

1 Pollution Control Agency

2

3 Adopted Permanent Rules Relating to Motor Vehicle Emissions

4

5 Rules as Adopted

6 7023.1010 DEFINITIONS.

7 [For text of subps 1 to 3, see M.R.]

8 Subp. 3a. Certificate of annual exemption. "Certificate
9 of annual exemption" means a certificate issued by the
10 commissioner or contractor for the annual exemption of a vehicle
11 from the state vehicle inspection requirements as prescribed in
12 part 7023.1070.

13 [For text of subp 4, see M.R.]

14 Subp. 4a. Certificate of exemption. "Certificate of
15 exemption" means a certificate issued by the commissioner or
16 contractor for the exemption of a vehicle from the state vehicle
17 inspection requirements as prescribed in part 7023.1070.

18 Subp. 4b. Certificate of temporary extension.
19 "Certificate of temporary extension" means a certificate issued
20 by the commissioner or contractor for the extension of the time
21 period for a vehicle to meet state vehicle inspection
22 requirements as prescribed in part 7023.1070.

23 [For text of subps 5 to 8, see M.R.]

24 Subp. 9. Customarily domiciled. "Customarily domiciled"
25 means that a vehicle, although registered to an owner residing
26 in the metropolitan area, is kept outside the metropolitan area
27 for a minimum of 11 months during the one-year registration
28 renewal period and is not generally used for transportation
29 within the metropolitan area.

30 [For text of subps 10 to 12, see M.R.]

31 Subp. 12a. Dual exhaust. "Dual exhaust" means two
32 separate exhaust streams, one from each bank of the engine, each
33 containing a muffler.

34 [For text of subps 13 to 22, see M.R.]

35 Subp. 23. [See repealer.]

1 Subp. 24. [See repealer.]

2 [For text of subps 25 to 35, see M.R.]

3 Subp. 36. **Tampering inspection.** "Tampering inspection"
4 means the inspection of the catalytic converter and the gas cap
5 conducted by the emission inspector under part 7023.1025.

6 [For text of subps 37 to 39, see M.R.]

7 7023.1015 INSPECTION REQUIREMENT.

8 [For text of subpart 1, see M.R.]

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

11 [For text of item A, see M.R.]

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

14 [For text of subitem (1), see M.R.]

15 (2) at an inspection station or fleet inspection
16 station at a time designated by the owner and approved by the
17 commissioner.

18 [For text of subp 3, see M.R.]

19 7023.1020 DESCRIPTION OF INSPECTION AND DOCUMENTS REQUIRED.

20 Subpart 1. **Location and components of inspection.** An
21 inspection shall consist of a tampering inspection and an
22 exhaust emission test. The inspection and testing shall be
23 performed at an inspection station or fleet inspection station.

24 Subp. 2. **Document requirements.** Each vehicle that is
25 inspected at an inspection station must display a legible
26 vehicle license plate or vehicle identification number, or be
27 accompanied by one of the following documents that identifies
28 the vehicle by make, model year, vehicle identification number,
29 license plate number, and registered owner's name and address:
30 a current Minnesota registration renewal notice, a current
31 Minnesota registration card, or a Minnesota certificate of title.

32 7023.1025 TAMPERING INSPECTION.

33 Each subject vehicle shall be visually inspected for and
34 shall be required to have an unvented fuel cap and a catalytic

1 converter if the vehicle was equipped with these items at the
2 time of manufacture. If an unvented fuel cap is not in place,
3 the tampering inspection shall continue and the owner shall be
4 advised to replace the unvented fuel cap. If the catalytic
5 converter is not in place or is damaged, the vehicle shall fail
6 the tampering inspection, except as provided in items C and D.

7 A. If the catalytic converter is not in place or is
8 damaged as determined by visual inspection, the owner shall
9 replace the catalytic converter. Catalytic converters shall be
10 replaced with original manufacturer's equipment or new
11 after-market equipment that meets the emission reduction
12 requirements and criteria established by the United States
13 Environmental Protection Agency.

