State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Tim Davis
Commissioner

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

Air Quality Board
Kim Frost, *Chair*
Michelle Bujdoso, *Vice-Chair*
Tim Davis
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Colton Norman
Sonja Norton
Lorin Palmer
John Rasband
Dave Spence
Bryce C. Bird,
Executive Secretary

DAQ-019-26

UTAH AIR QUALITY BOARD MEETING
FINAL AGENDA

Wednesday, June 3, 2026 - 1:30 p.m.
195 North 1950 West, Room 1015
Salt Lake City, Utah 84116

Board members may be participating electronically. Interested persons can participate telephonically by dialing 1-475-299-8810 using access code: 449-801-632#, or via the Internet at meeting link: meet.google.com/dpm-oqgm-nzk

I. Call-to-Order and Roll Call.

II. Date of the Next Air Quality Board Meeting: July 1, 2026

III. Approval of the Minutes for the April 1, 2026, Board Meeting.

IV. Propose for Public Comment: Amend Rule R307-102. General Requirements: Broadly Applicable Requirements. Presented by Jazmine Lopez.

V. Propose for Public Comment: Amend Section R307-110-34 to incorporate Utah State Implementation Plan Section X.D, Utah County Vehicle Inspection anzzzd Maintenance Program. Presented by Devin Mulrooney.

VI. Informational Items.
   A. Air Toxics. Presented by Leonard Wright.
   B. Compliance. Presented by Harold Burge, Rik Ombach, and Chad Gilgen.
   C. Monitoring. Presented by Bo Call.
   D. Other Items to be Brought Before the Board.
   E. Board Meeting Follow-up Items.

In compliance with the Americans with Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact LeAnn Johnson, Office of Human Resources at (385) 226-4881, TDD (801) 536-4284 or by email at leannjohnson@utah.gov.

ITEM 4

State of Utah

SPENCER J. COX
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Department of
Environmental Quality

Tim Davis
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DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-017-26

M E M O R A N D U M

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

FROM: Jazmine Lopez, Rules Coordinator

DATE: May 20, 2026

SUBJECT: PROPOSE FOR PUBLIC COMMENT: Amend Rule R307-102. General Requirements: Broadly Applicable Requirements.

During the 2026 General Session, the Utah Legislature passed House Bill 147 (H.B. 147) which requires state agencies to provide an electronic filing option for submitting forms. While the Division of Air Quality already accepts many submissions by electronic means, the amendment to rule R307-102 clarifies that the division accepts submissions in person, by mail, or electronically except reports that are applicable to the Environmental Protection Agency's Cross-Media Electronic Reporting Rule (CROMERR) requirements which does not allow for reports to be submitted via email attachment and does not consider scanned signatures to be valid e-signatures. Persons who must adhere to CROMERR original signature requirements are still required to submit documents in person or by mail, including compliance and Title V documents with a signed certification statement.

Recommendation: Staff recommend the Board approve the amendments to R307-102, General Requirements: Broadly Applicable Requirements, for a 30-day public comment period.

State of Utah
Administrative Rule Analysis
Revised May 2026

NOTICE OF SUBSTANTIVE CHANGE	
TYPE OF FILING: Amendment	**Filing ID: OFFICE USE ONLY**
Rule or section number:	**R307-102**
Date of previous publication (only for CPRs):	

1. Agency Information

Title catchline:	Environmental Quality, Air Quality
Building:	Multi-Agency State Office Building
Street address:	195 N 1950 W
City, state:	Salt Lake City, UT
Mailing address:	PO Box 144820
City, state and zip:	Salt Lake City, UT 84114-4820

2. Contact Persons

Name:	Phone:	Email:
Jazmine Lopez	801-536-4050	jazminelopez@utah.gov

Please address questions regarding information on this notice to the persons listed above.

3. General Information

A. Rule or section catchline:

R307-102. General Requirements: Broadly Applicable Requirements.

B. Purpose of the new rule or reason for the change:

This rule amendment is being made in response to HB 147 (2026 General Session), Government Form Submission Amendments, which requires that a state agency provide an electronic filing option for submitting forms. This amendment adds a statement to Rule R307-102 clarifying the accepted methods for submissions.

C. Summary of the new rule or change:

While the Division of Air Quality already accepts many submissions by electronic means, this amendment adds a statement to Rule R307-102 clarifying that the Division accepts submissions in person, by mail, or electronically except reports that are applicable to the Environmental Protection Agency's Cross-Media Electronic Reporting Rule (CROMERR) Requirements which does not allow for reports to be submitted via email attachment and does not consider scanned signatures to be valid e-signatures.

Changes are also being made to bring Rule R307-102 into compliance with the Utah Rulewriting Manual and Executive Order 2021-12.

4. Legislative Action Information

A. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
B. If yes, any bill number and session:	HB 147 (2026 General Session)

5. Fiscal Information

Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A. State budget:

This rule amendment will have no effect on the state budget because it will not change the workload or operating procedures of state government.

B. Local governments:

This rule amendment will have no impact on local government budgets because it does not apply to local governments.

C. Small businesses ("small business" means a business employing 1-49 persons)**:**
Although many small businesses already submit documents electronically, this rule amendment may have a small impact on small businesses who submit documents in person or by mail by saving costs associated with postal mailing or driving mileage. This cost is unquantifiable as we have no data to estimate how much postal mailing or driving mileage currently costs these small businesses. Small businesses who must adhere to CROMERR original signature requirements are still required to submit documents in person or by mail.
D. Non-small businesses ("non-small business" means a business employing 50 or more persons)**:**
Although many non-small businesses already submit documents electronically, this rule amendment may have a small impact on non-small businesses who submit documents in person or by mail by saving costs associated with postal mailing or driving mileage. This cost is unquantifiable as we have no data to estimate how much postal mailing or driving mileage currently costs these non-small businesses. Non-small businesses who must adhere to CROMERR original signature requirements are still required to submit documents in person or by mail.
E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an ***agency***)**:**
Although many persons other than small businesses, non-small businesses, state, or local government entities already submit documents electronically, this rule amendment may have a small impact on persons who submit documents in person or by mail by saving costs associated with postal mailing or driving mileage. This cost is unquantifiable as we have no data to estimate how much postal mailing or driving mileage currently costs these persons. Persons who must adhere to CROMERR original signature requirements are still required to submit documents in person or by mail.
F. Compliance costs for affected persons:
There is no compliance costs associated with this rule amendment.

6. Regulatory Impact Summary Table

Enter the cost or savings in the relevant cell. If there is no cost or savings, enter, "$0." If a cost or savings is inestimable, enter, "inestimable."

Fiscal Cost	**FY2027**	**FY2028**	**FY2029**	**FY2030**	**FY2031**
State Budget	$0	$0	$0	$0	$0
Local Governments	$0	$0	$0	$0	$0
Small Businesses	$0	$0	$0	$0	$0
Non-Small Businesses	$0	$0	$0	$0	$0
Other Persons	$0	$0	$0	$0	$0
Total Fiscal Cost	**$0**	**$0**	**$0**	**$0**	**$0**
Fiscal Benefits	**FY2027**	**FY2028**	**FY2029**	**FY2030**	**FY2031**
State Budget	$0	$0	$0	$0	$0
Local Governments	$0	$0	$0	$0	$0
Small Businesses	$0	$0	$0	$0	$0
Non-Small Businesses	$0	$0	$0	$0	$0
Other Persons	$0	$0	$0	$0	$0
Total Fiscal Benefits	**$0**	**$0**	**$0**	**$0**	**$0**
Net Fiscal Benefits	**$0**	**$0**	**$0**	**$0**	**$0**

7. Regulatory Impact Analysis Approval

The Commissioner of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.

8. Family Impact Information

A. The agency has considered this rule's impact on family health, stability, and formation:	☒

B. Summary of reasonable alternatives or modifications:
Not applicable.

9. Citation Information

Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 19-2-104	Cross-Media Electronic Reporting Rule (CROMERR)	Section 63G-34-102

10. Incorporation by Reference Information

Incorporation by Reference (if this rule incorporates more than two items by reference, please include additional tables)**:**

A. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*)**:**

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

B. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*)**:**

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

11. Public Notice Information

The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:	07/31/2026

B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.)**:**

Date:	**Time** (hh:mm AM/PM)**:**	**Place** (physical address or URL)**:**
07/28/2026	9:00AM - 10:00AM	A public hearing is set for July 28, 2026. Further details may be found below. The hearing will be cancelled should no request for one be made by July 23, 2026, at 10 AM MT. The final status of the public hearing will be posted on July 23, 2026, after 10 AM MT. The status of the public hearing may be checked at the following website location under the corresponding rule. https://deq.utah.gov/public-notices-archive/air-quality-rule-plan-changes-open-public-comment Interested Persons can participate in person or electronically, via the internet. In Person: MASOB 195 N. 1950 W. Salt Lake City, UT, 84116, First Floor, Air Quality Board Room Virtual Attendance:

		Time zone: America/Denver Google Meet joining info: Video call link: https://meet.google.com/sax-euqt-ncc Or dial: (US) +1 443-585-0419 PIN: 227 819 682#

To the agency: If more than one hearing is planned to take place, continue to add rows.

12. Effective Date Information

This rule change MAY become effective on: (NOTE: This is the date the agency anticipates making the filing effective. It is NOT the effective date)	09/02/2026

13. Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 63G-3-302, 63G-3-303, and 63G-3-402. The office may return incomplete forms to the agency, possibly delaying publication in the *Utah State Bulletin* and delaying the first possible effective date.			
Agency head or designee and title:	Bryce C. Bird, Director, Division of Air Quality	**Date:**	05/18/2026

R307. Environmental Quality, Air Quality.
R307-102. General Requirements: Broadly Applicable Requirements.
R307-102-1. Air Pollution Prohibited; Periodic Reports Required.

(1) Emission of air pollutants in sufficient quantities to cause air pollution as defined in Section R307-101-2 is prohibited. The State statute provides for penalties up to $50,000[~~/~~] per day for violation of State statutes, regulations, rules or standards. [~~(~~]See Section 19-2-115 for further details[~~)~~].

(2) Periodic Reports and Availability of Information. The owner or operator of any stationary air pollutant source in Utah shall furnish to the director the periodic reports required under Section 19-2-104(1)(c) and any other information as the director may deem necessary to determine whether the source is in compliance with Utah and Federal regulations and standards. The information thus obtained will be correlated with applicable emission standards or limitations and will be available to the public during normal business hours at the Division of Air Quality. Reports, forms, and information submitted to the Division of Air Quality may be submitted in person, by mail, or electronically, except reports that are applicable to the Environmental Protection Agency's Cross-Media Electronic Reporting Rule (CROMERR) original signature requirements.

R307-102-2. Confidentiality of Information.

Any person submitting information pursuant to these regulations may request that such information be treated as a trade secret or on a confidential basis, in which case the director shall so treat such information. If no claim is made at the time of submission, the director may make the information available to the public without further notice. Information required to be disclosed to the public under State or Federal law may not be requested to be kept confidential. Justification supporting claims of confidentiality shall be provided at the time of submission on the information. Each page claimed "confidential" shall be marked "confidential business information" by the applicant and the confidential information on each page shall be clearly specified. Claims of confidentiality for the name and address of applicants for an approval order will be denied. Confidential information or any other information or report received by the director shall be available to EPA upon request and the person who submitted the information shall be notified simultaneously of its release to EPA.

R307-102-3. Reserved.

Reserved.

R307-102-4. Variances Authorized.

(1) Variance from these regulations may be granted by the Board as provided by law, [~~(S~~]see Section 19-2-113,[~~)~~] unless prohibited by the Clean Air Act:

(a) to permit operation of an air pollution source for the time period involved in installing or constructing air pollution control equipment in accordance with a compliance schedule negotiated by the director and approved by the Board.

(b) to permit operation of an air pollution source where there is no practicable means known or available for adequate prevention, abatement or control of the air pollutants involved. Such a variance shall be only until the necessary means for prevention, abatement or control becomes known and available, subject to the use of substitute or alternate measures the Board may prescribe.

(c) to permit operation of an air pollution source where the control measures, because of their extent or cost, must be spread over a considerable period of time.

(2) Variance requests, as set forth in Section 19-2-113, may be submitted by the owner or operator who is in control of any plant, building, structure, establishment, process or equipment.

R307-102-5. No Reduction in Pay.

In accordance with paragraph 110(a)(6), Clean Air Act as amended August 1977, owners or operators may not temporarily reduce the pay of any employee by reason of the use of a supplemental or intermittent or other dispersion dependent control system for the purposes of meeting any air pollution requirement adopted pursuant to the Clean Air Act as amended August 1977.

R307-102-6. Emissions Standards.

Other provisions of Title R307 may require more stringent controls than listed herein, in which case those requirements must be met.

KEY: air pollution, confidentiality of information, variances
Date of Last Change: [~~December 15, 2015~~] 2026
Notice of Continuation: December 7, 2022
Authorizing, and Implemented or Interpreted Law: 19-2-104; 19-2-113

ITEM 5

State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Tim Davis
Commissioner

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-016-26

M E M O R A N D U M

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

THROUGH: Jazmine Lopez, Rules Coordinator

FROM: Devin Mulrooney, Environmental Scientist

DATE: May 20, 2026

SUBJECT: PROPOSE FOR PUBLIC COMMENT: Amend Section R307-110-34 to incorporate Utah State Implementation Plan Section X.D, Utah County Vehicle Inspection and Maintenance Program.

Utah Code Annotated 41-6a-1642 authorizes each county to design and implement a vehicle Inspection and Maintenance (I/M) program when necessary to attain and maintain a National Ambient Air Quality Standard (NAAQS). Section X of the Utah State Implementation Plan (SIP) incorporates these county programs in Sections R307-110-31 through R307-110-36. Section X, Part A (Section R307-110-31) outlines requirements common to all I/M programs, while Parts B through F establish county-specific program requirements. Section X, Part D (Section R301-110-34) applies specifically to Utah County's I/M program.

Provo City was designated nonattainment for carbon monoxide (CO) on January 6, 1992. To address this, Utah County implemented an I/M program that met the U.S. Environmental Protection Agency Basic Performance Standards specified in 40 CFR 51.352. Utah County's I/M program was also included in the $PM_{2.5}$ SIP for the Provo, UT Nonattainment Area. In 2006, the area was redesignated to attainment for CO. As a result, the program is no longer required to meet Basic Performance Standards and has since been modified to better align with local needs. Over time, both the frequency of testing and the number of vehicles subject to emissions inspections have been modified.

This rule amendment aligns the SIP with the current Utah County Ordinance 2025-1065 and recently enacted House Bill 22, *Vintage Vehicle Amendments* (2026 General Session). House Bill 22 (H.B. 22) includes several statutory changes affecting vehicle regulation, three of which directly impact I/M programs in Utah. Specifically, the bill:

(1) prohibits denial of vehicle registration based solely on the presence of a defeat device covered under the *Mercedes-Benz USA, LLC and Mercedes-Benz Group AG* consent decree;
(2) exempts vehicles of model year 1995 and older; and
(3) exempts vehicles not equipped with On-Board Diagnostics II (OBDII) technology, provided they have not been tampered with or modified.

(1) Mercedes-Benz Group consent decree

The Mercedes-Benz Group AG consent decree is similar in nature to prior enforcement actions involving Volkswagen and Audi. In these cases, certain vehicles were manufactured with defeat devices which included software designed to detect emissions testing conditions and temporarily alter engine performance to meet regulatory standards. Under normal driving conditions, however, these vehicles operated outside in a fashion that would not pass an emissions test. Because consumers purchased these vehicles without knowledge of the defeat devices, enforcement actions have been directed at the manufacturers rather than vehicle owners, and the I/M program does not penalize affected motorists. Vehicle owners are still required to obtain an emissions inspection, but the program may not deny registration solely due to the defeat device.

From an air quality perspective, this change is not expected to result in additional emissions, as the vehicles in question are already in operation and contributing to the existing emissions in the airshed. Furthermore, Mercedes-Benz vehicles generally represent a smaller portion of the on-road fleet compared to Volkswagen and Audi vehicles. As a result, the overall impact of this provision is expected to be limited.

(2) Removal of TSI and exempting vehicles 1995 and older

The second change under H.B. 22 establishes an exemption from emissions testing for vehicles of model year 1995 and older. Previously, Utah County's I/M program operated through a decentralized network of inspection stations equipped to primarily perform two types of emissions tests: Two-Speed Idle (TSI) testing for vehicles model year 1995 and older, and OBDII testing for vehicles model year 1996 and newer. This amendment exempts vehicles 1995 and older which required the TSI test.

The removal of TSI testing is driven by both economic and regulatory factors. The cost of maintaining TSI testing capability has increased due to equipment and training requirements, while the number of vehicles requiring this test continues to decline. Since 2021, the number of vehicles subject to TSI testing has decreased by approximately 900 vehicles per year. In 2024, only 6,358 vehicles required TSI testing out of a total of 373,657 inspections in Utah County. As a result, the high cost of maintaining, operating, and owning the specialized equipment, combined with the shrinking number of applicable vehicles, has made TSI testing increasingly uneconomical. Privately operated inspection stations have experienced financial losses when performing these tests, placing additional strain on the viability of the I/M program.

At the same time, EPA modeling (MOVES4) does not provide emissions estimates in 2026 for pre-1996 model years, thus the model cannot demonstrate the emission credit for the SIP available for TSI testing. As the fleet continues to turn over, the number of pre-1996 vehicles operating will naturally decline. With decreased pre-1996 vehicles operating, emissions will decrease, and remaining TSI benefits will continue to decrease. Modeling conducted using MOVES4 for 2025 in Utah County indicates that TSI testing accounts for approximately 0.04 tons per day (tpd) of nitrogen oxides reductions and 0.02 tpd of volatile

organic compound reductions. Under an OBDII-only program, projected emissions reductions are 8.15 tpd for nitrogen oxides and 3.87 tpd for volatile organic compounds. Overall, removal of TSI testing results in less than a 0.5% change in daily mobile source emissions for each pollutant. The benefit provided by TSI testing was a minimal portion of the emissions reductions attributable to the I/M program and removing it will not have a significant impact on the airshed. A Clean Air Act 110(l) demonstration for all I/M programs in Utah removing TSI will be provided in full as part of a future rulemaking package for Section X, Part A. EPA requires a 110(l) demonstration when removing control measures from the SIP, to ensure that the revision would not interfere with any applicable requirement concerning attainment or any other applicable requirement of the Clean Air Act.

(3) Exemption of Non OBDII Vehicles 1996 and newer

Third, H.B. 22 exempts vehicles not equipped with OBDII technology, provided they have not been tampered with or modified. This exemption primarily addresses issues associated with imported vehicles.

Under federal law, 49 U.S.C. § 30112(b)(9), commonly referred to as the 25-year import rule, vehicles that are at least 25 years old may be imported into the United States without being subject to certain federal safety and emissions requirements. Many of these vehicles were originally manufactured for foreign markets and are not equipped with OBDII systems. Because emissions testing is required for vehicle registration in Utah County, these vehicles previously could not be registered without undergoing TSI testing or receiving a visual inspection and waiver. In addition, some of these vehicles are not designed to meet U.S. emissions standards and may be incapable of passing an emissions test.

With the removal of TSI testing, these vehicles would no longer have a viable and legal pathway to complete emissions testing and become registered in Utah County, necessitating this exemption. The number of vehicles affected is expected to be very small, as relatively few are imported and registered in Utah County. Additionally, these vehicles are typically novel or specialty vehicles and are not used as daily drivers.

As a result, both the total number of vehicles and the vehicle miles traveled associated with this exemption are expected to be minimal, and the overall impact on emissions in the airshed is anticipated to be negligible.

Overall, the changes required by H.B. 22 and incorporated into Utah County Ordinance 2025-1065 are expected to have a minimal impact on air quality while better aligning the program with local needs and the practical operation of the I/M program.

<u>Recommendation</u>: Staff recommend the Board approve the amendments to Section R307-110-34 to incorporate Utah State Implementation Plan Section X.D, Utah County Vehicle Inspection and Maintenance Program, for a 30-day public comment period.

State of Utah
Administrative Rule Analysis
Revised May 2026

NOTICE OF SUBSTANTIVE CHANGE	
TYPE OF FILING: Amendment	**Filing ID: OFFICE USE ONLY**
Rule or section number:	**R307-110-34**
Date of previous publication (only for CPRs):	

1. Agency Information

Title catchline:	Environmental Quality, Air Quality
Building:	Multi-Agency State Office Building
Street address:	195 N 1950 W
City, state:	Salt Lake City, UT
Mailing address:	PO Box 144820
City, state and zip:	Salt Lake City, UT 84114-4820

2. Contact Persons

Name:	Phone:	Email:
Devin Mulrooney	385-315-3368	dmulrooney@utah.gov
Jazmine Lopez	801-536-4050	jazminelopez@utah.gov

Please address questions regarding information on this notice to the persons listed above.

3. General Information

A. Rule or section catchline:

R307-110-34. Section X, Vehicle Inspection and Maintenance Program, Part D, Utah County.

B. Purpose of the new rule or reason for the change:

The Utah Air Quality Board (Board) has proposed for public comment amended Utah State Implementation Plan (SIP), Section X, Part D. Section R307-110-34 incorporates SIP Section X, Part D, into the rule and must be amended to change the Board adoption date to the anticipated adoption date of the amended plan.

C. Summary of the new rule or change:

Section R307-110-34 incorporates Section X Part D of the SIP. Part D contains the requirements of Utah County's Vehicle Inspection/Maintenance (I/M) program. Amendments to Part D update the plan to incorporate changes to Utah County's I/M regulation to ensure that the SIP reflects the current program.

