

House Bill 2412

Sponsored by Representative CAMERON; Representatives BERGER, FREEMAN, GILLIAM, Senator WINTERS
(Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Environmental Quality Commission to contract with unit of local government or private individual, partnership or corporation to implement motor vehicle pollution control system inspection program.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to motor vehicle pollution control system inspection program; creating new provisions;
3 amending ORS 468A.365 and 468A.370; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 468A.370 is amended to read:

6 468A.370. The Environmental Quality Commission shall determine the most cost-effective method
7 of conducting a motor vehicle pollution control system inspection program as required by ORS
8 468A.365. [*Upon finding that savings to the public and increased efficiency would result and the quality*
9 *of the program would be adequately maintained,*] The commission [*may*] **shall** contract with a unit
10 of local government or with a private individual, partnership or corporation authorized to do busi-
11 ness in the State of Oregon, for the performance of tests [*or*] **and** other services associated with
12 conducting a motor vehicle pollution control system inspection program.

13 **SECTION 2.** ORS 468A.365 is amended to read:

14 468A.365. The Environmental Quality Commission shall:

15 (1) Determine and adopt by rule criteria for certification of motor vehicle pollution control
16 systems. In determining the criteria the commission shall consider the following:

17 (a) The experience of any other state or the federal government;

18 (b) The cost of the system and of its installation;

19 (c) The durability of the system;

20 (d) The ease of determining whether the system, when installed on a motor vehicle, is function-
21 ing properly; and

22 (e) Any other factors which, in the opinion of the commission, render such a system suitable for
23 the control of motor vehicle air pollution or for the protection of the health, safety and welfare of
24 the public.

25 (2) Prescribe by rule the manner in which a motor vehicle pollution control system shall be
26 tested for certification. The rules may prescribe a more rigorous inspection procedure in the areas
27 designated under ORS 815.300 (2)(a), including any expansion of such boundary under ORS 815.300
28 (2)(b), in order to reduce air pollution emissions in those areas of the state. No such rule shall re-
29 quire testing for certification more often than once during the period for which registration or re-
30 newal of registration for a motor vehicle is issued. No rule shall require testing for certification of

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 a motor vehicle that is exempted from the requirement for certification under ORS 815.300.

2 (3) Issue certificates of approval for classes of motor vehicle pollution control systems which,
3 after being tested by the commission or by a method acceptable to the commission, the commission
4 finds meet the criteria adopted under subsection (1) of this section.

5 (4) Designate by rule classifications of motor vehicles for which certified systems are available.

6 (5) Revoke, suspend or restrict a certificate of approval previously issued upon a determination
7 that the system no longer meets the criteria adopted under subsection (1) of this section pursuant
8 to procedures for a contested case under ORS chapter 183.

9 (6) Designate suitable methods and standards for testing systems and inspecting motor vehicles
10 to determine and insure compliance with the standards and criteria established by the commission.

11 (7) [*Except as provided in ORS 468A.370,*] Contract for the use of or the performance of tests
12 [*or*] **and** other services within or without the state.

13 **SECTION 3. (1) Except as provided in subsection (2) of this section, the amendments to**
14 **ORS 468A.365 and 468A.370 by sections 1 and 2 of this 2013 Act become operative on January**
15 **1, 2014.**

16 **(2) The Environmental Quality Commission may adopt rules or take any other action**
17 **before the operative date specified in subsection (1) of this section that is necessary to im-**
18 **plement, on or after the operative date specified in subsection (1) of this section, the**
19 **amendments to ORS 468A.365 and 468A.370 by sections 1 and 2 of this 2013 Act.**

20 **SECTION 4. This 2013 Act being necessary for the immediate preservation of the public**
21 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
22 **on its passage.**

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