

# VIP Fee Increase and Updates 2020 Rulemaking

## Proposed Rule Revision Summary Rulemaking Advisory Committee Meeting #1

Thursday, Sept. 3, 2020, 10:30 a.m. to 1:30 p.m.

DEQ prepared this document for the VIP 2020 Fee Increase and Updates Rulemaking Advisory Committee. This document summarizes the background and intent of the proposed rule revisions that DEQ will discuss with the advisory committee. DEQ will provide the advisory committee a copy of the full text of OAR 340 Division 256 showing all the proposed revisions as underlined or stuck-out text. DEQ asks the advisory committee to provide input on the fiscal impacts of the proposed rule revisions on individuals, businesses and particularly, small businesses.

Rule OAR 340-256-0320 addresses the proposed fee increase for a certificate of compliance as follows:

(1) The cost of each Certificate of Compliance issued by ~~the Department~~ DEQ, including those issued at emissions test stations and those issued through the Clean-Screen and Self-Service Testing procedures, is:

(a) In the Portland Vehicle Inspection Area, a maximum of ~~\$21~~ \$25; or

(b) In the Medford-Ashland ~~Air Quality Maintenance Area~~ AQMA, a maximum of ~~\$10~~ \$15 until June 30, 2021; and then a maximum of \$20.

And

(6) The cost of each Certificate of Compliance issued on-site to an automobile dealership is a maximum of ~~\$26~~ \$30.

All other proposed rule revisions would:

- Remove references to procedures no longer performed, such as the enhanced dynamometer emissions test and noise control testing;
- Include references, definitions and procedures that will align rules with current program operations;
- Edit for plain language.

In the table below titled Rules Repealed, three rules DEQ proposes to repeal apply entirely to the enhanced test procedure and standards (340-256-0350, 340-256-0410, 340-256-0460). DEQ VIP has not performed the enhanced test since 2006. In model year 1996 and newer vehicles, On Board Diagnostic systems have enabled improved testing approaches, relative to the prior enhanced tests. As OBD testing became standard for a larger percentage of vehicles, DEQ phased out the enhanced test.

Rules 340-256-0360 and 340-256-0430 apply to noise control tests and standards for motorcycles and motor vehicles. DEQ stopped performing noise control tests as part of vehicle inspection in about 2008 for several reasons, including concerns about inspector safety and inconsistent test results among stations. Noise control statutes still exist and are enforced by local government police or sheriff departments. Rule 340-256-0120 pertains to visible emissions from uncombined water vapor and is redundant with the definition of “visible emissions” in OAR 340-256-0010.



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The table titled Rules Amended lists those rules in which DEQ has proposed clarifying or updating rule text to align with current program operations and procedures. DEQ also proposes amendments that replace unnecessary jargon or overly wordy phrases with plain language.

Rules amended primarily for clarity and to align with current program operations are: 340-256-0010, 340-256-0110, 340-256-0160, 340-256-0200, 340-256-0210, 340-256-0300, 340-256-0340, 340-256-0355, 340-256-0356, 340-256-0357, 340-256-0358, 340-256-0380, 340-256-0390, 340-256-0400, 340-256-0420 and 340-256-0440.

Rules amended primarily for plain language are: 340-256-0100, 340-256-0130, 340-256-0140, 340-256-0150, 340-256-0200, 340-256-0220, 340-256-0310, 340-256-0330, 340-256-0370, 340-256-0450 and 340-256-0465.

### Rules Repealed – OAR 340

340-256-0120	340-256-0350	340-256-0360	340-256-0410	340-256-0430
340-256-0460				

### Rules Amended – OAR 340

340-256-0010	340-256-0100	340-256-0110	340-256-0130	340-256-0140
340-256-0150	340-256-0160	340-256-0200	340-256-0210	340-256-0220
340-256-0300	340-256-0310	340-256-0320	340-256-0330	340-256-0340
340-256-0355	340-256-0356	340-256-0357	340-256-0358	340-256-0370
340-256-0380	340-256-0390	340-256-0400	340-256-0420	340-256-0440
340-256-0450	340-256-0465			

#### Alternative formats

DEQ can provide documents in an alternative format or in a language other than English upon request. Call DEQ at 800-452-4011 or email [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us)