.

1. If the inspection is aborted due to one of the following reasons: loss of oil pressure, loss of coolant or overheating, fuel system leak, excessive engine noise, or other safety problem, i.e., a tire failure, and the appropriate reason is checked on the screen, then the entire inspection will be recorded as a failure and the station will be allowed to collect the entire inspection fee.
2. If the inspection is aborted due to one of the following reasons: no inspection required, analyzer problem, low flow rate, or other equipment failure, and the appropriate reason is checked on the screen, then the entire inspection will be recorded as an abort and the station will not be allowed to charge or collect any inspection fee.

02.35.00 REPORTS

The station inspection log/report will be printed automatically each Monday morning by the analyzer, or may be printed at any time on demand.

NOTE: The inspection station is not required to mail the inspection log/report to DPS in Austin; however, the station is required to maintain a copy of the log/report for one year from the date of printing. Inspection stations performing "new car make ready" inspections resulting in the issuance of two-year inspection certificates will retain the forms including these inspections for a period of two years.

02.40.00 ANALYZER LOCKOUTS

Notify the local Texas Department of Public Safety Vehicle

Inspection Office for lockouts resulting from:

1. State lockout,
2. State disk drive tamper,
3. Texas Analyzer System (TAS) cabinet tamper, or
4. Exceeding maximum number of inspections without communication to VID contractor.

Notify Gordon-Darby for lockouts resulting from:

Failure to pay communication fees to VID contractor.

Notify the analyzer manufacturer for lockouts resulting from:

1. Gas calibration failure,
2. Hard drive failure,
3. Disk failure,
4. Gas analyzer failure,
5. Leak check failure,
6. Internal clock failure,
7. Warm up failure,
8. Gas cap calibration failure, or
9. Dynamometer calibration failure.

02.45.00 APPROVED EQUIPMENT

The following is a list of currently approved ASM vendors (alphabetical listing).

1. ESP:
Model number 10400-57
2. Snap-On:
Sun model number EEEA110 (any letter designation may follow model number)
John Bean model number EEEA116 (any letter designation may follow model number)
3. Worldwide:
Model number EIS5000

**CHAPTER THREE
ON BOARD DIAGNOSTICS II
INSPECTION PROCEDURE**

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3.05.00 ON-BOARD DIAGNOSTICS II (OBDII) EMISSIONS INSPECTION

03.05.01 GENERAL

The primary vehicle emissions analyzer certified by the Texas Commission on Environmental Quality (TCEQ) is capable of performing all emissions tests required by the Texas I/M program applicable in the area (county) for which it is certified. With few exceptions, On-Board Diagnostics II (OBDII) is the primary method of emissions testing model year 1996 and newer vehicles.

In the Dallas/Ft Worth (DFW) and Houston/Galveston (HGA) I/M areas, the primary analyzer is capable of performing the On-Board Diagnostics (OBDII), Acceleration Simulation Mode 2 (ASM2), and Two-Speed Idle (TSI) tests. The majority of the stations are equipped with full-service analyzers capable of performing all the required emissions tests, except those stations with OBD-only waiver.

In the El Paso and Travis/Williamson (EAC) areas, the primary analyzer is capable of performing the On-Board Diagnostics (OBDII) and Two-Speed Idle (TSI) tests. Public OBD-only stations are not authorized in these I/M program areas.

This chapter describes the procedures used by the certified inspectors in performing the On-Board Diagnostics II (OBDII) emissions inspection on vehicles in counties with an I/M program using OBDII testing.

03.05.02 OBDII PROTOCOL

On-Board Diagnostics Second Generation (OBDII) is a computerized system required on 1996 and newer model year vehicles (GVW 8500 lbs. or less). When an emissions control malfunction is detected, a dashboard light illuminates, displaying one of the following: "Check Engine," "Service Engine Soon," or the international engine symbol. If the OBDII system detects a problem, a corresponding diagnostic trouble code (DTC) is stored in the computer's memory. During an emissions inspection, the analyzer plugs into the diagnostic link connector, checks and downloads stored information from the emissions related components to identify those that are not working properly. Inspection failures occur when there is a malfunction with the OBDII equipment including the on-board computer, related wiring, or when an emissions related component has failed, causing the vehicle's exhaust emissions to be one and a half times the vehicle's certified emissions level as determined by the manufacturer. In this manual, the term OBD shall refer to the second generation of this system, generally referred to as

OBDII.

03.05.03 STATION REQUIREMENTS FOR OBDII TESTING

In addition to all equipment required to perform safety inspections, all inspection stations performing On-Board Diagnostic (OBD) emissions inspections must also have a minimum of the following:

1. An emissions analyzer with a gas cap tester certified by the TCEQ to perform at least OBD testing.
2. A designated telephone line dedicated solely to each analyzer in the program.
3. An adequate supply of printer supplies.
4. All required analyzer manuals.
5. A business arrangement with the Texas Information Management Systems (TIMS) contractor to obtain a telecommunications link to the Vehicle Information Database (VID).

Note: If the inspection station fails to pay its data link fees to the contractor, the analyzer will be locked out from any further inspections until the problem is resolved.

03.05.04 TESTING DATA COLLECTION

All certified emissions inspection stations must report the results of emissions testing, since the collection and reporting of accurate vehicle emissions testing data is of significant importance to the inspection and maintenance (I/M) program.

Each analyzer is allowed a certain number of off-line inspections since occasional telephone line problems may occur. After restoration of the telephone link, the off-line data will be sent to the VID. However, when the analyzer exceeds the off-line inspection limit, the analyzer will be locked out from any further inspections until the problem is resolved. Failure to reestablish the telecommunications link to the VID will result in either suspension or revocation of the inspection station license.

03.10.00 CERTIFIED INSPECTORS

Only certified inspectors who have completed training with either DPS or a DPS approved outside training school and received a certified vehicle inspector access/ID card (scan card) may perform vehicle emissions testing.

03.15.00 OBDII TESTING APPLICABILITY

OBDII emissions testing will be performed in the following counties:

- 1. Brazoria,
- 2. Collin,
- 3. Dallas,
- 4. Denton,
- 5. Ellis,
- 6. El Paso,
- 7. Ft Bend,
- 8. Galveston,
- 9. Harris,
- 10. Johnson,
- 11. Kaufman,
- 12. Parker,
- 13. Montgomery,
- 14. Rockwall,
- 15. Tarrant,
- 16. Travis, and
- 17. Williamson

OBDII emissions testing is performed on all motor vehicles that are:

- 1. capable of being powered by gasoline (except motorcycles),
- 2. model years 1996 and newer, up to vehicles two (2) years old, and
- 3. presented for annual safety inspection, or
- 4. required by state law.

Note: Examples of "required by state law" are:

- 1. Department of Public Safety directs that a vehicle receive an out-of-cycle emissions test,
- 2. vehicle requires an emissions test on resale, or
- 3. public college or university requires emissions test-

ing prior to issuance of a school parking permit.

OBD emissions inspections will be performed on other vehicles, as the Department of Public Safety shall direct.

The term two (2) years old refers to a vehicle upon the expiration of the initial two-year inspection certificate, or any time the vehicle is presented for inspection or required to be inspected, during the year when the date of manufacture indicated on the manufacturer's federal certification label is greater than two years. In the event the federal certification label is not present or legible, the first month of production of the model year shall be used as the date of manufacture.

03.20.00 INSPECTION CERTIFICATES

The following inspections will be entered into the analyzer at all certified OBDII emissions inspection stations:

- 1. Safety only,
- 2. Two-year Safety (new car and light duty trucks),
- 3. Safety and emissions,
- 4. Emissions only,
- 5. Federal Motor Carrier Safety Regulations (commercial inspection for windshield or trailer), and
- 6. Trailer/Motorcycle.

The department approved "OBD Safety and Emissions Certificate" will be issued to vehicles passing the safety and OBD emissions inspection, including any 1996 and newer vehicle which defaults to a tailpipe test to complete the inspection, with the following exception: vehicles qualifying under DPS rules for a "unique emissions-test inspection certificate." These vehicles are exempt from the annual safety inspection or not required to be emissions tested at the time of the safety inspection. **Specifically, a unique emissions-test only inspection certificate** may be issued to:

- 1. **Federal Vehicles (not registered in Texas).** Federal government or quasi-governmental agency vehicles that are primarily operated in affected counties, but do not display Texas license plates, are exempt from the annual safety inspection; however, they shall be required to comply with all vehicle emissions requirements.
- 2. **Out-of-State Registered Vehicles (for out-of-state registration purposes only).** Vehicles registered in another state, that requires an emissions test for registration purposes in that state, may be emissions tested and issued a unique emissions-test-only inspection certificate.
- 3. **Commercial Motor Vehicles Requiring an**

Emissions Test. A motor vehicle requiring a Federal Motor Carrier Safety Inspection, that meets the definition of a “designated vehicle,” must pass an emissions inspection and display a **unique emissions–test–only inspection certificate** on the lower left-hand corner of the windshield, immediately above the registration certificate, prior to receiving a commercial motor vehicle safety inspection certificate. The commercial motor vehicle safety inspection certificate must be issued within 15 calendar days of the issuance of the unique emissions-test-only inspection certificate. The inspector shall not remove the unique emissions-test-only certificate when the new commercial inspection certificate is issued.

4. College Students Away from Home.

a. A vehicle registered in an affected county, operated by a college student, that was issued a safety-only inspection in a non-affected county, and who upon return to the affected county requests an emissions only inspection.

b. A vehicle registered in a non-affected county or out of state, operated by a college student, where the public institution of higher learning is located in affected county and requires vehicles to be emissions tested as a condition to receive a permit to park or drive on the grounds of the institution.

5. A vehicle with valid inspection certificate, either safety only or safety and emissions, directed by DPS to undergo an emissions inspection (usually as a result of DPS on-road emissions testing).

6. Only the fee for the emissions test will be charged for an emissions test performed on the vehicles listed above.

NOTE: All unique emissions-test-only inspection certificates expire at the same time the safety-only inspection certificate expires or the last day of the month indicated on the back of the certificate and year indicated by the hole punch on the unique emissions-test-only inspection certificate, or whichever comes first.

03.25.00 OBDII INSPECTION DETAILS

03.25.01 GENERAL

The primary method of emissions inspection for gasoline powered vehicles, 1996 and newer model years, is through the use of the vehicle On-Board Diagnostic system.

1. All gasoline powered vehicles model years 1996 and newer, with a gross vehicle weight (GVW) of 8500 lbs. or less, are required to have an OBDII system. The OBDII system on these vehicles, with few exceptions, is emissions testable by means of a Diagnostic Link Connector (DLC).

