

Regulatory Announcement

Final Rule for Amendments to Vehicle Inspection Maintenance Program Requirements

The U.S. Environmental Protection Agency (EPA) is finalizing a regulation to revise outdated timing-related references in the Inspection and Maintenance (I/M) rule such as submission dates, start dates, evaluation dates, and other milestones and/or deadlines to make them relevant for areas that will be newly required to begin I/M programs as a result of being designated and classified under the 8-hour ozone standard.

Summary of the Final Rule

EPA is finalizing minor revisions to the Motor Vehicle I/M regulation to update submission and implementation deadlines and other timing-related requirements to reflect the new 8-hour National Ambient Air Quality Standard (NAAQS) for ozone. Among other timing-related revisions, this rule will update the start date and evaluation date(s) for each applicable I/M performance standard.

Key Elements of the Final Rule

This final rule:

- Establishes new start and benchmark comparison dates which will relate back to the effective date of an area's classification under the 8-hour ozone standard. The final rule also specifies which model

year vehicles are covered by the onboard diagnostic (OBD) test under each applicable I/M performance standard.

- Changes the current, fixed deadline for beginning program evaluation testing to the more relative deadline of “no later than 1 year after program start up.”
- Establishes the submission deadline for new I/M state implementation plans (SIPs) required under the 8-hour standard as 1-year after the effective date this final rule.
- Establishes the implementation deadline for new I/M programs required under the 8-hour standard as 4 years after the effective date of classification under the 8-hour standard. This rule-making also clarifies that the deadline for beginning OBD testing will be “coincident with program start up” for areas newly required to implement I/M as a result of being classified under the 8-hour ozone standard.

Background

Under the Clean Air Act as amended in 1990, certain ozone nonattainment areas are required to adopt vehicle I/M programs as one of the mandatory control measures used to reach attainment. On April 30, 2004, EPA published a notice of final rulemaking (69 FR 23857) addressing several key requirements related to the implementation of the 8-hour ozone standard originally promulgated on July 18,

1997 (62 FR 38856). Among other things, the 8-hour ozone standard implementation rule established deadlines for meeting the 8-hour ozone standard based upon a given area’s degree of nonattainment. The rule also addressed when SIPs and attainment demonstration plans must be submitted.

As a result of the changes finalized by the 8-hour implementation rule, EPA is issuing this final rule to revise outdated timing-related references in the I/M rule such as submission dates, start dates, evaluation dates, and other milestones and/or deadlines to make them relevant for areas that will be newly required to begin I/M programs as a result of being designated and classified under the 8-hour ozone standard.

For More Information

You can access this final rule and related documents on EPA’s Office of Transportation and Air Quality Web site at:

www.epa.gov/otaq/epg/regs.htm

For further information on this rulemaking, please contact Dave Sosnowski at:

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