

Motor Vehicles

7023.0100 DEFINITIONS.

Subpart 1. **Scope.** As used in parts 7023.0100 to 7023.0120, the following words shall have the meanings defined herein.

Subp. 2. **Air pollution control system.** "Air pollution control system" means any device or element of design installed on or in any motor vehicle or motor vehicle engine in order to comply with pollutant emission restrictions established for the motor vehicle or motor vehicle engine by federal statute or regulation.

Subp. 3. **Motor vehicle.** "Motor vehicle" means any self-propelled vehicle powered by an internal combustion engine and designed for use on the public highways including, but not limited to, automobiles, trucks, and buses.

SA: MS s 116.07 subd 4

HIST: 18 SR 614

7023.0105 STANDARDS OF PERFORMANCE FOR MOTOR VEHICLES.

No person shall cause or permit the emission of visible air contaminants from a motor vehicle, other than one powered by a diesel cycle engine, for more than ten consecutive seconds.

No person shall cause or permit the emission of visible air contaminants from a motor vehicle powered by a diesel cycle engine:

A. in excess of 20 percent opacity for more than 20 consecutive seconds if the engine was manufactured prior to January 1, 1973; or

B. in excess of ten percent opacity for more than 20 consecutive seconds if the engine was manufactured after January 1, 1973.

SA: MS s 116.07 subd 4

HIST: 18 SR 614

7023.0110 STANDARDS OF PERFORMANCE FOR TRAINS, BOATS, AND CONSTRUCTION EQUIPMENT.

No person shall cause or permit the emission of visible air contaminants from a train, boat, or construction equipment, which is powered by an internal combustion engine, in excess of the limits set forth in part 7023.0105.

SA: MS s 116.07 subd 4

HIST: 18 SR 614

7023.0115 EXEMPTION.

The provisions of parts 7011.2300 and 7023.0100 to 7023.0120 do not apply to two-cycle internal combustion engines.

SA: MS s 116.07 subd 4

HIST: 18 SR 614

Motor Vehicles

7023.0120 AIR POLLUTION CONTROL SYSTEMS RESTRICTIONS.

No person shall remove, alter, or otherwise render inoperative any air pollution control system.

No person shall operate a motor vehicle unless all air pollution control systems are in place and in operating condition.

No person shall rent, lease, offer for sale, or in any manner transfer ownership of a motor vehicle unless all air pollution control systems are in place and in operating condition.

The requirements of this part shall not restrict or prohibit the removal of any air pollution control system for repair or replacement.

SA: MS s 116.07 subd 4

HIST: 18 SR 614

NOTE: Laws of Minnesota 1988, chapter 487, section 1, subdivision 5, provides that Minnesota Statutes, section 325E.0951, supersedes this part to the extent this rule is inconsistent with that section.

1 7023.1010 DEFINITIONS.

2 Subpart 1. Scope. The definitions in part 7005.0100 apply
3 to the terms used in parts 7023.1010 to 7023.1105, unless the
4 terms are defined in this part.

5 Subp. 2. Agency representative. "Agency representative"
6 means an agency employee or contractor designated by the
7 commissioner to conduct inspections and tests, gather
8 information, and perform other activities related to vehicle
9 inspection and testing.

10 Subp. 3. Calibration gas. "Calibration gas" means a gas
11 or gas mixture of known concentration that is used to establish
12 the response curve of an emission analyzer.

13 Subp. 3a. Certificate of annual exemption. "Certificate
14 of annual exemption" means a certificate issued by the
15 commissioner or contractor for the annual exemption of a vehicle
16 from the state vehicle inspection requirements as prescribed in
17 part 7023.1070.

18 Subp. 4. Certificate of compliance. "Certificate of
19 compliance" means a serially numbered inspection report marked
20 "passed" indicating a motor vehicle complies with the
21 requirements of parts 7023.1010 to 7023.1105.

22 Subp. 4a. Certificate of exemption. "Certificate of
23 exemption" means a certificate issued by the commissioner or
24 contractor for the exemption of a vehicle from the state vehicle
25 inspection requirements as prescribed in part 7023.1070.

26 Subp. 4b. Certificate of temporary extension.
27 "Certificate of temporary extension" means a certificate issued
28 by the commissioner or contractor for the extension of the time
29 period for a vehicle to meet state vehicle inspection
30 requirements as prescribed in part 7023.1070.

31 Subp. 5. Certificate of waiver. "Certificate of waiver"
32 means a serially numbered inspection report marked "waived"
33 indicating that a motor vehicle complies with the requirements
34 of part 7023.1055.

35 Subp. 6. Commissioner. "Commissioner" means the

1 commissioner of the Pollution Control Agency.

2 Subp. 7. **Constant four-wheel drive.** "Constant four-wheel
3 drive" means four-wheel drive that cannot be converted to
4 two-wheel drive except by removing one of the vehicle's drive
5 shafts.

6 Subp. 8. **Contractor.** "Contractor" means a person,
7 business firm, partnership, or corporation with whom the agency
8 has a contract that provides for the operation of one or more
9 inspection stations.

10 Subp. 9. **Customarily domiciled.** "Customarily domiciled"
11 means that a vehicle, although registered to an owner residing
12 in the metropolitan area, is kept outside the metropolitan area
13 for a minimum of 11 months during the one-year registration
14 renewal period and is not generally used for transportation
15 within the metropolitan area.

16 Subp. 10. **Dealer.** "Dealer" has the meaning given in
17 Minnesota Statutes, section 168.27.

18 Subp. 11. **Department.** "Department" means the Department
19 of Public Safety.

20 Subp. 12. **Drive wheels.** "Drive wheels" means the pair of
21 wheels that propel a vehicle.

22 Subp. 12a. **Dual exhaust.** "Dual exhaust" means two
23 separate exhaust streams, one from each bank of the engine, each
24 containing a muffler.

25 Subp. 13. **Emission control equipment inspection.**
26 "Emission control equipment inspection" means the inspection of
27 the emission control equipment conducted by the waiver
28 surveillance inspector under part 7023.1060.

29 Subp. 14. **Emission inspector.** "Emission inspector" means
30 the individual who performs the vehicular inspection for the
31 contractor.

32 Subp. 15. **Exhaust emissions.** "Exhaust emissions" means
33 substances emitted into the atmosphere from the tailpipe of a
34 motor vehicle.

35 Subp. 16. **Field audit gas.** "Field audit gas" means a gas
36 with assigned concentrations that is required to check the

1 accuracy of emission analyzers and calibration gas used by
2 inspection stations, fleet inspection stations, and vehicular
3 repair facilities.

4 Subp. 17. **Fleet inspection station.** "Fleet inspection
5 station" means a facility for the inspection of motor vehicle
6 fleets operated under a permit issued by the agency under part
7 7023.1080.

8 Subp. 18. **Fleet owner.** "Fleet owner" means an owner of at
9 least 50 subject vehicles, or two or more persons each owning 25
10 or more subject vehicles.

11 Subp. 19. **Fleet vehicle.** "Fleet vehicle" means a subject
12 motor vehicle owned by a person holding a fleet inspection
13 station permit.