14 B. In a tampering dispute, the vehicle owner or
15 operator may elect to leave the tampering inspection area to
16 seek proof of nontampering, such as obtaining emission control
17 system information from another source, and return to an
18 inspection facility with documentation and continue with the
19 tampering inspection. The contractor may not bill the agency
20 for an inspection upon the owner's or operator's return visit to
21 continue the tampering inspection.

22 [For text of items C and D, see M.R.]

23 7023.1030 EXHAUST EMISSION TEST.

24 Subpart 1. Procedure. The exhaust emission testing
25 procedure shall consist of the following procedure performed in
26 accordance with Code of Federal Regulations, title 40, section
27 85.2212, as amended:

28 A. the vehicle shall be tested in idle mode with the
29 transmission in neutral, or park, if appropriate;

30 [For text of items B and C, see M.R.]

31 D. vehicles with dual exhaust pipes may be tested by
32 simultaneous sampling both tail pipes or by sampling each tail
33 pipe. In the latter case, the measurements for hydrocarbon as
34 hexane, carbon monoxide, and carbon dioxide shall be numerically
35 averaged.

1 [For text of subp 2, see M.R.]

2 Subp. 3. Exhaust emission standards. A motor vehicle that
3 is subject to inspection under part 7023.1015 and Minnesota
4 Statutes, sections 116.60 to 116.65, must not emit carbon
5 monoxide or hydrocarbon as hexane from the exhaust system in
6 concentrations greater than those in the table in this subpart
7 when measured in an inspection conducted under parts 7023.1010
8 to 7023.1105. A subject vehicle that emits carbon monoxide or
9 hydrocarbon as hexane from the exhaust system in concentrations
10 greater than those in the table in this subpart shall fail the
11 emission test.

12 TABLE OF MAXIMUM ALLOWABLE EMISSION CONCENTRATIONS

13 Model Year	Maximum Allowable Emission Concentrations	
	Hydrocarbon as hexane (parts per million of exhaust)	Carbon Monoxide (as a percent of exhaust)
17 1976-1977	600	5.5
18 1978-1979	400	3.5
19 1980	275	2.0
20 1981 and later	220	1.2

21
22 [For text of subps 4 and 5, see M.R.]

23 Subp. 6. Loaded mode preconditioning after failing exhaust
24 emission test. If the vehicle fails the exhaust emission test,
25 the vehicle shall be preconditioned on the chassis dynamometer
26 and the procedures and diagnostic testing shall be conducted in
27 accordance with items A and B. After preconditioning, the
28 vehicle shall be tested at idle according to subparts 1 to 3.

29 [For text of item A, see M.R.]

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

31 [For text of subitems (1) to (5), see M.R.]

32 (6) vehicles with dual exhaust pipes shall be
33 tested by simultaneous sampling both tail pipes or by sampling
34 each tail pipe. In the latter case, the measurements for
35 hydrocarbon as hexane, carbon monoxide, and carbon dioxide shall
36 be numerically averaged.

37 [For text of subps 7 and 8, see M.R.]

38 Subp. 9. Alternate preconditioning. A vehicle for which
39 loaded mode preconditioning is omitted under subpart 7 or 8
40 shall be preconditioned by completing items A to D.

1 A. the vehicle's transmission shall be placed in
2 neutral, or park, if appropriate;

3 [For text of items B to D, see M.R.]

4 Subp. 10. **Reconstructed (KIT) vehicles.** All reconstructed
5 (KIT) subject vehicles shall be tested for compliance with the
6 exhaust emission standards in the table in subpart 3, using the
7 standards applicable to the year of manufacture of the engine
8 installed in the vehicle.

9 Subp. 11. **Exchanged engines.** For the purposes of parts
10 7023.1010 to 7023.1105, a motor vehicle with an exchanged engine
11 must be tested as described in items A to C.

12 A. Except as provided in item B, a motor vehicle must
13 be tested for compliance with the exhaust emission standards in
14 the table in subpart 3, using the standards applicable to the
15 model year of the vehicle's chassis.

