

SB

28



SENATOR DAVE DONLEY

ALASKA STATE LEGISLATURE

Senate Bill 28 Sponsor Statement An Act Relating to Motor Vehicle Registration Fees and Emissions Testing

Revised

Senate Bill 28 would repeal the additional \$10 fee for motor vehicle registration not conducted by mail and would increase the time period for certain mandatory emission inspection tests from one to two years.

The registration by mail system does not always work and citizens who have no choice but to register their vehicles in person are unfairly forced to pay this fee. Additionally it is unfair to those who prefer to register their vehicles in person. Many people do not trust the mail service and the only other option is register their vehicles in person.

The U.S. Environmental Protection Agency (EPA) has dictated that the Municipality of Anchorage (MOA) and the Fairbanks North Star Borough (FNSB) attain compliance with National Ambient Air Quality Standard. The MOA and FNSB have developed I/M programs designed to meet the minimum performance standard established by EPA. EPA must also approve each of their I/M programs annually.

The EPA provides a motor vehicle emissions model which contains certain guidelines and steps that demonstrate ways a community can achieve the National Ambient Air Quality Standard. The EPA believes that annual I/M testing is an important step in achieving the Air Quality Standard. If biennial testing is implemented, other steps or restrictions may be required by the EPA in order to attain the Ambient Air Quality Standard.

The proposed work draft for SB 28 adds language that would require a seller of a vehicle to provide a valid I/M inspection certificate before transferring or assigning the owner's title or interest in the vehicle. The work draft also increases the penalty from (\$75.00 to \$200.00) for persons operating motor vehicles in I/M containment areas without a current valid emissions inspection and maintenance certificate. This infraction only applies to those vehicles who are subject to an emissions inspection and maintenance program.

These additional provisions were added to the original bill to allow the MOA and FNSB to achieve the minimum performance standard as established by EPA for a basic I/M program.

DD/114



SENATOR DAVE DONLEY

ALASKA STATE LEGISLATURE

SENATE BILL 28 SPONSOR STATEMENT (MARCH 17, 1995)

SB 28 addresses two main issues. The first portion of the bill would repeal the additional \$10 fee for motor vehicle registration not conducted by mail. The second portion of the bill would increase the time period for certain mandatory emission inspection tests from one to two years.

The registration by mail system does not always work and citizens who have no choice but to register their vehicles in person are unfairly forced to pay this fee. Additionally it is unfair to those who prefer to register their vehicles in person. Many people do not trust the mail service and the only other option is register their vehicles in person.

The US Environmental Protection Agency (EPA) has dictated that the Municipality of Anchorage (MOA) and the Fairbanks North Star Borough (FNSB) attain compliance with National Ambient Air Quality Standard. The MOA and FNSB have developed I/M programs designed to meet the minimum performance standard established by EPA. EPA must also approve each of their I/M programs annually.

The EPA provides a motor vehicle emissions model which contains certain guidelines and steps that demonstrate ways a community can achieve the National Ambient Air Quality Standard. The EPA believes that annual I/M testing is an important step in achieving the Air Quality Standard. If biennial testing is implemented, other steps or restrictions may be required by the EPA in order to attain the Ambient Air Quality Standard.

SB 28 adds language that would require a seller of a vehicle to provide a valid I/M inspection certificate before transferring or assigning the owner's title or interest in the vehicle. SB 28 also increases the penalty from (\$75.00 to \$200.00) for persons operating motor vehicles in I/M containment areas without a current valid emissions inspection and maintenance certificate. This infraction only applies to those vehicles who are subject to an emissions inspection and maintenance program.

These additional provisions along with some DEC modifications to the existing I/M program regulations should allow the MOA and FNSB to achieve the minimum performance standard as established by EPA for a basic I/M program.

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 1/16/95

FURTHER: Labor and Commerce
 Finance

frank

Date of 5-Day Notice: 3/23/95
 (in accordance with Uniform Rule 23)

DATE TURNED
 INTO OFFICE: 4/19/95

Transportation Committee considered SENATE BILL NO. 28

"An Act repealing an additional fee for motor vehicle registration not conducted by mail and limiting motor vehicle emissions inspection to once every two years."

and recommends:

- be replaced with _____ CS _____ SB 28 (TRA)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

Senate Bill:
 same title
 new title
 House Bill:
 technical change
 new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Robin L. Taylor</i>	<input checked="" type="checkbox"/>	<i>Devin...</i>	<input checked="" type="checkbox"/>		
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
<i>Sylvia Green</i>	<input checked="" type="checkbox"/>				
CHAIR: <i>Steve Kruis</i>	<input checked="" type="checkbox"/>				

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

CS	Environmental Conservation #4	4/14/95		250.0
CS	Public Safety #3	4/19/95		58.8
SB	DEC #1	4/14		250.0
SB	DPS #2	2/7		(1,000.0)

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

CS FOR SENATE BILL NO. 28(TRA)
 IN THE LEGISLATURE OF THE STATE OF ALASKA
 NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE TRANSPORTATION COMMITTEE

Offered:
Referred:

Sponsor(s): SENATORS DONLEY, Zharoff, Salo

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to transfer of motor vehicle ownership, motor vehicle registration
 2 fees, and motor vehicle emissions inspection; and providing for an effective date."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 • Section 1. AS 28.10.271 is amended by adding a new subsection to read:

5 (d) A motor vehicle owner shall, before transferring or assigning the owner's
 6 title or interest in the vehicle, provide the transferee with a current and valid emissions
 7 inspection and maintenance certificate for the vehicle if the

8 (1) transferee resides in an area designated by the Department of
 9 Environmental Conservation as an emissions inspection and maintenance area;

10 (2) motor vehicle was manufactured in 1987 or earlier; and

11 (3) motor vehicle has not been inspected for emissions within the 12
 12 months before the transfer or assignment.

13 • Sec. 2. AS 28.10.421(a) is amended to read:

14 (a) Unless otherwise provided by law,

1 (1) the fees prescribed in this section shall be paid to the department
2 at the times provided under AS 28.10.108 and 28.10.111; and

3 (2) [AN ADDITIONAL FEE OF \$10 SHALL BE ADDED TO] the
4 registration fee set out in this section shall be reduced by \$10 or the amount of the
5 fee, whichever is less, for registration [NOT] conducted by mail [; THE
6 DEPARTMENT MAY WAIVE THIS ADDITIONAL FEE FOR A GOOD CAUSE
7 BASED ON CRITERIA ESTABLISHED IN REGULATIONS ADOPTED BY THE
8 DEPARTMENT].

9 • Sec. 3. AS 28.10.421(b) is amended to read:

10 (b) The annual registration fees under this subsection are imposed within the
11 following classifications for:

12 (1) a passenger vehicle or motor home not used or maintained for the
13 transportation of persons or property for hire or for other commercial use
14 ~~\$45~~ [S35];

15 (2) a pick-up truck or a van not exceeding 6,000 pounds unladen
16 weight and not used or maintained for the transportation of persons or property for hire
17 or for other commercial use ~~\$50~~ [S40];

18 (3) a taxicab ~~\$80~~ [S70];

19 (4) a motor bus with a seating capacity for 20 or more persons and
20 used exclusively for commercial purposes in the transporting of visitors or tourists
21 ~~\$95~~ [S85];

22 (5) a motorcycle or a motor-driven cycle ~~\$30~~ [S20];

23 (6) a trailer not used or maintained for the transportation of persons or
24 property for hire or for other commercial use, including, but not limited to, a boat
25 trailer, baggage trailer, box trailer, utility trailer, house trailer, travel trailer, or a trailer
26 rented or offered for rent ~~\$15~~ [S5].

27 • Sec. 4. AS 28.10.421(c) is amended to read:

28 (c) The annual registration fees under this subsection are imposed and are
29 based upon the actual unladen weight as established by the manufacturer's advertised
30 weight or upon the actual weight that [WHICH] the owner shall furnish, subject to the
31 approval of the commissioner or the commissioner's representative, for a vehicle.

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including a motor vehicle pulling a trailer or semi-trailer, that is registered in the name of a company or business, or is used or maintained for the transportation of passengers for hire, excepting taxicabs and buses under (b) of this section, or for the transportation of property for hire or for other commercial purposes, including a trailer, semi-trailer, truck, wrecker, tow car, hearse, ambulance, and tractor, as follows:

- (1) up to and including 5,000 pounds \$61 [~~\$51~~];
- (2) more than 5,000 pounds to and including 12,000 pounds
 \$96 [~~\$86~~];
- (3) more than 12,000 pounds to and including 18,000 pounds
 \$166 [~~\$156~~];
- (4) more than 18,000 pounds \$231 [~~\$221~~].

