

3745-26-10 Requirements for contractors in the enhanced automobile inspection and maintenance program.

[Comment: For dates and availability of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (MM) of rule 3745-26-01 of the Administrative Code titled "referenced materials."]

- (A) The motor vehicle inspections conducted under the enhanced tailpipe emissions inspection program required under section 3704.14 of the Revised Code shall be conducted by one or more private contractors.
- (B) The contract shall be awarded by the director of administrative services and the contractor shall comply with all aspects of the bid contract as awarded. A contractor may subcontract testing or other services with a person or business, in accordance with the terms of the contract, provided the contractor and subcontractor comply with the contract and this chapter, as applicable.
- (C) The contractor shall construct, maintain and operate computerized, high volume on board diagnostics inspection stations and tailpipe emission inspection stations, except where the director determines that the tailpipe emission inspections are no longer necessary, in a designated program area for the purpose of inspecting vehicles as required under section 3704.14 of the Revised Code. These contractor run vehicle emissions inspection stations shall meet, but not be limited to the following requirements:
 - (1) Eighty per cent of the population that is subject to section 3704.14 of the Revised Code shall be no more than five miles from an emission inspection station and that one hundred per cent of that population be no more than ten miles from an emissions inspection station. In rural areas, one hundred per cent of that population shall be no more than fifteen miles from an inspection station.
 - (2) A majority of the stations shall be in operation for no fewer than forty-five hours per week, which shall include, without limitation, operating hours in the evening and on Saturdays.
 - (3) The amount of time a vehicle must wait within the confines of the queuing area shall not exceed a daily average of fifteen minutes.
- (D) The contractor or any of the contractor's employees are prohibited from having principal interest in a company that is in the business of vehicle repair or service, in vehicle parts sales, or in motor vehicle sales or leasing.
- (E) The contractor shall not refer vehicle owners to any particular vehicle repair service provider.
- (F) The contractor shall provide emission inspection data analyses and furnish to the director summary reports on a weekly, monthly, quarterly, and yearly basis and

special reports as requested by the director to carry out the requirements of section 3704.14 of the Revised Code.

- (G) The director may conduct periodic announced and unannounced audits of testing facilities to ensure that the contractor continues to meet this chapter and the provisions of section 3704.14 of the Revised Code and 40 CFR part 51.
- (H) Each contractor shall be responsible for the upkeep, distribution and replacement of all vehicle inspection reports and other documents necessary or convenient to the program.
- (I) Each VIR shall contain the following statement: "This automobile inspection is the result of requirements under the Clean Air Act as enacted by the United States Congress and enforced by U.S. EPA. Any questions or comments on the need of the testing program can be directed to U.S. EPA at Environmental Protection Agency, Ariel Rios Building, Office of Transportation and Air Quality, 1200 Pennsylvania Ave. NW, Washington, D.C. 20460. <http://www.epa.gov/epahome/comments.htm>."
- (J) Each contractor or subcontractor shall be responsible for complying with equipment requirements and procedures established in 40 CFR Part 51.

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Certification

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