16 B. A vehicle manufactured in model year 1991 or older
17 that has received an exchanged or rebuilt engine, or other
18 vehicle made from manufactured kit bodies (KIT cars), must be
19 tested for compliance with the exhaust emission standards in the
20 table in subpart 3, using the standards applicable to the model
21 year of the vehicle's chassis, unless the owner of the vehicle
22 complies with the procedure in item C.

23 C. If a motor vehicle described in item B has not
24 been inspected, or if it has been inspected and failed to meet
25 the emission standards in the table in subpart 3, using the
26 standards applicable to the model year of the vehicle's chassis,
27 the agency representative upon request by the motorist shall
28 certify the year the engine was manufactured by checking the
29 identification number of the engine block and by reviewing
30 documentation provided by the vehicle owner. The vehicle must
31 be tested for compliance with the exhaust emission standards in
32 the table in subpart 3, using the year of the engine as
33 certified by the agency representative. If the identification
34 number on the block of the engine is absent and the vehicle
35 owner is unable to provide documentation as to the engine year,
36 the vehicle must be tested for compliance with the exhaust

1 emission standards for model year 1976. If the agency
2 representative determines that the engine was manufactured prior
3 to 1976, the motor vehicle is not a subject vehicle.

4 Classification of a motor vehicle with an exchanged engine
5 under parts 7023.1010 to 7023.1105, and receipt of a certificate
6 of compliance or certificate of waiver for the motor vehicle
7 shall not exempt the owner of the motor vehicle from the
8 requirements of part 7023.0120 and Minnesota Statutes, section
9 325E.0951.

10 7023.1035 REINSPECTIONS.

11 Vehicles that fail the inspection under parts 7023.1020 to
12 7023.1030 shall be allowed reinspection after repair or
13 adjustment of the vehicle.

14 [For text of items A and B, see M.R.]

15 C. The vehicle presented for reinspection shall have
16 both a tampering inspection conducted as provided for in part
17 7023.1025 and an emission test conducted as provided for in part
18 7023.1030.

19 D. A vehicle shall be eligible for no more than two
20 reinspections unless the owner pays an additional fee under part
21 7023.1105, subpart 2.

22 E. If the vehicle passes the reinspection, the
23 contractor shall issue a vehicle inspection report under part
24 7023.1040 and certificate of compliance under part 7023.1045.
25 The certificate of compliance and the inspection report may be
26 combined into a single form.

27 F. If the vehicle cannot pass the reinspection, the
28 contractor shall issue a vehicle inspection report under part
29 7023.1050 indicating noncompliance. The owner may then be
30 eligible to apply for a certificate of waiver under part
31 7023.1055. If the owner requests a certificate of waiver, the
32 waiver surveillance inspector shall review the request and shall
33 approve or deny the request in accordance with part 7023.1055.

34 7023.1040 VEHICLE INSPECTION REPORT.

35 Subpart 1. Required items. The owner or operator of each

1 vehicle inspected shall be provided with a vehicle inspection
2 report at the time of each inspection. The vehicle inspection
3 report shall be a design approved by the commissioner and shall
4 provide space for the following information:

5 [For text of items A to U, see M.R.]

6 V. idle exhaust emission concentrations of
7 hydrocarbon as hexane, carbon monoxide, carbon dioxide, and
8 oxygen, if an analyzer is used when making repairs;

9 [For text of items W and X, see M.R.]

10 Subp. 2. **Responsibility for completion of form.** The
11 contractor shall be responsible for the completion of subpart 1,
12 items A to R, for all vehicles tested by the contractor. The
13 person performing the repairs or making the cost estimates shall
14 be responsible for completion of subpart 1, items S to X.

15 [For text of subp 3, see M.R.]

16 7023.1050 VEHICLE NONCOMPLIANCE AND REPAIR.

17 Subpart 1. **Tampering inspection.** If the subject vehicle
18 fails the tampering inspection or reinspection under part
19 7023.1025 or 7023.1035, the contractor shall issue an inspection
20 report that indicates noncompliance.

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

23 A. the owner replaces the catalytic converter under
24 part 7023.1025;

25 [For text of items B to D, see M.R.]

