

Vehicle Inspection Advisory Committee (VIAC)

Meeting Notes

September 15, 2021

1. Call to Order

The regular meeting of the Vehicle Inspection Advisory Committee (VIAC) was called to order at 1:01 p.m. on September 15, 2021 via WebEx Teleconference.

2. Roll Call

Anthony Moffa	Chairman	Texas Commission on Environmental Quality (TCEQ)
Robert Ferre	Co-Chairman	Subject Matter Expert for Fuel & Emission Systems
David Campbell	VIAC Member	Station Owner
Julie Claussen	VIAC Member	Emissions Analyst
David Lewis	VIAC Member	Emission Testing Equipment Manufacturer
Kevin Pishkar	VIAC Member	Automotive Repair Manager
Jason Hester	RSD Assistant Chief	Texas Department of Public Safety
Chris Sims	RSD Service Director	Texas Department of Public Safety
Steve Moninger	RSD Sr. Policy Analyst	Texas Department of Public Safety
Lisa Cargill	RSD Manager	Texas Department of Public Safety
Lawrence Cortez	RSD Supervisor	Texas Department of Public Safety
Krystal Sanders	RSD Executive Assistant	Texas Department of Public Safety
Leslie Stevens	RSD Executive Assistant	Texas Department of Public Safety
Guy Hoffman	Agency Liaison	Texas Commission on Environmental Quality
Donna Huff	Agency Liaison	Texas Commission on Environmental Quality
Nicholas Landuyt	Agency Liaison	Texas Commission on Environmental Quality
David Serrins	Agency Liaison	Texas Commission on Environmental Quality
Sarah Thomas	Agency Liaison	Texas Commission on Environmental Quality
Laurie Barker	Agency Liaison	Texas Commission on Environmental Quality
Tonya Baer	Agency Liaison	Texas Commission on Environmental Quality

3. Minutes from June 9, 2021

The minutes of the previous meeting were unanimously approved as distributed.

4. Remarks from DPS and TCEQ

a. DPS

Lisa Cargill informed the committee that all inspection station licenses expired August 31, 2021. She stated that there were 440 stations who failed to renew their licenses. She further informed the committee that the department would be requiring those stations to reapply as new stations. Anthony Moffa asked if it was a long process for those 440

stations to reapply. Ms. Cargill responded that it would take less time than their initial application process, since the department is already aware that they meet requirements. Mr. Moffa then asked if there was any feedback from those stations as to why they did not renew. Ms. Cargill stated that some stations either forgot to renew in time or they had such a low volume of inspections that they wanted to exit the program. She also made note that COVID may have impacted some stations' renewal decisions due to financial shifts and lack of employees. Mr. Moffa asked if 440 stations was a large percentage overall, to which Assistant Chief Hester stated it was approximately less than 3%.

b. TCEQ

David Serrins addressed the committee stating they had two new employees joining the meeting, Lori Barker and Tonya Baer, and asked that they be added to the notes as being in attendance and included on committee correspondences.

5. Old Business

No topics for discussion.

6. New Business

a. Diesel Emissions Concerns

David Campbell addressed the committee stating that his station sees quite a few diesel trucks blowing black smoke on the road. He stated this was because the vehicle owners were removing the DEF systems and the Diesel Particulate Filter. Mr. Campbell stated that all trucks manufactured after 2005 should have SCRs (Selective Catalytic Reduction), but owners are removing them and failing the inspection. The vehicle owners proceed to another station and pass the inspection despite the removal of the SCR. He stated that when he passed along the failed inspection information for investigation, he received an answer stating that the owner probably fixed the failure issue. Mr. Campbell continued by stating it costs thousands of dollars to put this equipment back onto a vehicle and it is unlikely that vehicle owners will spend that kind of money nor be able to get this corrected in such a short amount of time. He also speculated that some of these stations may be wrongfully passing the vehicles or changing the record to show they passed. He further stated that there had to be a way to follow up on this issue. He stated it was becoming a big problem in his small town, and that it had to be an even larger issue in cities like Dallas and Houston.

Assistant Chief Hester asked if Mr. Campbell was in an emissions county. Mr. Campbell responded that he was not, but inspectors are still required to visually ensure the parts are in place on the vehicle. Assistant Chief Hester stated that once a complaint of this nature is

initiated a local follow up investigation should commence. He told Mr. Campbell to send in specific incidents regarding stations who may be passing deleted diesels for further investigation. He went on to tell Mr. Campbell that he wanted to set up a meeting in the future to discuss this matter. Robert Ferre asked to be included on that discussion as well. Mr. Ferre stated that this is indeed an issue, mainly that individuals believe safety only counties allow for vehicle owners to remove emission components. He went on to explain that in California if a vehicle failed the inspection in one place then went to another station and passed, the system would create a red flag alerting authorities of potential fraud. Mr. Campbell stated that the current system in Texas does the same thing, explaining that if a vehicle has failed testing the system alerts you upon log on when entering the VIN. He said the violating stations are either not looking at this report or changing the failures to passing. He said vehicle owners have 15 days to correct the problem and go back to the originating station free of charge for inspection, but he does not think this is occurring. He believes that vehicle owners are instead paying for another inspection, indicating that their vehicles are being passed illegally.

b. SB876 Impact

Anthony Moffa addressed the committee stating that the passing of this bill allows customers to have their vehicle inspected and registered in another county other than their home county, possibly circumventing proper inspection of the vehicle. He stated his concern was the customers who have vehicles requiring emissions testing in their county, proceeding to a safety only county to ensure passing the inspection.

David Campbell stated Letourneau University is located in Longview. He stated that individuals that may have parents living in other areas requiring emissions testing, are re-registering their vehicle in Gregg County. This would allow their vehicle to be subject to safety inspections only and the tax office is allowing the registration. He also stated that if a note is placed on the registration and the vehicle goes back to the originating county, the individual has a certain number of days to complete the emissions portion of the testing to be 100% compliant.

Assistant Chief Hester stated that the purpose of this bill was to simplify the process for vehicle owners who live and work in different counties. He also explained that the county tax assessors must agree to collect the registration fee and send it back to the county of origin, minus any processing fees. He stated that all county tax assessors have to be in agreement to do the collection and send the money to the appropriate county before this will take effect March 2022.

David Serrins stated someone could register in a neighboring county, but they will be required to have the vehicle inspected in that county going forward. This can be burdensome and inconvenient over time.

7. Public Comments

No public comments.

8. Future Agenda Items

No future agenda items were presented at this time. Please provide any future agenda items to Anthony Moffa or Robert Ferre.

9. Date of Next Meeting

The next meeting was scheduled for December 8, 2021.

10. Adjourn

Anthony Moffa adjourned the meeting at 1:55 p.m.