

1 Pollution Control Agency

2

3 Adopted Permanent Rules Relating to Motor Vehicle Inspection and
4 Testing Program

5

6 Rules as Adopted

7 7005.5010 DEFINITIONS.

8 Subpart 1. Scope. The definitions in part 7005.0100 apply
9 to the terms used in parts 7005.5010 to 7005.5105, unless the
10 terms are defined in this part.

11 Subp. 2. Agency representative. "Agency representative"
12 means an agency employee or contractor designated by the
13 commissioner to conduct inspections and tests, gather
14 information, and perform other activities related to vehicle
15 inspection and testing.

16 Subp. 3. Calibration gas. "Calibration gas" means a gas
17 or gas mixture of known concentration that is used to establish
18 the response curve of an emission analyzer.

19 Subp. 4. Certificate of compliance. "Certificate of
20 compliance" means a serially numbered inspection report marked
21 "passed" indicating a motor vehicle complies with the
22 requirements of parts 7005.5010 to 7005.5105.

23 Subp. 5. Certificate of waiver. "Certificate of waiver"
24 means a serially numbered inspection report marked "waived"
25 indicating that a motor vehicle complies with the requirements
26 of part 7005.5055.

27 Subp. 6. Commissioner. "Commissioner" means the
28 commissioner of the Pollution Control Agency.

29 Subp. 7. Constant four-wheel drive. "Constant four-wheel
30 drive" means four-wheel drive that cannot be converted to
31 two-wheel drive except by removing one of the vehicle's drive
32 shafts.

33 Subp. 8. Contractor. "Contractor" means a person,
34 business firm, partnership, or corporation with whom the agency
35 has a contract that provides for the operation of one or more

1 inspection stations.

2 Subp. 9. Customarily domiciled. "Customarily domiciled"
3 means that a vehicle, although registered to an owner residing
4 in the metropolitan area, is kept outside the metropolitan area
5 for a minimum of 11 months each calendar year and is not
6 generally used for transportation within the metropolitan area.

7 Subp. 10. Dealer. "Dealer" has the meaning given in
8 Minnesota Statutes, section 168.27.

9 Subp. 11. Department. "Department" means the Department
10 of Public Safety.

11 Subp. 12. Drive wheels. "Drive wheels" means the pair of
12 wheels that propel a vehicle.

13 Subp. 13. Emission control equipment inspection.
14 "Emission control equipment inspection" means the inspection of
15 the emission control equipment conducted by the waiver
16 surveillance inspector under part 7005.5060.

17 Subp. 14. Emission inspector. "Emission inspector" means
18 the individual who performs the vehicular inspection for the
19 contractor.

20 Subp. 15. Exhaust emissions. "Exhaust emissions" means
21 substances emitted into the atmosphere from the tailpipe of a
22 motor vehicle.

23 Subp. 16. Field audit gas. "Field audit gas" means a gas
24 with assigned concentrations that is required to check the
25 accuracy of emission analyzers and calibration gas used by
26 inspection stations, fleet inspection stations, and vehicular
27 repair facilities.

28 Subp. 17. Fleet inspection station. "Fleet inspection
29 station" means a facility for the inspection of motor vehicle
30 fleets operated under a permit issued by the agency under part
31 7005.5080.

32 Subp. 18. Fleet owner. "Fleet owner" means an owner of at
33 least 50 subject vehicles, or two or more persons each owning 25
34 or more subject vehicles.

35 Subp. 19. Fleet vehicle. "Fleet vehicle" means a subject
36 motor vehicle owned by a person holding a fleet inspection

1 station permit.

2 Subp. 20. **Idle mode test.** "Idle mode test" means an
3 exhaust emission test conducted with the vehicle at idle.

4 Subp. 21. **Inspection report.** "Inspection report" means a
5 document issued by an inspection station or fleet inspection
6 station that indicates the vehicle has been inspected in
7 accordance with parts 7005.5010 to 7005.5105.

8 Subp. 22. **Inspection station.** "Inspection station" means
9 a facility for motor vehicle inspection operated under contract
10 with the agency.

11 Subp. 23. **Letter of annual exemption.** "Letter of annual
12 exemption" means a letter issued by the commissioner for the
13 annual exemption of a vehicle from the state vehicle inspection
14 requirements as prescribed in part 7005.5070.

15 Subp. 24. **Letter of temporary extension.** "Letter of
16 temporary extension" means a letter issued by the commissioner
17 for the extension of the time period for a vehicle to meet state
18 vehicle inspection requirements as prescribed in part 7005.5070.

19 Subp. 25. **Loaded mode.** "Loaded mode" means operation of a
20 vehicle at approximately 30 miles per hour on the chassis
21 dynamometer as prescribed in part 7005.5030, subpart 6.

22 Subp. 26. **Low emission adjustment.** "Low emission
23 adjustment" means diagnostic or repair procedures that are
24 likely to reduce carbon monoxide or hydrocarbon emissions and
25 are included on a list established by the commissioner under
26 part 7005.5065, subpart 4.

27 Subp. 27. **Metropolitan area.** "Metropolitan area" has the
28 meaning given in Minnesota Statutes, section 473.121.

29 Subp. 28. **Model year.** "Model year" means the date of
30 manufacture of the original vehicle within the annual production
31 period of the vehicle as designated by the manufacturer. If the
32 manufacturer does not designate a production period, "model
33 year" means the calendar year.

34 Subp. 29. **Motor vehicle or vehicle.** "Motor vehicle" or
35 "vehicle" means a passenger automobile, station wagon, pickup
36 truck, or van, as defined in Minnesota Statutes, section

1 168.011, licensed for use on the public streets and highways or
2 a passenger automobile, station wagon, pickup truck, or van
3 exempt from registration or fees under Minnesota Statutes,
4 section 168.012, subdivision 1, or 437.448.

5 Subp. 30. **Nonfleet vehicle.** "Nonfleet vehicle" means any
6 subject vehicle except for a subject vehicle owned by a person
7 holding a fleet inspection station permit.

8 Subp. 31. **Owner.** "Owner" means "registered owner" as
9 defined in Minnesota Statutes, section 168.011, subdivision 5a.

10 Subp. 32. **Registrar.** "Registrar" means the registrar or
11 deputy registrar of motor vehicles under Minnesota Statutes,
12 section 168.33.

13 Subp. 33. **Rescue vehicles.** "Rescue vehicles" means
14 vehicles that are used for rescue operations.

15 Subp. 34. **Span gas.** "Span gas" means a gas of known
16 concentration that is used routinely to set the output level of
17 an emission analyzer.

18 Subp. 35. **Subject vehicle.** "Subject vehicle" means a
19 non-tax-exempt motor vehicle registered to an owner residing in
20 the metropolitan area or a tax-exempt motor vehicle customarily
21 domiciled in the metropolitan area except:

22 A. a motor vehicle manufactured before the 1976 model
23 year;

24 B. a motor vehicle with an engine manufactured for a
25 model year before 1976;

26 C. a motor vehicle registered as classic, pioneer,
27 collector, or street rod under Minnesota Statutes, section
28 168.10;

29 D. a motor vehicle powered solely by diesel fuel,
30 electricity, natural gas, propane, pure alcohol, or hydrogen;

31 E. a motor vehicle powered solely by a diesel cycle
32 engine; and

33 F. fire apparatus, ambulances, and rescue vehicles.

34 Subp. 36. **Tampering inspection.** "Tampering inspection"
35 means the inspection of the catalytic converter, fuel inlet
36 restrictor, and the gas cap conducted by the emission inspector

1 under part 7005.5025.

