

Senate Bill 198

By: Senators Tolleson of the 20th, Harp of the 29th and Bulloch of the 11th

**AS PASSED**

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 12-9-46 of the Official Code of Georgia Annotated, relating to the  
 2 power of the Board of Natural Resources to regulate air quality in nonattainment areas in this  
 3 state, so as to provide the costs to be covered by the fee charged by emission inspection  
 4 stations shall include the activities of the director of the Environmental Protection Division  
 5 necessary to achieve compliance with state and federal clean air laws; to amend Code Section  
 6 12-9-48 of the Official Code of Georgia Annotated, relating to certificates of emission  
 7 inspection, so as to provide for a time extension; to provide for related matters; to provide  
 8 for an effective date; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Code Section 12-9-46 of the Official Code of Georgia Annotated, relating to the power of  
 12 the Board of Natural Resources to regulate air quality in nonattainment areas in this state, is  
 13 amended by revising paragraph (11) of subsection (a) as follows:

14 "(11) To prescribe by rule or regulation an administrative fee to be collected by the  
 15 director from each emission inspection station in a manner determined by the board by  
 16 rule or regulation to cover the direct and indirect cost of:

17 (A) Required ~~required~~ and adequate oversight to confirm that inspections are being  
 18 done in a proper and adequate manner, including, without limitation, the operation and  
 19 maintenance of a data system and network for emission inspection data and related  
 20 information; the performance of audits and quality control and quality assurance for  
 21 certified emission inspection stations and licensed inspectors; the dissemination of  
 22 information to individuals, corporations, governmental agencies, and any other entity  
 23 regarding emission inspection requirements and related information; and the issuance  
 24 of waivers, exemptions, and extensions of the emission inspection requirement;

25 (B) Activities of the director within designated nonattainment areas that are necessary  
 26 to achieve compliance with this article and the federal Clean Air Act including, without  
 27 limitation, ambient monitoring, attainment plan development, maintenance plan

28 development, emission inventories, data analysis, and coordination and consultation  
29 with other governmental planning organizations; and  
30 (C) Any any other requirements that the board determines are appropriate to  
31 implement, enforce, and ensure compliance with the requirements of this article and the  
32 rules and regulations promulgated pursuant to this article; provided, however, that  
33 \$1.00 of each such administrative fee shall be remitted to the county for each  
34 responsible motor vehicle that is registered in that county; and"

35 **SECTION 2.**

36 Code Section 12-9-48 of the Official Code of Georgia Annotated, relating to certificates of  
37 emission inspection, is revised by adding a new subsection (e) and redesignating existing  
38 subsections (e) through (i) as (f) through (j), as follows:

39 "(e) A time extension, not to exceed the period of the inspection frequency, may be granted  
40 to obtain needed repairs on a vehicle in the case of economic hardship when waiver  
41 requirements contained in subsection (d) of this Code section have not been met. After  
42 having received a time extension under this subsection, a vehicle must fully pass the  
43 applicable test standards before becoming eligible for another time extension."

44 **SECTION 3.**

45 This Act shall become effective upon its approval by the Governor or upon its becoming law  
46 without such approval.

47 **SECTION 4.**

48 All laws and parts of laws in conflict with this Act are repealed.