2. Exceptions.

a. Non-Communication. Any vehicle GVW 8500 lbs. or less that fails to communicate with the OBD software, both full service (ASM/OBD/TSI or OBD/TSI) and OBD-only analyzers, will be tested using the applicable tailpipe test. The full service analyzer will default to the appropriate tailpipe test as directed by the analyzer software. Where the OBD-only analyzer is authorized, the software will notify the inspector to direct the vehicle to a full service station for a tailpipe test. The test will abort, no fee is charged, and the inspector will direct the customer to a full service station.

b. Excessive Monitors Not Ready. Certain vehicles, but not all, of specific makes and model years chronically have excessive (more than two) “not ready” monitors. These vehicles will not pass an OBDII emissions inspection and are authorized to default to the applicable alternative tailpipe emissions inspection. Where OBD-only inspection stations are authorized, the station may attempt inspection of these vehicles since they may pass the OBDII test. However, if the vehicle fails for this reason, the test aborts, no fee is charged, and the vehicle driver is directed to a full service station (ASM/OBD/TSI or OBD/TSI) for the appropriate tailpipe test. These problematic vehicles will be listed on a DPS notice required to be displayed on each station’s display board. Contact your local DPS representative with any questions regarding this procedure.

3. Tampering. The OBDII Diagnostic Link Connector (DLC) on all gasoline powered vehicles, model years 1996 and newer with a GVW of 8500 lbs. or less, must be useable and accessible for the emissions inspection. If obstruction and/or readily apparent tampering prevents use of the DLC, then the vehicle must fail the inspection – do not use an alternate tailpipe test.

4. Vehicles, GVW over 8500 lbs. Gasoline powered vehicles, model years 1996 and newer, with a GVW of 8501 lbs. and greater, are not required to have an emissions testable OBD system with a DLC.

5. Oversized vehicles. Vehicles too large to fit into a

standardized inspection bay will be inspected outside the building as close to the analyzer as possible, in an area approved by a department representative.

03.25.02 ORDER OF INSPECTION

1. Prepare the OBDII analyzer for testing.

Note: Gas cap calibration is required every 24 hours.

2. Scan the inspector ID card and enter the inspector pin number, then select the type of inspection to be performed from the menu on the analyzer.

3. Follow the screen prompts, answering questions and entering required data.

a. The inspector must enter all required information as accurately and correctly as reasonably possible. **Incorrect information may cause inaccurate test results.**

b. Any vehicle information displayed on the analyzer screen that is incorrect will be corrected by the inspector before continuing to the next screen.

4. Conduct a complete safety inspection, if required.

5. Conduct a complete emissions inspection as prompted by the analyzer. The inspection sequence will be displayed on the analyzer screen and must be followed.

6. MIL illumination check. With ignition key in the "OFF" position, connect the OBD test lead into the diagnostic link connector (DLC).

a. If the vehicle has a GVW of more than 8500 lbs., from the menu choose "connector cannot be located." Only perform the OBDII Malfunction Indicator Lamp (MIL) illumination bulb check.

b. With key in the "ON" position and the engine off (KOEO), the malfunction indicator lamp must illuminate. Depending on the vehicle manufacturer, the MIL will be a dashboard light that displays "Check Engine", "Service Engine Soon" or the international check engine symbol.

c. With key in the "ON" position and the engine running (KOER), the MIL indicator light must turn off.

NOTE: Refer to Chapter 5 for 1996 Mercedes Benz vehicles.

7. After the MIL illumination check, press "continue" to download data from the vehicle's OBDII system.

a. If the emissions analyzer fails to communicate with the OBDII system on a vehicle, GVW 8500 lbs. or less, then it will default to the alternative tailpipe emissions inspection.

(1) The emissions analyzer's program, depending on the county (I/M area) or the characteristics of the vehicle, will default to either the Acceleration Simulation Mode or Two-Speed Idle test. Insure vehicle information has been correctly entered and follow the program prompts.

(2) Where use of the OBD-only analyzer is authorized, the inspection will be aborted. The entire inspection will be recorded as an abort and the station will not charge a fee or collect any inspection fee. The vehicle must be inspected at an inspection station equipped to perform the applicable tailpipe test.

b. If a vehicle identified by TCEQ and DPS as having a problem with "Excessive Monitors Not Ready" fails for this reason:

(1) On the OBD-only analyzer, where authorized, the test will abort and, at NO CHARGE, direct the customer to a full service inspection station equipped to perform the applicable tailpipe test (ASM or TSI).

(2) On the full service analyzer (ASM/OBD/TSI or OBD/TSI), the vehicle will fail if the MIL is commanded "ON" and a diagnostic trouble code (DTC) is stored, or if the vehicle does not pass the MIL illumination bulb check. If those conditions are not present, but the vehicle has more than two monitors set to "not ready," then the analyzer will default to either the ASM or TSI tailpipe test. Insure vehicle information has been correctly entered and follow the program prompts.

(3) All other vehicles will pass or fail the OBD inspection using standard OBD emissions testing procedures.

8. Gas Cap Testing. Every gasoline-powered vehicle from 2-24 model years old will be checked for presence of a gas cap and then tested by a department approved "gas cap testing device" to determine if the gas cap is defective. The following vehicles are exempt:

a. Antique vehicles.

b. Slow-moving vehicles.

c. Motorcycles.

- d. Vehicles operated exclusively by a fuel other than gasoline.
- e. Vehicles newer than two (2) years old and older than 24 years old.

A. Inspection Procedure.

- a. Conduct daily calibration check of gas cap testing device.
- b. Check for presence (all gas caps must be present).
- c. Check for correct type of gas cap(s).
- d. Remove gas cap(s) and test using an approved testing device. (Gas cap present but not testable will not be cause for rejection.)
- e. Any gas cap(s) failing the initial test will be tested a second time to verify failure.

B. Inspect for and reject if:

- a. Vehicle not equipped with required gas cap(s).
- b. Vehicle not equipped with proper type gas cap(s).
- c. Gas cap(s) fails both tests.

9. Emissions test results, MIL status, DTCs, and readiness monitor results are automatically recorded.

10. If the vehicle meets all inspection requirements, the appropriate certificate will be issued. Record the complete certificate number issued (all letters and numbers) in the analyzer data record.

NOTE: Vehicles 1996 and newer which default to the ASM or TSI test will receive an OBD inspection certificate.

11. The inspector must give a copy of the test results to the motorist. The inspector conducting the test will sign the test results. Additionally, if the MIL is illuminated, the diagnostic trouble codes and an alert statement based on the reason for failing the OBDII inspection will be printed.

Texas Transportation Code, Section 548.053, states "if an inspection discloses the necessity for adjustment, correction, or repair, an inspection station or inspector may not issue an inspection certificate until the adjustment, correction, or repair is made."

If a vehicle fails any other item of inspection, the inspector shall enter the reason for rejection in the space provided on

the rejection receipt by typing it in while the rejection receipt is displayed on the analyzer or by handwriting it in after the rejection receipt is printed by the analyzer. The inspector shall verbally explain the reason for the rejection and mark a large "X" on the back of the certificate currently displayed on the vehicle.

A vehicle presented for re-inspection within 15 days, not counting the day of inspection, will be inspected using the re-inspection menu only.

The inspector shall provide the motorist whose vehicle has failed, the following:

1. Rejection receipt (VI-7),
2. Emissions test results signed by the inspector conducting the test (VIR),
3. Vehicle Repair Form (VRF),
4. Brochure "What to do if my vehicle fails the emissions test", and
5. A list of Recognized Emissions Repair Facilities of Texas.

03.30.00 FEES

An emissions inspection fee may be charged for those vehicles requiring the vehicle emissions inspection. This fee is in addition to any fee charged for conducting the standard safety or Federal Motor Carrier Safety Regulations inspection. Refer to Chapter 5 for current fees.

1. If the inspection is aborted due to one of the following reasons: loss of oil pressure, loss of coolant or overheating, fuel system leak, excessive engine noise, or other safety problem, and the appropriate reason is checked on the screen, the entire inspection will be recorded as a failure and the station will be allowed to collect the entire inspection fee.
2. If the inspection is aborted due to one of the following reasons: no inspection required, analyzer problem, or other equipment failure, and the appropriate reason is checked on the screen, then the entire inspection will be recorded as an abort and the station will not be allowed to charge or collect any inspection fee.
3. If the inspection is aborted due to non-communications by an OBD-only analyzer, the inspection station will not be allowed to charge or collect any inspection

fee.

Model 10400-59 (OBD-Only, Large cabinet)
Model 10400-60 (OBD-Only, Small cabinet)
Model 10400-63 (OBD-Only, FCIS cabinet)

03.35.00 REPORTS

The station's inspection log/report will be printed automatically each Monday morning by the analyzer or may be printed at any time on demand.

NOTE: The inspection station is not required to mail the inspection log/report to DPS in Austin; however, the station is required to maintain a copy of the log/report for one year from the date of printing. Inspection stations performing "new car make ready" inspections resulting in the issuance of two-year inspection certificates will retain the log/reports including these inspections for a period of two years.

2. Snap-On:
Sun model EEEA110 (ASM/OBD/TSI; any letter designation may follow model number)
John Bean model EEEA116
(ASM/OBD/TSI; any letter designation may follow model number)
Model EEEA134A (OBD-Only)
3. Worldwide:
Model EIS-5000 (ASM/OBD/TSI)
Model EIS-6000

Note: OBD-only analyzers may only be used with approval of the Department.

03.40.00 ANALYZER LOCKOUTS

Notify the local Texas Department of Public Safety Vehicle Inspection Office for lockouts resulting from:

1. State lockout,
2. State disk drive tamper,
3. TAS cabinet tamper,
4. Maximum inspections without communications, or
5. Exceeds maximum number of OBD inspections (Public OBD-only stations, where permitted).

Notify Gordon-Darby for lockouts resulting from:

Failure to pay communication fee to VID contractor.

Notify the analyzer manufacturer for lockouts resulting from:

1. Disk failure,
2. Hard drive failure,
3. Internal clock failure, and
4. Gas cap calibration failure.

03.45.00 APPROVED EQUIPMENT

The following is a list of currently approved vendors of OBD testing analyzers.

1. ESP:
Model 10400-57 (ASM/OBD/TSI)

**CHAPTER FOUR
TWO-SPEED IDLE (TSI)
INSPECTION PROCEDURE
EL PASO COUNTY, TRAVIS & WILLIAMSON COUNTIES ONLY**

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04.05.00 TSI I/M PROGRAM

04.05.01 GENERAL

The Two-Speed Idle (TSI) emissions test is used in a low enhanced inspection and maintenance (I/M) program. The analyzer certified by TCEQ during the two-speed idle test measures the tailpipe exhaust emissions of a vehicle while the vehicle idles at both high and low speed. This chapter describes the procedures used by certified inspectors in performing the Two-Speed Idle (TSI) vehicle emissions inspection on designated vehicles where the TSI test is required.

04.05.02 TSI PROTOCOL

The TSI analyzer meets BAR '96 two-speed idle specifications and tests vehicles for carbon dioxide in addition to hydrocarbons and carbon monoxide. The TSI test comprises two phases: (1) high speed test (2200 – 2800 RPMs) for the first phase of the emissions test; then, (2) tested at idle (350 – 1200 RPMs) followed by a gas cap integrity test that meets EPA-required specifications and procedures.