2 Subp. 37. **Tax-exempt.** "Tax-exempt" means exempt from
3 license fees under Minnesota Statutes, section 168.012,
4 subdivision 1, or 473.448.

5 Subp. 38. **Waiver.** "Waiver" means the act of excusing a
6 motor vehicle from complying with part 7005.5050, subpart 2.

7 Subp. 39. **Waiver surveillance inspector.** "Waiver
8 surveillance inspector" means the agency employee or contractor
9 charged with performing the emission control equipment
10 inspection and approving or disapproving applications for
11 certificates of waiver.

12 7005.5015 INSPECTION REQUIREMENT.

13 Subpart 1. **General.** In accordance with Minnesota
14 Statutes, sections 116.60 to 116.65, and parts 7005.5010 to
15 7005.5105, subject vehicles shall be inspected annually at an
16 inspection station or a fleet inspection station.

17 Subp. 2. **Inspection requirement.** Subject vehicles shall
18 be inspected according to the following schedule:

19 A. for non-tax-exempt subject vehicles, the
20 inspection must be completed at an inspection station or fleet
21 inspection station as a prerequisite to registration renewal
22 within 90 days before expiration of current registration; or

23 B. for tax-exempt subject vehicles, the inspection
24 shall be completed annually:

25 (1) at an inspection station during the months of
26 January and February; or

27 (2) at a fleet inspection station at a time
28 designated by the owner and approved by the commissioner.

29 Subp. 3. **Reinspections.** Subject vehicles exceeding the
30 maximum allowable emission concentrations or failing the
31 tampering inspection during the vehicle's inspection are
32 entitled to reinspection under part 7005.5035.

33 7005.5020 DESCRIPTION OF INSPECTION AND DOCUMENTS REQUIRED.

34 Subpart 1. **Location and components of inspection.** Except
35 as provided in part 7005.5035, item D, an inspection shall

1 consist of a tampering inspection and an exhaust emission test.
2 The inspection and testing shall be performed at an inspection
3 station or fleet inspection station.

4 Subp. 2. Document requirements. Each vehicle that is
5 inspected at an inspection station must be accompanied by one of
6 the following documents that identifies the vehicle by make,
7 model year, vehicle identification number, license plate number,
8 and registered owner's name and address: a current Minnesota
9 registration renewal notice, a current Minnesota registration
10 card, or a Minnesota certificate of title.

11 7005.5025 TAMPERING INSPECTION.

12 Each subject vehicle shall be visually inspected for and
13 shall be required to have an unvented fuel cap, a fuel inlet
14 restrictor, and a catalytic converter if the vehicle was
15 equipped with these items at the time of manufacture. If an
16 unvented fuel cap is not in place, the tampering inspection
17 shall continue and the owner shall be advised to replace the
18 unvented fuel cap. If the fuel inlet restrictor or catalytic
19 converter is not in place or is damaged, the vehicle shall fail
20 the tampering inspection, except as provided in items C and D.

21 A. If the catalytic converter is not in place or is
22 damaged, the owner shall replace the catalytic converter. If
23 the fuel inlet restrictor is not in place or is damaged, the
24 owner shall repair or replace the fuel inlet restrictor and
25 replace the catalytic converter. Fuel inlet restrictors shall
26 be replaced with original manufacturer's equipment or equivalent.
27 Catalytic converters shall be replaced with original
28 manufacturer's equipment or new after-market equipment **certified**
29 that meets the emission reduction requirements and criteria
30 established by the United States Environmental Protection Agency.

31 B. In a tampering dispute, the vehicle owner or
32 operator may elect to leave the tampering inspection area to
33 seek proof of nontampering, such as obtaining emission control
34 system information from another source, and return to the same
35 inspection facility with documentation within 20 days and

1 continue with the tampering inspection. The contractor may not
2 bill the agency for an inspection upon the owner's or operator's
3 return visit to continue the tampering inspection.

4 C. If the vehicle owner provides to the waiver
5 surveillance inspector a release letter concerning the vehicle
6 from the United States Environmental Protection Agency addressed
7 to the United States Customs Service granting the vehicle
8 exemption from conformity with federal emission requirements,
9 the vehicle shall pass the tampering inspection.

10 D. If the vehicle owner presents satisfactory
11 evidence and signs an affidavit certifying to the waiver
12 surveillance inspector that the vehicle is a show car used
13 primarily for transportation to and from and in exhibitions of
14 show cars, and that the vehicle is not generally used for
15 transportation, the vehicle shall pass the tampering inspection.

16 7005.5030 EXHAUST EMISSION TEST.

17 Subpart 1. Procedure. The exhaust emission testing
18 procedure shall consist of the following procedure performed in
19 accordance with Code of Federal Regulations, title 40, section
20 85.2212, as amended:

21 A. the vehicle shall be tested in idle mode with the
22 transmission in neutral;

23 B. the vehicle shall be tested with the engine
24 running at normal operating temperature and not overheating, as
25 indicated by gauge, warning light, or boiling radiator, with all
26 accessories off;

27 C. the vehicle shall be nearly level when tested, to
28 prevent abnormal fuel distribution; and

29 D. vehicles with multiple exhaust pipes may be tested
30 by simultaneous sampling of all tail pipes or by sampling each
31 tail pipe. In the later case, the measurements for hydrocarbon
32 as hexane, carbon monoxide, and carbon dioxide shall be
33 numerically averaged.

34 Subp. 2. Exhaust emissions to be tested. The emission
35 test for subject vehicles shall consist of sampling the exhaust

1 emissions from the vehicle tail pipe or tail pipes and measuring
2 the concentrations of hydrocarbon as hexane, carbon monoxide,
3 and carbon dioxide. Exhaust emission concentrations shall be
4 recorded after stabilized readings are obtained or at the end of
5 30 seconds, whichever occurs first.

6 Subp. 3. Exhaust emission standards. A motor vehicle that
7 is subject to inspection under part 7005.5015 and Minnesota
8 Statutes, sections 116.60 to 116.65, must not emit carbon
9 monoxide or hydrocarbon as hexane from the exhaust system in
10 concentrations greater than those in Table 1 or 2, whichever is
11 in effect, when measured in an inspection conducted under parts
12 7005.5010 to 7005.5105. A subject vehicle that emits carbon
13 monoxide or hydrocarbon as hexane from the exhaust system in
14 concentrations greater than those in Table 1 or 2, whichever is
15 in effect, shall fail the emission test. Table 1 is effective
16 through December 31, 1992. Table 2 is effective beginning
17 January 1, 1993.

