

**CHAPTER 1200-3-29**  
**LIGHT-DUTY MOTOR VEHICLE INSPECTION AND MAINTENANCE**

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**1200-3-29-.01 PURPOSE**

The purpose of this Chapter is to reduce the air pollution produced by the operation of light-duty motor vehicles.

**Authority:** *T.C.A. §§ 68-201-105 and 4-5-202*

## 1200-3-29-.02 DEFINITIONS

As used in this Chapter, all terms not defined herein shall have the meaning given them in Chapter 1200-3-2:

Air Pollution is any particulate matter or any gas or vapor other than water or any combination thereof including any physical, chemical, biological, radioactive substance or matter which is emitted into or otherwise enters the ambient air.

Antique motor vehicle is any motor vehicle over twenty-five years old which is owned solely as a collectors' item and is used for participation in club activities, exhibits, tours, parades and similar uses, but in no event for general transportation.

Carbon dioxide is a compound consisting of the chemical formula (CO<sub>2</sub>).

Carbon monoxide is a compound consisting of the chemical formula (CO).

Catalytic converter is a pollution control device containing a catalyst for converting automobile exhaust into mostly harmless products.

Centralized Network means that motor vehicle inspections are conducted by the State and/or a single contractor in an area.

Certificate of Compliance is a certification issued by a Department vehicle inspector or a fleet vehicle inspector that the motor vehicle identified on the certificate complies with the emission performance and anti-tampering criteria appropriate to the vehicle as specified in this regulation.

Contractor is a person, business firm, partnership, city or county government, or corporation with whom the Department has a contract that provides for the operation of one or more Official Inspection Stations.

Department means the Tennessee Department of Environment and Conservation, Division of Air Pollution Control.

Department Vehicle Inspector is any person employed by the Tennessee Division of Air Pollution Control and/or contractor who is certified by the Technical Secretary as qualified to perform vehicle emissions performance and anti-tampering inspections.

Diesel powered motor vehicle is a motor vehicle powered by a compression-ignition internal combustion engine.

Electric powered motor vehicle is a motor vehicle which uses a propulsive unit powered exclusively by electricity.

Exhaust emissions are substances emitted into the atmosphere from any opening downstream from the exhaust ports of a motor vehicle engine.

Exhaust gas analyzer is a device for sensing the amount of air pollutants, including carbon monoxide and hydrocarbons, in the exhaust emissions of a motor vehicle. For the purpose of this regulation, this shall mean analyzing devices of the nondispersive infrared type or any other analyzing devices that provide equal or greater accuracy as approved by the Technical Secretary.

Factory-Installed Motor Vehicle Pollutant Control System is a motor vehicle pollution control system installed by the vehicle or engine manufacturer to comply with the United States government motor vehicles emission control laws and regulations.

Fleet means 50 or more light-duty motor vehicles owned by the same person or business entity which are in-use, registered in Rutherford, Sumner, Williamson or Wilson counties and not owned or held primarily for the purpose of

resale.

Fleet Inspection Location is any motor vehicle inspection facility operated by a fleet operator holding a valid fleet inspection permit.

Fleet Inspection Permit is a certificate issued by the Technical Secretary authorizing a fleet operator to conduct motor vehicle inspection in accordance with this regulation and other requirements as determined by the Department.

Fleet Operator is the person owning a group of motor vehicles which constitute a fleet as defined in this regulation.

Fleet Vehicle Inspector is any person retained by a fleet operator holding a valid fleet inspection permit and who is certified by the Technical Secretary as qualified to perform vehicle emissions performance and anti-tampering inspections.

Gasoline inlet restrictor is the leaded fuel nozzle restrictor installed on motor vehicles which was designed for the use of unleaded gasoline only.

Gasoline powered motor vehicles is any motor vehicle powered by spark-ignition internal combustion engine.

GVWR is a term defining the gross vehicle weight as determined from the combined manufacturer vehicle and maximum load rating.

Heavy-duty motor vehicle is any motor vehicle having a combined manufacturer vehicle and maximum loading rate (GVWR) to be carried thereon in the excess of 8500 pounds (3855 kilograms).

Hydrocarbon is any organic compound consisting predominantly of carbon and hydrogen.

Idle speed means the unloaded engine speed of a motor vehicle when the accelerator pedal is fully released. In a vehicle equipped with an automatic transmission, this is with the drive selector in neutral or park. In a vehicle equipped with a manual transmission, this is with the gear selector in neutral and the clutch fully engaged. In all vehicles, the engine operated accessories shall be turned off.

