

## **RULE I**

### **Purpose**

THE PROPOSED RULE WILL FURNISH GUIDELINES AND ESTABLISH AN ENFORCEMENT MECHANISM FOR REGULATION ELEVEN OF THE COLORADO AIR QUALITY CONTROL COMMISSION AND ALL APPLICABLE STATUTES ESTABLISHING THE BASIC EMISSIONS PROGRAM AND THE ENHANCED EMISSIONS PROGRAM IN THE STATE OF COLORADO PURSUANT TO 42-4-301 TO 42-4-316 C.R.S.

### **DEFINITIONS:**

- 100.0 ACCESS CODE: THE SECURITY PHRASE OR NUMBER WHICH ALLOWS EMISSIONS MECHANICS, EMISSIONS INSPECTORS, EMISSIONS COMPLIANCE INSPECTORS AND ANALYZER SERVICE TECHNICIANS TO PERFORM SPECIFIC ASSIGNED FUNCTIONS.
- 101.0 ADEQUATE FACILITY: A LICENSED LOCATION CAPABLE OF MEETING THE REQUIREMENTS OF REGULATION 11, THE RULES OR REGULATIONS OF THE DEPARTMENT, APPLICABLE STATUTES, SAFETY, OCCUPANCY, ZONING, USE, BUSINESS AND SALES TAX LICENSING LAWS, ORDINANCES OR REGULATIONS.
- 102.0 AIR SYSTEM: A SYSTEM FOR PROVIDING SUPPLEMENTARY AIR INTO THE VEHICLE'S EXHAUST SYSTEM TO PROMOTE FURTHER OXIDATION OF HC AND CO GASES AND TO ASSIST CATALYTIC REACTION.
- 103.0 ADMINISTRATIVE HOLD: A SUMMARY SUSPENSION ORDER BY THE DEPARTMENT TO TEMPORARILY CEASE ALL LICENSED ACTIVITIES DUE TO ADMINISTRATIVE DEFICIENCIES ON THE PART OF THE LICENSEE.
- 104.0 ANALYZER: MEANS "COLORADO 94" EXHAUST GAS ANALYZER AS REQUIRED BY 42-4-306 (3) C.R.S.
- 105.0 "BASIC" EMISSIONS PROGRAM AREA: AN AREA CONSISTING OF THE COUNTIES OF EL PASO, LARIMER, AND WELD PURSUANT TO 42-4-304 (20) C.R.S.
- 106.0 "BASIC" EMISSIONS PROGRAM: THE INSPECTION AND READJUSTMENT PROGRAM ESTABLISHED PURSUANT TO 42-4-301 TO 42-4-316 C.R.S.
- 107.0 "BASIC" EMISSIONS TEST: A TEST PERFORMED BY THE ANALYZER WITHIN THE BASIC OR ENHANCED PROGRAM AREAS BY LICENSED INSPECTION ONLY FACILITIES, INSPECTION AND READJUSTMENT STATIONS OR FLEET INSPECTION STATIONS.
- 108.0 BULLETIN: OFFICIAL POLICY OF THE COMMISSION, THE DIVISION, OR THE DEPARTMENT, DISTRIBUTED AND ENFORCED BY THE DEPARTMENT.
- 109.0 CALIBRATION: THE PROCESS OF ESTABLISHING OR VERIFYING THE TOTAL ACCURACY OF AN EXHAUST GAS ANALYZER.
- 110.0 CALIBRATION GAS: GASES OF PRECISELY KNOWN CONCENTRATION WHICH ARE USED AS A REFERENCE FOR ESTABLISHING OR VERIFYING THE CALIBRATION OF AN ANALYZER.
- 110.0 CATALYTIC CONVERTER: A POST-COMBUSTION DEVICE WHICH OXIDIZES HC AND CO GASES AND REDUCES OXIDES OF NITROGEN.

- 112.0 "CEC": MEANS CERTIFICATION OF EMISSIONS CONTROL WHICH IS THAT PORTION OF THE COMPLIANCE DOCUMENT INDICATE THE STATUS OF THE INSPECTION REQUIREMENTS, COMPLIANCE OR WAIVER, AND IS EITHER USED FOR VEHICLE REGISTRATION, OR TO BE GIVEN TO THE PURCHASER AT THE TIME OF SALE OR TRANSFER OF OWNERSHIP OF A MOTOR VEHICLE.
- 113.0 CERTIFICATE OF EMISSIONS COMPLIANCE: A CERTIFICATE INDICATING THAT THE EMISSIONS FROM A TESTED VEHICLE COMPLY WITH THE APPLICABLE EMISSIONS AND OPACITY STANDARDS AT THE TIME OF INSPECTION OR AFTER REQUIRED ADJUSTMENTS OR REPAIRS.
- 114.0 CERTIFICATE OF WAIVER: A CERTIFICATE INDICATING THAT THE EMISSIONS FROM THE VEHICLE DO NOT COMPLY WITH APPLICABLE EMISSIONS STANDARDS AFTER INSPECTION, ADJUSTMENT, AND EMISSIONS RELATED REPAIRS IN ACCORDANCE WITH 42-4-310 C.R.S.
- 115.0 CFC: (CHLOROFLUOROCARBONS) IS A CLASS 1 STRATOSPHERIC OZONE DEPLETING COMPOUND.
- 116.0 CO: CARBON MONOXIDE.
- 117.0 C.R.S. (COLORADO REVISED STATUTE): LAWS OF GENERAL AND PERMANENT NATURE ENACTED BY THE COLORADO GENERAL ASSEMBLY.
- 118.0 COMMISSION: MEANS THE AIR QUALITY CONTROL COMMISSION.
- 119.0 COMPLIANCE DOCUMENT: A DOCUMENT CONSISTING OF THE VERIFICATION OF EMISSIONS TEST, WINDOW STICKER, AND THE CERTIFICATION OF EMISSION CONTROL.
- 120.0 CONTRACTOR: THE PROVIDER OF MULTI-LANE, HIGH VOLUME INSPECTION-ONLY FACILITIES OPERATED IN THE ENHANCED PROGRAM AREA.
- 121.0 DATA MEDIUM: THE RECORDING MEDIUM, USED TO ELECTRONICALLY RECORD DATA CONTAINED IN THE ANALYZER.
- 122.0 DEPARTMENT: THE COLORADO DEPARTMENT OF REVENUE.
- 123.0 DESIGNEE: ANY INDIVIDUAL APPOINTED BY THE DEPARTMENT TO PERFORM DUTIES SUCH AS THE ISSUANCE OF WAIVERS OR ANY INDIVIDUAL APPOINTED BY A DEALER TO ISSUE NEW VEHICLE MSO OR MCO WINDOW STICKERS.
- 124.0 DIVISION: THE AIR POLLUTION CONTROL DIVISION OF THE COLORADO DEPARTMENT OF HEALTH.
- 125.0 DOD POV: DEPARTMENT OF DEFENSE PERSONNEL PARTICIPATING IN THE PRIVATELY OWNED VEHICLE IMPORT CONTROL PROGRAM.
- 126.0 DR 2087 (VERIFICATION OF VEHICLE IDENTIFICATION NUMBER (VOVIN)): A FORM ISSUED BY THE DEPARTMENT TO RECORD VEHICLE INFORMATION OBTAINED FROM A PHYSICAL INSPECTION OF SAID VEHICLE.
- 127.0 DR 2365 (VEHICLE EVALUATION FORM): A FORM INDICATING HOW THE VEHICLE IS CERTIFIED WITH INSTRUCTIONS ON HOW IT SHOULD BE INSPECTED, HOW THE VEHICLE SHOULD BE ADJUSTED TO MEET MANUFACTURER'S SPECIFICATIONS, AND WHAT EQUIPMENT IS REQUIRED.

- 128.0 DR 2342 (VERIFICATION OF EMISSION TEST): A CERTIFICATE TO BE ATTACHED TO A MOTOR VEHICLE'S WINDSHIELD VERIFYING THAT THE VEHICLE HAS BEEN ISSUED A VALID CERTIFICATION OF EMISSIONS CONTROL.
- 129.0 ECS: MEANS EMISSIONS CONTROL SYSTEMS WHICH ARE THOSE PARTS, ASSEMBLIES OR SYSTEMS ORIGINALLY INSTALLED BY THE MANUFACTURER IN OR ON A VEHICLE FOR THE PURPOSE OF REDUCING EMISSIONS.
- 130.0 ECSI: EMISSIONS CONTROL SYSTEMS INSPECTION.
- 131.0 ECI: MEANS EMISSIONS COMPLIANCE INSPECTOR WHO IS AN OFFICIAL REPRESENTATIVE OF THE DEPARTMENT.
- 132.0 EMISSIONS CONTROL SYSTEMS APPLICATION GUIDE: A COMMERCIALY AVAILABLE REFERENCE MANUAL INDICATING REQUIRED EMISSIONS EQUIPMENT AS INSTALLED BY THE MANUFACTURER.
- 133.0 EMISSIONS INSPECTOR: MEANS AN INDIVIDUAL TRAINED AND LICENSED TO INSPECT MOTOR VEHICLES AT AN INSPECTION-ONLY FACILITY, FLEET INSPECTION STATION OR MOTOR VEHICLE DEALER TEST FACILITY IN THE ENHANCED PROGRAM AREA OR AN INDIVIDUAL EMPLOYED BY AN ENHANCED INSPECTION CENTER WHO IS AUTHORIZED BY THE CONTRACTOR TO INSPECT MOTOR VEHICLES SUBJECT TO THE ENHANCED EMISSIONS PROGRAM.
- 134.0 EMISSIONS MECHANIC: AN INDIVIDUAL LICENSED TO INSPECT AND ADJUST MOTOR VEHICLES IN THE BASIC EMISSIONS PROGRAM AREA AND IS QUALIFIED IN ACCORDANCE WITH REGULATION 11 AND THE RULES OR REGULATIONS OF THE DEPARTMENT.
- 135.0 EMISSIONS TECHNICAL CENTER: CENTERS ADMINSTRATED BY THE DIVISION TO PROVIDE TECHNICAL SUPPORT FOR THE EMISSIONS PROGRAM.
- 136.0 EMISSIONS TEST: AN EVALUATION OF A MOTOR VEHICLE CONSISTING OF AN ANALYSIS OF EXHAUST, CFC, EVAPORATIVE, VISIBLE EMISSIONS AND ECS EQUIPMENT INSPECTION USING THE PROCEDURES AND PROVISIONS SET FORTH IN REGULATION 11 AND THE RULES OR REGULATIONS OF THE DEPARTMENT.
- 137.0 ENHANCED INSPECTION CENTER: AN INSPECTION-ONLY FACILITY OPERATED WITHIN THE ENHANCED PROGRAM AREA BY THE CONTRACTOR NOT AFFILIATED WITH ANY OTHER AUTOMOTIVE RELATED SERVICE.
- 138.0 ENHANCED EMISSIONS PROGRAM: THE INSPECTION PROGRAM ESTABLISHED PURSUANT TO 42-4-301 TO 42-4-316 C.R.S.
- 139.0 ENHANCED PROGRAM AREA: AN AREA CONSISTING OF THE COUNTIES OF ADAMS, ARAPAHOE, DENVER, DOUGLAS AND JEFFERSON BEGINNING JANUARY 01, 1995 AND TO INCLUDE BOULDER COUNTY BEGINNING JULY 01, 1995, PURSUANT TO 42-4-304 C.R.S.
- 140.0 EVAPORATIVE EMISSIONS: HYDROCARBONS LEAKING TO ATMOSPHERE FROM SOURCES OTHER THAN THE EXHAUST.
- 141.0 EXECUTIVE DIRECTOR. THE EXECUTIVE DIRECTOR OF THE COLORADO DEPARTMENT OF REVENUE, OR HIS DESIGNEE, RESPONSIBLE FOR THE ENFORCEMENT AND LICENSING FUNCTIONS OF THE BASIC EMISSIONS PROGRAM AND THE ENHANCED EMISSIONS PROGRAM.

- 142.0 FLEET INSPECTION STATION: A TYPE OF LICENSED EMISSIONS STATION WITH TWENTY) OR MORE VEHICLES OWNED, LEASED, OR CONSIGNED TO THE SAME ENTITY THAT HOLDS THE STATION LICENSE. FLEET STATIONS ARE AUTHORIZED TO PERFORM EMISSIONS INSPECTIONS ONLY ON VEHICLES IN THEIR FLEET.
- 143.0 FUEL FILLER NECK RESTRICTOR: THE ORIFICE AND OBSTRUCTION FLAPPER DOOR IN THE GAS TANK FILLER NECK THAT PREVENTS THE INSERTION OF A LEASED GASOLINE NOZZLE AND DETERS THE INTRODUCTION OF LEADED FUEL.
- 144.0 FUEL FILLER NECK RESTRICTOR GAUGE: A GAUGE TO DETERMINE IF THE FUEL FILLER NECK RESTRICTOR HAS BEEN TAMPERED OR IS OVERSIZED.
- 145.0 GVWR (GROSS VEHICLE WEIGHT RATING): THE MAXIMUM RECOMMENDED COMBINED WEIGHT OF THE MOTOR VEHICLE AND LOAD CAPACITY AS PRESCRIBED BY THE MANUFACTURER AND EXPRESSED ON A PERMANENT IDENTIFICATION LABEL AFFIXED TO THE MOTOR VEHICLE.
- 146.0 HANDS-ON EVALUATION: AN ON-SITE EVALUATION ADMINISTERED BY THE DEPARTMENT TO ENSURE THAT THE APPLICANT EMISSIONS MECHANIC OR EMISSIONS INSPECTOR CAN PROPERLY PERFORM THE INSPECTION.
- 147.0 H.C.: HYDRO-CARBON
- 148.0 INSPECTION AND READJUSTMENT STATION: A LICENSED STATION AUTHORIZED TO PERFORM EMISSIONS TESTS, ADJUSTMENTS AND REPAIRS WITHIN THE BASIC EMISSIONS PROGRAM AREA.
- 149.0 INSPECTION AREA: THE AREA WITHIN AN ADEQUATE FACILITY THAT IS OCCUPIED BY THE ANALYZER, SAMPLE HOSE, AND THE VEHICLE, OR THAT AREA IMMEDIATELY OUTSIDE THE CONFINES OF THE BUILDING WHICH MAY BE OCCUPIED BY THE VEHICLE, AND THE SAMPLE HOSE WHEN THE AMBIENT AIR TEMPERATURE IS ABOVE 41 DEGREES FAHRENHEIT, AND BELOW 110 DEGREES FAHRENHEIT, OR AN ENHANCED INSPECTION CENTER TEST LANE.
- 150.0 INSPECTION-ONLY FACILITY: A LICENSED EMISSIONS FACILITY WHICH IS LIMITED TO PERFORMING EMISSIONS INSPECTIONS IN THE ENHANCED AREA.
- 151.0 INSPECTOR NUMBER: THE ALPHA OR NUMERIC IDENTIFIER ISSUED BY THE DEPARTMENT TO EVERY LICENSED EMISSIONS INSPECTOR AT THE TIME OF LICENSING.
- 152.0 LETTER OF QUALIFICATION: A LETTER ISSUED BY THE DIVISION INDICATING THAT THE APPLICANT HAS PASSED THE WRITTEN QUALIFICATION TEST TO BECOME A LICENSED OR RENEWED INSPECTOR.
- 153.0 MECHANIC NUMBER: THE ALPHA OR NUMERIC IDENTIFIER ISSUED BY THE DEPARTMENT TO EVERY LICENSED EMISSIONS MECHANIC AT THE TIME OF LICENSING.
- 154.0 MOTOR VEHICLE DEALER TEST FACILITY: A LICENSED STATIONARY OR MOBILE FACILITY WHICH IS OPERATED BY A STATE TRADE ASSOCIATION FOR MOTOR VEHICLE DEALERS TO CONDUCT EMISSIONS INSPECTIONS ONLY ON DEALER USED VEHICLES.
- 155.0 MSO (MANUFACTURER'S STATEMENT OF ORIGIN) OR MCO (MANUFACTURER'S CERTIFICATE OF ORIGIN): A CERTIFICATE ISSUED BY THE MANUFACTURER OF A NEW MOTOR VEHICLE WHICH DESCRIBES THE VEHICLE AND ASSIGNS IT TO A DEALER, DISTRIBUTOR, OR INDIVIDUAL.

- 156.0 NORMAL BUSINESS HOURS: MONDAY THROUGH FRIDAY, 8:30 A.M. THROUGH 5:00 P.M., WITH THE EXCEPTION OF NATIONAL HOLIDAYS.
- 157.0 NOX: OXIDES OF NITROGEN
- 158.0 OXYGEN SENSOR CHECK ENGINE LIGHT GUIDE: REFERENCE GUIDE TO BE USED WHEN PERFORMING THE EQUIPMENT INSPECTION PORTION OF THE EMISSIONS TEST.
- 159.0 PRE-ADJUST: ANY REPAIRS OR ADJUSTMENTS PERFORMED AFTER A TEST HAS BEEN REQUESTED BUT PRIOR TO THE START OF THE TEST.
- 160.0 PRE-TEST: PERFORMING ANY PORTION OF THE EMISSIONS TEST AFTER AGREEMENT HAS BEEN REACHED TO PERFORM AN EMISSIONS TEST BUT PRIOR TO THE START OF THE TEST.
- 161.0 REGISTERED REPAIR FACILITY: AN AUTOMOTIVE REPAIR BUSINESS IN THE ENHANCED EMISSIONS AREA WHICH HAS REGISTERED WITH THE DIVISION AND AGREES TO HAVE THEIR EMISSIONS RELATED REPAIR COST-EFFECTIVENESS MONITORED.
- 162.0 REGISTERED REPAIR TECHNICIAN: A TECHNICIAN EMPLOYED AT A REGISTERED REPAIR FACILITY TO PERFORM REPAIRS AND ADJUSTMENTS WITHIN THE ENHANCED EMISSIONS AREA.
- 163.0 REGULATION (11): THE REGULATION OF THE COMMISSION GOVERNING THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM FOR THE CONTROL OF AIR CONTAMINANT EMISSIONS FROM MOTOR VEHICLES.
- 164.0 RETEST (AFTER-REPAIRS TEST): A TYPE OF INSPECTION SELECTED WHEN AN INSPECTION IS REQUESTED, AFTER THE VEHICLE HAS FAILED THE INITIAL INSPECTION.
- 165.0 SPAN GAS: GASES OF KNOWN CONCENTRATION USED AS REFERENCES TO ADJUST OR VERIFY THE ACCURACY OF AN EXHAUST GAS ANALYZER THAT ARE APPROVED BY THE DEPARTMENT OF HEALTH, AND ARE SO LABELED.
- 166.0 THERMOMETER: A CERTIFIED LABORATORY GRADE AMBIENT TEMPERATURE MEASURING DEVICE WITH A RANGE OF AT LEAST 20° FAHRENHEIT THROUGH 120° FAHRENHEIT, AND AN ATTESTED ACCURACY OF AT LEAST (+/-) 1° FAHRENHEIT WITH INCREMENTS OF 1° (ONE DEGREE), WITH PROTECTIVE SHIELDING.
- 167.0 VEHICLE INSPECTION REPORT (VIR): A DOCUMENT TO BE ISSUED TO THE OWNER OF A MOTOR VEHICLE INDICATING THE PASS OR FAIL STATUS OF EMISSIONS FROM SAID VEHICLE WITH APPLICABLE EMISSIONS STANDARDS, OPACITY STANDARDS, ECSI, EVAPORATIVE AND CFC EMISSIONS.
- 168.0 VEHICLE REPAIR FORM, (VRF): OFFICIAL FORM USED BY AN EMISSIONS MECHANIC OR INSPECTOR TO INDICATE EMISSIONS RELATED REPAIRS HAVE BEEN PERFORMED.
- 169.0 VIN: VEHICLE IDENTIFICATION NUMBER
- 170.0 VISIBLE EMISSIONS: ANY GRAY, BLUE, BLUE-BLACK OR BLACK SMOKE EMITTED FROM THE ENGINE CRANKCASE OR TAILPIPE.

## **RULE II BASIC EMISSIONS PROGRAM**

### **200.0 "BASIC" EMISSIONS TEST PROCEDURE:**

THE EMISSIONS TEST PROCEDURES DESCRIBED IN THIS SECTION ARE BOTH RULE AND INSTRUCTION FOR THE CONDUCT OF EMISSIONS TESTS. THIS SECTION CONTAINS THE TECHNICAL ASPECTS OF THE EMISSIONS TEST AS ENUMERATED IN REGULATION 11 OF THE COMMISSION, AND THE ADMINISTRATIVE PROCEDURES OF THE DEPARTMENT.