This rule amendment aligns the SIP with the current Utah County Ordinance 2025-1065 and recently enacted HB 22, Vintage Vehicle Amendments (2026 General Session). HB 22 includes several statutory changes affecting vehicle regulation, three of which directly impact I/M programs in Utah. Specifically, the bill:

(1) prohibits denial of vehicle registration based solely on the presence of a defeat device covered under the Mercedes-Benz USA, LLC and Mercedes-Benz Group AG consent decree;

(2) exempts vehicles of model year 1995 and older; and

(3) exempts vehicles not equipped with On-Board Diagnostics II (OBDII) technology, provided they have not been tampered with or modified.

Section R307-110-34 is amended by changing the date of the last adoption by the Air Quality Board to September 2, 2026. These changes were already legally enforceable, and the amendment is bringing the rule in line with federal law.

4. Legislative Action Information

A. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
B. If yes, any bill number and session:	HB 22 (2026 General Session)

5. Fiscal Information

Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A. State budget:

This rule change will not have any fiscal impact on the state budget because it does not enact or remove any new requirements.

B. Local governments:

This rule change will result in a minor negative fiscal impact to local government, specifically the Utah County Health Department, which administers the vehicle Inspection and Maintenance program.

Utah County operates a decentralized I/M program through a network of private inspection stations. As part of each emissions test, the County is authorized to collect a $3.25 fee for each test, which supports program operations.

Under this rule change, vehicles model year 1995 and older will no longer be subject to emissions testing. In the calendar year 2024, approximately 6,358 such vehicles were tested. Based on the $3.25 per-test fee, this corresponds to an estimated annual revenue reduction of approximately $20,000.

For context, Utah County conducted approximately 373,657 total emissions tests in 2024, generating roughly $1.4 million in fee revenue. The estimated $20,000 reduction represents about 2% of total program revenues.

This impact is expected to decline over time as older vehicles naturally phase out of the fleet.

C. Small businesses ("small business" means a business employing 1-49 persons)**:**

This rule change will result in a minor positive fiscal impact to small businesses, specifically automotive repair shops that conduct emissions inspections of which the majority are small businesses.

Inspection stations typically charge between $30 and $50 per emissions test, including the county administrative fee ($3.25). Utah County's average price for an emissions test is $45. The inspection station retains $41.75 after the county fee. Based on 6,358 model year 1995 and older vehicles tested in Utah County in 2024, this corresponds to approximately $265,000 in gross revenue associated with these tests.

However, this revenue does not reflect profitability. Testing older vehicles requires specialized emissions testing equipment and additional technician training, both of which have become increasingly costly. At the same time, the number of vehicles requiring this type of test has steadily declined, resulting in low utilization of the required equipment. As a result, many inspection stations incur ongoing equipment and training costs that exceed the revenue generated from testing these vehicles.

Because equipment and service arrangements vary by vendor and by shop, and depend on factors such as shop size and testing volume, quantifying these costs is not practicable. However, based on stakeholder input from small businesses requesting this change, it is reasonable to conclude that these tests were operating at a net loss for some inspection stations.

Accordingly, eliminating the requirement to test model year 1995 and older vehicles is expected to reduce or eliminate these losses, resulting in a net positive fiscal impact to affected small businesses. The overall fiscal impact to small business will be estimated as a net zero because of the lack of quantifiability.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons)**:**

This rule change will result in a minor positive fiscal impact to non-small businesses, specifically automotive repair shops that conduct emissions inspections of which few are non-small businesses.

Inspection stations typically charge between $30 and $50 per emissions test, including the county administrative fee ($3.25). Utah County's average price for an emissions test is $45. The inspection station retains $41.75 after the county fee. Based on 6,358 model year 1995 and older vehicles tested in Utah County in 2024, this corresponds to approximately $265,000 in gross revenue associated with these tests.

However, this revenue does not reflect profitability. Testing older vehicles requires specialized emissions testing equipment and additional technician training, both of which have become increasingly costly. At the same time, the number of vehicles requiring this type of test has steadily declined, resulting in low utilization of the required equipment. As a result, many inspection stations incur ongoing equipment and training costs that exceed the revenue generated from testing these vehicles.

Because equipment and service arrangements vary by vendor and by shop, and depend on factors such as shop size and testing volume, quantifying these costs is not practicable. However, based on stakeholder input from non-small businesses requesting this change, it is reasonable to conclude that these tests were operating at a net loss for some inspection stations.

Accordingly, eliminating the requirement to test model year 1995 and older vehicles is expected to reduce or eliminate these losses, resulting in a net positive fiscal impact to affected non-small businesses. The overall fiscal impact to non-small business will be estimated as a net zero because of the lack of quantifiability.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an ***agency***)**:**
Individual citizens will experience a minor positive fiscal impact. Owners of model year 1995 and older vehicles will no longer be required to obtain an emissions inspection in order to register their vehicles. This will result in an estimated annual savings of approximately $45 per affected vehicle, in addition to reduced time spent obtaining an emissions test prior to registration. Based on 2024 data, there were 6,358 vehicles tested, and we estimate a total savings of $286,110 for vehicle owners in Utah county. Six thousand vehicles were used to calculate the FY impact in Section 6 of this rule analysis form.
F. Compliance costs for affected persons:
No additional compliance costs are anticipated as a result of this rule change. Instead, compliance costs for owners of model year 1995 and older vehicles will be eliminated because these vehicles will no longer be required to obtain an emissions inspection as a condition of registration.

6. Regulatory Impact Summary Table

Enter the cost or savings in the relevant cell. If there is no cost or savings, enter, "$0." If a cost or savings is inestimable, enter, "inestimable."

Fiscal Cost	**FY2027**	**FY2028**	**FY2029**	**FY2030**	**FY2031**
State Budget	$0	$0	$0	$0	$0
Local Governments	-$20,000	-$20,000	-$20,000	-$20,000	-$20,000
Small Businesses	$0	$0	$0	$0	$0
Non-Small Businesses	$0	$0	$0	$0	$0
Other Persons	$0	$0	$0	$0	$0
Total Fiscal Cost	**-$20,000**	**-$20,000**	**-$20,000**	**-$20,000**	**-$20,000**
Fiscal Benefits	**FY2027**	**FY2028**	**FY2029**	**FY2030**	**FY2031**
State Budget	$0	$0	$0	$0	$0
Local Governments	$0	$0	$0	$0	$0
Small Businesses	$0	$0	$0	$0	$0
Non-Small Businesses	$0	$0	$0	$0	$0
Other Persons	$270,000	$270,000	$270,000	$270,000	$270,000
Total Fiscal Benefits	**$270,000**	**$270,000**	**$270,000**	**$270,000**	**$270,000**
Net Fiscal Benefits	**+$250,000**	**+$250,000**	**+$250,000**	**+$250,000**	**+$250,000**

7. Regulatory Impact Analysis Approval

The Commissioner of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.

8. Family Impact Information

A. The agency has considered this rule's impact on family health, stability, and formation:	☒

B. Summary of reasonable alternatives or modifications:
This rule will positively impact family stability by decreasing the fees they have to pay for vehicle emissions tests providing relief.

9. Citation Information

Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 19-2-104	40 CFR 51 Subpart S	Section 41-6a-1642

10. Incorporation by Reference Information

Incorporation by Reference (if this rule incorporates more than two items by reference, please include additional tables)**:**	
A. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*)**:**	
Official Title of Materials Incorporated (from title page)	Utah State Implementation Plan, Section X.D, Utah County Vehicle Inspection and Maintenance Program.
Publisher	Division of Air Quality, Utah Department of Environmental Quality
Issue Date	September 2, 2026
Issue or Version	

B. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*)**:**	
Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

11. Public Notice Information

The public may submit written or oral comments to the agency identified in box 1.	
A. Comments will be accepted until:	07/31/2026

B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.)**:**		
Date:	**Time** (hh:mm AM/PM)**:**	**Place** (physical address or URL)**:**
07/30/2026	2:00PM - 3:00PM	A public hearing is set for July 30, 2026. Further details may be found below. The hearing will be cancelled should no request for one be made by July 27, 2026, at 10 AM MT. The final status of the public hearing will be posted on July 27, 2026, after 10 AM MT. The status of the public hearing may be checked at the following website location under the corresponding rule. https://deq.utah.gov/public-notices-archive/air-quality-rule-plan-changes-open-public-comment Interested Persons can participate in person or electronically, via the internet. In Person: MASOB 195 N. 1950 W. Salt Lake City, UT, 84116, First Floor, Air Quality Board Room Virtual Attendance: Time zone: America/Denver Google Meet joining info: Video call link: https://meet.google.com/rpm-xnmm-cai Or dial: (US) +1 334-518-1186 PIN: 188 519 873#

To the agency: If more than one hearing is planned to take place, continue to add rows.

12. Effective Date Information

This rule change MAY become effective on: (NOTE: This is the date the agency anticipates making the filing effective. It is NOT the effective date)	09/02/2026

13. Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 63G-3-302, 63G-3-303, and 63G-3-402. The office may return incomplete forms to the agency, possibly delaying publication in the *Utah State Bulletin* and delaying the first possible effective date.			
Agency head or designee and title:	Bryce C. Bird, Director, Division of Air Quality	**Date:**	05/18/2026

R307. Environmental Quality, Air Quality.
R307-110. General Requirements: State Implementation Plan.
R307-110-34. Section X, Vehicle Inspection and Maintenance Program, Part D, Utah County.

The Utah State Implementation Plan, Section X, Vehicle Inspection and Maintenance Program, Part D, Utah County, as most recently amended by the Utah Air Quality Board on [~~December 5, 2012~~]September 2, 2026, pursuant to Section 19-2-104, is [~~hereby~~] incorporated by reference and made a part of [~~these rules~~] Rule R307-110.

KEY: air pollution, PM10, PM2.5, ozone
Date of Last Change: [~~July 2, 2025~~] 2026
Notice of Continuation: December 1, 2021
Authorizing, and Implemented or Interpreted Law: 19-2-104

UTAH STATE IMPLEMENTATION PLAN

SECTION X

VEHICLE INSPECTION AND MAINTENANCE PROGRAM

PART D

UTAH COUNTY

Adopted by the Utah Air Quality Board
September 2, 2026

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2 Provo I/M Ordinance 1994-106, December 12, 1994

3 Audit Policies

UTAH STATE IMPLEMENTATION PLAN
SECTION X
AUTOMOTIVE INSPECTION AND MAINTENANCE (I/M) PROGRAM
PART D
UTAH COUNTY

1. Applicability

Utah County I/M program requirements: Provo City was designated nonattainment for the carbon monoxide (CO) National Ambient Air Quality Standards (NAAQS) on January 6, 1992 (56 FR 56846, November 6, 1991) and was classified as a "moderate" area. The Provo City CO nonattainment area was redesignated to attainment for the CO NAAQS on January 3, 2006 (70 FR 66264, November 2, 2005).

Utah was previously required by Sections 182 and 187 of the Clean Air Act to implement and maintain an I/M program in Utah County that met the minimum requirements of 40 CFR Part 51 Subpart S and that was at least as effective as the EPA's Basic Performance Standard as specified in 40 CFR 51.352. However, the Basic Performance Standard requirement is no longer applicable as the nonattainment area in Utah County has been redesignated to attainment / maintenance for the CO NAAQS. Parts A and D of Section X, together with the referenced appendices, continue to demonstrate compliance with the 40 CFR Part 51 provisions for Inspection and Maintenance Program Requirements for Utah County and produce mobile source emission reductions that are sufficient to demonstrate continued maintenance of the CO NAAQS. In addition, the Utah County I/M program is a control measure to attain and maintain EPA's particulate NAAQS in Utah County.

Provo City ordinance: In addition to the Utah County ordinance, Provo City ordinance requires that the vehicles operated by people staying in Provo for more than sixty days be inspected and repaired as specified in the Utah County I/M ordinance regardless of where the vehicle is registered. These ordinances are provided in Section X, Part D, Appendix 1-2.

2. Summary of Utah County I/M Program

Below is a summary of Utah County's I/M program. Section X, Part D Appendices 1 – 3 contain the essential documents for Utah County's I/M program.

Network Type: Utah County's I/M program is a decentralized, test-and-repair network, as approved by EPA on November 2, 2005 (70 FR 66264).

Test Convenience: There are approximately 200 permitted I/M stations within Utah County. Specific operating hours are not specified by the county. Some stations that test

and/or service only one type of vehicle are permitted. There are also government and private fleet permitted stations that are not open to the public.

Subject fleet: All model year 1996[~~1968~~] and newer vehicles registered or principally-operated in Utah are subject to the I/M program except for exempt vehicles.

Test frequency: Vehicles less than two years old as of January 1 on any given year are exempt from an emissions inspection. Vehicles two years old and less than six years old as of January 1 on any given year are inspected every other year as per Utah Code 41-6a-1642(6). All vehicles six years old and older as of January 1 on any given year are inspected annually.

Station/inspector Audits: Utah County's I/M program will regularly audit all permitted I/M inspectors and stations to ensure compliance with county I/M ordinances and policies. Particular attention will be given to identifying and correcting any fraud or incompetence with respect to vehicle emissions inspections. Compliance with recordkeeping, document security, analyzer maintenance, and program security requirements will be scrutinized. Utah County I/M program will have an active covert compliance program to minimize potential fraudulent testing. Utah county audit policy is provided in Appendix 3 of this Part of Section X.

Waivers: Utah County's I/M program may issue waivers under limited circumstances. The [~~wavier~~] waiver procedure can be found in Utah County's I/M ordinance provided in Appendix 1. Utah County will take corrective action as needed to maintain a maximum waiver rate of 5% of the initially failed vehicles, or the Utah Air Quality Board will revise the SIP and emission reductions claimed based on the actual waiver rate. The procedure for issuing waivers is specified in Utah County's I/M ordinance provided in Appendix 1 of this Part of the SIP and meets the minimum waiver issuance criteria specified in 40 CFR Subparts 51.360.

Test Equipment: Specifications for Utah County's emission analyzer and its I/M test procedures, standards and analyzers are provided in Utah County's I/M ordinance provided in Appendix 1. Test equipment and procedure were developed according to good engineering practices to ensure test accuracy. Analyzer calibration specifications and emissions test procedures meet the minimum standards established in Appendix A of the EPA's I/M Guidance Program Requirements, 40 CFR Part 51 Subpart S.

Test Procedures:

- The following vehicles are subject to an On Board Diagnostic System, second generation (OBDII) inspection:

  - 1996 and newer light duty vehicles[1] and
  - 2008 and newer medium duty vehicles[2]

- The following vehicles are subject to a modified test that includes a partial OBDII test that checks Malfunction Indicator Light (MIL) command status, Diagnostic Trouble Codes (DTC) presence, and MIL bulb functionality. Overall pass/fail determination will be based on passing all of these parameters. OBDII system readiness is not used in determining a pass or fail on these vehicles.
  - 1996-2007 medium duty vehicles[3]
  - 1996-2004 vehicles that run on dedicated CNG, or bi-fuel CNG/gasoline

- ~~[The following vehicles are subject to a two-speed idle test that is compatible with Section VI (Preconditioned Two Speed Idle Test) in Appendix B of the EPA I/M Guidance Program Requirements, 40 CFR 51, Subpart S:~~

  - ~~1995 and older vehicles,~~
  - ~~1996 to 2007 medium and heavy duty vehicles[4] and~~
  - ~~2008 and newer heavy duty vehicles.]~~

[1] Light duty vehicles have a Gross Vehicle Weight of 8500 lbs or less.

[2] Medium duty vehicles have a Gross Vehicle Weight greater than 8,500 lbs but less than 14,000 lbs.

[3] Medium duty vehicles have a Gross Vehicle Weight greater than 8,500 lbs but less than 14,000 lbs.

[4] ~~[Heavy Duty vehicles have a Gross Vehicle Weight greater 14,000 lbs.]~~

3. I/M SIP implementation

The I/M program ordinances, policies, procedures, and activities specified in this I/M SIP revision have been implemented and shall continue until a maintenance plan without an I/M program is approved by EPA in accordance with Section 175 of the Clean Air Act as amended.

Section X

Part D

Appendix 1

ENT 96741:2025 PG 1 of 47
ANDREA ALLEN
UTAH COUNTY RECORDER
2025 Dec 11 11:07 AM FEE 0.00 BY TM
RECORDED FOR UTAH COUNTY HEALTH

ORDINANCE NO. 2025 - 1065

AN ORDINANCE AMENDING THE UTAH COUNTY VEHICLE EMISSIONS INSPECTION/MAINTENANCE PROGRAM

The County Legislative Body of Utah County ordains as follows:

Part I.
The Utah County Vehicle Emissions Inspection/Maintenance Program is hereby amended to read as follows:

VEHICLE EMISSIONS INSPECTION/MAINTENANCE PROGRAM

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1.0 DEFINITIONS.

For the purpose of these Regulations, the following terms, phrases, and words shall have the following meanings, unless otherwise defined:

1.1 Accreditation: Certification that the instrument and instrument manufacturer meets the operating criteria, specifications and requirements of the Utah County Health Department;

1.2 Accuracy: The degree by which an instrument is able to determine the true concentration of pollutants of interest;

1.3 Air Intake Systems: Systems that allow for the induction of ambient air, including preheated air into the engine combustion chamber for the purpose of mixing with a fuel for combustion;

1.4 AIR System: Air Injection Reaction System; A system for providing supplementary air into a vehicle's exhaust system to promote further oxidation of HC and CO gases and to assist catalytic reaction;

1.5 Basic Engine Systems: Parts or assemblies that provide efficient conversion of a compressed air/fuel charge into useful power, including but not limited to, valve train mechanisms, cylinder head to block integrity, piston ring cylinder sealing integrity and post combustion emissions control device integrity;

1.6 Catalytic Converter: A post combustion device that oxidizes HC and CO gases and/or reduces oxides of nitrogen gases;

1.7 Certificate: A Certificate of Compliance or Certificate of Waiver;

1.8 Certificate of Compliance: A document used in the Vehicle Emissions Inspection/Maintenance Program to certify that a vehicle meets all applicable requirements of the program;

1.9 Certification: Assurance by an authorized source, whether it be a laboratory, the manufacturer, the State, or the Department, that a specific product or statement is in fact true and meets all necessary requirements;

1.10 Certified Emissions Technician (Technician): A person who has successfully completed all certification requirements, and has been issued a current valid permit by the Department;

1.11 Certified Mobile Emissions Technician: A person who has successfully completed all certification requirements, has been issued a current valid permit by the Department, and is authorized to perform

vehicle emissions inspections at varying locations within Utah County using Department-approved mobile equipment;

1.12 CTE: Certified Testing Equipment; computerized emissions testing equipment approved by the Department and provided by the Contractor for use in performing vehicle emissions inspections in accordance with applicable federal, state, and county requirements;

1.13 CO: Carbon monoxide;

1.14 CO2: Carbon dioxide;

1.15 Commercial Address: Any location used primarily for business purposes, including but not limited to automobile dealerships, repair facilities, fleet yards, or other business premises;

1.16 Compliance: Verification that certain submission data and hardware submitted by a manufacturer for accreditation consideration, meets all accreditation requirements;

1.17 Contractor: The entity under contract with the Department to provide test authorizations, maintain, and support the CTE, software, and related services used by the I/M Program Station;

1.18 County: Utah County, Utah;

1.19 DLC: Data Link Connector;

1.20 DTC: Diagnostic Trouble Codes;

1.21 Dedicated printer: The printer on the approved CTE which is used solely to print certificates and vehicle inspection reports;

1.22 Department: The Utah County Health Department, the Local Health Department for the County;

1.23 Director: The Director of the Utah County Health Department or his authorized representative;

1.24 EGR System: The Exhaust Gas Recirculation System; an emissions control system that recycles or re-circulates a portion of the exhaust gases back to the engine combustion chambers;

1.25 Emissions Control Systems: Parts, assemblies or systems originally installed by the manufacturer in or on a vehicle for the sole or primary purpose of reducing emissions;

1.26 Electronic Certificate: An electronic number generated by an emissions CTE when a tested vehicle passes an emission test and used as verification that emission test requirements have been met.

1.27 Evaporative Control System: An emissions control system that prevents the escape of fuel vapors from the fuel tank or air cleaner and stores them in a charcoal canister to be burned in the combustion chamber;

1.28 Exemption Form: A document used to verify that a vehicle is exempt from the testing and repair/adjustment requirements of these Regulations;

1.29 Fleet Station: An entity approved by the Department to perform emissions inspections on its own publicly owned vehicles with "EX" plates that are a part of its organizational fleet and are not open to the public for testing;

1.30 Fuel Control Systems: Mechanical, electro-mechanical, galvanic or electronic parts or assemblies that regulate the air/fuel ratio in an engine to provide a combustible charge;

1.31 Gaseous Fuel: Means, but is not limited to, liquefied petroleum gases and natural gases in liquefied or gaseous forms;

1.32 HC: Hydrocarbons;

1.33 Ignition Systems: Parts or assemblies that are designed to cause and time the ignition of a compressed air/fuel charge;

1.34 I/M Program Station: A stationary Vehicle Emissions Inspection and Maintenance Station that qualifies and has a valid permit, issued by the Department, to operate as an emissions inspection and maintenance station in the Vehicle Emissions Inspection/Maintenance Program;

1.35 Inspection: An official vehicle emissions inspection performed for the purpose of issuing a Certificate of Compliance or Waiver;

1.36 Inspection Area: The area that is occupied by the CTE, sample hose, and the vehicle being inspected;

1.37 Lane Cameras: Cameras supplied and generally placed by Contractor that provide continuous visual coverage of the vehicle inspection area during the entirety of an emissions inspection;

1.38 GCWR: Manufacture Gross Vehicle Weight Rating; the gross vehicle weight rating as determined by the vehicle manufacturer. The amount is typically found on the door jamb label on the vehicle.