26 [For text of subp 2, see M.R.]

27 7023.1055 CERTIFICATE OF WAIVER.

28 Subpart 1. **Eligibility.** A vehicle, including a fleet
29 vehicle, that has failed its initial exhaust emission test and
30 at least one exhaust emission retest is eligible for a waiver,
31 valid for no longer than the annual registration period, if it
32 meets the following criteria:

33 [For text of items A and B, see M.R.]

34 C. the owner or an automotive repair technician has
35 diagnosed and attempted to repair the vehicle to pass

1 reinspection, including interrogation of appropriate on board
2 diagnostic systems;

3 D. except as provided in item E, the owner presents
4 satisfactory evidence to the waiver surveillance inspector that
5 a low emission adjustment, as described in part 7023.1065,
6 subpart 4, as appropriate according to the exhaust emission test
7 results, has been performed on the vehicle after the initial
8 exhaust emission test;

9 [For text of items E to H, see M.R.]

10 Subp. 2. **Waivers following repairs by persons other than**
11 **automotive repair technicians.**

12 A. In cases in which a person other than an
13 automotive repair technician, including an owner, attempts to
14 repair a vehicle, the person must take the actions listed on the
15 low emission adjustment list, as appropriate according to the
16 exhaust emission test results, and attempt to diagnose and
17 perform other repairs necessary to bring the vehicle into
18 compliance as if the vehicle were being presented for repair to
19 an automotive repair technician.

20 B. In cases where a person other than an automotive
21 repair technician attempts repair or in cases where there is no
22 charge for the labor of vehicle repair, the repair cost limit of
23 part 7023.1065 must be reduced solely by the expenditure for
24 emission-related parts including parts on the low emission
25 adjustment list. The owner shall comply with evidence
26 requirements under part 7023.1065.

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

30 [For text of item A, see M.R.]

31 B. To determine whether the vehicle should qualify
32 for warranty repairs under applicable federal law. If so, the
33 waiver surveillance inspector shall determine whether the owner
34 has a signed statement from an appropriate new car dealership
35 stating that the vehicle is not eligible for emission control
36 system warranty work. The statement shall be signed and dated

1 by the new car dealership after the vehicle failed its initial
2 inspection and shall identify the vehicle and the dealership.
3 If the owner has a statement conforming to these requirements,
4 it shall be delivered to the waiver surveillance inspector who
5 shall proceed with the remainder of the waiver duties described
6 in items C to E. If the owner does not have a statement
7 conforming to these requirements, no waiver shall be issued.

8 [For text of items C to E, see M.R.]

9 [For text of subp 4, see M.R.]

10 Subp. 5. **Waiver due to technical difficulties.** The waiver
11 surveillance inspector shall issue a waiver for a vehicle that
12 cannot be subjected to the inspection required by parts
13 7023.1010 to 7023.1105 because of technical difficulties
14 inherent in the manufacturer's design or construction, excluding
15 tampering, of the vehicle. A copy of the waiver shall be
16 retained for the agency's use.

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

30 Subp. 6. [See repealer.]

31 7023.1060 EMISSION CONTROL EQUIPMENT INSPECTION AS A CONDITION
32 OF WAIVER.

33 [For text of subps 1 to 3, see M.R.]

34 Subp. 4. **Tampering dispute.** In a tampering dispute, the
35 vehicle owner or operator may elect to leave the inspection area

1 to seek proof of nontampering, such as obtaining emission
2 control system information from another source, and return to an
3 inspection facility with documentation and continue with the
4 inspection. The contractor must not bill the agency for an
5 emission control equipment inspection upon the owner's or
6 operator's return visit.

7 7023.1065 REPAIR COST LIMIT AND LOW EMISSION ADJUSTMENT.

8 [For text of subps 1 and 2, see M.R.]