18 TABLE 1

19 TABLE OF MAXIMUM ALLOWABLE EMISSION CONCENTRATIONS
20 EFFECTIVE UNTIL DECEMBER 31, 1992

21 Model Year	22 Maximum Allowable Emission Concentrations	
	23 Hydrocarbon as hexane	24 Carbon Monoxide
	25 (parts per million	26 (as a percent
	27 of exhaust)	28 of exhaust)
25 1976-1977	600	6.0
26 1978-1979	400	4.0
27 1980	275	2.5
28 1981 and later	220	1.2

30 TABLE 2

31 TABLE OF MAXIMUM ALLOWABLE EMISSION CONCENTRATIONS
32 EFFECTIVE JANUARY 1, 1993

33 Model Year	34 Maximum Allowable Emission Concentrations	
	35 Hydrocarbon as hexane	36 Carbon Monoxide
	37 (parts per million	38 (as a percent
	39 of exhaust)	40 of exhaust)
37 1976-1977	600	5.5
38 1978-1979	400	3.5
39 1980	275	2.0
40 1981 and later	220	1.2

41
42 Subp. 4. Grounds for prohibition of inspection. Items A
43 to C constitute grounds for the emission inspector to prohibit
44 the inspection in part 7005.5020 and the entrance of the vehicle
45 into the testing lanes:

46 A. the vehicle is carrying explosives or other

1 hazardous material not used as fuel for the vehicle;

2 B. gasoline, oil, or other fluid leaks are apparent
3 and constitute a safety hazard; or

4 C. the vehicle is being towed or is towing a trailer.

5 Subp. 5. Grounds for prohibiting or invalidating the
6 exhaust emission test. Items A and B constitute grounds for the
7 emission inspector to invalidate the exhaust emission test
8 results and refuse to continue with the test until the
9 conditions are corrected:

10 A. the vehicle's exhaust system has an obvious
11 leakage or other condition that could affect the validity of the
12 exhaust sample readings as determined by the emission inspector;
13 and or

14 B. the measured carbon dioxide concentration is less
15 than four percent by volume.

16 Subp. 6. Loaded mode preconditioning after failing exhaust
17 emission test. If the vehicle fails the exhaust emission test,
18 the vehicle shall be preconditioned on the chassis dynamometer
19 and the procedures and diagnostic testing shall be conducted in
20 accordance with items A and B. After preconditioning, the
21 vehicle shall be tested at idle according to subparts 1 to 3.

22 A. The loaded mode preconditioning and diagnostic
23 analysis consist of positioning the vehicle driving wheels on a
24 chassis dynamometer, placing an emission sampling probe into the
25 tailpipe, and analyzing the collected exhaust sample. The
26 analysis for hydrocarbon as hexane and carbon monoxide is for
27 diagnostic information only.

28 B. Vehicles shall be tested in the following manner:

29 (1) vehicles shall be run in drive for automatic
30 transmissions and third gear for manual transmissions;

31 (2) during the loaded mode, the vehicle's engine
32 shall be run at a constant throttle position to maintain the
33 cruising speed for at least 30 seconds;

34 (3) the vehicle speed of 30 plus or minus two
35 miles per hour as measured from the dynamometer idle roll shall
36 be used for all loaded conditions to provide appropriate

1 diagnostic information for vehicles that fail the emission test;

2 (4) the vehicle shall be tested with the engine
3 running at normal operating temperature and not overheating, as
4 indicated by gauge, warning light, or boiling radiator, with all
5 accessories turned off;

6 (5) the vehicle shall be nearly level when
7 tested, to prevent abnormal fuel distribution; and

8 (6) vehicles with multiple exhaust pipes shall be
9 tested by simultaneous sampling of all tail pipes or by sampling
10 each tail pipe. In the latter case, the measurements for
11 hydrocarbon as hexane, carbon monoxide, and carbon dioxide shall
12 be numerically averaged.

13 Subp. 7. Grounds for omitting loaded mode preconditioning.

14 The following constitute grounds for the emission inspector to
15 omit the loaded mode preconditioning on a vehicle:

16 A. the vehicle has a driving wheel with a tire having
17 less than 2/32 inch of tread or with metal protuberances or with
18 obviously low tire pressure, as determined by superficial visual
19 inspection; or

20 B. any other condition that in the opinion of the
21 vehicle emission inspector precludes the use of loaded mode
22 preconditioning for reasons of health and safety or damage, or
23 both, to personnel, facilities, equipment, or the vehicle.

24 Subp. 8. When loaded mode preconditioning shall be
25 omitted. Loaded mode preconditioning shall be omitted if:

26 A. the person presenting the vehicle for inspection
27 refuses loaded mode preconditioning;

28 B. the vehicle is unable to attain the speed
29 specified in subpart 6, item B, subitem (3);

30 C. the vehicle is equipped with constant four-wheel
31 drive;

32 D. the vehicle is driven by a person who, because of
33 physical incapacity, is unable to yield the driver's seat to the
34 emission inspector; or

35 E. the vehicle is driven by a person who refuses to
36 yield the driver's seat to the emission inspector.

1 Subp. 9. **Alternate preconditioning.** A vehicle for which
2 loaded mode preconditioning is omitted under subpart 7 or 8
3 shall be preconditioned by completing items A to D.

4 A. the vehicle's transmission shall be placed in
5 neutral;

6 B. the vehicle's engine speed shall be increased to
7 2,500 plus or minus 300 revolutions per minute as measured by a
8 tachometer;

9 C. the speed in item B shall be maintained for at
10 least 30 seconds; and

11 D. the vehicle engine speed shall be returned to idle.

12 After preconditioning, the vehicle shall be tested at idle
13 as described in subparts 1 to 3.

14 Subp. 10. **Reconstructed vehicles.** All reconstructed
15 subject vehicles shall be tested for compliance with the exhaust
16 emission standards in subpart 3, Table 1 or 2, whichever is in
17 effect, using the standards applicable to the year of
18 manufacture of the engine installed in the vehicle.

19 Subp. 11. **Exchanged engines.** For the purposes of parts
20 7005.5010 to 7005.5105, a motor vehicle with an exchanged engine
21 shall be classified by the model year and manufacturer's make of
22 the exchanged engine. Classification of a motor vehicle with an
23 exchanged engine under parts 7005.5010 to 7005.5105, and receipt
24 of a certificate of compliance or certificate of waiver for the
25 motor vehicle shall not exempt the owner of the motor vehicle
26 from the requirements of part 7005.1190 and Minnesota Statutes,
27 section 325E.0951.

28 7005.5035 REINSPECTIONS.

29 Vehicles that fail the inspection under parts 7005.5020 to
30 7005.5030 shall be allowed reinspection after repair or
31 adjustment of the vehicle.

32 A. A vehicle failing the inspection may be
33 reinspected at any inspection station after the vehicle has been
34 repaired under part 7005.5050.

35 B. The vehicle shall be accompanied by its previous

1 inspection reports and repair information. The repair
2 information must be completed by the person performing the
3 repairs and shall be indicated in the space provided on the
4 inspection report form.

5 C. The reinspection must take place within 30
6 consecutive calendar days after the initial inspection, unless
7 the owner presents satisfactory evidence that the repairs and
8 adjustments that were performed on the vehicle and the
9 reinspection could not have been completed within 30 days.

10 D. The vehicle presented for reinspection shall be
11 inspected only for the ~~items-which~~ portions of the test that
12 were failed as indicated on the vehicle's previous inspection
13 report form. If the owner or operator does not provide a copy
14 of the inspection report forms as required in item B, then both
15 a tampering inspection and exhaust emission test shall be
16 conducted.

17 E. A vehicle shall be eligible for no more than two
18 reinspections unless the owner pays an additional fee under part
19 7005.5105, subpart 2.

20 F. If the vehicle passes the reinspection, the
21 contractor shall issue a vehicle inspection report under part
22 7005.5040 and certificate of compliance under part 7005.5045.
23 The certificate of compliance and the inspection report may be
24 combined into a single form.

25 G. If the vehicle cannot pass the reinspection, the
26 contractor shall issue a vehicle inspection report under part
27 7005.5050 indicating noncompliance. The owner may then be
28 eligible to apply for a certificate of waiver under part
29 7005.5055. If the owner requests a certificate of waiver, the
30 waiver surveillance inspector shall review the request and shall
31 approve or deny the request in accordance with part 7005.5055.

32 7005.5040 VEHICLE INSPECTION REPORT.

