

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

May 13, 1977

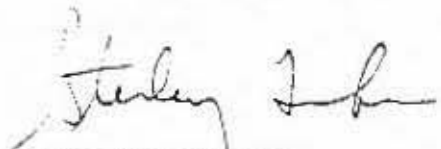
D.C. Law 1-132

"District of Columbia Exhaust Emission Standards Act".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, (PL 93-198) the Act, the Council of the District of Columbia adopted Bill No. 1-61 on first and second readings November 22, 1976 and December 7, 1976, respectively. Following the signature of the Mayor on February 7, 1977, this legislation was assigned Act No. 1-228, and transmitted to both Houses of Congress for a 30-day review, in accordance with Section 602 (c) (1) of the Act.

The full text of Act No. 1-228 is herewith published.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has expired and, therefore cites the following legislation as D.C. Law 1-132, effective April 26, 1977.


STERLING TUCKER
Chairman of the Council

D.C. LAW

1-132

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 26, 1977

To provide certain exhaust emission standards and equipment requirement 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 Standards Act".

Sec. 2. Chapter VI of title 32 of the District of Columbia Rules and Regulations (Motor Vehicles Regulations for the District of Columbia) is amended (1) by redesignating "Part F" as "Part G"; (2) by redesignating "Section 6.601" as Section 6.701"; and (3) by inserting immediately after Part E the following new Part F:

"PART F - EXHAUST EMISSION SYSTEMS

Section 6.601. MAINTENANCE AND DISCONNECTION

"(a)" When any motor vehicle was originally equipped with an emission control system, that system shall be maintained in good working order and no person shall disconnect any part of that system except temporarily in

order to make repairs, replacements, or adjustments and no person shall modify or alter that system or its operation.

"(b) No person shall operate and no owner shall cause or permit to be operated any motor vehicle originally equipped with a pollution control system while any part of that system is disconnected or while that system or its operation is modified or altered.

"Section 6.602. SMOKE EMISSIONS AND POSITIVE CRANKCASE VENTILATION VALVE

"(a) The engine, power, and exhaust mechanism of every motor vehicle shall be so equipped, adjusted, and operated as to prevent the escape therefrom of a trail of visible fumes or smoke for more than ten (10) consecutive seconds.

"(b) Every gasoline-propelled motor vehicle of the 1968 model year and any model year thereafter, when operated on a street or highway, shall be equipped with a positive crankcase ventilation valve which shall be in good operating condition.

"(c) No person shall operate a gasoline-propelled motor vehicle of 1968 model year and any model year thereafter, without such vehicle being equipped with a positive crankcase ventilation valve which shall be in good operating condition.

"Section 6.603. PROHIBITED OPERATION AND MANDATORY INSPECTION:

"(a) Except as provided in subsection (c) herein, no motor vehicle shall be allowed to operate on the streets or highways of the District that does not comply with the exhaust emission standards prescribed in section 6.603(d) or in accordance with section 6.603(e).

"(b) Except as provided in subsection (c) herein, no owner of a motor vehicle shall operate or allow the operation of such vehicle that does not comply with the exhaust emission standards prescribed in section 6.603(d) or in accordance with section 6.603(e).

"(c) The Director may, in his discretion, issue a conditional approval to vehicles unable to meet the required levels of emission when he has determined that all reasonable repairs have been made and due to vehicle design characteristics further repairs are not mechanically nor economically feasible given the vehicle's age, value and condition. Such conditional approval shall not exceed one year but may be renewed upon a subsequent determination of continued mechanical infeasibility to bring the vehicle into compliance with required levels of emission. This subsection shall be applicable to antique vehicles and to

other vehicles which qualify under the terms of this subsection.

"(d) The following maximum allowable levels for components of exhaust emissions for light-duty motor vehicles are hereby prescribed, subject to possible addition, deletion or amendment by the Director in accordance with section 6.603(e):

"For 1967 model year and older vehicles, the exhaust emissions of light-duty motor vehicles shall not exceed 6.0% carbon monoxide (CO) by volume, or 700 parts per million hydrocarbons (HC) by volume; "For 1968 model year through 1970 model year, the exhaust emissions of light-duty motor vehicles shall not exceed 5.0% carbon monoxide (CO) by volume, or 400 parts per million hydrocarbons (HC) by volume; "For 1971 model year and subsequent model years, the exhaust emissions of light-duty motor vehicles shall not exceed

4.0% carbon monoxide (CO) by volume, or 300 parts per million hydrocarbons (HC) by volume;

"The above maximum allowable levels for components of exhaust emissions for light-duty motor vehicles are as measured by an idle emission test which is defined as a sampling procedure for exhaust emissions which requires operation of the engine in the idle mode only and consists, at a minimum, of the following procedures carried out on a fully warmed-up engine: a verification that the idle revolutions per minute is within the manufacturer's specified limits and a measurement of the exhaust carbon monoxide and/or the hydrocarbon concentrations during the period of time from 15 to 25 seconds after the engine either was used to move the car or was run at 2,000 to 2,500 revolutions per minute with no load for 2 or 3 seconds."