- (a) THE ENTIRE EMISSIONS TEST MUST BE PERFORMED BY A LICENSED EMISSIONS MECHANIC OR EMISSIONS INSPECTOR WITHIN THE INSPECTION AREA, AND ON THE LICENSED PREMISES WITHIN A FACILITY.
- (b) EMISSIONS TESTS, REPAIRS, AND STATION OPERATIONS SHALL BE CONDUCTED IN ACCORDANCE WITH REGULATION 11, THE RULES OF THE DEPARTMENT, APPLICABLE STATUTES, AND THE INSTRUCTIONS PROGRAMMED INTO THE COLORADO APPROVED ANALYZER.
- (c) FLEET INSPECTION STATIONS ARE AUTHORIZED TO PERFORM EMISSION INSPECTIONS, REPAIRS, AND ADJUSTMENTS ONLY ON VEHICLES IN THEIR FLEET. THEY MAY NOT CONDUCT EMISSIONS INSPECTIONS ON MOTOR VEHICLES OWNED BY EMPLOYEES OF THE FLEET OR THE GENERAL PUBLIC.
- (d) THE FOLLOWING VEHICLES ARE EXEMPT FROM EMISSIONS TESTING:
  - (1) DIESEL POWERED VEHICLES.
  - (2) ELECTRIC POWERED VEHICLES.
  - (3) VEHICLES WITH "FARM" PLATES.
  - (4) VEHICLES REGISTERED OUTSIDE THE "AIR" PROGRAM.
  - (5) VEHICLES REGISTERED AS "HORSELESS CARRIAGE".
  - (6) MOTORCYCLES.
  - (7) VEHICLES POWERED BY 2-STROKE ENGINES, 1979 AND OLDER.
  - (8) COLLECTOR SERIES PLATED VEHICLES, MODEL YEAR 1959 AND OLDER.

NOTE: MOTOR VEHICLES OWNED BY NON-RESIDENTS WHO RESIDE IN EITHER THE "BASIC" OR "ENHANCED" PROGRAM AREAS OR RESIDENTS WHO RESIDE OUTSIDE THE PROGRAM AREA WHO ARE EMPLOYED FOR AT LEAST NINETY DAYS IN A PROGRAM AREA OR WHO ARE ATTENDING SCHOOL IN A PROGRAM AREA, SHALL BE INSPECTED AS REQUIRED BY 42-4-312 (I) (B.5) (I) C. R. S., AND A VALID CERTIFICATE OF EMISSIONS COMPLIANCE OR EMISSIONS WAIVER SHALL BE OBTAINED AS REQUIRED FOR THE COUNTY WHERE SAID PERSON RESIDES OR ATTENDS SCHOOL. SUCH NONRESIDENTS INCLUDE, BUT ARE NOT LIMITED TO, ALL MILITARY PERSONNEL, TEMPORARILY ASSIGNED EMPLOYEES OF BUSINESS ENTERPRISES, AND PERSONS ENGAGED IN ACTIVITIES AT THE OLYMPIC TRAINING CENTER.

VEHICLES THAT ARE REGISTERED IN A PROGRAM AREA THAT ARE BEING OPERATED OUTSIDE SUCH AREA BUT WITHIN ANOTHER PROGRAM AREA SHALL COMPLY WITH ALL PROGRAM REQUIREMENTS OF THE AREA WHERE SUCH VEHICLES ARE BEING OPERATED.

- (e) THE EMISSIONS TEST CONSISTS OF:

- (1) AN AGREEMENT WITH THE CUSTOMER, ORAL OR WRITTEN, TO PERFORM AN EMISSIONS TEST.
  - (2) THE TEST OF VEHICLE EMISSION LEVELS AND FUEL EVAPORATIVE CONTROL SYSTEM PRESSURE INTEGRITY USING THE ANALYZER.
  - (3) CFC INSPECTION
  - (4) INSPECTION FOR EMISSIONS CONTROL EQUIPMENT
  - (5) TEST FOR VISIBLE SMOKE
  - (6) DISTRIBUTION OF COMPLIANCE DOCUMENTS AND CUSTOMER ADVISEMENT
  - (7) DISTRIBUTION OF FAILED VIR AND CUSTOMER ADVISEMENT
- (f) THE TEMPERATURE OF THE INSPECTION AREA MUST BE BETWEEN 41° F AND 110° F.
- (g) THE ANALYZER MUST BE KEPT IN A STABLE ENVIRONMENT SHELTERED FROM WIND, DIRT, DIRECT SUNLIGHT, AND EXTREME TEMPERATURE CHANGES.
- (h) VEHICLE DATA MAY BE OBTAINED FROM ANY OF THE FOLLOWING:
- (1) REGISTRATION RENEWAL CARD
  - (2) VERIFICATION OF EMISSIONS TEST WINDOW STICKER BAR CODE
  - (3) THE VEHICLE
- (A) IF NO MATCH IS FOUND, A NEW INSPECTION RECORD MUST BE CREATED. THE ANALYZER WILL PROMPT FOR A NEW RECORD TO BE CREATED.
- (i) THE ANALYZER WILL DETERMINE THE TEST TYPE.
- (1) IF AN AFTER REPAIRS TEST IS REQUIRED, REPAIR INFORMATION AND PREVIOUS TEST RESULTS MUST BE ENTERED INTO ANALYZER.
- (j) DETERMINE IF THE VEHICLE IS SAFE TO TEST.

**(201.0) EMISSIONS TEST PROCEDURES:**

- (a) THE INSPECTION PROCEDURE BEGINS WHEN THE CUSTOMER AND THE REPRESENTATIVE OF THE EMISSIONS INSPECTION STATION OR EMISSIONS INSPECTION FACILITY REACH AN AGREEMENT TO PERFORM AN EMISSIONS TEST.
- (b) ONCE AN EMISSIONS TEST HAS BEEN REQUESTED:
- (1) EMISSIONS MECHANICS LICENSED AT EMISSIONS INSPECTION AND REPAIR STATIONS WILL NOT:
    - (A) PRE-ADJUST ANY VEHICLE ONCE AN AGREEMENT HAS BEEN MADE TO PERFORM THE EMISSIONS TEST.
    - (B) PRE-TEST ANY VEHICLE ONCE AN AGREEMENT HAS BEEN MADE TO PERFORM AN EMISSIONS TEST.

- (2) EMISSIONS INSPECTORS LICENSED AT EMISSIONS INSPECTION FACILITIES WILL NOT PRE-TEST ANY VEHICLE ONCE AN AGREEMENT HAS BEEN MADE TO PERFORM AN EMISSIONS TEST.
  - (3) EMISSIONS INSPECTORS LICENSED AT FLEET INSPECTION STATIONS WILL NOT:
    - (A) PRE-ADJUST ANY VEHICLE.
    - (B) PRE-TEST ANY VEHICLE.
  - (4) EMISSIONS INSPECTION STATIONS LICENSED AS INSPECTION AND REPAIR STATIONS IN ACCORDANCE WITH THIS REGULATION MUST INFORM THE CUSTOMER PRIOR TO PERFORMING THE EMISSIONS TEST IF THEY ARE UNABLE TO PERFORM THE NECESSARY ADJUSTMENTS AND REPAIRS SHOULD THE VEHICLE FAIL THE TEST.
  - (5) EMISSIONS INSPECTION STATIONS OR EMISSIONS INSPECTION FACILITIES MAY REFUSE TO PERFORM AN EMISSIONS TEST WHEN SAFETY RELATED ITEMS, EXHAUST SYSTEMS WHICH PERMIT UNSAFE FUMES INTO PASSENGER COMPARTMENT, METALLIC NOISES FROM ENGINE OR DRIVE TRAIN, OR FLUID LEAKS EXIST.
- (c) TURN OFF ENGINE AS A SAFETY PRECAUTION.
  - (d) THE EMISSIONS MECHANIC OR EMISSIONS INSPECTOR IS RESPONSIBLE TO ENTER THE CORRECT INFORMATION AND RESULTS OF EACH ELEMENT OF THE EMISSIONS TEST INTO THE ANALYZER. THE ANALYZER WILL MAKE THE PASS OR FAIL DETERMINATION FOR TAILPIPE STANDARDS AND EVAPORATIVE FUEL CONTROL SYSTEM PRESSURE INTEGRITY.
  - (e) ENTER EMISSIONS MECHANIC OR EMISSIONS INSPECTOR ACCESS CODE INTO THE ANALYZER.
  - (f) ENTER VEHICLE IDENTIFICATION NUMBER WHICH MAY BE RETRIEVED FROM:
    - (1) THE VEHICLE.
    - (2) VERIFICATION OF EMISSIONS TEST WINDOW STICKER BAR CODE.
    - (3) REGISTRATION RENEWAL CARD.
  - (g) VERIFY THAT INFORMATION FROM THE DATA BASE MATCHES THE VEHICLE IDENTIFICATION NUMBER OF THE VEHICLE BEING INSPECTED.
  - (h) IF A MATCH IS FOUND, VERIFY THAT VEHICLE IDENTIFICATION NUMBER IS CORRECT AND PRESS "ENTER" TO PROCEED.
  - (i) IF NO MATCH IS FOUND AND THE VEHICLE IDENTIFICATION NUMBER IS CORRECT AND EVIDENCE INDICATES A PREVIOUS INSPECTION HAS BEEN PERFORMED, STOP TEST AND CALL THE DEPARTMENT FOR FURTHER INSTRUCTIONS. IF NO ANSWER, CHARGE NO FEE FOR THE TEST AND CALL THE DEPARTMENT AS SOON AS POSSIBLE.
  - (j) IF NO MATCH IS FOUND AND THE VEHICLE IDENTIFICATION NUMBER IS CORRECT, FOLLOW SCREEN PROMPTS TO CREATE A NEW RECORD.



- (k) IF THE ANALYZER HAS DETERMINED BY VIN CODE THAT THE VEHICLE AS MANUFACTURED WAS DIESEL POWERED AND HAS BEEN CONVERTED TO GASOLINE AND A DR 2365 HAS NOT BEEN PRESENTED, ENTER "N" INTO THE ANALYZER.
- (l) IF A DR 2365 HAS BEEN PRESENTED, ENTER "Y" INTO THE ANALYZER.
- (m) IF THE ANALYZER HAS IDENTIFIED A COLORADO ASSIGNED IDENTIFICATION NUMBER, AND A DR 2365 HAS NOT BEEN PRESENTED, ENTER "N" INTO THE ANALYZER.
- (n) IF A DR 2365 HAS BEEN PRESENTED, ENTER "Y" INTO THE ANALYZER.
  - (1) ENTER YEAR OF ENGINE FROM DR 2365.
- (o) THE ANALYZER WILL DETERMINE THE TEST TYPE.
  - (1) IF TEST TYPE "A" IS REQUIRED, PREVIOUS INSPECTION DATA WILL BE RETRIEVED FROM THE VIR.
- (p) THE EMISSIONS TEST SHALL BE PERFORMED WITH THE TRANSMISSION IN PARK OR NEUTRAL AND WITH ALL ACCESSORIES OFF.
- (q) DETERMINE IF VEHICLE IS LIGHT DUTY OR HEAVY DUTY. ALL PASSENGER VEHICLES REGARDLESS OF GVWR WILL BE INSPECTED AS LIGHT DUTY;
  - (1) EXAMINE THE VEHICLE GVWR INFORMATION PLATE OR DECAL:
    - (A) FOR VEHICLES MODEL YEAR 1978 AND EARLIER WITH A GVWR OF 6001 LBS OR GREATER, TEST AS "HEAVY DUTY".
    - (B) FOR VEHICLES MODEL YEAR 1979 AND NEWER WITH A GVWR OF 8501 LBS OR GREATER, TEST AS "HEAVY DUTY".
  - (2) IF VEHICLE GVWR INFORMATION PLATE OR DECAL IS MISSING, EXAMINE THE ENGINE EXHAUST EMISSIONS CONTROL INFORMATION DECAL WHICH IS PERMANENTLY AFFIXED TO THE ENGINE AND DETERMINE "HEAVY-DUTY" ENGINE OR VEHICLE FEDERAL CERTIFICATION STATUS.
  - (3) IF THE EMISSION CONTROL DECAL OR THE GVWR PLATE IS MISSING, THE VEHICLE MUST BE INSPECTED "LIGHT-DUTY".
  - (4) ENTER HEAVY DUTY OR LIGHT DUTY DETERMINATION INTO THE ANALYZER.
- (r) START ENGINE
- (s) THE EMISSIONS TEST MUST BE CONDUCTED BY USING THE TACHOMETER PROCEDURE AS PROMPTED BY THE ANALYZER.
  - (1) IF NO RPM SIGNAL CAN BE OBTAINED, STOP THE TEST AND CONTACT A TECHNICAL CENTER. IF THE TECHNICAL CENTER CANNOT BE REACHED, INSTRUCT THE CUSTOMER TO CALL A TECHNICAL CENTER AS SOON AS POSSIBLE.
- (t) ENSURE THAT THE VEHICLE IS AT NORMAL OPERATING TEMPERATURE IN A CHOKE-OFF, COLD ENRICHMENT-OFF CONDITION BY FEELING THE TOP RADIATOR HOSE FOR WARMTH, OR BY CHECKING THE TEMPERATURE GAUGE. VEHICLES ARE NOT TO BE IDLED FOR EXTENDED PERIODS OF TIME BUT RATHER INSPECTED IN AN EXPEDIENT

MANNER AS SOON AS NORMAL OPERATING TEMPERATURE IS ACHIEVED.

- (u) INSERT THE ANALYZER PROBE INTO THE EXHAUST PIPE.
  - (1) THE ANALYZER PROBE MUST BE INSERTED AT LEAST TWELVE INCHES, OR AS RECOMMENDED BY THE ANALYZER MANUFACTURER, WHICH EVER IS GREATER, FOR A QUALITY SAMPLE.
  - (2) FOR VEHICLES EQUIPPED WITH MULTIPLE EXHAUST SYSTEMS, THE ANALYZER'S DUAL EXHAUST PROCEDURE MUST BE USED.
  - (3) IF A BAFFLE OR SCREEN PREVENTS PROBE INSERTION TO AN ADEQUATE DEPTH, A SUITABLE PROBE ADAPTER OR SNUG FITTING HOSE WHICH EFFECTIVELY LENGTHENS THE EXHAUST PIPE MAY BE USED. THIS EXTENSION MAY ALSO BE USED TO TEST VEHICLES THAT ARE TOO LONG TO ACCOMMODATE THE TACHOMETER HOOKUP AND SAMPLE HOSE LENGTH.
- (v) THE VEHICLE WILL BE EVALUATED FOR THE PRESENCE OF VISIBLE SMOKE EMISSIONS. THE EVALUATION IS TO BE PERFORMED AT ALL TIMES WHILE THE ENGINE IS RUNNING DURING THE INSPECTION PROCEDURE.
- (w) THE TEST FOR EMISSION LEVELS SHALL BE CONDUCTED AS PROMPTED BY THE ANALYZER.
  - (1) THE EMISSIONS MECHANIC OR EMISSIONS INSPECTOR MUST FOLLOW THE TEST PROCEDURE AS INSTRUCTED BY THE ANALYZER.
  - (2) THE ENGINE SPEED MUST BE INCREASED BY THE EMISSIONS MECHANIC OR EMISSIONS INSPECTOR FROM THE DRIVER'S SEAT USING ONLY THE ACCELERATOR PEDAL.
- (x) EXAMINE THE VEHICLE'S EXHAUST AND CRANKCASE FOR SMOKE EMISSIONS. ANY VISIBLE SMOKE FROM THE START OF THE TEST THROUGH THE CONCLUSION OF THE ENGINE OPERATING PORTION OF THE TEST WILL CAUSE THE VEHICLE TO FAIL. THE EMISSIONS MECHANIC OR EMISSIONS INSPECTOR MUST ENSURE THE VEHICLE IS PROPERLY EVALUATED FOR SMOKE REGARDLESS OF THE WEATHER CONDITIONS. VEHICLES MAY NOT BE FAILED FOR WATER VAPOR OR STEAM EMISSIONS.

ENTER "P" IF THE VEHICLE DOES NOT EXHIBIT SMOKE.

ENTER "F" IF THE VEHICLE EXHIBITS SMOKE.

ANY DISPUTE WITH REGARD TO THE VEHICLE SMOKE TEST MUST BE REFERRED TO A STATE OPERATED EMISSIONS TECHNICAL CENTER ALONG WITH THE FAILURE DOCUMENTS INDICATING THE FAILURE.

- (y) INSPECT FOR CFC'S ON PRE-1995 MODEL YEAR VEHICLES. ENTER "N" IF THE VEHICLE IS NOT EQUIPPED WITH AIR CONDITIONING.
  - (1) ACTIVATE THE AIR CONDITIONING SYSTEM.
  - (2) USING THE DIVISION DESIGNATED CFC DETECTOR, THE MECHANIC OR THE INSPECTOR WILL INSPECT FOR CFC LEAKAGE FROM ALL AIR CONDITIONING COMPONENTS WITHIN THE ENGINE COMPARTMENT.

ENTER "P" IF THE VEHICLE PASSES THIS TEST.

ENTER "F" IF THE VEHICLE FAILS THIS TEST.

(3) TURN VEHICLE ENGINE OFF.

(z) FOR EMISSIONS TESTS CONDUCTED ON 1975 OR NEWER MODEL VEHICLES, AN INSPECTION FOR THE PRESENCE AND OPERABILITY OF EMISSION CONTROL EQUIPMENT AND A FUEL EVAPORATIVE EMISSIONS INTEGRITY CHECK SHALL BE CONDUCTED IN THE FOLLOWING MANNER:

(1) EXAMINE THE EMISSION CONTROL INFORMATION DECAL TO DETERMINE THE EMISSIONS EQUIPMENT APPLICABLE TO THE VEHICLE AS MANUFACTURED.

(A) EXAMINE THE OXYGEN SENSOR CHECK ENGINE LIGHT GUIDE TO DETERMINE THE EQUIPMENT APPLICABLE TO THE VEHICLE AS MANUFACTURED.

(2) A VEHICLE'S EMISSION CONTROL INFORMATION DECAL ALWAYS TAKES PRECEDENCE. IF THE VEHICLE EMISSION CONTROL INFORMATION DECAL IS MISSING, INCOMPLETE, OR NO LONGER APPLICABLE TO THAT VEHICLE, A SYSTEMS REFERENCE GUIDE OR LOOKUP TABLE MUST BE USED TO DETERMINE THE EMISSION EQUIPMENT APPLICABLE TO THE VEHICLE AS MANUFACTURED. ANY EXCEPTION MUST BE SUPPORTED BY A DR 2365 ISSUED BY A TECHNICAL CENTER OR AN AUTHORIZED AGENT EMPLOYED BY AN ENHANCED EMISSIONS TEST CENTER.

(3) PERFORM THE ECSI AND FUEL EVAPORATIVE SYSTEM INSPECTIONS AS INDICATED BY A DR 2365 FOR:

(A) DIESEL CONVERTED VEHICLES.

(B) KIT-CAR VEHICLES.

(C) ALL OTHER VEHICLES THAT HAVE HAD THE ORIGINAL ENGINE CHANGED.

(4) SELECT THE PROPER FUEL CAP ADAPTOR TO PERFORM EVAPORATIVE FUEL CONTROL SYSTEM PRESSURE INTEGRITY TEST.

(5) BEGIN CONDUCTING THE FUEL CAP EVAPORATIVE FUEL SYSTEM PRESSURE INTEGRITY TEST AS PROMPTED BY THE ANALYZER.

(A) IF THE MECHANIC OR INSPECTOR HAS DETERMINED THAT THE VEHICLE IS A DIESEL CONVERSION AND HAS NOT BEEN IDENTIFIED BY THE ANALYZER AS A DIESEL CONVERSION, THE TEST MUST BE ABORTED AND THE VEHICLE MUST BE REFERRED TO A TECHNICAL CENTER.

(6) LICENSEES ARE RESPONSIBLE TO PROPERLY DETERMINE WHAT EQUIPMENT IS REQUIRED.

(7) VEHICLES IN WHICH THE EMISSION CONTROL SYSTEMS APPLICATION CAN NOT BE DETERMINED OR ARE NOT APPLICABLE TO THAT VEHICLE, ARE TO BE FAILED FOR THE QUESTIONABLE SYSTEMS AND REFERRED TO A STATE OPERATED TECHNICAL CENTER OR AN AUTHORIZED AGENT EMPLOYED BY AN ENHANCED EMISSIONS TEST CENTER FOR AN EVALUATION.

- (8) NON-U.S. CERTIFIED VEHICLES MUST HAVE A DR 2365 PRESENTED OR BE REFERRED TO A TECHNICAL CENTER FOR EVALUATION TO OBTAIN ONE. THE MECHANIC OR INSPECTOR MUST ABORT THE EMISSIONS TEST FOR "UNKNOWN CERTIFICATION" IF VEHICLE DOES NOT HAVE A VALID DR 2365.