• Sec. 5. AS 28.10.421(d) is amended to read:

(d) The special registration fees under this subsection are imposed annually, unless otherwise specified, for:

- (1) an historic vehicle (one time only upon initial registration under AS 28.10.181) \$20 [~~\$10~~];
- (2) special request plates for
 - (A) Alaska National Guard personnel \$40 [~~\$30~~];
 - (B) veterans or retired veterans \$40 [~~\$30~~];
 - (C) recipients of the Purple Heart \$40 [~~\$30~~];
 - (D) owners of custom collector vehicles \$60 [~~\$50~~];
 - (E) other special request plates \$40 [~~\$30~~];

plus the fee required for that vehicle under (b) of this section; the fee required by this paragraph shall be collected only on the first issuance and on the replacement of special request plates;

- (3) a vehicle owned by a disabled veteran or other handicapped person, and registered under AS 28.10.181 or a resident 65 years of age or older who files a written application for an exemption on a form prescribed by the department
 none;
- (4) a vehicle owned by the state none;
- (5) a vehicle owned by an elected state official

1 the fee required for that vehicle under (b) of this section;

2 (6) ~~REPEALED~~

3 (7) a vehicle owned by a rancher, farmer, or dairyman and registered
4 under AS 28.10.181 ~~\$45~~ [S35];

5 ~~(7)~~ [(8)] a snowmobile or off-highway vehicle ~~\$15~~ [S5];

6 ~~(8)~~ [(9)] an amateur mobile radio station vehicle,

7 (A) with a transceiver capable of less than 5-band operation
8 the fee
9 required for that vehicle under (b) or (c) of this section;

10 (B) in recognition of service to the public: a mobile amateur
11 radio station owned by an amateur with general class or higher license,
12 provided the station must be satisfactorily proved capable of operating on at
13 least five bands from 160 through 10 meters, must have an antenna, and must
14 have a power supply and wiring as a permanent part of the vehicle; the
15 transmitting unit may be removed from the car for service or dry storage
16 none
17 for a mobile amateur radio station vehicle included in (b)(1) or (2) of this
18 section;

19 ~~(9)~~ [(10)] dealer registration plates,

20 (A) the initial set of plates ~~\$55~~ [S45];

21 (B) each subsequent set of plates ~~\$35~~ [S25];

22 ~~(10)~~ [(11)] a vehicle owned by a municipality or charitable organization
23 meeting the requirements of AS 28.10.181(e) ~~\$15~~ [S5];

24 ~~(11)~~ [(12)] REPEALED

25 (13) a vehicle owned by a Pearl Harbor survivor or a former prisoner
26 of war none;

27 ~~(12)~~ [(14)] REPEALED

28 (15) special request university plates ~~\$60~~ [S50]

29 plus the fee required for that vehicle under (b)(1) or (2) of this section; the fee
30 required by this paragraph shall be collected only on the first issuance and on the
31 replacement of special request plates; the commissioner of administration shall

1 separately account by university campus designation for the fees received under this
 2 paragraph that the department deposits in the general fund; the annual estimated
 3 balance in the accounts that is in excess of the cost of issuing special request
 4 university plates may be appropriated by the legislature for the support of programs
 5 at each campus.

6 • Sec. 6. AS 28.10.421(f) is amended to read:

7 (f) In addition to the fees imposed under (b) and (d) of this section, the
 8 following special annual registration fee is imposed upon renewal of registration for
 9 a passenger vehicle, motor home, pick-up truck, or a van with special request Winter
 10 Olympics commemorative plates \$40 [S30];
 11 the annual estimated balance in the account maintained by the commissioner of
 12 administration under AS 37.05.142 may be appropriated by the legislature to the
 13 Alaska amateur sports fund established under AS 05.35.150.

14 • Sec. 7. AS 28.10.423 is amended to read:

15 Sec. 28.10.423. EMISSION CONTROL INSPECTION PROGRAM FEES. In
 16 addition to the annual registration fee specified in AS 28.10.421, a \$2 [S1] fee is
 17 imposed upon every vehicle required to be inspected under an emission control
 18 program established under AS 46.14.400 or 46.14.510. This fee shall be collected at
 19 the same time and in the same manner as the registration fee.

20 • Sec. 8. AS 46.14.400 is amended by adding new subsections to read:

21 (i) If a municipality or a local air quality district administering a program
 22 under this section requires emissions inspection for a motor vehicle, emission
 23 inspection may not be required more than once every two years.

24 (j) A person who operates a motor vehicle in violation of emissions
 25 requirements imposed under this section is guilty of a violation and upon conviction
 26 shall be fined \$200. It is the intent of the legislature that money collected under this
 27 subsection be appropriated to promote air quality control programs in municipalities.

28 • Sec. 9. AS 46.14.510 is amended by adding new subsections to read:

29 (e) If the department adopts regulations requiring emissions inspection for a
 30 motor vehicle, the department may not require the vehicle be inspected more than once
 31 every two years.

1 (f) A person who operates a motor vehicle in violation of emissions
2 requirements imposed under this section is guilty of a violation and upon conviction
3 shall be fined \$200. It is the intent of the legislature that money collected under this
4 subsection be appropriated to control pollution from motor vehicle emissions.

5 • Sec. 10. This Act takes effect July 1, 1995.

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 28
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - FIRST SESSION

BY SENATORS DONLEY, Zharoff, Salo

Introduced:

Referred:

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to motor vehicle registration, transfer of motor vehicle
2 ownership, and motor vehicle emissions inspection."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * Section 1. AS 28.10.271 is amended by adding a new subsection to read:

5 (d) If the owner of a motor vehicle resides in an area designated by the
6 Department of Environmental Conservation as an emissions inspection and
7 maintenance area, the owner shall, before transferring or assigning the owner's title or
8 interest in the vehicle, provide the transferee with a current and valid emissions
9 inspection and maintenance certificate for the vehicle.

10 * Sec. 2. AS 28.10.421(a) is amended to read:

11 (a) Unless otherwise provided by law,

12 [(1)] the fees prescribed in this section shall be paid to the department
13 at the times provided under AS 28.10.108 and 28.10.111 [; AND

14 (2) AN ADDITIONAL FEE OF \$10 SHALL BE ADDED TO THE

1 REGISTRATION FEE SET OUT IN THIS SECTION FOR REGISTRATION NOT
2 CONDUCTED BY MAIL; THE DEPARTMENT MAY WAIVE THIS ADDITIONAL
3 FEE FOR A GOOD CAUSE BASED ON CRITERIA ESTABLISHED IN
4 REGULATIONS ADOPTED BY THE DEPARTMENT].

5 * Sec. 3. AS 28.35 is amended by adding a new section to read:

6 Sec. 28.35.185. OPERATION WITHOUT EMISSIONS INSPECTION
7 CERTIFICATE. A person who operates a motor vehicle subject to an emissions
8 inspection and maintenance program in an area designated by the Department of
9 Environmental Conservation as an emissions inspection and maintenance area without
10 a current valid emissions inspection and maintenance certificate or sticker as required
11 by law is guilty of an infraction. Upon conviction, the court shall impose a fine of not
12 less than \$200.

13 * Sec. 4. AS 46.14.400 is amended by adding a new subsection to read:

14 (i) If a municipality or a local air quality district administering a program
15 under this section requires emissions inspection for a motor vehicle, emission
16 inspection may not be required more than once every two years.

17 * Sec. 5. AS 46.14.510 is amended by adding a new subsection to read:

18 (e) If the department adopts regulations requiring emissions inspection for a
19 motor vehicle, the department may not require the vehicle be inspected more than once
20 every two years.

21 * Sec. 6. AS 44.46.025 is amended by adding a new subsection to read:

22 (d) The Department of Environmental Conservation may by regulation
23 establish fees to cover the costs of vehicle emissions inspection and maintenance
24 programs operated under AS 46.14.

CS FOR SENATE BILL NO. 28(TRA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE TRANSPORTATION COMMITTEE

Offered:
Referred:

Sponsor(s): SENATORS DONLEY, Zharoff, Salo

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to motor vehicle registration fees and limiting motor vehicle
2 emissions inspection to once every two years; and providing for an effective date."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 • Section 1. AS 28.10.421(a) is amended to read:

5 (a) Unless otherwise provided by law,

6 (1) the fees prescribed in this section shall be paid to the department
7 at the times provided under AS 28.10.108 and 28.10.111; and

8 (2) [AN ADDITIONAL FEE OF \$10 SHALL BE ADDED TO] the
9 registration fee set out in this section shall be reduced by \$10 or the amount of the
10 fee, whichever is less, for registration [NOT] conducted by mail [; THE
11 DEPARTMENT MAY WAIVE THIS ADDITIONAL FEE FOR A GOOD CAUSE
12 BASED ON CRITERIA ESTABLISHED IN REGULATIONS ADOPTED BY THE
13 DEPARTMENT].

