

(e) Section 30 is effective as follows:

(1) The amendment to Minnesota Statutes, section 60K.03, subdivision 2, paragraph (d), is effective January 1, 2000.

(2) The amendment to Minnesota Statutes, section 60K.03, subdivision 2, paragraph (e), is effective the day following final enactment.

Presented to the governor May 14, 1999

Signed by the governor May 18, 1999, 4:20 p.m.

CHAPTER 178—H.F.No. 7

An act relating to the environment; providing for the termination of the motor vehicle emissions testing program by March 1, 2000, or earlier; amending Minnesota Statutes 1998, sections 116.60, by adding a subdivision; 116.61, subdivision 1, and by adding a subdivision; 116.62, subdivisions 2, 3, 5, and by adding a subdivision; and 116.63, subdivision 4; repealing Minnesota Statutes 1998, sections 116.60; 116.61; 116.62; 116.63; 116.64; and 116.65.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1998, section 116.60, is amended by adding a subdivision to read:

Subd. 12. **TWIN CITIES NONATTAINMENT AREA FOR CARBON MON-OXIDE.** "Twin Cities nonattainment area for carbon monoxide" means the areas in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, Washington, and Wright which have been designated as nonattainment for carbon monoxide by the United States Environmental Protection Agency as of January 1, 1999.

Sec. 2. Minnesota Statutes 1998, section 116.61, subdivision 1, is amended to read:

Subdivision 1. **REQUIREMENT.** (a) Except as described provided in subdivision subdivisions 1a and 3, each motor vehicle registered to an owner residing in the metropolitan area and each motor vehicle customarily domiciled in the metropolitan area but exempt from registration under section 168.012 or 473.448 must be inspected annually for air pollution emissions as provided in sections 116.60 to 116.65.

(b) The inspections must take place at a public or fleet inspection station. The inspections must take place within 90 days prior to the registration deadline for the vehicle or, for vehicles that are exempt from license fees under section 168.012 or 473.448, at a time set by the agency.

(c) The registration on a motor vehicle subject to paragraph (a) may not be renewed unless the vehicle has been inspected for air pollution emissions as provided in sections 116.60 to 116.65 and received a certificate of compliance or a certificate of waiver.

Sec. 3. Minnesota Statutes 1998, section 116.61, is amended by adding a subdivision to read:

Subd. 3. **TERMINATION OF TESTING REQUIREMENT.** Notwithstanding subdivision 1, a motor vehicle is not required to be inspected annually for air pollution

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emissions on or after March 1, 2000, or on or after the first day of the second month following the month a notice is published in the Federal Register by the United States Environmental Protection Agency redesignating the Twin Cities nonattainment area for carbon monoxide to attainment for carbon monoxide, whichever is earlier.

Sec. 4. Minnesota Statutes 1998, section 116.62, subdivision 2, is amended to read:

Subd. 2. **CRITERIA AND STANDARDS.** (a) The agency shall adopt rules for the program under chapter 14 establishing standards and criteria governing the testing and inspection of motor vehicles for air pollution emissions.

(b) The rules must specify maximum pollutant emission levels for motor vehicles, giving consideration to the levels of emissions necessary to achieve applicable federal and state air quality standards. The standards may be different for different model years, sizes, and types of motor vehicles, except that the standards must be based on the year of the chassis of the motor vehicle, and not the year of the engine of the motor vehicle.

(c) The rules must establish testing procedures and standards for test equipment used for the inspection. The test procedures or procedures producing comparable results must be available to the automobile pollution equipment repair industry. The test equipment used for the inspection or comparable equipment must be available to the repair industry on the open market.

(d) The rules must establish standards and procedures for the issuance of licenses for fleet inspection stations.

(e) The rules must establish standards and procedures for the issuance of certificates of compliance and waiver.

Sec. 5. Minnesota Statutes 1998, section 116.62, subdivision 3, is amended to read:

Subd. 3. **PUBLIC INSPECTION STATIONS; CONTRACT.** (a) The program shall provide for the inspection of motor vehicles at public inspection stations. The number and location of the stations must provide convenient public access.

(b) The agency shall contract with a private entity for the design, construction, equipment, establishment, maintenance, and operation of the public inspection stations and the provision of related services and functions. The contractor and its officers and employees may not be engaged in the business of selling, maintaining, or repairing motor vehicles or selling motor vehicle replacement or repair parts, except that the contractor may repair any motor vehicle owned or operated by the contractor. The contractor's employees are not employees of the state for any purpose. In evaluating contractors, the agency shall consider the contractors' policies and standards on working conditions of employees. Contracts must require the contractor to operate the public inspection stations for a minimum of five years and may provide for equitable compensation, from the vehicle emission inspection account established by section 116.65, for capital costs and other appropriate expenditures to the contractor, as determined by the agency.