9 Subp. 3. Evidence of repair cost. Except as provided in
10 part 7023.1055, subpart 2, item B, the cost of repair or
11 estimate of the cost of repair under this part is eligible to be
12 credited to the repair cost limit when applying for a waiver if
13 the owner presents to the waiver surveillance inspector a
14 legible and itemized receipt for parts replaced and labor,
15 provided that the costs relate to the emission control system.
16 The receipt must have a legible date and the date must be after
17 the vehicle failed its initial inspection. The waiver
18 surveillance inspector shall be responsible for examining
19 receipts for such items and determining which costs are eligible
20 to be credited toward the repair costs limit. The eligible
21 total cost shall be indicated on the vehicle inspection report
22 form.

23 [For text of subp 4, see M.R.]

24 7023.1070 CERTIFICATE OF TEMPORARY EXTENSION, CERTIFICATE OF
25 ANNUAL EXEMPTION, AND CERTIFICATE OF EXEMPTION.

26 Subpart 1. Certificate of temporary extension.

27 A. An owner of a subject vehicle requiring
28 registration renewal may apply in writing to the commissioner or
29 contractor for a certificate of temporary extension. The
30 vehicle owner shall sign the application and certify that the
31 information contained in the application is correct.

32 B. An owner must meet one or more of the following
33 criteria for a temporary extension:

- 34 (1) the vehicle will not be available, due to the
35 vehicle's absence or storage, or the owner's absence or illness,

1 for an inspection in the state during the 90-day period before
2 registration expiration. The owner must document that for these
3 reasons the vehicle or owner will not be available for
4 inspection during the 90-day period before the registration
5 expiration and state when the vehicle will be operated again
6 within the metropolitan area;

7 (2) the vehicle has failed the initial inspection
8 and additional time is needed for repair and reinspection;

9 (3) the vehicle registration has been expired for
10 at least 12 months or more; or

11 (4) the vehicle owner presents satisfactory
12 evidence which, in the judgment of the commissioner or
13 contractor, demonstrates that due to circumstances beyond the
14 owner's control, the owner could not have met the requirements
15 of parts 7023.1010 to 7023.1105 prior to registration expiration.

16 C. Upon finding that the owner meets one or more of
17 the criteria in item B, the commissioner or contractor shall
18 issue a certificate of temporary extension to the vehicle
19 owner. The certificate shall allow the owner to proceed with
20 vehicle registration renewal.

21 D. An owner of a vehicle who has received a
22 certificate of temporary extension shall have the vehicle
23 inspected:

24 (1) during the 90-day period preceding the
25 registration renewal date;

26 (2) by an inspection station outside Minnesota
27 which, in the judgment of the commissioner, performs inspections
28 equivalent to those established in parts 7023.1010 to 7023.1105;
29 or

30 (3) on or before the inspection due date
31 indicated on the certificate of temporary extension.

32 E. The owner shall submit the certificate of
33 temporary extension to the registrar when making application for
34 registration renewal. A certificate of temporary extension
35 shall not be valid for longer than the annual registration
36 period. The registrar shall forward all certificates of

1 temporary extension to the agency within ten days after the end
2 of the calendar month in which the certificates are received.

3 F. If the owner who has received a certificate of
4 temporary extension has the vehicle inspected at an inspection
5 station outside of Minnesota, the owner shall submit evidence of
6 the inspection to the commissioner or contractor within 30 days
7 of commencement of the operation of the vehicle in the
8 metropolitan area.

9 [For text of item G, see M.R.]

10 H. If the owner fails to comply with items D to F,
11 the owner of the subject vehicle shall not be eligible to
12 receive a certificate of temporary extension for the next annual
13 registration period.

14 I. If a dispute arises regarding whether the owner
15 has complied with items D to F, the owner may elect to present
16 evidence of compliance to the commissioner or contractor within
17 30 days of notification from the commissioner or contractor that
18 the owner has failed to comply with items D to F. The
19 commissioner or contractor shall review the evidence. The
20 commissioner or contractor shall approve or disapprove the
21 application for the certificate of temporary extension.

22 Subp. 2. Certificate of annual exemption.

23 A. An owner whose subject vehicle is customarily
24 domiciled outside of the metropolitan area may apply in writing
25 to the commissioner or contractor for a certificate of annual
26 exemption. The owner must document where the vehicle is
27 customarily domiciled. The owner shall sign the application and
28 certify that the information contained in the application is
29 correct.