14 • Sec. 2. AS 28.10.421(b) is amended to read:

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(b) The annual registration fees under this subsection are imposed within the following classifications for:

- (1) a passenger vehicle or motor home not used or maintained for the transportation of persons or property for hire or for other commercial use
..... \$45 [S35];
- (2) a pick-up truck or a van not exceeding 6,000 pounds unladen weight and not used or maintained for the transportation of persons or property for hire or for other commercial use \$50 [S40];
- (3) a taxicab \$80 [S70];
- (4) a motor bus with a seating capacity for 20 or more persons and used exclusively for commercial purposes in the transporting of visitors or tourists
..... \$95 [S85];
- (5) a motorcycle or a motor-driven cycle \$30 [S20];
- (6) a trailer not used or maintained for the transportation of persons or property for hire or for other commercial use, including, but not limited to, a boat trailer, baggage trailer, box trailer, utility trailer, house trailer, travel trailer, or a trailer rented or offered for rent \$15 [S5].

* Sec. 3. AS 28.10.421(c) is amended to read:

(c) The annual registration fees under this subsection are imposed and are based upon the actual unladen weight as established by the manufacturer's advertised weight or upon the actual weight that [WHICH] the owner shall furnish, subject to the approval of the commissioner or the commissioner's representative, for a vehicle, including a motor vehicle pulling a trailer or semi-trailer, that is registered in the name of a company or business, or is used or maintained for the transportation of passengers for hire, excepting taxicabs and buses under (b) of this section, or for the transportation of property for hire or for other commercial purposes, including a trailer, semi-trailer, truck, wrecker, tow car, hearse, ambulance, and tractor, as follows:

- (1) up to and including 5,000 pounds \$61 [S51];
- (2) more than 5,000 pounds to and including 12,000 pounds
..... \$96 [S86];
- (3) more than 12,000 pounds to and including 18,000 pounds

1 \$166 [\$156];

2 (4) more than 18,000 pounds \$231 [\$221].

3 * Sec. 4. AS 28.10.421(d) is amended to read:

4 (d) The special registration fees under this subsection are imposed annually,
5 unless otherwise specified, for:

6 (1) an historic vehicle (one time only upon initial registration under
7 AS 28.10.181) \$20 [\$10];

8 (2) special request plates for

9 (A) Alaska National Guard personnel \$40 [\$30];

10 (B) veterans or retired veterans \$40 [\$30];

11 (C) recipients of the Purple Heart \$40 [\$30];

12 (D) owners of custom collector vehicles \$60 [\$50];

13 (E) other special request plates \$40 [\$30];

14 plus the fee required for that vehicle under (b) of this section; the fee required by this
15 paragraph shall be collected only on the first issuance and on the replacement of
16 special request plates:

17 (3) a vehicle owned by a disabled veteran or other handicapped person,
18 and registered under AS 28.10.181 or a resident 65 years of age or older who files a
19 written application for an exemption on a form prescribed by the department

20 none;

21 (4) a vehicle owned by the state none;

22 (5) a vehicle owned by an elected state official

23 the fee required for that vehicle under (b) of this section;

24 (6) [REPEALED

25 (7)] a vehicle owned by a rancher, farmer, or dairyman and registered
26 under AS 28.10.181 \$45 [\$35];

27 (7) [(8)] a snowmobile or off-highway vehicle \$15 [\$5];

28 (8) [(9)] an amateur mobile radio station vehicle,

29 (A) with a transceiver capable of less than S-band operation

30 the fee

31 required for that vehicle under (b) or (c) of this section;

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(B) in recognition of service to the public: a mobile amateur radio station owned by an amateur with general class or higher license, provided the station must be satisfactorily proved capable of operating on at least five bands from 160 through 10 meters, must have an antenna, and must have a power supply and wiring as a permanent part of the vehicle: the transmitting unit may be removed from the car for service or dry storage
..... none
for a mobile amateur radio station vehicle included in (b)(1) or (2) of this section:

(9) [(10)] dealer registration plates.

(A) the initial set of plates \$55 [S45]:

(B) each subsequent set of plates \$35 [S25]:

(10) [(11)] a vehicle owned by a municipality or charitable organization meeting the requirements of AS 28.10.181(e) \$15 [S5]:

(11) [(12)] REPEALED

(13)] a vehicle owned by a Pearl Harbor survivor or a former prisoner of war none:

(12) [(14)] REPEALED

(15)] special request university plates \$60 [S50]
plus the fee required for that vehicle under (b)(1) or (2) of this section: the fee required by this paragraph shall be collected only on the first issuance and on the replacement of special request plates: the commissioner of administration shall separately account by university campus designation for the fees received under this paragraph that the department deposits in the general fund: the annual estimated balance in the accounts that is in excess of the cost of issuing special request university plates may be appropriated by the legislature for the support of programs at each campus.

• Sec. 5. AS 28.10.421(f) is amended to read:

(f) In addition to the fees imposed under (b) and (d) of this section, the following special annual registration fee is imposed upon renewal of registration for a passenger vehicle, motor home, pick-up truck, or a van with special request Winter

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Olympics commemorative plates ~~S40~~ (\$30);
the annual estimated balance in the account maintained by the commissioner of
administration under AS 37.05.142 may be appropriated by the legislature to the
Alaska amateur sports fund established under AS 05.35.150.

* Sec. 6. AS 46.14.400 is amended by adding a new subsection to read:

(i) If a municipality or a local air quality district administering a program
under this section requires emissions inspection for a motor vehicle, emission
inspection may not be required more than once every two years.

* Sec. 7. AS 46.14.510 is amended by adding a new subsection to read:

(e) If the department adopts regulations requiring emissions inspection for a
motor vehicle, the department may not require the vehicle be inspected more than once
every two years.

* Sec. 8. This Act takes effect July 1, 1995.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO: CSSB 28(TRA)

Revision Date: 4/19/95
 Title: Motor vehicle reg. fee/emmission inspections
 Sponsor: Senator Conley
 Requestor: S. TRA

Dept. Affected: Public Safety
 BRU: Motor Vehicles
 Component: Field Services
 COMPONENT SERIAL NO. 0502

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	36.1	36.1	36.1	36.1	36.1	36.1
TRAVEL						
CONTRACTUAL	12.7	12.5	12.5	12.5	12.5	12.5
SUPPLIES						
EQUIPMENT	10.0					
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	58.8	37.6	37.6	37.6	37.6	37.6
CAPITAL EXPENDITURES	0.	0.	0.	0.	0.	0.
CHANGE IN REVENUES (1005)	2550.0	2550.0	2550.0	2550.0	2550.0	2550.0
Revenue Code						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GE Match						
1004 GE						
1005 GE Program Receipts	58.8	37.6	37.6	37.6	37.6	37.6
1006 GEMHTIA						
Other						
TOTAL	58.8	37.6	37.6	37.6	37.6	37.6

Estimate of current year (FY 95) impact: \$ _____

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

See attached

Prepared By: Charles R. Hosack Phone: 269-5559
 Division: Motor Vehicles Date: 4/19/95
 Approved by Commissioner: Ronald L. Ote Date: 4-19-95
 Agency: Ronald L. Ote, Dept. of Public Safety

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Handwritten:
 4/19/95

Analysis

In the emission inspection areas of Anchorage and Fairbanks there were 40,000 ownership changes in 1993 and 30,000 in 1994. For this analysis the average figure of 35,000 ownership changes will be used. This is the total number of vehicles that must be checked to see if they meet the requirement of having an additional I/M inspection at change of ownership. The DMV employee must determine if the vehicle meets the general age and weight criteria for inspections, whether the vehicle is 1987 model or older, and whether the vehicle has had an inspection within the last year. This checking will increase the average time for each transaction because only a portion of it can be automated. Additional time will be required to explain the requirements to owners and for the second visit required by those who do not meet the requirements on the first visit.

