1   HOUSE BILL NO. 213

2   AMENDMENT IN THE NATURE OF A SUBSTITUTE

3   (Proposed by the House Committee on Transportation

4   on January 30, 2024)

5   (Patron Prior to Substitute--Delegate Watts)

6   A BILL to amend and reenact §§ 46.2-1177.1 and 46.2-1182 of the Code of Virginia, relating to emissions

7   inspections; fees; agreement for services and service charge fees.

8   **Be it enacted by the General Assembly of Virginia:**

9   **1. That §§ 46.2-1177.1 and 46.2-1182 of the Code of Virginia are amended and reenacted as follows:**

10   **§ 46.2-1177.1. Inspection program coordinator; agreement for services.**

11   The Director may enter into an agreement to designate a program coordinator for all inspection

12 programs pursuant to this article, except that no on-road clean screen program or any program or

13 inspection process that utilizes remote sensing shall be included in the agreement. The Director shall

14 determine the services to be provided by the program coordinator and the amount to be paid to the program

15 coordinator for such services by the Department. Such agreement shall include a provision that the

16 program coordinator shall provide and maintain inspection stations as defined in § 46.2-1176 with

17 equipment, as set forth in this article, as required for a station to provide inspections. In addition to the

18 amount the Director agrees for the Department to pay the program coordinator, the agreement shall permit

19 the program coordinator to be paid up to ~~$3,500~~ $5,000 per year from each inspection station for each set

20 of required equipment for the provision and maintenance of such equipment by the program coordinator.

21   **§ 46.2-1182. Emissions inspection fees; exemption.**

22   Emissions inspection stations performing emissions inspections under subsection A of § 46.2-1178

23 may charge $11.40 for each emissions inspection, but such charge shall not be mandatory. Any such fee

24 shall be paid to the emissions inspection station.

25   Each emissions inspection station performing emissions inspections under subsection B of § 46.2-

26   1178 may charge for each emissions inspection an amount not to exceed $17. Any such fee shall be paid

27   to and retained by the emissions inspection station.

28   Beginning at such date upon which the program becomes an enhanced emissions program, each

29   emissions inspection station performing emissions inspections under subsection C of § 46.2-1178 may

30   charge an amount not to exceed $28 $30 for each emissions inspection, unless the fee is paid by credit

31   card, in which case the emissions inspection station may also collect a service charge that does not exceed

32   three percent of the emissions inspection fee. Any such fee and optional service charge shall be paid to

33   and retained by the emissions inspection station.

34   Within 14 days of an initial failure of an emissions inspection performed at an emissions inspection

35   station, the vehicle's owner shall be entitled to one free reinspection at the station or facility that conducted

36   the original inspection.

37   The on-road emissions inspector performing emissions inspections under subsection C of § 46.2-

38   1178 may charge each motor vehicle owner who elects to participate in the on-road clean screen program

39   an amount not to exceed $28 $30 for each emissions inspection, unless the fee is paid by credit card, in

40   which case the on-road emissions inspector may also collect a service charge that does not exceed three

41   percent of the emissions inspection fee. Any such fee and optional service charge shall be paid to the on-

42   road emissions inspector. From each emissions inspection fee received by the on-road emissions inspector,

43   a minimum of $4.50 shall be appropriated to the Highway Maintenance and Operating Fund established

44   pursuant to § 33.2-1530.

45   The emissions inspection station or on-road emissions inspector shall disclose the amount of any

46   service charge being collected from the consumer prior to the consumer incurring the emissions inspection

47   fee by posting clear and conspicuous notice at the point of entry, point of sale, and checkout page for

48   online or mobile transactions.

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