- (9) EXAMINE THE VEHICLE'S FUEL FILLER NECK RESTRICTOR USING THE FUEL FILLER NECK INSPECTION GAUGE. ENTER "N" IF THE VEHICLE WAS NOT ORIGINALLY EQUIPPED WITH THE FUEL FILLER NECK RESTRICTOR AND PROCEED TO (11). THE VEHICLE FAILS THE FUEL FILLER NECK INSPECTION IF THE INSPECTION GAUGE CAN BE INSERTED INTO THE RESTRICTOR, OR THE RESTRICTOR IS MISSING.

ALL CATALYST EQUIPPED VEHICLES AND VEHICLES DESIGNATED "UNLEADED FUEL ONLY" WILL HAVE A FUEL FILLER NECK RESTRICTOR. THE ABSENCE OF OR AN INOPERATIVE "FLAPPER DOOR" IN THE FUEL FILLER NECK RESTRICTOR SYSTEM WOULD NOT CONSTITUTE A FAILURE AT TIME OF INITIAL INSPECTION. VEHICLES WHICH FAIL THE FUEL FILLER NECK RESTRICTOR TEST MUST ALSO BE RECORDED AS FAILURES FOR THE CATALYTIC CONVERTER AND OXYGEN SENSOR TESTS IF APPLICABLE.

ENTER "P" IF THE VEHICLE PASSES THE TEST.

ENTER "F" IF THE VEHICLE FAILS THE TEST.

- (10) VISUALLY INSPECT THE AIR SYSTEM, IF EQUIPPED. ENTER "N" IF THE VEHICLE WAS NOT ORIGINALLY EQUIPPED WITH AN AIR SYSTEM.

A SYSTEM FAILS THE INSPECTION IF ANY OF THE COMPONENTS OF THE SYSTEM ARE MISSING, DAMAGED TO BE NON-FUNCTIONAL, NOT ROUTED IN THE ORIGINAL CONFIGURATION, OR APPEAR TO BE NON-OPERABLE. THIS INCLUDES CHECK ENGINE LIGHTS FOR THE AIR SYSTEM, ALL ELECTRICAL CONNECTIONS AND VACUUM SOURCES.

ENTER "P" IF THE VEHICLE PASSES THIS TEST.

ENTER "F" IF THE VEHICLE FAILS THIS TEST.

- (11) EXAMINE THE VEHICLE'S CATALYTIC CONVERTERS. ENTER "N" IF THE VEHICLE WAS NOT ORIGINALLY EQUIPPED WITH CATALYTIC CONVERTERS.

A VEHICLE FAILS THE CATALYST TEST IF THE CATALYST IS MISSING, THE SHELL IS TORN, THE SUPPLEMENTAL AIR SUPPLY IS DISCONNECTED OR IF IT IS NOT OF THE SAME TYPE AND IN THE SAME LOCATION AS ORIGINALLY DESIGNED BY THE MANUFACTURER.

ENTER "P" IF THE VEHICLE PASSES THIS TEST.

ENTER "F" IF THE VEHICLE FAILS THIS TEST.

- (12) EXAMINE THE VEHICLE'S OXYGEN SENSOR SYSTEM AS PER THE OXYGEN SENSOR CHECK ENGINE LIGHT GUIDE. ENTER "N" IF THE VEHICLE WAS NOT ORIGINALLY EQUIPPED. IF APPLICABLE, EXAMINE THE VEHICLE'S CHECK ENGINE DASH INDICATOR LIGHT OR EMISSION CONTROL SYSTEM MALFUNCTION OR SERVICE MAINTENANCE INDICATOR LIGHTS USING THE FOLLOWING METHOD:

IGNITION OFF, ENGINE OFF = INDICATOR OFF

IGNITION ON, ENGINE OFF = INDICATOR ON OR DISPLAYED

IGNITION ON, ENGINE RUNNING = INDICATOR OFF

THE VEHICLE FAILS THE OXYGEN SENSOR INSPECTION IF THE SENSORS ARE MISSING, DISCONNECTED ELECTRICALLY OR IF THE VEHICLE'S "CHECK ENGINE LIGHT" OR "ENGINE MALFUNCTION" INDICATOR FAILS TO OPERATE AS STATED.

ENTER "P" IF THE VEHICLE PASSES THIS TEST

ENTER "F" IF THE VEHICLE FAILS THIS TEST.

- (13) VERIFY THAT THE EVAPORATIVE FUEL CONTROL SYSTEM PRESSURE TEST IS COMPLETE. UPON COMPLETION, REMOVE FUEL FILLER CAPS FROM TEST PORT AND REINSTALL ON VEHICLE.

(aa) PRINT DOCUMENTS.

**(202.0) DISTRIBUTION OF COMPLIANCE DOCUMENTS:**

- (a) ENSURE THAT THE COMPLIANCE DOCUMENTS ARE CORRECT, COMPLETE AND LEGIBLE.
- (b) IF THE COMPLIANCE DOCUMENTS SHOULD BECOME DAMAGED DURING THE PRINTING PROCESS, UTILIZE THE ANALYZER REPRINT PROCEDURE AND RETAIN THE DAMAGED DOCUMENTS FOR THE DEPARTMENT.
- (c) REMOVE EXISTING "VET". NOTE: SOME VEHICLES HAVE INNER WINDSHIELD LINERS AND REQUIRE SPECIAL SCRAPERS TO REMOVE THE STICKER WITHOUT DAMAGING THE WINDSHIELD.
- (d) INSTALL "VET" TO THE INSIDE LOWER LEFT CORNER OF THE DRIVER'S SIDE WINDSHIELD. (ENSURE THAT THE VIN REMAINS VISIBLE).
- (e) THE CUSTOMER RECEIPT AND REGISTRATION DOCUMENT MUST BE GIVEN TO THE CUSTOMER AND ADVISE OF PROPER USE.
- (f) IF A CFC LEAK IS DETECTED, ISSUE THE VIR AND ADVISE THE CUSTOMER OF THE RESULTS.

**(203.0) DISTRIBUTION OF FAILED VIR:**

- (a) ISSUE THE FAILED VIR TO THE CUSTOMER.
- (b) ADVISE OF THE TYPE OR TYPES OF FAILURES.
  - (1) DO NOT RECOMMEND A NON-VENTED CAP BE INSTALLED ON A DIESEL CONVERSION OR KIT-CAR IF THE VEHICLE FAILS THE EVAPORATIVE PRESSURE TEST. TECHNICAL CENTER PERSONNEL WILL MAKE THE DECISION AS TO WHAT TYPE OF CAP IS TO BE USED.
- (c) ISSUE INFORMATION PAMPHLETS FOR ANY FAILED VEHICLE. VEHICLES SUBJECT TO MANUFACTURER'S WARRANTY ARE TO BE ISSUED THE WARRANTY PAMPHLET FROM THE EPA. OWNERS OF FAILED VEHICLES MUST BE REFERRED TO THE SECTION ON EMISSIONS PROGRAM REQUIREMENTS PRINTED ON THE FAILURE DOCUMENTS.

- (d) THE CUSTOMER IS TO BE ADVISED OF ELIGIBILITY TO RECEIVE ONE FREE RETEST WITHIN TEN DAYS IF THE VEHICLE IS RETURNED TO THE ORIGINAL TEST STATION OR TEST-ONLY FACILITY.
- (e) IF THE VEHICLE WAS INSPECTED AND FAILED AT AN ENHANCED EMISSIONS TESTING CENTER, THE CUSTOMER IS TO BE ADVISED OF ELIGIBILITY TO RECEIVE ONE FREE RETEST WITHIN TEN DAYS AT ANY ENHANCED EMISSIONS TEST CENTER.
- (f) TESTS NOT COMPLETED DUE TO THE USE OF AN ABORT CODE;
  - (1) ISSUE THE VIR INDICATING THAT THE TEST WAS ABORTED AND ADVISE THE CUSTOMER OF ALL REASONS PREVENTING THE COMPLETION OF THE TEST. IN AN ABORT SITUATION THROUGH NO FAULT OF THE TESTING STATION, THE CUSTOMER WILL NOT BE ENTITLED TO A REFUND OR FEE RETEST.

**(204.0) REPAIRS/ADJUSTMENTS/CUSTOMER OBLIGATION - "BASIC" AREA:**

- (a) ALL REPAIRS AND ADJUSTMENTS MUST BE AUTHORIZED BY THE VEHICLE OWNER OR OPERATOR.
- (b) REPAIRS, RECEIPTS, AND RELEVANT DOCUMENTS MUST BE COMPLETED PURSUANT TO THE GARAGE REPAIR ACT AS SPECIFIED IN 42-9-101 TO 42-9-112 C.R.S.
- (c) A CERTIFICATE OF EMISSIONS WAIVER WILL NOT BE ISSUED TO A VEHICLE WHICH IS ELIGIBLE FOR WARRANTY PROTECTION IN ACCORDANCE WITH THE PROVISIONS AND ENFORCEMENT OF SECTION 207(A) AND 207(B) OF THE FEDERAL CLEAN AIR ACT RELATING TO EMISSIONS CONTROL COMPONENT AND SYSTEMS PERFORMANCE WARRANTIES.
- (d) COLLECTOR PLATED VEHICLES AS SPECIFIED IN 42-12-102 C.R.S. OF MODEL YEAR 1960 AND NEWER ARE NOT ELIGIBLE FOR A CERTIFICATE OF WAIVER AND MUST BE REPAIRED TO COMPLIANCE.
- (e) VEHICLES FAILING THE EMISSION CONTROL EQUIPMENT INSPECTION WILL NOT BE ISSUED A WAIVER. THE VEHICLE MUST BE REPAIRED TO THE MANUFACTURER'S SPECIFICATIONS.
- (f) VEHICLES THAT FAIL DUE TO VISIBLE SMOKE WILL NOT BE ISSUED A WAIVER AND MUST BE REPAIRED.
- (g) VEHICLES THAT FAIL THE EVAPORATIVE FUEL CONTROL SYSTEM PRESSURE TEST WILL NOT BE ISSUED A WAIVER AND MUST BE REPAIRED.
- (h) PRIOR TO PERFORMING ANY REPAIRS OR ADJUSTMENTS, THE STATION, MECHANIC OR INSPECTOR WILL ADVISE THE VEHICLE OWNER OR OPERATOR OF THE MINIMUM DOLLAR AMOUNTS TO OBTAIN A CERTIFICATE OF WAIVER. ALL EMISSIONS REPAIRS MUST BE RELEVANT TO THE SPECIFIC TYPE OF EMISSIONS TAILPIPE FAILURES.
  - (1) FOR VEHICLES REGISTERED AND OPERATED IN THE "BASIC" AREA AS DEFINED:
    - (A) TO OBTAIN A WAIVER FOR CARBON MONOXIDE AND HYDROCARBON FAILURES, THE DOLLAR AMOUNTS FOR THE REPAIRS OR ADJUSTMENTS ARE:
      - (I) A MINIMUM OF \$75.00 FOR VEHICLES 1981 AND OLDER.

- (II) A MINIMUM OF \$200.00 FOR VEHICLES 1982 AND NEWER.
  - (B) REPAIR COSTS DO NOT INCLUDE THE MONEY SPENT ON TAMPERED OR MISSING EQUIPMENT, VISIBLE SMOKE, OR THE FEE FOR THE EMISSIONS TEST.
  - (C) ALL ADJUSTMENTS AND REPAIRS MUST BE MADE TO MANUFACTURER'S SPECIFICATIONS AT A LICENSED INSPECTION AND READJUSTMENT STATION BY A LICENSED EMISSIONS MECHANIC OR BY A REGISTERED REPAIR FACILITY AND TECHNICIAN WITHIN THE "ENHANCED" EMISSIONS PROGRAM AREA.
- (2) FOR VEHICLES REGISTERED IN THE "BASIC" AREA AS DEFINED, BUT OPERATED AND INSPECTED IN THE "ENHANCED" AREA:
- (A) TO OBTAIN A WAIVER FOR CARBON MONOXIDE AND HYDROCARBON FAILURES, THE DOLLAR AMOUNTS FOR THE REPAIRS or ADJUSTMENTS ARE:
    - (I) A MINIMUM OF \$75.00 FOR VEHICLES 1967 AND OLDER.
    - (II) A MINIMUM OF \$450.00 FOR 1968 AND NEWER VEHICLES.
  - (B) THE REPAIR COSTS DO NOT INCLUDE MONEY SPENT ON TAMPERED OR MISSING EQUIPMENT, VISIBLE SMOKE OR THE FEE FOR THE EMISSIONS TEST.
  - (C) ALL ADJUSTMENTS AND REPAIRS MUST HAVE BEEN PERFORMED BY A REGISTERED TECHNICIAN AT A REGISTERED REPAIR FACILITY WITHIN THE "ENHANCED" EMISSIONS PROGRAM AREA.
- (i) FAILED VIR MUST BE COMPLETED AND SIGNED BY A LICENSED EMISSION MECHANIC AT A LICENSED INSPECTION AND READJUSTMENT STATION OR A REGISTERED REPAIR TECHNICIAN AT AN AUTHORIZED REPAIR FACILITY TO QUALIFY FOR A CERTIFICATE OF WAIVER.

**(205.0) EMISSIONS RETEST:**

- (a) RETRIEVE PREVIOUS FAILED VIR AND RECEIPTS.
  - (1) A LICENSED EMISSIONS MECHANIC OR INSPECTOR MUST VERIFY THAT:
    - (A) DOCUMENTS AND RECEIPTS PERTAIN TO THE VEHICLE BEING RE-TESTED.
    - (B) REPAIRS WERE PERFORMED AFTER THE INITIAL FAILURE DATE.
  - (2) IN ACCORDANCE WITH THE GARAGE REPAIR ACT, 42-9-101 TO 42-9-112 C.R.S, A LICENSED EMISSIONS MECHANIC OR EMISSIONS INSPECTOR MUST VERIFY THAT:
    - (A) EMISSIONS REPAIRS OR PARTS ARE ITEMIZED ON THE RECEIPTS.
    - (B) EMISSIONS REPAIRS PERTAIN TO THE TYPE OF EMISSIONS FAILURE.
    - (C) DOCUMENTS OR RECEIPTS CONTAIN THE NAME, ADDRESS, AND PHONE

NUMBER OF THE REPAIR STATION OR PARTS SUPPLIER.

- (b) ENTER ALL DATA AND CONDUCT THE RETEST AS REQUESTED BY THE ANALYZER.
- (c) EMISSIONS MECHANICS OR EMISSIONS INSPECTORS MUST RETAIN RELEVANT DOCUMENTS FOR AUDIT BY THE DEPARTMENT.
- (d) IF THE VEHICLE FAILS THE RETEST, PROVIDE THE FAILED VIR TO THE CONSUMER. EMISSIONS MECHANIC OR EMISSIONS INSPECTOR MUST ADVISE OF THE TYPE OR TYPES OF FAILURES.

**(206.0) VEHICLE FAILS EMISSIONS RETEST:**

- (a) VEHICLE FAILS TAILPIPE EMISSION STANDARDS.
  - (1) VERIFY DOCUMENTATION OF PREVIOUS FAILURES AND REPAIRS TO QUALIFY THE VEHICLE FOR EMISSIONS WAIVER.
  - (2) WHEN REQUESTING A WAIVER IN THE "BASIC" AREA, ALL REPAIRS AND ADJUSTMENTS MUST BE PERFORMED AT A LICENSED INSPECTION AND READJUSTMENT STATION BY A LICENSED EMISSIONS MECHANIC OR BY A REGISTERED TECHNICIAN AT A REGISTERED REPAIR FACILITY WITHIN THE ENHANCED AREA.
  - (3) FOR VEHICLES OPERATED WITHIN THE "ENHANCED" AREA, REPAIRS AND ADJUSTMENTS WERE PERFORMED BY A REGISTERED TECHNICIAN AT A REGISTERED REPAIR FACILITY.
  - (4) FAILED VIR MUST BE COMPLETED AND SIGNED BY A LICENSED EMISSION MECHANIC AT A LICENSED INSPECTION AND READJUSTMENT STATION OR A REGISTERED REPAIR TECHNICIAN AT AN AUTHORIZED REPAIR FACILITY TO QUALIFY FOR A CERTIFICATE OF WAIVER.
  - (5) CONTACT THE DEPARTMENT AND REQUEST A WAIVER.

**(207.0) WINDSHIELD STICKER REPLACEMENT:**

- (a) A REPLACEMENT STICKER MAY BE ISSUED BY USING THE ANALYZER'S VET (WINDSHIELD STICKER) REPLACEMENT PROCEDURE.
- (b) A REPLACEMENT STICKER MAY NOT BE ISSUED IF THE VET IS IN THE FINAL MONTH OF EXPIRATION.
- (c) A FEE OF NO MORE THAN \$2.50 MAY BE CHARGED FOR THE REPLACEMENT VET.
- (d) DATE OF EXPIRATION WILL BE DETERMINED BY THE ANALYZER.

**(208.0) DEPARTMENT OF DEFENSE PERSONNEL EXEMPTION:**

- (a) EXEMPTION FROM 42-4-312 C.R.S. FOR DEPARTMENT OF DEFENSE PERSONNEL PARTICIPATING IN THE PRIVATELY OWNED VEHICLE IMPORT CONTROL PROGRAM;
  - (1) U.S. DEPARTMENT OF DEFENSE (DOD) PERSONNEL PARTICIPATING IN THE DOD POV (PRIVATELY OWNED VEHICLE) IMPORT CONTROL PROGRAM OPERATING a 1975 OR SUBSEQUENT MODEL YEAR AUTOMOBILE, ARE EXEMPT FROM THE



PROHIBITION OF 42-4-312 C.R.S. IN SO FAR AS IT PERTAINS TO FILLER NECK RESTRICTORS, CATALYTIC CONVERTER SYSTEMS, AND, IF APPLICABLE, EXHAUST GAS OXYGEN (02) SENSORS, IF ONE OF THE FOLLOWING CONDITIONS ARE MET:

- (A) THE AUTOMOBILE WILL BE DRIVEN TO THE PORT AND SURRENDERED FOR EXPORTATION UNDER SAID PROGRAM WITHIN TEN WORKING DAYS OF DISCONNECTION, DEACTIVATION, OR INOPERABILITY OF THE RESTRICTOR, CATALYTIC CONVERTER SYSTEMS, OR EXHAUST GAS OXYGEN (02) SENSORS; OR
  - (B) THE RECONNECTION, REACTIVATION, OR REOPERABILITY OF THE RESTRICTOR, CATALYTIC CONVERTER SYSTEMS, AND, IF APPLICABLE, EXHAUST GAS OXYGEN (02) SENSORS, IS MADE WITHIN TEN WORKING DAYS FROM THE TIME THE OWNER PICKED UP THE AUTOMOBILE AT THE PORT.
- (b) PERSONS DISCONNECTING, DEACTIVATING, OR RENDERING INOPERABLE ANY FILLER NECK RESTRICTORS, CATALYTIC CONVERTER SYSTEMS, EXHAUST GAS OXYGEN (02) SENSORS ON A 1975 OR SUBSEQUENT MODEL YEAR AUTOMOBILE OF DOD PERSONNEL PARTICIPATING IN THE DOD POV IMPORT CONTROL PROGRAM WHICH WILL BE DRIVEN TO THE PORT AND SURRENDERED FOR EXPORTATION UNDER SAID PROGRAM WITHIN TEN WORKING DAYS ARE EXEMPT FROM THE PROHIBITION OF 42-4-312 C.R.S.

**(209.0) TWO-STROKE ENGINE VEHICLES:**

- (a) MOTOR VEHICLES OF MODEL YEARS 1979 AND OLDER WITH TWO-STROKE ENGINES ARE EXEMPT FROM EMISSION TESTING. OWNERS SHOULD CONTACT THE DEPARTMENT FOR ASSISTANCE IN REGISTERING THEIR VEHICLES.
- (b) MOTOR VEHICLES OF MODEL YEARS 1980 AND NEWER WITH TWO-STROKE ENGINES MUST CONTACT THE DEPARTMENT FOR TESTING PROCEDURES.

**(210.0) ENGINE CHANGES:**

- (a) FOR THOSE VEHICLES OF MODEL YEARS 1974 AND OLDER IN WHICH THE ORIGINAL ENGINE HAS BEEN REPLACED, THE EMISSIONS LIMITS FOR THE YEAR OF THE VEHICLE BODY OR CHASSIS, AS PER REGISTRATION OR TITLE SHALL APPLY.
- (b) FOR THOSE VEHICLES OF MODEL YEARS 1975 AND NEWER IN WHICH THE ORIGINAL ENGINE HAS BEEN REPLACED, THE VISUAL INSPECTION FOR APPLICABLE EMISSIONS CONTROL EQUIPMENT SHALL BE CONDUCTED AS INDICATED BY THE DR 2365 ISSUED BY A STATE OPERATED TECHNICAL CENTER.
- (c) IF A DR 2365 IS NOT PRESENTED AT THE TIME OF THE INSPECTION, THE MECHANIC OR INSPECTOR MUST ENTER "FAIL" INTO THE ANALYZER FOR ALL EMISSIONS CONTROL SYSTEMS AND THEN REFER THE VEHICLE TO A STATE OPERATED EMISSIONS TECHNICAL CENTER TO OBTAIN ONE.