14 Subp. 20. **Idle mode test.** "Idle mode test" means an
15 exhaust emission test conducted with the vehicle at idle.

16 Subp. 21. **Inspection report.** "Inspection report" means a
17 document issued by an inspection station or fleet inspection
18 station that indicates the vehicle has been inspected in
19 accordance with parts 7023.1010 to 7023.1105.

20 Subp. 22. **Inspection station.** "Inspection station" means
21 a facility for motor vehicle inspection operated under contract
22 with the agency.

23 Subp. 23. [Repealed, 18 SR 1593]

24 Subp. 24. [Repealed, 18 SR 1593]

25 Subp. 25. **Loaded mode.** "Loaded mode" means operation of a
26 vehicle at approximately 30 miles per hour on the chassis
27 dynamometer as prescribed in part 7023.1030, subpart 6.

28 Subp. 26. **Low emission adjustment.** "Low emission
29 adjustment" means diagnostic or repair procedures that are
30 likely to reduce carbon monoxide or hydrocarbon emissions and
31 are included on a list established by the commissioner under
32 part 7023.1065, subpart 4.

33 Subp. 27. **Metropolitan area.** "Metropolitan area" has the
34 meaning given in Minnesota Statutes, section 473.121.

35 Subp. 28. **Model year.** "Model year" means the date of
36 manufacture of the original vehicle within the annual production

1 period of the vehicle as designated by the manufacturer. If the
2 manufacturer does not designate a production period, "model
3 year" means the calendar year.

4 Subp. 29. **Motor vehicle or vehicle.** "Motor vehicle" or
5 "vehicle" means a passenger automobile, station wagon, pickup
6 truck, or van, as defined in Minnesota Statutes, section
7 168.011, licensed for use on the public streets and highways or
8 a passenger automobile, station wagon, pickup truck, or van
9 exempt from registration or fees under Minnesota Statutes,
10 section 168.012, subdivision 1, or 437.448.

11 Subp. 30. **Nonfleet vehicle.** "Nonfleet vehicle" means any
12 subject vehicle except for a subject vehicle owned by a person
13 holding a fleet inspection station permit.

14 Subp. 31. **Owner.** "Owner" means "registered owner" as
15 defined in Minnesota Statutes, section 168.011, subdivision 5a.

16 Subp. 32. **Registrar.** "Registrar" means the registrar or
17 deputy registrar of motor vehicles under Minnesota Statutes,
18 section 168.33.

19 Subp. 33. **Rescue vehicles.** "Rescue vehicles" means
20 vehicles that are used for rescue operations.

21 Subp. 34. **Span gas.** "Span gas" means a gas of known
22 concentration that is used routinely to set the output level of
23 an emission analyzer.

24 Subp. 35. **Subject vehicle.** "Subject vehicle" means a
25 non-tax-exempt motor vehicle registered to an owner residing in
26 the metropolitan area or a tax-exempt motor vehicle customarily
27 domiciled in the metropolitan area except:

28 A. a motor vehicle manufactured before the 1976 model
29 year;

32 C. a motor vehicle registered as classic, pioneer,
33 collector, or street rod under Minnesota Statutes, section
34 168.10;

35 D. a motor vehicle powered solely by diesel fuel,
36 electricity, natural gas, propane, pure alcohol, or hydrogen;

1 E. a motor vehicle powered solely by a diesel cycle
2 engine; and

3 F. fire apparatus, ambulances, and rescue vehicles.

4 Subp. 36. **Tampering inspection.** "Tampering inspection"
5 means the inspection of the catalytic converter and the gas cap
6 conducted by the emission inspector under part 7023.1025.

7 Subp. 37. **Tax-exempt.** "Tax-exempt" means exempt from
8 license fees under Minnesota Statutes, section 168.012,
9 subdivision 1, or 473.448.

10 Subp. 38. **Waiver.** "Waiver" means the act of excusing a
11 motor vehicle from complying with part 7023.1050, subpart 2.

12 Subp. 39. **Waiver surveillance inspector.** "Waiver
13 surveillance inspector" means the agency employee or contractor
14 charged with performing the emission control equipment
15 inspection and approving or disapproving applications for
16 certificates of waiver.

17 MS s 116.62

18 14 SR 905; 18 SR 614; 18 SR 1593

19 7023.1015 INSPECTION REQUIREMENT.

20 Subpart 1. **General.** In accordance with Minnesota
21 Statutes, sections 116.60 to 116.65, and parts 7023.1010 to
22 7023.1105, subject vehicles shall be inspected annually at an
23 inspection station or a fleet inspection station.

24 Subp. 2. **Inspection requirement.** Subject vehicles shall
25 be inspected according to the following schedule:

26 A. for non-tax-exempt subject vehicles, the
27 inspection must be completed at an inspection station or fleet
28 inspection station as a prerequisite to registration renewal
29 within 90 days before expiration of current registration; or

30 B. for tax-exempt subject vehicles, the inspection
31 shall be completed annually:

32 (1) at an inspection station during the months of
33 January and February; or

34 (2) at an inspection station or fleet inspection
35 station at a time designated by the owner and approved by the

1 commissioner.

2 Subp. 3. Reinspections. Subject vehicles exceeding the
3 maximum allowable emission concentrations or failing the
4 tampering inspection during the vehicle's inspection are
5 entitled to reinspection under part 7023.1035.

6 MS s 116.62

7 14 SR 905; 18 SR 614; 18 SR 1593

8 7023.1020 DESCRIPTION OF INSPECTION AND DOCUMENTS REQUIRED.

9 Subpart 1. Location and components of inspection. An
10 inspection shall consist of a tampering inspection and an
11 exhaust emission test. The inspection and testing shall be
12 performed at an inspection station or fleet inspection station.

13 Subp. 2. Document requirements. Each vehicle that is
14 inspected at an inspection station must display a legible
15 vehicle license plate or vehicle identification number, or be
16 accompanied by one of the following documents that identifies
17 the vehicle by make, model year, vehicle identification number,
18 license plate number, and registered owner's name and address:
19 a current Minnesota registration renewal notice, a current
20 Minnesota registration card, or a Minnesota certificate of title.

21 MS s 116.62

22 14 SR 905; 18 SR 614; 18 SR 1593

23 7023.1025 TAMPERING INSPECTION.

24 Each subject vehicle shall be visually inspected for and
25 shall be required to have an unvented fuel cap and a catalytic
26 converter if the vehicle was equipped with these items at the
27 time of manufacture. If an unvented fuel cap is not in place,
28 the tampering inspection shall continue and the owner shall be
29 advised to replace the unvented fuel cap. If the catalytic
30 converter is not in place or is damaged, the vehicle shall fail
31 the tampering inspection, except as provided in items C and D.

32 A. If the catalytic converter is not in place or is
33 damaged as determined by visual inspection, the owner shall
34 replace the catalytic converter. Catalytic converters shall be
35 replaced with original manufacturer's equipment or new

1 after-market equipment that meets the emission reduction
2 requirements and criteria established by the United States
3 Environmental Protection Agency.

4 B. In a tampering dispute, the vehicle owner or
5 operator may elect to leave the tampering inspection area to
6 seek proof of nontampering, such as obtaining emission control
7 system information from another source, and return to an
8 inspection facility with documentation and continue with the
9 tampering inspection. The contractor may not bill the agency
10 for an inspection upon the owner's or operator's return visit to
11 continue the tampering inspection.