04.05.03 STATION REQUIREMENTS FOR TSI TESTING

In addition to all equipment required to perform safety inspections, all inspection stations performing TSI emissions inspections must also have the following:

1. A four-gas analyzer and gas cap tester approved by the Texas Commission on Environmental Quality (TCEQ) appropriate for the I/M program in that county.
2. Approved calibration gases for the analyzer.
3. A designated telephone line dedicated solely for each analyzer in the program.
4. An adequate supply of printer supplies.
5. All required analyzer manuals.
6. A business arrangement with the Texas Information Management Systems (TIMS) contractor to obtain a telecommunications link to the Vehicle Information Database (VID).

Note: If the inspection station fails to pay its data link fees to the contractor, then the analyzer will be locked out from any further inspections until the problem is resolved.

04.05.04 TESTING DATA COLLECTION

All certified emissions inspection stations must report the results of emissions testing, since the collection and reporting of accurate vehicle emissions testing data is of significant importance to the inspection and maintenance (I/M) program.

Each analyzer is allowed a certain number of off-line inspections since occasional telephone line problems may occur. After restoration of the telephone link, the off-line data will be sent to the VID. However, when the analyzer exceeds the off-line inspection limit, the analyzer will be locked out from any further inspections until the problem is resolved. Failure to reestablish the telecommunications link to the VID will result in either suspension or revocation of the inspection station license.

04.10.00 CERTIFIED INSPECTORS

Only certified inspectors who have completed the DPS training, or training approved by DPS for this program, and received certification, may perform vehicle testing.

04.15.00 TSI TESTING APPLICABILITY

In the Austin and El Paso I/M program areas, the TSI emissions inspection is used for designated vehicles not originally equipped with OBDII, or as the default tailpipe emissions inspection in cases where an OBDII vehicle is authorized to default to this tailpipe emissions test. This chapter is applicable in the following counties:

1. El Paso,
2. Travis, and
3. Williamson.

TSI emissions testing must be performed on all motor vehicles in the above counties that are:

1. capable of being powered by gasoline (except motorcycles),
2. model years 1995 and older, to and including twenty-four (24) years old,
3. presented for annual safety inspection, or
4. required by state law.

Note: Examples of "required by state law" are:

1. Department of Public Safety directs that a vehicle

receive an out-of-cycle emissions test,

2. vehicle requires an emissions test on resale, or
3. a public college or university requires emissions testing prior to issuance of a school parking permit.

TSI emissions inspections will be performed on other vehicles as the Department of Public Safety shall direct.

04.20.00 INSPECTION CERTIFICATES

The following inspection certificates will be entered into the analyzer at all TSI emissions certified inspection stations:

1. Safety only,
2. Two-year Safety (new car and light duty trucks),
3. Safety and emissions,
4. Emissions only,
5. Federal Motor Carrier Safety Regulations (commercial inspections for windshield or trailer), and
6. Trailer/Motorcycle.

The “Safety and Emissions Certificate” specified by the department for the TSI inspection will be issued to vehicles passing the safety and TSI emissions inspection, with the following exception: vehicles qualifying under DPS rules for a “unique emissions-test-only inspection certificate.” These vehicles are exempt from the annual safety inspection or not required to be emissions tested at the time of the safety inspection. **Specifically, a unique emissions-test-only inspection certificate may be issued to:**

1. **Federal Vehicles (not registered in Texas).** Federal government or quasi-governmental agency vehicles that are primarily operated in affected counties, but do not display Texas license plates, are exempt from the annual safety inspection; however, they shall be required to comply with all vehicle emissions requirements.
2. **Out-of-State Registered Vehicles (for out-of-state registration purposes only).** Vehicles registered in another state, that require an emissions test for registration purposes in that state, may be emissions tested and issued a unique emissions-test-only inspection certificate.
3. **Commercial Motor Vehicles Requiring an Emissions Test.** A motor vehicle requiring a Federal Motor Carrier Safety Inspection, that meets the defini-

tion of a “designated vehicle,” must pass an emissions inspection and display a unique emissions-test-only inspection certificate on the lower left-hand corner of the windshield, immediately above the registration certificate, prior to receiving a commercial motor vehicle safety inspection certificate. The commercial motor vehicle safety inspection certificate must be issued within 15 calendar days of the issuance of the unique emissions-test-only inspection certificate. The inspector shall not remove the unique emissions–test-only certificate when the new commercial inspection certificate is issued.

4. College Students Away from Home.

- a. A vehicle registered in an affected county, operated by a college student that was issued a safety-only inspection certificate in a non-affected county, and upon return to the affected county who requests an emissions-only inspection.
 - b. A vehicle registered in a non-affected county or out of state, operated by a college student where the public institution of higher learning is located in affected county and requires vehicles to be emissions tested as a condition to receive a permit to park or drive on the grounds of the institution.
5. A vehicle with valid inspection certificate, either safety only or safety and emissions, directed by DPS to undergo an emissions inspection (usually as a result of DPS on-road emissions testing).
 6. Only the fee for the emissions test will be charged for emissions test performed on the vehicles listed above.

NOTE: All unique emissions-test-only inspection certificates expire at the same time the safety-only inspection certificate expires or the last day of the month indicated on the back of the certificate and year indicated by the hole punch on the unique emissions-test-only inspection certificate, or whichever occurs first.

04.25.00 DETAILS OF INSPECTION

IMPORTANT NOTE: Before testing a BMW, Volvo, Jaguar, or Peugeot with a ZF-4 automatic transmission, refer to Chapter 5 of this manual.

Order of Inspection:

1. If necessary, prepare the analyzer for testing.

a. Leak checks and gas cap calibrations are required every 24 hours. Leak checks may only be performed by capping the ends of the probe. **If the analyzer fails the leak check or gas cap calibration test, no inspection may be performed until the problem is repaired.**

b. Gas calibrations are required every 72 hours.

2. Enter the inspector access code.

3. Select type of inspection performed from menu on analyzer.

4. Follow the screen prompts, answering questions and entering required data.

a. The inspector must enter all required information as accurately and correctly as reasonably possible. **Incorrect information may cause inaccurate results.**

b. Any vehicle information displayed on the analyzer screen that is incorrect will be corrected by the inspector before continuing to the next screen.

5. Conduct a complete safety inspection, if required.

6. Conduct a complete emissions inspection as prompted by the analyzer. The inspection sequence will be displayed on the analyzer screen and must be followed.

NOTE: Vehicles that are too large to fit into a standardized inspection bay will be inspected outside the building as close to the analyzer as possible, in an area approved by a department representative.

7. The exhaust probe must be inserted in the vehicle tailpipe. If the vehicle has dual exhausts, both tailpipes must be probed.

8. The analyzer must display a RPM reading for the vehicle being tested. The high-speed reading must be between 2200 RPM and 2800 RPM. The low-speed reading must be between 350 RPM and 1200 RPM. Authority to bypass the RPM equipment may be granted only by the DPS or as required by the analyzer.

9. Gas Cap Testing. Every gasoline-powered vehicle from 2-24 model years old will be checked for presence of a gas cap and then tested by a department approved "gas cap testing device" to determine if the gas cap is defective. The following vehicles are exempt:

a. Antique vehicles.

b. Slow-moving vehicles.

c. Motorcycles.

d. Vehicles operated exclusively by a fuel other than gasoline.

e. Vehicles newer than two (2) years old and older than 24 years old.

A. Inspection Procedure.

a. Conduct daily calibration check of gas cap testing device.

b. Check for presence (all gas caps must be present).

c. Check for correct type of gas cap(s).

d. Remove gas cap(s) and test using an approved testing device. (Gas cap present but not testable will not be cause for rejection.)

e. Any gas cap(s) failing the initial test will be tested a second time to verify failure.

B. Inspect for and reject if:

a. Vehicle not equipped with required gas cap(s).

b. Vehicle not equipped with proper type gas cap(s).

c. Gas cap(s) fails both tests.

10. Emissions test results are automatically recorded as pass/fail.

11. If the vehicle passes the required inspection, the analyzer will prompt the inspector to enter the appropriate and complete certificate number (all letters and numbers), after which the appropriate certificate will be issued.

12. The inspector must give a copy of the test results to the motorist. The certified inspector conducting the test will sign the test results.

Texas Transportation Code, Section 548.053, states "if an inspection discloses the necessity for adjustment, correction, or repair, an inspection station or inspector may not issue an inspection certificate until the adjustment, correction, or repair is made."

If a vehicle fails any item of inspection, the inspector shall enter the reason for rejection in the space provided on the rejection receipt (VI-7) by typing it in while the rejection receipt is displayed on the analyzer or by handwriting it in

after the rejection receipt is printed by the analyzer. The inspector shall verbally explain the reason for rejection and mark a large "X" on the back of the certificate currently displayed on the vehicle.

The inspector shall provide the motorist whose vehicle has failed the following:

1. Rejection receipt (VI-7),
2. Test results (VIR),
3. Vehicle Repair Form (VRF),
4. Brochure, "What to do if my vehicle fails the test", and
5. A list of Recognized Emissions Repair Facilities of Texas.

04.30.00 VEHICLE EMISSIONS STANDARDS

Light Duty Gasoline Powered Vehicles Less than 8,501 GVW Preconditioned Test

Model Year	CO (%)	HC (ppm)
1982 and newer	1.2	220

Heavy Duty Gasoline Powered Vehicles 8,501 or More GVW Preconditioned Test

Model Year	CO (%)	HC (ppm)
1982 thru 1984	5.0	500
1985 and newer	3.0	300

04.35.00 FEES

An emissions testing fee may be charged for those vehicles requiring the vehicle emissions inspection. This fee is in addition to any fee charged for conducting the standard safety or Federal Motor Carrier Safety Regulations inspection. Refer to Chapter 5 for current fees.

04.40.00 REPORTS

The station inspection log/report (VI-8b) will be printed automatically each Monday morning by the analyzer or may be printed any time on demand.

NOTE: The inspection station is not required to mail the inspection log/report to DPS in Austin; however, the station is required to maintain a copy of the log/report

for one year from the date of printing. Inspection stations performing "new car make ready" inspections resulting in the issuance of two-year inspection certificates will retain the log/reports including these inspections for a period of two years.

04.45.00 ANALYZER LOCKOUTS

Notify the local Texas Department of Public Safety Vehicle Inspection Office for lockouts resulting from:

1. State lockout,
2. State disk drive tamper,
3. TAS cabinet tamper, and
4. Maximum test without communication.

Notify Gordon-Darby for lockouts resulting from:

Failure to pay communication fee to VID contractor.

Notify the analyzer manufacturer for lockouts resulting from:

1. Disk failure,
2. Gas calibration failure,
3. Hard drive failure,
4. Gas analyzer failure,
5. Leak check failure, or
6. Internal clock failure or warm-up failure.