Since the circumstances vary so much it is not practical to quantify each individual transaction, but it is estimated that this additional work will increase the overall workload by 1%, so DMV will increase staffing by 1% or 1 PFT. The fee increases will require changes to the registration computer systems and the reports generated by the system and passed to the state accounting system. This work will be done by contract since all existing staff is fully committed. The total operating costs are as follows:

	FY96	FY97
1 Motor Vehicle Rep I/II	\$38.1	\$38.1
DP costs for 1 APSIN terminal	\$ 5	\$ 5
Equipment, 1 computer workstation (One-time costs)	\$10.0	
150 hours of contract programming @ \$75 Hr. (One-time costs)	\$11.2	
Data center charge for on line storage	<u>\$ 1.2</u>	<u>\$ 1.0</u>
TOTAL	\$58.8	\$37.6

Revenue

This bill eliminates the \$10 fee for registrations not done by mail. In place of this all registration fees are increased by \$10 but there is a \$10 reduction incentive if the registration is done by mail. On the surface it would appear that this would not affect the revenue but in actuality this will increase revenue by some amount. Under the current statute, DMV adopted regulation defining circumstances in which the \$10 fee could be waived. Some examples would be an owner who needs to do another transaction on that same vehicle such as a title change or plate change or registrations dropped off at the dealer/ fleet section. Another example is the emission station program where the stations do all the work of registration including data entry for DMV at no charge. The \$10 fee is not collected for these transactions because there is no impact on DMV.

In all these examples the owners would pay the new increased registration fee because the renewal was not done by mail. The emission inspection stations are already averaging over 150 registrations per day and this program is expanding to more stations in more areas. The net increase in revenue from this alone would be \$500,000. In 1994 the \$10 fee was waived for 15% of the registrations or approximately 65,000 vehicles. This would generate an additional \$650,000 in new revenue. The final source of new revenue would be new vehicles or vehicles from out of state that are being registered for the first time in Alaska. These vehicles would pay the increased fee because this is an original transaction involving a title and that cannot be done by mail. In 1994 there were approximately 140,000 registrations and this would generate \$1,400,000 in new revenue. The total new revenue from all of these sources would be \$2,550,000.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB-28(s)

Revision Date: 14-Apr-95
Title: Motor Vehicle Registration Fee/Emission Inspection

Department Affected: Environmental Conservation

Sponsor: Senator Dooley
Requestor: (S)TRA

BRU: Environmental Quality
Component: Air Quality

COMPONENT SERIAL NO. 1428

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	250.0	50.0	50.0	50.0	50.0	50.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	250.0	50.0	50.0	50.0	50.0	50.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0
--------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	50.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipt	200.0	50.0	50.0	50.0	50.0	50.0
1006 GF/MHTA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

See Attached

Prepared by: Larry Jones
Division: Director, Division of Administrative Services

Phone: 465-5010
Date: 4/14/95

Approved by Commissioner: [Signature]
Agency: Department of Environmental Conservation

Date: 4/14/95

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Attachment for

FISCAL NOTE - Proposed SB28(s)

STATE OF ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

The existing vehicle inspection and maintenance (I/M) program requires vehicles to be inspected on an annual basis. Vehicle owners must provide the Division of Motor Vehicles with an I/M certificate indicating that the vehicle has passed the emissions test in order to register their vehicle. SB-28(s) would require vehicles subject to I/M programs to be inspected and certified on a biennial basis, rather than the annual basis.

While providing relief to many vehicle owners, a biennial provision would make it harder to detect program evaders. A biennial program would provide owners who illegally register their vehicles to areas outside of an I/M program area, or who typically avoid registering their vehicles, a biennial opportunity to legally register their vehicles without dealing with the I/M requirements. In addition, the Department must treat each violator as a misdemeanor. Therefore, prosecution is expensive and time consuming. The combined conditions would encourage additional program evasion. The Department expects SB-28(s) to reduce program effectiveness by 5 to 15 percent. However, some of the reduction in effectiveness could be offset with minor program adjustments.

SB-28(s) addresses the enforcement concern by allowing a \$200 fine to be issued to an owner of a vehicle subject to an I/M program, which is caught being operated in an I/M area without a current and valid I/M certificate or sticker. The fine simplifies the enforcement effort and provides a relatively stiff penalty, which should help deter program evasion.

The proposed SB-28(s) would also allow the funds collected from the enforcement effort to be used by the Department to enhance the capability to electronically obtain and share enforcement related data with the Division of Motor Vehicles, and to conduct I/M enforcement efforts.

If SB-28(s) is passed, the Department would need \$250,000 in FY96 to for software development. The number of enforcement case loads would increase some, but could be handled by existing staff. The language concerning violations need to be put into both AS 23 and AS 46.14.510.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB-28

Revision Date: 24-Mar-95
Title: Motor Vehicle Registration Fee/Emission Inspection
Sponsor: Senator Donley
Requestor: (S)TRA

Department Affected: Environmental Conservation
BRU: Environmental Quality
Component: Air Quality

COMPONENT SERIAL NO. 1428

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	130.0	130.0	130.0	130.0	130.0	130.0
TRAVEL	12.0	12.0	12.0	12.0	12.0	12.0
CONTRACTUAL	100.0	100.0	100.0	100.0	100.0	100.0
SUPPLIES	8.0	8.0	8.0	8.0	8.0	8.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS & CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	250.0	250.0	250.0	250.0	250.0	250.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	250.0	250.0	250.0	250.0	250.0	250.0
1005 GF/Program Receipt	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS:

FULL-TIME	2	2	2	2	2	2
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

See Attached

Prepared by: Larry Jones
Division: Director, Division of Administrative Services

Phone: 465-5010
Date: 4/14/95

Approved by Commissioner: [Signature]
Agency: Department of Environmental Conservation

Date: 4/14/95

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Attachment for

FISCAL NOTE - SB28

STATE OF ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

The existing vehicle inspection and maintenance (I/M) program requires vehicles to be inspected on an annual basis. Vehicle owners must provide the Division of Motor Vehicles with an I/M certificate indicating that the vehicle has passed the emissions test in order to register their vehicle. SB-28 would require vehicles subject to I/M programs to be inspected and certified on a biennial basis, rather than the annual basis.

While providing relief to many vehicle owners, a biennial provision would make it harder to detect program evaders. A biennial program would provide owners who illegally register their vehicles to areas outside of an I/M program area, or who typically avoid registering their vehicles, a biennial opportunity to legally register their vehicles without dealing with the I/M requirements. This opportunity could encourage program evasion. The Department expects SB-28 to reduce program effectiveness by 10 to 15 percent.

The Department presently has a case load of 4,000 potential program evaders. With a biennial program, the case load would likely double. In addition, the Department must treat each violator as a misdemeanor. Therefore, prosecution is expensive and time consuming.

If SB-28 is adopted in its current form, the Department would be faced with major enforcement efforts that would require, at a minimum, two new employees and additional time from the Department of Law to process the misdemeanor citations. Because of the level of effort involved with this form of enforcement, the Department believes these costs would be incurred annually, as indicated in the Fiscal Note.

FISCAL NOTE

STATE OF ALASKA

BILL NO: SB 28

1995 LEGISLATIVE SESSION

Revision Date: 2/3/95
 Title: An Act repealing an additional fee for motor vehicle registration not conducted by mail...
 Sponsor: Senator Donley
 Requestor: S. TRA.

Dept. Affected: Public Safety
 BRU: Motor Vehicles
 Component: Field Services
 COMPONENT SERIAL NO. 0502

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 95	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES (1005)	(1,100.0)	(1,100.0)	(1,100.0)	(1,100.0)	(1,100.0)	(1,100.0)
Revenue Code						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GE Match						
1004 GE						
1005 GE/Program Receipts						
1005 GE/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 95) impact: \$ _____

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.) SB 28 repeals the \$10 fee for those owners who do not renew their annual vehicle registration by mail. In FY 94 approximately 110,000 vehicle owners paid this fee generating \$1,100,000 in revenue. This amount of revenue is estimated to be the average amount for future years also. Passage of this bill will result in a loss of revenue and longer lines at Division of Motor Vehicle field offices.

Prepared By: Juanita Hensley Phone: 465-2650
 Division: Motor Vehicles Date: 2/7/95
 Approved by Commissioner: *Ronald L. Cite* Date: 3/7/95
 Agency: Ronald L. Cite, Dept. of Public Safety

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Tempest in a Tailpipe

States got the EPA to back down on its enhanced auto emissions testing requirement. But they still must find ways to clean their air.

BY ALEX DANIELS

When you look outside on a summer day, you generally see a clean air. Even when you look at the tailpipe of your car, you won't see much, says Denis Keschl of the Maine Department of Environmental Protection. It's hard to tell for sure.