12 C. If the vehicle owner provides to the waiver
13 surveillance inspector a release letter concerning the vehicle
14 from the United States Environmental Protection Agency addressed
15 to the United States Customs Service granting the vehicle
16 exemption from conformity with federal emission requirements,
17 the vehicle shall pass the tampering inspection.

18 D. If the vehicle owner presents satisfactory
19 evidence and signs an affidavit certifying to the waiver
20 surveillance inspector that the vehicle is a show car used
21 primarily for transportation to and from and in exhibitions of
22 show cars, and that the vehicle is not generally used for
23 transportation, the vehicle shall pass the tampering inspection.

24 MS s 116.62

25 14 SR 905; 18 SR 614; 18 SR 1593

26 7023.1030 EXHAUST EMISSION TEST.

27 Subpart 1. **Procedure.** The exhaust emission testing
28 procedure shall consist of the following procedure performed in
29 accordance with Code of Federal Regulations, title 40, section
30 85.2212, as amended:

31 A. the vehicle shall be tested in idle mode with the
32 transmission in neutral, or park, if appropriate;

33 B. the vehicle shall be tested with the engine
34 running at normal operating temperature and not overheating, as
35 indicated by gauge, warning light, or boiling radiator, with all

1 accessories off;

2 C. the vehicle shall be nearly level when tested, to
3 prevent abnormal fuel distribution; and

4 D. vehicles with dual exhaust pipes may be tested by
5 simultaneous sampling both tail pipes or by sampling each tail
6 pipe. In the latter case, the measurements for hydrocarbon as
7 hexane, carbon monoxide, and carbon dioxide shall be numerically
8 averaged.

9 Subp. 2. Exhaust emissions to be tested. The emission
10 test for subject vehicles shall consist of sampling the exhaust
11 emissions from the vehicle tail pipe or tail pipes and measuring
12 the concentrations of hydrocarbon as hexane, carbon monoxide,
13 and carbon dioxide. Exhaust emission concentrations shall be
14 recorded after stabilized readings are obtained or at the end of
15 30 seconds, whichever occurs first.

16 Subp. 3. Exhaust emission standards. A motor vehicle that
17 is subject to inspection under part 7023.1015 and Minnesota
18 Statutes, sections 116.60 to 116.65, must not emit carbon
19 monoxide or hydrocarbon as hexane from the exhaust system in
20 concentrations greater than those in the table in this subpart
21 when measured in an inspection conducted under parts 7023.1010
22 to 7023.1105. A subject vehicle that emits carbon monoxide or
23 hydrocarbon as hexane from the exhaust system in concentrations
24 greater than those in the table in this subpart shall fail the
25 emission test.

26 TABLE OF MAXIMUM ALLOWABLE EMISSION CONCENTRATIONS

27 Model Year	28 Maximum Allowable Emission Concentrations	
29	30 Hydrocarbon as hexane	31 Carbon Monoxide
32	33 (parts per million	34 (as a percent
35	36 of exhaust)	of exhaust)
32 1976-1977	600	5.5
33 1978-1979	400	3.5
34 1980	275	2.0
35 1981 and later	220	1.2

36 Subp. 4. Grounds for prohibition of inspection. Items A
37 to C constitute grounds for the emission inspector to prohibit
38 the inspection in part 7023.1020 and the entrance of the vehicle
39 into the testing lanes:

40 A. the vehicle is carrying explosives or other

1 hazardous material not used as fuel for the vehicle;

2 B. gasoline, oil, or other fluid leaks are apparent
3 and constitute a safety hazard; or

4 C. the vehicle is being towed or is towing a trailer.

5 Subp. 5. Grounds for prohibiting or invalidating the
6 exhaust emission test. Items A and B constitute grounds for the
7 emission inspector to invalidate the exhaust emission test
8 results and refuse to continue with the test until the
9 conditions are corrected:

10 A. the vehicle's exhaust system has an obvious
11 leakage or other condition that could affect the validity of the
12 exhaust sample readings as determined by the emission inspector;
13 or

14 B. the measured carbon dioxide concentration is less
15 than four percent by volume.

16 Subp. 6. Loaded mode preconditioning after failing exhaust
17 emission test. If the vehicle fails the exhaust emission test,
18 the vehicle shall be preconditioned on the chassis dynamometer
19 and the procedures and diagnostic testing shall be conducted in
20 accordance with items A and B. After preconditioning, the
21 vehicle shall be tested at idle according to subparts 1 to 3.

22 A. The loaded mode preconditioning and diagnostic
23 analysis consist of positioning the vehicle driving wheels on a
24 chassis dynamometer, placing an emission sampling probe into the
25 tailpipe, and analyzing the collected exhaust sample. The
26 analysis for hydrocarbon as hexane and carbon monoxide is for
27 diagnostic information only.

28 B. Vehicles shall be tested in the following manner:

29 (1) vehicles shall be run in drive for automatic
30 transmissions and third gear for manual transmissions;

31 (2) during the loaded mode, the vehicle's engine
32 shall be run at a constant throttle position to maintain the
33 cruising speed for at least 30 seconds;

34 (3) the vehicle speed of 30 plus or minus two
35 miles per hour as measured from the dynamometer idle roll shall
36 be used for all loaded conditions to provide appropriate

1 diagnostic information for vehicles that fail the emission test;
2 (4) the vehicle shall be tested with the engine
3 running at normal operating temperature and not overheating, as
4 indicated by gauge, warning light, or boiling radiator, with all
5 accessories turned off;

6 (5) the vehicle shall be nearly level when
7 tested, to prevent abnormal fuel distribution; and

8 (6) vehicles with dual exhaust pipes shall be
9 tested by simultaneous sampling both tail pipes or by sampling
10 each tail pipe. In the latter case, the measurements for
11 hydrocarbon as hexane, carbon monoxide, and carbon dioxide shall
12 be numerically averaged.

13 Subp. 7. Grounds for omitting loaded mode preconditioning.
14 The following constitute grounds for the emission inspector to
15 omit the loaded mode preconditioning on a vehicle:

16 A. the vehicle has a driving wheel with a tire having
17 less than $2/32$ inch of tread or with metal protuberances or with
18 obviously low tire pressure, as determined by superficial visual
19 inspection; or

20 B. any other condition that in the opinion of the
21 vehicle emission inspector precludes the use of loaded mode
22 preconditioning for reasons of health and safety or damage, or
23 both, to personnel, facilities, equipment, or the vehicle.

24 Subp. 8. When loaded mode preconditioning shall be
25 omitted. Loaded mode preconditioning shall be omitted if:

26 A. the person presenting the vehicle for inspection
27 refuses loaded mode preconditioning;

28 B. the vehicle is unable to attain the speed
29 specified in subpart 6, item B, subitem (3);

30 C. the vehicle is equipped with constant four-wheel
31 drive;

32 D. the vehicle is driven by a person who, because of
33 physical incapacity, is unable to yield the driver's seat to the
34 emission inspector; or

35 E. the vehicle is driven by a person who refuses to
36 yield the driver's seat to the emission inspector.

1 Subp. 9. Alternate preconditioning. A vehicle for which
2 loaded mode preconditioning is omitted under subpart 7 or 8
3 shall be preconditioned by completing items A to D.