04.50.00 APPROVED EQUIPMENT VENDORS

The following is a list of currently approved analyzer vendors where TSI is the primary tailpipe emissions test:

El Paso, Travis and Williamson counties:

- a. ESP
Model 10400-78 (OBD/TSI)
- b. Worldwide
Model EIS 5400

CHAPTER FIVE REFERENCE SECTION

TSI TEST SEQUENCE - BMW/PEUGEOT/VOLVO/JAGUAR (ZF AUTOMATIC TRANSMISSIONS)	05.05.00	p. 5-1
1996 MERCEDES BENZ OBDII INSPECTION PROCEDURES	05.10.00	p. 5-2
VEHICLE REPAIR FORM	05.15.00	p. 5-3
FEE CHARTS		
Dallas/Ft Worth and Houston/Galveston Areas (VIE-31A)	05.20.01	p. 5-5
El Paso County (VIE-31C)	05.20.02	p. 5-7
Travis and Williamson Counties (VIE-31D)	05.25.00	p. 5-9
ADMINISTRATIVE RULES	05.25.00	p. 5-11
37 TAC §23.93 ¹ (Vehicle Emissions Inspection Requirements)	05.25.01	p. 5-11
37 TAC §23.95 (Waiver for Low Volume Emissions Inspection Stations)	05.25.02	p. 5-21
37 TAC §23.96 (Emissions Analyzer Access/Identification Card)	05.25.03	p. 5-27
GLOSSARY OF TERMS	05.30.00	p. 5-29

¹Editorial note: Rule has been amended and new text inserted.

05.05.00 TSI TEST SEQUENCE - BMW/PEUGEOT/VOLVO/JAGUAR (ZF AUTOMATIC TRANSMISSIONS)

Given the problems with the “ZF” automatic transmission, DPS prefers that the affected vehicles be tested at their dealerships. Accordingly, if the inspector enters an “A” (for automatic) for the transmission type, and if the vehicle type and the vehicle make, model, and model year match BMW/PEUGEOT/VOLVO/JAGUAR criteria, the TX 96 (TSI) analyzer displays the following message:

BECAUSE OF THE POSSIBILITY OF TRANSMISSION DAMAGE TO THIS VEHICLE, DPS PREFERS THAT IT BE INSPECTED AT ITS DEALERSHIP. IF YOU STILL WISH TO PERFORM THE INSPECTION, YOU MAY DO SO AT YOUR OWN RISK. PRESS “ENTER” TO CONTINUE. IF NOT, PRESS “ESC” TO ABORT THE TEST. (ENTER ABORT CODE 6)

If the inspector chooses to continue testing this vehicle, the following message will be displayed when beginning the test sequence:

BEFORE BEGINNING THE EMISSIONS TEST, MAKE SURE THE ENGINE IS AT NORMAL OPERATING TEMPERATURE. IF NOT, THE VEHICLE SHOULD BE DRIVEN UNTIL IT IS. DO NOT WARM THE ENGINE BY RAISING THE RPM ABOVE IDLE WHILE THE TRANSMISSION IS IN PARK OR NEUTRAL.

AFTER THE ENGINE REACHES NORMAL OPERATING TEMPERATURE, PUT THE TRANSMISSION IN PARK AND TURN THE ENGINE OFF FOR 30 SECONDS. RESTART THE ENGINE. AFTER THE ENGINE IS RUNNING, DO NOT MOVE THE GEAR SHIFT SELECTOR THROUGH THE FORWARD OR REVERSE GEARS BEFORE OR DURING THE TEST SEQUENCE. DO NOT EXCEED 2000 RPM.

All 1984-87 BMWs with automatic transmissions, 1983-88 Volvo 740s with automatic transmissions, 1984-89 Jaguar XJSs, and 1986-92 Peugeot 505s with automatic transmissions shall be tested using this test sequence or the latest test sequence supplied by DPS.

CONTACT YOUR LOCAL DEPARTMENT OF PUBLIC SAFETY VEHICLE INSPECTION OFFICE IF YOU HAVE FURTHER QUESTIONS REGARDING ZF AUTOMATIC TRANSMISSIONS.

05.10.00 1996 MERCEDES BENZ OBDII INSPECTION PROCEDURES

Mercedes Benz advised that 1996 Mercedes Benz models: C220, C280, E320, S320, SL320, and C36AMG have the following problem:

When the analyzer's diagnostic link cord is connected to the vehicle's diagnostic link connector (DLC - OBDII port), the check engine light will stay on causing the vehicle to fail. To avoid this false failure, use the following procedure.

When asked the second bulb check question (Did the MIL light turn off) choose "YES THE MIL TURNED OFF"

This procedure is to be used ONLY on 1996 Mercedes Benz models C220, C280, E320, S320, SL320, and C36AMG.

If you have any questions, contact your DPS representative.

TEXAS DEPARTMENT OF PUBLIC SAFETY

VEHICLE REPAIR FORM (VRF)

Vehicle Information

Vehicle Make _____ Model _____ Yr Model _____

VIN _____ License Plate # _____ Mileage _____

Repairs made by:

Recognized Repair Facility

AirCheckTexas Repair & Replacement Program Vehicle

Recognized Facility ID#

Recognized Tech ID# (last six digits)

--	--	--	--	--	--	--	--	--	--

--	--	--	--	--	--

Non-Recognized Repair Facility

Self

Repair Information

Repair Date ____ / ____ / ____
MM DD YY

- | | | | | |
|--|---|---|--|--|
| <input type="checkbox"/> Fuel System (100) | <input type="checkbox"/> Ignition/Electrical System (200) | <input type="checkbox"/> Emissions System (300) | <input type="checkbox"/> Engine Mechanical (400) | <input type="checkbox"/> Miscellaneous (500) |
| <input type="checkbox"/> Fuel Pump (110) | <input type="checkbox"/> Battery/Charging System (210) | <input type="checkbox"/> CAT (310) | <input type="checkbox"/> Engine Block (410) | <input type="checkbox"/> Trans/Final Drive (510) |
| <input type="checkbox"/> Fuel Filter (120) | <input type="checkbox"/> Spark plugs (220) | <input type="checkbox"/> EGR (320) | <input type="checkbox"/> Camshaft (420) | <input type="checkbox"/> Vehicle Fluids (520) |
| <input type="checkbox"/> Injectors (130) | <input type="checkbox"/> Spark plug wires (230) | <input type="checkbox"/> AIS (330) | <input type="checkbox"/> Cylinder Head (430) | <input type="checkbox"/> Cooling System (530) |
| <input type="checkbox"/> Throttle Body (140) | <input type="checkbox"/> Spark Timing (240) | <input type="checkbox"/> PCV (340) | <input type="checkbox"/> Valves (Mechanical) (440) | <input type="checkbox"/> Exhaust System (540) |
| <input type="checkbox"/> O2 Sensor (150) | <input type="checkbox"/> PCM (250) | <input type="checkbox"/> EVAP (350) | <input type="checkbox"/> Valves (Oil Seals) (450) | |
| | | <input type="checkbox"/> TAC (360) | | |

Total Repair Cost (Diagnosis, Parts & Labor)

\$

At the discretion of the motorist, NOT all recommended repairs were performed.

1. This form must be completed upon return for re-inspection

2. Present this form and all repair/parts receipts if applying for a waiver.

For more repair and waiver information visit www.airchecktexas.com



**TEXAS DEPARTMENT OF PUBLIC SAFETY
AirCheckTexas EMISSIONS PROGRAM**



NOTICE

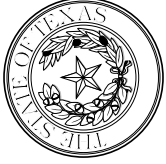
INSPECTION FEES IN THE DALLAS/FT. WORTH AND HOUSTON/GALVESTON AREAS

Effective 6-1-2007

GASOLINE POWERED MOTOR VEHICLES 2-24 YEARS OLD	(up to) \$39.75
NEW PASSENGER CARS OR NEW LIGHT DUTY TRUCKS UNDER 2,000 LBS RATED CARRYING CAPACITY —(2 YEAR CERTIFICATE) .....	..\$23.75
OTHER GASOLINE POWERED VEHICLES .....	..\$14.50
EMISSIONS TEST ONLY .....	..\$27.25
VEHICLE REQUIRING F.M.C.S.R. ANNUAL INSPECTION .....	..\$62.00
TRAILERS (NOT REQUIRING F.M.C.S.R. INSPECTION) .....	..\$14.50
MOTORCYCLES .....	..\$14.50
MOPEDS .....	..\$7.75
IDENTIFICATION CERTIFICATE (VI-30/VI-30A) .....	..\$1.00

ADJUSTMENTS AND REPAIRS WILL BE IN ADDITION TO THE ABOVE FEES

**TEXAS DEPARTMENT OF PUBLIC SAFETY
AirCheckTexas EMISSIONS PROGRAM**



NOTICE

INSPECTION FEES IN EL PASO COUNTY

Effective 6-1-2007

GASOLINE POWERED MOTOR VEHICLES 2-24 YEARS OLD	.....\$26.75
NEW PASSENGER CARS OR NEW LIGHT DUTY TRUCKS UNDER 2,000 LBS RATED CARRYING CAPACITY —(2 YEAR CERTIFICATE)	.....\$23.75
OTHER GASOLINE POWERED VEHICLES	.....\$14.50
EMISSIONS TEST ONLY	.....\$14.25
VEHICLE REQUIRING F.M.C.S.R. ANNUAL INSPECTION	.....\$62.00
TRAILERS (NOT REQUIRING F.M.C.S.R. INSPECTION)	.....\$14.50
MOTORCYCLES	.....\$14.50
MOPEDS	.....\$7.75
IDENTIFICATION CERTIFICATE (VI-30/VI-30A)	.....\$1.00

ADJUSTMENTS AND REPAIRS WILL BE IN ADDITION TO THE ABOVE FEES

VI-E-31C (Rev. 5/07)

**TEXAS DEPARTMENT OF PUBLIC SAFETY
AirCheckTexas EMISSIONS PROGRAM**



NOTICE

INSPECTION FEES IN TRAVIS AND WILLIAMSON COUNTIES

Effective 6-1-2007

GASOLINE POWERED MOTOR VEHICLES 2-24 YEARS OLD	.....\$28.75
NEW PASSENGER CARS OR NEW LIGHT DUTY TRUCKS UNDER 2,000 LBS RATED CARRYING CAPACITY —(2 YEAR CERTIFICATE)	.....\$23.75
OTHER GASOLINE POWERED VEHICLES	.....\$14.50
EMISSIONS TEST ONLY	.....\$16.25
VEHICLE REQUIRING F.M.C.S.R. ANNUAL INSPECTION	.....\$62.00
TRAILERS (NOT REQUIRING F.M.C.S.R. INSPECTION)	.....\$14.50
MOTORCYCLES	.....\$14.50
MOPEDS	.....\$7.75
IDENTIFICATION CERTIFICATE (VI-30/VI-30A)	.....\$1.00

ADJUSTMENTS AND REPAIRS WILL BE IN ADDITION TO THE ABOVE FEES

05.25.00 ADMINISTRATIVE RULES

TEXAS ADMINISTRATIVE CODE

TITLE 37 PUBLIC SAFETY AND CORRECTIONS
PART 1 TEXAS DEPARTMENT OF PUBLIC SAFETY
CHAPTER 23 VEHICLE INSPECTION
SUBCHAPTER G VEHICLE EMISSIONS INSPECTION
AND MAINTENANCE PROGRAM

RULE §23.93 Vehicle Emissions Inspection Requirements

(a) General. The department is authorized to establish and implement a vehicle emissions testing program as a part of the annual vehicle safety inspection program, in accordance with Texas Transportation Code, Chapter 548 and Health and Safety Code, Chapter 382.