30 B. Upon approval of the application by the
31 commissioner or contractor, the owner shall submit the
32 certificate of annual exemption to the registrar when making
33 application for registration renewal. A certificate of annual
34 exemption shall not be valid for longer than the annual
35 registration period.

36 Subp. 3. Certificate of exemption.

1 A. An owner whose vehicle is registered by the
2 department as a subject vehicle but meets the requirements of
3 part 7023.1010, subpart 35, item B, D, or E, may apply in
4 writing to the commissioner or contractor for a certificate of
5 exemption.

6 B. The owner shall complete and sign the application
7 for a certificate of exemption and have the vehicle certified as
8 meeting the requirements of part 7023.1010, subpart 35, item B,
9 D, or E, at any vehicle inspection station.

10 C. Upon approval by the commissioner or contractor,
11 the certificate shall be presented to the registrar when making
12 application for registration renewal. The certificate of
13 exemption is valid until the vehicle no longer meets the
14 requirements of part 7023.1010, subpart 35, item B, D, or E.

15 7023.1075 EVIDENCE OF MEETING STATE INSPECTION REQUIREMENTS.

16 Either of the documents listed in items A and B shall be
17 accepted by the department, the agency, and the registrar as
18 evidence that a subject vehicle is in compliance with the
19 requirements of parts 7023.1010 to 7023.1105, unless there is
20 reason to believe that it is a false document:

21 [For text of item A, see M.R.]

22 B. a certificate of annual exemption or certificate
23 of exemption, as provided in part 7023.1070.

24 7023.1080 FLEET INSPECTION STATION PERMITS, PROCEDURES, AND
25 INSPECTION.

26 Subpart 1. Permit application. A registered owner of a
27 fleet of 50 or more subject vehicles may apply to the agency for
28 a permit to establish a fleet inspection station. Two or more
29 persons each owning 25 or more subject vehicles may apply
30 jointly for a fleet inspection station permit. The agency must
31 not issue a fleet inspection station permit unless the agency
32 finds that the applicant maintains an established facility that
33 meets the requirements in items A and B.

34 [For text of item A, see M.R.]

35 B. At a minimum, the applicant shall own or lease:

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

7 (2) tools necessary for the installation,
8 adjustment, repair, or replacement of items in the low emission
9 adjustment list.

10 **Subp. 2. Permits.**

11 [For text of items A to I, see M.R.]

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

18 [For text of items K and L, see M.R.]

19 [For text of subp 3, see M.R.]

20 **Subp. 4. Inspection frequency.** All fleet vehicles for
21 which a fleet inspection station permit has been issued shall be
22 inspected by the fleet station automotive repair technician
23 according to the schedule in part 7023.1015.

24 **Subp. 5. Test procedure.** The tampering inspection and
25 exhaust emission test shall be conducted on fleet vehicles by a
26 fleet inspection station automotive repair technician under
27 parts 7023.1015 to 7023.1030 with the exception of part
28 7023.1030, subpart 6. If the fleet vehicle fails the exhaust
29 emission test, the vehicle shall be preconditioned according to
30 either the procedure in part 7023.1030, subpart 6, or if the
31 fleet inspection station does not have a dynamometer, the
32 procedure in part 7023.1030, subpart 9. The idle speed of each
33 tested vehicle shall be adjusted to manufacturer's
34 specifications if it deviates from the specified value by more
35 than plus or minus 75 revolutions per minute.

36 **Subp. 6. Vehicle inspection reports.** Inspection reports

1 must be issued and processed by the fleet inspection station
2 according to items A to H.

3 [For text of item A, see M.R.]

4 B. Vehicle inspection reports that are incorrect
5 shall have corrections authenticated and initialed by the
6 automotive repair technician conducting the inspection. Voided
7 or unusable reports and certificates shall be returned to the
8 agency.

9 C. Only the fleet station automotive repair
10 technician may sign a fleet vehicle inspection report.

11 [For text of items D to H, see M.R.]

