

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. Law 3-152

"District of Columbia Exhaust Emission Inspection/
Maintenance Program Amendments Act of 1980".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 3-237 on first and second readings, September 30, 1980 and October 14, 1980, respectively. Following the signature of the Mayor on October 29, 1980, this legislation was assigned Act No. 3-277, published in the November 7, 1980 edition of the D.C. Register, (Vol. 27 page 4907). This act was originally transmitted to Congress on November 7, 1980, and resubmitted on January 14, 1981 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 3-152, effective March 5, 1981.



ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30

Enrolled Original

D.C. LAW 3-152
EFFECTIVE
DATE MAR 05 1981

AN ACT

D.C. ACT 3-277

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCT 29 1980

To amend the Motor Vehicle Regulations for the District of Columbia relating to exhaust emission standards and equipment requirements for motor vehicles operated in the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "District of Columbia Exhaust Emission Inspection/Maintenance Program Amendments Act of 1980".

Sec. 2. The Motor Vehicle Code of the District of Columbia, enacted June 30, 1972 (Reg. 72-13), adopting by reference the Special Edition of the District of Columbia Register entitled, "Title 32, Department of Motor Vehicles, Motor Vehicle Regulations for the District of Columbia", is amended as follows:

(a) Section 6.603 of Part F of Chapter VI is amended to read as follows:

CODIFICATION
D.C.M.R.

"Section 6.603. PROHIBITED OPERATION AND
MANDATORY INSPECTION

"(a) Except as provided in subsection (c),
after December 31, 1982, no motor vehicle shall be
allowed to operate on the streets or highways of
the District of Columbia that does not comply with
the exhaust emission standards prescribed pursuant
to subsection (d).

"(b) Except as provided in subsection (c),
after December 31, 1982, no owner of a motor
vehicle shall operate or allow the operation of
any vehicle on the streets or highways of the
District of Columbia that does not comply with the
exhaust emission standards prescribed pursuant to
subsection (d). Prior to December 31, 1982, the
Director may not refuse to register any motor
vehicle in the District of Columbia solely because
of its exhaust emission levels.

"(c) The Director may issue a conditional
approval for any motor vehicle which is unable to
meet the exhaust emission standards prescribed
pursuant to subsection (d), when the Director has
determined that all reasonable repairs have been
made and that further repairs are not mechanically

nor economically feasible given the vehicle's age, value, condition, or design.

"(1) Prior to December 31, 1982, the Director shall establish maximum allowable emission levels for components of motor vehicle exhaust emissions for light-duty motor vehicles weighing less than 5,000 pounds net weight by model year, and a test procedure for measuring the exhaust emissions. The Director shall not establish exhaust emission standards which will cause more than twenty percent (20%) of the motor vehicles to fail the exhaust emission test. As necessary, the Director may:

"(1) supplement and/or amend the prescribed emission levels and testing methods;

"(2) prescribe emission levels for additional components of motor vehicle exhaust emissions; or

"(3) prescribe emission levels for additional types of motor vehicles, including, but not limited to, medium-duty or heavy-duty gasoline-propelled or diesel-propelled motor vehicles.

In establishing or amending the emission levels or test procedures, the Director shall consult with the Director of the Department of Environmental Services and shall comply with the notice provisions of the District of Columbia Administrative Procedure Act, approved October 21, 1958 (82 Stat. 1204; D.C. Code, sec. 1-1501 et seq.).

"(a) After December 31, 1982, every motor vehicle registered in the District of Columbia shall have its exhaust emission inspected by means of an emission test, at periodic intervals not more than one (1) year apart, at one of the official District of Columbia Inspection Stations or at a facility designated by the Director. The Director shall provide the operator of the tested vehicle with a written description of the results of the test along with an indication of the maximum allowable levels for emissions from the tested vehicle. Except as provided in subsection (c), no motor vehicle shall be deemed to have passed this inspection unless its exhaust emissions are within the maximum allowable levels established pursuant to subsection (d).

"(f) During the period January 1, 1982, through December 31, 1982, the Director shall test the exhaust emission levels of the motor vehicles registered in the District of Columbia, in order to compile data on the exhaust emission levels of the motor vehicles registered in the District of Columbia. Prior to December 31, 1982, the Director may not refuse to register any motor vehicle in the District of Columbia solely because of its exhaust emission levels.";

(b) Section 4.206 of Part B of Chapter IV is amended as follows:

(1) subsection (a) is amended by:

(A) adding the phrase "and exhaust emission," after the word "equipment" in the first sentence;

(B) adding the following sentence after the first sentence to read as follows: "The exhaust emission standards do not apply to trailers";

(C) deleting the number "5-402(a)" and inserting in lieu thereof the number "5.503.";

(2) A new subsection (c) is inserted to read as follows:

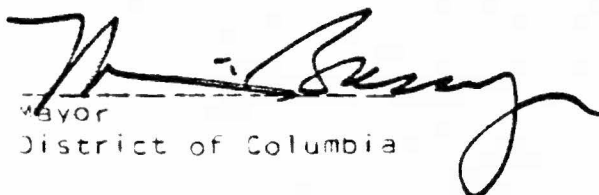
"(c)(1) Any motor vehicle or trailer to which a rejection sticker was issued, shall be issued an approved inspection sticker, as defined in section 4-205 of this title, upon the determination that the items for which the rejection sticker was issued, have been brought into compliance with the applicable equipment and exhaust emission standards.

"(2) The determination that the items which were the basis for the issuance of the rejection sticker have been brought into compliance with the applicable standards to be made pursuant to subsection (c)(1) above, and the subsequent issuance of an inspection sticker may be made by personnel of (1) the motor vehicle inspection facilities operated by the District of Columbia government, or (2) facilities other than the District of Columbia motor vehicle inspection facilities: PROVIDED, That the owner of such facility has obtained from the Mayor of the District of Columbia a permit to perform such activities. The Mayor is authorized to promulgate such rules and regulations as are necessary for

the issuance, suspension, revocation, and denial of the renewal of such permits."

Sec. 3. This act shall take effect after a thirty (30) day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-147(c)(1)).


 Chairman
 Council of the District of Columbia


 Mayor
 District of Columbia

APPROVED: October 29, 1980

RECORD OF OFFICIAL COUNCIL ACTION

ACTION: Adopted First Reading (9-30-80)

☒ VOICE VOTE: Unanimous

Absent: all present

17 ROLL CALL VOTE:

COUNCIL MEMBER	AGE	HAT	N.Y.	A.S.	COUNCIL MEMBER	AGE	HAT	N.Y.	A.S.	COUNCIL MEMBER	AGE	HAT	N.Y.	A.S.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
JARVIS					ROTARK									

John P. Bowyer
Secretary to the Council

ACTION: Adopted Final Reading (10-14-80)

/X VOICE VOTE: Unanimous

Assent: Hardy

☐ ROLL CALL VOTE:

COACH	NAME	AGE	HT	WT	POS	COACH	NAME	AGE	HT	WT	POS
DIXON					LINE		SHACKLETON				
WINTER					MASON		SPAIN DING				
CLARKE					MOORE		WITTSON				
HARDY					RAY						
HARVEY					ROTHK						

John P. Bowyer
Secretary to the Council

ACTION:

17 VOICE VOTE:

Abstract

17 ROLL CALL VOTE:

SENATOR	NAME	STATE	SENATOR	NAME	STATE	SENATOR	NAME	STATE
DIXON			KING			BRACKLETON		
WINTER			MASON			SPALDING		
CLARK			MOORE			WILSON		
HARDY			DAY					
THOMAS			DOUGLAS					