(b) Terms and/or Definitions. Unless specifically defined in the Texas Clean Air Act (TCAA) or in the rules of the Texas Department of Public Safety (DPS), the terms used by the DPS have the meanings commonly ascribed to them in the fields of air pollution control and vehicle inspection. In addition to the terms defined by the TCAA, the following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Affected county--refers to any county with a motor vehicle emissions inspection and maintenance program under Texas Transportation Code, §548.301 and Health and Safety Code, §382.202 and §382.302. The Texas Commission on Environmental Quality (TCEQ) specifies these counties in 30 TAC §114.50 and §114.80.

(2) Acceleration Simulation Mode (ASM-2) I/M test--the Acceleration Simulation Mode (ASM-2) test is an emissions test using a dynamometer (a set of rollers on which a test vehicle's tires rest) which applies an increasing load or resistance to the drive train of a vehicle thereby simulating actual tailpipe emissions of vehicle as it is moving and accelerating. The ASM-2 vehicle emissions test is comprised of two phases:

(A) the 50/15 mode--in which the vehicle is tested on the dynamometer simulating the use of 50% of the vehicle available horsepower to accelerate at a rate of 3.3 miles per hour (mph) per second to a constant speed of 15 mph; and

(B) the 25/25 mode--in which the vehicle is tested on the dynamometer simulating the use of 25% of the vehicle available horsepower to accelerate at a rate of 3.3 mph per second to a constant speed of 25 mph.

(3) Department--refers to the Texas Department of Public

Safety.

(4) Designated Vehicles--refers to all motor vehicles, as defined in the Texas Transportation Code, §541.201, unless otherwise exempted or excepted, that are:

(A) capable of being powered by gasoline;

(B) two years old through and including 24 years old; and

(C) registered, required to be registered, primarily operated, or subject to the "Emissions Test on Resale" requirement in an affected county.

(5) Director--refers to the director of the Texas Department of Public Safety or the designee of the director.

(6) Emissions control component--refers to a device designed to control or reduce the emissions of substances from a motor vehicle or motor vehicle engine installed on or incorporated in a motor vehicle or motor vehicle engine in compliance with requirements imposed by the Motor Vehicle Air Pollution Control Act (42 United States Code, §1857 et seq) or other applicable law. This term shall include, but not be limited to the following components: air injection system (AIS); catalytic converter; coil; distributor; evaporative canister; exhaust gas recirculation (EGR) valve; fuel filler cap/gas cap; ignition wires; oxygen sensor; positive crank case ventilation (PCV) valve; spark plugs; thermal reactor/thermostatic air cleaner; and hoses, gaskets, belts, clamps, brackets, filters or other accessories and maintenance items related to these emissions control components and systems.

(7) Emissions Test on Resale--refers to an emissions test performed on a vehicle coming into an affected county from another county within the state which does not have an I/M program (non-affected county); the ownership has changed as the result of a retail sale; and a registration and/or titling change is necessary. This test is not required on model year 1996 and newer vehicles if it has less than 50,000 "actual" miles.

(8) EPA--refers to the United States Environmental Protection Agency; the federal agency that monitors and protects air and water resources.

(9) Exempt vehicles--refers to vehicles otherwise considered "designated vehicles" that are:

(A) exhibition vehicles, such as antique vehicles, as defined by Texas Transportation Code, § 504.502 ;

(B) slow-moving vehicles, as defined by Texas Transportation Code, §547.001; or

(C) motorcycles, as defined by Texas Transportation Code, §502.001.

(10) Excepted vehicle--refers to motor vehicles registered in an affected county but not primarily operated in an affected county.

(11) I/M--refers to Inspection and Maintenance.

(12) Inspection station--refers to an inspection station/ facility as defined in the Texas Transportation Code, §548.001.

(13) Inspector--refers to an inspector as defined in the Texas Transportation Code, §548.001.

(14) Motorist--refers to a person or other entity responsible for the inspection, repair, maintenance or operation of a motor vehicle, which may include, but is not limited to, owners or lessees.

(15) Out-of-cycle test--refers to an emissions test not associated with the annual vehicle safety inspection testing cycle.

(16) OBD (On-board diagnostic system)--Computer system installed in 1996 and newer vehicles by the manufacturer which monitors the performance of the vehicle emissions control equipment, fuel metering system, and ignition system for the purpose of detecting malfunction or deterioration in performance that would be expected to cause the vehicle not to meet emissions standards. All references to OBD should be interpreted to mean the second generation of this equipment, sometimes referred to as OBD II.

(17) Person--refers to a human being, a partnership or a corporation that is recognized by law as the subject of rights and duties.

(18) Primarily operated in--refers to the use, including driving, parking, or storing, of a motor vehicle for 60 days or more per calendar year in affected counties. It is presumed that a vehicle is primarily operated in the county in which it is registered; the burden is on the motorist to overcome this presumption by a preponderance of the evidence.

(19) Re-test--refers to a successive vehicle emissions inspection following the failure of an initial emissions test by a vehicle.

(20) Revised Texas I/M SIP--refers to the most current Texas Inspection and Maintenance State Implementation Plan.

(21) Safety inspection--refers to a compulsory vehicle inspection performed as required by Texas Transportation

Code, Chapter 548, by an official inspection station issued a certificate of appointment by the department.

(22) Safety inspection certificate--refers to an inspection certificate issued under Texas Transportation Code, Chapter 548, after a safety inspection as defined herein.

(23) Tampering-related repairs--refers to repairs to correct tampering modifications, including but not limited to engine modifications, emissions system modifications, or fuel-type modifications disapproved by the TCEQ or the EPA.

(24) Testing cycle--refers to an annual cycle for which a motor vehicle is subject to a vehicle emissions inspection.

(25) Test-only facilities--refers to inspection stations certified to do emissions testing that are not engaged in repairing, replacing and/or maintaining emissions control components of vehicles. Acceptable repairs in test-only facilities shall be oil changes, air filter changes, repairs and/or maintenance of non-emissions control components, and the sale of auto convenience items.

(26) Test-and-repair facilities--refers to inspection stations certified to do emissions testing that engage in repairing, replacing and/or maintaining emissions control components of vehicles.

(27) TCEQ--refers to the Texas Commission on Environmental Quality.

(28) Two-speed idle (TSI) I/M test--is an emissions test using equipment which meets TCEQ specifications for the measurement of the tailpipe exhaust emissions of a vehicle while the vehicle idles, first at a lower speed and then again at a higher speed.

(29) Two years old--refers to a vehicle upon the expiration of the initial two-year inspection certificate; or any time the vehicle is presented for inspection or required to be inspected during the year when the date of manufacture indicated on the manufacturer's federal certification label (49 CFR 567.4) is greater than 2 years. In the event the federal certification label is not present or legible, the first month of production of the model year shall be used as the date of manufacture.

(30) Twenty-four years old--refers to a vehicle when the vehicle model year is 24 years less than the current calendar year (current calendar year minus 24 years).

(31) Uncommon part--refers to a part that takes more than 30 days for expected delivery and installation.

(32) VIR--refers to the Vehicle Inspection Report.

(33) VRF--refers to the Vehicle Repair Form.

(c) Applicability. The requirements of this section and those contained in the Revised Texas I/M SIP shall apply to motorists, vehicles, vehicle inspection stations and inspectors certified by the department to inspect vehicles, and to Recognized Emissions Repair Facilities of Texas and Recognized Emissions Repair Technicians of Texas, as defined herein.

(d) Control requirements.

(1) In affected counties, in order to be certified by the department as a vehicle inspection station, the vehicle inspection station must be certified by the department to perform vehicle emissions testing. This provision does not apply to vehicle inspection stations certified by the department as vehicle inspection stations endorsed only to issue one or more of the following inspection certificates: trailer certificates, motorcycle certificates, commercial motor vehicle windshield certificates, or commercial trailer certificates.

(2) In affected counties, only department certified inspection stations certified by the department to do emissions testing may perform the annual vehicle safety inspection on designated vehicles.

(3) An inspection station in a county not designated as an affected county shall not inspect a designated vehicle unless the inspection station is certified by the department to perform emissions testing, or unless the motorist presenting the vehicle signs an affidavit on a form provided by the department stating the vehicle is excepted from emissions testing. The affidavit will be held by the inspection station for collection by the department. Under the following exceptions, a vehicle registered in an affected county may receive a safety inspection at an inspection station in a non-affected county.

(A) The vehicle is not a designated vehicle because it has not and will not be primarily operated in an affected county. This exception includes the following examples.

(i) Company fleet vehicles owned by business entities registered at a central office located in an affected county but operated from branch offices and locations in non-affected counties on a permanent basis.

(ii) Hunting and recreational vehicles registered to the owner in an affected area, but permanently maintained on a hunting or vacation home site in a non-affected

county.

(B) The vehicle no longer qualifies as a designated vehicle because it no longer and will be no longer primarily operated in an affected county. For example, the vehicle registration indicates it is registered in an affected county, but the owner has moved, does not currently reside in, nor will primarily operate the vehicle in an affected county.

(C) The vehicle is registered in an affected county, not primarily operated in an affected county, and currently operated in a non-affected county, but will not return to an affected county prior to the expiration of the current inspection certificate. Under this exception the vehicle will be reinspected at an inspection station certified to do vehicle emissions testing immediately upon return to an affected county. Examples of this exception include:

(i) vehicles operated by students enrolled at learning institutions.

(ii) vehicles operated by persons during extended vacations, and

(iii) vehicles operated by persons on extended out-of-town business.

(4) All designated vehicles must be emissions tested at the time of and as a part of the designated vehicle's annual vehicle safety inspection at an inspection station certified by the department to perform vehicle emissions testing. The following exceptions apply to this provision.

(A) Commercial motor vehicles as defined by the Texas Transportation Code, §548.001 meeting the definition of "designated vehicle" as defined by this section. Designated commercial motor vehicles must be emissions tested at an inspection station certified by the department to perform vehicle emissions testing and must be issued a unique emissions test-only inspection certificate, as authorized by Texas Transportation Code, §548.251, affixed to the lower left-hand corner of the windshield of the vehicle, immediately above the registration sticker, prior to receiving a commercial motor vehicle safety inspection certificate pursuant to Texas Transportation Code, Chapter 548. The unique emissions test-only inspection certificate must be issued within 15 calendar days prior to the issuance of the commercial motor vehicle safety inspection certificate. The unique emissions test-only inspection certificate will expire at the same time the newly issued commercial motor vehicle safety inspection certificate expires.