33 Subpart 1. Required items. The owner or operator of each
34 vehicle inspected shall be provided with a vehicle inspection
35 report at the time of each inspection. The vehicle inspection

- 1 report shall be a design approved by the commissioner and shall
2 provide space for the following information:
- 3 A. license plate number;
 - 4 B. vehicle identification number;
 - 5 C. model year of vehicle;
 - 6 D. model year of engine;
 - 7 E. make of vehicle;
 - 8 F. vehicle type;
 - 9 G. odometer reading, in thousands of miles;
 - 10 H. maximum allowable exhaust emission concentrations;
 - 11 I. exhaust emission measurements of hydrocarbon as
12 hexane, carbon monoxide, and carbon dioxide;
 - 13 J. statement of pass/fail or valid/not valid, or
14 waiver and the reasons, if applicable;
 - 15 K. inspection/reinspection number for subject
16 vehicle;
 - 17 L. date and time of inspection;
 - 18 M. serial number of report;
 - 19 N. inspection station number, lane, inspector, and
20 analyzer number;
 - 21 O. reason for test termination before completion of
22 test;
 - 23 P. description of the low emission adjustment that is
24 likely to reduce a vehicle's carbon monoxide and hydrocarbon
25 emissions;
 - 26 Q. tampering inspection and results;
 - 27 R. for a failed vehicle:
 - 28 (1) serial number of the previous test reports;
 - 29 (2) for a post-1980 model year vehicle,
30 certification that the test was performed in accordance with the
31 emission control system performance warranty short test;
 - 32 (3) for a nonfleet vehicle, the printed name or
33 identification number of an individual who either performed the
34 test or has actual knowledge of the performance of the test, or
35 for a fleet vehicle, the signature of the individual who
36 performed the test; and

- 1 (4) diagnostic information, as appropriate;
- 2 S. itemization of the repairs performed (repair
- 3 actions or parts replacement may be coded);
- 4 T. cost of the emission-related repairs, or estimated
- 5 cost of the emission-related repairs required if the repairs
- 6 exceed the maximum specified repair cost, and cost of the low
- 7 emission adjustment;
- 8 U. analyzer serial or identification number, if used
- 9 by the individual performing the repairs;
- 10 V. idle exhaust emission concentrations of
- 11 hydrocarbon as hexane and carbon monoxide, if an analyzer is
- 12 used when making repairs;
- 13 W. complete name, address, telephone number, and
- 14 federal identification number or social security number of the
- 15 business or person making the repairs; and
- 16 X. date and signature of the person making the
- 17 repairs.

18 Subp. 2. **Responsibility for completion of form.** The

19 contractor shall be responsible for the completion of subpart 1,

20 items A to R, for all nonfleet vehicles. The person performing

21 the repairs or making the cost estimates shall be responsible

22 for completion of subpart 1, items S to X.

23 Subp. 3. **Inspection report supplement.** The owner or

24 operator of each vehicle failing the initial inspection shall

25 receive an inspection report supplement, approved by the

26 commissioner, containing:

- 27 A. the repair cost limit for emission-related
- 28 repairs;
- 29 B. a description of low emission adjustment list;
- 30 C. the probable causes of noncompliance if diagnostic
- 31 information is provided; and
- 32 D. instructions for waiver applications if failure of
- 33 reinspection has occurred.

34 7005.5045 CERTIFICATE OF COMPLIANCE.

35 A certificate of compliance must be issued by an inspection

1 station or fleet inspection station to a subject vehicle that
2 passes the tampering inspection and exhaust emission test.

3 The certificate of compliance shall be presented to the
4 owner by personnel employed by the inspection station, fleet
5 inspection station, or by the waiver surveillance inspector, as
6 appropriate, upon receipt of the final vehicle inspection report
7 indicating that the vehicle is in compliance with parts
8 7005.5010 to 7005.5105. The certificate of compliance shall be
9 of a design approved by the department and the commissioner and
10 shall contain, at a minimum, the date of the test and the
11 vehicle identification number to uniquely identify the vehicle.
12 The owner shall present the certificate of compliance to the
13 department when making application for registration renewal.

14 7005.5050 VEHICLE NONCOMPLIANCE AND REPAIR.

15 Subpart 1. Tampering inspection. If the subject vehicle
16 fails the tampering inspection or reinspection under part
17 7005.5025 or 7005.5035, the contractor shall issue an inspection
18 report that indicates noncompliance.

19 A subject vehicle that fails its tampering inspection shall
20 not be eligible to have its registration renewed unless:

21 A. the owner replaces or repairs the fuel inlet
22 restrictor or replaces the catalytic converter under part
23 7005.5025;

24 B. the person completing the repairs has properly
25 completed the repair portion of the vehicle inspection report
26 form;

27 C. the person completing the repairs has signed the
28 repair portion of the inspection report form; and

29 D. the vehicle passes the tampering reinspection.

30 Subp. 2. Exhaust emission test. If the subject vehicle
31 fails the exhaust emission test or retest under part 7005.5030
32 or 7005.5035, the contractor shall issue an inspection report
33 that indicates noncompliance.

34 A subject vehicle that fails its exhaust emission test
35 shall not be eligible to have its registration renewed until

1 items A to D have been completed or a certificate of waiver has
2 been issued under part 7005.5055:

3 A. the owner repairs or adjusts the vehicle to reduce
4 carbon monoxide and hydrocarbon as hexane emissions in
5 accordance with the inspection report form and its supplement
6 under part 7005.5040;

7 B. the person completing the repairs has completed
8 the repair portion of the vehicle inspection report form;

9 C. the person completing the repairs has signed the
10 repair portion of the vehicle inspection report form; and

11 D. the vehicle passes the exhaust emission retest.

12 7005.5055 CERTIFICATE OF WAIVER.

13 Subpart 1. Eligibility. A vehicle, including a fleet
14 vehicle, that has failed its initial exhaust emission test and
15 at least one exhaust emission retest is eligible for a waiver,
16 valid for no longer than the annual registration period, if it
17 meets the following criteria:

18 A. the vehicle has failed to meet the appropriate
19 standards of compliance for hydrocarbon as hexane or carbon
20 monoxide emissions on its initial test and at least one exhaust
21 emission retest after repair of the vehicle;

22 B. for post-1980 model year vehicles whose mileage is
23 less than 50,000 miles and whose age is less than five years,
24 the vehicle owner presents a signed statement from an
25 appropriate new car dealership stating that the vehicle is not
26 eligible for emission control system warranty work;

27 C. the owner or a mechanic has diagnosed and
28 attempted to repair the vehicle to pass reinspection, including
29 interrogation of appropriate on board diagnostic systems;

30 D. except as provided in item E, the owner presents
31 satisfactory evidence to the waiver surveillance inspector that
32 a low emission adjustment, as described in part 7005.5065,
33 subpart 4, as appropriate according to the exhaust emission test
34 results, has been performed on the vehicle after the initial
35 exhaust emission test and within 90 days before renewal of

1 registration;

2 E. the owner presents satisfactory evidence to the
3 waiver surveillance inspector that either of the following
4 exceeds the repair cost limit under part 7005.5065, as modified
5 by part 7005.5055, subpart 2, item B:

6 (1) the actual cost of the low emission
7 adjustment as appropriate to the exhaust emission test results
8 on the inspection report form; or

9 (2) the actual cost under subitem (1) plus the
10 actual or estimated cost of additional repairs or adjustments
11 necessary to bring the vehicle into compliance with exhaust
12 emission standards;

13 F. the owner complies with evidence requirements
14 under part 7005.5065;

15 G. the person performing the repairs or preparing the
16 estimate completes all parts of the repair portion of the
17 vehicle inspection report form and signs the report form; and

18 H. the vehicle passes the tampering inspection under
19 part 7005.5025 or 7005.5035, if applicable, and emission control
20 equipment inspection under part 7005.5060.