**(211.0) KIT CARS:**

- (a) FOR THOSE VEHICLES WITH A COLORADO ASSIGNED ID NUMBER (KIT CARS OR HOME BUILT, ETC.) AND ACCOMPANIED BY A DR 2365, PERFORM THE INSPECTION AS INSTRUCTED BY THE ANALYZER USING DATA PROVIDED ON THE DR 2365.

- (b) THOSE VEHICLES WITH A COLORADO ASSIGNED ID NUMBER (KIT CARS OR HOME BUILT, ETC.) AND NOT ACCOMPANIED BY A DR 2365 WILL BE FAILED BY THE ANALYZER AND THE CONSUMER WILL BE INSTRUCTED TO PROCEED TO A STATE OPERATED EMISSIONS TECHNICAL CENTER.

**(212.0) DR 2087 (VOVIN): (VERIFICATION OF VEHICLE IDENTIFICATION NUMBER):**

- (a) ANY PERSONNEL EMPLOYED BY EMISSIONS TESTING STATIONS OR FACILITIES WITHIN THE BASIC OR ENHANCED EMISSIONS AREAS MAY PERFORM THIS INSPECTION AND MAY CHARGE NO MORE THAN THE POSTED FEE. ALL ENTRIES ON THE FORM MUST BE FILLED OUT IN BLACK OR BLUE INK. ANY MISTAKES WILL REQUIRE A NEW FORM TO BE COMPLETED. DAMAGED OR INCORRECT FORMS NEED NOT BE RETAINED. VEHICLES THAT HAVE ALTERED, ILLEGIBLE VIN, MULTIPLE VIN OR ARE MISSING A VIN MUST BE DIRECTED TO THE COLORADO STATE PATROL FOR VERIFICATION.

**RULE III**

**(300.0) GENERAL REQUIREMENTS FOR LICENSING**

- (a) LICENSE FEES AND EXPIRATION TERMS

- (1) THE INITIAL LICENSE FEE FOR AN EMISSIONS STATION OR FACILITY LICENSE IS \$35.00.

- (A) THE BIENNIAL RENEWAL FEE FOR AN EMISSIONS PROGRAM STATION OR FACILITY LICENSE IS \$25.00.

- (B) THE INITIAL LICENSE FEE FOR AN EMISSIONS PROGRAM MECHANIC OR EMISSIONS INSPECTOR IS \$15.00.

- (C) THE BIENNIAL RENEWAL FEE FOR AN EMISSIONS PROGRAM MECHANIC OR EMISSIONS INSPECTOR IS \$10.00.

- (2) THE FEE FOR AN ADDITIONAL MECHANIC OR EMISSIONS INSPECTOR LICENSE (LICENSED AT MORE THAN ONE STATION) IS \$15.00.

- (3) THE FEE FOR RENEWAL OF EACH ADDITIONAL MECHANIC OR EMISSIONS INSPECTOR LICENSE IS \$10.00.

- (4) THE FEE FOR THE TRANSFER OF AN EMISSIONS MECHANIC LICENSE IS \$10.00.

- (5) THE FEE FOR TRANSFER OF AN EMISSIONS INSPECTOR LICENSE IN THE ENHANCED AREA IS \$10.00

- (b) ALL LICENSES ARE ISSUED FOR TWENTY-FOUR (24) MONTHS. ALL LICENSES WILL BE ISSUED FROM THE DAY OF THE MONTH THE APPLICATION WAS APPROVED AND EXPIRES AT MIDNIGHT TWENTY-FOUR MONTHS FROM THE DATE OF ISSUE.

- (c) EMISSIONS LICENSES ARE VALID ONLY AT THE LOCATION FOR WHICH THEY ARE ISSUED.

- (d) STATION OR FACILITY ADDRESS CHANGES WILL REQUIRE A NEW APPLICATION AND FEE.

- (e) APPLICATIONS FOR RENEWAL OF LICENSES NOT RECEIVED BY THE DATE OF EXPIRATION WILL BE CONSIDERED APPLICATIONS FOR NEW LICENSES, AND WILL BE CHARGED THE APPROPRIATE FEE FOR A NEW LICENSE.

- (f) UPON EXPIRATION OF THE LICENSE, EMISSIONS TESTS MAY NO LONGER BE PERFORMED.
- (g) LICENSES MAY BE RENEWED AND FEES PAID WHILE UNDER SUSPENSION.
- (h) LICENSES OBTAINED BY MISREPRESENTATION OR FALSE STATEMENT TO THE DEPARTMENT WILL BE CANCELED OR REVOKED.
- (i) APPLICATION FOR EMISSIONS LICENSES SHALL BE MADE ON FORMS ISSUED BY THE EXECUTIVE DIRECTOR.
- (j) APPLICANTS MUST DEMONSTRATE TO THE DEPARTMENT THE ABILITY TO CONFORM WITH APPLICABLE MOTOR VEHICLE LAWS, REGULATION 11 AND THE REGULATIONS CONTAINED HEREIN.
- (k) LICENSES MUST BE POSTED IN A CONSPICUOUS PLACE ON THE LICENSED PREMISES, VISIBLE TO THE PUBLIC IN A PLACE APPROVED BY THE DEPARTMENT.
- (l) NO PERSON OR BUSINESS SHALL REPRESENT ITSELF OR ALLOW ITSELF TO BE REPRESENTED AS A LICENSED EMISSIONS MECHANIC OR EMISSIONS INSPECTOR OR LICENSED EMISSIONS STATION OR EMISSIONS TEST FACILITY UNLESS A VALID LICENSE HAS BEEN ISSUED BY THE DEPARTMENT.
- (m) COMPLIANCE DOCUMENT AND VIR CAN ONLY BE ISSUED BY PERSONS AND BUSINESSES HOLDING VALID EMISSIONS LICENSES ISSUED BY THE EXECUTIVE DIRECTOR.
- (n) IT IS THE SOLE RESPONSIBILITY OF THE LICENSEE TO MAINTAIN A CURRENT VALID LICENSE.
- (o) UPON CANCELLATION, REVOCATION OR SUSPENSION OF THE LICENSING PRIVILEGES, LICENSEES MUST SURRENDER TO THE DEPARTMENT ALL LICENSES, FORMS AND DOCUMENTS ISSUED BY OR PURCHASED FROM THE DEPARTMENT.
- (p) IT IS THE RESPONSIBILITY OF THE LICENSEE TO NOTIFY THE DEPARTMENT IN WRITING OF THE TERMINATION OF A SUSPENSION PERIOD AND APPLY FOR REINSTATEMENT WITH THE DEPARTMENT. NO FEE SHALL BE CHARGED UNLESS THE LICENSE MUST BE RENEWED.
- (q) ALL EMISSIONS LICENSEES ARE REQUIRED TO COOPERATE WITH THE DEPARTMENT DURING THE CONDUCT OF AUDITS, INVESTIGATIONS AND COMPLAINT RESOLUTION.
- (r) ALL FINES THAT HAVE BEEN ASSESSED BY THE DEPARTMENT FOR VIOLATIONS OF STATUTES, RULES OR REGULATIONS OR PROCEDURES, MUST BE PAID WITHIN THIRTY DAYS FROM THE DATE OF ASSESSMENT, OR THE DEPARTMENT MAY CANCEL THE LICENSE AND TAKE OTHER ACTION TO COLLECT THE UNPAID AMOUNT.

**(301.0) REQUIREMENTS FOR STATION, FACILITY, AND CENTER LICENSE:**

- (a) EMISSIONS STATION LICENSES MAY BE ISSUED TO QUALIFIED APPLICANTS IN THE FOLLOWING CATEGORIES, AS DETERMINED BY THE DEPARTMENT PURSUANT TO 42-4-308 C.R.S.
  - (1) INSPECTION ONLY FACILITY IN THE ENHANCED AREA
  - (2) INSPECTION AND REPAIR STATION IN THE BASIC AREA

- (3) FLEET INSPECTION AND STATION IN THE BASIC OR ENHANCED AREA
- (4) MOTOR VEHICLE DEALER TEST FACILITY IN THE ENHANCED AREA
- (5) ENHANCED INSPECTION CENTER
- (b) STATION LICENSES ARE VALID ONLY AT THE LOCATION FOR WHICH THEY ARE ISSUED AND STATIONS MAY ONLY PERFORM THE FUNCTIONS REQUIRED FOR THE TYPE OF LICENSE THAT HAS BEEN ISSUED.
- (c) ALL EMISSIONS STATIONS AND FACILITIES EXCEPT THOSE LICENSED AS FLEET INSPECTION AND MOTOR VEHICLE DEALER TEST FACILITIES, WILL POST A DEPARTMENT-APPROVED SIGN DESIGNATING THE LOCATION AS AN OFFICIAL EMISSIONS STATION, IN A CONSPICUOUS LOCATION ON THE LICENSED PREMISES, VISIBLE TO THE PUBLIC AND IN A PLACE APPROVED BY THE DEPARTMENT.
- (d) ALL EMISSIONS STATIONS AND FACILITIES EXCEPT THOSE LICENSED AS FLEET INSPECTION AND MOTOR VEHICLE DEALER TEST FACILITIES, WILL POST ALL LICENSES THAT ARE ISSUED BY THE DEPARTMENT IN A CONSPICUOUS LOCATION, VISIBLE TO THE PUBLIC AND IN A PLACE APPROVED BY THE DEPARTMENT.
  - (1) FLEET INSPECTION AND MOTOR VEHICLE DEALER TEST FACILITIES WILL POST ALL LICENSES THAT ARE ISSUED BY THE DEPARTMENT IN A LOCATION THAT IS APPROVED BY THE DEPARTMENT.
- (e) ALL SIGNS WILL BE POSTED IN A MANNER THAT DOES NOT VIOLATE LOCAL SIGN ORDINANCES OR CODES.
- (f) FEES COLLECTED FOR LICENSES ARE NOT REFUNDABLE.
- (g) THE DEPARTMENT WILL PROCESS NEW LICENSE APPLICATIONS IN A TIMELY MANNER.
- (h) TRANSFER OF OR SALE OF THE BUSINESS, CHANGES IN CORPORATE OWNERSHIP, PARTNERSHIP, OR THE ADDITION OR DELETION OF PARTNERS OR OTHER OWNERSHIP OR CONTROL MUST BE REPORTED TO THE DEPARTMENT AND WILL REQUIRE A NEW LICENSE APPLICATION AND FEES.
- (i) STATION LICENSES MAY NOT BE TRANSFERRED, LOANED, OR USED BY ANY PERSON OR BUSINESS OTHER THAN THE PERSONS IDENTIFIED ON THE ORIGINAL APPLICATION.
- (j) THE DEPARTMENT MAY REQUIRE PROOF OF BUSINESS OWNERSHIP INCLUDING BUT NOT LIMITED TO, ARTICLES OF INCORPORATION, PARTNERSHIP AGREEMENTS AND LEASE AGREEMENTS, PRIOR TO ISSUING A LICENSE.
- (k) THE DEPARTMENT MAY REQUIRE PROOF OF CONFORMITY WITH LOCAL SAFETY, OCCUPANCY, ZONING, USE, OR BUSINESS AND SALES TAX LICENSING LAWS, ORDINANCES OR REGULATIONS.
- (l) NO LICENSE WILL BE ISSUED TO A BUSINESS IN VIOLATION OF LOCAL SAFETY, OCCUPANCY, ZONING, USE, BUSINESS AND SALES TAX LICENSING LAWS, ORDINANCES OR REGULATIONS.
- (m) LICENSES WILL BE CANCELED WHEN A BUSINESS NO LONGER CONFORMS TO LOCAL SAFETY, OCCUPANCY, ZONING, USE, BUSINESS AND SALES TAX LICENSING LAWS, ORDINANCES OR REGULATIONS.

- (n) LICENSES MAY NOT BE ISSUED TO BUSINESSES HAVING OWNERS, PARTNERS, STOCKHOLDERS OR INDIVIDUALS WHO HAVE HAD AN EMISSIONS PROGRAM LICENSE PREVIOUSLY REVOKED OR ARE CURRENTLY UNDER SUSPENSION BY THE DEPARTMENT. IN THE EVENT A LICENSE WAS ISSUED, SUCH ACTIVITY MAY CONSTITUTE CAUSE FOR SUSPENSION, FINE, OR REVOCATION OF THE LICENSE.
- (o) STATIONS AND FACILITIES MUST EMPLOY ONE OR MORE LICENSED EMISSIONS MECHANICS OR EMISSIONS INSPECTORS AS REQUIRED BY THE DEPARTMENT. THE DEPARTMENT MAY ASK FOR VERIFICATION OF EMPLOYMENT.
- (p) STATIONS AND FACILITIES MUST HAVE A DEDICATED VOICE-QUALITY TELEPHONE LINE FOR TRANSMISSION OF TEST DATA TO THE DEPARTMENT.
- (q) INSPECTION AND REPAIR STATIONS MUST HAVE THE FOLLOWING TOOLS, REFERENCE MANUALS AND DIAGNOSTIC EQUIPMENT:
  - (1) A "COLORADO 94" APPROVED ANALYZER AS DEFINED WITHIN THE REGULATION, TO INCLUDE ALL COMPLEMENTARY EQUIPMENT AS REQUIRED TO PERFORM THE EMISSIONS INSPECTION
  - (2) A DEDICATED VOICE-QUALITY TELEPHONE LINE FOR TRANSMISSION OF TEST DATA TO THE DEPARTMENT
  - (3) AN AUXILIARY AUTOMOTIVE TACHOMETER WITH A MINIMUM RANGE OF ZERO THROUGH SIX THOUSAND RPM ON ALL TYPES OF ENGINE CONFIGURATIONS (THIS TACHOMETER IS TO BE IN ADDITION TO THE TACHOMETER SUPPLIED IN THE ANALYZER)
  - (4) AN AUTOMOTIVE DWELL METER
  - (5) AN AUTOMOTIVE IGNITION TIMING LIGHT
  - (6) ARTIFICIAL ENRICHMENT PROPANE KIT FOR MIXTURE ADJUSTMENT OR VERIFICATION
  - (7) DIVISION APPROVED HIGH AND LOW SPAN GASES PLUS ONE SPARE OF EACH HIGH AND LOW SPAN GAS
  - (8) SUFFICIENT HAND TOOLS FOR THE PROPER PERFORMANCE OF ADJUSTMENTS AND REPAIRS
  - (9) DEPARTMENT APPROVED AUTOMOTIVE DIAGNOSTIC EQUIPMENT FOR PROPER PERFORMANCE OF INSPECTIONS, ADJUSTMENTS AND EMISSIONS RELATED REPAIRS AS LISTED BELOW:
    - (A) DIGITAL VOLT AND OHM METER
    - (B) VACUUM PUMP
    - (C) COMPUTER SCANNER DIAGNOSTIC LINK
  - (10) A DIVISION APPROVED, CALIBRATED AND SPANNED CHLOROFLUOROCARBON DETECTION DEVICE
  - (11) SPARE EXHAUST PROBE FLEX-END

- (12) SUITABLE NON-REACTIVE EXHAUST HOSES AND A SOLID PROBE ADAPTOR FOR INSPECTING VEHICLES WITH SCREENED OR BAFFLED EXHAUST, OR OVER-LENGTH VEHICLES
- (13) COMMERCIALLY AVAILABLE REFERENCE MANUALS GIVING IDLE SPEED, IDLE MIXTURE, MIXTURE CONTROL DWELL OR FUEL INJECTION DURATION, TIMING DWELL, FAST IDLE SPEED SPECIFICATION, HIGH ALTITUDE SPECIFICATIONS AND INFORMATION COVERING EMISSIONS CONTROL SYSTEMS DESCRIPTION, DIAGNOSTIC AND REPAIR PROCEDURES FOR THE MODEL YEARS OR VEHICLES INVOLVED IN THE EMISSIONS PROGRAM IN EITHER PRINTED OR ELECTRONIC MEDIUM
- (14) CURRENT EDITION OF THE OXYGEN SENSOR CHECK ENGINE LIGHT MANUAL PRINTED AND SOLD BY THE DIVISION IN EITHER PRINTED OR ELECTRONIC MEDIUM
- (15) A CURRENT EMISSIONS CONTROL SYSTEMS APPLICATION GUIDE AS INCORPORATED INTO THE ANALYZER, WHICH CONTAINS A QUICK REFERENCE FOR EMISSIONS CONTROL SYSTEMS AND THEIR USES ON SPECIFIC MAKE, MODEL, AND MODEL YEAR VEHICLES
- (16) ANALYZER MANUFACTURER'S MAINTENANCE AND CALIBRATION MANUAL
- (17) CERTIFIED THERMOMETER
- (18) A FUEL FILLER NECK INSPECTION GAUGE
- (19) RULES OR REGULATIONS OF THE DEPARTMENT
- (20) TELEPHONE IN THE NAME OF THE LICENSEE BUSINESS NAME
- (21) LOCKABLE STORAGE FOR SECURING COMPLIANCE DOCUMENTS
- (22) FOR THE VIR PRINTER, SUFFICIENT PRINT MEDIUM SUPPLIES, (INK CARTRIDGE, RIBBON, ETC.) TO ENSURE THAT PROPER LEGIBLE DOCUMENTS ARE PRODUCED
- (23) MUST MAINTAIN AN ADEQUATE SUPPLY OF BROCHURES AND PROGRAM INFORMATION PAMPHLETS AT ALL TIMES
- (24) WORKING INK PEN WITH BLACK OR BLUE INK
- (25) A CURRENT MECHANIC'S HANDBOOK, OBTAINED FROM ANY TECHNICAL CENTER
- (r) ALL EQUIPMENT, TOOLS, AND REFERENCE MANUALS MUST BE IN PROPER WORKING ORDER AND AVAILABLE ON THE LICENSED PREMISES AT ALL TIMES.
- (s) "INSPECTION-ONLY" FACILITIES MUST HAVE THE FOLLOWING REFERENCE MANUALS AND EQUIPMENT:
  - (1) A "COLORADO 94" APPROVED ANALYZER AS DEFINED WITHIN THE TO INCLUDE ALL COMPLEMENTARY EQUIPMENT AS REQUIRED TO PERFORM THE EMISSIONS INSPECTION
  - (2) A DEDICATED VOICE-QUALITY TELEPHONE LINE FOR TRANSMISSION OF TEST DATA

TO THE DEPARTMENT

- (3) DIVISION APPROVED HIGH AND LOW SPAN GASES PLUS ONE SPARE OF EACH HIGH AND LOW SPAN GAS
- (4) DIVISION APPROVED, CALIBRATED AND SPANNED CHLOROFLUOROCARBON DETECTION DEVICE
- (5) SPARE EXHAUST PROBE FLEX-END
- (6) SUITABLE NON-REACTIVE EXHAUST HOSES AND SOLID PROBE ADAPTOR FOR INSPECTING VEHICLES WITH SCREENED OR BAFFLED EXHAUST OR OVER-LENGTH VEHICLES
- (7) CURRENT EDITION OF THE OXYGEN SENSOR CHECK ENGINE LIGHT MANUAL PRINTED AND SOLD BY THE DIVISION IN EITHER PRINTED OR ELECTRONIC MEDIUM
- (8) CURRENT EMISSIONS CONTROL SYSTEMS APPLICATION GUIDE AS INCORPORATED INTO THE ANALYZER, WHICH CONTAINS A QUICK REFERENCE FOR EMISSIONS CONTROL SYSTEMS AND THEIR USES ON SPECIFIC MAKE, MODEL AND MODEL YEAR VEHICLES
- (9) ANALYZER MANUFACTURER'S MAINTENANCE AND CALIBRATION OWNER'S MANUAL
- (10) CERTIFIED THERMOMETER
- (11) A FUEL FILLER NECK INSPECTION GAUGE
- (12) RULES OR REGULATIONS OF THE DEPARTMENT
- (13) TELEPHONE IN THE NAME OF THE LICENSEE BUSINESS NAME
- (14) LOCKABLE STORAGE FOR SECURING COMPLIANCE DOCUMENTS
- (15) FOR THE VIR PRINTER, SUFFICIENT PRINT MEDIUM SUPPLIES, (INK CARTRIDGE, RIBBON, ETC.) TO ENSURE THAT PROPER, LEGIBLE DOCUMENTS ARE PRODUCED
- (16) MAINTAIN AN ADEQUATE SUPPLY OF BROCHURES AND PROGRAM INFORMATION PAMPHLETS AT ALL TIMES.
- (17) A CURRENT MECHANICS HANDBOOK, OBTAINED FROM ANY TECHNICAL CENTER
- (t) ELECTRICAL SUPPLY MUST BE FROM A PUBLIC UTILITY, MEETING VOLTAGE REQUIREMENTS FOR THE ANALYZER. THE ANALYZER WILL OPERATE OFF A DEDICATED CIRCUIT WITH A 15-AMP BREAKER WITH A POWER CORD NOT LONGER THAN 25 FEET.
- (u) MUST BE CAPABLE OF RECEIVING U.S. MAIL
- (v) SHALL BE A PERMANENT TYPE OF STRUCTURE
- (w) HAVE A MINIMUM OF TWO OFF-STREET PARKING SPACES PLUS PARKING OR DRIVE SPACE FOR STAGING TO ACCOMMODATE ONE (1) ADDITIONAL VEHICLE PER EVERY 150 SQUARE FEET OF SHOP FLOOR AREA

- (x) HAVE A CUSTOMER WAITING AREA THAT PROVIDES FOR FULL OBSERVATION OF THE ENTIRE EMISSIONS INSPECTION PROCESS. OBSERVATION CAN BE; DIRECT OBSERVATION, OBSERVATION BY ELECTRONIC EQUIPMENT, OR OTHER METHODS THAT PROVE TO BE AS EFFECTIVE, WITH PRIOR APPROVAL OF THE DEPARTMENT
- (y) CONDUCT ALL ASPECTS OF THE INSPECTION PROCESS WITHIN THE CONFINES OF THE BUILDING OR STRUCTURE.
  - (1) VEHICLES MAY BE TESTED OUTSIDE BETWEEN TEMPERATURES OF 41 DEGREES FAHRENHEIT AND 110 DEGREES FAHRENHEIT, BUT THE ANALYZER MUST REMAIN FULLY INSIDE THE BUILDING OR STRUCTURE.
  - (2) AN ADDITIONAL THERMOMETER IS REQUIRED TO MONITOR THE TEMPERATURES OF THE OUTSIDE INSPECTION AREA.
- (z) AMBIENT AIR TEMPERATURES OF THE INSPECTION AREA SHALL BE MAINTAINED BETWEEN 41°F AND 110° FAHRENHEIT
- (aa) HAVE AN ADEQUATE EXHAUST REMOVAL SYSTEM WHICH SHALL BE DESIGNED SO AS TO NOT ALTER THE INSPECTION RESULTS AND TO ASSURE SAFE AMBIENT AIR QUALITY OF THE INSPECTION AREA AS ESTABLISHED BY THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION PURSUANT TO 29 CFR, PART 1910, SUB-PART Z
- (bb) HAVE ALL RECORDS AND EQUIPMENT AVAILABLE FOR AUDIT BY THE DEPARTMENT DURING NORMAL BUSINESS HOURS
- (cc) MUST BE OPEN AND HAVE A LICENSED EMISSIONS INSPECTOR AVAILABLE FOR TESTING DURING NORMAL BUSINESS HOURS REGULATION.