1.39 MIL: Malfunction Indicator Light;

1.40 Mobile Emissions Inspection: An entity that has been trained and approved by the Department to conduct the inspection of motor vehicles for compliance with applicable emissions standards conducted outside of a permitted stationary I/M Program Station;

1.41 Motor Vehicle: A self-propelled motorized vehicle with an internal combustion powered engine which is licensed for operation on public roads and/or streets. Motor Vehicles exempted from the inspection requirements of these Regulations are listed in Section 6.6 of these Regulations;

1.42 Motorcycle: Every motor vehicle having, or designed to have, a saddle for the use of the rider and is designed to travel with not more than three wheels in contact with the ground, but excluding a tractor;

1.43 Non-certified Person: Any person who has not been certified by the Department to perform official emissions inspections;

1.44 O2: Oxygen;

1.45 OBD: On Board Diagnostic System;

1.46 OBDII: On Board Diagnostic System, second generation;

1.47 OBD Deficient: A vehicle in which the OBD system does not function as it was intended for the purpose of diagnosing emission failures or vehicle readiness accuracy;

1.48 Off-highway Vehicles: A vehicle licensed to operate exclusively off highways;

1.49 One-Time Waiver: A waiver from visual inspection requirements as set forth in these Regulations to allow time, as determined by the Department, for repairs to be made while the vehicle is driven. A waiver issued under these Regulations is limited to one per vehicle lifetime.

1.50 Original Condition: The condition of the emission control system(s) as installed by the manufacturer, but not necessarily to the original level of effectiveness;

1.51 PCV System: Positive Crankcase Ventilation System - an emissions control system which returns crankcase vapors and blow-by gases to the combustion chamber to be burned;

1.52 Primary Residence: Is the place where an individual intends to permanently reside, maintains a permanent residence more than six (6) months during a calendar year, or where an individual lives more than six (6) months during a calendar year;

1.53 Private Residence: A dwelling occupied for residential purposes, together with its associated driveway or parking area;

1.54 Publicly owned vehicles: A motor vehicle owned by a government entity, including but not limited to the federal government or any agency thereof, the State of Utah or any agency or political subdivision thereof;

1.55 Readiness: Flags set in the OBDII system that indicate a vehicle's readiness to be OBDII tested;

1.56 Reciprocity: Recognition by all Utah I/M counties of the validity of certificates granted by the other Local Health Departments required under federal law to utilize a motor vehicle emissions inspection program.

1.57 Revoke: To formally cancel, to make null and void by withdrawing, recalling, or reversing. To retract, repeal, or invalidate a station or Technician permit for a minimum period of five years;

1.58 Station: An I/M Program Station including all station personnel, employees, and owner(s);

1.59 Technical Bulletin: A document, issued to Certified Emissions Technicians and/or I/M Program Stations by the Department to update, clarify, or establish policies and/or procedures for their implementation in the Vehicle Emissions Inspection/Maintenance Program;

1.60 Temporary Waiver: A waiver that may be issued by the Director which will allow the temporary registration of a vehicle based upon a vehicle owner's compliance with the conditions of the waiver;

1.61 Test Authorization: A prepaid fee purchased by an I/M Program Station in bundles of 100, which grants the station the ability to initiate a vehicle emissions inspection.

1.62 Training Program: A formal program administered, conducted, or approved by the Department for the education of emission Technicians in basic emission control technology, inspection procedures, diagnosis, and repair of emissions related problems, I/M Program policies, procedures, and these Regulations;

1.63 Utah County Board of Health: The Utah County Health Council of Utah County as authorized by Title 26A, Chapter 1 Part 1, Utah Code;

1.64 Utah County Board of Commissioners (Board of Commissioners): The elected Utah County Commissioners;

1.65 Vehicle Emissions Inspection/Maintenance Program: The program established by the Department pursuant to Utah Code §41-6a-1642, or subsequent reference if recodified or moved;

1.66 VIR: Vehicle Inspection Report; A report printed by the CTE and signed by the Certified Emissions Technician at the end of each inspection that enumerates the results.

1.67 Waiver or Certificate of Waiver: A document used to verify that a vehicle has met the repair or

adjustment requirements of the I/M Program Rules and Regulations even though specific emission standards have not been met.

2.0 PURPOSE.

It is the purpose of these Regulations to reduce air pollution levels by requiring inspections in accordance with the schedule adopted by the Board of County Commissioners and by requiring emission related repairs/adjustments for those vehicles that fail to meet prescribed standards so as to:

2.1 Protect and promote public health, safety and welfare;

2.2 Improve air quality;

2.3 Comply with federal regulations contained in the Clean Air Act of 1970, 42 USC 7401-7671; and the Amendments to the Act, Amendments of 1977, PL 95-95, PL 95-190; and Amendments of 1990, PL 101-549; and any subsequent amendments, and

2.4 Comply with Utah Code, particularly § 41-6a-1642.

3.0 JURISDICTION OF THE DEPARTMENT.

All aspects of the Vehicle Emissions Inspection/Maintenance Program within the County enumerated in this ordinance shall be subject to the direction and control of the Department.

4.0 POWERS AND DUTIES.

4.1 The Department, by the Director, shall be responsible for the enforcement and administration of these Rules and Regulations and any other powers vested in it by law and shall:

4.1.1 Require the submission of information, reports, plans, and specifications from I/M Program Stations as necessary to implement the provisions, requirements, and standards of these Regulations;

4.1.2 Issue permits, certifications, and charge fees, as necessary, to implement the provisions, requirements and standards of these Regulations;

4.1.3 Perform inspections (audits) of any I/M Program Station, issue orders and/or notices, hold hearings, and levy administrative penalties, as necessary to effect the purposes of these Regulations,

4.1.4 Make analyses required to ensure that the provisions of these Regulations are met; and

4.1.5 Make policies and procedures necessary to ensure that the provisions of these Regulations are met and that the purposes of these Regulations are accomplished.

4.2 The Department may suspend, revoke, or deny a permit, subject to the Penalty Schedule in Appendix D, of an I/M Program Station and/or require the surrender of the permit and unused Certificates of Compliance of such I/M Program Station upon showing that:

4.2.1 A vehicle was inspected and issued a Certificate by the station personnel that did not, at the time of inspection, comply with all applicable policies, procedures, Technical Bulletins, and these Regulations. Any violations of this section are subject to penalties established in Appendix D, category 2;

4.2.2 A vehicle was inspected and rejected by the station when, in fact, the vehicle was determined, by the Director, to be in such condition that it did comply with the requirements of these Regulations. Any violations of this section are subject to penalties established in Appendix D, category 3;

4.2.3 A vehicle was inspected and passed for the tampering inspection as detailed in Section 9.10 of these Regulations that did not at the time of inspection comply with the requirements of the Section 9.10 tampering inspection. Any violations of this section are subject to penalties established in Appendix D, category 2;

4.2.4 The station is not open and available to perform inspections during a major portion of the normal business hours of 8:00 AM to 5:00 PM Mondays through Fridays (except fleet stations, as defined by this ordinance). Any violations of this section are subject to penalties established in Appendix D, category 6;

4.2.5 The station has violated any provisions of these Regulations, or any Rule, Regulation, or Department policy properly promulgated for the operation of an I/M Program Station. Any violations of this section are subject to penalties established in Appendix D, category 5;

4.2.6 The station was not equipped as required by Section 8.0 of these Regulations, or in any other way failed to comply with that Section. Any violations of this section are subject to penalties established in Appendix D, category 6 or 7;

4.2.7 The station is not operating from a location specified on the permit, except for authorized mobile emissions inspection conducted in accordance with section 10. Any violations of this section are subject to penalties established in Appendix D, category 4;

4.2.8 An official inspection was done by a non-certified person, a non-certified person gained access to the official inspection portion of the CTE, or a non-certified person signed a Certificate. Any violations of this section are subject to penalties established in Appendix D, category 4;

4.2.9 Certified Emissions Technician failed to maintain physical control of the CTE and remain within view of the lane camera while in official inspection mode. Any violations of this section are subject to penalties established in Appendix D, category 6;

4.2.10 The computerized CTE has been tampered with or altered in any way contrary to the certification and maintenance requirements of the CTE. Any violations of this section are subject to penalties established in Appendix D, category 3;

4.2.11 The station denies access to a representative of the Department to conduct an audit/inspection or other necessary business during regular business hours, including by intimidation, harassment, or creation of a hostile work environment that unreasonably interferes with the representative's ability to perform their duties. Any violations of this section are subject to penalties established in Appendix D, category 4. If the denial of access includes any physical action, meaning threatening or assaultive behaviors beyond intimidation or harassment, the violation may be subject to penalties established in Appendix D, category 3 or 8.

4.2.12 The station attempts to influence the auditor or Department representative to obtain a specific outcome, whether through bribery or any other improper means. Any violations of this section are subject to penalties established in Appendix D, category 4;

4.2.13 In accordance with Utah Code § 41-6a-1642, an emissions inspection for a resident of a

county with reciprocity, was performed but not as required by the Regulations/Ordinances adopted by the applicable county. Any violations of this section are subject to penalties established in Appendix D, category 6.

4.2.14 The I/M fee signage procedures are not followed as specified in Section 6.8. Any violations of this section are subject to penalties established in Appendix D, category 5; or

4.2.15 The I/M fee has been determined by the Department to be discriminatory. I/M fees cannot be discriminatory in that different fees are assessed dependent upon vehicle ownership, vehicle make or model, owner residence, etc. Any violations of this section are subject to penalties established in Appendix D, category 4.

4.3 The Department may suspend, revoke, or deny the certificate of an official emissions Technician, subject to the Penalty Schedule in Appendix D, and require the surrender of this certificate upon showing that:

4.3.1 The Certified Emissions Technician caused a Certificate of Compliance to be issued without an approved inspection being made. Any violations of this section are subject to penalties established in Appendix D, category 1;

4.3.2 The Certified Emissions Technician denied the issuance of a Certificate of Compliance to a vehicle that, at the time of the inspection, complied with the law for issuance of said certificate. Any violations of this section are subject to penalties established in Appendix D, category 3;

4.3.3 The Certified Emissions Technician issued a Certificate of Compliance to a vehicle that, at the time of issuance, was in such condition that it did not comply with these Regulations. Any violations of this section are subject to penalties established in Appendix D, category 2;

4.3.4 The Certified Emissions Technician inspected and recorded "pass" on the tampering inspection for a vehicle that did not at the time of inspection comply with the tampering requirements of the tampering inspection detailed in Section 9.10, regardless of whether a Certificate of Compliance was issued or not. Any violations of this section are subject to penalties established in Appendix D, category 5;

4.3.5 Inspections were performed by the Certified Emissions Technician, but not in accordance with applicable policies, procedures, Technical Bulletins, and these Regulations. Any violations of this section are subject to penalties established in Appendix D, category 6;

4.3.6 The Certified Emissions Technician allowed a non-certified person to perform an official I/M inspection or gain access to the official inspection portion of the CTE. Any violations of this section are subject to penalties established in Appendix D, category 4;

4.3.7 The Certified Emissions Technician signed a VIR or submitted an electronic pass for vehicle registration stating that the technician had performed the emissions inspection when, in fact, the technician did not. Any violations of this section are subject to penalties established in Appendix D, category 1;

4.3.8 The Certified Emissions technician is not operating from a location specified on the permit. Any violations of this section are subject to penalties established in Appendix D, category 4;

4.3.9 Certified Emissions Technician failed to maintain physical control of the CTE, and remain within view of the lane camera while in official testing mode. Any violations of

this section are subject to penalties established in Appendix D, category 4;

4.3.10 The Certified Emissions Technician denies access to a representative of the Department to conduct an audit/inspection or other necessary business during regular business hours, including by intimidation, harassment, or creation of a hostile work environment that unreasonably interferes with the representative's ability to perform their duties. Any violations of this section are subject to penalties established in Appendix D, category 4. If the denial of access includes any physical action, meaning threatening or assaultive behaviors beyond intimidation or harassment, the violation may be subject to penalties established in Appendix D, category 3 or 8;

4.3.11 The Certified Emissions Technicians attempts to influence the auditor or Department representative to obtain a specific outcome, whether through bribery or any other improper means. Any violations of this section are subject to penalties established in Appendix D, category 4;

4.3.12 The Certified Emissions Technician performed at a county with reciprocity as required by Utah Code § 41-6a-1642, but did not perform it as required by the Regulations or Ordinances governing such testing in these counties. Any violations of this section are subject to penalties established in Appendix D, category 6; or

4.3.13 Mobile emissions technicians shall comply with the reinspection requirements applicable to I/M Program Stations, including performing at least one free reinspection scheduled within fifteen (15) calendar days of the initial inspection, subject to requirements of 10.1.8. The reinspection shall be performed either at the same location as the initial inspection or at a location mutually agreed upon, provided it is within the County. Any violations of this section are subject to penalties established in Appendix D, category 6.

4.4 The Department shall respond to public complaints regarding the fairness and integrity of inspections they receive and shall provide a method that inspection results may be challenged if there is a reason to believe them to be inaccurate. If it is determined that the station did not follow Department procedures. Violations of this section are subject to penalties established in Appendix D, category 2.

4.5 Vehicle Idling

4.5.1 Education, Requirements and Exemptions for Owners, Operators, and Dealers of Motor Vehicles.

(a) The primary purpose of Section 4.5 is to educate the public on the health and environmental consequences of vehicle idling;

(b) Vehicle Idling Limitation. No owner or operator of a motor vehicle shall allow or permit such vehicle to remain in an idling mode or condition for a period of time exceeding two (2) cumulative minutes within a 15-minute period;

(c) Exemption to Idling Limitations. Vehicles may be exempted from the idling limitation requirements of section 4.5.1(a) under the following conditions, when not otherwise in violation of Utah State Code 41-6a-1403:

(i) The vehicle is forced to remain motionless on a roadway because of traffic conditions for which the driver has no control;

(ii) The vehicle is an authorized emergency vehicle used in an emergency situation;

(iii) Vehicle idling is necessary for auxiliary power for law enforcement equipment, fire, emergency and water equipment, refrigeration units, loading and unloading lifts, well drilling, farming, battery charging, or is required for proper functioning of other commercial equipment that is part of the vehicle;

(iv) Vehicle idling is necessary for repair or inspection of the vehicle;

(v) The health or safety of a driver or passenger, including service animals, requires the vehicle to idle, including instances where the temperature is below 32 degrees F or above 90 degrees F. This exception also includes idling needed to operate window defrosters and other equipment necessary to promote safe driving conditions; and

(vi) Vehicle idling is necessary for efficient operation of a turbo-charged heavy-duty vehicle (e.g., buses) or to operate a vehicle within manufacturer's operating requirements. This includes building air pressure in air brake systems, among other requirements.

(c) Provisions of section 4.5 may only be enforced when the idling vehicle is found on:

(i) Public property, or

(ii) Private property that is open to the public unless the private property owner:

(A) Has a private business that has a drive-through service as a component of the private property owner's business operation and posts a sign provided by or acceptable to the County informing its customers and the public of the County's time limit of two cumulative minutes in a fifteen-minute period for idling vehicle engines; or

(B) Adopts an idle reduction education policy approved by the County.

4.5.2 Enforcement

(a) Section 4.5 shall be enforced in such a manner as to provide for the safety of the law enforcement officers or designees who enforce it;

(b) An operator of a vehicle who is in violation of Section 4.5 shall be subject to a fine under the same fine structure as a parking violation in the jurisdiction where the violation is issued. Such fine may only be imposed upon an operator after at least three (3) warning citations have been issued to that operator.

5.0 SCOPE.

It shall be unlawful for any person to fail to comply with any policy, procedure, Technical Bulletin, or regulation promulgated by the Department, unless expressly waived by these Regulations.

6.0 GENERAL PROVISIONS.

Subject to the exceptions in Section 6.6, and pursuant to the schedule in Section 6.1, individuals with their

primary residence in the County must register their motor vehicles in the County. Motor vehicles (of model years as determined by state statute) that are, or will be registered in the County, or operated from a facility within the County shall be subject to an OBDII emissions test or other approved emissions test method performed by an I/M Program station or other entity approved by the Director. In an effort to ensure program integrity, the Department may require select vehicles to be tested only at the Utah County Technical Center. Vehicles tested by the Department will be required to meet the same inspection standards as vehicles tested at the decentralized stations, potentially using alternative methods to determine emission compliance. All provisions in this Ordinance, including Appendices A-I may apply.

6.1 Beginning July 1, 1986, a Certificate of Compliance or Waiver, or evidence that the motor vehicle is exempt from the Inspection/Maintenance Program requirements (as defined in Section 6.6) shall be electronically transferred to the County Assessor or the Utah State Tax Commission and the Air Pollution Control Fee paid (See Section 6.10.1) as conditions precedent to annual registration or annual renewal of registration of a motor vehicle.

6.2 If Utah Code § 53-8-205, concerning safety inspections is in effect, the official vehicle emissions inspection shall occur, and a Certificate of Compliance or Waiver shall be issued within the same time period as applicable in Section 53-8-205.

6.3 If Utah Code § 53-8-205, concerning safety inspections is <u>not</u> in effect, the official vehicle emissions inspection shall occur, and a Certificate of Compliance or Waiver shall be issued within 60 days prior to the date of the motor vehicle registration. Any Certificate of Compliance, Deferral, or Waiver older than 60 days from the date of issuance shall be considered expired and will not be accepted for registration purposes.

6.4 A certificate issued to an automobile dealer licensed with the State of Utah and issued in the dealer's number shall be valid for registration purposes for a period of eleven months. The purchaser's name, address, and phone number shall be recorded by the dealer on the back of the certificate.

6.4.1 If the title of a used motor vehicle is being transferred, an inspection certificate issued for the motor vehicle during the previous eleven months may be used to satisfy registration requirements.

6.4.2 If the title of a leased vehicle is being transferred to the lessee of the vehicle, an inspection certificate issued during the previous eleven months may be used to satisfy the registration requirements.

6.4.3 Any vehicle issued a 11-month certification may be re-tested by the County auditors at any time during regular business hours at the dealership where it is for sale. The key must be provided to the County auditors for the purpose of performing an emissions test on the dealer's property. Failing that test, will result in the previous passing inspection being voided. Refusal by the dealership may result in previous passing inspection being voided. This inspection may be arranged to take place at the dealership or may be required to be inspected at the Utah County Emissions facility, within a timeframe specified by the County.

6.4.4 All 11-month certificates must have the dealer number input in the license plate field of the CTE during the emissions test. Failure to do so will be penalized as per Appendix D "Failure to Follow Proper Test Procedures".

6.5 Publicly Owned Vehicles.

Owners of publicly owned vehicles shall comply with the inspection program requirements pursuant to a schedule determined by the Department. Federally owned vehicles and vehicles of employees operated on a federal installation that do not require registration in the State of Utah

shall comply with the emissions inspection requirements on a basis pursuant to a schedule determined by the Department.

6.6 The following vehicles are exempt from these Vehicle Emissions Inspection/Maintenance requirements:

6.6.1 Any vehicle of model year 1967 or older, unless modified by legislature;

6.6.2 All implements of husbandry as defined in Utah Code § 41-1a-102 and any motor vehicle that qualifies for an exemption as provided by Utah Code § 41-6a-1642(4)(b) and (f);

6.6.3 Any vehicle used for maintenance or construction and not designed or licensed to operate on the highway;

6.6.4 Any motorcycle or motor driven cycle (including vehicles which operate with an engine normally used in a motorcycle);

6.6.5 Any vehicle that operates exclusively on electricity;

6.6.6 Any vehicle that is less than two years old on January 1, based on the age of the vehicle determined by the model year identified by the manufacturer.

6.6.7 Any motor vehicle which qualifies for legislative exemptions.

6.6.8 Any motor vehicle which is powered by an engine that is 650cc or less.

6.6.9 Any motor vehicle which is powered by a 2-cycle engine.

6.6.10 Any diesel fueled vehicle with a manufacture designated GVW greater than 14,000 pounds;

6.6.11 Any diesel fueled vehicle 1997 and older;

6.6.12 Any diesel fueled vehicle that is less than 5 model years old as of Jan 1 of the current year.

6.7 It shall be the responsibility of the Technician if a vehicle exempted from these Regulations by Section 6.6 of these Regulations is brought to the Technician for an official emission test to inform the owner/operator of the vehicle that the vehicle is not required to have an official emission inspection for vehicle registration purposes. If owner still requests a test, knowing it is not necessary for registration, the station must perform the test at their established and posted price. Any violations of this section are subject to penalties established in Appendix D, category 6.

6.8 Official Signs:

6.8.1 All I/M Program Stations, except those stations authorized to inspect only their own motor vehicles as a fleet inspection station, shall display in a conspicuous location on the premises an official sign provided or approved by the Department. Any violations of this section are subject to penalties established in Appendix D, category 5.

6.8.2 Mobile emissions inspection operations shall have a Department approved decal on the side of their vehicle or trailer. They must also display all required signs, including all those set forth in this section, on a temporary, portable stand such as an A-frame, easel, or similar device, positioned so as to be clearly visible to the public. Any violations of this section are subject to penalties established in Appendix D, category 5.

6.8.3 The station shall post a sign stating all fees that will be charged by the station for emissions inspection. The sign shall be clear and legible and be no less than two square feet in size, and in a conspicuous place at the station. Block lettering of the sign shall be a minimum of one inch in height on a sign that is easily visible. Any violations of this section are subject to penalties established in Appendix D, category 5;

6.8.4 The signs required by Sections 6.8.1, 6.8.2, and 6.8.3 shall be located so as to be easily in the public view Any violations of this section are subject to penalties established in Appendix D, category 5.

