

Sponsor Statement

CS HB 81(STA)

“An Act relating to motor vehicle emissions and to inspection decals and fines relating to motor vehicle emissions; and providing for an effective date.”

CS [HB 81](#)(STA) streamlines existing motor vehicle emission statutes to improve compliance and enforcement, provide consistency between departments, provide relief from extraneous requirements, and protect consumers.

In areas that require motor vehicle emission programs, car owners have found several loopholes to evade programs and falsely register cars. Before a vehicle’s registration can be renewed, a car must also have a current and valid emission inspection. A problem arises when the inspection expires and the registration is current. This creates a disconnect between the dates on the license plate and the certificate of inspection, and reduces the ability to enforce proper registration. CS HB 81(STA) limits changes so that the emission inspection and the vehicle registration renewal date may be synchronized.

The same loopholes exist for title transfers. Before a title can be transferred for a 1987 or older vehicle, it must have an inspection dated within 12 months. When the title is transferred, often the registration is still current. When the new emission test is done for a title transfer, the vehicle has an inspection decal that is good for two years, but a registration that will expire in less than two years. CS HB 81(STA) removes the requirement for yearly tests and synchronizes registration and emission inspections tests for all vehicles, regardless of age.

Enforcement of emission programs is an area of concern. The authority to enforce emission programs through registration renewal is within the Department of Administration. The entities responsible for administering the emission control programs, such as the Department of Environmental Conservation (DEC) and municipalities, do not have a direct mechanism to insure that vehicles are properly registered and meet emission program requirements. CS HB 81(STA) extends the authority to enforce emission inspection requirements through proper registration to DEC and the municipalities that require such programs.

DEC has found that the current fine for a program violation is not a reasonable deterrent for egregious offenders. A \$200 fine seems manageable when costly repairs may provide an economic incentive to evade the program. Under Section 5, the fine is raised to \$500.

A consumer protection measure has been inserted into CS HB 81(STA) in an effort to assist Alaskans who are shopping for used automobiles. CS HB 81(STA) specifies that the used vehicle must display a valid emissions inspection decal, have a valid record of emissions inspection with the DMV, or have a certificate of inspection that shows non-compliance with program requirements. Consumers can feel comfortable seeing the decal and knowing the vehicle has met program requirements.

CS HB 81(STA) is a comprehensive clean-up act. The provisions will close loopholes in current emission programs and requirements, extend authority to those entities who oversee emission programs, provide an increased deterrent for those individuals who choose to evade emission programs, and protect Alaskans who are looking to buy used vehicles.