(B) Vehicles presented for inspection by motorists in counties not designated as affected counties meeting the

exceptions listed in paragraphs (3)(A) - (C) of this subsection.

(5) A vehicle with a currently valid safety inspection certificate presented for an "Emissions Test on Resale" inspection shall receive an emissions test. The owner or selling dealer may choose one of two options:

(A) a complete safety and emissions test and receipt of a new inspection certificate, or

(B) an emissions test and receipt of the unique emissions test-only inspection certificate affixed to the lower left-hand corner of the windshield of the vehicle, immediately above the registration sticker. The unique emissions test-only inspection certificate will expire at the same time as the safety inspection certificate currently displayed on the vehicle at the time the unique emissions test-only certificate is issued.

(6) Any vehicle not listed as an exempt vehicle that is capable of being powered by gasoline, from two years old to and including 24 years old, presented for the annual vehicle safety inspection in affected counties will be presumed to be a designated vehicle and will be emissions tested as a part of the annual vehicle safety inspection. Emissions testing will be conducted as follows:

(A) in all affected counties, except Travis, Williamson, and El Paso counties :

(i) all 1996 model year and newer designated vehicles, which are equipped with an On-board diagnostic system, will be emission tested using approved OBD I/M test equipment, and

(ii) all 1995 model year and older designated vehicles will be emission tested using the Acceleration Simulation Mode (ASM-2) I/M test.

(iii) Vehicles which cannot be tested using the prescribed emission testing equipment will be tested using the following default methods. OBD vehicles will be tested using ASM-2, if the vehicle (four-wheel drive and unique transmissions) cannot be tested on ASM-2, then the vehicle will be tested using TSI.

(B) This subparagraph applies to all designated vehicles in El Paso, Travis, and Williamson counties.

(i) All 1996 model year and newer designated vehicles, which are equipped with an On-board diagnostic system, will be emission tested using approved OBD I/M test equipment.

(ii) All 1995 model year and older designated vehicles will be emissions tested using approved two-speed idle I/M test equipment (TSI).

(iii) As specified by the department, OBD vehicles which can not be tested using the prescribed emission testing equipment will be tested using the approved two-speed idle I/M test equipment (TSI).

(7) Vehicles registered in affected counties will be identified by a distinguishing validation registration sticker or a registration sticker imprinted with the name of the county, as determined by the Texas Department of Transportation.

(8) Vehicles inspected under the vehicle emissions testing program and found to meet the requirements of the program in addition to all other vehicle safety inspection requirements will be passed by the certified inspector, who will thereafter affix to the windshield a unique emissions inspection certificate pursuant to Texas Transportation Code, §548.251. The only valid inspection certificate for designated vehicles shall be a unique emissions inspection certificate issued by the department, unless otherwise provided herein.

(9) The department shall perform challenge tests to provide for the reinspection of a motor vehicle at the option of the owner of the vehicle as a quality control measure of the emissions testing program. A motorist whose vehicle has failed an emissions test may request a free challenge test through the department within 15 calendar days, not including the date of the emissions test being challenged or questioned.

(10) Federal and State governmental or quasi-governmental agency vehicles that are primarily operated in affected counties that fall outside the normal registration or inspection process shall be required to comply with all vehicle emissions I/M requirements contained in the Texas I/M SIP.

(11) Any motorist in an affected county whose designated vehicle has been issued an emissions-related recall notice shall furnish proof of compliance with the recall notice prior to having their vehicle emissions tested the next testing cycle. As proof of compliance, the motorist may present a written statement from the dealership or leasing agency indicating the emissions repairs have been completed.

(12) Inspection certificates issued prior to an effective date in this section shall be valid and shall remain in effect until the expiration date thereof.

(13) A unique emissions test-only inspection certificate expires at the same time the annual vehicle safety inspection certificate it relates to expires.

(14) The department will perform quarterly equipment and/or gas audits on all vehicle emissions analyzers used to perform vehicle emissions tests. If a vehicle emissions analyzer fails the calibration process during the gas audit, the department shall cause the appropriate inspection station to cease vehicle emissions testing with the failing emissions analyzer until all necessary corrections are made and the vehicle emissions analyzer passes the calibration process.

(15) Pursuant to the Revised Texas I/M SIP, the department shall administer and monitor a follow-up loaded mode I/M test on at least 0.1% of the vehicles subject to vehicle emissions testing in a given year to evaluate the mass emissions test data as required in 40 CFR 51.353(c)(3). A contractor(s) may be used to assist in collecting, reviewing and evaluating program data.

(16) On-road testing (Remote Sensing Program) verification emissions inspection. Vehicle owners receiving a notice from the department requiring an emission test shall receive an out-of-cycle test, if the vehicle already has a valid safety and emission inspection certificate. This test will be conducted in accordance with the terms of the department's notice. The results of this verification emissions inspection shall be reported (on-line) to the Texas Information Management System Vehicle Identification Database (VID). Vehicles identified to be tested by the notice will receive the prescribed test regardless of the county of registration and whether the vehicle has a currently valid safety inspection certificate or a valid safety and emissions inspection certificate. When the vehicle has a currently valid safety inspection certificate or a valid safety and emissions inspection certificate, the owner may choose one of two options:

(A) a complete safety and emissions test and receipt of a new inspection certificate, or

(B) an emissions test and receipt of the unique emissions test-only inspection certificate affixed to the lower left-hand corner of the windshield of the vehicle, immediately above the registration sticker. The unique emissions test-only inspection certificate will expire at the same

time as the safety inspection certificate currently displayed on the vehicle at the time the unique emissions test-only certificate is issued.

(17) Emissions testing of vehicles requiring vehicle identification insignias issued by public institutes of higher learning. Effective January 1, 2002 as per §51.207 of the Texas Education Code, public institutions of higher learning located in affected counties may require vehicles to be emissions tested as a condition to receive a permit to park or drive on the grounds of the institution, including vehicles registered out-of-state. The following instructions are provided for handling this type of inspection.

(A) Vehicles presented under this subsection shall receive an emissions inspection and be issued a unique emissions test-only inspection certificate which will be affixed to the lower left-hand corner of the windshield of the vehicle. Since this inspection certificate is not dated, this certificate will expire as follows:

(i) Vehicles registered in this state from counties without an emissions testing program. The unique emissions test-only inspection certificate will expire at the same time as the safety inspection certificate currently displayed on the vehicle at the time the unique emissions test-only certificate is issued.

(ii) Vehicles registered in another state. The unique emissions test-only inspection certificate will expire on the twelfth (12th) month after the month indicated on the date of the Vehicle Inspection Report (VIR) generated by the emissions inspection. Under no circumstances is the inspection station authorized to remove an out-of-state inspection and/or registration certificate, to include either safety, emissions, or combination of any of the aforementioned.

(B) The operator of a vehicle presented for an emissions inspection under this subsection will be notified to retain the Vehicle Inspection Report (VIR) as proof of emissions testing under the requirements of §51.207 of the Texas Education Code.

(e) Waivers and extensions. Under this section, the department may issue an emissions testing waiver or time extension to any vehicle that passes all requirements of the standard safety inspection portion of the annual vehicle safety inspection and meets the established criteria for a particular waiver or time extension. An emissions testing waiver or a time extension defers the need for full compliance with vehicle emissions standards of the vehicle emissions I/M program for a specified period of time after a vehicle fails an emissions test. The department will accept applications for emissions testing waivers and time extensions. There are

four types of emissions testing waivers and time extensions: Low Mileage Waiver; Individual Vehicle Waiver; Parts Availability Time Extension; and Low-Income Time Extension. The motorist may apply once each testing cycle for the Low Mileage Waiver, Individual Vehicle Waiver, and Parts Availability Time Extension. The motorist may apply every other testing cycle for the Low-Income Time Extension.

(1) Low Mileage Waiver.

(A) Eligibility. A vehicle may be eligible for a Low Mileage Waiver provided that it has:

- (i) failed both its initial emissions inspection and re-test; and
- (ii) incurred qualified emissions-related repairs, as defined herein, whose cost is equal to at least \$100; and
- (iii) the vehicle has been driven less than 5,000 miles in the previous inspection cycle; and
- (iv) the vehicle will be reasonably expected to be driven fewer than 5,000 miles before the next safety inspection is required.

(B) Qualified Emissions-Related Repairs. Qualified emissions-related repairs are those repairs to emissions control components, including diagnosis, parts and labor, which count toward a Low Mileage Waiver. In order to be considered qualified emissions-related repairs, the repair(s):

- (i) must be directly applicable to the cause for the emissions test failure;
- (ii) must be performed after the initial emissions test or have been performed within 60 days prior to the initial emissions test;
- (iii) must not be tampering-related repairs, as defined herein;
- (iv) must not be covered by any available warranty coverage unless the warranty remedy has been denied in writing by the manufacturer or authorized dealer; and
- (v) must be performed by a Recognized Emissions Repair Technician of Texas at a Recognized Emissions Repair Facility of Texas in order to include the labor cost and/or diagnostic costs. When repairs are not performed by a Recognized Emissions Repair Technician of Texas at a Recognized Emissions Repair Facility of Texas, only the purchase price of parts, applicable to

the emissions test failure, qualify as a repair expenditure for the Low Mileage Waiver.

C) Conditions. The following conditions must be met in order to receive a Low Mileage Waiver:

- (i) the vehicle must pass a visual inspection performed by a department representative to insure that the emissions repairs being claimed have actually been performed;
- (ii) the diagnosis, parts and labor receipts for the qualified emissions-related repairs must be presented to the department and support that the emissions repairs being claimed have actually been performed; and
- (iii) the valid re-test Vehicle Inspection Report (VIR) and valid Vehicle Repair Form (VRF) for the applicant vehicle must be presented to the department. If labor and/or diagnostic charges are being claimed towards the low mileage waiver amount, the VRF shall be completed by a Recognized Emissions Repair Technician of Texas.

(2) Low-Income Time Extension. A Low-Income Time Extension may be granted in accordance with the following conditions:

(A) The applicant must supply to the department proof in writing that:

- (i) the vehicle failed the initial emissions inspection test; proof shall be in the form of the original failed VIR;
- (ii) the vehicle has not been granted a Low-Income Time Extension in the previous testing cycle;
- (iii) the applicant is the owner of the vehicle that is the subject of the Low-Income Time Extension; and
- (iv) the applicant receives financial assistance from the Texas Health and Human Services Commission or the Department of Aging and Disability Services due to indigence (subject to approval by the director) or the applicant's adjusted gross income (if the applicant is married, the applicant's adjusted gross income is equal to the applicant's adjusted gross income plus the applicant's spouse's adjusted gross income) is at or below the current federal poverty level as published by the United States Department of Health and Human Services, Office of the Secretary, in the Federal Register; proof shall be in the form of a federal income tax return or other documentation authorized by the director that the applicant certifies as true and correct.