6.9 Equipment Available for Inspection.

Required tools and equipment as noted in Section 8.1.4, supplies, records, and other required forms, shall be kept at the official I/M Program Station at all times, or in the case of a mobile emissions inspection operation, with the mobile unit during operating hours, and shall be available for inspection and, if applicable, collection by the Department at any time the inspection station is open for business. Any violations of this section are subject to penalties established in Appendix D, category 5 or 7. Every inspection that an item remains out of compliance shall constitute a separate violation.

6.9.1 A periodic unannounced inspection and audit including review of test procedures captured by the CTE shall be made by a Department representative to verify compliance with these Regulations for each I/M Program Station. As part of the periodic inspection and audit of the I/M Program Station the Department representative shall, as applicable, examine inspection records as well as other required tools, reference materials, reports, forms, or records to see that the use of these items is in compliance with these Regulations and the policies and procedures of the Department. Any violations of this section are subject to penalties established in Appendix D, category 5. Every inspection that an item remains out of compliance shall constitute a separate violation.

6.9.2 During the time of the inspection and audit by the Department, the Department representative shall have exclusive access to the approved CTE(s). Any violations of this section are subject to penalties established in Appendix D, category 4. If the denial includes any physical action, meaning threatening or assaultive behaviors beyond intimidation or harassment, the violation may be subject to penalties established in Appendix D, category 3 or 8;

6.10 Fees.

The fees assessed upon I/M Program Stations and Certified Emissions Technicians shall be determined according to a fee schedule adopted by the Board of County Commissioners. The fee schedule is referenced in Appendix B to these Regulations and may be amended by the Board of County Commissioners as the Board deems necessary to accomplish the purposes of these Regulations.

6.10.1 The following fee is hereby assessed upon every motor vehicle registered in the County annually at the time of registration of the vehicle: Air Pollution Control Fee -- not to exceed the amount specified in Appendix B. This fee assessment is included on all motorized vehicles including those that are exempted from the inspection requirements of these Regulations by Section 6.6 unless a separate fee is assessed on other motor vehicles by other County Ordinances.

6.10.2 Those stations participating in the program hereunder may charge fees for the required service. Those fees may not exceed, for each vehicle inspected, the following amounts:

6.10.2.1 Emissions inspection not to exceed the amount specified in Appendix B. I/M

fees must be uniformly applied and cannot be discriminatory in that different fees are assessed dependent upon vehicle ownership, vehicle type, owner residence, etc. Any violations of this section are subject to penalties established in Appendix D, category 4.

6.10.2.2 Fixed Location Station: If a vehicle fails the inspection, the owner is entitled to one free re-inspection if they return to the station that performed the original inspection within fifteen (15) calendar days from the date of the initial inspection. The station shall extend the fifteen-day free re-inspection time to accommodate the vehicle owner if the station is unable to schedule the retest of the vehicle within the fifteen-day time period. The emissions inspection fee shall be the same whether the vehicle passes or fails the emission test. At the request of the Department, an official emissions station shall extend the free retest time for vehicle owners who were unable to complete emissions repairs because of the unavailability of parts to make the necessary repairs. In no case shall this extended time exceed 60 days. Any violations of this section are subject to penalties established in Appendix D, category 6.

6.10.2.3 Mobile Station: A mobile emissions testing operation shall meet the same standards found in 6.10.2.1 and provide the reinspection at the same location of the original test or at another location in the County that is mutually agreed upon by both parties. Any violations of this section are subject to penalties established in Appendix D, category 6.

6.10.2.4 Duplicate VIRs issued to a vehicles owner(s)/operator(s), not to exceed the amount specified in Appendix B. Any violations of this section are subject to penalties established in Appendix D, category 6.

6.10.3 If a vehicle fails the emissions test, and is within the time and mileage requirements of the federal emissions warranty contained in the Federal Clean Air Act, the Technician shall inform the owner/operator that they may qualify for warranty coverage of emission related repairs as provided by the vehicle manufacturer and mandated by the Federal Environmental Protection Agency. The Technician shall provide the owner with a copy or copies of the applicable emissions warranty information provided by the Department and printed by the CTE. The station shall display in an area readily accessible to the public any informational pamphlets required by the Department. Any violations of this section are subject to penalties established in Appendix D, category 5.

7.0 STANDARDS AND REQUIREMENTS FOR CERTIFIED TEST EQUIPMENT (CTE)

7.1 CTE Approval Requirements

7.1.1 Transfer of ownership of CTE and associated equipment will be prohibited, unless written approval by the Department has been given prior to the transfer. Equipment that has not received this approval will not be allowed for future use in the County I/M Program.

7.1.2 All Certified Test Equipment (CTE) must meet the equipment standards, including those outlined in Appendix A. Equipment must also be certified by the manufacturer as meeting the Federal requirements of the Clean Air Act. Stations are responsible for keeping their equipment in good working condition, ensuring it is properly maintained, updated, and used according to the manufacturer's instructions. It shall be the station's responsibility to ensure all supplied equipment is present and operational. Any violations of this Section are subject to penalties established in Appendix D, category 7.

7.1.3 Periodically, equipment upgrades or replacements may be required due to new technology, legislative changes, or updates to national air quality standards. Decisions concerning what costs will be the responsibility of the Contractor compared with the I/M Program Stations will be determined by the Department and Contractor. The Department will set the timeline for any required updates. Station owners may be responsible for some or all upgrade costs and will receive advance notice before any changes take effect. Station is obligated to allow updates or repairs to be made by Contractor or Department representatives. Failure to properly upgrade equipment is subject to penalties in Appendix D, Category 7 or 8.

7.1.4 Periodically software upgrades may be required due to new technology, legislative changes, or updates to national air quality standards. After approval by the Department, the Contractor shall provide reasonable software updates, including communication with new model vehicles, at no charge, through the life of the program operation. Station owners may be responsible for some or all upgrade costs. Station is obligated to allow updates to be made by Contractor or Department representatives. Failure to properly upgrade equipment are subject to penalties in Appendix D, Category 7or 8.

7.1.5 If new emission-testing equipment becomes available in the future, the manufacturer must provide proof of current BAR certification and must meet all County equipment approval requirements before their equipment can be sold or used in the County I/M Program.

7.2 REGISTERING AND USING CERTIFIED TEST EQUIPMENT

All CTE used by a station must be provided by the Contractor and be approved and registered with the Department. When required, equipment will be issued a registration sticker, which cannot be transferred to another station or device. Any new or used equipment added after a station is approved must also receive Department approval before use. If a station uses temporary equipment while their registered CTE is down for repair, the temporary unit does not need a registration sticker, but it does need to be provided by the Contractor and meets all other requirements and must be approved by the Department in advance. Any violations of this Section are subject to penalties established in Appendix D, category 6 or 7.

7.2.1 Stations must maintain their CTE printer so that all printed vehicle inspection reports are clearly readable. If the printer is not working properly, testing must stop until it is repaired.

7.2.2 Modifications of CTE hardware or software are prohibited unless directed by the Contractor and the Department.

7.3 WARRANTY AND APPROVED CTE

7.3.1 CTE must be connected to a 110V power source. Using any other power supply can damage the equipment and may void the warranty.

7.3.2 Only equipment from an approved provider of the CTE for the County I/M Program is allowed. Using other equipment or non-Contractor approved replacement parts may void your warranty.

7.3.3 Contractor-Provided Equipment May Include Elements Such As:

- Tablet with integrated OBD, barcode scanner, and 6' OBD cable
- Tablet Docking Station
- Self-Test Cable and Power Adapter

- Compatible Printer and High-Yield Toner
- Lane Camera Kit
- Wireless Router
- Waterproof Camera (minimum 16 MP)
- 4-Port Compact USB Hub
- All necessary USB Adapters

7.4 REPORTING EQUIPMENT ISSUES

If your CTE requires repair and cannot meet program requirements, you must report it to the Department as "Out-of-Service." You must also notify the Department once repairs are completed and before you resume vehicle testing.

7.5 STATION AGREEMENT REQUIRMENT

All certified stations must complete and submit a Station Agreement with the approved Contractor. before they are allowed to purchase Certified Test Equipment. Visit: **https://www.aircheckutahcounty.org/**

8.0 PERMIT REQUIREMENTS OF THE VEHICLE EMISSIONS INSPECTION/MAINTENANCE PROGRAM STATION.

8.1 Permit Required.

8.1.1 No person shall in any way represent any place as an official I/M Program Station unless the station is operated under a valid permit issued by the Department. Any operation that is not currently authorized by the Department, holding themselves out to be a I/M Program Station will be subject to civil and criminal penalties.

8.1.2 The Director is authorized to issue or deny station permits for the emissions inspection of vehicles and the issuance of Certificate of Compliance. Waivers may be permitted as approved by the Department.

8.1.3 No permit for any official I/M Program Station may be assigned, transferred, or used by any person other than the original owner identified on the permit application for that specific I/M Program Station. The permit shall be posted in a conspicuous place within public view on the premises.

8.1.4 Application for an I/M Program Station permit shall be made to the Department upon a form provided by the Director. No permit shall be issued unless the Director finds that the facilities are properly zoned; has a current business license in the County; a property lease agreement of at least 12 months or proof of ownership, and tools and equipment of the applicant comply with the requirements of these Regulations and that competent personnel, certified under the provisions of Section 12.0, are employed and will be available to make inspections, and the operation thereof will be properly conducted in accordance with these Regulations.

8.1.4.1 An I/M Station shall notify the Department if the station does not have a Certified Emissions Technician employed. Any violations of this section are subject to penalties established in Appendix D, category 6.

8.1.4.2 An I/M station shall comply with all the terms stated in the permit application submitted annually and all the requirements of these Regulations, including any technical bulletins sent to the station.

8.1.4.3 As a condition for permitting all I/M Program Stations, the following tools and materials shall be available for performance of the inspection and maintenance of motor vehicles:

(a) A Department approved CTE, as referenced in APPENDIX A;

(b) Department approved vehicle repair information which includes emissions components design and repair specifications. The station shall also have Department approved ready reference information covering the application of emissions control systems for the model years and makes of vehicles involved in the Vehicle Emissions Inspection/Maintenance Program;

(c) Sufficient hand tools for proper performance of the inspection and maintenance of the vehicle including a method to gain access for the required pictures;

(d) The CTE manufacturer's maintenance manual, in whatever form it may be provided by the Contractor, must be retained in the inspection area and immediately accessible;

(e) All forms, Technical Bulletins, and other information materials provided by the Department.

8.1.5 All facets of the official I/M Program shall be performed by the Certified Emissions Technician including:

8.1.5.1 CTE preparation;

8.1.5.2 Accessing the official emissions inspection section of the CTE. Any violations of this section are subject to penalties established in Appendix D, category 4;

8.1.5.3 All other aspects of the official emissions test including but not limited to: the tampering inspection, entering data into the CTE, and capturing images as required by the CTE. Any violations of this section are subject to penalties established in Appendix D, category 4.

8.2 An I/M Program Station shall be kept in good repair and in a safe condition for inspection purposes, free of obstructions and hazards. Any violations of this section are subject to penalties established in Appendix D, category 7.

8.3 Permit Duration and Renewal.

8.3.1 The permit for I/M Program Stations, including mobile units shall be issued annually and shall expire on the last day of the year in which it was issued, unless the Department determines that it is best to permit annually based on date of first issuance. The permit shall be renewable sixty days prior to the date of expiration.

8.3.2 It is the responsibility of the owner/operator of the inspection station or mobile unit to pursue the permit renewal through appropriate channels. An application for renewal shall be submitted each year in the form and manner prescribed by the Department, and no permit shall be renewed without a completed application.

8.3.3 Inspection Station or mobile units to hold County Harmless: In making application for a permit or for its renewal, such action shall constitute a declaration by the applicant that

the County shall be held harmless from liability incurred due to action or inaction of I/M Program Station's or mobile units' owners or their employees.

8.4 Any violation of section 8.0 may be subject to penalties established in Appendix D.

9.0 INSPECTION PROCEDURE.

9.1 The official emissions inspection shall be solely performed by a Certified Emissions Technician who has been certified at the station where the inspection is being performed. The Certified Emissions Technician shall follow the prompts of the CTE to conduct the inspection and Department approved inspection procedures are to be followed. The entire inspection procedure must be performed by the Certified Emissions Technician whose credentials accessed the testing portion of the CTE. Any violations of this section are subject to penalties established in Appendix D, category 4.

9.2 If the Technician is unable, unqualified, or unwilling to make the required repairs or adjustments, should the vehicle fail the emissions test, they shall notify the owner/operator of the vehicle before the emissions test is administered. Any violations of this section are subject to penalties established in Appendix D, category 6.

9.3 The entire inspection shall take place within view of the lane camera unless otherwise exempted by the Department, generally only applicable to oversized vehicles that do not fit in the bay. Any violations of this section are subject to penalties established in Appendix D, category 6.

9.3.1 If a vehicle is too large to fit in the inspection lane, the inspection may be conducted outside the view of the lane camera after the Department has been notified.

9.3.2 If the Department determines the lane camera is not placed to sufficiently capture all aspects of the inspection procedure, the CTE may be locked out and testing suspended until required corrections are made. Any violations of this section are subject to penalties established in Appendix D, category 7.

9.4 The temperature of the inspection area shall be between 41° Fahrenheit and 110° Fahrenheit during the inspection. Any violations of this section are subject to penalties established in Appendix D, category 7.

9.5 The CTE shall be kept in an area that provides adequate protection from the weather, wind, and extreme temperatures. Any violations of this section are subject to penalties established in Appendix D, category 7.

9.6 The electrical supply to the CTE shall be able to meet the CTE manufacturer's requirements for voltage and frequency stability. Any violations of this section are subject to penalties established in Appendix D, category 7.

9.7 The emissions Technician shall not inspect or test any motor vehicle with a mechanical condition which may cause injury to inspection personnel or damage to the inspection station or test equipment, or which may affect the validity of the test, until such condition is corrected. Such conditions include, but are not limited to: coolant, oil, or fuel leaks, low oil or low fluid levels; exhaust leaks; transmission problems or visible emissions. Vehicles with visible emissions shall not receive a Certificate of Compliance. Smoking vehicle test procedures are defined in APPENDIX G. Any violations of this section are subject to penalties established in Appendix D, category 6.

9.8 Any time an engine stalls during an emissions test, the test shall be restarted. If a certified emissions technician cannot complete a test because of continuous stalling, fluctuating RPM

measurements, or RPM measurements that are not within the Department specified parameters, then these problems shall be corrected before the test is continued.

9.9 When using a vehicle title, registration or previous test record, the Technician shall verify the vehicle identification number (VIN) with that on the vehicle and shall accurately record it on the CTE. Additionally, the Technician shall enter completely and accurately all the information required as part of the data entry procedure for the official vehicle emissions test on the CTE. Any violations of this section are subject to penalties established in Appendix D, category 5.

9.10 The Technician shall for all gasoline, gasoline hybrid, compressed natural gas (CNG), liquid propane gas (LPG), fueled vehicles:

9.10.1 Examine the emissions/tune-up specification decal (sticker) under the hood and check an approved reference manual to determine if the vehicle was manufactured with a catalytic converter, air injection reaction (AIR) system, PCV System, EGR System, and Fuel Evaporative System. Emission devices or components replaced with other than OEM parts must be U.S. EPA or C.A.R.B. Certified for the specific vehicle.

9.10.2 On 1996 and newer model year, gasoline, gasoline hybrid, compressed natural gas (CNG), liquid propane gas (LPG), fueled vehicles follow the OBD test procedures in accordance with Appendix F.

9.10.2.1 On 1996 and newer vehicles, fail the OBDII system tampering inspection if it is determined that the vehicle computer has been reprogrammed to defeat the factory OBDII system. This includes, but is not limited to, reprogramming to ignore readiness monitors, hard coding readiness monitor status, ignoring DTCs or reporting false information to the emissions CTE.

9.10.2.2 On 1996 and newer vehicles, fail the OBDII system tampering inspection if it is determined that the vehicle has any computer sensor bypass or emulator devices installed to defeat the factory OBDII system. This includes, but is not limited to, oxygen sensor emulators, oxygen sensor extenders or spacers, fixed or variable resistors installed in place of engine sensors, reprogramming the vehicle computer to emulate proper OBDII function or reporting false information to the vehicle computer.

9.10.2.3 If the vehicle has any aftermarket programmers or modifications to the fuel management system, they must be EPA or CARB approved and bear the proper indication of such. It shall be the owner/operator's burden of proof to show verification of EPA or CARB certification. Non-verifiable EPA or CARB approved modifications will fail the tampering inspection if present.

9.10.3 On 1996 and newer , gasoline, gasoline hybrid, compressed natural gas (CNG), liquid propane gas (LPG), fueled vehicles, visually inspect for the presence and apparent operability of the AIR System, catalytic converter, EGR System, Evaporative Control System, PCV System, and gas tank cap in accordance with Department procedures and record the information in the CTE. If these parts or systems have been removed or are inoperable, the owner shall repair or replace the parts or systems before the emissions test may be continued.

9.10.4 As long as authorized by state code, 1995 and older gasoline, gasoline hybrid, compressed natural gas (CNG), liquid propane gas (LPG), fueled vehicles, shall be visually inspected for the presence and apparent operability of the AIR system catalytic converter, EGR System, Evaporative Control System, PCV System, and gas tank cap in accordance with Department procedures, and record the information in the CTE.

9.10. 5 For all gasoline, gasoline hybrid, compressed natural gas (CNG), liquid propane gas (LPG), fueled vehicles, if a part or parts are necessary to bring a vehicle into compliance is/are not available by the time the vehicle's registration is due, the owner/operator may obtain a signed form to that effect from a manufacturer, dealer, or mechanic who has verified the non-availability of the part(s). The owner/operator shall then take such proof to the Department. The Director may issue a Temporary Waiver, for a period of time and under such conditions as they have determined, so that the vehicle may be registered. The owner shall have until the expiration of the time period specified by the Director to complete the necessary repairs or replacement, and submit a Certificate of Compliance or Waiver to the Director to verify that the part(s) have been installed and that the vehicle is in compliance with all provisions of these Regulations. The Director is under no obligation to issue these Waivers.

9.10. 6 A time extension, not to exceed the period of the inspection frequency, may be granted to obtain needed repairs on a vehicle in the case of economic hardship when waiver requirements have not been met. After having received a time extension, a vehicle must fully pass the applicable test standards before becoming eligible for another time extension. The extension for a vehicle shall be tracked and reported by the program. The Director is under no requirement or obligation to issue these time extensions.

9.11 As long as authorized by stated code, vehicles 1995 and older model year gasoline, gasoline hybrid, compressed natural gas (CNG), liquid propane gas (LPG), fueled vehicles that receive visual inspection only. The inspection shall be performed with the transmission in "park" or "neutral" and with all accessories off and the emergency brake applied.

9.12 A Certificate of Compliance shall be electronically submitted for gasoline, gasoline hybrid, compressed natural gas (CNG), liquid propane gas (LPG), fueled vehicles:

9.12.1 For 1990 through 1995 model year vehicles, the vehicle passes or fails the visual inspection described in Section 9.10, and

9.12.2 For 1989 and older model year vehicle, the vehicle passes or fails the visual inspection in Section 9.10, and

9.12.3 For 1996 and newer model year vehicle, the vehicle passes the visual inspection described in Section 9.10 and the vehicle passes the OBDII test described in APPENDIX F.

9.13 All inspection procedures shall be followed as contained in the CTE specifications referenced in Appendix A.

9.14 If the gasoline, gasoline hybrid, compressed natural gas (CNG),or liquid propane gas (LPG) fueled vehicle fails the initial emissions inspection, the owner shall have fifteen calendar days in which to have repairs or adjustments made and return the vehicle to the I/M Program Station that performed the initial inspection for one (1) free re-inspection. In order to be in compliance, the vehicle that failed the initial test shall meet the following conditions:

9.14.1 A Certificate of Compliance shall be issued if all of the following are met:

9.14.1.1 The vehicle is re-tested;

9.14.1.2 For 1996 and newer Model Year Vehicles, the vehicle passes the visual inspection described in Section 9.10 and the vehicle passes the OBDII test described in APPENDIX F.

9.14.1.3 The Department and their employees shall not be held responsible for any failure of vehicle components or systems occurring during an inspection.

9.15 A Certificate of Waiver shall be issued for gasoline, gasoline hybrid, compressed natural gas (CNG), liquid propane gas (LPG), fueled vehicles by meeting cut points as established in Appendix E, and subject to the following conditions:

9.15.1 A Certificate of Waiver shall not be issued for 1968 to 1995 model year vehicles..

9.15.2 A Certificate of Waiver shall be issued for 1996 and newer model year gasoline, gasoline hybrid, compressed natural gas (CNG), liquid propane gas (LPG), fueled vehicles if all of the following requirements are met:

9.15.2.1 The appropriate air pollution control devices installed by the manufacturer are in place and operable on the vehicle. If the devices have been removed or rendered inoperable, they shall be replaced or repaired before a Waiver is granted; and

9.15.2.2 At least four hundred fifty dollars ($450) has been spent on qualifying emissions related repair costs for that specific vehicle, and if proof of repair costs for that specific vehicle have been provided to the Department in the form of an itemized bill, invoice, work order, manifest or statement in which emissions related parts are specifically identified. If repairs are made by the vehicle owner or by someone who does not possess a valid business license for automotive work, then the cost of labor shall not be included in the $450; and

9.15.2.3 The vehicle is not within the time and mileage requirements of the federal emissions warranties. Any vehicle that is within the time and mileage requirements of the federal emissions warranties shall not be eligible for an emissions repair waiver, but shall be repaired to pass the emissions standards.