Internal combustion engine is any engine in which the combustion of gaseous, liquid or pulverized solid fuel takes place within one or more cylinders, or any engine with one or more combustion chambers.

Light-duty motor vehicle is any motor vehicle having a combined manufacturer vehicle and maximum load rating to be carried thereon (GVWR) of more than 8500 pounds (3855 kilograms).

Manufacturers Idle-speed Specification is the engine idle speed specified for a particular motor vehicle as printed on the engine compartment emissions system data plate or in the owners manual.

Model Year means the annual production period of new motor vehicles or new motor vehicle engines designated by the calendar year in which such production ends. If the manufacturer does not designate a production period, the year with respect to such vehicle or engines shall mean the twelve (12) month period beginning January of the year in which production thereof begins. The model year for a motor vehicle constructed by other than the original manufacturer shall be assigned by the Technical Secretary.

Motor vehicle is any self-propelled vehicle used for transporting persons or commodities on public roads.

Motor Vehicle Regulatory License is the annual motor vehicle license required as a condition for legal operation of certain classes of motor vehicles.

Motorcycle is any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more

than three wheels in contact with the ground, and having a curb weight of 2000 pounds (907 kilograms) or less.

New motor vehicle is any motor vehicle that has never been previously titled or registered in this or any other jurisdiction and whose ownership document remains as a manufacturer's certificate of origin.

Official Inspection Station means a facility operated by the Department and/or contractor to conduct test only vehicle inspections pursuant to this regulation, in a Centralized Network.

Pollution Control Device is the equipment designed by the manufacturer for installation on a motor vehicle for the purpose of reducing pollutants emitted from the vehicle, or a system or engine modification on a motor vehicle which causes a reduction of pollutants emitted from the motor vehicle.

RPM is a term describing the engine crankshaft revolutions per minute.

Tampering means to remove, render inoperative, cause to be removed, or make less operative any emission control device, unless such removal or act to render inoperative or less operative is for the purpose of motor vehicle disposal or salvage operation.

Technical Secretary is the Technical Secretary of the Air Pollution Control Board of the State of Tennessee or his designated representative.

Vehicle Exhaust System mean all devices, equipment and systems which transport exhaust emissions from the exhaust ports of the motor vehicle engine to the atmosphere.

Wheel Tax is the annual commercial vehicle tax required as a condition for the legal operation of certain classes of motor vehicles.

**Authority:** *T.C.A. §§ 68-201-105 AND 4-5-202*

### 1200-3-29-.03 MOTOR VEHICLE INSPECTION REQUIREMENTS

- (1) All of the light-duty motor vehicles either registered in Rutherford, Sumner, Williamson or Wilson Counties, or directly with the motor vehicle division of the Tennessee Department of Revenue pursuant to T.C.A. § 55-4-207 and used within or assigned to a user within these four (4) counties, except those exempted by Rule 1200-3-29-.04, are required to be inspected annually for compliance with emissions performance and anti-tampering test criteria in Rules 1200-3-29-.05 and 1200-3-29-.06. Owners of vehicles so inspected are required to obtain a Certificate of Compliance. A Certificate of Compliance shall be valid for 90 days following the date of issuance, except for those registered pursuant to T.C.A. § 55-4-207, which shall be valid for one year.
- (2) All light-duty vehicles which are operated on Federal installations located in Rutherford, Sumner, Williamson and Wilson counties are required to be inspected annually for compliance with emissions performance and anti-tampering criteria in Rules 1200-3-29-.05 and 1200-3-29-.06.
  - (a) This requirement applies to all employee-owned or leased vehicles (including vehicles owned, leased or operated by civilian and military personnel on Federal installations) as well as agency-owned or operated vehicles operated on the installation.
  - (b) This requirement shall not apply to a visiting agency, employee, or military personnel vehicle as long as such visit does not exceed 60 calendar days per year.
  - (c) The Federal installation shall provide documentation of proof of compliance to the Technical Secretary. The documentation at a minimum shall include the following:
    1. A list of all subject vehicles showing proof of compliance.
    2. An updated list of the subject vehicles shall be submitted to the Technical Secretary annually.
- (3) A Certificate of Compliance shall be issued only by the Department and/or contractor vehicle inspector or a licensed fleet vehicle inspector and only after the vehicle demonstrates compliance with the test criteria established in Rules 1200-3-29-.05 and 1200-3-29-.06.
- (4) All light-duty motor vehicles required to obtain a Certificate of Compliance except those vehicles contained in a fleet which has a valid fleet inspection permit and those vehicles registered in Rutherford, Sumner, Williamson and Wilson Counties but not subject to either the Wheel Tax or the Motor Vehicle Regulatory License requirements shall obtain a valid Certificate of Compliance within 90 days prior to the required date for payment of the wheel tax or the motor vehicle regulatory license fee as appropriate to the class of motor vehicle.
- (5) All light-duty motor vehicles required to obtain a Certificate of Compliance that are contained in a fleet having a valid fleet inspection permit, operated on a Federal installation in Rutherford, Sumner, Williamson or Wilson Counties, or are vehicles registered in Rutherford, Sumner, Williamson and Wilson Counties but exempt from the Wheel Tax and Motor Vehicle Regulatory License requirements shall obtain a valid Certificate of Compliance within 90 days prior to a compliance date for that particular motor vehicle. A schedule of compliance dates for such vehicles shall be established by the Technical Secretary.
- (6) The Certificate of Compliance must be presented to the County Clerks' office prior to the issuance of the Wheel Tax or the Vehicle Regulatory License.
- (7) The requirements contained in this Chapter shall become effective July 1, 1994.