Scientists learn from experience. Last year, Maine became the first state to use the first cost-to-management emissions auto inspection mandated by the U.S. Environmental Protection Agency. The high-tech, centralized emissions control program was designed to replace traditional tailpipe tests conducted at gas stations and satisfy requirements of the Clean Air Act. But things didn't go according to plan. The costly program proved to be overwhelmingly unpopular with the public, as well as politically explosive, and after only eight weeks, the operation was suspended.

In recent days, just fall, about a dozen Northeastern and Western states backed off the EPA-prescribed approach to finding smog levels in urban areas. Because a percent or two more smog they faced losing millions of dollars in federal highway funds. Then in December, the federal agency backed down and announced it would allow states greater leeway in designing their overall clean air strategy. As a result, it is possible that Maine and others will scrap any plans to use the new inspection system.

After passage of the Clean Air Act amendments in 1990, EPA regulators learned that states must utilize the latest in car inspection technology—a computerized exhaust test known as the IM 240. While traditional testing systems monitor cars as they idle, the new "treadmill" test is programmed to mimic various driving conditions in order to more accurately measure how much cars pollute.

The test involves placing the car on a dynamometer, as the treadmill is known, and revving it up to simulate highway

speed. In addition to testing for nitrogen oxide pollutants—something that the old idling test couldn't do—the new method also monitors whether fuel vapor is escaping into the atmosphere.

The EPA plan was for especially polluted states to administer the test every two years in centralized locations. If cars passed the test, their owners would have to pay for up to \$450 in repairs before

they have to make several trips back and forth between the test centers and repair shops, so-called "ping-ponging."

The first seeds of rebellion were sown in California, which persuaded the EPA last March to allow it to operate a hybrid program of testing at gas stations and centralized facilities. Northeastern officials have long looked to the Golden State as a barometer to forecast problems that might arise in their own efforts to clean the air. And they interpreted what



The IM 240, a sophisticated emissions test, has proved to be highly unpopular with the public, and states are fighting hard to stay off the treadmill.

they could be granted a waiver of the test requirements. EPA estimated that repair bills would not exceed \$150 for the average car that failed inspection.

But organizations representing motorists and service station owners, who currently perform tailpipe tests in a number of states, criticized the expense associated with the new treadmill tests. They also argued that the centralized test facilities were inconvenient. Drivers would

happened there to mean that EPA was open to negotiations.

So when New Jersey ran a pilot program using the treadmill test last fall, state officials didn't hesitate to voice their dissatisfaction, asserting that motorists were having to wait in line for up to three hours because of system failure. Bob Thompson, a spokesman for the New Jersey Department of Motor Vehicle Services, says that the IM 240 was inoperable 60 percent of

to 1996. The strategic timeframe for each state varies by jurisdiction.

Over the Maine continuation of the EPA's state efforts to provide and often extend test gear now to assist the equipment owners. Although EPA officials acknowledge that there were some initial problems with the test, John Calkins, director of state operations at the EPA's Office of Mobile Sources, agrees that the public backlash that followed the implementation of enhanced testing in Maine was not justified from a technical standpoint. "Early on they had a couple of snafus. That happens," he says. "I've been in a shopping mall and had the lights go out. It doesn't mean we should have stopped malls."

But once it was revealed that the state government, John W. McKernan had pledged for a wood chipping plant to utilize excess mulch credits generated by the increased effectiveness of inspections (the dynamometer turned into political dynamite). Devising the notion that manufacturers could hold out more toxins at the expense of individual car owners, a grassroots campaign led by a group called Citizens for Sensible Emissions Laws gathered 55,000 signatures on a petition to repeal the state's stringent testing laws. If the legislature fails to kill the program, the debate will spill out of the statehouse next November in the form of a statewide referendum.

Pennsylvania too has put its entire program on hold. Pressured by the American Automobile Association and service station owners, legislators voted last fall to suspend the start date for enhanced testing. When then-governor Robert P. Casey vetoed the measure, he was promptly overridden by a comfortable margin. The state's new governor, Tom Ridge, campaigned on a platform that included abolishing the new system.

Since virtually all the affected states repudiated EPA's plan, New Jersey Assemblywoman Marnett Ozden thinks the threat of sanctions amounted to nothing more than a veil of smoke. "You can't sanction all of the Northeastern states," she says. "There would be a political uprising."

EPA Administrator Carol M. Browner announced at her December meeting with several Northeastern governors that although the aim of reducing pollution by 15 percent remains intact, along with the threat of sanctions for states that cannot meet this goal, EPA would grant states

States are re-examining the options available to them and questioning whether drivers should bear most of the burden of cleaning the air.

flexibility in how they want to achieve this end.

While enhanced inspections remain an option, policy makers could be more lenient on car drivers as long as it could be demonstrated that pollution could be reduced by alternate means. Delaware's natural resources secretary, Christopher A.C. Fulon, believes that meeting the Clean Air Act's requirements will still be a challenge, but the recent shift by the EPA will allow states to look at the whole picture. States are now re-examining the choices available to them and questioning whether car drivers should bear most of the burden of cleaning the air.

The problem is that when it comes to air pollution, cars are the single largest contributor to the mess. It is estimated that more than half of all ozone production is attributable to auto emissions. Working against the drive to deep-six the program are a host of environmental administrators, motor vehicle officials and health lobbyists. They point out that setting their cross hairs on cars is about 10 times more cost-effective for states than focusing on stationary sources.

Still, the general public has a hard time understanding the emphasis placed on car testing, particularly because they know that most newer cars have computerized systems that reduce emissions. While proponents of the treadmill test explain that the test computer is able to interact with the car system to accurately diagnose breakdowns, Douglas L. Lawson, a research professor at the Desert Research Institute, stresses that people who directly look for smog-reducing technology when they purchased a car shouldn't be subject to enhanced testing. "It's like giving everyone an aspirin because one person has a headache," he says.

Maryland went ahead and began using the treadmill system in January. However, in what motor vehicle Administrator W. Marshall Rickett called a "customer-friendly" action, the state decided

at the last minute to exempt vehicles manufactured before 1984 and after 2004—any that of all automobiles in the state. One reason the enhanced test has not generated much opposition there and in Connecticut, which is scheduled to begin using it in April, is that both have been operating centralized inspection centers for standard tailpipe tests. Drivers were already accustomed to the idea of traveling 20 miles to have their cars' emissions checked.

Other vehicle-related options include targeting truck and bus fleets, conducting random roadside tests and reducing the minimum amount spent on repairs before test waivers are granted. Which methods will ultimately be used in each state depends upon a range of political, budgetary and technical factors. The difficulty of choosing a program is compounded by the fact that environmental groups and contracted providers of test services in some states have threatened lawsuits if the EM 210 is not utilized.

Many officials agree, however, that making a decision now could be pointless, due to a belief that the mid-term elections reflect a new anti-government political reality. Although the EPA has reaffirmed its position that the pollution reductions spelled out in the Clean Air Act must be met, there is a growing feeling that the political tide that ushered in the Clean Air amendments has ebbed. And there are rumblings that the 104th Congress might revisit the Act itself and gut it, if many key environmental regulations.

Fearing that the entire federal clean air program has been reopened for debate, champions of the enhanced test are focusing their efforts less on its implementation than on convincing policy makers of its very necessity. Citing their belief that enhanced programs will appeal to a public genuinely concerned about clean air, proponents hope that a reconsideration of the Clean Air Act will direct the public to focus on its successes.

"I do not believe that the November 8 election was a mandate for rolling back environmental programs," says Eden Besa of the Maryland chapter of the American Lung Association. "Politicians who believe that do so at their own peril."

While the debate continues, however, it appears that the movement toward implementing enhanced inspection programs will be left spinning its wheels. ☐

EPA Message Mixed on Clean Air Act Dates

The U.S. Environmental Protection Agency continues to send a mixed message to states struggling to comply with federal clean air laws.

Sanctions against California for failure to meet a Nov. 15 Clean Air Act deadline were on again then off again in January. Shortly after it threatened to withhold as much as \$600 million in federal highway funds, the agency relented and said it would not keep funds from the earthquake ravaged state. But unless California can work out a compromise on how it deals with certain

EPA automobile exhaust testing rules, its highway funds could be in jeopardy next year.

Thirty-eight states passed legislation last year to implement new federal requirements for automobile emission inspection and maintenance (I/M) programs to avoid such sanctions. However, many passed enabling legislation under protest, questioning the value of a new, expensive program of unknown effectiveness.