9.15.3 Any gasoline, gasoline hybrid, compressed natural gas (CNG), liquid propane gas (LPG), fueled vehicle that experiences an increase in the number of OBDII fault codes shall not be eligible for an emissions repair waiver regardless of the amount spent in attempting to repair the vehicle.

9.15.4 As used in Sections 9.15.1 and 9.15.2, acceptable emissions related repairs:

9.15.4.1 Refers to those expenditures and costs associated with the adjustment, maintenance, and repair of the motor vehicle which are directly related to reduction of exhaust emissions necessary to comply with the applicable emissions standards, cut-points, and procedures;

9.15.4.2 Does <u>not</u> include adjustments, maintenance, or repairs performed more than 60 days prior to the official emissions test.

9.15.4.3 Does <u>not</u> include the fee paid for the test;

9.15.4.4 Does <u>not</u> include costs associated with the repairs or replacements required by Section 9.10 or the replacement, and/or repair of air pollution control equipment on the vehicle if the need for such adjustment, maintenance, replacement, or repair is due to disconnection of, tampering with, or abuse of the emissions control systems.

9.15.4.5 Does not include repairs performed to the vehicle's exhaust system to correct problems with excessive exhaust dilution for the qualification process outlined in Appendix E.

9.15.4.6 Refers to repairs, maintenance, and diagnostic evaluations of the following systems, if done according to manufacturer's specifications, to the extent that the purpose is to reduce exhaust emissions:

(a) Air Intake Systems;
(b) Ignition Systems:
(c) Fuel Control Systems;
(d) Emissions Control Systems
(e) Basic Engine Systems.

9.16 Qualifying repairs include repairs of emission control components listed in section 9.15.4.1 and 9.15.4.6 performed within 60 days of the test date.

9.17 Certificates of Waiver shall only be issued by the Department, unless the Department determines other acceptable methods of issuing the Waivers. A waiver shall only be issued after determining that the vehicle complies with the requirements of this Section for waiver issuance. An automobile dealer is not eligible to receive a waiver on a vehicle being sold and registered by a licensed dealership.

9.18 Prior to referring the owner to the Department for determining waiver eligibility, the I/M Station/Technician shall verify that the repair and eligibility requirements of this Section have been met. Any violations of this section are subject to penalties established in Appendix D, category 5.

9.19 The Certificate and Inspection records shall be completed accurately as required by the Department. The customer shall be given the VIR. Any violations of this section are subject to penalties established in Appendix D, category 5.

9.20 When a vehicle owner requests an emissions test, the Technician shall perform the inspection in the inspection mode of the CTE. Performing a screening test in the manual mode of the CTE or on a non-approved CTE such as an OBDII reader (scan-tool) as part of the emissions inspection process shall be a violation of these Regulations if the vehicle owner requested an emissions test. No adjustments or repairs shall be made prior to a requested I/M inspection. Any violations of this section are subject to penalties established in Appendix D, category 6.

9.21 Appendix H shall be used for those diesel-powered motor vehicles for which emission inspection is required.

9.22 If inspection procedures are not followed, Station and technician may be subject to penalties established in Appendix D, category 6.

9.23 Vehicles with visible emissions shall not receive a Certificate of Compliance. Smoking vehicle test procedures are defined in APPENDIX G.

10.0 MOBILE EMISSION INSPECTION

10.1 As of March 31, 2026, technicians and stations may become properly certified by the Department to perform mobile emissions inspections within the boundaries of the County.

10.1.1 Mobile technicians must be connected to the internet through a secure method, such as Wi-Fi, a hotspot, or other reliable connection, to transmit inspection results in real time to the Department and the Utah DMV system.

10.1.2 The mobile emissions Technician shall set up lane cameras in each location where inspections are performed. The entirety of the inspection must be conducted within the view of these lane cameras. Any violations of this section are subject to penalties established in Appendix D, category 6.

10.1.3 If the Department determines the lane camera is not placed to sufficiently capture all aspects of the mobile inspection procedure, the CTE may be locked out and inspection suspended until required corrections are made. The CTE may not be unlocked until mobile Emissions Technicians have been sufficiently retrained by the Department. Any violations of this section are subject to penalties established in Appendix D, category 7.

10.1.4 Using the tablet's external camera, the technician shall take pictures and document the condition of required emissions control equipment, including but not limited to catalytic converters, downstream oxygen sensors, diesel particulate filters (DPF), selective catalyst reduction systems (SCR), diesel exhaust fluid (DEF) tanks, exhaust gas recirculation (EGR), and diesel oxidation catalysts (DOC), as applicable and as required by the CTE software. Technicians shall also document any emissions-related equipment that is tampered with, inoperative, or removed. Any violations of this section are subject to penalties established in Appendix D, category 6.

10.1.5 Mobile technicians shall keep a log and document the location where inspections are performed each day. Any violations of this section are subject to penalties established in Appendix D, category 6.

10.1.6 Mobile emissions inspections must be performed entirely within the County boundaries. It is unlawful for a mobile technician working under this Ordinance to conduct emissions inspections outside of the County. Technicians seeking to perform inspections in other counties must complete the certification process for the county in which they intend to work in. Any violations of this section are subject to penalties established in Appendix D, category 4.

10.1.7 Mobile emissions inspection tablets shall implement geofencing. The tablet shall not initiate a test if the vehicle is located outside of the approved geofence or more than 500 feet from the designated inspection area.

10.1.8 Mobile technicians shall be subject to both overt and covert audits at the Department's discretion. Technicians must provide access to all inspection records, the tablet, emissions equipment, and any other materials necessary to verify compliance during an audit. Failure to comply with audit requests may result in suspension, revocation, or other penalties as determined by the Department. Any violations of this section are subject to penalties established in Appendix D, category 4.

10.1.9 Mobile technicians may not refuse inspection requests within the County due to distance or location. Upon request, technicians must provide mobile inspection within a reasonable timeframe, not to exceed five (5) business days. Any violations of this section are subject to penalties established in Appendix D, category 6.

10.1.10 Technicians are responsible for maintaining proper operation of all emissions inspection equipment and ensuring all inspections are accurate, complete, and compliant with all applicable regulations.

10.1.11 If mobile inspection requirements and procedures are not followed, Station and technician may be subject to penalties outlined in Appendix D.

11.0 ENGINE CHANGES.

11.1 All vehicles which qualify for testing under this section shall be tested by the Department only.

11.2 Vehicles qualifying for inspection under this section shall not be eligible for a repair waiver.

11.3 Engine switching guidance will be enforced according to state and federal rules and guidance. There will be no downgrades allowed (i.e., OBDII certification of the powertrain must remain OBDII compliant). Engine upgrades will be considered on a case-by-case basis to ensure they meet or exceed all standards listed in this section and the modification is not likely to result in the motor vehicle having increased emissions relative to the emissions of the motor vehicle before the modification.

11.4 Vehicles not meeting the requirements of this section shall be deemed tampered and dealt with in accordance with the tampering provisions of this ordinance.

11.5 If the engine has been converted to another fuel, the vehicle must comply with all laws governing the type of fuel being used.

12.0 TESTING AND CERTIFICATION OF APPLICANT FOR EMISSIONS TECHNICIANS.

12.1 Certification Required.

12.1.1 No person shall perform any part of the official emissions inspection for the issuance of a Certification of Compliance unless the person possesses a valid emissions Technician certificate issued by the Department. Certified Technician that initiates a test on the CTE must follow all provisions prescribed in section 4.2. As a condition of certification, each new applicant and existing Technicians agree to allow the Department to keep a facial photograph, which is updated annually, on file to be used for identification or administrative purposes.

12.1.2 Applications for an Official Emissions Technicians Certificate will be subject to a prescreening process and shall be made upon a form to be prescribed by the Department. No certificate shall be issued unless the applicant has shown adequate competence by successfully completing the written and practical portions of the emissions Technician certification requirements as specified in these Regulations.

12.1.2.1 The prescreening prerequisite may be met by:

- Passing a Department administered pretest with 80% or better,
- Current ASE Certifications in (A1, A2, A6, A8), or L1,
- Two-year degree or certificate in Automotive,
- Current or previously certified in an EPA approved inspection program in the State of Utah, or
- Any other applicable certification as approved by the Department.

12.1.2.2 No certificate shall be issued if the Department determines that the applicants transportation vehicle does not comply with the vehicle registration requirements and emissions inspection requirements for an EPA approved inspection program in the State of Utah.

12.1.3 An applicant shall comply with all of the terms stated in the permit application and with all the requirements of these Regulations.

12.1.4 An applicant shall complete a Department approved training course and shall demonstrate knowledge and skill concerning the performance of emissions inspections and a basic understanding of the vehicle emissions systems and manufacturer's specifications. Such knowledge and skill shall be shown by passing:

12.1.4.1 A written qualification test including knowledge of the following:

(a) Operation and purposes of emission control systems;
(b) Relationship of HC, CO, CO2, O2, and NOX to vehicle emissions control;
(c) Inspection procedures as outlined in these Rules and Regulations;
(d) The provisions of Section 207(b) warranty provisions of the Federal Clean Air Act; and
(e) The provisions of these Regulations and other Department policies and procedures.

12.1.4.2 A performance qualification test including the following:

(a) Visual inspection and knowledge of the function of the required emission control equipment;
(b) Demonstration of skill in the proper use, care, and maintenance of the CTE;
(c) Demonstration of ability to conduct the emissions inspection;
(d) Demonstration of ability to accurately complete the CTE inspection procedure.

12.1.5 A Hands-on Performance audit shall be necessary for successful completion of the Practical Application Test. The Hands-on Practical shall be observed and documented by Department personnel or other person approved by the Department.

12.1.6 The Department shall issue an Emission Technician Certificate to an applicant upon successful completion of the requirements of Section 12.0.

12.1.7 The Emissions Technician Certificate shall be valid only in stations where the Technician is presently approved by the Department. The Technician shall notify the Department of any request for changes. They shall also be required to be certified there prior to performing any emissions tests. A separate certificate may be issued for use at the additional station as determined by the Department. Also, an additional Technician certification fee shall be charged as specified in Appendix B. That certification will expire on the same date as the original.

12.1.8 The Department may deny, suspend, revoke, or refuse to renew a certificate if the applicant or Technician:

(a) knowingly provides false or misleading information;
(b) conducts fraudulent or inaccurate tests;
(c) issues or denies Certificates of Compliance contrary to these regulations;
(d) allows a non-certified person to perform any part of the inspection;
(e) engages in hostile, intimidating, or insubordinate behavior toward Department staff, station management, or members of the public in connection with emissions inspection or program activities; or
(f) otherwise violates provisions of these regulations.

(g) Any violations of this section are subject to the applicable penalties established in Appendix D.

12.2 Requalification Requirements for All Emissions Technicians.

12.2.1 Upon determination, by the Director, of the necessity of updating the qualifications for emissions Technicians, they shall be required to re-qualify.

12.2.2 Emissions Technicians shall be required to re-qualify annually and within a specified time period, determined by the Director. Failure to re-qualify within the required period of time shall result in suspension or revocation of the emissions Technician's certification as described in these Regulations.

12.2.3 The Department may require update or refresher training as part of the overall training program. Failure to complete such training within the required timeframe shall result in the suspension or revocation of the Technician's certification until required training is completed.

12.3 Certification Expiration.

12.3.1 The Technician Certificate shall be issued at the completion of the certification or recertification process, and all Technician certificates shall expire on December 31st of each year. The certificate shall be renewable up to sixty days prior to the date of expiration. Technician certificates that are issued in the last quarter shall not expire until December 31st of the following year.

12.3.2 It is the responsibility of the Technician to pursue the renewal of the Technician Certificate.

12.3.3 It is the responsibility of the technician renewing to complete a Hands-on Performance audit shall be necessary for successful completion of the Practical Application Test. The Hands-on Practical shall be observed and documented by Department personnel or other person approved by the Department.

13.0 CERTIFICATES OF COMPLIANCE AND WAIVERS.

13.1 No person shall make, issue or knowingly use any imitation or counterfeit of an official Certificate of Compliance or Waiver/number, or any other official program document. Any violations of this section are subject to penalties established in Appendix D, category 1.

13.2 No person shall knowingly use stolen or counterfeit certificates/numbers. Any violations of this section are subject to penalties established in Appendix D, category 1.

13.3 No Certificate of Compliance or Waiver or any other official program document shall be issued based upon any fraudulent method used to defeat or bypass the OBDII system. Any individual found performing such activities may be subject to criminal penalties. Additionally, any violations of this section are subject to penalties established in Appendix D, category 1.

13.4 No refund or credit shall be allowed for unused Test Authorizations, except as provided in Section 13.9.

13.5 Purchase of Test Authorizations.

13.5.1 Test Authorizations shall be purchased only from the Department approved Contractor. Payment for Test Authorizations shall be made by electronic transfer, or other methods approved by the Department and Contractor. Sales shall only be made to a representative of the I/M Program Station possessing an acceptable form of identification. Test Authorizations purchased will be loaded into the I/M Program station CTE following a successful transaction.

13.5.2 Test Authorizations shall be sold at the cost adopted by the Board of County Commissioners and referenced in Appendix B, in lots to be determined by the Department.

13.5.3 Test Authorizations shall not be sold, loaned, transferred, or given to any other I/M Program Station, or any unauthorized individual. The I/M Program Station shall at all times account for all Test Authorizations that have been purchased by the station. Any violations of this section are subject to penalties established in Appendix D, category 8.

13.6 Certificates of Compliance shall only be issued via electronic communication to the Utah Division of Motor Vehicles. Paper certificates, handwritten information, or printed certificates from any device are prohibited. Any violations of this section are subject to penalties established in Appendix D, category 4.

13.7 Certificates of Compliance and Waivers shall not be issued until an inspection has been performed and passed as required by these Regulations.

13.8 I/M Program Stations shall have Test Authorizations on hand at all times. Any violations of this section are subject to penalties established in Appendix D, category 6.

13.9 Upon final cancellation, suspension, or revocation of the I/M Program Permit of any station, the station owner, manager or other responsible person shall immediately surrender all unused Test Authorizations. The Department shall receipt and authorize a refund to be paid by the Contractor for unused Test Authorizations to the station owner. Upon transfer or termination of business ownership, the station permit and sign shall be immediately returned to the Department. Any person acquiring a business that has been permitted as an official I/M Program Station, is prohibited from using any Permit or emissions Test Authorizations issued to the former business. Any violations of this section are subject to penalties established in Appendix D, category 4. Additionally, any violations of this section are subject to penalties established in Appendix D, category 7.

13.10 Any CTE Contractor, their authorized representative, or any other entity who repossesses or otherwise removes an approved I/M CTE from an official I/M Station shall immediately notify the Department.

13.11 Reciprocity of Certificate shall be granted when issued by a qualifying agency as defined in this ordinance.

14.0 DISCIPLINARY PENALTIES AND RIGHT TO APPEAL.

14.1 When the Department, or its representative(s), receives information of a violation of any regulation contained herein which may result in a permit denial, revocation or suspension, the department shall, notify the affected entity, in writing, informing the entity of the violation and penalties to be enforced, and further informing the entity of the right of appeal and of the date, time, and location of an appeals hearing, if one has been scheduled, together with a copy of Appendix D. No appeal may be made regarding a formal warning.

14.1.1 In considering the appropriate administrative action to be taken as indicated in Appendix D, the Director shall consider the following:

14.1.1.1 whether the violation was unintentional or careless;

14.1.1.2 the frequency of the violation or violations;

14.1.1.3 the audit and covert audit history of the station and the Technician;

14.1.1.4 whether the fault lies with the Technician or with the station.

14.1.2 After consideration of the factors in Section 14.1.1 the Director may take appropriate administrative action as indicated in Appendix D against either the I/M station, the I/M Technician or both.

14.2 Appeals Hearing Procedure:

14.2.1 A recorded appeals hearing shall be held at the request of the affected entity or individual in order to determine the accuracy of information obtained by the department and whether there are mitigating factors which would justify the imposed penalties.

14.2.2 The requesting party may bring to the hearing any witnesses and any evidence believed to be pertinent to disciplinary action.

14.2.3 The appeal shall be heard by the Vehicle Inspection and Maintenance Appeal Board ("I/M Board"), a Board consisting of at least three persons, who are not employees of the Utah County Health Department, appointed by the Utah County Commission. The I/M Board shall have the discretion to determine which witnesses shall be heard and what evidence is relevant.

14.2.4 Violations determined to be intentional or flagrant shall result in the maximum enforcement of the penalty schedule pursuant to Appendix D herein.

14.2.5 In considering a penalty indicated by Appendix D, the I/M Board and the Department shall consider the following:

14.2.5.1 whether the violation was unintentional or careless;

14.2.5.2 the frequency of the violation or violations;

14.2.5.3 the audit and covert audit history of the station and the Technician

14.2.5.4 whether the fault lies with the Technician or with the station.

14.3 Written notice of the final determination of the I/M Board, including the Board=s finding under Section 14.2.5 hereof, shall be made within ten (10) working days after the conclusion of the appeals hearing.

14.4 After receiving a suspension, a station may request a reduction in length of the suspension pursuant to a consent agreement, which the Department may accept. A substitute consent agreement allows the Department to substitute a monetary penalty in lieu of the suspension time.

14.4.1 As a condition of a consent agreement and depending on the severity and nature of the violation(s), the station owner may be required to install video surveillance monitoring of all inspection areas. The station owner shall bear the cost of installation and maintenance

of this equipment. The duration of the installation and operation of the video equipment will be determined by the Department and shall not exceed two (2) years from the original suspension. Access to the inspection area video images shall be available to the Department any time during the required duration without advanced station notification or approval.

14.5 For stations, monetary penalties assessed pursuant to a consent agreement shall be as follows: A sliding percentage scale based on the number of similar violation occurrences within a two year time period (2)(average I/M tests per day [calculated from tests conducted over the last 12 months or length of time the station has been open, whichever is less)(number of suspension days)(dollar amount per test). The maximum monetary fee settlement cannot exceed 10,000.00.

14.6 For Technicians, monetary penalties assessed pursuant to a consent agreement shall be as follows: $100 minimum to $500 maximum in $100 increments (equal to 15 days or any portion thereof, of suspension time, up to 75 days) in lieu of all or a portion of the suspension.

15.0 PENALTY.

15.1 Any person who is found guilty of violating any of the provisions of these Rules and Regulations, either by failing to do those acts required herein or by doing a prohibited act, shall be guilty of a class B misdemeanor pursuant to Utah Code § 26A-1-123,. If a person is found guilty of a subsequent similar violation within two years, he or she shall be guilty of a class A misdemeanor pursuant to Utah Code § 26A-1-123,.

15.2 Each day such violation is committed or permitted to continue shall constitute a separate violation.

15.3 The city attorney, or, if appropriate, the County Attorney, may initiate legal action, civil or criminal, requested by the Department to abate any condition that exists in violation of these Rules and Regulations.

15.4 A person may not be charged with a criminal violation of this ordinance if the conduct for which the person is being charged constitutes a violation of another provision of state or federal law for which a greater penalty is provided.

15.5 In addition to other penalties imposed by a court of competent jurisdictions, any person(s) found guilty of violating any of these Rules and Regulations shall be liable for all expenses incurred by the Department.

15.6 A Penalty Schedule for permit warning, suspension, or revocation is adopted as Appendix D and may be amended by the County Commission as the Commission deems necessary to accomplish the purposes of these Regulations.

16.0 SEVERABILITY.

If any provision, clause, sentence, or paragraph of these Regulations or the application thereof to any person or circumstances shall be held to be invalid, such invalidity shall not affect the other provisions or applications of these Regulations. The valid part of any clause, sentence, or paragraph of these Regulations shall be given independence from the invalid provisions or application and to this end the provisions of these Regulations are hereby declared to be severable.

17.0 EFFECTIVE DATE.

January 1, 2026.

APPENDIX A

REVISED CTE EMISSION INSPECTION SYSTEM SPECIFICATIONS

January 2026

1.0 GENERAL

This appendix contains standards for Emission Inspection System Contractors (hereafter, Contractors) to design Inspection Equipment to be used in the Utah County Vehicle Emissions Inspection and Maintenance Program (hereafter, I/M Program). Testing Equipment to be used in the I/M Program must be capable of performing On-Board Diagnostics (OBD) emissions inspections.

1.1 Design Goals

Inspection Equipment must be designed and constructed to provide reliable and accurate service in the automotive service environment and have a useful life of at least five years. The software must be designed for maximum operational simplicity and be capable of providing emissions readings or codes that can be used for vehicle diagnostics. A manual, non-test mode should be available to perform vehicle diagnostics. The software must prevent users from performing any actions that could change the results of an official emissions test. In addition, the Testing Equipment must include security measures that will prevent unauthorized modifications to the software or inspection data, record unauthorized entry, also known as tampering, and prevent subsequent inspections when tampering is detected.
These technical specifications contain the minimum requirements for Inspection Equipment used to perform emissions inspections in the I/M Program. Contractors may include additional items with approval from the Utah County Health Department (hereafter, the Department).

1.1.1 Identification Data
A nameplate including the following information must be permanently affixed to the housing of the Testing Equipment:

- Name and address of manufacturer;
- Model description;
- Serial number.

1.1.2 The Testing Equipment must prevent Contractor-authorized repair technicians from performing the following, except in a manner approved by the Department:

- Clearing a County lockout;
- Adding, deleting, or modifying test data;
- Adding, deleting, or modifying I/M Program Station information or a Certified Emissions Technician's license number.

2.0 Customer Service, Quality Assurance, and Preventive Maintenance

2.1 A Contractor-authorized repair technician is a Testing Equipment service technician that is authorized by the Contractor to perform service on their fleet of Testing Equipment. Only Contractor-authorized repair technicians may access the secure areas on the Testing Equipment.