**Authority:** T.C.A. §§ 68-201-105, 55-4-101 *et seq.* AND 4-5-202



**1200-3-29-.04 EXEMPTION FROM MOTOR VEHICLE INSPECTION REQUIREMENTS**

- (1) The following classes of motor vehicles are exempt from the requirements established in Rule 1200-3-29-.03 of this Chapter:
- (a) antique motor vehicles
  - (b) diesel powered light-duty motor vehicles
  - (c) electric powered light-duty vehicles
  - (d) gasoline powered light-duty motor vehicles with a designated model year prior to 1975
  - (e) motorcycles
  - (f) heavy-duty motor vehicles
  - (g) new motor vehicles being registered for the first time
  - (h) tactical military vehicles

**Authority:** *T.C.A. §§ 68-201-105 and 4-5-202*

**1200-3-29-.05 MOTOR VEHICLE EMISSION PERFORMANCE TEST CRITERIA**

- (1) Vehicles shall not be allowed to complete emission performance testing if one or more of the following conditions exist when the vehicle is presented for testing:
  - (a) The vehicle exhaust system leaks in such a way as to dilute the exhaust emissions being sampled by the exhaust gas analyzer; the sum of carbon monoxide and carbon dioxide concentrations recorded for idle speed reading from an exhaust outlet must not be less than 6%.
  - (b) The visible emissions from the motor vehicle are such that it would interfere with operation of the testing equipment.
- (2) Vehicles with idle speed emission values which exceed the test standards specified in Table I shall fail the emission performance test.

TABLE I  
MAXIMUM IDLE SPEED EMISSIONS ALLOWABLE  
DURING IDLE SPEED EMISSIONS TEST

VEHICLE MODEL YEAR	CO (%)		HC (PPM)	
	LIGHT-DUTY VEHICLES LESS THAN OR EQUAL TO 6000 LBS GVWR	LIGHT-DUTY VEHICLES GREATER THAN 6000 LBS GVWR	LIGHT-DUTY VEHICLES LESS THAN OR EQUAL TO 6000 LBS GVWR	LIGHT-DUTY VEHICLES GREATER THAN 6000 LBS GVWR
1975	5.0	6.5	500	750
1976	5.0	6.5	500	750
1977	5.0	6.5	500	750
1978	4.0	6.0	400	600
1979	4.0	6.0	400	600
1980	3.0	4.5	300	400
1981 & NEWER	1.2	4.0	220	400

- (3) When a motor vehicle is equipped with other than the original engine or when a motor vehicle has been constructed, modified, customized or altered in such a way so that the model year cannot be clearly determined, the vehicle shall be classified for purposes of the emission performance test by the model year of the chassis.