Believing the EPA sanctions were toothless, Louisiana legislators decided to stop

implementation of the enhanced I/M program in affected areas of their state. And Louisiana Senator Joseph Sevario is heading a coalition of states that will seek amendment of the EPA's rules on the program. The group is committed to cutting air pollution, but wants to concentrate on more reasonable and cost-effective methods to accomplish the goals of the Clean Air Act. An initial meeting last November included representatives from Louisiana, Delaware, Arizona, Colorado and California.



Illinois and Indiana were also threatened in January with loss of highway funds—EPA said it would hold back as much as \$700 million for Illinois and up to \$280 million for Indiana—but both states were expected to meet the requirements early this year.

Indiana could not fully fund the new I/M program last year, so did not pass the legislation. Illinois simply did not consider the issue before the Legislature adjourned for the year, but has since done so in the 1994 session.

The EPA has issued options for California, and presumably other states, to implement the I/M program. These options include exempting newer cars from the EPA-mandated program. Instead, newer cars could be tested in a less expensive program similar to the one California currently has in place. Another option would be to allow only current Smog Check (the current California test program) stations to be eligible for certification as repair stations. EPA has also recommended a buy-back program for current test equipment.

Inspect Schools and Day-Care Center Lead?

Though few states check schools and day-care centers for lead-based paint, bills introduced recently in Congress could require such inspections.

"The problem with this is that it diverts attention from the major problem area [homes]," notes Bob Schlag, associate chief of California's Childhood Lead Poisoning Prevention Program.

State legislation has focused on eliminating lead hazards in homes. Most of the 190 bills introduced in 1993 dealt with lead hazards in residences. New York and Vermont had bills requiring inspections of schools and child-care facilities for lead. New York's bill failed.

In most lead poisoning cases, state officials point out, children are exposed before they enter school.

Schlag admits that lead

hazards in schools and day-care centers have not been adequately studied and warrant evaluation and analysis. But, he adds, "Inspecting schools would cause unnecessary hysteria and greatly burden limited education budgets while providing only a minimal public health benefit."

A recent U.S. General Accounting Office (GAO) survey of 16 states and 57 school districts found that most have no laws or policies requiring schools or child-care facilities to be inspected for lead.

Minnesota and North Carolina, however, do conduct regular inspections in some child-care centers. And Illinois inspects for lead-contaminated soil, a major contributor to poisoning.

Of the school districts in the GAO survey, 30 tested

drinking water, which is required under federal law. Nine tested for lead-based paints, and three checked for lead-contaminated soil.

South Carolina, a state that does inspect such facilities, found 18 percent of the child-care centers and foster homes it tested did contain lead hazards.

In two Charleston church-based centers, more than 40 percent of the children had elevated lead levels in their blood, and three needed medical attention.

Such examples make it "worthwhile to examine these centers for lead hazards and clearly worthwhile to screen children in the centers," concludes Routh Reigert, professor of pediatrics, Medical University of South Carolina, and a supporter of school inspections.

The air down here

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Four years after its passage, the 1990 Clean Air Act is coming to crisis

by Will Nixon

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In the United States, the ill winds blow in many directions. From her house near the Maine coast, Lee Buffinton can watch a brown bank of summer smog, which migrates up the Atlantic seaboard every summer, wash inland from the ocean to ruin her day. With her scarred lungs, a legacy of childhood illnesses, she is a human pollution monitor able to tell when the ozone levels rise above her state's safety standard, as they do more than thirty days every summer. She must quit her gardening or tennis and take to a hammock with a cup of herbal



Lee Buffinton, an asthma sufferer, can watch the smog blow in from the ocean during summer days in Maine.

tea because any exercise would make her sick. "I can get a scratchy throat, congestion, a headache. That can work itself into coughing, wheezing, shortness of breath," she says. "Just hiking up the hill from my garden does it."

Gloria Inverso lives in "Rocky" country near the Italian market and

Will Nixon is Associate Editor of E Magazine

the famed Pat's Cheese Steak stand in South Philadelphia. She is the third generation on her block of look-alike brick row houses (which tourists often peer into, expecting to see the nineteenth century). But in 1989 the city rezoned her neighborhood, opening the way for the fifty-four auto repair and auto body shops she now counts within six square blocks. Inverso also faces dry cleaners, sign painting shops—all in all, a major pollution source divided into dozens of parts. Her ordeal began at the Labor Day block party in 1990, when she arrived late and

found that everyone had already taken their picnic food inside because the boys had come down with bloody noses from breathing air that smelled like bords and bottles of nail polish remover. Since then, Inverso has had two dogs die. A neighbor's cat went crazy after three weeks of sitting in the windowsill. "Birds have dropped dead like a Raid commercial with their feet in the air," she says. "Everybody sounds like they have a cold 365 days a year." She loses her breath sometimes just walking up a few stairs, and she has shed thirty to forty pounds. "I have mucus in my chest and sinus drips. I can't eat. It's a great weight loss program for anyone who doesn't want to spend money."

To live in Altgeld Gardens on

the south side of Chicago, a neighborhood ringed with chemical factories and fronted by a sewage treatment plant, Patricia Jackson of People for Community Recovery needs two basic pieces of asthma equipment: a steroid inhaler used twice a day and a medicated inhaler used five times a day. "If I didn't, I'd be gasping for breath every half hour," she says. Before she moved here, an inhaler would last her six months to a year; now she buys a new one every month. And she's not alone. "If someone sees you use an inhaler, they say, 'Oh you've got asthma too.' It's very common here," she adds. "Some people are confined to their homes with respiratory machines, and two died from asthma this winter. I was speaking on the phone with a woman in Denver, Colorado, who works at the National Jewish Center. As soon as she heard where I live, she said, 'You've got to get out of there.' I know, but it's not that easy."

In 1990, President Bush signed the Clean Air Act Amendments, a legal behemoth more than 700 pages long designed to solve countless problems like these. All told, this multifarious law aims to reduce toxic air emissions by over 70 percent; cut the sulfur dioxide emissions that cause acid rain by almost 50 percent; phase out chlorofluorocarbons and other ozone-depleting substances; and ensure that the vast majority of Americans live in areas with healthy air by the year 2000—a no small task, since the Environ-

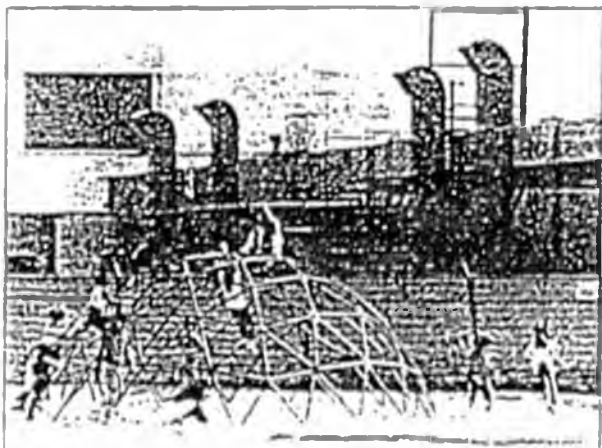
muggy summer night, and half of the people in the audience had raspy voices and coughs. Someone said, 'What is this pollen?' I said, 'I think it's the air pollution.' They looked at me like, 'What?'"

The Clean Air Act itself does not help. To the ordinary citizen, it is a Pandora's box of atmospheric pollution chemistry, abstruse policy concepts, and acronyms galore. Anyone wanting to join the fun

asthma, respectively, though stringent air quality regulations would also bring them relief. GHASP (Galveston Houston Alliance to Stop Pollution) has just a dozen members agitating for a tough state air plan, even though Houston has an ozone problem second only to that of Los Angeles. GHASP leader Brandt Mannchen comments that local conservation issues such as protecting Galveston Bay attract

control the pollution because we're still breathing it."

Indeed, one of the best-kept secrets of the Clean Air Act is that, when it is enforced, it works. Without it, we might be living by now in the "air noir" atmosphere of the movie "Batman" or of metropolises like Mexico City, where you can read your fate in the black smoke signals rising from the tailpipes. Since it was first passed in 1970, the



The EPA estimates that 140 million Americans live in counties prone to air pollution.

must learn fluency with the terms SIP, NO_x, RACT, MACT, VOC, HOV, ECO, UAM, and VMT. (Pop quiz: Which is a complicated way of saying "Leave the car at home?") Indeed, one activist in Washington, D.C., has found the campaign for state smog-reduction plans to be the most difficult he has ever worked on.