4 A. the vehicle's transmission shall be placed in
5 neutral, or park, if appropriate;

6 B. the vehicle's engine speed shall be increased to
7 2,500 plus or minus 300 revolutions per minute as measured by a
8 tachometer;

9 C. the speed in item B shall be maintained for at
10 least 30 seconds; and

11 D. the vehicle engine speed shall be returned to idle.

12 After preconditioning, the vehicle shall be tested at idle
13 as described in subparts 1 to 3.

14 Subp. 10. Reconstructed (KIT) vehicles. All reconstructed
15 (KIT) subject vehicles shall be tested for compliance with the
16 exhaust emission standards in the table in subpart 3, using the
17 standards applicable to the year of manufacture of the engine
18 installed in the vehicle.

19 Subp. 11. Exchanged engines. For the purposes of parts
20 7023.1010 to 7023.1105, a motor vehicle with an exchanged engine
21 must be tested as described in items A to C.

22 A. Except as provided in item B, a motor vehicle must
23 be tested for compliance with the exhaust emission standards in
24 the table in subpart 3, using the standards applicable to the
25 model year of the vehicle's chassis.

1 the agency representative upon request by the motorist shall
2 certify the year the engine was manufactured by checking the
3 identification number of the engine block and by reviewing
4 documentation provided by the vehicle owner. The vehicle must
5 be tested for compliance with the exhaust emission standards in
6 the table in subpart 3, using the year of the engine as
7 certified by the agency representative. If the identification
8 number on the block of the engine is absent and the vehicle
9 owner is unable to provide documentation as to the engine year,
10 the vehicle must be tested for compliance with the exhaust
11 emission standards for model year 1976. If the agency
12 representative determines that the engine was manufactured prior
13 to 1976, the motor vehicle is not a subject vehicle.

14 Classification of a motor vehicle with an exchanged engine
15 under parts 7023.1010 to 7023.1105, and receipt of a certificate
16 of compliance or certificate of waiver for the motor vehicle
17 shall not exempt the owner of the motor vehicle from the
18 requirements of part 7023.0120 and Minnesota Statutes, section
19 325E.0951.

20 MS s 116.62; 116.92

21 14 SR 905; 17 SR 440; 18 SR 614; 18 SR 1593

22 7023.1035 REINSPECTIONS.

23 Vehicles that fail the inspection under parts 7023.1020 to
24 7023.1030 shall be allowed reinspection after repair or
25 adjustment of the vehicle.

26 A. A vehicle failing the inspection may be
27 reinspected at any inspection station after the vehicle has been
28 repaired under part 7023.1050.

29 B. The vehicle shall be accompanied by its previous
30 inspection reports and repair information. The repair
31 information must be completed by the person performing the
32 repairs and shall be indicated in the space provided on the
33 inspection report form.

34 C. The vehicle presented for reinspection shall have
35 both a tampering inspection conducted as provided for in part

1 7023.1025 and an emission test conducted as provided for in part
2 7023.1030.

3 D. A vehicle shall be eligible for no more than two
4 reinspections unless the owner pays an additional fee under part
5 7023.1105, subpart 2.

6 E. If the vehicle passes the reinspection, the
7 contractor shall issue a vehicle inspection report under part
8 7023.1040 and certificate of compliance under part 7023.1045.
9 The certificate of compliance and the inspection report may be
10 combined into a single form.

11 F. If the vehicle cannot pass the reinspection, the
12 contractor shall issue a vehicle inspection report under part
13 7023.1050 indicating noncompliance. The owner may then be
14 eligible to apply for a certificate of waiver under part
15 7023.1055. If the owner requests a certificate of waiver, the
16 waiver surveillance inspector shall review the request and shall
17 approve or deny the request in accordance with part 7023.1055.

18 MS s 116.62

19 14 SR 905; 18 SR 614; 18 SR 1593

20 7023.1040 VEHICLE INSPECTION REPORT.

21 Subpart 1. Required items. The owner or operator of each
22 vehicle inspected shall be provided with a vehicle inspection
23 report at the time of each inspection. The vehicle inspection
24 report shall be a design approved by the commissioner and shall
25 provide space for the following information:

- 26 A. license plate number;
- 27 B. vehicle identification number;
- 28 C. model year of vehicle;
- 29 D. model year of engine;
- 30 E. make of vehicle;
- 31 F. vehicle type;
- 32 G. odometer reading, in thousands of miles;
- 33 H. maximum allowable exhaust emission concentrations;
- 34 I. exhaust emission measurements of hydrocarbon as
35 hexane, carbon monoxide, and carbon dioxide;

1 J. statement of pass/fail or valid/not valid, or
2 waiver and the reasons, if applicable;

3 K. inspection/reinspection number for subject
4 vehicle;

5 L. date and time of inspection;

6 M. serial number of report;

7 N. inspection station number, lane, inspector, and
8 analyzer number;

9 O. reason for test termination before completion of
10 test;

11 P. description of the low emission adjustment that is
12 likely to reduce a vehicle's carbon monoxide and hydrocarbon
13 emissions;

14 Q. tampering inspection and results;

15 R. for a failed vehicle:

16 (1) serial number of the previous test reports;

17 (2) for a post-1980 model year vehicle,
18 certification that the test was performed in accordance with the
19 emission control system performance warranty short test;

20 (3) for a nonfleet vehicle, the printed name or
21 identification number of an individual who either performed the
22 test or has actual knowledge of the performance of the test, or
23 for a fleet vehicle, the signature of the individual who
24 performed the test; and

25 (4) diagnostic information, as appropriate;

26 S. itemization of the repairs performed (repair
27 actions or parts replacement may be coded);

28 T. cost of the emission-related repairs, or estimated
29 cost of the emission-related repairs required if the repairs
30 exceed the maximum specified repair cost, and cost of the low
31 emission adjustment;

32 U. analyzer serial or identification number, if used
33 by the individual performing the repairs;

34 V. idle exhaust emission concentrations of
35 hydrocarbon as hexane, carbon monoxide, carbon dioxide, and
36 oxygen, if an analyzer is used when making repairs;

1 W. complete name, address, telephone number, and
2 federal identification number or social security number of the
3 business or person making the repairs; and

4 X. date and signature of the person making the
5 repairs.

6 Subp. 2. Responsibility for completion of form. The
7 contractor shall be responsible for the completion of subpart 1,
8 items A to R, for all vehicles tested by the contractor. The
9 person performing the repairs or making the cost estimates shall
10 be responsible for completion of subpart 1, items S to X.

11 Subp. 3. Inspection report supplement. The owner or
12 operator of each vehicle failing the initial inspection shall
13 receive an inspection report supplement, approved by the
14 commissioner, containing:

15 A. the repair cost limit for emission-related
16 repairs;

17 B. a description of low emission adjustment list;

18 C. the probable causes of noncompliance if diagnostic
19 information is provided; and

20 D. instructions for waiver applications if failure of
21 reinspection has occurred.

22 MS s 116.62

23 14 SR 905; 18 SR 614; 18 SR 1593

24 7023.1045 CERTIFICATE OF COMPLIANCE.

25 A certificate of compliance must be issued by an inspection
26 station or fleet inspection station to a subject vehicle that
27 passes the tampering inspection and exhaust emission test.