21 Subp. 2. **Waivers following repairs by persons other than**
22 **mechanics.**

23 A. In cases in which a person other than a mechanic,
24 including an owner, attempts to repair a vehicle, the person
25 must take the actions listed on the low emission adjustment
26 list, as appropriate according to the exhaust emission test
27 results, and attempt to diagnose and perform other repairs
28 necessary to bring the vehicle into compliance as if the vehicle
29 were being presented for repair to a mechanic.

30 B. In cases where a person other than a mechanic
31 attempts repair or in cases where there is no charge for the
32 labor of vehicle repair, the repair cost limit of part 7005.5065
33 must be reduced solely by the expenditure for emission-related
34 parts including parts on the low emission adjustment list. The
35 owner shall comply with evidence requirements under part
36 7005.5065.

1 Subp. 3. Waiver documentation review. The waiver
2 surveillance inspector's duties in reviewing waiver requests
3 consist of the provisions in items A to E.

4 A. To deny the issuance of a waiver to a vehicle
5 unable to pass the emission control equipment inspection
6 required by part 7005.5060.

7 B. To determine whether the vehicle should qualify
8 for warranty repairs under applicable federal law. If so, the
9 waiver surveillance inspector shall determine whether the owner
10 has a signed statement from an appropriate new car dealership
11 stating that the vehicle is not eligible for emission control
12 system warranty work. The agency shall distribute and require
13 the use of a standard form for this purpose. The statement
14 shall be signed and dated by the new car dealership after the
15 vehicle failed its initial inspection and shall identify the
16 vehicle and the dealership. If the owner has a statement
17 conforming to these requirements, it shall be delivered to the
18 waiver surveillance inspector who shall proceed with the
19 remainder of the waiver duties described in items C to E. If
20 the owner does not have a statement conforming to these
21 requirements, no waiver shall be issued.

22 C. To verify that the repair and waiver documentation
23 presented by the owner is properly completed and that the
24 documents indicate that the waiver criteria have been met. The
25 inspector shall also verify that the repair facility name and
26 location are legible.

27 D. To issue a certificate of waiver if all waiver
28 criteria have been met.

29 E. If a waiver has been requested but not all
30 criteria have been met, explain to the owner what criteria are
31 not satisfied and how they may be met. The agency shall provide
32 printed explanations of the waiver process and criteria that the
33 inspector will distribute to owners who are denied a waiver.

34 Subp. 4. Form of certificate of waiver. The owner of a
35 vehicle granted a waiver shall receive a certificate of waiver,
36 which shall be proof of compliance with part 7005.5055. Each

1 valid certificate of waiver shall contain, at a minimum, the
2 date of the test and the vehicle identification number to
3 uniquely identify the vehicle.

4 The certificate of waiver and the vehicle inspection report
5 printed by an automated emission testing system may be combined
6 into a single form. The owner shall present the certificate of
7 waiver to the department when making application for
8 registration renewal.

9 Subp. 5. **Waiver due to technical difficulties.** The waiver
10 surveillance inspector shall issue a waiver for a vehicle that
11 cannot be subjected to the inspection required by parts
12 7005.5010 to 7005.5105 because of technical difficulties
13 inherent in the manufacturer's design or construction, excluding
14 tampering, of the vehicle. A copy of the waiver shall be
15 retained for the agency's use.

16 A vehicle that, in the opinion of a mechanic employed by a
17 fleet station, cannot be inspected because of technical
18 difficulties inherent in the manufacturer's design or
19 construction, excluding tampering, or because of limitations of
20 the fleet station's inspection equipment, shall be referred to
21 the waiver surveillance inspector. The waiver surveillance
22 inspector shall indicate concurrence on that vehicle's
23 inspection report by signature if the inspector concurs that a
24 waiver due to technical difficulties should be issued for the
25 vehicle. The fleet station mechanic shall then issue a
26 certificate of waiver. A copy of the waiver shall be returned
27 for the agency's use.

28 Subp. 6. **Thirty-day waiver.** The waiver surveillance
29 inspector shall issue a temporary waiver valid for no more than
30 30 days to allow time for repair and reinspection after the
31 registration renewal date. If the vehicle is not issued a
32 certificate of waiver or certificate of compliance within the
33 30-day period, the commissioner shall ~~send-a-notice-requesting~~
34 ~~registration-cancellation-to-the-department~~ request the
35 department not to renew the owner's registration unless the
36 vehicle has been issued a certificate of compliance or

1 certificate of waiver prior to registration renewal.

2 7005.5060 EMISSION CONTROL EQUIPMENT INSPECTION AS A CONDITION
3 OF WAIVER.

4 Subpart 1. Emission control equipment inspection. If a
5 certificate of waiver is requested under part 7005.5055, the
6 vehicle shall be checked by the waiver surveillance inspector
7 for obvious tampering with the emission control equipment. The
8 waiver surveillance inspector shall visually inspect for obvious
9 tampering, removal, or disassembly of parts. At a minimum, the
10 waiver surveillance inspector shall check if any elements of the
11 factory-installed motor vehicle pollution control system are not
12 in place or have been modified, altered, or damaged in a manner
13 that decreases its efficiency or effectiveness in control of air
14 pollution in violation of part 7005.1190 or Minnesota Statutes,
15 section 325E.0951.

16 Subp. 2. Failure of emission control equipment
17 inspection. Except for vehicles described in part 7005.5025,
18 item C or D, the vehicle shall fail the emission control
19 equipment inspection if any elements of the factory-installed
20 motor vehicle pollution control system are not in place or have
21 been modified, altered, or damaged in a manner that decreases
22 its efficiency or effectiveness in the control of air pollution
23 in violation of part 7005.1190 or Minnesota Statutes, section
24 325E.0951.

25 Subp. 3. Repair or replacement. The owner shall repair or
26 replace any elements of the factory-installed motor vehicle
27 pollution control system that are not in place as identified in
28 subpart 1 unless the vehicle is a vehicle described in part
29 7005.5025, item C or D.

30 Subp. 4. Tampering dispute. In a tampering dispute, the
31 vehicle owner or operator may elect to leave the inspection area
32 to seek proof of nontampering, such as obtaining emission
33 control system information from another source, and return to
34 the same inspection facility with documentation within 20 days
35 and continue with the inspection. The contractor must not bill

1 the agency for an emission control equipment inspection upon the
2 owner's or operator's return visit.

3 7005.5065 REPAIR COST LIMIT AND LOW EMISSION ADJUSTMENT.

4 Subpart 1. Cost limit. The repair cost limit is \$75 for
5 vehicles of model years before 1981 and \$200 for vehicles of
6 1981 and later model years.

7 Subp. 2. Exclusions. In determining the costs of repairs
8 and adjustments included in the repair cost limit, the following
9 costs shall be excluded:

10 A. costs covered by a warranty; and/or

11 B. costs necessary to repair or replace any emission
12 control part or parts that have been removed, dismantled, or
13 rendered inoperative in violation of part 7005.1190 or Minnesota
14 Statutes, section 325E.0951.