**Authority:** T.C.A. §§ 68-201-105 AND 4-5-202

**1200-3-29-.06 MOTOR VEHICLE ANTI-TAMPERING TEST CRITERIA**

- (1) Each vehicle subject to an emission performance test is also subject to a visual anti-tampering inspection under this rule and shall comply with the following minimum anti-tampering requirements:
  - (a) At a minimum, the emissions control devices subject to an inspection are the catalytic converter, gasoline fuel inlet restrictor and fuel filler cap. If any emission control devices are found in a tampered condition, such devices shall be repaired or replaced prior to any retesting or reinspection as provided for in Rule 1200-3-29-.10. For the purpose of this rule, tampering of the gasoline fuel inlet restrictor shall constitute tampering of the catalytic converter, and such catalytic converter shall be replaced prior to any retesting or reinspection.
  - (b) Nothing in this Rule shall be construed as to relieve a motor vehicle owner from complying with the provisions of Rule 1200-3-29-.05.

**Authority:** *T.C.A. §§ 68-201-105 AND 4-5-202*

**1200-3-29-.07 MOTOR VEHICLE EMISSIONS PERFORMANCE TEST METHODS**

- (1) The motor vehicle emissions performance test shall consist of the sampling of exhaust emission at idle speed and measurement of CO<sub>2</sub> dilution, CO concentration and HC concentration.
- (2) Sampling of exhaust emission shall consist of measurement of CO<sub>2</sub> dilution, CO concentration and HC concentration during idle operation using an approved exhaust gas analyzer. Measurements taken during the initial idle phase may be succeeded by measurements taken during a second idle phase which has followed an engine conditioning phase consisting of engine operation at approximately 2500 RPM for approximately 20 seconds. The lowest emission readings from either of these idle speed test phases shall be used to determine pass or failure of the emissions performance test.

**Authority:** *T.C.A. §§ 68--201-1-5 AND 4-5-202*

**1200-3-29-.08 MOTOR VEHICLE ANTI-TAMPERING TEST METHODS**

- (1) The motor vehicle anti-tampering test shall be verified by the Department vehicle inspector and consist of the following elements:
  - (a) The vehicle will be checked by the Department vehicle inspector to see that the appropriate gas cap is securely in place. If the appropriate gas cap is not in place, it will result in the failure of the anti-tampering test.
  - (b) If the gas cap is present, it will be removed and the gasoline inlet restrictor on the vehicle will be checked to see if it has been damaged or removed. If the inlet restrictor has been damaged or removed, it will result in the failure of the anti-tampering test.
  - (c) The Department vehicle inspector will check visually (with a mirror or otherwise) to see if the catalytic converter is the correct type for the certified vehicle configuration and is properly connected. If the catalytic converter has been tampered with, removed or is the incorrect configuration it will result in the failure of the anti-tampering test.
- (2) Pass/fail determination. A pass or fail determination will be made for each of the test elements in Paragraph 1200-3-29-.08(1). If a vehicle fails any of the anti-tampering elements in Paragraph 1200-3-29-.08(1), it will result in the failure of the motor vehicle inspection test and a Certificate of Compliance will not be issued until the repairs have been made to the vehicle.

**Authority:** *T.C.A. §§ 68-201-105 AND 4-5-202*

**1200-3-29-.09 MOTOR VEHICLE INSPECTION PROGRAM**

- (1) The motor vehicle inspection program shall be operated by the Tennessee Department of Environment and Conservation, Division of Air Pollution Control, the State approved local government and/or the State approved contractor.
- (2) All motor vehicle inspections shall be conducted at official or mobile inspection stations operated by the Department, local government and/or contractor except those fleet inspections provided for in Paragraph 1200-3-29-.09(3) of this regulation.
- (3) In lieu of the requirement in Paragraph 1200-3-29-.09(2) of this regulation, vehicles owned or operated by a fleet operator to whom a fleet inspection permit has been issued may be inspected by a licensed fleet vehicle inspector at a site other than an official inspection station.
- (4) A light-duty fleet vehicle operator may make application to the Technical Secretary for fleet inspection permit. Minimum requirements for issuance of a permit shall be:
  - (a) Possession of an approved exhaust gas analyzer, tools and equipment determined by the Technical Secretary to be adequate for conducting the required emissions inspections;
  - (b) Demonstration of knowledge of methods and procedures for conducting the required emissions performance and anti-tampering inspections according to criteria developed by the Technical Secretary;
  - (c) Provisions of appropriate facility for vehicle testing and appropriate secure storage facility for storage of Certificates of Compliance and records of inspections;
  - (d) Agreement to supply inspection and Certificate of Compliance issuance information as requested by the Technical Secretary and to allow access to testing facility, testing equipment, testing personnel, testing data, Certificate of Compliance inventory and fleet vehicles as requested by the Technical Secretary;
  - (e) Retention of licensed fleet vehicle inspector to conduct fleet vehicle inspections.
- (5) A fleet inspection permit shall be valid for one year from the date of issuance and may be renewed through application to the Technical secretary within 30 days prior to the date of expiration. A fleet inspection permit is not transferable and may be denied, suspended or revoked by the Technical Secretary for failure to comply with this regulation and other requirements as determined by the Department.
- (6) A person employed or retained by a fleet operator holding a valid fleet inspection permit may make application to the Technical Secretary for a fleet vehicle inspector's license. Minimum requirements for issuance of this license shall be:
  - (a) Successful completion of a vehicle inspector training course prepared and offered by the Department;
  - (b) Successful completion of the mechanics training course approved by the Technical Secretary;
  - (c) Agreement to participate in additional training activities from time to time as specified by the Technical Secretary;
  - (d) Provision of written evidence that applicant is employed or retained by the fleet operator.