(B) After a vehicle receives an initial Low-Income Time Extension, the vehicle must pass an emissions test prior to receiving another Low-Income Time Extension.

(3) Parts Availability Time Extension. A Parts Availability Time Extension may be granted in accordance with the following conditions:

(A) The applicant must demonstrate to the department:

(i) reasonable attempts were made to locate necessary emissions control parts by retail or wholesale parts suppliers; and

(ii) emissions-related repairs cannot be completed before the expiration of the safety inspection certificate or before the 30-day period following an out-of-cycle inspection because the repairs require an uncommon part, as defined herein.

(B) The applicant shall provide to the department:

(i) an original VIR indicating the vehicle failed the emissions test;

(ii) an invoice, receipt, or original itemized document indicating the uncommon part(s) ordered by: name; description; catalog number; order number; source of part(s), including name, address and phone number of parts distributor; and expected delivery and installation date(s). The original itemized document must be prepared by a Recognized Emissions Repair Technician of Texas before a Parts Availability Time Extension can be issued.

(C) A Parts Availability Time Extension is not allowed for tampering-related repairs, as defined herein.

(D) If the vehicle does not pass an emissions re-test prior to the expiration of the Parts Availability Time Extension, the applicant must provide to the department, adequate documentation that one of the following conditions exists:

(i) the motorist qualifies for a Low Mileage Waiver, Low-Income Time Extension or Individual Vehicle Waiver; or

(ii) the motor vehicle will no longer be operated in the affected county.

(E) A vehicle that receives a Parts Availability Time Extension in one testing cycle must have the vehicle repaired and re-tested prior to the expiration of such extension or must qualify for another type of waiver or time extension, in order to be eligible for a Parts Availability Time Extension in the subsequent testing cycle.

(F) The length of a Parts Availability Time Extension shall depend upon expected delivery and installation date(s) of the uncommon part(s) as determined by the department representative on a case by case basis. Parts Availability

Time Extensions will be issued for either 30, 60 or 90 days.

(G) The department shall issue a unique time extension sticker for Parts Availability Time Extensions.

(4) Individual Vehicle Waiver.

(A) Eligibility. If a vehicle has failed an emissions test required by the vehicle emissions I/M program, a motorist may petition the designated representative of the department for an Individual Vehicle Waiver in order for the vehicle to receive a state inspection certificate. The motorist must demonstrate that all reasonable measures (diagnostics, repairs, replacement parts, etc.) have been taken to bring the vehicle into compliance with the program, but have failed. The department will review the measures taken by the motorist to insure that they have been performed, further measures would be economically unfeasible during this inspection cycle, and a waiver will result in a minimal impact on air quality. A vehicle may be eligible for an Individual Vehicle Waiver provided that:

(i) it failed both the initial emissions inspection and re-test; and

(ii) the motorist has incurred qualified emissions-related repairs, as defined by subsection (e)(1)(B) of this section, costing equal to or are in excess of the maximum reasonable repair expenditure amounts, as defined herein for the county in which the vehicle is registered.

(B) Maximum Reasonable Repair Expenditure Amounts. The applicable amounts are:

(i) affected counties, except El Paso county--\$600, and

(ii) El Paso county--\$450.

(C) Validity. The individual vehicle waiver shall be valid through the end of the twelfth month from the date of issuance. Motorists must apply for the individual vehicle waiver each testing cycle.

(D) Conditions. The following conditions must be met in order to receive an individual vehicle waiver:

(i) the vehicle must pass a visual inspection performed by a department representative to insure that the emissions repairs being claimed have actually been performed;

(ii) the diagnosis, parts, and labor receipts for the qualified emissions-related repairs must be presented to the department and support that the emissions repairs being claimed have actually been performed; and

(iii) the valid re-test Vehicle Inspection Report (VIR) and valid Vehicle Repair Form (VRF) for the applicant vehicle must be presented to the department. If labor and/or diagnostic charges are being claimed towards the individual vehicle waiver, the VRF shall be completed by a Recognized Emissions Repair Technician of Texas.

(f) Prohibitions.

(1) No person may operate or allow to be operated any motor vehicle that does not comply with:

(A) all applicable air pollution emissions control-related requirements included in the annual vehicle safety inspection administered by the department, as evidenced by a current valid inspection certificate affixed to the vehicle windshield; and

(B) the vehicle emissions inspection and maintenance requirements contained in the Revised Texas I/M SIP.

(2) No person or entity may own, operate, or allow the operation of a designated vehicle in an affected county unless the vehicle has complied with all applicable vehicle emissions inspection and maintenance requirements contained in the Revised Texas I/M SIP, unless otherwise provided for herein.

(3) No person may issue or allow the issuance of a Vehicle Inspection Report (VIR), as authorized by the department, unless all applicable air pollution emissions control-related requirements of the annual vehicle safety inspection and the vehicle emissions inspection and maintenance requirements and procedures contained in the Revised Texas I/M SIP are completely and properly performed in accordance with the rules and regulations adopted by the department and the TCEQ.

(4) No person may allow or participate in the preparation, duplication, sale, distribution, or use of false, counterfeit, or stolen inspection certificates, VIRs, VRFs, vehicle emissions repair documentation, or other documents which may be used to circumvent the vehicle emissions inspection and maintenance requirements and procedures contained in Texas Transportation Code, Chapter 548 and the Revised Texas I/M SIP.

(5) No organization, business, person, or other entity may represent itself as an inspector certified by the department, unless such certification has been issued pursuant to the certification requirements and procedures contained in the Revised Texas I/M SIP and the rules and regulations of the department.

(6) No person may act as or offer to perform services as a Recognized Emissions Repair Technician of Texas or a Recognized Emissions Repair Facility of Texas, as defined in subsections (h) and (i) of this section, without first

obtaining and maintaining recognition by the department.

(g) Violation/Penalties. Pursuant to Texas Transportation Code, §548.601, any person who operates a designated vehicle in an affected county without displaying a valid unique emissions inspection certificate, may be subject to a fine in an amount not to exceed that set out in Texas Transportation Code, §548.604.

(h) Requirements for Recognized Emissions Repair Technicians of Texas. The department will recognize automotive repair technicians that meet the qualifications as set forth herein.

(1) In order to be recognized by the department as a Recognized Emissions Repair Technician of Texas, the technician must:

(A) have a minimum of three years full-time automotive repair service experience;

(B) possess current certification in the following areas based on the following tests offered by the National Institute of Automotive Service Excellence (ASE):

(i) Engine Repair (ASE Test A1);

(ii) Electrical/Electronic Systems (ASE Test A6);

(iii) Engine Performance (ASE Test A8); and

(iv) Advanced Engine Performance Specialist (ASE Test LI); and

(C) must be employed by a Recognized Emissions Repair Facility of Texas, as defined herein.

(2) A Recognized Emissions Repair Technician of Texas shall perform the following duties:

(A) complete and certify the VRF form(s); and

(B) notify the DPS in writing within 14 days of changes in the technician's ASE testing status.

(3) Failure to comply with these rules and failure to meet the qualifications set out herein may result in the department ceasing to recognize the technician.

(i) Requirements for Recognized Emissions Repair Facilities of Texas.

(1) In order to be recognized by the department as a Recognized Emissions Repair Facility of Texas, the facility must:

(A) employ at least one full-time Recognized Emissions Repair Technician of Texas, as described in subsection (h) of this section; and

(B) possess equipment to perform the functionality of the following items:

- (i) ammeter;
- (ii) compression tester;
- (iii) cooling system tester;
- (iv) dwellmeter;
- (v) engine analyzer;
- (vi) five gas exhaust analyzer (which can perform diagnostic repair for at least hydrocarbon (HC), carbon monoxide (CO), carbon dioxide (CO₂), and oxides of nitrogen (NOX), except for those in Travis, Williamson, and El Paso counties which require a four gas exhaust analyzer (which can perform diagnostic repair for at least hydrocarbon (HC), carbon monoxide (CO), and carbon dioxide (CO₂);
- (vii) fuel pressure/pressure drop tester;
- (viii) ohmmeter;
- (ix) repair reference information;
- (x) scan tool/or OBDII capable testing equipment;
- (xi) tachometer;
- (xii) timing light;
- (xiii) vacuum/pressure gauge;
- (xiv) vacuum pump; and;
- (xv) volt-meter.

(2) A Recognized Emissions Repair Facility of Texas shall:

(A) notify the DPS in writing within 14 days of changes in the facility's technicians' ASE testing status or employment status and the facility's equipment functionality status; and

(B) agree in writing upon application for recognition by the department to maintain compliance with the qualifications enumerated in paragraph (1) of this subsection, in order to maintain recognition by the department.

(3) Failure to comply with these rules and failure to meet the qualifications set out herein, may result in the department ceasing to recognize the facility.

(j) Certified emissions inspection station requirements.

(1) In order to be certified by the department as an emissions inspection station, for purposes of the emissions I/M program, the station must:

(A) be licensed by the department as an official vehicle inspection station;

(B) comply with the DPS Rules and Regulations Manual for Official Vehicle Inspection Stations and Certified Inspectors and other applicable rules and regulations of the department;

(C) complete all applicable forms and reports as required by the department;

(D) purchase or lease emissions testing equipment that is currently certified by the TCEQ to emissions test vehicles, or upgrade existing emissions testing equipment to meet the current certification requirements of the TCEQ;

(E) have a designated telephone line dedicated solely for each vehicle emissions analyzer to be used to perform vehicle emissions tests; and

(F) enter into and maintain a business arrangement with the Texas Information Management System contractor to obtain a telecommunications link to the Texas Information Management System Vehicle Identification Database (VID) for each vehicle emissions analyzer to be used to inspect vehicles as described in the Revised Texas I/M SIP.

(G) All public certified emissions inspection stations in affected counties, excluding Travis, Williamson, and El Paso counties shall offer both the ASM-2 test and the OBD test. Certified emissions inspection stations in these affected counties desiring to offer OBD-only emission testing to the public must request a waiver as low volume emissions inspection station from the department Regional Supervisor. All public certified emissions inspection stations in El Paso, Travis and Williamson counties shall offer both the OBD and TSI test.

(2) Failure to comply with these rules may result the in denial, suspension or revocation of an inspection station's certificate of appointment, pursuant to Texas Transportation Code, §548.405, or in a fine, pursuant to Texas Transportation Code, §542.301 and §548.601, in an amount not to exceed that set out in Texas Transportation Code, §542.401.

(k) Certified emissions inspector requirements.

(1) To qualify as a certified inspector, an individual must:

(A) be licensed by the department as an official vehicle inspector;

(B) must complete the training required for the Vehicle Emissions Inspection Program and receive the department's current approved inspector's certificate for such training;

(C) must comply with the DPS Rules and Regulations Manual for Official Vehicle Inspection Stations and Certified Inspectors and other applicable rules, regulations, and notices of the department; and

(D) complete all applicable forms and reports as required by the department.