In defense of all the complexity, Bill Sessa, a spokesman for the California Air Resources Board, quotes a federal official who once said, "Even the simplest air quality issue is more complicated than the most complex water or solid waste issue." But the upshot is that Clean Air Act issues tend to remain the purview of full-time clean air professionals—advocates, public officials, and industry lawyers, who understand its concepts and speak its language.

Gloria Inverso and Patricia Lack, who focus their community work on air quality issues and on promoting

the country—the story is the same: food labeling is more likely to be on the agenda than ozone.

With public involvement in clean air policy low, and only a limited number of beleaguered air quality advocates to defend it, the Clean Air Act has become an easy target of criticism. It is now fashionable, in many Washington circles, to regard the Act as a dinosaur typical of an outdated "command and control" approach. "Newer environmental thinking calls for upfront pollution prevention rather than end-of-the-pipeline controls, and that's great," says Layne Mardock of the Clean Air Network, a national umbrella organization of clean air advocates. "But you can't throw the baby out with the bathwater. I'll be the first to throw my hat in the air when air pollution has been prevented, but not when it has not. I'll suggest to con-

One of the best-kept secrets of the Clean Air Act is that, when enforced, it works.

more public support. And when one checks in with asthma support groups in Los Angeles—surely the most likely hotbeds of grassroots clean air activism in

Clean Air Act has dramatically cleaned up our skies by filtering our industrial economy, adding everything from catalytic converters on cars to smokestack scrubbers on coal-burning utilities. Between 1983 and 1992, airborne lead fell 89 percent as leaded gasoline was phased out. Carbon monoxide fell 34 percent, even as Americans drove 37 percent more miles. Ozone, a tricky one to average because it varies so much with hot and cool summers, declined about 10 percent.

Even the effects of the 1990 Amendments have already registered at the air monitors. In twenty-eight metropolitan areas with winter carbon monoxide problems, for instance, the EPA made gas stations switch to oxygenated gasoline that costs up to five cents a gallon extra but burns cleaner. In 1992, these areas saw their peak levels of carbon monoxide drop by 13 percent—virtually eliminating violations of the carbon monoxide standard.

And the Clean Air Act is having benefits in other areas, as well. It amounts to an industrial development policy for new pollution control equipment. The EPA cites a recent study showing that equipment that cost \$1 billion to install in 1970 would produce 10 times the air quality

Washington State
HM Requirements

or greater than 8 ft. In width. Fee: \$5 for movement permit, required when moving unless moved by a licensed transporter or dealer.

MOTORCYCLE INFORMATION

Required Equipment: Protective glasses, goggles or windscreen; two rear-view mirrors. Helmets required on all operators and riders. Children under 5 are not allowed to be transported.

Driver's License: Required (endorsement of regular license); valid for four years; expires on licensee's birthday. Original endorsement \$10. Renewal \$7.50.

License Plates: Required; valid for one year; expiration staggered throughout the year.

Title: Required; fee, \$4 plus sales or use tax, \$1 filing fee plus \$27.85 basic fee, plus excise tax.

Daytime Headlight: While operating a motorcycle during daylight hours, the use of a headlight is required.

Special Driving Rules: Lights required on at all times; riding between lanes prohibited.

MOPEDS

Registration: Required. Fee, \$8.50 original, renewal yearly, \$7.50.

Driver's License: Valid driver's license required, valid for four years.

Minimum Age: 16.

Safety Equipment Required: Headlamp, red tail light, red stop light, white license plate light, red reflector on each side at rear, amber reflector on each side of front, rear-view mirror and brakes on each wheel. If moped does not have windshield, driver must wear goggles, glasses, or a face shield for eye protection. Helmets on all operators and riders. No riders 5 or under.

Special Driving Rules: Cannot be ridden on bicycle path or trail, equestrian (horse) trail, hiking or recreational trail, sidewalk, or upon any fully controlled limited access highway.

MOTORIST LIABILITY LAWS

Financial Liability Law: Mandatory Liability Insurance Law: Financial Responsibility Law. Has security and future-proof type law applicable in event of accident causing property damage in excess of \$500 to one person's property or personal injury requiring attention of doctor or death. Minimum financial responsibility limits: \$25,000/\$50,000/\$10,000.

As of 1-1-90, motorists must carry on their person proof of auto insurance or financial. Carries a \$475 fine for noncompliance and applies to out-of-state motorists with similar proof-of-insurance cards.

State has Nonresident Service of Process Law.

ACCIDENT REPORTS

Accidents involving death, personal injury or property damage of \$500 or more to one person's property must be reported within 24 hours to chief of police if in city, to county sheriff or state patrol if outside city.

BAIL BOND

Statutory recognition of AAA arrest bond certificates for traffic infractions does not cover driving while intoxicated.

CHEMICAL TEST LAW

Has law with implied consent provision. Breath test authorized. Presumptive level: .10%. Driving (riding) a moped, bicycle, or horse while under the influence of alcohol is illegal and a punishable offense.

MOTOR VEHICLE INSPECTIONS

Safety: Required on out of state vehicles before purchasing licenses in Washington, and on vehicles which have been salvaged. Also required as a result of a citation for defective equipment on all salvaged vehicles.

Emission: Annual emission tests in King County and Spokane. Washington State Patrol 'spot checks' have been ruled unconstitutional and discontinued.

NONRESIDENT VIOLATOR COMPACT

State is not a member.

HIGHWAY PATROL/STATE PATROL

Headquarters, General Administration Bldg. AX-12, Olympia, WA 98504; Commanding Officer, George B. Tellevik, Chief, (206) 753-6540, (FAX) (206) 753-2492.

WEST VIRGINIA

Jane L. Cline, Commissioner, Division of Motor Vehicles, 1600 Washington, East Charleston, WV 25317, (304) 348-3900.

MOTOR VEHICLE REGISTRATION

Proof of Vehicle Ownership: Required. Certificate of Title must be obtained immediately upon registration in West Virginia. Application must be made to Department of Motor Vehicles and must be accompanied by previous owner's assigned Certificate of Title and Federal Odometer Statement (if vehicle is less than 10 years old). Fee, \$5. All liens on vehicle must be recorded with Motor Vehicle Department. Fee, \$5. Mobile homes pre-titled.

Upon transfer of ownership, seller must deliver endorsed Certificate of Title to buyer within sixty days.

Size Limits:

Total length: 50 ft.
Trailer length: 35 ft.
Width: 8 ft.; 8 ft. 6 in. for recreational vehicles.
Height: 14 ft. Trailers exceeding size limits may be operated under permit issued by the Highway Division.

Special Provisions: Riding in towed trailer prohibited, except in fifth-wheel haulers with safety glazing in windows, unobstructed exit that can be opened from inside or outside, and with driver-passenger communication. Riding in pickup camper permitted. Camping in rest areas prohibited. Maximum of one boat or general utility trailer may be towed behind passenger or pleasure vehicles. Total length of both not to exceed 50 ft.

MOTORCYCLE INFORMATION

Required Equipment: Helmet required for all operators and passengers; rear-view mirror, brakes, horn, fenders, muffler, tires approved for highway use, turn signals, license plate and registration and required.

Driver's License: Motorcycle endorsement added to regular operator's license. Fee, \$30. Renewal \$7.

Applicants 16-18 years old must complete a motorcycle rider education course before they may obtain a motorcycle endorsement.

License Plates: Fee, \$9 plus one-time plate fee of \$1.50; valid for two years, expiring on day and month issued.

Title: Required. Fee, \$10.

Daytime Headlight: While operating a motorcycle during daylight hours, the use of a headlight is required.

Special Driving Rules: Lights required to be on at all times; riding between lanes prohibited. Operation on limited access highways permitted.

MOPEDS

Registration Plates: Fee, \$9 plus one-time plate fee of \$1.50; valid for two years, expiring on day and month issued.

Driver's License: Driver's license. Fee, \$26.25.

Minimum Age: 16.

Required Equipment: Same as motorcycle, except turn signal lights are not required equipment. Passengers not allowed.

Title: Required. Fee, \$10.

MOTORIST LIABILITY LAWS

Financial Responsibility Law: Has future-proof law for uninsured accidents. Minimum financial responsibility limits: \$25,000/50,000/10,000.

Oregon State
1/3 Requirements

State has Nonresident Service of Process Law and Guest Suit Law. Mandatory one year license suspension for involvement in an uninsured accident.

State has "add-on," no-fault insurance law. Sale and purchase mandatory. Benefits: Medical \$10,000; 70% of wage loss up to \$1,250 monthly (maximum 52 weeks); \$30 per day loss of services (14-day retroactive waiting period and maximum 52 weeks). General damages: no limit.