**(302.0) MECHANIC OR INSPECTOR LICENSES:**

- (a) APPLICANTS FOR EMISSIONS MECHANIC OR EMISSIONS INSPECTOR LICENSES MUST DEMONSTRATE THE ABILITY TO PROPERLY OPERATE THE ANALYZER ON THE LICENSED PREMISES, AND PERFORM A TEST AS REQUIRED BY 42-4-306 (4)(a) C.R.S., REGULATION 11, AND THE RULES OF THE DEPARTMENT.
- (b) APPLICANT MUST POSSESS A CURRENT LETTER OF QUALIFICATION FROM THE DIVISION PRIOR TO APPLYING FOR AN EMISSIONS MECHANIC OR EMISSIONS INSPECTOR LICENSE.
- (c) EMISSIONS MECHANICS OR EMISSIONS INSPECTORS MUST OBTAIN A LETTER OF QUALIFICATION FROM THE DIVISION BEFORE A LICENSE MAY BE RENEWED.
- (d) THE DIVISION LETTER OF QUALIFICATION IS ONLY VALID FOR A PERIOD OF SIX MONTHS FROM THE DATE OF ISSUE.
- (e) APPLICANTS MUST BE EMPLOYED BY A LICENSED STATION OR FACILITY.
- (f) EMISSIONS MECHANICS OR EMISSIONS INSPECTORS MUST KEEP THEIR CURRENT MAILING ADDRESS ON FILE WITH THE DEPARTMENT.
- (g) EMISSIONS MECHANICS CHANGING EMPLOYMENT MUST HAVE THEIR LICENSE TRANSFERRED BY THE DEPARTMENT TO THE NEW PLACE OF EMPLOYMENT PRIOR TO PERFORMING EMISSIONS TESTS. LICENSE CANNOT BE TRANSFERRED TO A LOCATION OTHER THAN WITHIN THE BASIC AREA.



- (h) EMISSIONS INSPECTORS CHANGING EMPLOYMENT MUST HAVE THEIR LICENSE TRANSFERRED BY THE DEPARTMENT TO THE NEW PLACE OF EMPLOYMENT PRIOR TO PERFORMING EMISSIONS TESTS. LICENSE CANNOT BE TRANSFERRED TO A LOCATION OTHER THAN THE ENHANCED AREA.
- (i) EMISSIONS MECHANICS OR EMISSIONS INSPECTORS MAY BE LICENSED TO PERFORM EMISSIONS TESTS AT MORE THAN ONE LICENSED EMISSIONS STATION OR FACILITY AFTER FILING AN APPLICATION AND PAYMENT OF THE APPROPRIATE FEES.
- (j) RE-QUALIFICATION FOR AN EMISSIONS MECHANIC'S OR EMISSIONS INSPECTOR'S LICENSE MAY BE REQUIRED AT ANY TIME BY THE DEPARTMENT FOR GOOD CAUSE.

#### **RULE IV**

##### **(400.0) "AIR" PROGRAM STATION OR FACILITY OPERATIONS**

- (a) EMISSIONS STATIONS OR FACILITIES WILL BE OPEN FOR BUSINESS DURING NORMAL BUSINESS HOURS, EXCEPT FLEET INSPECTION STATIONS.
- (b) EMISSIONS STATIONS OR FACILITIES WILL HAVE RECORDS AVAILABLE FOR INSPECTION BY DEPARTMENT PERSONNEL AT ANY TIME DURING NORMAL BUSINESS HOURS.
- (c) EMISSIONS STATIONS OR FACILITIES WILL HAVE A LICENSED EMISSIONS MECHANIC OR EMISSIONS INSPECTOR ON DUTY DURING NORMAL BUSINESS HOURS, EXCEPT FLEET INSPECTION STATIONS.
- (d) EMISSIONS STATION OR FACILITY OPERATIONS MUST BE CONDUCTED IN ACCORDANCE WITH APPLICABLE STATUTES, REGULATION 11, AND THE RULES OR REGULATIONS OF THE DEPARTMENT.
- (e) EMISSIONS STATIONS OR FACILITIES MAY NOT CHARGE MORE THAN THE POSTED FEE. THE POSTED FEE MUST NOT EXCEED \$15.00 FOR AN EMISSIONS TEST.
  - (1) AFTER REPAIR TEST FEES MAY NOT EXCEED THE POSTED FEES OR A MAXIMUM OF \$15.00.
- (f) EMISSIONS STATIONS OR FACILITIES MUST POST THE FEE FOR CONDUCTING DR 2087 INSPECTION.
  - (1) THE FEE MUST NOT EXCEED THAT WHICH IS POSTED.
  - (2) INSPECTION MUST BE PERFORMED ONLY AT THE LICENSED STATION OR FACILITY.
- (g) AT LEAST ONE FREE REINSPECTION SHALL BE PROVIDED FOR THOSE VEHICLES INITIALLY FAILED AT THE EMISSIONS STATION OR FACILITY WHICH CONDUCTED THE INITIAL INSPECTION, WITHIN TEN CALENDAR DAYS.
- (h) EMISSIONS INSPECTION FACILITIES MUST POST A SIGN, APPROVED BY THE DEPARTMENT, STATING THAT INSPECTIONS ONLY ARE AVAILABLE AND NO REPAIRS OR ADJUSTMENTS CAN BE PERFORMED. FACILITIES ARE PROHIBITED FROM REFERRING VEHICLE OWNERS TO PARTICULAR PROVIDERS OF MOTOR VEHICLE REPAIR SERVICES.
- (i) ALL SIGNS WILL BE POSTED IN A MANNER THAT DOES NOT VIOLATE LOCAL SIGN ORDINANCES OR CODES.

- (j) ALL EMISSIONS STATIONS, EXCEPT THOSE LICENSED AS FLEET INSPECTION STATIONS, WILL POST A SIGN WITH THE FEE CHARGED FOR AN EMISSIONS TEST IN A CONSPICUOUS LOCATION ON THE LICENSED PREMISES, VISIBLE TO THE PUBLIC AND IN A PLACE APPROVED BY THE DEPARTMENT.
- (k) ALL EMISSIONS STATIONS, EXCEPT THOSE LICENSED AS FLEET INSPECTION STATIONS MUST POST ALL SIGNS THAT ARE ISSUED BY THE DEPARTMENT, VISIBLE TO THE PUBLIC IN A PLACE APPROVED BY THE DEPARTMENT.
- (l) ALL EMISSIONS STATIONS INCLUDING FLEET INSPECTION STATIONS MUST POST ALL DEPARTMENT ISSUED LICENSES IN A PLACE APPROVED BY THE DEPARTMENT. STATIONS OTHER THAN FLEET INSPECTION STATIONS WILL POST LICENSES VISIBLE TO THE PUBLIC IN A PLACE APPROVED BY THE DEPARTMENT.

**(401.0) EQUIPMENT AND FACILITY REQUIREMENTS:**

- (a) ALL EMISSIONS STATIONS MUST BE EQUIPPED IN ACCORDANCE WITH REGULATION 11, THE RULES OR REGULATIONS OF THE DEPARTMENT, AND APPLICABLE STATUTES.
- (b) LICENSED EMISSIONS STATIONS WHICH NO LONGER MEET LICENSING REQUIREMENTS WILL BE CANCELED, REVOKED, SUSPENDED, FINED OR PLACED ON ADMINISTRATIVE HOLD, BY THE DEPARTMENT.
- (c) THE FOLLOWING TOOLS, REFERENCE MANUALS AND DIAGNOSTIC EQUIPMENT SHALL BE AVAILABLE FOR PERFORMANCE OF INSPECTIONS WITHIN THE "BASIC" PROGRAM AND EMISSIONS RELATED ADJUSTMENTS AND REPAIRS. WITH THE EXCEPTION OF HAND TOOLS, ALL REQUIRED EQUIPMENT MUST BE THE PROPERTY OF THE LICENSED STATION.
  - (1) A "COLORADO 94" APPROVED ANALYZER, TO INCLUDE ALL COMPLEMENTARY EQUIPMENT AS REQUIRED TO PERFORM THE EMISSIONS INSPECTION.
  - (2) A DEDICATED VOICE-QUALITY TELEPHONE LINE FOR TRANSMISSION OF TEST DATA TO THE DEPARTMENT.
  - (3) AN AUXILIARY AUTOMOTIVE TACHOMETER WITH A MINIMUM RANGE OF ZERO THROUGH SIX THOUSAND RPM ON ALL TYPES OF ENGINE CONFIGURATIONS. THIS TACHOMETER IS TO BE IN ADDITION TO THE TACHOMETER SUPPLIED IN THE ANALYZER.
  - (4) AN AUTOMOTIVE DWELL METER.
  - (5) AN AUTOMOTIVE IGNITION TIMING LIGHT.
  - (6) ARTIFICIAL ENRICHMENT PROPANE KIT FOR MIXTURE ADJUSTMENT OR VERIFICATION.
  - (7) DIVISION APPROVED HIGH AND LOW SPAN GASES PLUS ONE SPARE OF EACH HIGH AND LOW SPAN GAS.
  - (8) SUFFICIENT HAND TOOLS FOR THE PROPER PERFORMANCE OF ADJUSTMENTS AND REPAIRS
  - (9) DEPARTMENT APPROVED AUTOMOTIVE DIAGNOSTIC EQUIPMENT FOR PROPER PERFORMANCE OF INSPECTIONS, ADJUSTMENTS AND EMISSIONS RELATED

REPAIRS AS LISTED BELOW:

- (A) DIGITAL VOLT AND OHM METER
  - (B) VACUUM PUMP
  - (C) COMPUTER SCANNER DIAGNOSTIC LINK
- (10) A DIVISION APPROVED, CALIBRATED AND SPANNED CHLOROFLUOROCARBON DETECTION DEVICE.
  - (11) SPARE EXHAUST SAMPLE PROBE FLEX-END.
  - (12) SUITABLE NON-REACTIVE EXHAUST HOSES AND A SOLID PROBE ADAPTOR FOR INSPECTING VEHICLES WITH SCREENED OR BAFFLED EXHAUST, OR OVER-LENGTH VEHICLES.
  - (13) COMMERCIALLY AVAILABLE REFERENCE MANUALS GIVING IDLE SPEED, IDLE MIXTURE, MIXTURE CONTROL DWELL OR FUEL INJECTION DURATION, TIMING, DWELL, FAST IDLE SPEED SPECIFICATION, HIGH ALTITUDE SPECIFICATIONS AND INFORMATION COVERING THE EMISSIONS CONTROL SYSTEMS DESCRIPTION, DIAGNOSTIC AND REPAIR PROCEDURES FOR THE MODEL YEARS OR VEHICLES INVOLVED IN THE EMISSIONS PROGRAM IN PRINTED OR ELECTRONIC MEDIUM.
  - (14) CURRENT EDITION OF THE OXYGEN SENSOR AND CHECK ENGINE LIGHT MANUAL PRINTED AND SOLD BY THE DIVISION IN EITHER PRINTED OR ELECTRONIC MEDIUM.
  - (15) A CURRENT EMISSIONS CONTROL SYSTEMS APPLICATION GUIDE OR LOOKUP TABLE THAT IS INCORPORATED INTO THE ANALYZER, WHICH CONTAINS A QUICK REFERENCE FOR EMISSIONS CONTROL SYSTEMS AND THEIR USES ON SPECIFIC MAKE, MODEL, AND YEAR VEHICLES.
  - (16) ANALYZER MANUFACTURER'S MAINTENANCE AND CALIBRATION MANUAL.
  - (17) CERTIFIED THERMOMETER
  - (18) A FUEL FILLER NECK INSPECTION GAUGE.
  - (19) RULES OR REGULATIONS OF THE DEPARTMENT.
  - (20) TELEPHONE IN THE NAME OF THE LICENSEE BUSINESS NAME.
  - (21) LOCKABLE STORAGE FOR SECURING DOCUMENTS.
  - (22) SUFFICIENT PRINT MEDIUM SUPPLIES (INK CARTRIDGE, RIBBON, ETC.) FOR THE VIR PRINTER TO ENSURE THAT PROPER LEGIBLE DOCUMENTS ARE PRODUCED.
  - (23) MAINTAIN AN ADEQUATE SUPPLY OF BROCHURES AND PROGRAM INFORMATION PAMPHLETS AT ALL TIMES.
  - (24) WORKING INK PEN WITH BLACK OR BLUE INK.
  - (25) A CURRENT MECHANICS HANDBOOK, OBTAINED FROM ANY TECHNICAL CENTER.

(d) ALL EQUIPMENT, TOOLS, AND REFERENCE MANUALS MUST BE IN PROPER WORKING ORDER AND AVAILABLE ON THE LICENSED PREMISES AT ALL TIMES.

(1) WITH THE EXCEPTION OF HAND TOOLS, ALL REQUIRED EQUIPMENT MUST BE THE PROPERTY OF THE LICENSED STATION.

(e) EMISSIONS STATIONS LICENSED AS "INSPECTION ONLY" STATIONS MUST POSSESS AND MAINTAIN THE FOLLOWING ITEMS:

(1) A "COLORADO 94" APPROVED ANALYZER TO INCLUDE ALL ATTACHABLE EQUIPMENT AS REQUIRED TO PERFORM EMISSIONS TESTS.

(2) A DEDICATED VOICE-QUALITY TELEPHONE LINE FOR TRANSMISSION OF TEST DATA TO THE DEPARTMENT

(3) DIVISION APPROVED HIGH AND LOW SPAN GASES PLUS ONE SPARE OF EACH HIGH AND LOW SPAN GAS.

(4) DIVISION APPROVED, CALIBRATED AND SPANNED CHLOROFLUOROCARBON DETECTION DEVICE.

(5) SPARE EXHAUST PROBE FLEX-END

(6) SUITABLE NON-REACTIVE EXHAUST HOSES AND A SOLID PROBE ADAPTER FOR INSPECTING VEHICLES WITH SCREENED OR BAFFLED EXHAUST, OR OVER-LENGTH VEHICLES.

(7) CURRENT EDITION OF THE OXYGEN SENSOR AND CHECK ENGINE LIGHT MANUAL PRINTED AND SOLD IN EITHER PRINTED OR ELECTRONIC MEDIUM.

(8) CURRENT EMISSIONS CONTROL SYSTEMS APPLICATION GUIDE AS INCORPORATED INTO THE TAS, WHICH CONTAINS A QUICK REFERENCE FOR EMISSIONS CONTROL SYSTEMS AND THEIR USES ON SPECIFIC MAKE, MODEL AND MODEL YEAR VEHICLES.

(9) ANALYZER MANUFACTURER'S MAINTENANCE AND CALIBRATION MANUAL.

(10) CERTIFIED THERMOMETER

(11) A FUEL FILLER NECK INSPECTION GAUGE

(12) RULES OR REGULATIONS OF THE DEPARTMENT

(13) LOCKABLE STORAGE FOR SECURING COMPLIANCE DOCUMENTS

(14) FOR THE VIR PRINTER, SUFFICIENT PRINT MEDIUM SUPPLIES, (INK CARTRIDGE, RIBBON, ETC.) TO ENSURE THAT PROPER LEGIBLE DOCUMENTS ARE PRODUCED

(15) MAINTAIN AN ADEQUATE SUPPLY OF BROCHURES AND PROGRAM INFORMATION PAMPHLETS AT ALL TIMES

(16) A CURRENT MECHANICS HANDBOOK, OBTAINED FROM ANY EMISSIONS TECHNICAL CENTER.

**(402.0) ANALYZER OPERATION AND USAGE:**

- (a) AS A PROVISION OF CONTINUED OPERATION AND LICENSE TO PERFORM EMISSION TESTS, THE ANALYZER MUST BE UPDATED AS REQUIRED.
- (b) THE STATION OR FACILITY OWNER OR OPERATOR SHALL MAINTAIN A FULL SERVICE AND MAINTENANCE CONTRACT FOR THE ANALYZER WITH THE EQUIPMENT MANUFACTURER VALID FOR THE DURATION OF THE PROGRAM BUT RENEWABLE ON AN ANNUAL BASIS.
- (c) NO ADDITIONS OR MODIFICATION WILL BE MADE TO THE ANALYZER UNLESS APPROVED BY THE ANALYZER MANUFACTURER, THE DIVISION AND THE DEPARTMENT.
- (d) NO PERSON SHALL TAMPER OR CIRCUMVENT ANY SYSTEM OR FUNCTION OF THE ANALYZER.
- (e) STATIONS AND FACILITIES ARE RESPONSIBLE TO PREVENT ANY TAMPERING OR UNAUTHORIZED USE OF THE ANALYZER OR FUNCTIONS.
- (f) ANALYZER LOCKOUT CONDITIONS WILL BE REMOVED ONLY BY AUTHORIZED SERVICE PERSONNEL OR REPRESENTATIVES OF THE DEPARTMENT.
- (g) WHEN PROMPTED BY THE ANALYZER, THE STATION OR FACILITY WILL CONTACT THE MANUFACTURER FOR REPLACEMENT OF THE COMPLIANCE DOCUMENT PRINTER RIBBON.
  - (1) THE USED PRINTER RIBBON IS THE PROPERTY OF THE DEPARTMENT AND WILL BE RETAINED BY THE ANALYZER SERVICE TECHNICIAN TO BE DELIVERED TO THE DEPARTMENT.