28 The certificate of compliance shall be presented to the
29 owner by personnel employed by the inspection station, fleet
30 inspection station, or by the waiver surveillance inspector, as
31 appropriate, upon receipt of the final vehicle inspection report
32 indicating that the vehicle is in compliance with parts
33 7023.1010 to 7023.1105. The certificate of compliance shall be
34 of a design approved by the department and the commissioner and
35 shall contain, at a minimum, the date of the test and the

1 vehicle identification number to uniquely identify the vehicle.
2 The owner shall present the certificate of compliance to the
3 department when making application for registration renewal.

4 MS s 116.62

5 14 SR 905; 18 SR 614

6 7023.1050 VEHICLE NONCOMPLIANCE AND REPAIR.

7 Subpart 1. **Tampering inspection.** If the subject vehicle
8 fails the tampering inspection or reinspection under part
9 7023.1025 or 7023.1035, the contractor shall issue an inspection
10 report that indicates noncompliance.

11 A subject vehicle that fails its tampering inspection shall
12 not be eligible to have its registration renewed unless:

13 A. the owner replaces the catalytic converter under
14 part 7023.1025;

15 B. the person completing the repairs has properly
16 completed the repair portion of the vehicle inspection report
17 form;

18 C. the person completing the repairs has signed the
19 repair portion of the inspection report form; and

20 D. the vehicle passes the tampering reinspection.

21 Subp. 2. **Exhaust emission test.** If the subject vehicle
22 fails the exhaust emission test or retest under part 7023.1030
23 or 7023.1035, the contractor shall issue an inspection report
24 that indicates noncompliance.

25 A subject vehicle that fails its exhaust emission test
26 shall not be eligible to have its registration renewed until
27 items A to D have been completed or a certificate of waiver has
28 been issued under part 7023.1055:

29 A. the owner repairs or adjusts the vehicle to reduce
30 carbon monoxide and hydrocarbon as hexane emissions in
31 accordance with the inspection report form and its supplement
32 under part 7023.1040;

33 B. the person completing the repairs has completed
34 the repair portion of the vehicle inspection report form;

35 C. the person completing the repairs has signed the

1 repair portion of the vehicle inspection report form; and

2 D. the vehicle passes the exhaust emission retest.

3 MS s 116.62

4 14 SR 905; 18 SR 614; 18 SR 1593

5 7023.1055 CERTIFICATE OF WAIVER.

6 Subpart 1. Eligibility. A vehicle, including a fleet
7 vehicle, that has failed its initial exhaust emission test and
8 at least one exhaust emission retest is eligible for a waiver,
9 valid for no longer than the annual registration period, if it
10 meets the following criteria:

11 A. the vehicle has failed to meet the appropriate
12 standards of compliance for hydrocarbon as hexane or carbon
13 monoxide emissions on its initial test and at least one exhaust
14 emission retest after repair of the vehicle;

15 B. for post-1980 model year vehicles whose mileage is
16 less than 50,000 miles and whose age is less than five years,
17 the vehicle owner presents a signed statement from an
18 appropriate new car dealership stating that the vehicle is not
19 eligible for emission control system warranty work;

20 C. the owner or an automotive repair technician has
21 diagnosed and attempted to repair the vehicle to pass
22 reinspection, including interrogation of appropriate on board
23 diagnostic systems;

24 D. except as provided in item E, the owner presents
25 satisfactory evidence to the waiver surveillance inspector that
26 a low emission adjustment, as described in part 7023.1065,
27 subpart 4, as appropriate according to the exhaust emission test
28 results, has been performed on the vehicle after the initial
29 exhaust emission test;

30 E. the owner presents satisfactory evidence to the
31 waiver surveillance inspector that either of the following
32 exceeds the repair cost limit under part 7023.1065, as modified
33 by part 7023.1055, subpart 2, item B:

34 (1) the actual cost of the low emission
35 adjustment as appropriate to the exhaust emission test results

1 on the inspection report form; or

6 F. the owner complies with evidence requirements
7 under part 7023.1065;

8 G. the person performing the repairs or preparing the
9 estimate completes all parts of the repair portion of the
10 vehicle inspection report form and signs the report form; and

11 H. the vehicle passes the tampering inspection under
12 part 7023.1025 or 7023.1035, if applicable, and emission control
13 equipment inspection under part 7023.1060.

14 Subp. 2. **Waivers following repairs by persons other than**
15 **automotive repair technicians.**

16 A. In cases in which a person other than an
17 automotive repair technician, including an owner, attempts to
18 repair a vehicle, the person must take the actions listed on the
19 low emission adjustment list, as appropriate according to the
20 exhaust emission test results, and attempt to diagnose and
21 perform other repairs necessary to bring the vehicle into
22 compliance as if the vehicle were being presented for repair to
23 an automotive repair technician.

24 B. In cases where a person other than an automotive
25 repair technician attempts repair or in cases where there is no
26 charge for the labor of vehicle repair, the repair cost limit of
27 part 7023.1065 must be reduced solely by the expenditure for
28 emission-related parts including parts on the low emission
29 adjustment list. The owner shall comply with evidence
30 requirements under part 7023.1065.

31 Subp. 3. **Waiver documentation review.** The waiver
32 surveillance inspector's duties in reviewing waiver requests
33 consist of the provisions in items A to E.

34 A. To deny the issuance of a waiver to a vehicle
35 unable to pass the emission control equipment inspection
36 required by part 7023.1060.

1 B. To determine whether the vehicle should qualify
2 for warranty repairs under applicable federal law. If so, the
3 waiver surveillance inspector shall determine whether the owner
4 has a signed statement from an appropriate new car dealership
5 stating that the vehicle is not eligible for emission control
6 system warranty work. The statement shall be signed and dated
7 by the new car dealership after the vehicle failed its initial
8 inspection and shall identify the vehicle and the dealership.
9 If the owner has a statement conforming to these requirements,
10 it shall be delivered to the waiver surveillance inspector who
11 shall proceed with the remainder of the waiver duties described
12 in items C to E. If the owner does not have a statement
13 conforming to these requirements, no waiver shall be issued.

14 C. To verify that the repair and waiver documentation
15 presented by the owner is properly completed and that the
16 documents indicate that the waiver criteria have been met. The
17 inspector shall also verify that the repair facility name and
18 location are legible.

19 D. To issue a certificate of waiver if all waiver
20 criteria have been met.

21 E. If a waiver has been requested but not all
22 criteria have been met, explain to the owner what criteria are
23 not satisfied and how they may be met. The agency shall provide
24 printed explanations of the waiver process and criteria that the
25 inspector will distribute to owners who are denied a waiver.

26 Subp. 4. Form of certificate of waiver. The owner of a
27 vehicle granted a waiver shall receive a certificate of waiver,
28 which shall be proof of compliance with part 7023.1055. Each
29 valid certificate of waiver shall contain, at a minimum, the
30 date of the test and the vehicle identification number to
31 uniquely identify the vehicle.

32 The certificate of waiver and the vehicle inspection report
33 printed by an automated emission testing system may be combined
34 into a single form. The owner shall present the certificate of
35 waiver to the department when making application for
36 registration renewal.

