State of California
AIR RESOURCES BOARD

Resolution 78-11

March 22, 1978

WHEREAS, Sections 39600 and 39601 of the Health and Safety Code authorize the Air Resources Board to adopt standards, rules, and regulations necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, Section 43010 of the Health and Safety Code requires the Board to prescribe air pollution standards to be applied in inspecting motor vehicles;

WHEREAS, the Board and the Bureau of Automotive Repair (BAR) have determined that the California Mandatory Vehicle Inspection Program (MVIP) should be implemented with an idle inspection test with corresponding idle test standards and a functional test rather than with the loaded mode inspection test currently specified by Section 2176, Title 13, California Administrative Code;

WHEREAS, Section 43010 of the Health and Safety Code requires the Board to design the MVIP inspection test standards to secure the operation of all motor vehicles with a substantial reduction in air pollution emissions;

WHEREAS, Section 43010 of the Health and Safety Code requires the Board to revise the MVIP inspection test standards from time to time, as experience justifies;

WHEREAS, studies conducted by the Board and the BAR have determined that standards with an error of commission rate (an error of commission occurs when a vehicle which failed the inspection test does not have an emission-related malfunction) limited to 0.5% overall and 1.0% per vehicle category are highly effective in detecting part failures which cause an increase in emissions;

WHEREAS, the Board has found it desirable to delegate to the Executive Officer the authority to establish and/or revise, within specified limits, the MVIP inspection test and the inspection test standards in order to more quickly and accurately reflect changes in the vehicle population and to cope more efficiently with other changes involving vehicles which are subject to the MVIP inspection test;

WHEREAS, the Board has determined that it is desirable to delegate to the Executive Officer the authority to make appropriate changes to Section 2176, Title 13, California Administrative Code in order to permit effective and continuous operation of the MVIP; and

WHEREAS, a public hearing and other proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 3, Part 1, Chapter 4.5);

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby delegates to the Executive Officer the authority to establish and/or revise the MVIP inspection test or the inspection test standards and to make appropriate changes to Section 2176, Title 13, California Administrative Code, as experience or technical or cost/effectiveness analyses justify.

BE IT FURTHER RESOLVED, that the Board hereby requires that, in developing and implementing the MVIP inspection test and inspection test standards, the Executive Officer shall maintain an error of commission rate at or below 0.5% overall and at or below 1.0% for any one vehicle category. The Executive Officer shall periodically publish the results of studies which show that the errors of commission are kept at or below the specified values.

BE IT FURTHER RESOLVED, that the Board hereby requires that, in developing and implementing the MVIP inspection test and inspection test standards, the Executive Officer shall take cost/effectiveness factors into consideration. The Executive Officer shall periodically publish the results of studies which show that the cost/effectiveness of the program is maintained. The publication shall identify the specific criteria used to determine the cost/effectiveness factors.

BE IT FURTHER RESOLVED, that the Board will schedule a public hearing six months after the start of the MVIP to review the progress of the program.