**(403.0) DOCUMENTS:**

- (a) ALL EMISSIONS RECORDS RELATED TO THE EMISSIONS PROGRAM WILL BE MAINTAINED BY THE LICENSEE UNTIL PURGED BY THE DEPARTMENT.
- (b) ALL UNUSED DOCUMENTS ISSUED BY THE DEPARTMENT MUST BE KEPT IN A SECURE LOCATION AVAILABLE TO LICENSED EMISSIONS MECHANICS OR EMISSIONS INSPECTORS OR OTHER AUTHORIZED PERSONNEL, AS APPROVED BY THE DEPARTMENT.
- (c) MISSING OR STOLEN DOCUMENTS MUST BE REPORTED TO THE DEPARTMENT WITHIN TWENTY-FOUR HOURS.
- (d) ANY COMPLIANCE DOCUMENT OR VIR DAMAGED FOR ANY REASON MUST BE RETAINED FOR THE DEPARTMENT.
- (e) LICENSEES ARE ACCOUNTABLE FOR ALL DOCUMENTS ISSUED BY THE DEPARTMENT.
- (f) COMPLIANCE DOCUMENTS AND VIRS WILL BE OBTAINED FROM THE DEPARTMENT OR ITS AUTHORIZED AGENT. NO PARTIAL LOTS WILL BE DISTRIBUTED.
  - (1) FEE FOR THE COMPLIANCE DOCUMENT IS TWENTY-FIVE CENTS PER DOCUMENT AND WILL BE PURCHASED IN LOTS OF 500. FEES ARE NOT REFUNDABLE.
  - (2) THE VIR WILL BE ISSUED AT NO COST TO THE LICENSEE.

- (g) COMPLIANCE DOCUMENTS AND VIRS WILL BE LOADED INTO THE ANALYZE ONLY BY A LICENSED MECHANIC OR INSPECTOR LICENSED AT THE STATION OR FACILITY WHEN PROMPTED BY THE ANALYZER.
  - (h) STATION OR FACILITY WILL MAINTAIN AN ADEQUATE SUPPLY OF COMPLIANCE DOCUMENTS AND VIRS TO ENSURE OPERATIONAL STATUS AT ALL TIMES.
- (404.0) USE OF MECHANIC NUMBER AND SECURITY CODES:
- (a) EACH LICENSED EMISSIONS MECHANIC OR EMISSIONS INSPECTOR WILL BE ASSIGNED A UNIQUE CODE TO GAIN ACCESS TO THE ANALYZER.
  - (b) ACCESS CODES AND MECHANIC OR INSPECTOR NUMBERS WILL BE ADDED AND DELETED ONLY BY DEPARTMENT PERSONNEL.
  - (c) AN ACCESS CODE SHALL BE USED ONLY BY THE LICENSEE TO WHOM IT WAS ASSIGNED.
  - (d) AN EMISSIONS MECHANIC OR EMISSIONS INSPECTOR NUMBER PRINTED ON A COMPLIANCE DOCUMENT OR VIR IS AN ELECTRONIC SIGNATURE AND AN ENDORSEMENT THAT THE ENTIRE EMISSIONS TEST WAS PERFORMED BY THE LICENSEE TO WHOM THE NUMBER WAS ASSIGNED
  - (e) EMISSIONS MECHANICS OR EMISSIONS INSPECTORS MUST REPORT ANY UNAUTHORIZED USE OF AN ACCESS CODE TO THE DEPARTMENT WITHIN TWENTY-FOUR HOURS OF THE UNAUTHORIZED USE.
  - (f) EMISSIONS MECHANICS OR EMISSIONS INSPECTORS ARE RESPONSIBLE FOR ANY VIOLATION OR FRAUDULENT INSPECTION WHICH OCCURS USING HIS OR HER MECHANIC OR INSPECTOR NUMBER.
  - (g) EMISSIONS MECHANICS OR EMISSIONS INSPECTORS ARE RESPONSIBLE FOR ALL COMPLIANCE DOCUMENTS AND VIRS BEARING THEIR NUMBERS.

**(405.0) ADJUSTMENT PROCEDURES:**

THE EMISSIONS MECHANIC IS TO SECURE HIGH ALTITUDE SPECIFICATIONS FROM THE DEPARTMENT OF HEALTH REFERENCE OR REPAIR MANUALS FOR IDLE SPEED, IDLE MIXTURE, IGNITION TIMING, DWELL, AND FAST IDLE SPEED FOR THE PURPOSE OF ADJUSTMENT. IF NO HIGH ALTITUDE SPECIFICATIONS ARE AVAILABLE THROUGH THE DEPARTMENT OF HEALTH OR OTHER REFERENCE SOURCES, REFER TO THE EMISSION DECAL, OTHER SPECIFICATIONS GUIDE, OR SEA LEVEL SPECIFICATIONS FOR PROPER SPECIFICATIONS.

- (a) WITH A DWELL METER, CHECK TO DETERMINE IF THE IGNITION DWELL IS WITHIN THE RECOMMENDED TOLERANCE OF (+/-) 2 DEGREES OF SPECIFICATIONS. RESET IF THE IGNITION DWELL IS NOT WITHIN TOLERANCE (IF APPLICABLE).
- (b) CONNECT TACHOMETER TO DETERMINE IF IDLE SPEED IS CORRECT. IF NOT, SET TO MANUFACTURER'S SPECIFICATIONS WITH A TOLERANCE OF (+/-) 50 RPM.
- (c) WITH THE ENGINE IDLING AT THE CORRECT SPEED, CHECK IGNITION TIMING TO DETERMINE IF IT IS WITHIN +4 DEGREES TO -2 DEGREES OF THE RECOMMENDED SETTING, IF NOT HIGH ALTITUDE SPECIFICATIONS ARE AVAILABLE.
- (d) USING AN INFRARED ANALYZER, PROPANE ENRICHMENT KIT, OR TACHOMETER, ADJUST THE IDLE AIR AND FUEL RATIO USING MANUFACTURER'S SUGGESTED PROCEDURES

AND SPECIFICATIONS, IF APPLICABLE.

- (e) AFTER COMPLETING THE PRECEDING STEPS, READJUST IDLE SPEED TO MANUFACTURER'S SPECIFICATIONS, IF NOT WITHIN TOLERANCE.
- (f) USING THE MANUFACTURER'S SUGGESTED PROCEDURE, CHECK THE FAST IDLE SPEED AND ADJUST TO MANUFACTURER'S SPECIFICATIONS.
- (g) IF THE VEHICLE CONTINUES TO EXCEED APPLICABLE EMISSIONS LIMITS, THE VEHICLE MUST UNDER GO SPECIFIC EMISSIONS RELATED ADJUSTMENTS AND REPAIRS. ADJUSTMENTS AND REPAIRS MUST BE ACCOMPLISHED TO THE POINT OF COMPLIANCE, OR THE APPLICABLE COST CEILING MUST HAVE BEEN MET. IF THE APPLICABLE EMISSIONS RELATED ADJUSTMENT AND REPAIR REQUIREMENTS HAVE BEEN MET BUT AN EMISSIONS REDUCTION HAS NOT RESULTED, THE VEHICLE OWNER MAY BE REFERRED TO A DEPARTMENT OF REVENUE EMISSIONS COMPLIANCE INSPECTOR TO GET A WAIVER. REPAIRS MUST HAVE BEEN REASONABLY CALCULATED TO ACHIEVE A REDUCTION IN EMISSIONS OF THOSE COMPONENTS OF THE INSPECTION THE VEHICLE FAILED, PURSUANT TO MANUFACTURER'S SPECIFICATIONS AS REQUIRED BY SECTIONS 42-4-309 (7)(A)(II)(A) AND 42-11-108(E), C.R.S.

**(406.0) EMISSIONS RELATED REPAIRS:**

- (a) EMISSIONS RELATED REPAIRS GENERALLY INCLUDE ONLY THOSE ADJUSTMENTS TO, AND MAINTENANCE AND REPAIR OF, THE MOTOR VEHICLE WHICH ARE DIRECTLY RELATED TO THE REDUCTION OF EXHAUST EMISSIONS NECESSARY TO COMPLY WITH THE APPLICABLE EMISSIONS LIMITS AND PROCEDURES. THE EXPENDITURE FOR EMISSION RELATED REPAIRS DOES NOT INCLUDE THE INSPECTION FEE AS SPECIFIED IN 42-4-313 C.R.S. OR EXPENSES ASSOCIATED WITH THE ADJUSTMENTS TO, AND MAINTENANCE, REPLACEMENT, AND REPAIR OF AIR POLLUTION CONTROL EQUIPMENT ON THE VEHICLE IF THE NEED FOR SUCH ADJUSTMENT, MAINTENANCE, OR REPAIR, IS DUE TO DISCONNECTION OF, TAMPERING WITH, OR ABUSE TO SUCH AIR POLLUTION CONTROL EQUIPMENT. AIR POLLUTION CONTROL EQUIPMENT IS A N Y PART, ASSEMBLY OR SYSTEM ORIGINALLY INSTALLED BY THE MANUFACTURER FOR THE SOLE OR PRIMARY PURPOSE OF REDUCING EMISSIONS.
- (b) REPAIRS AND MAINTENANCE TO THE FOLLOWING SYSTEMS SHALL QUALIFY AS EMISSION RELATED REPAIRS IN SO FAR AS THE PURPOSE IS TO REDUCE EXHAUST EMISSIONS:
  - AIR INTAKE SYSTEMS
  - IGNITION SYSTEMS
  - FUEL CONTROL SYSTEMS
  - EMISSIONS CONTROL SYSTEMS
  - BASIC ENGINE SYSTEMS
  - FOR MICROPROCESSOR (02)-BASED AIR AND FUEL CONTROL SYSTEMS, COOLING SYSTEMS.
- (c) WITHIN THE BASIC PROGRAM, EMISSIONS RELATED ADJUSTMENTS AND REPAIRS MUST HAVE BEEN PERFORMED BY A LICENSED EMISSIONS MECHANIC AT AN INSPECTION AND REPAIR STATION OR A REGISTERED REPAIR TECHNICIAN AT A REGISTERED REPAIR FACILITY WITHIN THE ENHANCED AREA IN ORDER TO BE CREDITABLE TO THE REPAIR

#### COST WAIVER LIMITS.

IN ORDER TO BE CREDITABLE TO THE ENHANCED REPAIR COST LIMITS, ADJUSTMENTS AND REPAIRS MUST HAVE BEEN PERFORMED BY A REGISTERED REPAIR FACILITY TECHNICIAN AT A REGISTERED REPAIR FACILITY WITHIN THE ENHANCED AREA.

#### **(407.0) ENGINE CHANGE:**

- (a) FOR THOSE VEHICLES IN WHICH THE ORIGINAL ENGINE HAS BEEN REPLACED, THE EMISSION LIMITS AND APPLICABLE EMISSIONS CONTROL EQUIPMENT FOR THE YEAR AND MODEL OF THE VEHICLE BODY AND CHASSIS, AS PER REGISTRATION AND TITLE OR REPLACEMENT ENGINE, WHICHEVER IS NEWEST SHALL APPLY. FOR THOSE DIESEL-POWERED VEHICLES WHICH HAVE BEEN CONVERTED TO OPERATE ON FUELS OTHER THAN DIESEL, THE EMISSIONS LIMITS AND APPLICABLE EMISSIONS CONTROL EQUIPMENT FOR THE YEAR, MAKE AND MODEL OF THE GASOLINE-POWERED ENGINE EQUIVALENT AS ORIGINALLY MANUFACTURED, FOR THE VEHICLE BODY AND CHASSIS, PER THE REGISTRATION OR REPLACEMENT ENGINE, WHICHEVER IS NEWEST, SHALL APPLY AS DETERMINED BY THE EMISSIONS TECHNICAL CENTER PERSONNEL OR DESIGNEE AND SPECIFIED ON AN OFFICIAL EMISSIONS PROGRAM VEHICLE EVALUATION FORM DR 2365.
- (b) FOR 1975 AND NEWER VEHICLES IN WHICH THE ORIGINAL ENGINE HAS BEEN REPLACED, IF EITHER THE VEHICLE BODY OR CHASSIS OR ORIGINAL ENGINE, AS PER REGISTRATION AND TITLE OR REPLACEMENT ENGINE AS MANUFACTURED HAD A CATALYTIC CONVERTER SYSTEM, AIR INJECTION REACTION SYSTEM, MICROPROCESSOR BASED AIR AND FUEL CONTROL SYSTEM, AND FUEL FILLER NECK RESTRICTORS, THESE EMISSIONS CONTROL SYSTEMS MUST BE PRESENT, INTACT AND OPERATIONAL BEFORE A CERTIFICATE OF EMISSIONS CONTROL MAY BE ISSUED.
- (c) FOR THOSE VEHICLES TITLED OR REGISTERED AS MODEL YEAR 1975 AND NEWER, THAT WERE ASSEMBLED BY OTHER THAN A LICENSED MANUFACTURER SUCH AS KIT-CARS, REGISTERED AND TITLED ACCORDING TO 42-6-107.5 AND 42-6-117 C.R.S., AND ASSIGNED A COLORADO IDENTIFICATION NUMBER, THE APPLICABLE EMISSIONS CONTROL EQUIPMENT AND STANDARDS WILL BE BASED UPON A DETERMINATION BY TECHNICAL CENTER PERSONNEL OF THE VINTAGE OF THE VEHICLE ENGINE. AN AFFIDAVIT MAY BE ISSUED BY THE TECHNICAL CENTER PERSONNEL AND THE YEAR OF THE ENGINE SHALL BE PRESUMED TO BE THAT STATED BY THE VEHICLE OWNER UNLESS IT IS DETERMINED BY TECHNICAL CENTER PERSONNEL OR DESIGNEE, AFTER PHYSICAL INSPECTION OF THE VEHICLE ENGINE, THAT THE YEAR OF THE ENGINE IS OTHER THAN STATED BY THE OWNER.

#### **RULE V PENALTIES:**

THE DEPARTMENT HAS THE AUTHORITY UNDER 42-4-313 C.R.S. TO LEVY FINES, DENY, SUSPEND OR REVOKE ANY EMISSIONS STATION OR FACILITY AND EMISSIONS MECHANIC OR EMISSIONS INSPECTOR LICENSE AND REQUIRE THE SURRENDER THEREOF UPON SHOWING THAT

#### **(500.0) STATION OR FACILITY: LEVEL-I VIOLATIONS:**

- (a) FAILED TO POST EMISSIONS PROGRAM LICENSES IN A CONSPICUOUS LOCATION VISIBLE TO THE PUBLIC AND IN A PLACE APPROVED BY THE DEPARTMENT.
- (b) USED THE COMPLIANCE DOCUMENT OR VIR FOR A PURPOSE OTHER THAN PERMITTED BY THE DEPARTMENT.



- (c) FAILED TO HAVE TOOLS, SUPPLIES OR RECORDS AVAILABLE FOR INSPECTION BY THE DEPARTMENT.
- (d) FAILED TO PROVIDE A COMPLETE, CORRECT AND LEGIBLE DR 2087.
- (e) FAILED TO POST THE FEE FOR THE DR 2087.
- (f) FAILED TO PERFORM THE EMISSION TEST AFTER AGREED UPON.
- (g) CHARGED MORE THAN THE POSTED FEE FOR THE TEST, RETEST, REPLACEMENT WINDOW STICKER OR DR 2087.
- (h) WAS NOT OPEN AND AVAILABLE TO PERFORM EMISSIONS TESTS DURING NORMAL BUSINESS HOURS.
- (i) FAILED TO POSSESS THE REQUIRED EQUIPMENT.
- (j) FAILED TO DISPLAY ALL REQUIRED SIGNS.
- (k) A LICENSED EMISSIONS MECHANIC OR EMISSIONS INSPECTOR IS NOT EMPLOYED AT THE STATION OR FACILITY.
- (l) DOES NOT CONFORM WITH LOCAL SAFETY, OCCUPANCY, ZONING, USE, BUSINESS OR SALES TAX LAWS, ORDINANCES OR REGULATIONS.
- (m) IS NO LONGER CAPABLE OF RECEIVING U.S. MAIL.
- (n) THROUGH ITS AGENT, PERFORMED AN EMISSIONS TEST WHEN THE TEMPERATURE OF THE INSPECTION AREA WAS NOT BETWEEN 41°F. AND 110°F
- (o) THROUGH ITS AGENT, COMMITTED TEST DATA-ENTRY VIOLATIONS.
- (p) THE ENTIRE TEST WAS NOT PERFORMED WITHIN THE LICENSED, ADEQUATE FACILITY.
- (q) THROUGH ITS AGENT, FAILED TO ADVISE THE CUSTOMER OF FAILURES AS INDICATED ON THE VIR.
- (r) PERMITTED AN INDIVIDUAL OTHER THAN THE DEPARTMENTAL DESIGNEE TO ISSUE A WAIVER.
- (s) THE ABOVE VIOLATIONS OR ANY VIOLATION THAT CAUSES THE DATA TO BE INCORRECT ON THE RECORD WILL BE CONSIDERED TO BE LEVEL-I VIOLATIONS.

(1) ANY SUCH VIOLATIONS WILL CARRY THE FOLLOWING FINES AND PENALTIES:  
FINE:

(A)	FIRST OFFENSE:	\$ 25.00 TO \$ 100.00	AND
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(B)	SECOND OFFENSE:	\$ 100.00 TO \$ 200.00	AND
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(C) THIRD OFFENSE: \$ 200.00 TO \$ 300.00 AND

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**(501.0) STATION OR FACILITY LEVEL-II VIOLATIONS:**

- (a) EXERCISING LICENSING PRIVILEGES OTHER THAN THOSE GRANTED BY THE DEPARTMENT.
- (b) FAILED TO PROPERLY AFFIX THE VET TO THE VEHICLE UPON IT MEETING ALL REQUIREMENTS.
- (c) PERFORMED EMISSIONS TESTS WITH AN ANALYZER OR EQUIPMENT THAT WAS NOT CERTIFIED.
- (d) FAILED TO MAINTAIN RECORDS UNTIL DESTROYED BY THE DEPARTMENT.
- (e) FAILED TO COOPERATE WITH THE DEPARTMENT IN THE COURSE OF AN INVESTIGATION OR AUDIT.
- (f) PERFORMED ADJUSTMENTS OR REPAIRS WHEN SUCH ADJUSTMENTS OR REPAIRS WERE NOT AUTHORIZED OR REQUIRED.
- (g) ADJUSTMENTS OR REPAIRS WERE NOT PERFORMED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND PROCEDURES.
- (h) NOT OPERATING FROM THE LOCATION FOR WHICH THE LICENSE WAS ISSUED.
- (i) THROUGH ITS AGENT, FAILED TO ISSUE A CERTIFICATE OF WAIVER TO A VEHICLE THAT MET ALL REQUIREMENTS.
- (j) THROUGH ITS AGENT, PRE-ADJUSTED A VEHICLE PRIOR TO PERFORMING THE EMISSIONS TEST.
- (k) THROUGH ITS AGENT, PRE-TESTED A VEHICLE PRIOR TO PERFORMING THE EMISSIONS TEST.
- (l) THROUGH ITS AGENT, PERFORMED AN EMISSIONS TEST ON A VEHICLE WHICH HAD BEEN CONVERTED FROM A DIESEL-POWERED ENGINE TO A GASOLINE-POWERED ENGINE WITHOUT A DR 2365 HAVING BEEN PRESENTED.
- (m) THROUGH ITS AGENT, PERFORMED AN EMISSIONS TEST ON A VEHICLE WITH A COLORADO ASSIGNED IDENTIFICATION NUMBER WITHOUT A DR 2365 HAVING BEEN PRESENTED.
- (n) THROUGH ITS AGENT, PERFORMED REPAIRS ON THE EMISSIONS CONTROL SYSTEMS OF A VEHICLE THAT ARE ELIGIBLE FOR ANY MANUFACTURER'S WARRANTIES WITHOUT INFORMING THE OWNER OF SAID WARRANTIES.
- (o) THROUGH ITS AGENT, PERFORMED AN EMISSIONS TEST ON AN UNSAFE VEHICLE WHICH RESULTED IN DAMAGE TO THE VEHICLE.
- (p) THROUGH ITS AGENT, PERFORMED AN IMPROPER VISUAL INSPECTION.
- (q) THROUGH ITS AGENT, PERFORMED AN IMPROPER CFC INSPECTION.

- (r) THROUGH ITS AGENT, PERFORMED AN IMPROPER EMISSIONS CONTROL SYSTEMS INSPECTION.
- (s) THROUGH ITS AGENT, IMPROPERLY REMOVED THE VET, RESULTING IN DAMAGE TO THE WINDSHIELD OF THE VEHICLE BEING TESTED.
- (t) THROUGH ITS AGENT, FAILED TO HONOR THE TEN-DAY FREE RETEST.
- (u) THROUGH ITS AGENT, ISSUED A CERTIFICATE OF WAIVER TO A COLLECTOR-PLATED VEHICLE.
- (v) CHARGED MORE THAN THE FEE OF \$2.50 FOR A REPLACEMENT VET.
- (w) CHARGED MORE THAN THE POSTED FEE FOR A DR 2087.
- (x) COULD NOT ACCOUNT FOR ALL CONTROLLED DOCUMENTS.
- (y) THE ABOVE VIOLATION OR ANY VIOLATION THAT CAUSES DAMAGE TO THE CONSUMER OR THE STATE OF COLORADO WILL BE CONSIDERED TO BE LEVEL-II VIOLATIONS.