(c) A public inspection station shall inspect and reinspect motor vehicles in accordance with the agency rules and contract. The inspection station shall issue a certificate of compliance for a motor vehicle that has been inspected and determined to comply with the standards and criteria of the agency adopted under this section. If a certificate of compliance cannot be issued, the inspection station shall provide a written inspection report

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describing the reasons for rejection and, when appropriate, the repairs needed or likely to be needed to bring the vehicle into compliance with the standards and criteria.

(d) The agency shall develop a means of responding to inquiries from members of the public about the current status of a motor vehicle under the program, including the last date of inspection, certification of compliance, and the terms under which a certificate of waiver has been issued. The agency shall ensure in its public information program that the public is aware of this service. The agency may contract for the provision of this service.

(e) The agency shall not enter into any contract under this section, or renew any contract previously entered into under this section, that provides for the operation of public inspection stations on or after March 1, 2000, or on or after the first day of the second month following the month a notice is published in the Federal Register by the United States Environmental Protection Agency redesignating the Twin Cities nonattainment area for carbon monoxide to attainment for carbon monoxide, whichever is earlier.

Sec. 6. Minnesota Statutes 1998, section 116.62, subdivision 5, is amended to read:

Subd. 5. **CERTIFICATES OF WAIVER.** (a) A certificate of waiver, valid for one year, must be issued for a motor vehicle following inspection if:

(1) a low emissions adjustment has been performed on the vehicle, following inspection and within 90 days prior to the renewal of registration, and

(2) either the estimated cost of repairs and adjustments necessary to bring the vehicle into compliance with emissions standards or the actual cost of repairs already performed on a vehicle in accordance with the inspection report under subdivision 3 exceeds the repair cost limit.

(b) The following costs may not be considered in determining eligibility for waiver under paragraph (a): costs for repairs made under warranty and costs necessary to repair or replace any emission control equipment that has been removed, dismantled, tampered with, misfueled, or otherwise rendered inoperative in violation of section 325E.0951.

(c) The repair cost limit is \$75 for vehicles manufactured before the 1981 model year, and \$200 for vehicles manufactured in the 1981 model year and after.

(d) A temporary certificate of waiver, valid for not more than 30 days, may be issued to a vehicle to allow time for inspection and necessary repairs and adjustments.

Sec. 7. Minnesota Statutes 1998, section 116.62, is amended by adding a subdivision to read:

Subd. 10. **NOTICE OF PROCEDURES FOR WAIVER AND EXTENSION.** The agency shall provide to the operator of a motor vehicle which fails an annual inspection, at the time the inspection is completed, information on: (1) procedures for obtaining a certificate of waiver or a certificate of temporary extension of the time period for meeting inspection requirements; (2) the criteria for obtaining a certificate of waiver or extension; and (3) the term of any certificate of waiver or extension. The agency may contract for the provision of this service.

Sec. 8. Minnesota Statutes 1998, section 116.63, subdivision 4, is amended to read:

Subd. 4. **FALSE REPAIR COSTS.** A person may not provide false information to a public inspection station or the agency about estimated or actual repair costs or repairs

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needed to bring a motor vehicle into compliance with the standards of the agency. A person may not claim an amount spent for repair if the repairs were not made or the amount not spent.

Sec. 9. PROHIBITION ON FEE INCREASE.

The pollution control agency must not impose any additional, nor collect any increase in, fees from stationary sources, stationary emission facilities, or stationary emissions units to offset or recover any reduction in the aggregate amount of fees collected under the vehicle inspection program before fiscal year 2001.

Sec. 10. REPEALER.

(a) Minnesota Statutes 1998, sections 116.60; 116.61; 116.62; 116.63; and 116.64, are repealed.

(b) Minnesota Statutes 1998, section 116.65, is repealed.

Sec. 11. EFFECTIVE DATE.

Sections 4, 6, 7, and 8 are effective December 1, 1999. Section 10, paragraph (a), is effective March 1, 2000. Section 10, paragraph (b), is effective June 1, 2000.

Presented to the governor May 14, 1999

Signed by the governor May 18, 1999, 4:22 p.m.

CHAPTER 179—S.F.No. 1329

An act relating to cities; limiting license fees on coin and currency activated amusement machines; proposing coding for new law in Minnesota Statutes, chapter 449.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [449.15] LIMITED LICENSE FEES ON AMUSEMENT MACHINES.

A home rule charter or statutory city may impose by ordinance a license fee on amusement machines of no more than the demonstrated and verifiable actual cost of issuing the license or \$15 per location plus \$15 per machine.

Presented to the governor May 15, 1999

Signed by the governor May 19, 1999, 4:10 p.m.

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