

SECTION 2D.1000 - MOTOR VEHICLE EMISSION CONTROL STANDARDS

.1001 PURPOSE

This Section sets forth motor vehicle emission control standards in areas where a motor vehicle inspection/maintenance program is implemented pursuant to State law.

History Note: Authority G. S. 143-215.3(a)(1); 143-215.107(a)(3); 143-215.107(a)(6);
143-215.107(a)(7);
Eff. December 1, 1982;
Amended Eff. July 1, 2002.

	Date Submitted to EPA	Date Approved by EPA	Federal Register
Original Reg.	Jul 01, 1994	Jun 02, 1995	60 FR 28726
1 st Revision	Aug 07, 2002	Oct 30, 2002	67 FR 66056

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.1002 APPLICABILITY

(a) This Section is applicable to all gasoline-powered motor vehicles, except motorcycles and excluding the current model year, that are:

- (1) required to be registered by the North Carolina Division of Motor Vehicles in the counties identified in Paragraph (b) of this Rule;
- (2) part of a fleet primarily operated within the counties identified in Paragraph (b) of this Rule; or
- (3) operated on a federal installation located in a county identified in Paragraph (b) of this Rule and that meet the requirements of 40 CFR 51.356(a)(4).

(b) The emission control standards of this Section become effective in the counties identified in G.S. 143-215.107A on the dates specified in G.S. 143-215.107A.

History Note: Filed as a Temporary Amendment Eff. January 1, 1993 for a period of 180 Days or until the permanent rule becomes effective, whichever is sooner; Authority G.S. 20-128.2(a); 143- 215.3(a)(1); 143-215.107(a)(3); 143-215.107(a)(6); 143-215.107(a)(7); 143-215.107(A); Eff. December 1, 1982; Amended Eff July 1, 2002; July 1, 1993; July 1, 1992; April 1, 1991.

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.1003 DEFINITIONS

The following definitions of terms apply throughout this Section:

- (1) “Heavy-duty vehicle” means a motor vehicle which is designed primarily for:
 - a. Transportation of property and has a GVWR (Gross Vehicle Weight Rating) of more than 8500 pounds;
 - b. transportation of persons and has a capacity of more than twelve (12) persons; or
 - c. Use as a recreational motor vehicle, which is designed primarily to provide temporary or permanent living quarters for travel, camping, or other recreational use and has a GVWR of more than 8500.
- (2) “light-duty vehicle” means a motor vehicle which is designed primarily for:
 - a. Transportation of property and has a GVWR of 8500 pounds or less: or
 - b. Transportation of persons and has a capacity of 12 persons or less.
- (3) “Motor vehicle” means any self-propelled vehicle used for transporting property or vehicles.
- (4) “Motorcycle” means any motor vehicle having a seat or saddle for the use of the rider an designed to travel on not more than three wheels in contact with the ground.

History Note: Authority G.S. 143-215.3(a)(1);
Eff. December 1, 1982.

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.1004 EMISSION STANDARDS

(a) This rule applies according to Rule .1002 of this Section to all 195 and earlier gasoline-powered motor vehicles, except motorcycles, that are fewer than 25 model years old in the following counties:

- (1) Mecklenburg
- (2) Wake
- (3) Forsyth
- (4) Guilford
- (5) Durham
- (6) Gaston
- (7) Cabarrus
- (8) Orange
- (9) Union

(b) The following standards specify the maximum carbon monoxide (CO) and hydrocarbons (HC) concentrations permitted to be exhausted from motor vehicles subject to these Rules:

Vehicle Class	Model Year	CO standard At Idle (%)	HC Standard At Idle(PPM)
Light-duty Vehicle	1978-1979	3.5	350
	1980	2.0	250
	1981-1995	1.2	220
Heavy-duty Vehicle	1978	5.0	500
	1979-1995	4.0	400

(c) Exceptions or variances to the standards in this Rule are permitted only according to G.S. 20-183.5.

(d) Compliance with the emission standards in this Rule shall be determined using:

- (1) the test procedures and standards described in 40 CFR 51.357,
- (2) test equipment described in 40 CFR 51.358
- (3) quality control described in 40 CFR 51.359

(e) the requirements of this Rule expire on January 1, 2006.

History Note: Authority G.S. 20-128.2(a); 20-128.5; 143- 215.3(a)(1); 143-215.107(a)(3); 143-215.107(a)(6); 143-215.107(a)(7);
Eff. December 1, 1982;
Amended Eff. July 1, 2002, July 1, 1993; April 1, 1991; November 1, 1986; July 1, 1984.

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.1005 MEASUREMENT AND ENFORCEMENT

(a) This Rule applies according to Rule .1002 of this Section to all 1996 and later gasoline-powered motor vehicles, except motorcycles, in the counties identified in G. S. 143-215.107A.

(b) Vehicles covered under this Rule shall pass annually the on-board diagnostic test described in 40 CFR 85.2222. The vehicle shall fail the on-board diagnostic test if any of the conditions of 40 CFR 85.2207 are met. Equipment used to perform on-board diagnostic tests shall meet the requirements of 40 CFR 85.2231.

(c) The tester shall provide the owner of a vehicle that fails the on-board test described in Paragraph (b) of this Rule a report of the test results. This report shall include the codes retrieved (these codes are listed in 40 CFR 85.2223(b)), the status of the malfunction indicator light illumination command, and the customer alert statement described in 40 CFR 85.2223(c).

(d) Persons performing on-board diagnostic tests shall provide the Division of Air Quality data necessary to determine the effectiveness of the on-board diagnostic testing program. The data submitted shall be what is necessary to satisfy the requirements of 40 CFR 51.365, Data Collection, and 40 CFR 51.366, Data Analysis and Reporting.

History Note: Authority G. S. 20-128.2(a); 143- 215.3(a)(1); 143-215.107(a)(6); 143-215.107(a)(7); 143-215.107a(B); S.L. 1999 c.328 s.3.2; Eff. December 1, 1982; Amended Eff July 1, 2002; July 1, 1998; April 1, 1991; November 1, 1986.

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