

# Regulatory Announcement

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## Proposed Rule for Amendments to Vehicle Inspection and Maintenance Program Requirements

*The U.S. Environmental Protection Agency (EPA) is proposing a regulation to revise outdated timing-related references in the Inspection and Maintenance (I/M) rule such as submission dates, start dates, evaluation dates, and other milestones and/or deadlines to make them relevant for areas that will be newly required to begin I/M programs as a result of being designated and classified under the 8-hour ozone standard.*

### **Summary of the Proposed Rule**

The Agency is proposing minor revisions to the Motor Vehicle Inspection/Maintenance (I/M) regulation to update submission and implementation deadlines and other timing-related requirements to reflect the nonattainment designations under the new 8-hour National Ambient Air Quality Standards (NAAQS) for ozone. This proposal will also change the model year requirement in the modeling calculation which will establish the emission reduction target for I/M benefits.

## **Key Elements of the Proposed Rule**

This proposal would:

- Establish the implementation deadline for new I/M programs required under the 8-hour standard as 4 years after the effective date of classification under the 8-hour standard. This proposal would also clarify that the deadline for beginning OBD testing will be “coincident with program start up” for areas newly required to implement I/M as a result of being classified under the 8-hour ozone standard.
- Change the current, fixed deadline for beginning program evaluation testing to the more relative deadline of “no later than 1 year after program start up.”
- Establish the submission deadline for new I/M state implementation plans (SIPs) required under the 8-hour standard. The submission deadline dates would be set for 1-year after the effective date of final action on the current proposal.

## **Background**

Under the Clean Air Act as amended in 1990, certain ozone nonattainment areas are required to adopt vehicle I/M programs as one of the mandatory control measures used to reach attainment. On April 30, 2004 (69 FR 23951), EPA published a notice of final rulemaking addressing several key requirements related to the implementation of the 8-hour ozone standard originally promulgated on July 18, 1997 (62 FR 38856). Among other things, the 8-hour ozone standard implementation rule established deadlines for meeting the 8-hour ozone standard based upon a given area’s degree of non-attainment. The rule also addresses when SIPs and attainment demonstration plans must be submitted.

As a result of the changes finalized by the 8-hour implementation rule, EPA is issuing a notice of proposed rulemaking to revise outdated timing-related references in the I/M rule such as submission dates, start dates, evaluation dates, and other milestones and/or deadlines to make them relevant for areas that will be newly required to begin I/M programs as a result of being designated and classified under the 8-hour ozone standard.

## **Public Participation Opportunities**

We welcome your comments on this proposed rule. For instructions on submitting written comments, please see the *Federal Register* notice. It is available from the EPA Air Docket by calling (202) 566-1742; please refer to Docket No. OAR-2004-0095. In addition, you can access the proposed rule and related documents at the Office of Transportation and Air Quality Web site at:

[www.epa.gov/otaq/epg/regs.htm](http://www.epa.gov/otaq/epg/regs.htm).

## **For More Information**

For further information on this proposed rulemaking, please contact:

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