

**SYNOPSIS OF
THE PROPOSED AMENDMENT TO THE RULES OF THE
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION
RELATING TO ENHANCED INSPECTION AND MAINTENANCE, CHAPTER 391-3-20**

Rule 391-3-20-.17, “Waivers,” is being amended.

Purpose: Subparagraph (2)(a)1. is being revised to specify that the repair cost waiver amount will be determined by EPD at the start of each year in accordance with the provisions of the Georgia Motor Vehicle Emission Inspection and Maintenance Act.

Main Features: The current provisions specify that the amount that must be spent on qualifying repairs after a vehicle has failed an initial emissions inspection is \$450 as adjusted by the Consumer Price Index after 1989. The current provisions state the amount for the previous year (\$710 for 2006) as well as the current year (\$738 for 2007). This subparagraph has been adjusted every year to specify the CPI adjusted dollar amounts each year. The proposed provisions would remove the specific-year dollar amounts and add a provision that a new amount is effective at the start of each test year and determined by the Division “in accordance with the requirements of 12-9-48(d)(2) of the Georgia Motor Vehicle Emission Inspection and Maintenance Act.” Section 12-9-18(d)(2) of that Act contains the specific provisions for making the CPI adjustment. It will no longer be necessary to revise this subparagraph every year to insert the dollar amounts for the new year.

STATEMENT OF RATIONALE
Rules for Enhanced Inspection and Maintenance

Rule 391-3-20-.17(2)(a) Repair Cost

This basis of this subparagraph is to specify the amount that must have been paid on qualifying repairs after a vehicle fails an initial test in order to be granted a waiver from complying with the inspection requirements for the corresponding registration period. The purpose of this revision is to change the subparagraph that specifies the qualifying dollar amount from stating the specific amount for the current and past year to stating that the amount for each test year will be determined by the EPD in accordance with the Georgia Motor Vehicle Emission Inspection and Maintenance Act.

This revision is administrative in nature and is in no way any more restrictive than the Federal requirements and does not incur any additional costs to the regulated industry or public.