"(e) The Director may, following the procedures of the District of Columbia Administrative Procedure Act (Pub. L. 90-614, Section 1-1501 et seq., D.C. Code, 1973 ed.), add to, delete or amend the maximum allowable levels for components of motor vehicles exhaust emissions for light duty motor vehicles weighing less than 6,000 pounds and the testing mode prescribed in section 6.603(d). The Director

may, as he deems advisable, and in accordance with the aforementioned Administrative Procedure Act,

- (i) supplement and/or amend the prescribed levels and testing methods,
- (ii) prescribe levels for additional components of motor vehicle exhaust emissions, or
- (iii) prescribe levels for emissions for additional types of motor vehicles, including but not limited to medium-duty or heavy-duty gasoline-propelled or diesel-propelled motor vehicles.

In exercising this authority, the Director shall consult with the Director of Environmental Services and shall consider the establishment of exhaust emissions levels for motor vehicles when tested on engines operating at High-Cruise or Low-Cruise revolutions for various engine sizes, whether 2 or 4-stroke, as an alternative to idle mode testing.

"(f) Every motor vehicle either registered or in the process of being registered in the District of Columbia shall have its exhaust emissions systems inspected by means

of an emission test at periodic intervals not more than one year apart at one of the official District Inspection Stations, or at a facility authorized by the Director. The Director shall provide the operator of the tested vehicle with a written or printed description of the results of the test along with an indication of the maximum allowable levels for emissions from the tested vehicle. No vehicle shall be deemed to have passed this inspection unless its exhaust system emissions are within the maximum allowable levels prescribed in subsection (d) or in accordance with section (e) herein.

"(g) The provisions of this section shall not become effective until equivalent provisions are adopted by both the Commonwealth of Virginia and the State of Maryland for their portions of the National Capital Air Quality Control Region. The determination of equivalency shall be made by the Director and shall be published in the D.C. Register and at least one newspaper of general circulation in the District of Columbia. The provisions of this section will become effective 30 days following such publication in the D.C. Register. For a period of one year from the date this section becomes effective, the Director shall compile data on the results of inspection tests conducted pursuant to Section 6.603(f) and may not refuse to register any motor

vehicle in the District of Columbia solely for failure to pass such inspection tests. The Director shall consider amending the exhaust emission levels set forth in Section 6.603(d) during the second and third year after this section becomes effective giving regard to the Council's determination that no more than 20% of the motor vehicles in each category of emission level should fail an exhaust emissions test in such second and third years. Following the third year after this section becomes effective, the Director may amend the exhaust emission levels set forth in Section 6.603(d) without special regard to inspection test failure rates.

"Section 6.604. SEVERABILITY

"The provisions of this Part are severable and if any provision, sentence, clause, section, part thereof is held illegal, invalid or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, unconstitutionality or inapplicability shall not effect or impair any of the remaining provisions, sentences, clauses, sections or parts of the Part of their application to other persons and circumstances."

Sec. 3. Chapter VI of Title 32 of the District of Columbia Rules and Regulations (Motor Vehicle Regulations for the District of Columbia) is amended (a) by repealing

sections 6.402(b), 6.402(c), 6.402(d) and 6.402(e), and (b) by striking out the "(a)" from the remaining provisions of section 6.402.

Sec. 4. The Air Quality Control Regulations (Title 8, D.C.R.R.), adopted by Regulation No. 72-12, are amended as follows:

(a) Section 8-2:714 of such Regulations is amended (1) by repealing subsections (a) and (b); and (2) by redesignating subsections (c) and (d) as subsections "(a)" and "(b)," respectively:

(b) Section 8-2:715 of such Regulations is amended (1) by repealing subsection (a); and (2) by striking out "(b) Stationary Sources."

Sec. 5. This Act shall take effect as provided in Section 602 (c) of the District of Columbia Self-Government and Governmental Reorganization Act.

Considered in Council November 22, 1976First Vote November 22, 1976

RECORD OF COUNCIL VOTE

COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.
TUCKER	X				DIXON	X				SPAULDING	X			
MOORE, D.	X				HARDY	X				WILSON	X			
BARRY	X				HOBSON	X				WINTER	X			
CLARKE	X				MOORE, J.				X					
COATES				X	SHACKLETON	X								

X—Indicates Vote A. B.—Absent N. Y.—Not Voting

Robert Owens

(Secretary of the Council)

Final Vote in Council December 7, 1976

RECORD OF COUNCIL VOTE

COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.
TUCKER	X				DIXON	X				SPAULDING	X			
MOORE, D.	X				HARDY	X				WILSON	X			
BARRY	X				HOBSON	X				WINTER	X			
CLARKE	X				MOORE, J.	X								
COATES				X	SHACKLETON	X								

X—Indicates Vote A. B.—Absent N. Y.—Not Voting

Robert Owens

(Secretary of the Council)

Presented to the Mayor JAN 24 1977

Mayor's Action:

Approved: 7 FEB 1977
Disapproved: _____*Robert Owens*

(Secretary of the Council)

Robert Owens

(Mayor's Signature)

7 FEB 1977

Enacted without Mayor's Signature _____

(Secretary of the Council)