(1) ANY SUCH VIOLATIONS WILL CARRY THE FOLLOWING FINES AND PENALTIES:  
FINE:

(A)	FIRST OFFENSE:	\$ 100.00 TO \$ 125.00	AND
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(B)	SECOND OFFENSE:	\$ 100.00 TO \$ 200.00	AND
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(C)	THIRD OFFENSE:	\$ 200.00 TO \$ 300.00	AND
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**(502.0) STATION OR FACILITY LEVEL-III VIOLATIONS:**

- (a) IS INVOLVED IN ANY UNAUTHORIZED ENTRY INTO THE ANALYZER THAT RESULTS IN A FRAUDULENT COMPLIANCE DOCUMENT OR VIR BEING ISSUED.
- (b) CAUSED A COMPLIANCE DOCUMENT OR VIR TO BE ISSUED TO A VEHICLE THAT DID NOT AT THE TIME OF ISSUE COMPLY WITH THE LAWS, RULES, OR REGULATIONS.
- (c) MAKES, ISSUES, OR KNOWINGLY USES ANY IMITATION OR DECEPTIVELY SIMILAR OR COUNTERFEIT COMPLIANCE DOCUMENT OR VIR.
- (d) POSSESSES OR ISSUED A COMPLIANCE DOCUMENT OR VIR KNOWN TO BE FICTITIOUS, OR WAS ISSUED USING DATA OTHER THAN THE DATA FROM THE VEHICLE BEING TESTED, OR WAS ISSUED WITHOUT AN EMISSIONS TEST HAVING BEEN PERFORMED.
- (e) LOANED, GAVE OR TRANSFERRED COMPLIANCE DOCUMENTS OR VIRS TO ANOTHER EMISSIONS STATION.
- (f) USED UNCERTIFIED AND UNLABELED HIGH OR LOW SPAN GASES.
- (g) REPRESENTED THAT REPAIRS WERE PERFORMED WHEN SUCH IS NOT A FACT.

- (h) DEMONSTRATED A PATTERN OF NOT COMPLYING WITH STATUTES, RULES OR REGULATIONS.
- (i) PERFORMED EMISSIONS TESTS WHILE UNDER AN ORDER OF SUSPENSION OR ADMINISTRATIVE HOLD ISSUED BY THE DEPARTMENT.
- (j) FLAGRANT MISUSE OF THE COMPLIANCE DOCUMENT OR VIR FOR A PURPOSE OTHER THAN THAT PERMITTED BY THE DEPARTMENT.
- (k) PERFORMED EMISSIONS TESTS WITH AN ANALYZER OR TEST EQUIPMENT THAT HAS NOT BEEN CERTIFIED OR HAS BEEN FALSIFIED OR TAMPERED FROM THE ORIGINAL CERTIFIED CONDITION.
- (l) CONTINUED USING AN ANALYZER KNOWING THAT IT WAS MALFUNCTIONING.
- (m) THROUGH ITS AGENT, ISSUED A COMPLIANCE DOCUMENT OR VIR WHEN AT THE TIME OF ISSUE, THE VEHICLE DID NOT COMPLY WITH THE LAWS, RULES OR REGULATIONS.
- (n) THROUGH ITS AGENT, DENIED THE ISSUANCE OF A COMPLIANCE DOCUMENT OR VIR WHEN AT THE TIME OF INSPECTION, THE VEHICLE DID COMPLY WITH THE LAWS, RULES OR REGULATIONS.
- (o) THROUGH ITS AGENT, ISSUED A COMPLIANCE DOCUMENT OR VIR WITHOUT AN EMISSIONS TEST HAVING BEEN PERFORMED.
- (p) PERMITTED AN UNLICENSED PERSON TO PERFORM ALL OR ANY PART OF THE EMISSIONS TEST.
- (q) A FLEET INSPECTION STATION ISSUED A COMPLIANCE DOCUMENT OR VIR TO A VEHICLE WHICH IS NOT OWNED OR OPERATED BY THE FLEET INSPECTION STATION.
- (r) THROUGH ITS AGENT, USED THE ANALYZER REPRINT OR WINDSHIELD STICKER REPLACEMENT PROCEDURE FOR A PURPOSE OTHER THAN INTENDED BY THE DEPARTMENT.
- (s) THE ABOVE VIOLATIONS OR ANY VIOLATION THAT RESULTS IN A PASSING VEHICLE BEING FAILED OR A FAILING VEHICLE BEING PASSED WILL BE CONSIDERED TO BE LEVEL-III VIOLATIONS. LEVEL-III VIOLATIONS WILL BE CONSIDERED VIOLATIONS THAT WERE INTENTIONALLY COMMITTED. IF INTENT CANNOT BE PROVEN, SUCH VIOLATIONS WILL BE TREATED AS LEVEL-II VIOLATIONS AND WILL RESULT IN ASSESSMENT OF LEVEL-II PENALTIES.

(1) ANY SUCH VIOLATIONS WILL CARRY THE FOLLOWING FINES AND PENALTIES:

FINE:

(A)	FIRST OFFENSE:	\$ 500.00	AND
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(B)	SECOND OFFENSE:	\$ 500.00	AND
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(C)	THIRD OFFENSE:	\$ 500.00	AND
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**(503.0) MECHANIC OR INSPECTOR LEVEL-I VIOLATIONS:**

- (a) USED ESCAPE MODE IN THE ANALYZER WITHOUT A VALID REASON.
- (b) TEST DATA-ENTRY VIOLATION.
- (c) FAILED TO KEEP HIS OR HER CURRENT MAILING ADDRESS ON FILE WITH THE DEPARTMENT.
- (d) FAILED TO POST EMISSIONS LICENSE IN A LOCATION AVAILABLE AND VISIBLE TO THE PUBLIC AND IN A PLACE APPROVED BY THE DEPARTMENT.
- (e) USED THE COMPLIANCE DOCUMENT OR VIR FOR A PURPOSE OTHER THAN THAT PERMITTED BY THE DEPARTMENT.
- (f) FAILED TO PROVIDE A COMPLETE, CORRECT AND LEGIBLE DR 2087.
- (g) FAILED TO PERFORM THE EMISSIONS TEST AFTER AGREED UPON.
- (h) PERFORMED AN EMISSIONS TEST WHEN THE TEMPERATURE OF THE INSPECTION AREA WAS NOT BETWEEN 41°F. AND 110°F.
- (i) PERFORMED ANY PORTION OF THE TEST OUTSIDE THE LICENSED FACILITY OR STATION.
- (j) PERFORMED AN EMISSIONS TEST ON A VEHICLE WHICH HAS HAD AN ENGINE CHANGE WITHOUT A DR 2365 HAVING BEEN PRESENTED.
- (k) FAILED TO ISSUE THE VIR OR ADVISE THE CUSTOMER OF THE FAILURES AS INDICATED ON THE VIR.
- (l) THE ABOVE VIOLATIONS OR ANY VIOLATION THAT CAUSES THE DATA TO BE INCORRECT ON THE RECORD WILL BE CONSIDERED TO BE LEVEL-I VIOLATIONS.

(1) ANY SUCH VIOLATIONS WILL CARRY THE FOLLOWING FINES AND PENALTIES:  
FINE:

(A)	FIRST OFFENSE:	\$ 25.00 TO \$ 100.00	AND
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(B)	SECOND OFFENSE:	\$ 100.00 TO \$ 200.00	AND
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(C)	THIRD OFFENSE:	\$ 200.00 TO \$ 300.00	AND
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**(504.0) MECHANIC OR INSPECTOR LEVEL-II VIOLATIONS:**

- (a) FAILED TO PERFORM THE EMISSIONS TEST AS PROMPTED BY THE ANALYZER.
- (b) MADE FALSE STATEMENTS ON THE COMPLIANCE DOCUMENT, VIR OR DR 2087.

- (c) FAILED TO PROPERLY AFFIX THE VET TO THE VEHICLE.
- (d) FAILED TO COOPERATE WITH THE DEPARTMENT IN THE COURSE OF AN INVESTIGATION OR AUDIT.
- (e) ADJUSTMENTS OR REPAIRS WERE PERFORMED WHEN SUCH ADJUSTMENTS OR REPAIRS WERE NOT AUTHORIZED OR REQUIRED.
- (f) ADJUSTMENTS OR REPAIRS WERE NOT PERFORMED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND PROCEDURES.
- (g) FAILED TO ISSUE A CERTIFICATE OF WAIVER TO A VEHICLE THAT MET ALL THE REQUIREMENTS.
- (h) PERFORMED AN EMISSIONS TEST ON AN UNSAFE VEHICLE WHICH RESULTED IN DAMAGE TO THE VEHICLE.
- (i) PERFORMED REPAIRS TO THE EMISSIONS CONTROL SYSTEMS OF A VEHICLE THAT IS ELIGIBLE FOR ANY MANUFACTURER'S WARRANTIES WITHOUT INFORMING THE OWNER OF SAID WARRANTIES AND HAVING BEEN GRANTED PERMISSION TO CONDUCT THE REPAIRS.
- (j) PRE-ADJUSTED THE VEHICLE PRIOR TO PERFORMING THE EMISSIONS TEST.
- (k) PRE-TESTED THE VEHICLE PRIOR TO PERFORMING THE EMISSIONS TEST.
- (l) FAILED TO TURN OFF THE ENGINE WHEN PROMPTED BY THE ANALYZER.
- (m) PERFORMED AN EMISSIONS TEST ON A VEHICLE WHICH HAD BEEN CONVERTED FROM A DIESEL POWERED ENGINE TO A GASOLINE POWERED ENGINE WITHOUT A DR 2365 HAVING BEEN PRESENTED.
- (n) PERFORMED AN EMISSIONS TEST ON A VEHICLE WITH A COLORADO ASSIGNED VIN WITHOUT A DR 2365 HAVING BEEN PRESENTED.
- (o) FAILED TO INSPECT FOR VISIBLE EMISSIONS (SMOKE) DURING THE ENGINE-RUNNING PORTION OF THE EMISSIONS TEST.
- (p) DID NOT INCREASE THE ENGINE SPEED FROM THE DRIVER'S SEAT DURING THE EMISSIONS TEST.
- (q) PERFORMED AN IMPROPER VISUAL INSPECTION.
- (r) PERFORMED AN IMPROPER CFC INSPECTION.
- (s) PERFORMED AN IMPROPER EMISSION CONTROL SYSTEMS INSPECTION.
- (t) IMPROPERLY REMOVED THE VET RESULTING IN DAMAGE TO THE WINDSHIELD OF THE VEHICLE.
- (u) FAILED TO MAKE ADJUSTMENTS OR REPAIRS TO THE VEHICLE ACCORDING TO MANUFACTURER'S SPECIFICATIONS.
- (v) THE ABOVE VIOLATION OR ANY VIOLATION THAT CAUSES DAMAGE TO THE CONSUMER OR THE STATE OF COLORADO WILL BE CONSIDERED TO BE LEVEL-II VIOLATIONS.

(1) ANY SUCH VIOLATIONS WILL CARRY THE FOLLOWING FINES AND PENALTIES;  
FINE:

(A)	FIRST OFFENSE:	\$ 100.00 TO \$ 125.00	AND
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(B)	SECOND OFFENSE:	\$ 100.00 TO \$ 200.00	AND
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(C)	THIRD OFFENSE:	\$ 200.00 TO \$ 300.00	AND
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**(505.0) MECHANIC OR INSPECTOR LEVEL-III Violations:**

- (a) FAILED TO KEEP HIS OR HER ACCESS CODE SECURE WHICH RESULTED IN AN EMISSIONS TEST BEING CONDUCTED BY AN UNLICENSED PERSON.
- (b) IS INVOLVED IN ANY UNAUTHORIZED ENTRY INTO THE ANALYZER THAT RESULTS IN A FRAUDULENT COMPLIANCE DOCUMENT BEING ISSUED.
- (c) CAUSED A COMPLIANCE DOCUMENT OR VIR TO BE ISSUED TO A VEHICLE THAT DID NOT AT THE TIME OF ISSUE COMPLY WITH THE LAWS, RULES OR REGULATIONS.
- (d) MAKES, ISSUES, OR KNOWINGLY USES ANY IMITATION OR DECEPTIVELY SIMILAR OR COUNTERFEIT COMPLIANCE DOCUMENT OR VIR.
- (e) POSSESSES OR ISSUED A COMPLIANCE DOCUMENT OR VIR WHICH IS KNOWN TO BE FICTITIOUS, OR WAS ISSUED FOR ANOTHER VEHICLE, OR WAS ISSUED WITHOUT AN EMISSIONS TEST HAVING BEEN PERFORMED
- (f) REPRESENTED THAT REPAIRS WERE PERFORMED WHEN IN FACT NO REPAIRS WERE PERFORMED.
- (g) DEMONSTRATED A PATTERN OF NOT COMPLYING WITH THE STATUTES, RULES OR REGULATIONS.
- (h) PERFORMED EMISSIONS TESTS WHILE UNDER AN ORDER OF SUSPENSION OR ADMINISTRATIVE HOLD ISSUED BY THE DEPARTMENT.
- (i) CONTINUED TO USE AN ANALYZER KNOWING THAT IT WAS MALFUNCTIONING.
- (j) ISSUED A COMPLIANCE DOCUMENT OR VIR WHEN AT THE TIME OF ISSUE, THE VEHICLE DID NOT COMPLY WITH THE LAWS, RULES OR REGULATIONS.
- (k) DENIED THE ISSUE OF A COMPLIANCE DOCUMENT OR VIR WHEN AT THE TIME OF THE EMISSIONS TEST, THE VEHICLE DID COMPLY WITH THE LAWS, RULES OR REGULATIONS.
- (l) ISSUED A COMPLIANCE DOCUMENT OR VIR WITHOUT AN EMISSIONS TEST HAVING BEEN PERFORMED.
- (m) ISSUED A COMPLIANCE DOCUMENT OR VIR TO A VEHICLE WHICH IS NOT OWNED OR OPERATED BY THE FLEET INSPECTION STATION.

- (n) FLAGRANT USE OF THE COMPLIANCE DOCUMENT OR VIR FOR A PURPOSE OTHER THAN THAT PERMITTED BY THE DEPARTMENT.
- (o) PERFORMED EMISSIONS TESTS WITH AN ANALYZER OR TEST EQUIPMENT THAT HAS NOT BEEN CERTIFIED OR HAS BEEN FALSIFIED OR TAMPERED FROM ORIGINAL CONDITION.
- (p) USED THE ANALYZER REPRINT OR WINDSHIELD STICKER REPLACEMENT PROCEDURE FOR A PURPOSE OTHER THAN THAT PERMITTED BY THE DEPARTMENT.
- (q) THE ABOVE VIOLATIONS OR ANY VIOLATION THAT RESULTS IN THE PASSING OF A FAILING VEHICLE OR THE FAILING OF A PASSING VEHICLE WILL BE CONSIDERED TO BE LEVEL-III VIOLATIONS.

(1) LEVEL-III VIOLATIONS WILL BE CONSIDERED VIOLATIONS THAT WERE INTENTIONALLY COMMITTED. IF INTENT CANNOT BE PROVEN, SUCH VIOLATIONS WILL BE TREATED AS LEVEL-II VIOLATIONS AND WILL RESULT IN THE ASSESSMENT OF LEVEL-II PENALTIES.

(2) ANY SUCH VIOLATIONS WILL CARRY THE FOLLOWING FINES AND PENALTIES:  
FINE:

(A)	FIRST OFFENSE:	\$ 500.00	AND
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(B)	SECOND OFFENSE:	\$ 500.00	AND
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(C)	THIRD OFFENSE:	\$ 500.00	AND
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**(506.0) SECOND, THIRD OR SUBSEQUENT OFFENSES:**

ANY VIOLATIONS COMMITTED BY A LICENSEE UNDER THE FOLLOWING FORMAT, WILL CONSTITUTE "SUBSEQUENT OFFENSES":

- (a) SECOND OFFENSE: ANY VIOLATION OCCURRING WITHIN TWELVE MONTHS OF A PREVIOUS VIOLATION.
- (b) THIRD OFFENSE: ANY VIOLATION OCCURRING WITHIN TWELVE MONTHS OF ANY TWO PREVIOUS VIOLATIONS.
- (c) A FOURTH VIOLATION WITHIN TWELVE CONSECUTIVE MONTHS WILL BE CONSIDERED AS DEMONSTRATING A PATTERN OF NON-COMPLIANCE.

**(507.0) SUSPENSIONS:**

- (a) UPON RECEIPT OF A NOTICE AND ORDER OF SUSPENSION OF AN EMISSIONS LICENSE, THE LICENSEE MAY REQUEST, IN WRITING, A DATE BE SET FOR A HEARING.
- (b) HEARING REQUESTS MUST BE RECEIVED AT THE OFFICE OF THE AIR PROGRAM, 140 WEST 6TH AVENUE, ROOM 108, DENVER, CO. 80204, WITHIN TEN DAYS OF THE ISSUANCE OF NOTICE AND ORDER.
- (c) THE DEPARTMENT WILL SET A HEARING DATE WITHIN THIRTY DAYS OF RECEIPT OF THE



WRITTEN HEARING REQUEST.

- (d) THE HEARING WILL BE CONDUCTED IN ACCORDANCE WITH 42-4-305 C.R.S., AND THE ADMINISTRATIVE PROCEDURES ACT, ARTICLE 4, OF TITLE 24, C.R.S.

**(508.0) ADMINISTRATIVE HEARINGS:**

- (a) EMISSIONS STATION OR MECHANIC OR INSPECTOR WILL BE NOTIFIED OF THE ALLEGED VIOLATIONS AND THE DATE FOR THE ADMINISTRATIVE HEARING.
- (b) EMISSIONS STATION OR MECHANIC OR INSPECTOR FAILING TO APPEAR FOR A HEARING MAY BE SUSPENDED OR REVOKED.
- (c) HEARINGS WILL BE CONDUCTED IN ACCORDANCE WITH 42-4-305 C.R.S., AND THE ADMINISTRATIVE PROCEDURES ACT, ARTICLE 4, OF TITLE 24, C.R.S.

**(509.0) CONTRACTOR PENALTIES:**

THE CONTRACTOR HAS ACKNOWLEDGED PER THE CONTRACT, SECTION III OF THE REGULATORY OVERSIGHT SECTION A, PENALTIES, THAT THE CONTRACTOR, AND ANY SUBCONTRACTOR, AGENT OR EMPLOYEE OF THE CONTRACTOR SHALL BE SUBJECT TO CIVIL PENALTIES IN ACCORDANCE WITH SECTION 42-4-313, C.R.S. AS AMENDED OR ARTICLE 7 OR TITLE 25, C.R.S., AS AMENDED, FOR ANY VIOLATION OF APPLICABLE LAWS, RULES OR REGULATIONS OF THE DEPARTMENT OR THE COMMISSION AS PROVIDED IN SECTION III, REGULATORY OVERSIGHT.

- (a) CONTRACTOR, AND ANY SUBCONTRACTOR, AGENT, OR EMPLOYEE OF THE CONTRACTOR WILL BE PENALIZED FOR ANY LEVEL-I OR LEVEL-II VIOLATION UNDER SECTION IV OF THE RULES OR REGULATIONS.
  - (1) THE DEPARTMENT SHALL BRING AN ENFORCEMENT ACTION AGAINST THE CONTRACTOR OR IMPOSE FINES UPON THE CONTRACTOR FOR ANY LEVEL-III VIOLATIONS IF SAID VIOLATIONS WERE COMMITTED WHILE UNDER THE DIRECTION OR POLICY OF THE CONTRACTOR.
  - (2) THE DEPARTMENT SHALL BRING AN ENFORCEMENT ACTION AGAINST ANY SUBCONTRACTOR, AGENT OR EMPLOYEE OF THE CONTRACTOR FOR ANY LEVEL-III VIOLATION UNDER SECTION IV OF THE RULES OR REGULATIONS.