12 Subp. 7. **Fleet audit.** Upon request of the commissioner, a
13 fleet inspection station permittee shall submit vehicles
14 designated by the commissioner numbering five percent of the
15 fleet or five motor vehicles annually, whichever is greater, but
16 no more than 25 vehicles, for inspection at inspection stations
17 operated by the contractor or inspection by the agency.

18 Subp. 8. **Analyzer inspections.** A fleet station emission
19 analyzer shall not be used for an exhaust emission test under
20 part 7023.1030 if it does not pass the agency's field audit
21 gases within the tolerances prescribed in part 7023.1090, if
22 there is a leak in the sampling system or the calibration port,
23 or if the sample handling system is restricted. An agency
24 representative shall inform the fleet station automotive repair
25 technician that the analyzer does not meet the requirements of
26 this subpart. The analyzer must not be used for testing fleet
27 vehicles until the agency representative determines that the
28 analyzer meets the requirements of this subpart.

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

33 7023.1085 INSPECTION STATIONS TESTING FLEET VEHICLES.

34 A. Inspection stations may provide inspection
35 services to a holder of a fleet inspection station permit.

1 B. Vehicle inspection reports must be filled out at
2 the time of inspection by an inspection station in the same
3 manner required for nonfleet vehicles.

4 C. The holder of the fleet inspection station permit
5 is responsible for maintaining records and reports required by
6 part 7023.1080.

7 7023.1090 EXHAUST GAS ANALYZER SPECIFICATIONS; CALIBRATION AND
8 QUALITY CONTROL.

9 A. Exhaust gas analyzers used at inspection stations
10 and fleet inspection stations must comply with the requirements
11 of Code of Federal Regulations, title 40, part 51, subpart S,
12 Appendix D, as amended, entitled "Steady-State Short Test
13 Equipment."

14 B. Exhaust gas analyzers used at inspection stations
15 and fleet inspection stations must be maintained according to
16 the quality assurance requirements of Code of Federal
17 Regulations, title 40, part 51, subpart S, Appendix A, as
18 amended, entitled "Calibration Adjustments and Quality Control."

19 7023.1100 PUBLIC NOTIFICATION.

20 [For text of item A, see M.R.]

21 B. The agency or the contractor shall establish a
22 system to respond to inquiries from members of the public
23 regarding the compliance status of a subject vehicle under the
24 program including last inspection date, whether a certificate of
25 compliance, certificate of waiver, certificate of extension,
26 certificate of annual exemption, or certificate of exemption has
27 been issued, and the reason for the certificate.

28 7023.1105 INSPECTION FEES.

29 Subpart 1. **Inspection fee.** Beginning October 10, 1989,
30 the fee for inspection at an inspection station must not exceed
31 \$10. The fee must be paid to the registrar for subject vehicles
32 at the time of reregistration. After that, the commissioner
33 shall annually establish the inspection fee at an amount of up
34 to \$10. At least 30 days' notice shall be given to the

1 registrar of changes in the fee.

2 Deputy registrars shall report to the department
3 certificates of extension, annual exemption, and exemption,
4 along with registrations made and inspection fees collected in
5 the same manner required for registrations under Minnesota
6 Statutes, section 168.33, subdivision 2.

7 Subp. 2. **Reinspections; elective inspections.**

8 A. The inspection fee shall entitle an owner to an
9 initial inspection and two reinspections. The commissioner
10 shall establish a fee for each third and subsequent
11 reinspection. The fee must not be more than \$10 and shall be
12 paid to the registrar or contractor by the owner.

13 B. Each elective inspection not required by parts
14 7023.1010 to 7023.1105 shall be allowed only upon approval of
15 the commissioner or contractor. The commissioner shall
16 establish a fee for each elective inspection. The fee must not
17 be more than \$10 and must be paid to the contractor by the owner.

18 [For text of subps 3 and 4, see M.R.]

19 REPEALER. Minnesota Rules, parts 7023.1010, subparts 23 and 24;
20 7023.1055, subpart 6; and 7023.1095, are repealed.