Owners must certify liability insurance when renewing registration plates.

ACCIDENT REPORTS

Accidents involving injury, death or property damage in excess of \$400 must be reported to chief of police of the city or sheriff of the county in which accident occurred or Motor Vehicles Division within 72 hours.

BAIL BOND

Mandatory recognition of AAA arrest bond certifies up to \$200, with specified exceptions.

CHEMICAL TEST LAW

Has law with implied consent provision. Breath, blood or urine tests authorized. Presumptive level .08%; commercial motor vehicle operators .04%; under 21, anything over .00%. Driving (riding) a moped, bicycle, or horse while under the influence of alcohol is illegal and a punishable offense. Administrative License Suspension law.

Drivers under 18 years, presumptive level - anything over .00%.

MOTOR VEHICLE INSPECTIONS

Safety: State police may conduct roadside inspections. Biennial emissions inspection in the Portland metro area and Jackson and Multnomah counties.

Emission:

NONRESIDENT VIOLATOR COMPACT:

State is not a member.

HIGHWAY PATROL/STATE POLICE

Office of Superintendent of State Police, 107 Public Service Bldg., Salem, OR 97310. Commanding Officer, Reginald B. Madsen, Superintendent of State Police. (503) 378-3720.

MOPEDS

Registration: Required before operation on highway unless a retail purchase which must be registered within 5 days. Fee, \$5. License plate issued. No title issued. No renewal fee required. Social Security number is required. The DMV is authorized to refuse to issue or renew the registration of a driver's license upon a finding that there are overdue or unpaid fines or forfeitures.

Driver's License: Class M2 license or M2 endorsement required. Fee \$5. After 1-1-94 license will be required. Social security number is required. The DMV is authorized to refuse to issue or renew the registration of a driver's license upon finding that there are overdue or unpaid fines or forfeitures.

Minimum Age: 16 with completion of driver training.

Safety Equipment Required: Headlamp, tail lamp, stop lamp, side and rear reflectors, brakes, mirror, horn and muffler. Helmets are required.

MOTORIST LIABILITY LAWS

Financial Responsibility Law: Financial responsibility required of every driver and owner of a motor vehicle at all times. Driving without such proof punishable in case of injury or property damage accident in excess of \$500 by suspension of driving privilege. Minimum financial responsibility limits: \$30,000/15,000/5,000.

State has nonresident service of Process Law. Guest may sue driver.

ACCIDENT REPORTS

Accidents involving death or personal injury must be reported to Highway Patrol or local police within 24 hours. Accidents resulting in death, personal injury or property damage in excess of \$500 or more must be reported, on special form SR1, to Department of Motor Vehicles, Financial Responsibility Office, Sacramento, within 10 days.

BAIL BOND

CALIFORNIA

1/17/94

CHEMICAL TEST LAW

Has law with implied consent provision, and unlawful limits. Blood, breath, urine tests authorized. Presumptive level .08%; minors .05%. Driving (riding) a moped or bicycle while under the influence of alcohol is illegal and a punishable offense. Administrative License Suspension law.

MOTOR VEHICLE INSPECTIONS

Safety: Not required.

Emission: Statewide on original transaction, upon transfer in most counties for most vehicles.

Biennial emission inspection includes the following counties: Alameda, Butte, Colusa, Contra Costa, El Dorado, Fresno, Glenn, Kern, Kings, Los Angeles, Madera, Marin, Merced, Monterey, Napa, Nevada, Orange, Placer, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Solano, Sonoma, Stanislaus, Sutter, Tehama, Tulare, Ventura, Yolo, and Yuba.

NONRESIDENT VIOLATOR COMPACT

State is not a member.

HIGHWAY PATROL/STATE POLICE

Headquarters, 2555 First Ave. Sacramento, CA 95818.
Commissioner, M.J. Hannigan, (916) 657-7152.
(FAX) (916) 657-7324. Mailing address: P.O. Box 942898, Sacramento, CA 94298-0001.

COLORADO

John Tipton, Executive Director, Department of Revenue, State Capitol Annex, Denver, CO 80261
Dee E. Hartman, Director, Motor Vehicle Division, 140 W. Sixth Ave., Denver, CO 80204. (303) 623-9463.

MOTOR VEHICLE REGISTRATION

Proof of Vehicle Ownership: Required. Application for Certificate of Title must be secured through the clerk and recorder of the county in which the applicant resides, except in Denver, where title is issued through Denver Motor Vehicle Department.

Upon transfer of ownership, Certificate of Title must be endorsed by seller and delivered to buyer for surrender to the county clerk in county of buyer's residence within 45 days. Thereupon issuance of new Certificate of Title to buyer becomes evidence of his ownership. Fee for issuance of Certificate of Title \$5.50; duplicate certificate, \$3.50.

Registration: Staggered. Upon purchase of new car, motorist has 45 days to apply to local county clerk for registration; new resident must apply within 45 days. Period of grace 30 days.

	MONTH			YTD		
	AMOUNT	NUMBER	ADJUST	AMOUNT	NUMBER	ADJUST
REGISTRATION FEES						
R01 MOTOR VEHICLE	2,179,645.00	59,156	818	20,415,491.70	533,787	7,246
R02 SNOW MACHINE	628.00	139	3	21,476.00	4,405	51
R03 NR COMMERCIAL TRIP PERMIT	4,390.00	89	4	41,197.00	427	50
R04 DEALER			1	121.00-	3	10
R05 PRORATE	1,582.00	8	3	129,342.00	186	12
R06 DUPLICATE REGISTRATION	1,316.00	395	15	16,522.00	4,671	208
R07 SERVICE FEE	108,859.25	11,873	198	1,049,853.75	113,668	1,397
TOTAL REGISTRATION FEES	\$ 2,296,420.25	71,651	1,042	\$ 21,673,761.45	657,147	8,974
TITLE / LIEN FEES						
01 TITLE	117,125.00	23,907	620	1,048,216.00	215,694	6,710
102 LIEN	38,053.00	7,759	178	322,037.00	66,115	1,904
TOTAL TITLE / LIEN FEES	\$ 155,178.00	31,666	798	\$ 1,370,253.00	281,809	8,614
TOTAL REG/TITLE FEES	\$ 2,451,598.25	103,317	1,840	\$ 23,044,014.45	938,956	17,588
DRIVER LICENSE FEES						
D01 ORIGINAL	51,180.00	4,384	161	492,650.75	39,956	1,627
D02 DUPLICATE	32,725.00	3,029	117	341,795.00	31,430	1,138
D03 RENEWAL	83,140.00	5,740	156	696,563.00	47,282	2,163
D04 SD FEE		176		420.00-	1,840	6
D07 RESTATEMENT	49,335.00	495	14	563,833.00	5,652	253
D08 LISTED						
D09 RENEWAL MAIL-IN	24,480.00	1,510	43	266,133.00	16,583	243
D10 ROAD TEST	34,374.00	2,115	43	322,344.00	19,312	251
D11 RESTATE W/PRIOR ACTION						
TOTAL DRIVERS LICENSE FEES	\$ 275,234.00	17,469	534	\$ 2,682,890.75	162,055	5,621
COMMERCIAL DRIVER LICENSE FEES						
C01 ORIGINAL	38,805.00	571	24	292,742.00	4,930	166
C02 DUPLICATE	5,035.00	546	8	47,149.00	2,402	84
C03 RENEWAL	340.00	49	1	5,559.00	960	8
C04 NO FEE		62		300.00-	710	3
C09 CDL RENEWAL MAIL-IN				303.00	3	
TOTAL COMMERCIAL DRIVER	\$ 44,180.00	928	33	\$ 345,453.00	9,005	261
IDENTIFICATION CARD FEES						
I01 ORIGINAL	28,050.00	1,985	61	148,734.00	14,852	557
I02 DUPLICATE	9,165.00	918	30	89,245.00	8,908	271
I03 RENEWAL	6,210.00	621	19	64,790.00	6,480	155
I04 SD FEE	100.00-	211	1	500.00-	1,971	5
TOTAL IDENTIFICATION CARD FEES	\$ 35,345.00	3,735	111	\$ 302,269.00	32,211	988
TOTAL DRIVER FEES	\$ 154,759.00	22,132	678	\$ 3,330,620.75	203,271	6,870
TOTAL REG/TITLE/DR/ID FEES	\$ 2,806,557.25	125,449	2,518	\$ 26,374,635.20	1,142,227	24,458