**RULE VI ENHANCED EMISSIONS PROGRAM**

THE DEPARTMENT IS AUTHORIZED, PURSUANT TO SECTION 42-4-308 (10) (a) C.R.S., AS AMENDED, TO ESTABLISH SYSTEM DESIGN AND OPERATING PERFORMANCE STANDARDS FOR THE CONSTRUCTION, IMPLEMENTATION, STAFFING, OPERATION AND MAINTENANCE OF AN ENHANCED INSPECTION AND MAINTENANCE PROGRAM TO BE OPERATED IN THE SIX COUNTY METRO-DENVER AREA AS DEFINED IN SECTION 42-4-307 (18), C.R.S., AS AMENDED, TO PROVIDE VEHICLE EMISSIONS INSPECTION SERVICES TO AFFECTED MOTORISTS;

**(600.0) DOCUMENTS INCORPORATED BY REFERENCE:**

- (a) THE FOLLOWING DOCUMENTS ARE INCORPORATED BY REFERENCE TO ESTABLISH THE RESPONSIBILITIES, RIGHTS, OBLIGATIONS, AND PERFORMANCE MANDATES FOR SAID PROGRAM:
  - (1) PART 3 OF ARTICLE 4 OF TITLE 42, C.R.S. REVISED 1993

(2) REQUEST FOR PROPOSAL (RFP-RO-940021), ISSUED AUGUST 31, 1993 WHICH INCLUDES THE FOLLOWING AMENDMENTS:

(A) REVISED SCHEDULE OF EVENTS, SEPTEMBER 9, 1993

(B) QUESTIONS AND RESPONSES FROM CONFERENCE, SEPTEMBER 23, 1993

(C) RESPONSES TO QUESTIONS, OCTOBER 6, 1993

(D) FINAL RESPONSES TO QUESTIONS, OCTOBER 22, 1993

(3) THE PROPOSAL FROM ENVIROTEST SYSTEMS CORPORATION

(4) ENHANCEMENT OF COLORADO AIR PROGRAM AGREEMENT DATED THE FEBRUARY 22, 1994, BETWEEN THE COLORADO DEPARTMENT OF HEALTH, THE COLORADO DEPARTMENT OF REVENUE AND ENVIROTEST SYSTEMS CORPORATION

(5) AIR QUALITY CONTROL COMMISSION REGULATION 11, REVISED 1994

**(601.0) COLORADO REVISED STATUTES RELEVANT TO THE LICENSING, OPERATION, PERSONNEL AND OPERATION FOR AN ENHANCED INSPECTION CENTER:**

(a) THE DIRECTOR IS AUTHORIZED TO ISSUE, DENY, CANCEL, SUSPEND, OR REVOKE LICENSES FOR, AND SHALL FURNISH INSTRUCTIONS TO ENHANCED INSPECTION CENTERS.

(b) THE INITIAL BIENNIAL FEE FOR AN ENHANCED INSPECTION CENTER AUTHORIZATION SHALL BE THIRTY-FIVE DOLLARS AND THE BIENNIAL RENEWAL FEE SHALL BE TWENTY DOLLARS.

(c) THE INITIAL BIENNIAL FEE FOR AN EMISSIONS INSPECTOR LICENSE SHALL BE FIFTEEN DOLLARS AND THE BIENNIAL RENEWAL FEE SHALL BE TEN DOLLARS.

(d) THE DIRECTOR SHALL SUPERVISE THE ACTIVITIES OF AUTHORIZED ENHANCED INSPECTION CENTERS AND SHALL CAUSE INSPECTIONS TO BE MADE OF SUCH CENTERS AND APPROPRIATE RECORDS FOR COMPLIANCE WITH LICENSING REQUIREMENTS.

(e) APPLICATIONS FOR AN EMISSIONS INSPECTOR LICENSE, AN ENHANCED INSPECTION CENTER LICENSE SHALL BE MADE ON FORMS PRESCRIBED BY THE EXECUTIVE DIRECTOR.

(f) NO ENHANCED INSPECTION CENTER LICENSE SHALL BE ISSUED UNLESS THE EXECUTIVE DIRECTOR FINDS THAT THE FACILITY OF THE APPLICANT IS OF ADEQUATE SIZE AND PROPERLY EQUIPPED AND THAT A LICENSED INSPECTOR IS OR WILL BE AVAILABLE TO MAKE SUCH INSPECTIONS.

(g) OWNERS, OPERATORS, AND EMPLOYEES OF ENHANCED INSPECTION CENTERS WITHIN THE ENHANCED PROGRAM AREA ARE PROHIBITED FROM ENGAGING IN ANY MOTOR VEHICLE REPAIR, SERVICE, PARTS SALES, OR THE SALE OR LEASING OF MOTOR VEHICLES AND ARE PROHIBITED FROM REFERRING VEHICLE OWNERS TO PARTICULAR PROVIDERS OF MOTOR VEHICLE REPAIR SERVICES.

**RULE VII**

(700.0) THE COMMISSION SHALL PROVIDE FOR ADDITIONAL ENFORCEMENT OF THE INSPECTION PROGRAMS BY ENCOURAGING THE ADOPTION OF LOCAL ORDINANCES AND THE ACTIVE PARTICIPATION BY LOCAL LAW ENFORCEMENT PERSONNEL, PARKING CONTROL, AND CODE ENFORCEMENT OFFICERS AGAINST VEHICLES SUSPECTED TO BE OUT OF COMPLIANCE WITH THE INSPECTION REQUIREMENTS.

(701.0) NO PERSON SHALL OPERATE A MOTOR VEHICLE REGISTERED OR REQUIRED TO BE REGISTERED IN THIS STATE OR ANY VEHICLE OTHERWISE REQUIRED TO DISPLAY A VALID VERIFICATION OF EMISSIONS TEST, NOR SHALL ANY PERSON ALLOW SUCH A MOTOR VEHICLE TO BE PARKED ON PUBLIC PROPERTY OR ON PRIVATE PROPERTY AVAILABLE FOR PUBLIC USE, WITHOUT SUCH VEHICLE DISPLAYING A VALID VERIFICATION OF EMISSIONS TEST.

- (a) THE DEPARTMENT WILL PERFORM PARKING LOT SURVEYS WITHIN THE AIR PROGRAM AREA TO AID AND ASSIST LOCAL MUNICIPALITIES.
- (b) THE DEPARTMENT WILL MAKE AVAILABLE TO LAW ENFORCEMENT AGENCIES, ADMINISTRATIVE ASSISTANCE AND TRAINING.
- (c) THE DEPARTMENT WILL MAKE AVAILABLE TO LOCAL LAW ENFORCEMENT AGENCIES, INFORMATION AND IDENTIFICATION REGARDING VEHICLES WHICH ARE NOT IN COMPLIANCE.
- (d) FINES COLLECTED SHALL BE RETAINED BY THE ISSUING JURISDICTION.

#### **RULE VIII: DEALER USE OF VOUCHERS FOR EMISSIONS COMPLIANCE**

The statutory basis for this regulation is 42-4-309.

#### **DEFINITIONS:**

**DEALER VOUCHER SALE:** The sale of any motor vehicle subject to the requirements of Colorado's Enhanced AIR Program as defined by CRS 42-4-304 (9) (a) by a licensed Motor Vehicle Dealer or a Used Motor Vehicle Dealer that is sold without a certificate of emissions control at the time of sale by said Motor Vehicle Dealer or Used Vehicle Dealer if the dealer at the time of such sale provides the buyer with an emissions test voucher so that the buyer may test the vehicle purchased as outlined 42-4-309 (6).

**EMISSIONS TEST VOUCHER:** A certificate sold by the contractor (as defined by CRS 42-4-304 (5)), to: a Motor Vehicle Dealer, Used Motor Vehicle Dealer, or other fleet operators for the purpose of testing motor vehicles at the contractor's test facilities. The voucher shall be in a format approved by the Department of Revenue. The emissions test vouchers are valid for emissions tests performed only at contractor's enhanced test facilities.

**MOTOR VEHICLE DEALER OR USED MOTOR VEHICLE DEALER:** A dealer licensed under the provisions of article 6 of title 12, C.R.S.

**NOTICE OF VEHICLE REJECTION:** As authorized by CRS 42-4-306 (6) (d), a motor vehicle may be rejected by contractor inspection personnel if the vehicle is unsafe to test or that cannot physically be inspected. The contractor shall provide in writing to any vehicle owner whose vehicle is rejected: a description of the vehicle to include VIN, make, model, model year, reasons for the rejection, location of the test facility, date, and the inspector who rejected the vehicle.

**BUSINESS DAY:** A business day for purposes of the administration of this voucher rule (Rule VIII 1 CCR 204-11) means: Any calendar day commencing at the time the contractor opens for business and ending when the contractor closes. Business days shall not include: National holidays or days when the

contractor is closed with official approval from the Department.

## RULE VIII

(800.0) General requirements for use of a dealer voucher.

(a) The voucher shall be in a format prescribed by the Department.

(1) The following information shall be listed on the voucher.

You have the three (3) business days commencing the day after the date the buyer takes possession of a motor vehicle when the contractors test facilities are open to complete an emissions test on the vehicle. If the motor vehicle fails or is rejected at the test facility, you must return the vehicle to the selling dealer within the same three (3) day time frame. At that time, the selling dealer is required by law to repair or repurchase the vehicle. **FAILURE TO TEST AND RETURN THE VEHICLE, IF IT FAILED OR WAS REJECTED, TO THE SELLING DEALER WITHIN THE 3 DAY TIME FRAME, WILL RELIEVE THE SELLING DEALER OF ANY RESPONSIBILITY TO REPAIR OR REPURCHASE THE VEHICLE PURSUANT TO THE ENHANCED EMISSIONS PROGRAM.** Compliance with §§ 12-6-118 (3) (t) and 42-4-301 to 316 (Cum. Supp. 1996) is required.

(b) The voucher shall be valid only at an enhanced inspection center.

(c) The dealer shall issue the voucher, at the time of sale, to the vehicle buyer.

(801.0) Dealer Voucher Inspection requirements.

(a) The consumer must have an emissions test performed on the vehicle within 3 business days after the date of taking possession.

(b) If the vehicle fails the emissions test or is issued a notice of rejection, the consumer must return the vehicle to the dealer within three (3) business days after the date of taking of possession. The dealer shall notify the consumer of which of the three options the dealer has identified in order to resolve the failure or rejection of the emissions test within 3 business days after the vehicle has been returned to the dealer.

(802.0) Dealer voucher repair requirements

(a) If the dealer, at its option, repairs the vehicle to pass the emission test, the dealer shall be responsible to have the vehicle retested in order to confirm the repair results and provide the certificate of emissions compliance to the consumer at no additional cost.

(b) The dealer shall complete repairs within ten (10) days of the emissions test failure.

(803.0) Dealer payment to obtain the appropriate repairs for passing the emissions test from a third party.

(a) If the dealer, at its option, pays the consumer to obtain the necessary repairs, it shall be the dealers responsibility to negotiate the repair cost with the repair facility.

(b) The dealer shall not require the consumer to pay for repairs and seek reimbursement.

(c) The dealer shall provide the consumer with additional vouchers for retest purposes if necessary.

(804.0) Dealer repurchase of the vehicle at the purchase price.

- (a) When the dealer chooses to repurchase the vehicle after an emissions failure or rejection, the dealer shall make the repurchase of the vehicle at the purchase price and terminate all monetary instruments concerning the sale of the vehicle.
- (b) Return of a failing or rejected vehicle to the selling dealer does not constitute voluntary repossession as defined in article 5 of title 5 C.R.S.

May 20, 1998

## DEPARTMENT OF REVENUE

### Division of Motor Vehicles

**BASIS:** The statutory basis for this regulation is C.R.S. 42-4-304 and 42-4-310.

**PURPOSE:** The purpose of this regulation is to reflect changes in the law and to clarify as needed.

### **RULE IX: DEFINITION OF THE TERM “INOPERABLE” AND “CANNOT BE TESTED” FOR VEHICLES TO BE EXEMPT FROM EMISSIONS TESTING.**

#### **DEFINITIONS:**

**INOPERABLE:** A vehicle that is incapable of moving under its own power due to a mechanical failure. A vehicle is inoperable when any one or a combination of the major internal components of the vehicle are not mechanically working or are damaged to the point that it does not allow the vehicle to be moved by utilizing that component(s). The major components of the vehicle are the engine, drive train, and axles.

**CANNOT BE TESTED:** Body, frame, steering damage, or other malfunction that renders the vehicle unfit for an emissions test. It includes the provisions of the definition of inoperable.

**MOTOR VEHICLE DEALER OR USED MOTOR VEHICLE DEALER:** A person licensed under the provisions of article 6 of title 12, CRS.

### **RULE IX**

General requirements of emissions testing for a vehicle being sold.

(A) If the motor vehicle is operable or can be tested:

- (1) The vehicle must be emission tested prior to the sale of the vehicle.

(B) If the motor vehicle is “inoperable” or “otherwise cannot be tested”:

- (1) The vehicle shall not be issued a temporary registration certificate by the selling dealer.
- (2) The seller must provide a written notice to the purchaser prior to completion of the sale that clearly indicates the following:
  - (a) The vehicle does not currently comply with the emissions requirements for the program area;
  - (b) The seller does not warrant that the vehicle will comply with emissions requirements; and
  - (c) The purchaser is responsible for complying with emissions requirements prior to

registering the vehicle in the emissions program area.

- (3) The seller must execute a form prepared by the Department to comply with the provisions of (2) (a), (b), and (c) and the Department shall make the form available to dealers and other persons who are selling motor vehicles (or a replica of the form containing all of the information required by the official form may be used), which are inoperable or otherwise cannot be tested when sold. The form must be kept on file by the selling dealer for three (3) years in accordance with C.R.S. 39-26-116, Record of Sale.
- (C) Motor vehicles that have nonfunctioning, malfunctioning or missing emissions equipment cannot use the definition of "inoperable" or "otherwise cannot be tested" to prevent the motor vehicle from being tested upon being sold.
- (D) Exclusions that would not render a motor vehicle to be "inoperable" or "otherwise cannot be tested" would be any intentional act performed on the vehicle that produces a vehicle defect including tampering the engine, transmission, transaxle, differential (i.e. fuel systems, electrical systems, tires, belts, hoses, and cooling systems), or any engine that exhibits visible smoke in accordance with 42-4-412 (1) (a) (I) and defined by 25-7-103 (1.5) CRS.

DIR 2023 (07/98)  
COLORADO DEPARTMENT OF REVENUE  
MOTOR VEHICLE DIVISION  
EMISSIONS SECTION  
1381 INDIAN STREET  
LAKEWOOD CO 80214

### NOTICE OF EMISSIONS NON-COMPLIANCE

The vehicle described below **DOES NOT** comply with the emission requirements for the program area. This vehicle may be inoperable or otherwise cannot be tested in accordance with the regulations promulgated by the Department of Revenue.

Vehicle Make	Model	Year	Vehicle Identification Number
<p>(Buyers Initials) A temporary registration <b>WILL NOT</b> be issued to this vehicle. Vehicle is not to be driven until a proper certificate of emission compliance has been obtained by the purchaser. It is the responsibility of the purchaser to comply with the emission requirement prior to registering the vehicle.</p> <p>(Buyers Initials) The seller of this vehicle <b>DOES NOT</b> warrant that this vehicle will comply with the emission requirements.</p> <p>The vehicle identified above is inoperable or otherwise cannot be tested for the following reasons.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>			
Dealership Name/Seller		Date	
Address			
City		State	ZIP Code
Seller Signature			
Buyers Name		Date	
Address			
City		State	ZIP Code
Buyer Signature			
<p>Notice: Motor Vehicles that have non-functioning, malfunctioning, or missing emission equipment may not be categorized as "Inoperable" or "Otherwise cannot be tested" for the purpose of non-compliance with the emission testing requirements upon the sale to a consumer.</p>			

## RULE X CLEAN SCREEN

### Definitions:

Clean screen inspection site:

A location within the program area as defined in 42-4-304 (20) (a), C.R.S., approved by the division and the department and has complied with all zoning, business regulation and complies with all traffic safety and traffic flow standards required by the local governmental jurisdiction.

Clean screen inspector:

An individual trained by the division and licensed by the department to operate licensed clean screen inspection equipment at a clean screen inspection site, or a stationary automated clean screen inspection equipment qualified by the division and licensed by the department and operated at a clean screen inspection site.

Clean screen program:

The remote sensing emissions inspection program established pursuant to 42-4-304 (3.5), C.R.S.

Clean screen vehicle:

An eligible vehicle that is registered in a clean screen program county that complies with the requirements of the clean screen program.

Clean screen data manager:

A person or entity that has contracted with the state to provide clean screen data management functions. This same person or entity may also act as general contractor in conducting clean screen inspections or facilitating clean screen inspections.

Data manager public information office:

A location provided by the Data manager for use by those persons that voluntarily comply with the clean screen inspection program or for requesting information and assistance with the clean screen inspection program. The hours of operation are those published in this rule and regulation in definitions 156.0.

#### **(1000.0) CLEAN SCREEN INSPECTION PROCEDURES**

(a) The following vehicles will not be considered “eligible” for the purposes of the clean screen inspection program.

(1) Diesel powered vehicles

(2) Electric powered vehicles

(3) Vehicles registered with “farm” plates.

(4) Vehicles registered as “Horseless Carriage”.

(5) Motorcycles

(6) Vehicles powered by 2-stroke engines of model year 1979 and older.

(7) Vehicles not registered in a clean screen county.

(8) Government plated vehicles.

(9) Any vehicle involved in a sale or transfer of ownership. These vehicles must be inspected at an inspection and repair station, inspection only facility or at the enhanced contractor inspection center.

(10) New vehicles that are 4 model years old or newer as defined in 42-4-310 (1) (b) (II) (A).

(11) Vehicles owned by residents of a clean screen program area who are employed in the enhanced program area for at least 90 days in any twelve month period.

(12) Any vehicle that is identified by the data manager that has failed an emissions inspection performed by an inspection and repair station, an independent inspection only facility or



an enhanced inspection center, within the previous 12 months or during the qualification period for compliance with the clean screen inspection program, will not be considered as eligible for the clean screen inspection program. Any vehicle that has a failed an emissions inspection must be reinspected by a licensed emissions inspection program station, facility or center.

- (b) The entire clean screen emissions inspection must be conducted by a licensed clean screen inspector at an approved and licensed clean screen location using properly calibrated clean screen equipment.
- (c) The vehicle data must be obtained by the use of a license plate reader at the licensed location and matched to the vehicle database by the Data Manager.
- (d) The Data Manager will notify those motorists eligible to participate in the clean screen inspection program. This notification will permit the motorist to pay a fee not to exceed that specified in section 42-4-311 (4)(a), C.R.S., and not exceeding that specified in the Data Managers contract, by the date specified by the Data Manager. The Data Manager in turn will provide the necessary inspection documents to the motorist for the license plate renewal process. The inspection documents include:
  - (1) The Certificate of Emissions Control
  - (2) The Verification of Emissions Test (window sticker)
  - (3) The Vehicle Inspection Report (VIR)
  - (4) Instructions to the motorist for the use of the Certificate of Emissions Control, Verification of Emissions Test (window sticker), and the Vehicle Inspection Report.

**(1001.0) CERTIFICATION OF EMISSIONS CONTROL AND VERIFICATION OF EMISSIONS TEST DOCUMENTS.**

- (a) The following conditions must be met in order for an eligible vehicle to be issued a Certification or Emissions Control and a Verification of Emissions Test windshield sticker:
  - (1) The vehicle emissions levels must be the same as or lower than the limits specified in Regulation 11 of the Air Quality Control Commission.
  - (2) The most recent two consecutive emissions readings were observed within twelve months of the registration renewal date and the most recent passing emissions reading must have occurred on a different day or at a different site location from the prior reading, and the second reading is within 90 days of the vehicle registration renewal date.
  - (3) There were no non-complying (failing) readings observed between the last 2 complying emissions readings.
  - (4) Upon notification by the Data Manager, the motorist must have submitted a fee not to exceed that specified in section 42-4-311 (4)(a), C.R.S., and not exceeding that specified in the Data Managers contract, by the date specified by the Data Manager.
    - (A) The Data Manager shall not notify the motorist after the last day of the month of registration as indicated by the Department of Motor Vehicle data base.
  - (5) Upon receipt of the clean screen inspection fee from the motorist by the Data Manager, the Data Manager will provide the motorist with a Vehicle Inspection Report and a Verification

of Emissions Test windshield sticker. The delivery of these documents to the motorist can be accomplished by first class mail or to the motorist in person at the Data Manager public information office.

- (A) At any time the motorist has the vehicle's windshield replaced, the motorist can contact the Data Manager at the Data Manager maintained office for a replacement Verification of Emissions Test windshield sticker. The motorist must produce the corresponding Vehicle Inspection Report in order for the Data Manager to issue the replacement windshield sticker. The Data Manager may charge a fee not to exceed \$2.50 for the replacement windshield sticker.

#### **(1002.0) GENERAL REQUIREMENTS FOR LICENSING**

- (a) All rules, regulations and requirements related to license qualifications, operations, fee structure and duration shall be those that apply in Rule III of the Department of Revenue, Emissions Programs Rules and Regulations.

#### **(1003.0) CLEAN SCREEN FACILITY OPERATIONS**

- (a) All operational requirements for any Clean Screen Facility shall be those that apply in Rule IV of the Department of Revenue, Emissions Programs Rules and Regulations.