2.2 Response times for equipment repairs to average no more than 8 business hours.

2.3 Maintain, in stock and at competitive retail prices for I/M Program stations, an inventory of consumable items required by the I/M program (This does not preclude I/M Program stations from purchasing consumable items from other businesses as long as the items meet the specifications).

2.4 Contractor-designed public website home page to be used for all transactions with the Contractor.

3.0 Insurance

3.1 The Contractor, at its own cost, shall secure and maintain during the term of the agreement, the following minimum insurance coverage as specified in agreement with Department.

APPENDIX B
FEE SCHEDULE

The assessed fees for implementing the requirements of Section 6.10 of the Vehicle Emissions Inspection/Maintenance Program shall be:

Annual Official I/M Program Station Permit.....200.00

New I/M Station Plan Review.....100.00

Annual Mobile I/M Station Permit.....200.00

Additional Certified Testing Equipment Fee.....60.00

Pre-qualifying Technician Exam.....10.00

Annual Renewal of Expired Station Permit.....100.00

I/M Station at a New Location.....80.00

Temporary I/M Station Permit.....50.00

Technician Certification Exam and Certification Course.....100.00

Technician Transfer or Multiple Station Certification.....25.00

Tamper Detection Class Mandatory.....50.00

Permitting an Official I/M Emissions Technician.....25.00

Annual Renewal of an I/M Emissions Technician Permit.....25.00

Annual Renewal of Expired Technician Permit.....50.00

Test Authorization Fee.....6.00

Duplicate Certificate of Compliance.....3.00

Duplicate Technician or Station Certificate.....10.00

Emissions Inspection Fee.....Set By Station

Air Pollution Control Fee.....2.00

Technician Handbook.....20.00

Replacement Station Sign.....100.00

Gray Market/Engine Change Vehicle Inspection.....75.00

Gray Market Renewal Inspection.....25.00

Deferral.....25.00

Effective Date January 1, 2026

APPENDIX C

PUBLICLY OWNED VEHICLES EMISSIONS TESTING AND REPORTING REQUIREMENTS

1.0 Any entity issued Publicly owned vehicles residing in Utah County shall account to the Utah County Air Quality Division annually for all Publicly owned vehicles, the passing status for emission testing and shall include:

1.1 Vehicle Identification number;

1.2 Vehicle year;

1.3 Vehicle make;

1.4 Vehicle model;

1.5 Vehicle plate number;

1.6 Emission Certificate number for the reporting year;

1.7 Indicate if the vehicle is new to the entity during the reporting year;

1.8 Indicate if the entity transfers or assigns title or interest in the vehicle during the reporting year.

1.9 If an entity fails to comply with this section, the Utah County Air Quality Division May:

1.9.1 Request license revocation from the Utah Department of Motor Vehicles:

1.9.2 For all non-reported vehicles;

1.9.3 Vehicles for which a valid emission Certificate has not been issued at the time of reporting.

Appendix D
PENALTY SCHEDULE

Classification	Violation (resets after 2 years of no similar violations unless revoked)	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
Category 1	***(Intentional Pass)***	**Tech:** 180 day suspension and mandatory retraining	**Tech:** Revocation of permit for 5 years		
		Station: 180 day suspension	**Station:** 270 day suspension	**Station:** Revocation of inspection station permit for 5 years	
Category 2	***(Gross Negligence)***	**Tech:** 30 day suspension and mandatory retraining	**Tech:** 60 day suspension and mandatory retraining	**Tech:** Revocation of permit for 5 years	
		Station: 15 day suspension	**Station:** 30 day suspension	**Station:** 60 day suspension	**Station:** Revocation of inspection station permit for 5 years
Category 3	***(Serious Intentional)***	**Tech:** 180 day suspension and mandatory retraining	**Tech:** Revocation of permit for 5 years		
		Station: 180 day suspension	**Station:** 270 day suspension	**Station:** Revocation of inspection station permit for 5 years	
Category 4	***(Intentional)***	**Tech:** 60 day suspension and mandatory retraining	**Tech:** 180 day suspension and mandatory retraining	**Tech:** Revocation of permit for 5 years	
		Station: 60 day suspension and mandatory retraining	**Station:** 180 day suspension and mandatory retraining	**Station:** Revocation of inspection station permit for 5 years	

Category 5	***(Incompetence)***	**Tech:** Formal warning and mandatory retraining	**Tech:** 30 day suspension and mandatory retraining	**Tech:** 90 day suspension and mandatory retraining	**Tech:** Revocation of permit for 5 years
		Station: Formal warning	**Station:** 15 day suspension	**Station:** 45 day suspension	**Station:** Revocation of inspection station permit for 5 years
Category 6	***(Serious Incompetence)***	**Tech:** 30 day suspension and mandatory retraining	**Tech:** 90 day suspension and mandatory retraining	**Tech:** Revocation of permit for 5 years	
		Station: 15 day suspension	**Station:** 45 day suspension	**Station:** Revocation of inspection station permit for 5 years	
Category 7	***(Equipment Problem/Unusable)***				
		Station: Lockout until corrected			
Category 8	***(Revocation Offence)***	**Tech:** Revocation of permit for 5 years			
		Station: Revocation of inspection station permit for 5 years			

Violations that have been determined to be intentional or flagrant shall result in the maximum penalties. Permit revocations are not eligible for Negotiated Consent Agreement.

All potential penalties will be reviewed by the department to determine the merit of violations for all categories prior to penalties being enforced. If a violation is not specifically listed in the Ordinance, or if another violation is more appropriate, the Department may apply the penalty category in Appendix D that most closely matches the nature of the violation.

APPENDIX E

EMISSION STANDARDS
WAIVER CUTPOINTS

1.0 For purposes of this Appendix, the following definitions are applicable:

1.1. CTE: An engine exhaust gas CTE, or emissions test equipment capable of reading and deciphering OBD systems;

1.2. Bar 97: Refers to California Bureau of Automotive Repair Exhaust Gas CTE Specifications, which became effective in 1997;

1.3. Cut Points: The maximum allowable concentration of carbon monoxide (CO) and hydrocarbons (HC) for a given weight class and model year of a motor vehicle, as provided by these Regulations, using an approved infrared exhaust gas CTE;

1.4. Engine Exhaust Gas CTE: An instrument that is capable of measuring the concentrations of certain air contaminants in the exhaust gas emanating from a motor vehicle which is approved by the Department for this use in accordance with these Regulations as an official test instrument;

1.5. Gas Calibration Check: A procedure using known concentrations of HC and CO span gases to verify the accuracy of an CTE in measuring HC and CO;

1.6. Idle Mode: A condition where the vehicle engine is warm and running at the rate specified by the manufacturer's curb idle, where the engine is not propelling the vehicle, and where the throttle is in the closed or idle stop position. This condition must be achieved without placing a load on the vehicle to decrease the RPM to the specified rate;

1.7. Leak Check: A vacuum decay test of the entire CTE sample system including hoses, filters, probes and fittings performed using the equipment manufacturers approved procedure.

2.0 Purpose

2.1 This section establishes the testing method which the Department may use an Engine Exhaust Gas CTE to determine eligibility for a waiver following a failed emissions inspection.

2.2 In order for a waiver to be granted, the subject vehicle must first qualify by not exceeding the following maximum allowable concentrations for carbon monoxide (CO) and Hydrocarbons (HC) for both cars and trucks as determined by an approved infrared gas CTE using the prescribed procedures. Vehicles with visible tailpipe emissions (smoke) are not eligible for waivers

3.0 Scope

3.1 This method applies to all vehicles subject to emissions inspection within the County that are eligible for a waiver under Section 9.15.

3.2 Emissions Cut Points established by model year and GVWR are defined in the below chart.

ALL PASSENGER VEHICLES
8,500 POUNDS GVWR OR LESS
MAXIMUM CONCENTRATION STANDARDS

MODEL YEAR	PERCENT CARBON MONOXIDE	PARTS PER MILLION HYDROCARBONS
1996 - NEWER	1.2	220

HEAVY DUTY TRUCKS AND VANS
OVER 8,500 POUNDS GVWR
MAXIMUM CONCENTRATION STANDARDS

1996-NEWER	4.0	1000

The minimum dilution factor must also be reached as part of the testing requirement. The dilution factor shall be verified according to CTE specifications and is updated as deemed necessary.

Vehicles that produce visible emissions are not eligible for an emissions Waiver, and are subject to requirements in Appendix G.

NOTE: These should be considered as "cut points" for maximum allowable emissions levels. Vehicles must never be tuned to these emission levels when readjustments are made, but rather shall be adjusted using manufacturer's specifications. By using manufacturers' specifications, the emissions levels should be well below the "cut points".

4.0 Engine Exhaust Gas CTE Standards

4.1 Approved Engine Exhaust Gas CTE will meet BAR 97 standards, and accurately measure HC, CO, CO2, and O2. The CTE may include all amendments made to the BAR 97 hardware specifications to present date.

4.2 Engine Exhaust Gas CTE shall be maintained, Gas Calibration Check, and Leak Check performed in accordance with manufacture specifications.

5.0 Procedure

5.1 The Department and their employees shall not be held responsible for any failure of vehicle components or systems occurring during the Waiver qualification process.

5.2 Each vehicle shall be checked to determine that it is at normal operating temperature by feeling the top radiator hose or by checking the temperature gauge. Each vehicle shall be at normal operating temperature before performing the Waiver qualification process.

5.3 The CTE probe shall be inserted into the exhaust pipe at least twelve inches or as recommended by the CTE manufacturer.

5.4 With Tachometer properly attached through the OBD port, or other RPM monitoring method;

5.5 Engine will be tested in Idle Mode for 30 seconds and again at 2500 ± 300 RPM for 30 seconds to ensure accurate readings.

5.6 Vehicles capable of being operated on both gaseous and liquid petroleum fuels shall be tested for both fuels.

Department personnel shall not inspect or test any motor vehicle with a mechanical condition which may cause injury to inspection personnel or damage to the inspection station or test equipment, or which may affect the validity of the test, until such condition is corrected. Such conditions include, but are not limited to: coolant, oil, or fuel leaks, low oil or low fluid levels; exhaust leaks; transmission problems or visible emissions Vehicles with visible emissions shall not receive a Certificate of Waiver. Smoking vehicle test procedures are defined in APPENDIX G.

APPENDIX F

OBDII TEST PROCEDURES

The following test procedure is to be followed for 1996 model year vehicles or newer:

1. A complete official test must be performed anytime an inspection is requested. Do not perform the tampering inspection or any part of the OBDII inspection without initiating an official test on the CTE.

2. Locate the DLC on the vehicle being tested. Connect the vehicle to the CTE. If the DLC is missing, has been tampered with, or is otherwise inoperable then the vehicle fails the test and must be repaired.

3. Turn the ignition switch to the off position for at least 30 seconds.

4. Visually examine the instrument panel to determine if the malfunction indicator light (MIL) illuminates when the ignition key is turned to the key on/engine off position. Enter your visual inspection result into the CTE.

5. Start the engine and follow the CTE screen prompts until the test is complete.

6. For 1996-2000 model year vehicles two (2) not ready flags are allowed for a passing test. For 2001 and newer vehicles one (1) not ready flag is allowed. If the not ready status exceeds these numbers, the vehicle must be driven additional miles until readiness monitors are set "ready" or repairs have been made allowing readiness flags to set ready.

7. Vehicles with MIL illumination while running, regardless of DTC'S, fail the inspection and will require repairs.

8. Certain vehicles have been determined by the EPA to be OBDII deficient. The CTE software will maintain a list of these vehicles and perform a modified OBDII test.

9. 1996-2004 vehicles that run on dedicated CNG, or bi-fuel CNG/gasoline, will receive a modified test that includes a partial OBDII test that checks MIL command status, DTC presence and MIL bulb functionality. Overall Pass/fail determination will be based on passing all of these parameters. OBDII system readiness is not used in determining a pass or fail on these vehicles.

10. 1996-2007 vehicles between 8501 and 14,000 GVWR will receive a modified test that includes a partial OBDII test that checks MIL command status, DTC presence and MIL bulb functionality. Overall pass/fail determination will be based on passing all of these parameters. OBDII system readiness is not used in determining a pass or fail on these vehicles.

APPENDIX G

SMOKING VEHICLE TEST PROCEDURES

The following test procedures shall be used to validate repairs on vehicles that have been cited by law enforcement under Title 41-6a-1626 of the Motor Vehicle Act as having excessive visible emissions and issued a "fix it" ticket. These test procedures may also be used to determine whether or not a vehicle is in violation of state or local vehicle emission laws as a result of a documented smoking vehicle complaint submitted by a citizen, or other legitimate source. A violation may also be issued based upon observation of visible emissions made by law enforcement, or health official staff.

G-1.1 Gasoline Vehicles.

(1)(a) In accordance with Utah Code 41-6a-1626(2)(i) and State Code R307-305-3 (2) a gasoline powered vehicle may not emit visible contaminants during operation. Steam emitted from the tailpipe of a vehicle during winter months is not considered a visible contaminant.

(1)(b) The Department shall use a smoke opacity meter or EPA method 9 to determine visual opacity. If no visible emissions are observed, the vehicle shall receive a two-speed idle test as described in section 9.0 of this ordinance. A two-speed idle test may be used on all vehicles regardless of model year when determining the presence of excess exhaust pollutants.

(1)(c) If the Department determines that testing in addition to subsection (1)(b) is necessary to make a final determination the vehicle shall be operated on a chassis dynamometer to simulate normal operating conditions ranging between 0 and 50 MPH.

(1)(d) If the vehicle is determined to have visual emissions after these tests are completed, additional repairs must be performed to correct the problem. The vehicle will also be prevented from being tested at any of the County decentralized testing stations until proper repairs have been completed and verified by the Department.

(1)(e) If it is determined that the vehicle has been sufficiently repaired or does not emit any visible emissions a certificate of compliance will be issued to the owner for use in satisfying the repair requirement of the "fix it" ticket.

G-1.2 Diesel Vehicles.

(2)(a) 1998 and newer diesel vehicles may be tested by the Department or one of the the County certified decentralized diesel inspection stations. All 1997 and older diesel vehicles must be tested at the Health Department Technical Center. The vehicle owner will be responsible to pay the posted inspection fee amount to the testing entity.

2)(b) In accordance with Utah Code 41-6a-1626 (3)(c) and State Code R-307-305-6 all emission control equipment that was originally installed on the vehicle must be properly maintained and operational at all times.

(2)(c) A diesel powered vehicle must pass a tampering inspection of the following applicable components:

1. (CAT) Catalytic Converter
2. (DPF) Diesel Particulate Filter
3. (SCR) Select Catalytic Reduction (diesel exhaust fluid)
4. (EGR) Exhaust Gas Recirculation
5. OBDII System

(2)(d) Vehicles 1997 and older will be tested for opacity with a smoke opacity meter or EPA Method 9

while being operated on a chassis dynamometer at a steady state speed of 50 MPH and at the maximum fuel delivery rate with the transmission in direct drive. The opacity limits listed in Utah Code Title 41-6a-1626 shall be used to determine a passing or failing result. The limits are:

> For vehicles manufactured before January 1, 1973, and all non-turbocharged vehicles, visual contaminants shall not exceed 40% opacity.
>
> For vehicles manufactured on or after January 1, 1973, visual contaminants shall not exceed 20% opacity.

(2)(e) Vehicles 1998 and newer will be tested using their OBDII system, if originally equipped by the manufacturer. If a vehicle was not originally equipped with OBDII technology when manufactured, then the visual tampering portion of the inspection will be used to determine a passing or failing result. If OBDII test results have been determined to be inconclusive the vehicle may be tested for opacity using the test procedures outlined in (2)(d) above. The OBDII inspection will test the following items:

1. (MIL) Malfunction Indicator Lamp (must pass bulb check)
2. Readiness monitors (must all be set to ready)
3. (DTC) Diagnostic Trouble Codes (must not have any current codes)
4. MIL must not be illuminated, or commanded on, while running
5. The manufactures original computer program or an EPA or CARB (California Air Resources Board) approved aftermarket program.

(2)(f) Vehicles that have an off-road program installed or have had their OBDII system removed, illegally modified, or rendered inoperable will fail the OBDII System visual tampering portion of the inspection and must be repaired. If the Department does not recognize an aftermarket computer program as certified or approved, it shall be the vehicle owner's responsibility to provide documented proof of certification by a recognized laboratory or regulatory agency.

(2)(g) If it is determined by testing that the vehicle fails the tampering inspection, exceeds the opacity standards or fails the OBDII test then additional repairs must be performed to correct the problem.

(2)(h) If it is determined by testing that the vehicle has been sufficiently repaired or passes these testing requirements a certificate of compliance will be issued to the owner for use in satisfying the repair portion of the "fix it" ticket.

(2)(i) Vehicles over 14,001 GVWR will be tested using a SAE (Society of Automotive Engineers) J1667 snap idle smoke test.

APPENDIX H

DIESEL FUELED VEHICLE TEST PROCEDURE

1.0 All diesel fueled vehicles with a model year of 2007 and newer, with a manufacture gross vehicle weight rating of 14,000 pounds or less, and with a model year that is five years old or older requiring an emissions test, shall be subject to a computerized emission inspection, and tested in accordance with the following procedure:

1.1 Verify vehicle information;

1.2 Accurately enter information into CTE at the required prompts;

1.3 Review the information entered into data review screens and make corrections if needed;

1.4 **Perform visual anti-tampering inspection of all emission control devices**. The procedure in APPENDIX H Sections 2.1- 2.3 shall be followed;

1.5 Turn ignition key to the off position;

1.6 Locate the Diagnostic Link Connector (DLC) and connect the OBD lead from the CTE;

1.7 **Check for the correct operation of the Malfunction Indicator Light (MIL);**

1.8 Follow CTE prompts and continue test;

1.9 The CTE will communicate with the vehicle and read fault codes and readiness status;

1.10 When prompted, turn off the engine, put ignition in the off position, and remove OBD lead;

1.11 If the MIL is not functioning the vehicle fails the OBDII test and requires repair;

1.12 If the MIL is commanded **ON** the vehicle fails. The vehicle has a problem and has stored a Diagnostic Trouble Code (DTC). This DTC needs to be diagnosed for repairs;

1.13 If the test results say **Not Ready**, the vehicle needs to complete one or more drive cycles to reset and run the readiness monitors;

1.14 If the MIL is functioning correctly and the readiness monitors are set correctly, the MIL is off and no codes are stored, the vehicle passes the OBDII test;

1.15 If the vehicle passes the anti-tampering inspection (section 1.4) but fails the test, the vehicle may qualify for a 1-year waiver upon the owner spending $750 in acceptable emissions related repairs with at least as good as, or better than the first test results (have no additional DTC's or not ready's stored). The vehicle may not have any visible emissions. Verification will be required at the Utah County Tech Center where the waiver may then be issued;

1.16 As used in Appendix H, Sections 1.15, acceptable emissions related repairs:

1.16.1 Refers to those expenditures and costs associated with the adjustment, maintenance, and repair of the motor vehicle which are directly related to reduction of exhaust emissions necessary to comply with the applicable emissions standards, cut-points, and procedures;

1.16.2 Does <u>not</u> include adjustments, maintenance, or repairs performed more than 60 days prior to the official emissions test.

1.16.3 Does not include the fee paid for the test;

1.16.4 Does not include costs associated with the repairs or replacements required by Appendix H Section 2.0 or the replacement, and/or repair of air pollution control equipment on the vehicle if the need for such adjustment, maintenance, replacement, or repair is due to disconnection of, tampering with, or abuse of the emissions control systems.

1.16.5 Does not include repairs performed to the vehicle's exhaust system to correct problems with excessive exhaust dilution.

1.16.6 Refers to repairs, maintenance, and diagnostic evaluations of the following systems, if done according to manufacturer's specifications, to the extent that the purpose is to reduce exhaust emissions:

(a) Air Intake Systems;

(b) Fuel Control Systems;

(c) Emissions Control Systems except as noted in Appendix H Section 1.15 and 1.16.4

(d) Basic Engine Systems.

1.17 Acceptable emissions related repairs includes repairs of emission control components listed in Appendix H section 1.15 and 1.16 performed within 60 days of the test date.

1.18 A Certificate of Compliance shall be issued if the vehicle passes the visual tampering inspection (Appendix H sections 2.1, 2.2 and 2.3) and the OBDII test (Appendix H Section 1.14).

2.0 All diesel fueled vehicles with a model year between 1997-2006, with a manufacturer gross vehicle weight rating of 14,000 pounds or less, and with a model year that is five years old or older shall be subject to a **visual anti-tampering inspection**. The air pollution control devices identified in the emissions decal shall be in place and apparently operable on the vehicle.

2.1 If the emissions decal is missing the vehicle owner/operator shall have the decal replaced or documentation that otherwise proves the emissions certification, before the inspection can continue.

2.2 The devices listed on the emissions decal must be present and apparently operable to pass the emissions inspection.

2.2.1 If the emissions decal is missing and is no longer available for replacement the vehicle owner/operator shall provide written documentation to the Department stating such. Approved documentation shall come from an authorized dealer or manufacturer of the vehicle in question.

2.2.2 If the emissions decal is missing and the vehicle meets the requirements of Section 2.3, the following emissions control devices shall be present and apparently operable if factory equipped:

Catalyst;
Exhaust Gas Recirculation System (EGR);
Diesel Particulate System (DPF);
Air Injection Reaction System (AIR);
Urea System (SCR); and
OBD II System.

2.2.3 A 1997 model year vehicle that fails this section may receive a one-time waiver for the first licensing required after December 31, 2018. A vehicle may only be issued one "one-time waiver" unless otherwise determined by the Department.