15 Subp. 3. Evidence of repair cost. Except as provided in
16 part 7005.5055, subpart 2, item B, the cost of repair or
17 estimate of the cost of repair under this part is eligible to be
18 credited to the repair cost limit when applying for a waiver if
19 the owner presents to the waiver surveillance inspector a
20 legible and itemized receipt for parts replaced and labor,
21 provided that the costs relate to the emission control system.
22 The receipt must have a legible date and the date must be within
23 90 days before registration expiration and after the vehicle
24 failed its initial inspection. The waiver surveillance
25 inspector shall be responsible for examining receipts for such
26 items and determining which costs are eligible to be credited
27 toward the repair costs limit. The eligible total cost shall be
28 indicated on the vehicle inspection report form.

29 Subp. 4. Low emission adjustment. The commissioner shall
30 establish a list of diagnostic and repair procedures that are
31 likely to reduce a vehicle's carbon monoxide and hydrocarbon
32 exhaust emissions. The commissioner shall modify the list to
33 reflect changes in motor vehicle technology.

34 7005.5070 LETTER OF TEMPORARY EXTENSION AND LETTER OF ANNUAL
35 EXEMPTION.

1 Subpart 1. Letter of temporary extension.

2 A. If a subject vehicle requiring registration
3 renewal will not be available, due to the vehicle's absence or
4 storage, or the owner's absence or illness, for an inspection
5 within the state during the 90-day period before the
6 registration renewal, the owner may apply in writing to the
7 commissioner for a letter of temporary extension.

8 B. The owner shall provide the reason for requesting
9 a letter of temporary extension, certify that the vehicle will
10 not be available for inspection during the 90-day period before
11 the registration renewal, and state when the vehicle will be
12 operated again within the metropolitan area. The owner shall
13 sign the application and certify that the information contained
14 in the application is correct.

15 C. Upon approval of the application by the
16 commissioner, a letter of temporary extension shall be issued to
17 the vehicle owner. The letter shall allow the owner to proceed
18 with vehicle registration renewal.

19 D. An owner of a vehicle who has received a letter of
20 temporary extension shall have the vehicle inspected:

21 (1) during the 90-day period preceding the
22 registration renewal date;

23 (2) by an inspection station outside Minnesota
24 which, in the judgment of the commissioner, performs inspections
25 equivalent to those established in parts 7005.5010 to 7005.5105;
26 or

27 (3) within 30 days of again operating the vehicle
28 within the metropolitan area.

29 E. The owner shall complete and sign the affidavit
30 portion of the letter of temporary extension and submit it to
31 the registrar when making application for registration renewal.
32 A letter of temporary extension is valid for no longer than the
33 annual registration period. The registrar shall forward all
34 extension affidavits to the agency within ten days after the end
35 of the calendar month in which the affidavits are received.

36 F. If the owner who has received a letter of

1 temporary extension has the vehicle inspected at an inspection
2 station outside of Minnesota, the owner shall submit evidence of
3 the inspection to the commissioner within 30 days of
4 commencement of the operation of the vehicle in the metropolitan
5 area.

6 G. If the owner of the subject vehicle fails to
7 comply with items D to F, the agency shall ~~request the~~
8 ~~department to revoke the owner's registration~~ notify the
9 department of such noncompliance and shall request the
10 department not to renew the owner's registration unless the
11 vehicle has been issued a certificate of compliance or
12 certificate of waiver prior to registration or renewal.

13 H. If the owner fails to comply with items D to F,
14 the owner of the subject vehicle shall not be eligible to
15 receive a letter of temporary extension for the next annual
16 registration period.

17 I. If a dispute arises regarding whether the owner
18 has complied with items D to F, the owner may elect to present
19 evidence of compliance. ~~The owner shall provide evidence~~ to the
20 commissioner within 30 days of notification from the
21 commissioner that the ~~owner's registration has been~~
22 ~~revoked~~ owner has failed to comply with items D to F. The
23 commissioner shall review the evidence. The commissioner shall
24 approve or disapprove the application for the letter of
25 temporary extension.

26 Subp. 2. Letter of annual exemption.

27 A. An owner whose subject vehicle is customarily
28 domiciled outside of the metropolitan area may apply in writing
29 to the commissioner for a letter of annual exemption.

30 B. The owner shall complete and sign the affidavit
31 portion of the letter of annual exemption and present it to the
32 registrar when making application for registration renewal. A
33 letter of annual exemption shall not be valid for longer than
34 the annual registration period.

35 7005.5075 EVIDENCE OF MEETING STATE INSPECTION REQUIREMENTS.

1 Either of the documents listed in items A and B shall be
2 accepted by the department, the agency, and the registrar as
3 evidence that a subject vehicle is in compliance with the
4 requirements of parts 7005.5010 to 7005.5105, unless there is
5 reason to believe that it is a false document:

6 A. a certificate of compliance or certificate of
7 waiver issued by an inspection station or fleet inspection
8 station; or

9 B. a letter of annual exemption, as provided in part
10 7005.5070.

11 7005.5080 FLEET INSPECTION STATION PERMITS, PROCEDURES, AND
12 INSPECTION.

13 Subpart 1. Permit application. A registered owner of a
14 fleet of 50 or more subject vehicles may apply to the agency for
15 a permit to establish a fleet inspection station. Two or more
16 persons each owning 25 or more subject vehicles may apply
17 jointly for a fleet inspection station permit. The agency must
18 not issue a fleet inspection station permit unless the agency
19 finds that the applicant maintains an established facility that
20 meets the requirements in items A to C.

21 A. The applicant shall provide a facility with a
22 building or a portion of a building devoted principally to
23 maintaining or repairing the fleet's motor vehicles on a regular
24 basis. The facility shall be of sufficient space to conduct
25 maintenance or repair of at least one fleet motor vehicle.

26 B. At a minimum, the applicant shall own or lease the
27 following equipment and maintain it in good working condition:

28 (1) ignition timing light with timing advance
29 tester;

30 (2) ignition-operated tachometer;

31 (3) dwell meter;

32 (4) positive crankcase ventilation tester; and

33 (5) tools necessary for the installation,

34 adjustment, repair, or replacement of items in the low emission
35 adjustment list.

1 C. The applicant shall either:

2 (1) obtain a hydrocarbon, as hexane, and carbon
3 monoxide emission analyzer that meets or exceeds the equipment
4 specifications for performance warranty short tests in Code of
5 Federal Regulations, title 40, section 85.2215, as amended, and
6 employ a mechanic to conduct the required inspections; or

7 (2) enter into an agreement with the agency's
8 inspection and maintenance contractor to have the required
9 inspection performed. Only the equipment required to test and
10 repair the types of vehicles in the fleet inventory will be
11 required in the fleet station. The commissioner shall maintain
12 a list of analyzers that the commissioner finds will perform in
13 a manner that produces accurate test results.

14 Subp. 2. Permits.

15 A. Before the initial application for a fleet
16 inspection station permit is approved, an application fee must
17 be paid to the agency as provided in part 7005.5105 and an
18 inspection of the premises shall be made by the agency.

19 B. A fleet inspection station permit shall expire one
20 year from the date of issuance.

21 C. A permitted fleet inspection station shall not
22 inspect or certify vehicles unless the vehicles are owned by the
23 fleet owner.

24 D. An application for renewal of a fleet inspection
25 station permit must be submitted to the agency at least 45 days
26 before permit expiration.

27 E. A fleet inspection station permit is only
28 applicable to the fleet's inspection facility located at the
29 address shown on the fleet station permit. If a fleet owner
30 wishes to have a permit for inspection facilities at more than
31 one address, separate permits must be obtained for each facility.