(2) Failure to comply with these rules may result in the denial, suspension or revocation of a certified inspector's certificate, pursuant to Texas Transportation Code, §548.405, or in a fine, pursuant to Texas Transportation Code, §542.301 and §548.601, in an amount not to exceed that set out in Texas Transportation Code, §542.401.

(l) Inspection and Maintenance Emissions Testing Fees. The fees for emissions testing will be set by the TCEQ. The fee for an emissions test shall provide for one free re-test for each failed initial emissions inspection, provided that the motorist has the re-test performed at the same inspection station where the vehicle originally failed and the re-test is conducted within 15 calendar days of the initial emissions test, not including the date of the initial emissions test.

(m) Audits.

(1) The department is authorized to perform covert and overt audits pertaining to the emissions testing program.

(2) The department may authorize enforcement personnel or other individuals to remove, disconnect, adjust, or make inoperable vehicle emissions control equipment, devices, or systems and to operate a vehicle in the tampered condition in order to perform a quality control audit of an inspection station or other quality control activities as necessary to assess and ensure the effectiveness of the vehicle emissions inspection and maintenance program.

(n) Authority to publish manuals. The Public Safety Commission authorizes the director of the Department of Public Safety to promulgate, publish and distribute necessary manuals of instruction and procedure for the implementation of the emissions I/M testing program in a manner not inconsistent with these rules. The department adopts by reference the VEHICLE EMISSIONS INSPECTION AND MAINTENANCE RULES AND REGULATIONS MANUAL FOR OFFICIAL VEHICLE INSPECTION STATIONS AND CERTIFIED INSPECTORS as the standard for conducting

emissions inspections in designated counties. Any violation of these rules and regulations may result in the suspension or revocation of the certificate of appointment of the vehicle inspection station or certificate of the certified inspector. Such manual(s) shall be available for public inspection at reasonable times at offices of the department as designated by the director.

Source Note: The provisions of this §23.93 adopted to be effective January 1, 1997, 21 TexReg 12426; amended to be effective September 9, 1997, 22 TexReg 9007; amended to be effective February 6, 2001, 26 TexReg 1163; amended to be effective January 10, 2002, 27 TexReg 277; amended to be effective July 17, 2003, 28 TexReg 5541; amended, to be effective June 13, 2005, 30 TexReg 3432.

05.25.02 RULE §23.95 Waiver for Low Volume Emissions Inspection Stations

(a) General. 37 TAC §23.93(j)(1)(G) of this title (relating to Vehicle Emissions Inspection and Maintenance Program) requires that all public certified emissions inspection stations offer both Acceleration Simulation Mode 2 (ASM2) and On-Board Diagnostic II (OBDII) vehicle emissions tests. This section provides the requirements, application procedures, and the limitations of the low volume waiver provided by 37 TAC §23.93 (relating to Vehicle Emissions Inspection and Maintenance Program). This waiver allows a public certified inspection station to perform limited state required vehicle emission testing on 1996 and newer model year vehicles using department approved OBDII testing equipment. Government and fleet inspection stations do not require this waiver.

(b) Limitations of low volume waiver.

(1) Notwithstanding subsection (a) of this section, under no circumstance shall an inspection station, public, government or fleet, operating with only OBDII test equipment issue an inspection certificate to a "designated vehicle" as defined in 37 TAC §23.93 of this title (relating to Vehicle Inspection Emissions and Maintenance Program) which is model year 1995 and older.

(2) An inspection station operating under a low volume waiver is limited to performing 1200 emission inspections per year. This limitation is achieved through the OBD analyzer software and the vehicle inspection database contractor. Each month, the inspection station is allocated 100 emission tests. After the monthly test allocation of the station has been used, no more inspections will be allowed until the next month. In the event that the station performs less than 100 emission tests, the remaining number will carry over to the next month. The annual waiver limit number will be automatically reset each January with no carry over from the previous year.

(c) Applications for waiver.

(1) New inspection station applications shall follow the procedures in 37 TAC §23.1 of this title (relating to New Applications) with the addition that the application form be annotated with "LOW VOLUME WAIVER - OBD ONLY" at the top of the form. New applicants will include written acknowledgement of limitation of low volume waiver as indicated in paragraph (2)(G) of this subsection.

(2) Owners or operators of currently certified emission inspection stations shall request this waiver by letter or fax to the local department Regional Supervisor. This

written correspondence must include the following:

- (A) Station name,
- (B) Physical address of the station,
- (C) Mailing address of the station,
- (D) Station number,
- (E) Signature of the station owner or operator,
- (F) Copy of purchase order or receipt for state approved OBDII only emission testing equipment, and

(G) Signatory's statement acknowledging the limitations of low volume waiver. This statement shall read as follows: "I understand the conditions and limitations of being granted a low volume, OBD only emissions inspection station waiver. I agree to the limitation of 1200 annual emissions tests per year and agree to the 100 monthly emission test limit. I agree this inspection station shall not issue certificates to other than 1996 and newer model year designated vehicles. I understand and agree that violating the terms of this waiver shall result in the suspension and/or revocation of this station's certification."

(3) The local Regional Supervisor will objectively review each application. After review, the Regional Supervisor shall indicate approval or disapproval by endorsement, with a copy provided to the requesting inspection station and the departmental file on the station. If disapproved, the Regional Supervisor must provide reasons for the department's denial of the waiver.

(d) In order to encourage a stable and viable program for providing emissions testing to the public in all areas of an affected county, the department will review the annual low volume waiver and monthly test number limitations on a regular basis and revise these number limits accordingly.

(e) This waiver is not available for inspection stations in El Paso County.

**Low Volume Emissions Inspection Station Waiver
"OBD Only"**

Date: _____

TO: DPS Regional Supervisor
(address)

The inspection station below requests an "OBD-Only" Low Volume Emissions Inspection Station Waiver.

Station name: _____

Station number: _____

Physical address of the station: _____

Mailing address of the station: _____

A copy of the purchase order or receipt for a state approved OBDII only emissions testing equipment is attached.

By signing below, I, the station owner or operator, acknowledge that I have read and understand the limitations of the low volume waiver, to wit:

"I understand the conditions and limitations of being granted a low volume, OBD only emissions inspection station waiver. I agree to the limitation of 1200 annual emissions tests per year and agree to the 100 monthly emissions test limit. I agree this inspection station shall not issue certificates to other than 1996 and newer model year designated vehicles. I understand and agree that violating the terms of this waiver shall result in the suspension and/or revocation of this station's certification."

Signature of the station owner or operator:

Printed or typed name of station owner or operator:

For department use only.

Approve: _____ Disapprove: _____

Regional Supervisor signature: _____

Reasons for Disapproval: _____

Distribution: Original to department file and copy to requesting station.

05.25.03 RULE §23.96 Emissions Analyzer Access/Identification Card

(a) General. Access to the vehicle emissions analyzers at certified inspection stations in all counties shall be controlled using an access/identification card.

(b) Access/Identification Card (Access/ID card).

(1) The department will issue an Access/ID card to each certified inspector who performs emissions testing. The Access/ID card will be in a format prescribed by the department that identifies the individual as a department-certified inspector. At a minimum, it will contain the following additional information:

(A) photograph of the inspector;

(B) inspector's name, first and last;

(C) inspector identification number; and

(D) bar coded information used to authenticate inspection records with the Texas Information Management System (TIMS).

(2) At the time of issue, the Access/ID card is enrolled into the Texas Information Management System (TIMS) by a department technician. The Access/ID card will not be activated until this enrollment in the TIMS is complete.

(3) The Access/ID card is the inspector's official identification. Inspectors must carry the Access/ID card on their person at all times while performing inspection duties; and it must be presented to any department official upon request.

(4) Access/identification cards are nontransferable, nor may they be duplicated. The inspector is responsible for all transactions made between the vehicle analyzer and the Texas Information Management System made using their Access/ID card.

(5) The inspector is responsible for upkeep of the card. Loss of an Access/ID card shall immediately be reported to the proper department representative. The replacement fee for a lost, defaced, stolen, or discarded Access/ID card is \$10.00.

(6) All Access/ID cards are the property of the department and must be returned upon request.

(7) Any lost or stolen Access/ID card recovered, which cannot be immediately returned to the proper cardholder, will be returned to the department. Returned Access/ID cards may be claimed by the inspector after showing proof of identity.

(8) The data records maintained in the Texas Information Management System are government records. Fraudulent use of the Access/ID card or the entering of false information using the Access/ID card will subject the user to criminal action under either Penal Code §37.10, Transportation Code §548.601, or both as well as administrative action by the department.

(c) Use of Access/Identification Card (Access/ID card).

(1) Before an official emissions inspection may begin, the inspector must enter two codes that uniquely identify the vehicle inspection record with the inspector.

(2) The vehicle emissions analyzer first requires the entry of the inspector's access code. The entry of the access code is via the 2-D bar code reader, which reads the access code from an access/identification card. The inspector is required to enter his access code using the analyzer bar code reader for every inspection. The vehicle analyzer automatically verifies the inspector's access code, certification expiration date, and the presence of an inspector or station lockout.

(3) After the inspector's access code is validated, the inspector will then be required to enter a unique personal identification number (PIN) known only to the inspector. This PIN is encrypted on the analyzer and is unreadable to anyone and is neither displayed nor printed in any way. Inspectors may not give, share, lend, or divulge this PIN to another person without the explicit consent of appropriate department personnel. Failure to comply with this paragraph shall result in suspension or revocation of the inspector's certification as well as any appropriate criminal action or administrative disciplinary action. Inspectors are responsible for unauthorized access of the Texas Information Management System resulting from their negligence or carelessness in maintaining the confidentiality of their Personal Identification Number (PIN).

(d) Inspector's signed statement acknowledging the department's policy for the use and protection of emissions analyzer access/identification card. Each inspector shall, as a condition of issue of the Access/ID card, complete and sign, on a locally produced form, the following statement:

Attached Graphic

Figure: 37 TAC §23.96(d)

DPS Policy for the Use and Protection of Emissions Analyzer Access/Identification Card

I acknowledge that I have read the Department of Public Safety Rule for the use and protection of the Emissions Analyzer Access/Identification Card and corresponding Personal Identification Number (PIN). I understand that I must comply with the rule when accessing and using the vehicle emissions analyzer and my failure to comply with the rule may result in suspension or revocation of the inspector's certification as well as any appropriate criminal action or administrative disciplinary action.

Signature: _____

Printed Name: _____

Inspector ID #: _____

Date: _____

GLOSSARY OF TERMS

05.30.00

Gas Audit -The examination and verification of the validity and integrity of the exhaust gas analyzer's operation. (Analyzer to be audited by DPS representative quarterly.)

Leak Check - A method of verifying there are no leaks in the gas analyzer's lines, fittings, probes, and infrared bench.

Low Flow - The inability of an adequate gas sample to flow through the infrared bench, usually caused by clogged filters or a crimped hose.

Tamper Lock-Out -An indication to the analyzer operator that tamper switches on the gas analyzer have been actuated and the emissions testing can no longer be continued.