1 Subp. 5. **Waiver due to technical difficulties.** The waiver
2 surveillance inspector shall issue a waiver for a vehicle that
3 cannot be subjected to the inspection required by parts
4 7023.1010 to 7023.1105 because of technical difficulties
5 inherent in the manufacturer's design or construction, excluding
6 tampering, of the vehicle. A copy of the waiver shall be
7 retained for the agency's use.

8 A vehicle that, in the opinion of an automotive repair
9 technician employed by a fleet station, cannot be inspected
10 because of technical difficulties inherent in the manufacturer's
11 design or construction, excluding tampering, or because of
12 limitations of the fleet station's inspection equipment, shall
13 be referred to the waiver surveillance inspector or the agency.
14 The waiver surveillance inspector shall indicate concurrence on
15 that vehicle's inspection report by signature if the inspector
16 or the agency concurs that a waiver due to technical
17 difficulties should be issued for the vehicle. The fleet
18 station automotive repair technician shall then issue a
19 certificate of waiver. A copy of the waiver shall be returned
20 for the agency's use.

21 Subp. 6. [Repealed, 18 SR 1593]

22 MS s 116.62

23 14 SR 905; 18 SR 614; 18 SR 1593

24 7023.1060 EMISSION CONTROL EQUIPMENT INSPECTION AS A CONDITION
25 OF WAIVER.

26 Subpart 1. **Emission control equipment inspection.** If a
27 certificate of waiver is requested under part 7023.1055, the
28 vehicle shall be checked by the waiver surveillance inspector
29 for obvious tampering with the emission control equipment. The
30 waiver surveillance inspector shall visually inspect for obvious
31 tampering, removal, or disassembly of parts. At a minimum, the
32 waiver surveillance inspector shall check if any elements of the
33 factory-installed motor vehicle pollution control system are not
34 in place or have been modified, altered, or damaged in a manner
35 that decreases its efficiency or effectiveness in control of air

1 pollution in violation of part 7023.0120 or Minnesota Statutes,
2 section 325E.0951.

3 Subp. 2. **Failure of emission control equipment**
4 **inspection.** Except for vehicles described in part 7023.1025,
5 item C or D, the vehicle shall fail the emission control
6 equipment inspection if any elements of the factory-installed
7 motor vehicle pollution control system are not in place or have
8 been modified, altered, or damaged in a manner that decreases
9 its efficiency or effectiveness in the control of air pollution
10 in violation of part 7023.0120 or Minnesota Statutes, section
11 325E.0951.

12 Subp. 3. **Repair or replacement.** The owner shall repair or
13 replace any elements of the factory-installed motor vehicle
14 pollution control system that are not in place as identified in
15 subpart 1 unless the vehicle is a vehicle described in part
16 7023.1025, item C or D.

17 Subp. 4. **Tampering dispute.** In a tampering dispute, the
18 vehicle owner or operator may elect to leave the inspection area
19 to seek proof of nontampering, such as obtaining emission
20 control system information from another source, and return to an
21 inspection facility with documentation and continue with the
22 inspection. The contractor must not bill the agency for an
23 emission control equipment inspection upon the owner's or
24 operator's return visit.

25 MS s 116.62

26 14 SR 905; 18 SR 614; 18 SR 1593

27 7023.1065 REPAIR COST LIMIT AND LOW EMISSION ADJUSTMENT.

28 Subpart 1. **Cost limit.** The repair cost limit is \$75 for
29 vehicles of model years before 1981 and \$200 for vehicles of
30 1981 and later model years.

31 Subp. 2. **Exclusions.** In determining the costs of repairs
32 and adjustments included in the repair cost limit, the following
33 costs shall be excluded:

34 A. costs covered by a warranty; and/or

35 B. costs necessary to repair or replace any emission

1 control part or parts that have been removed, dismantled, or
2 rendered inoperative in violation of part 7023.0120 or Minnesota
3 Statutes, section 325E.0951.

4 Subp. 3. **Evidence of repair cost.** Except as provided in
5 part 7023.1055, subpart 2, item B, the cost of repair or
6 estimate of the cost of repair under this part is eligible to be
7 credited to the repair cost limit when applying for a waiver if
8 the owner presents to the waiver surveillance inspector a
9 legible and itemized receipt for parts replaced and labor,
10 provided that the costs relate to the emission control system.
11 The receipt must have a legible date and the date must be after
12 the vehicle failed its initial inspection. The waiver
13 surveillance inspector shall be responsible for examining
14 receipts for such items and determining which costs are eligible
15 to be credited toward the repair costs limit. The eligible
16 total cost shall be indicated on the vehicle inspection report
17 form.

18 Subp. 4. **Low emission adjustment.** The commissioner shall
19 establish a list of diagnostic and repair procedures that are
20 likely to reduce a vehicle's carbon monoxide and hydrocarbon
21 exhaust emissions. The commissioner shall modify the list to
22 reflect changes in motor vehicle technology.

23 MS s 116.62

24 14 SR 905; 18 SR 614; 18 SR 1593

25 7023.1070 CERTIFICATE OF TEMPORARY EXTENSION, CERTIFICATE OF
26 ANNUAL EXEMPTION, AND CERTIFICATE OF EXEMPTION.

27 Subpart 1. **Certificate of temporary extension.**

28 A. An owner of a subject vehicle requiring
29 registration renewal may apply in writing to the commissioner or
30 contractor for a certificate of temporary extension. The
31 vehicle owner shall sign the application and certify that the
32 information contained in the application is correct.

33 B. An owner must meet one or more of the following
34 criteria for a temporary extension:

35 (1) the vehicle will not be available, due to the

1 vehicle's absence or storage, or the owner's absence or illness,
2 for an inspection in the state during the 90-day period before
3 registration expiration. The owner must document that for these
4 reasons the vehicle or owner will not be available for
5 inspection during the 90-day period before the registration
6 expiration and state when the vehicle will be operated again
7 within the metropolitan area;

8 (2) the vehicle has failed the initial inspection
9 and additional time is needed for repair and reinspection;

10 (3) the vehicle registration has been expired for
11 at least 12 months or more; or

12 (4) the vehicle owner presents satisfactory
13 evidence which, in the judgment of the commissioner or
14 contractor, demonstrates that due to circumstances beyond the
15 owner's control, the owner could not have met the requirements
16 of parts 7023.1010 to 7023.1105 prior to registration expiration.

17 C. Upon finding that the owner meets one or more of
18 the criteria in item B, the commissioner or contractor shall
19 issue a certificate of temporary extension to the vehicle
20 owner. The certificate shall allow the owner to proceed with
21 vehicle registration renewal.

22 D. An owner of a vehicle who has received a
23 certificate of temporary extension shall have the vehicle
24 inspected:

25 (1) during the 90-day period preceding the
26 registration renewal date;

27 (2) by an inspection station outside Minnesota
28 which, in the judgment of the commissioner, performs inspections
29 equivalent to those established in parts 7023.1010 to 7023.1105;
30 or

31 (3) on or before the inspection due date
32 indicated on the certificate of temporary extension.

33 E. The owner shall submit the certificate of
34 temporary extension to the registrar when making application for
35 registration renewal. A certificate of temporary extension
36 shall not be valid for longer than the annual registration

1 period. The registrar shall forward all certificates of
2 temporary extension to the agency within ten days after the end
3 of the calendar month in which the certificates are received.