32 F. A fleet inspection station permit issued by the
33 agency is not transferable.

34 G. If a permittee desires to change the name or
35 address on a permit and the changes do not involve a change of
36 ownership, the permittee shall return the permit to the agency

1 for cancellation and submit an application form for a new permit
2 to the agency, along with an application fee as provided in part
3 7005.5105. The agency shall cancel the returned permit and
4 issue a new permit.

5 H. A fleet inspection station whose permit has been
6 revoked, suspended, or has expired shall immediately cease the
7 activity requiring a permit.

8 I. In the event of loss, destruction, or mutilation
9 of the permit, the permittee may obtain a duplicate upon
10 furnishing satisfactory proof of the fact. A fleet inspection
11 station that loses a fleet station permit issued by the agency
12 and finds the original after obtaining a duplicate shall
13 immediately surrender the original permit to the agency.

14 J. A fleet inspection station that does not employ a
15 mechanic to conduct the inspections shall immediately cease to
16 operate as a fleet inspection station. The permittee shall
17 immediately notify the agency if it has ceased to employ a
18 mechanic and that it has ceased to operate as a fleet station.

19 K. When a fleet inspection station permit is
20 surrendered, suspended, or revoked, all unused vehicle
21 inspection report forms must be returned to the agency.

22 L. Surrender, suspension, or revocation of a permit
23 shall not prevent the agency from carrying out investigative or
24 enforcement actions against the permittee for violations of
25 state statutes, rules, or conditions of the permit.

26 Subp. 3. **Equipment and records.**

27 A. All testing equipment and instrumentation must be
28 maintained in good condition. Periodic calibration and
29 maintenance of testing equipment must be accomplished under
30 performance short test specifications in Code of Federal
31 Regulations, title 40, section 85.2217, as amended.
32 Recommendations by the commissioner for calibration and
33 intervals between calibration shall be a condition of the fleet
34 inspection station permit and shall supersede all other
35 conflicting recommendations.

36 B. A record of calibrations performed on each

1 instrument shall be maintained by the fleet inspection station,
2 indicating the date and signature of the technician performing
3 the calibration.

4 C. The fleet inspection station equipment, span
5 gases, records, and premises shall be subject to scheduled and
6 unscheduled checks for accuracy and condition by an agency
7 representative.

8 D. The applicant or permittee shall provide
9 information relevant to the operation of the fleet inspection
10 station to the agency if requested by the commissioner.

11 Subp. 4. **Inspection frequency.** All fleet vehicles for
12 which a fleet inspection station permit has been issued shall be
13 inspected by the fleet station mechanic according to the
14 schedule in part 7005.5015.

15 Subp. 5. **Test procedure.** The tampering inspection and
16 exhaust emission test shall be conducted on fleet vehicles by a
17 fleet inspection station mechanic under parts 7005.5015 to
18 7005.5030 with the exception of part 7005.5030, subpart 6. If
19 the fleet vehicle fails the exhaust emission test, the vehicle
20 shall be preconditioned according to either the procedure in
21 part 7005.5030, subpart 6, or if the fleet inspection station
22 does not have a dynamometer, the procedure in part 7005.5030,
23 subpart 9. The idle speed of each tested vehicle shall be
24 adjusted to manufacturer's specifications if it deviates from
25 the specified value by more than plus or minus 75 revolutions
26 per minute.

27 Subp. 6. **Vehicle inspection reports.** Inspection reports
28 must be issued and processed by the fleet inspection station
29 according to items A to H.

30 A. A vehicle inspection report shall be completed,
31 marked "passed," and issued for each vehicle passing the
32 inspection.

33 B. Vehicle inspection reports that are incorrect
34 shall have corrections authenticated and initialed by the
35 mechanic conducting the inspection. Voided or unusable reports
36 and certificates shall be returned to the agency.

1 C. Only the fleet station mechanic may sign a fleet
2 vehicle inspection report, except in the case of a fleet station
3 permit holder who secures the services of the agency's
4 inspection and maintenance contractor to perform the inspection.

5 D. Upon completion of the tampering inspection,
6 exhaust emission test, and the vehicle inspection report, the
7 original copy of each completed fleet vehicle inspection report
8 must be forwarded to the agency within two weeks of completion
9 of the inspection.

10 E. A legible copy of each completed vehicle
11 inspection report must be retained by the fleet station
12 conducting the inspection for a minimum period of 24 months
13 after inspection.

14 F. The completed vehicle inspection report marked
15 "passed" or "waived" shall be accepted as evidence that the
16 vehicle is a fleet-inspected vehicle and has met the
17 requirements of parts 7005.5010 to 7005.5105 if the vehicle
18 registration has not expired.

19 G. Vehicle inspection report forms shall be obtained
20 from the agency for a fee specified in part 7005.5105. If the
21 number of vehicles to be inspected by the fleet inspection
22 station is reduced after receipt of the report forms and before
23 their use, the excess report forms shall be returned to the
24 agency or used in later years.

25 H. The fleet inspection station permittee is
26 responsible for the security and accountability of the vehicle
27 inspection report forms. If the vehicle inspection report forms
28 are lost or stolen, the fleet station operator shall notify the
29 agency in writing within 24 hours of discovery of the loss and
30 indicate the number of report forms and the serial number of the
31 report forms. Refusal or failure to report lost report forms
32 are grounds for revoking a fleet station permit.

33 Subp. 7. Fleet audit. Upon request of the commissioner, a
34 fleet inspection station permittee shall submit vehicles
35 designated by the commissioner numbering five percent of the
36 fleet or five motor vehicles annually, whichever is greater, but

1 no more than 25 vehicles, for inspection at inspection stations
2 operated by the contractor.

3 Subp. 8. Analyzer inspections. A fleet station emission
4 analyzer shall not be used for an exhaust emission test under
5 part 7005.5030 if it does not register the agency's field audit
6 gases within the tolerances prescribed in part 7005.5090, if
7 there is a leak in the sampling system or the calibration port,
8 or if the sample handling system is restricted. An agency
9 representative shall tag a fleet inspection station's emission
10 analyzer upon a determination that the analyzer does not meet
11 the requirements of this subpart. The analyzer must not be used
12 for testing until the tag is removed by an agency
13 representative. The analyzer failure tag must be affixed to the
14 analyzer in a manner so that the tag cannot be removed without
15 breaking a seal or mutilating the tag. The tag must contain the
16 following information, at a minimum:

17 A. a brief statement that the analyzer does not meet
18 agency operating requirements for exhaust emission test
19 purposes;

20 B. the reason for tagging;

21 C. the values of the agency's field audit gases used
22 and the analyzer readings obtained;

23 D. the date of the agency's inspection; and

24 E. the signature of the agency representative tagging
25 the analyzer.

26 A fleet inspection station may lease or borrow an emission
27 analyzer for temporary use while the station's approved analyzer
28 is being repaired, provided that an agency representative has
29 approved its use.

30 7005.5085 INSPECTION STATIONS ACTING AS FLEET INSPECTION
31 STATIONS.

32 A. Inspection stations may provide inspection
33 services to a holder of a fleet inspection station permit under
34 a separate agreement between the inspection station contractor
35 and the holder of a fleet inspection station permit.

1 B. The agency may not be billed for inspection fees
2 for a fleet vehicle inspected under an agreement between the
3 contractor and the holder of a fleet inspection station permit.

4 C. Vehicle inspection reports must be filled out at
5 the time of inspection by an inspection station operating as a
6 fleet inspection station in the same manner required for
7 nonfleet vehicles.

8 D. The holder of the fleet inspection station permit
9 is responsible for maintaining records and reports required by
10 part 7005.5080.

11 7005.5090 EXHAUST GAS ANALYZER SPECIFICATIONS.