- (7) A fleet inspector's license shall be valid for one year from the date of issuance and may be renewed through application to the Technical Secretary within thirty (30) days prior to the date of expiration. A fleet vehicle inspector's license is not transferable and may be denied, suspended or revoked by the Technical Secretary for failure to comply with this regulation and other requirements as determined by the Department.
- (8) All vehicles issued a Certificate of Compliance under the provision of Paragraph 1200-3-29-.09(3) of this regulation shall be subject to retesting at either the fleet inspection location or an official inspection station as deemed necessary by the Technical Secretary in order to maintain compliance with the intent of this regulation.

**Authority:** *T.C.A. §§ 68-201-105 AND 4-5-202*

**1200-3-29-.10 MOTOR VEHICLE INSPECTION FEE**

- (1) There shall be a fee set by the Tennessee Air Pollution Control Board pursuant to the contract entered into with a Contractor. The fee shall be for each emission test and payable at the time of inspection unless the vehicle qualifies for an inspection without charge as specified in Paragraph(3). The test fee shall not exceed the fee charged by the Metropolitan-Nashville Davidson County Health Department's Pollution Control Division, as specified in Regulation No. 8.
- (2) There shall be a fee of four dollars (\$4.00) for each Certificate of Compliance supplied to licensed fleet inspectors for issuance to motor vehicles which comply with the testing provisions of this regulation.
- (3) Each vehicle which fails its initial inspection is entitled to one (1) reinspection at no charge if the vehicle is accompanied by the entire initial inspection report.
- (4) Motor vehicle owners or operator shall be given in writing the results of all inspection procedures carried out at any official inspection station.
- (5) There shall be a fee of One Hundred Dollars (\$100.00) for each annual Fleet Inspection Permit issued to fleet vehicle operators.
- (6) There shall be a fee of One Hundred Dollars (\$100.00) for each initial annual Fleet Vehicle Inspector's License issued to a fleet vehicle inspector; there shall be a fee of Twenty Five Dollars (\$25.00) for each annual renewal of a Fleet Vehicle Inspector's License.

**Authority:** *T.C.A. §§ 68-201-105, 68-203-103 AND 4-5-202*

	Date Submitted to EPA	Date Approved by EPA	Final Federal Register Notice
Original Reg	JUL 08, 1994	JUL 28, 1995	60 FR 38694

**1200-3-29-.12 AREA OF APPLICABILITY**

- (1) Chapter 1200-3-29 shall apply in the following areas of Tennessee as designated by the Tennessee Air Pollution Control Board:
- (a) Davidson County
  - (b) Hamilton County
  - (c) Rutherford County
  - (d) Sumner County
  - (e) Williamson County
  - (f) Wilson County
- (2) For the counties specified in paragraph 1200-3-29-.12(1), the requirements contained in this Chapter shall become effective as follows:
- (a) For EPA designated nonattainment counties classified as Basic, the effective date is April 1, 2006.
  - (b) For EPA designated counties with an EPA approved Early Action Compact classified as Basic, the effective date is April 1, 2005.
  - (c) For EPA designated nonattainment areas classified as Marginal, the effective date is July 1, 2005.
  - (d) For EPA designated nonattainment areas classified as Moderate, the effective date is April 1, 2007.
  - (e) For counties that would like to volunteer to implement a vehicle inspection and maintenance program, the startup date will be determined by the County and the Tennessee Air Pollution Control Board.

	Date Submitted to EPA	Date Approved by EPA	Final Federal Register Notice
Original Reg	DEC 29, 2004	AUG 26, 2005	70 FR 50199