4 F. If the owner who has received a certificate of
5 temporary extension has the vehicle inspected at an inspection
6 station outside of Minnesota, the owner shall submit evidence of
7 the inspection to the commissioner or contractor within 30 days
8 of commencement of the operation of the vehicle in the
9 metropolitan area.

10 G. If the owner of the subject vehicle fails to
11 comply with items D to F, the agency shall notify the department
12 of such noncompliance and shall request the department not to
13 renew the owner's registration unless the vehicle has been
14 issued a certificate of compliance or certificate of waiver
15 prior to registration or renewal.

16 H. If the owner fails to comply with items D to F,
17 the owner of the subject vehicle shall not be eligible to
18 receive a certificate of temporary extension for the next annual
19 registration period.

20 I. If a dispute arises regarding whether the owner
21 has complied with items D to F, the owner may elect to present
22 evidence of compliance to the commissioner or contractor within
23 30 days of notification from the commissioner or contractor that
24 the owner has failed to comply with items D to F. The
25 commissioner or contractor shall review the evidence. The
26 commissioner or contractor shall approve or disapprove the
27 application for the certificate of temporary extension.

28 Subp. 2. Certificate of annual exemption.

29 A. An owner whose subject vehicle is customarily
30 domiciled outside of the metropolitan area may apply in writing
31 to the commissioner or contractor for a certificate of annual
32 exemption. The owner must document where the vehicle is
33 customarily domiciled. The owner shall sign the application and
34 certify that the information contained in the application is
35 correct.

36 B. Upon approval of the application by the

1 commissioner or contractor, the owner shall submit the
2 certificate of annual exemption to the registrar when making
3 application for registration renewal. A certificate of annual
4 exemption shall not be valid for longer than the annual
5 registration period.

6 Subp. 3. Certificate of exemption.

7 A. An owner whose vehicle is registered by the
8 department as a subject vehicle but meets the requirements of
9 part 7023.1010, subpart 35, item B, D, or E, may apply in
10 writing to the commissioner or contractor for a certificate of
11 exemption.

12 B. The owner shall complete and sign the application
13 for a certificate of exemption and have the vehicle certified as
14 meeting the requirements of part 7023.1010, subpart 35, item B,
15 D, or E, at any vehicle inspection station.

16 C. Upon approval by the commissioner or contractor,
17 the certificate shall be presented to the registrar when making
18 application for registration renewal. The certificate of
19 exemption is valid until the vehicle no longer meets the
20 requirements of part 7023.1010, subpart 35, item B, D, or E.

21 MS s 116.62

22 14 SR 905; 18 SR 614; 18 SR 1593

23 7023.1075 EVIDENCE OF MEETING STATE INSPECTION REQUIREMENTS.

24 Either of the documents listed in items A and B shall be
25 accepted by the department, the agency, and the registrar as
26 evidence that a subject vehicle is in compliance with the
27 requirements of parts 7023.1010 to 7023.1105, unless there is
28 reason to believe that it is a false document:

29 A. a certificate of compliance or certificate of
30 waiver issued by an inspection station or fleet inspection
31 station; or

32 B. a certificate of annual exemption or certificate
33 of exemption, as provided in part 7023.1070.

34 MS s 116.62

35 14 SR 905; 18 SR 614; 18 SR 1593

1 7023.1080 FLEET INSPECTION STATION PERMITS, PROCEDURES, AND
2 INSPECTION.

3 Subpart 1. Permit application. A registered owner of a
4 fleet of 50 or more subject vehicles may apply to the agency for
5 a permit to establish a fleet inspection station. Two or more
6 persons each owning 25 or more subject vehicles may apply
7 jointly for a fleet inspection station permit. The agency must
8 not issue a fleet inspection station permit unless the agency
9 finds that the applicant maintains an established facility that
10 meets the requirements in items A and B.

11 A. The applicant shall provide a facility with a
12 building or a portion of a building devoted principally to
13 maintaining or repairing the fleet's motor vehicles on a regular
14 basis. The facility shall be of sufficient space to conduct
15 maintenance or repair of at least one fleet motor vehicle.

16 B. At a minimum, the applicant shall own or lease:

17 (1) a hydrocarbon, as hexane, and carbon monoxide
18 emission analyzer that meets or exceeds the equipment
19 specifications for performance warranty short tests in Code of
20 Federal Regulations, title 40, section 85.2215, as amended, and
21 employ an automotive repair technician to conduct the required
22 inspections; and

23 (2) tools necessary for the installation,
24 adjustment, repair, or replacement of items in the low emission
25 adjustment list.

26 Subp. 2. Permits.

27 A. Before the initial application for a fleet
28 inspection station permit is approved, an application fee must
29 be paid to the agency as provided in part 7023.1105 and an
30 inspection of the premises shall be made by the agency.

31 B. A fleet inspection station permit shall expire one
32 year from the date of issuance.

33 C. A permitted fleet inspection station shall not
34 inspect or certify vehicles unless the vehicles are owned by the
35 fleet owner.

1 D. An application for renewal of a fleet inspection
2 station permit must be submitted to the agency at least 45 days
3 before permit expiration.

4 E. A fleet inspection station permit is only
5 applicable to the fleet's inspection facility located at the
6 address shown on the fleet station permit. If a fleet owner
7 wishes to have a permit for inspection facilities at more than
8 one address, separate permits must be obtained for each facility.

9 F. A fleet inspection station permit issued by the
10 agency is not transferable.

11 G. If a permittee desires to change the name or
12 address on a permit and the changes do not involve a change of
13 ownership, the permittee shall return the permit to the agency
14 for cancellation and submit an application form for a new permit
15 to the agency, along with an application fee as provided in part
16 7023.1105. The agency shall cancel the returned permit and
17 issue a new permit.

18 H. A fleet inspection station whose permit has been
19 revoked, suspended, or has expired shall immediately cease the
20 activity requiring a permit.

21 I. In the event of loss, destruction, or mutilation
22 of the permit, the permittee may obtain a duplicate upon
23 furnishing satisfactory proof of the fact. A fleet inspection
24 station that loses a fleet station permit issued by the agency
25 and finds the original after obtaining a duplicate shall
26 immediately surrender the original permit to the agency.

27 J. A fleet inspection station that does not employ an
28 automotive repair technician to conduct the inspections shall
29 immediately cease to operate as a fleet inspection station. The
30 permittee shall immediately notify the agency if it has ceased
31 to employ an automotive repair technician and that it has ceased
32 to operate as a fleet station.

33 K. When a fleet inspection station permit is
34 surrendered, suspended, or revoked, all unused vehicle
35 inspection report forms must be returned to the agency.

36 L. Surrender, suspension, or revocation of a permit

1 shall not prevent the agency from carrying out investigative or
2 enforcement actions against the permittee for violations of
3 state statutes, rules, or conditions of the permit.

4 **Subp. 3. Equipment and records.**

5 A. All testing equipment and instrumentation must be
6 maintained in good condition. Periodic calibration and
7 maintenance of testing equipment must be accomplished under
8 performance short test specifications in Code of Federal
9 Regulations, title 40, section 85.2217, as amended.
10 Recommendations by the commissioner for calibration and
11 intervals between calibration shall be a condition of the fleet
12 inspection station permit and shall supersede all other
13 conflicting recommendations.