12 Exhaust gas analyzers used at inspection stations and fleet
13 inspection stations must comply with the specifications in items
14 A to J.

15 A. Analyzer accuracy: the hydrocarbon analyzer must
16 have an accuracy of plus or minus 15 parts per million at 200 to
17 220 parts per million concentration hydrocarbon as hexane; the
18 carbon monoxide analyzer must have an accuracy of plus or minus
19 0.10 percent carbon monoxide from 1.0 percent to 1.2 percent
20 concentration; and the carbon dioxide analyzer must have an
21 accuracy of plus or minus 0.5 percent carbon dioxide from 5.0
22 percent to ten percent concentration.

23 B. Response time: response time of the analyzers
24 must be 15 seconds to 95 percent of the final reading.

25 C. Analyzer drift: analyzer drift (up-scale and
26 down-scale zero and span wander) must not exceed plus or minus
27 0.1 percent carbon monoxide, plus or minus 15 parts per million
28 hydrocarbon as hexane, and plus or minus 0.5 percent carbon
29 dioxide on the lowest range capable of reading 1.0 percent
30 carbon monoxide, 200 parts per million hydrocarbon as hexane, or
31 five percent carbon dioxide during a one-hour period.

32 D. Calibration: the analyzer must have the
33 capability of being calibrated electronically or by gas.

34 E. Flow restriction indicator: the analyzer must be
35 operated within manufacturer's specifications for sample flow.

1 The sampling system must be equipped with a visual and audible
2 warning that sample flow is not within operating requirements.

3 F. Interference effects: sampling the following
4 concentrations of interfering gases must not cause the
5 hydrocarbon as hexane reading to change plus or minus ten parts
6 per million: 15 percent carbon dioxide in nitrogen, ten percent
7 carbon monoxide in nitrogen, 3,000 parts per million nitrogen
8 oxide in nitrogen, ten percent oxygen in nitrogen, and three
9 percent water vapor in air.

10 Sampling the following concentrations of interfering gases
11 must not cause the carbon monoxide reading to change plus or
12 minus 0.05 percent: 15 percent carbon dioxide in nitrogen,
13 1,600 parts per million hydrocarbon in nitrogen, 3,000 parts per
14 million nitrogen oxide in nitrogen, ten percent oxygen in
15 nitrogen, and three percent water vapor in air.

16 Sampling the following concentrations of interfering gases
17 must not cause the carbon dioxide reading to change plus or
18 minus 0.5 percent: 1,600 parts per million hydrocarbon in
19 nitrogen, ten percent carbon monoxide in nitrogen, 3,000 parts
20 per million nitrogen oxide in nitrogen, ten percent oxygen in
21 nitrogen, and three percent water vapor in air.

22 G. Repeatability: the repeatability of the exhaust
23 analyzers used must be within plus or minus ten parts per
24 million hydrocarbon as hexane; plus or minus 0.05 percent carbon
25 monoxide; and plus or minus 0.2 percent carbon dioxide during
26 five successive measurements of the same sample.

27 H. Sensitivity: the analyzer sensitivity must be ten
28 parts per million hydrocarbon as hexane, 0.05 percent carbon
29 monoxide, and 0.2 percent carbon dioxide.

30 I. Temperature and humidity operating range: the
31 analyzer must be capable of meeting all specifications from zero
32 to 85 percent relative humidity and temperature of 35 to 110
33 degrees Fahrenheit.

34 J. Range of measurement: the analyzer must have a
35 range of zero to 2,000 parts per million hydrocarbon as hexane,
36 zero to ten percent carbon monoxide, and zero to at least ten

1 percent carbon dioxide.

2 7005.5095 TEST EQUIPMENT CALIBRATION.

3 Calibration procedures at least as stringent as those
4 required for the federal warranty short test in Code of Federal
5 Regulations, title 40, section 85.2217, as amended, shall be
6 performed on test equipment by the inspection station contractor
7 and fleet inspection stations. In addition, the procedures in
8 items A to E shall be performed by all inspection and fleet
9 inspection stations, unless an alternative equivalent procedure
10 has been approved by the commissioner. In the absence of
11 appropriate procedures, all equipment shall be calibrated and
12 maintained according to manufacturer's specifications.

13 A. Exhaust analyzers shall be warmed up for at least
14 30 minutes before performing a test or equipment calibration,
15 span, or zero checks.

16 B. If, during a test, the sampling flow restriction
17 indicator becomes activated, the test shall be stopped and
18 restarted after the necessary repairs to the analyzer have been
19 completed.

20 C. The exhaust analyzer shall not be used to test
21 vehicles unless a multipoint calibration has been performed
22 within the last 30 days.

23 D. A multipoint calibration shall be performed before
24 the analyzer is used for certification testing following
25 replacement of an optical or electrical component that can cause
26 a variation in the analyzer reading.

27 E. Complete records shall be kept for maintenance,
28 repair, and calibration of all testing equipment.

29 7005.5100 PUBLIC NOTIFICATION.

30 A. The department shall notify each registered owner
31 of a motor vehicle required to be inspected under parts
32 7005.5010 to 7005.5105 before the time of each annual
33 registration renewal that the vehicle will be required to
34 satisfy the requirements of parts 7005.5015 to 7005.5030. The
35 agency shall also attempt to notify all nonregistered tax-exempt

1 vehicle owners of the requirements of inspection.

2 B. The agency or the contractor shall establish a
3 system to respond to inquiries from members of the public
4 regarding the compliance status of a subject vehicle under the
5 program including last inspection date, whether a certificate of
6 compliance or certificate of waiver has been issued, and the
7 reason for waiver.

8 7005.5105 INSPECTION FEES.

9 Subpart 1. Inspection fee. Beginning with the effective
10 date of parts 7005.5010 to 7005.5105, the fee for inspection at
11 an inspection station must not exceed \$10. The fee must be paid
12 to the registrar for subject vehicles at the time of
13 reregistration. After that, the commissioner shall annually
14 establish the inspection fee at an amount of up to \$10. The fee
15 shall be established by October 1 for later years, and 30 days'
16 notice shall be given to the registrar of changes in the fee.

17 Deputy registrars shall report to the department letters of
18 extension along with registrations made and inspection fees
19 collected in the same manner required for registrations under
20 Minnesota Statutes, section 168.33, subdivision 2.

21 Subp. 2. Reinspections; elective inspections.

22 A. The inspection fee shall entitle an owner to an
23 initial inspection and two reinspections. The commissioner
24 shall establish a fee for each third and subsequent
25 reinspection. The fee must not be more than \$10 and shall be
26 paid to the commissioner by the owner.

27 B. Elective inspections not required by parts
28 7005.5010 to 7005.5105 shall be allowed only upon approval of
29 the commissioner. The commissioner shall establish a fee for
30 each elective inspection. The fee must not be more than \$10 and
31 must be paid to the commissioner by the owner.

32 Subp. 3. Fleet inspection stations.

33 A. The fee due upon initial application for a permit
34 for a fleet inspection station as required in part 7005.5080,
35 subpart 2, shall be \$200.

1 B. The fee due upon application for permit renewals
2 shall be \$100.

3 C. The agency shall charge a fee of \$1.50 for each
4 inspection report form requested under part 7005.5080, subpart
5 6, item G.

6 Subp. 4. Use of funds. Fees collected under this part
7 must be deposited in the vehicle emission inspection account
8 under Minnesota Statutes, section 116.65. Fees collected by
9 deputy registrars are subject to deposit requirements in
10 Minnesota Statutes, section 168.33, subdivision 2.