14 B. A record of calibrations performed on each
15 instrument shall be maintained by the fleet inspection station,
16 indicating the date and signature of the technician performing
17 the calibration.

18 C. The fleet inspection station equipment, span
19 gases, records, and premises shall be subject to scheduled and
20 unscheduled checks for accuracy and condition by an agency
21 representative.

22 D. The applicant or permittee shall provide
23 information relevant to the operation of the fleet inspection
24 station to the agency if requested by the commissioner.

25 **Subp. 4. Inspection frequency.** All fleet vehicles for
26 which a fleet inspection station permit has been issued shall be
27 inspected by the fleet station automotive repair technician
28 according to the schedule in part 7023.1015.

29 **Subp. 5. Test procedure.** The tampering inspection and
30 exhaust emission test shall be conducted on fleet vehicles by a
31 fleet inspection station automotive repair technician under
32 parts 7023.1015 to 7023.1030 with the exception of part
33 7023.1030, subpart 6. If the fleet vehicle fails the exhaust
34 emission test, the vehicle shall be preconditioned according to
35 either the procedure in part 7023.1030, subpart 6, or if the
36 fleet inspection station does not have a dynamometer, the

1 agency or used in later years.

2 H. The fleet inspection station permittee is
3 responsible for the security and accountability of the vehicle
4 inspection report forms. If the vehicle inspection report forms
5 are lost or stolen, the fleet station operator shall notify the
6 agency in writing within 24 hours of discovery of the loss and
7 indicate the number of report forms and the serial number of the
8 report forms. Refusal or failure to report lost report forms
9 are grounds for revoking a fleet station permit.

10 Subp. 7. Fleet audit. Upon request of the commissioner, a
11 fleet inspection station permittee shall submit vehicles
12 designated by the commissioner numbering five percent of the
13 fleet or five motor vehicles annually, whichever is greater, but
14 no more than 25 vehicles, for inspection at inspection stations
15 operated by the contractor or inspection by the agency.

16 Subp. 8. Analyzer inspections. A fleet station emission
17 analyzer shall not be used for an exhaust emission test under
18 part 7023.1030 if it does not pass the agency's field audit
19 gases within the tolerances prescribed in part 7023.1090, if
20 there is a leak in the sampling system or the calibration port,
21 or if the sample handling system is restricted. An agency
22 representative shall inform the fleet station automotive repair
23 technician that the analyzer does not meet the requirements of
24 this subpart. The analyzer must not be used for testing fleet
25 vehicles until the agency representative determines that the
26 analyzer meets the requirements of this subpart.

27 A fleet inspection station may lease or borrow an emission
28 analyzer for temporary use for fleet testing while the station's
29 approved analyzer is being repaired, provided that an agency
30 representative has approved its use.

31 MS s 116.62

32 14 SR 905; 18 SR 614; 18 SR 1593

33 7023.1085 INSPECTION STATIONS TESTING FLEET VEHICLES.

34 A. Inspection stations may provide inspection
35 services to a holder of a fleet inspection station permit.

1 B. Vehicle inspection reports must be filled out at
2 the time of inspection by an inspection station in the same
3 manner required for nonfleet vehicles.

4 C. The holder of the fleet inspection station permit
5 is responsible for maintaining records and reports required by
6 part 7023.1080.

7 MS s 116.62

8 14 SR 905; 18 SR 614; 18 SR 1593

9 7023.1090 EXHAUST GAS ANALYZER SPECIFICATIONS; CALIBRATION AND
10 QUALITY CONTROL.

11 A. Exhaust gas analyzers used at inspection stations
12 and fleet inspection stations must comply with the requirements
13 of Code of Federal Regulations, title 40, part 51, subpart S,
14 Appendix D, as amended, entitled "Steady-State Short Test
15 Equipment."

16 B. Exhaust gas analyzers used at inspection stations
17 and fleet inspection stations must be maintained according to
18 the quality assurance requirements of Code of Federal
19 Regulations, title 40, part 51, subpart S, Appendix A, as
20 amended, entitled "Calibration Adjustments and Quality Control."

21 MS s 116.62

22 14 SR 905; 18 SR 614; 18 SR 1593

23 7023.1095 [Repealed, 18 SR 1593]

24 7023.1100 PUBLIC NOTIFICATION.

25 A. The department shall notify each registered owner
26 of a motor vehicle required to be inspected under parts
27 7023.1010 to 7023.1105 before the time of each annual
28 registration renewal that the vehicle will be required to
29 satisfy the requirements of parts 7023.1015 to 7023.1030. The
30 agency shall also attempt to notify all nonregistered tax-exempt
31 vehicle owners of the requirements of inspection.

32 B. The agency or the contractor shall establish a
33 system to respond to inquiries from members of the public
34 regarding the compliance status of a subject vehicle under the

1 program including last inspection date, whether a certificate of
2 compliance, certificate of waiver, certificate of extension,
3 certificate of annual exemption, or certificate of exemption has
4 been issued, and the reason for the certificate.

5 MS s 116.62

6 14 SR 905; 18 SR 614; 18 SR 1593

7 7023.1105 INSPECTION FEES.

8 Subpart 1. Inspection fee. Beginning October 10, 1989,
9 the fee for inspection at an inspection station must not exceed
10 \$10. The fee must be paid to the registrar for subject vehicles
11 at the time of reregistration. After that, the commissioner
12 shall annually establish the inspection fee at an amount of up
13 to \$10. At least 30 days' notice shall be given to the
14 registrar of changes in the fee.

15 Deputy registrars shall report to the department
16 certificates of extension, annual exemption, and exemption,
17 along with registrations made and inspection fees collected in
18 the same manner required for registrations under Minnesota
19 Statutes, section 168.33, subdivision 2.

20 Subp. 2. Reinspections; elective inspections.

21 A. The inspection fee shall entitle an owner to an
22 initial inspection and two reinspections. The commissioner
23 shall establish a fee for each third and subsequent
24 reinspection. The fee must not be more than \$10 and shall be
25 paid to the registrar or contractor by the owner.

26 B. Each elective inspection not required by parts
27 7023.1010 to 7023.1105 shall be allowed only upon approval of
28 the commissioner or contractor. The commissioner shall
29 establish a fee for each elective inspection. The fee must not
30 be more than \$10 and must be paid to the contractor by the owner.

31 Subp. 3. Fleet inspection stations.

32 A. The fee due upon initial application for a permit
33 for a fleet inspection station as required in part 7023.1080,
34 subpart 2, shall be \$200.

35 B. The fee due upon application for permit renewals

1 shall be \$100.

2 C. The agency shall charge a fee of \$1.50 for each
3 inspection report form requested under part 7023.1080, subpart
4 6, item G.

5 Subp. 4. **Use of funds.** Fees collected under this part
6 must be deposited in the vehicle emission inspection account
7 under Minnesota Statutes, section 116.65. Fees collected by
8 deputy registrars are subject to deposit requirements in
9 Minnesota Statutes, section 168.33, subdivision 2.

10 MS s 116.62

11 14 SR 905; 18 SR 614; 18 SR 1593