2.3 If the vehicle has any aftermarket programmers or modifications to the fuel management system they must be EPA or CARB approved and bear the proper indication of such. It shall be the owner/operators burden of proof to show verification of EPA or CARB certification. Non-verifiable EPA or CARB approved modifications will fail the tampering inspection if present.

2.4 A Certificate of Compliance shall be issued if the vehicle passes the **visual anti-tampering inspection** (sections 2.1, 2.2 and 2.3).

3.0 Fleets of 101 vehicles or more may not use certificate issued more than 11 months prior to renewal.

4.0 A report will be presented to Natural Resources, Agriculture and Environment Interim Committee, once between January 1, 2020 and August 31, 2020, and once between January 1, 2021 and August 31, 2021.

4.1 The report will contain the following:

4.1.1 the total number of diesel-powered motor vehicles that were computer tested (OBD);

4.1.2 passage and failure rates of diesel-powered motor vehicles using OBD technology by model year;

4.1.3 the total number of visual inspections;

4.1.4 passage and failure rates of diesel-powered motor vehicles visually inspected by model year; and

4.1.5 total number of diesel-powered motor vehicles visually inspected where tampering with emissions equipment was found, by model year.

5.0 Technician Update Training Requirements:

5.1 All currently certified emissions technicians must attend an update training on diesel testing procedures as determined by the Department.

5.1.1 The Department may designate a third-party entity to provide the training upon determining that the third-party curriculum, attendance expectations, and testing procedures meet the Department requirements.

5.1.2 The Department shall be permitted to inspect, audit, or otherwise monitor a third-party entity providing update training.

5.1.3 The update training will be scheduled and offered to all certified technicians. Certified technicians may attend the class time and date of their choosing depending on space available. It will be the technician's responsibility to attend one of the offered classes.

5.1.4 Technicians must attend the entire training class and pass the final written test with a score of 80% or higher, to meet the diesel certification requirements (Diesel Certification).

5.1.5 Diesel certification will be a requirement for license renewal in 2019.

5.1.6 After the completion of the last scheduled diesel update training class offered by the Department for currently certified technicians, any technician failing to obtain diesel

certification will be required to complete re-certification by retaking the certification course including paying all associated fees.

5.1.7 Non-certified technicians seeking certification in the last quarter of 2018 and thereafter will receive training as part of the regular certification course at the Department.

5.1.8 The director may, at his discretion, offer additional update trainings in lieu of complete re-certification requirement, for any technicians that were certified in 2018.

5.1.9 The cost for the technician to attend the training shall be no more than $8.00 per technician and will be set by the Department.

6.0 Participation Requirements:

6.1 All stations will be required to have a technician certified for diesel testing designated to their station and agree to follow procedures set forth in these Regulations prior to performing any vehicle inspections as of January 1, 2019 and thereafter.

APPENDIX I
PAPERLESS CERTIFICATE PROCEDURES

1.0 Any station required, or opting, to use paperless certificates will only use paperless electronic number created by the CTE and will not provide any paper certificate or electronic number, to the owner/operator.

2.0 Will provide a paper Vehicle Inspection Report which will be printed by the CTE and indicate to the vehicle operator the pass/fail status of the inspection to the owner/operator for whom the test was provided.

2.1 The vehicle inspection report must be signed by the certified Technician immediately upon printing.

2.2 Will provide a duplicate VIR when requested.

Part II:
If any of the sections, sentences, clauses or provisions of this ordinance shall for any reason be adjudged inapplicable or invalid by a court of competent jurisdiction, such shall not affect or invalidate the remaining portion contained herein.

Part III:
This ordinance shall become effective on January 1, 2026, at least fifteen (15) days after its passage, upon depositing a copy of the ordinance with the county clerk, and at least one (1) publication in a newspaper published in and having general circulation in Utah County.

PASSED and ordered published this 10th day of December 2025.

BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH

Brandon B. Gordon, Chair

ACKNOWLEDGEMENT

STATE OF UTAH)
ss:
COUNTY OF UTAH)

The foregoing ordinance was acknowledged before me on this 10th day of December 2025 by BRANDON B. GORDON, being duly sworn did say that he is the chair of the Board of County Commissioners, Utah County, Utah, and is authorized to execute the foregoing document on behalf of the Board of County Commissioners, Utah County, Utah.

JOLYNN CLEGG
NOTARY PUBLIC-STATE OF UTAH
My Commission Expires Aug. 29, 2029
COMMISSION NUMBER 744861

Notary Public

ATTEST:
Aaron R. Davidson
Utah County Clerk

By: Deputy Clerk/Jolynn Clegg

APPROVED AS TO FORM AND LEGALITY:
Jeffrey S. Gray
Utah County Attorney

By: Deputy County Attorney/Zachary Zundel

STATE OF UTAH COUNTY CLERK UTAH COUNTY

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH	VOTE YEA	NAY
BRANDON B. GORDON, CHAIR	X	
SKYLER BELTRAN, VICE CHAIR	X	
AMELIA POWERS GARDNER, COMMISSIONER	X	

Date of Publication: once only, as soon as possible

Section X
Part D
Appendix 2

ORDINANCE NUMBER 1994- 106

SHORT TITLE:

AN ORDINANCE ENACTING SECTION 9.32.180 IN THE PROVO CITY ORDINANCES MAKING IT UNLAWFUL TO OPERATE A MOTOR VEHICLE IN PROVO CITY FOR AN AGGREGATE OF MORE THAN SIXTY DAYS EACH YEAR WITHOUT FIRST OBTAINING AN ANNUAL VEHICLE EMISSION INSPECTION MAINTENANCE TEST.

I

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	MOTION	SECOND	FOR	AGAINST	OTHER
N WEST	DAVID L. RAIL				✓	
N EAST	JANE L. CARLILE		✓	✓		
EAST	JAMES H. DALEY				✓	
S WEST	GREGORY A. HUDNALL			✓		
CU I	KARL J. THALMAN			✓		
CU II	SHARI C. HOLWEG				✓	
CU III	DENNIS R. HALL	✓		✓		
			TOTALS	4	3	

This ordinance was passed by the Municipal Council of Provo City, on the 12th day of December, 1994 on a roll call vote as described above. Signed this 12th day of December, 1994.

David L. Rail
Chairman

II

APPROVAL BY MAYOR

This ordinance is approved by me this 12th day of December 1994.

Mayor

ORDINANCE NUMBER 1994-106

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was recorded in the office of the Provo City Recorder on the 19th day of December 1994, with a short summary being published on the 16th day of December 1994, in The Daily Herald, a newspaper published in Provo, Utah. I hereby certify and attest that the foregoing constitute a true and accurate record of proceedings with respect to Ordinance Number 1994-106.

PROVO CITY SEAL INDUSTRY AND COMMERCE UTAH COUNTY, UTAH

Signed this 19th day of December 1994.

Marilyn T. Perry
City Recorder

AN ORDINANCE ENACTING SECTION 9.32.180 IN THE PROVO CITY ORDINANCES MAKING IT UNLAWFUL TO OPERATE A MOTOR VEHICLE IN PROVO CITY FOR AN AGGREGATE OF MORE THAN SIXTY DAYS EACH YEAR WITHOUT FIRST OBTAINING AN ANNUAL VEHICLE EMISSION INSPECTION MAINTENANCE TEST.

WHEREAS, state and federal laws impose air quality standards on Provo City; and

WHEREAS, Provo City desires to comply with these requirements and to promote the general health, safety, and welfare and improve air quality by requiring motor vehicle owners who operate a vehicle in Provo City for more than an aggregate of sixty days per year to pass an annual state or county motor vehicle emission inspection maintenance test, established pursuant to United States Environmental Protection Agency air quality regulations; and

WHEREAS, to promote compliance by non-resident students, and long-term visitors and employees with this provision of the law Provo City desires to require owners of vehicles to provide proof of compliance with this section; and

WHEREAS, Utah Code § 19-2-121 grants political subdivisions of the state of Utah authority to enact and enforce ordinances to control air pollution;

NOW THEREFORE, be it ordained by the Municipal Council of Provo City, Utah as follows:

PART I:

Section 9.32.180 of the Provo City Ordinances is hereby enacted, the contents of which shall be as described in the attached exhibit.

PART II:

This ordinance shall take effect January 1, 1995.

END OF ORDINANCE.

9.32.180. Motor Vehicle Emissions Tests Required.

(1) It shall be unlawful, and a class C misdemeanor, for the owner or operator of a motor vehicle which has not passed an annual state or county motor vehicle emission inspection maintenance test, established pursuant to United States Environmental Protection Agency air quality regulations, within the last year, to operate or permit another to operate the motor vehicle within the municipal limits of Provo City for an aggregate total of more than sixty (60) days per any calendar year without obtaining a Utah County Vehicle Emission Inspection Maintenance Program test certificate valid for the date the motor vehicle is being operated within the municipal limits of Provo City.

(2) For purposes of this Section, any motor vehicle expressly exempt from obtaining a vehicle emission inspection maintenance test under the Utah County Vehicle Emission Inspection Maintenance Program because of the vehicle's use, engine type, or age, etc., shall also be exempt from the requirements of this Section.

(3) Upon request of a Provo City police officer, the operator of a motor vehicle shall provide evidence (i) that the vehicle has passed a vehicle inspection maintenance test in compliance with the requirements of subsection (1) above; (ii) is exempt pursuant to subsection (2) above; or (iii) is not being operated in Provo City for an aggregate total of more than sixty (60) days per any calendar year. Failure to provide such evidence shall constitute a prima facie case that the operator is in violation of this Section, however, a charge brought pursuant to this Section shall be dismissed by the court if a person charged with violating this Section provides the court with proof of compliance with this Section.

(4) The evidence of compliance required by subsection (3) may include, but shall not be limited to, a current emission test certificate or motor vehicle registration indicating the vehicle is in compliance with a state or county motor vehicle emission inspection maintenance program established pursuant to United States Environmental Protection Agency air quality regulations, evidence that shows that due to of the age of the vehicle, its type of engine, etc., that the vehicle is exempt from obtaining a vehicle emission inspection maintenance test under the Utah County Vehicle Emission Inspection Maintenance Program, or evidence that the vehicle is registered in another county or state and is not being operated in Provo for more than an aggregate total of more than sixty (60) days each calendar year.

Section X
Part D
Appendix 3

Station Audits:

I/M Program Stations are to be audited on a regular basis. (Not less than every other month). Audit frequency should be altered to a degree to help prevent the predictability of the audit date by station personnel. Station audits may be more frequent than every other month for high volume stations or stations that display possible problem areas regarding compliance with Department Rules and Regulations.

If the analyzer is warmed up, a sample system leak check (including dual probe adapters) and a gas audit shall be performed by the station compliance officer using Department span gas. A copy of the gas audit shall be included with the I/M Station Audit Report. If the analyzer fails the sample system leak check and is not capable of being repaired while the audit is being conducted, the analyzer shall be locked out of TSI testing and allowed to perform OBDII only testing for a period of time not exceeding two weeks. A follow up audit shall be performed within a reasonable time after the station owner notifies our office that sample system repairs have been completed. If the analyzer fails the gas audit, this is to be noted on the I/M Station Audit Report. The analyzer will be automatically locked out of operation until a successful gas calibration is performed.

An I/M Station Audit Report is to be filled out during each audit or follow-up audit. Follow up audits are to be clearly marked as to the type of audit they are and which item(s) required a follow up visit. All items listed on the report are to be checked each audit. Violations and obvious problem areas shall be noted on the report and brought to the attention of the station owner or responsible individual. Station personnel are required to sign reports. A copy of the report is provided to the station and a copy is submitted to the Program Manager for review. Violations that have not been corrected after a second warning, or by a defined date, shall result in an equipment lockout until violations have been corrected.

Where possible, the compliance officer should attempt to observe an actual emissions test during the station audit. (this test may be used for annual mechanic recertification) Also, vehicles that have already been tested or are waiting to be tested may be checked for tampering violations.

Data analysis using the Oracle program and/or the online VID should be included in station audits. The compliance officer should review test records before, during or after each station audit to identify possible procedural errors, anomalies or violations of Department Rules and Regulations.

ITEM 6

Air Toxics

State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Tim Davis
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQA-248-26

M E M O R A N D U M

TO: Air Quality Board

FROM: Bryce C. Bird, Executive Secretary

DATE: April 8, 2026

SUBJECT: Air Toxics, Lead-Based Paint, and Asbestos (ATLAS) Section Compliance Activities – March 2026

Asbestos Demolition/Renovation NESHAP Inspections	25
Asbestos AHERA Inspections	0
Asbestos State Rules Only Inspections	26
Asbestos Notification Forms Accepted	166
Asbestos Telephone Calls	295
Asbestos Individuals Certifications Approved	100
Asbestos Company Certifications	10
Asbestos Alternate Work Practices Approved	3
Lead-Based Paint (LBP) Inspections	3
LBP Notification Forms Approved	2
LBP Telephone Calls	67
LBP Letters Prepared and Mailed	37
LBP Courses Reviewed/Approved	0
LBP Course Audits	1
LBP Individual Certifications Approved	35
LBP Firm Certifications	14

Notices of Violation Sent	0
Compliance Advisories Sent	7
Warning Letters Sent	5
Settlement Agreements Finalized	2

Penalties Agreed to:

Total HOA Solutions/John Davilla	$3,000.00
Abatement Testing Services/ Joseph Brooks and Robert Unsicker	$5,850.00
Total:	$8,850.00

State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Tim Davis
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQA-349-26

M E M O R A N D U M

TO: Air Quality Board

FROM: Bryce C. Bird, Executive Secretary

DATE: May 4, 2026

SUBJECT: Air Toxics, Lead-Based Paint, and Asbestos (ATLAS) Section Compliance Activities – April 2026

Asbestos Demolition/Renovation NESHAP Inspections	5
Asbestos AHERA Inspections	0
Asbestos State Rules Only Inspections	9
Asbestos Notification Forms Accepted	195
Asbestos Telephone Calls	369
Asbestos Individuals Certifications Approved	71
Asbestos Company Certifications	9
Asbestos Alternate Work Practices Approved	8
Lead-Based Paint (LBP) Inspections	12
LBP Notification Forms Approved	2
LBP Telephone Calls	69
LBP Letters Prepared and Mailed	0
LBP Courses Reviewed/Approved	0
LBP Course Audits	2
LBP Individual Certifications Approved	35
LBP Firm Certifications	10

Notices of Violation Sent	0
Compliance Advisories Sent	17
Warning Letters Sent	7
Settlement Agreements Finalized	1

Penalties Agreed to:

Red Rock Demolition, Inc. / Kay C Jolley	$1,500

Compliance

State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Tim Davis
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQC-395-26

M E M O R A N D U M

TO: Air Quality Board

FROM: Bryce C. Bird, Executive Secretary

DATE: April 7, 2026

SUBJECT: Compliance Activities – March 2026

ACTIVITIES:

Activity	Monthly Total
Inspections	87
On-Site Stack Test & CEM Audits	1
Stack Test & RATA Report Reviews	84
Emission Report Reviews	20
Temporary Relocation Request Reviews	10
Fugitive Dust Control Plan Reviews	152
Soil Remediation Report Reviews	3
Open Burn Permits Issued	1,194
Miscellaneous Inspections[1]	39
Complaints Received	37
Wood Burning Complaints Received	2
Breakdown Reports Received	2
Compliance Actions Resulting from a Breakdown	0
VOC Inspections (Gas station vapor recovery)	0
Warning Letters Issued	2
Notices of Violation Issued	0
Compliance Advisories Issued	23
No Further Action Letters Issued	1
Settlement Agreements Reached	1
Penalties Assessed	$1,509

[1]Miscellaneous inspections include, e.g., surveillance, complaint, on-site training, dust patrol, smoke patrol, open burning, etc.

195 North 1950 West • Salt Lake City, Utah
Mailing Address: P.O. Box 144820 • Salt Lake City, Utah 84114-4820
Telephone (801) 536-4000 • Fax (801)536-4099 • T.D.D. (801) 536-4284
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SETTLEMENT AGREEMENTS:

Party	Amount
Redmond Minerals	$1,509

UNRESOLVED NOTICES OF VIOLATION:

Party	Date Issued
Citation Oil and Gas (in administrative litigation)	01/15/2020
Uinta Wax Operating (formerly CH4 Finley)	07/24/2020
Finley Resources	09/15/2022
Holcim/Amrize	12/19/2023
Holcim/Amrize	03/27/2024
Holcim/Amrize	08/02/2024
CKC Operations, LLC	02/18/2025
Bedrock Sand & Gravel	05/21/2025
Ash Grove Cement (2)	10/30/2025
CUR Henry Mountains Uranium (Tony M Mine)	11/20/2025

State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Tim Davis
Commissioner

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQC-526-26

M E M O R A N D U M

TO: Air Quality Board

FROM: Bryce C. Bird, Executive Secretary

DATE: May 11, 2026

SUBJECT: Compliance Activities – April 2026

ACTIVITIES:

Activity	Monthly Total
Inspections	92
On-Site Stack Test & CEM Audits	1
Stack Test & RATA Report Reviews	54
Emission Report Reviews	30
Temporary Relocation Request Reviews	4
Fugitive Dust Control Plan Reviews	164
Soil Remediation Report Reviews	3
Open Burn Permits Issued	2201
Miscellaneous Inspections[1]	4
Complaints Received	29
Wood Burning Complaints Received	1
Breakdown Reports Received	6
Compliance Actions Resulting from a Breakdown	0
VOC Inspections (Gas station vapor recovery)	0
Warning Letters Issued	1
Notices of Violation Issued	0
Compliance Advisories Issued	16
No Further Action Letters Issued	0
Settlement Agreements Reached	3
Penalties Assessed	$4,908

[1]Miscellaneous inspections include, e.g., surveillance, complaint, on-site training, dust patrol, smoke patrol, open burning, etc.

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SETTLEMENT AGREEMENTS:

Party	Amount
CUR Henry Mountains Uranium (Tony M Mine)	$449
Kilgore Companies – Mona Pit	$3,988
Savage Services Corporation	$471

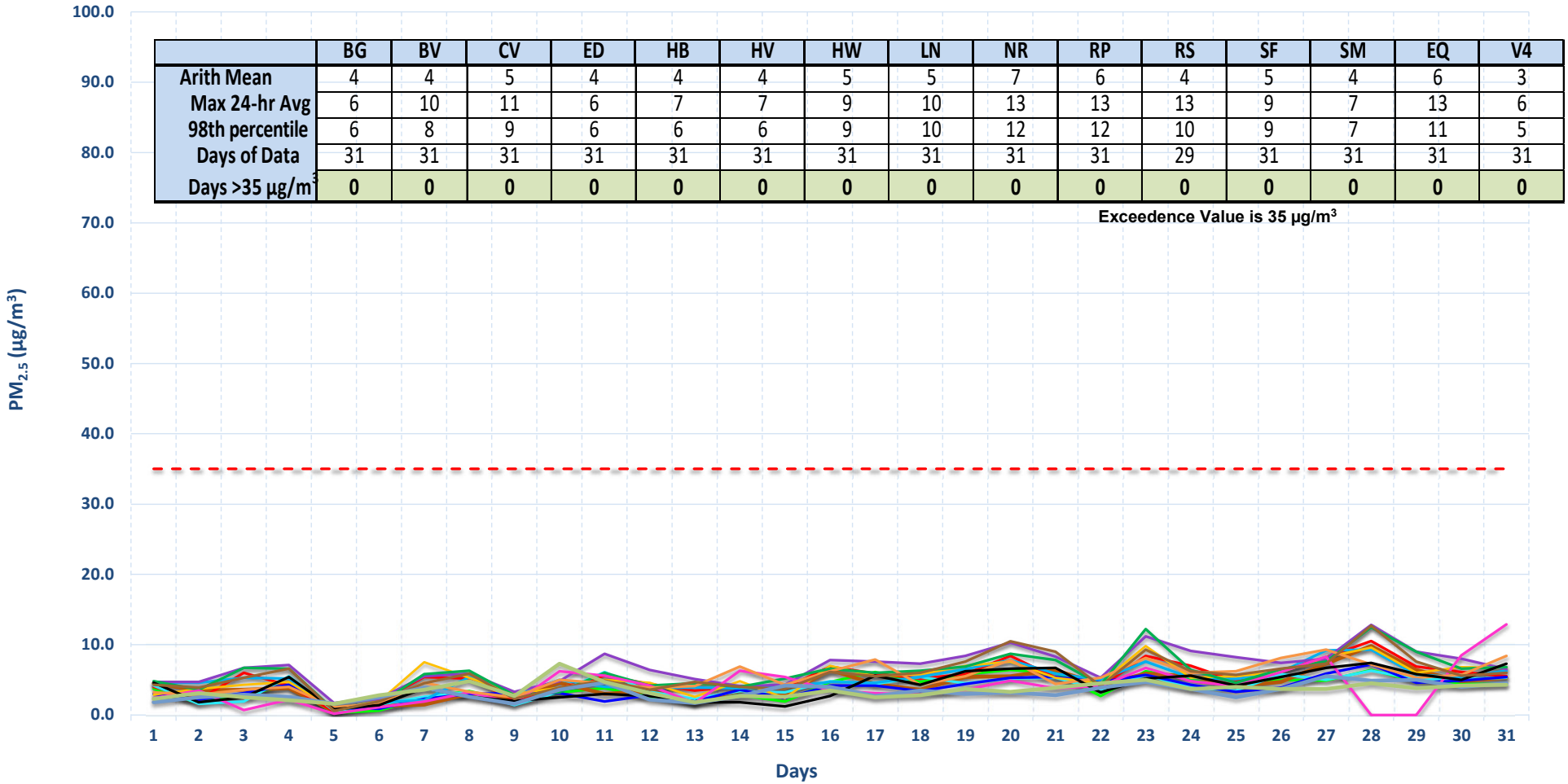
UNRESOLVED NOTICES OF VIOLATION:

Party	Date Issued
Citation Oil and Gas (in administrative litigation)	01/15/2020
Uinta Wax Operating (formerly CH4 Finley)	07/24/2020
Finley Resources	09/15/2022
Holcim/Amrize	12/19/2023
Holcim/Amrize	03/27/2024
Holcim/Amrize	08/02/2024
CKC Operations, LLC	02/18/2025
Bedrock Sand & Gravel	05/21/2025
Ash Grove Cement (2)	10/30/2025

Monitoring

Utah 24-Hr $PM_{2.5}$ Data March 2026

	BG	BV	CV	ED	HB	HV	HW	LN	NR	RP	RS	SF	SM	EQ	V4
Arith Mean	4	4	5	4	4	4	5	5	7	6	4	5	4	6	3
Max 24-hr Avg	6	10	11	6	7	7	9	10	13	13	13	9	7	13	6
98th percentile	6	8	9	6	6	6	9	10	12	12	10	9	7	11	5
Days of Data	31	31	31	31	31	31	31	31	31	31	29	31	31	31	31
Days >35 µg/m³	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0



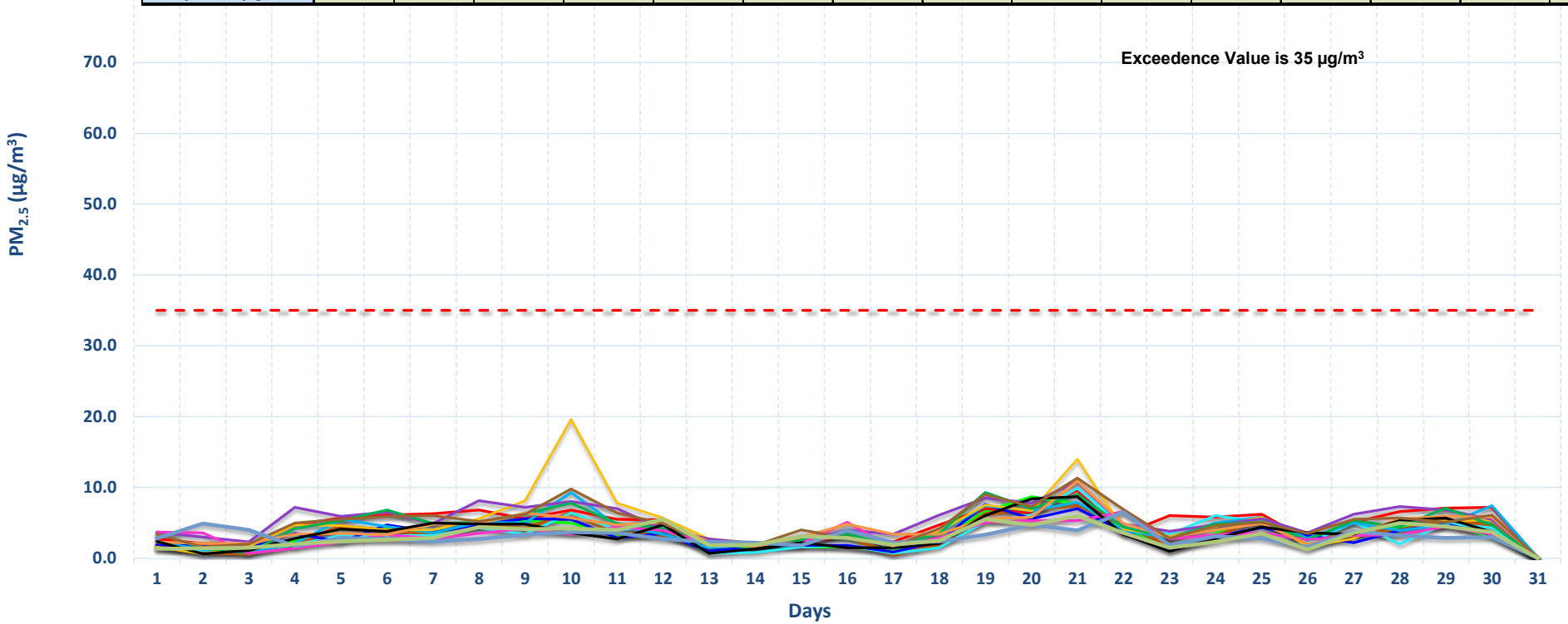
Brigham City
Bountiful
Copperview
Erda
Harrisville
Hawthorne
Lindon
Near road
Rose Park
Roosevelt
Spanish Fork
Smithfield
Environmental Quality *
Vernal
24-hr Exceedence Value is 35 µg/m3
Heber

* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)

Utah Division of Air Quality

Utah 24-Hr $PM_{2.5}$ Data April 2026

	BG	BV	CV	ED	HB	HV	HW	LN	NR	RP	RS	SF	SM	EQ	V4
Arith Mean	4	4	5	3	3	3	4	5	5	5	3	4	4	5	3
Max 24-hr Avg	9	8	10	10	6	8	9	20	11	9	7	11	9	11	7
98th percentile	8	7	8	8	6	7	8	16	9	9	6	8	9	10	6
Days of Data	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30
Days >35 µg/m³	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0



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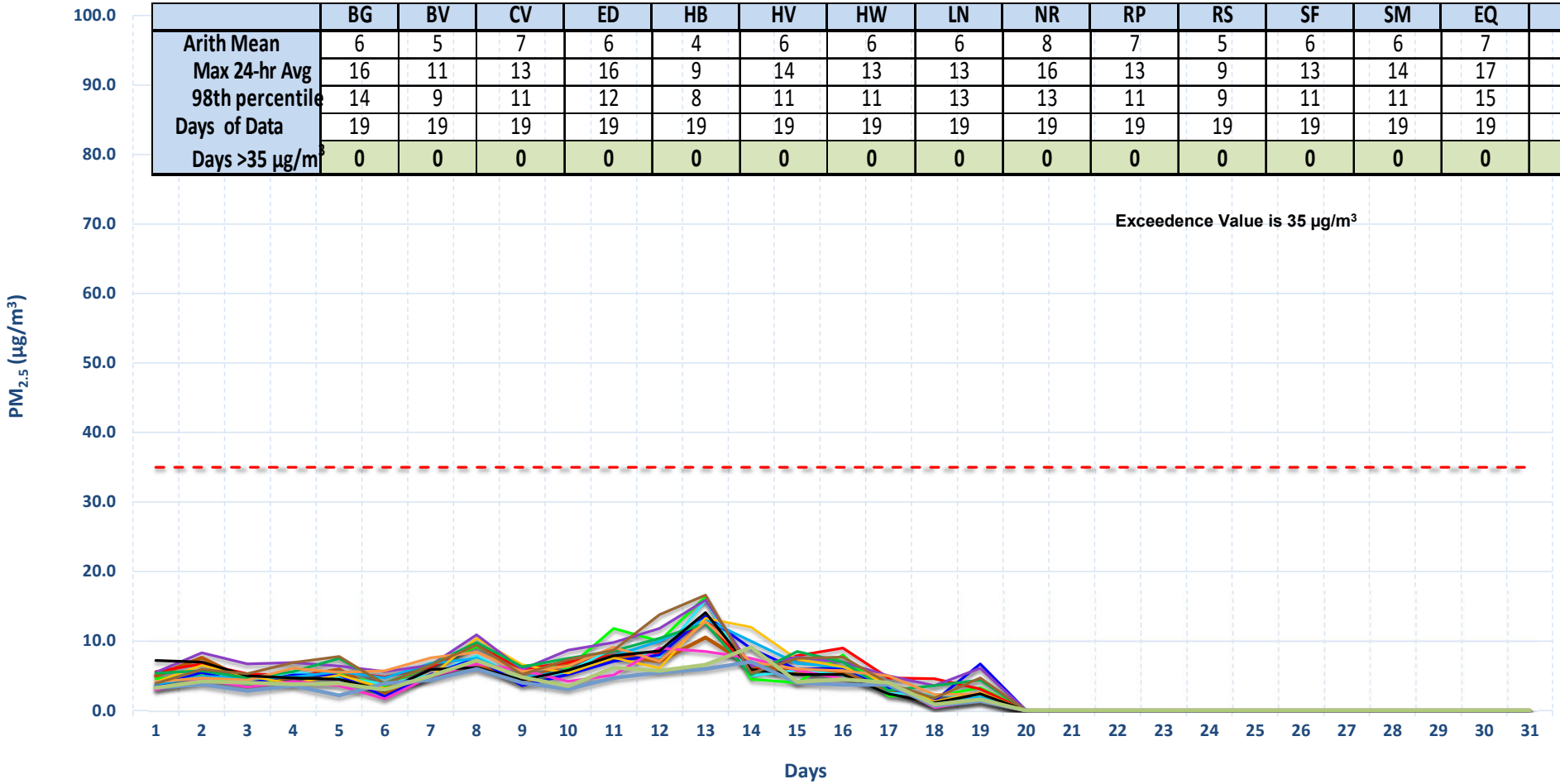
Utah Division of Air Quality

Utah 24-Hr $PM_{2.5}$ Data May 2026

	BG	BV	CV	ED	HB	HV	HW	LN	NR	RP	RS	SF	SM	EQ	V4
Arith Mean	6	5	7	6	4	6	6	6	8	7	5	6	6	7	4
Max 24-hr Avg	16	11	13	16	9	14	13	13	16	13	9	13	14	17	7
98th percentile	14	9	11	12	8	11	11	13	13	11	9	11	11	15	6
Days of Data	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19
Days >35 µg/m³	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0



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Environmental Quality *
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24-hr Exceedence Value is 35 µg/m3
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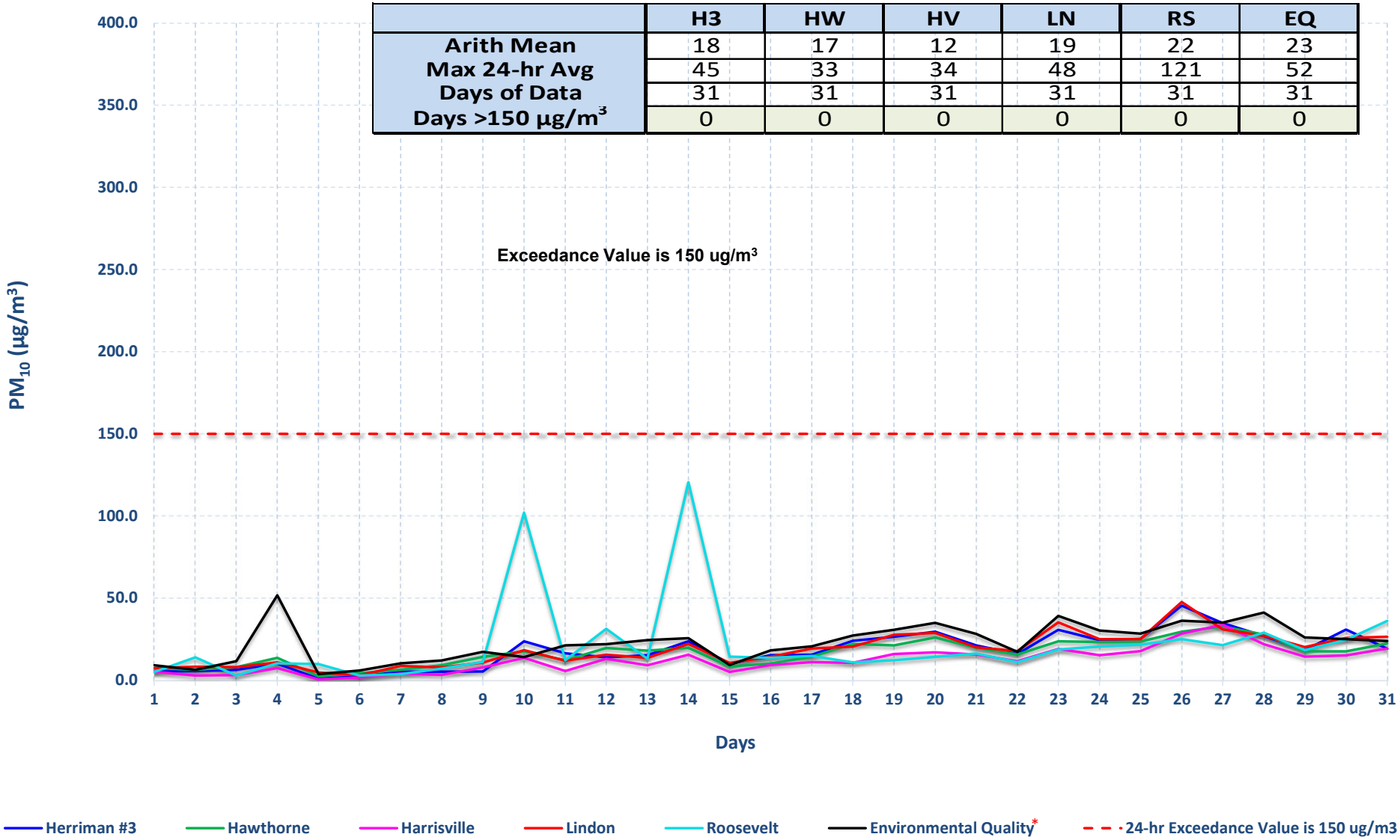
* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)

Utah 24-hr PM_{10} Data March 2026

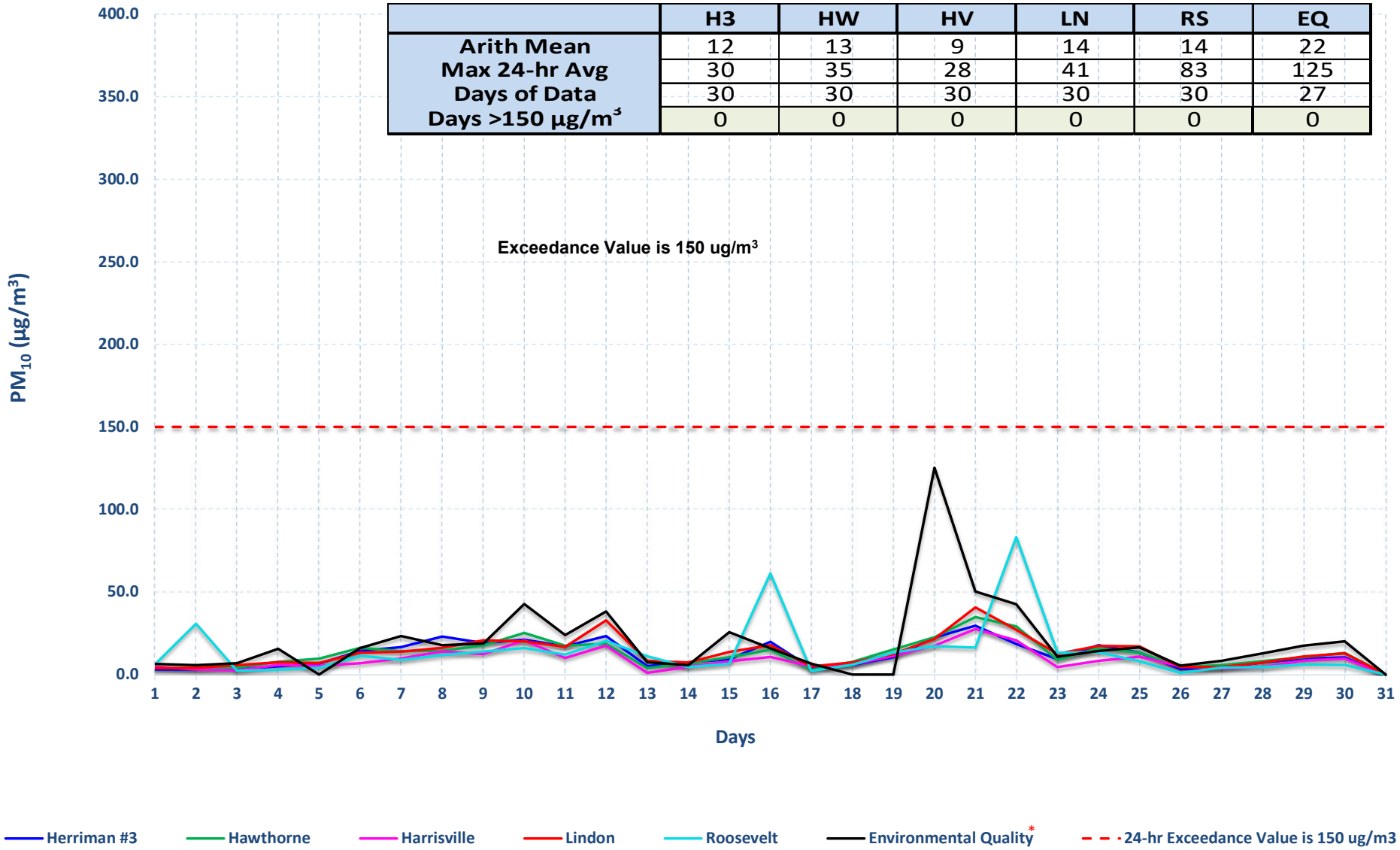
	H3	HW	HV	LN	RS	EQ
Arith Mean	18	17	12	19	22	23
Max 24-hr Avg	45	33	34	48	121	52
Days of Data	31	31	31	31	31	31
Days >150 µg/m³	0	0	0	0	0	0



* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)

Utah 24-hr PM_{10} Data April 2026

	H3	HW	HV	LN	RS	EQ
Arith Mean	12	13	9	14	14	22
Max 24-hr Avg	30	35	28	41	83	125
Days of Data	30	30	30	30	30	27
Days >150 µg/m³	0	0	0	0	0	0

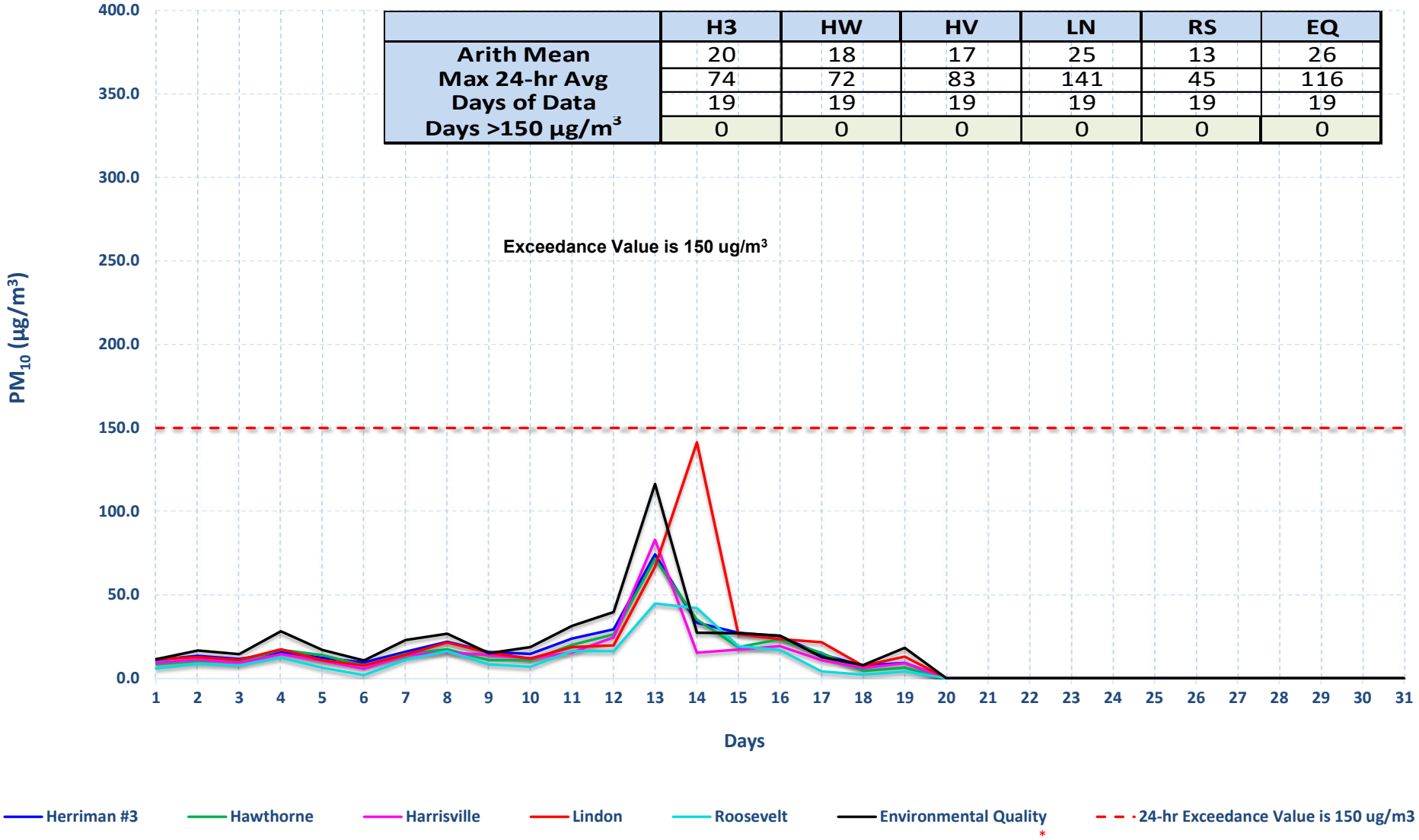


* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)

Utah Division of Air Quality

Utah 24-hr PM_{10} Data May 2026

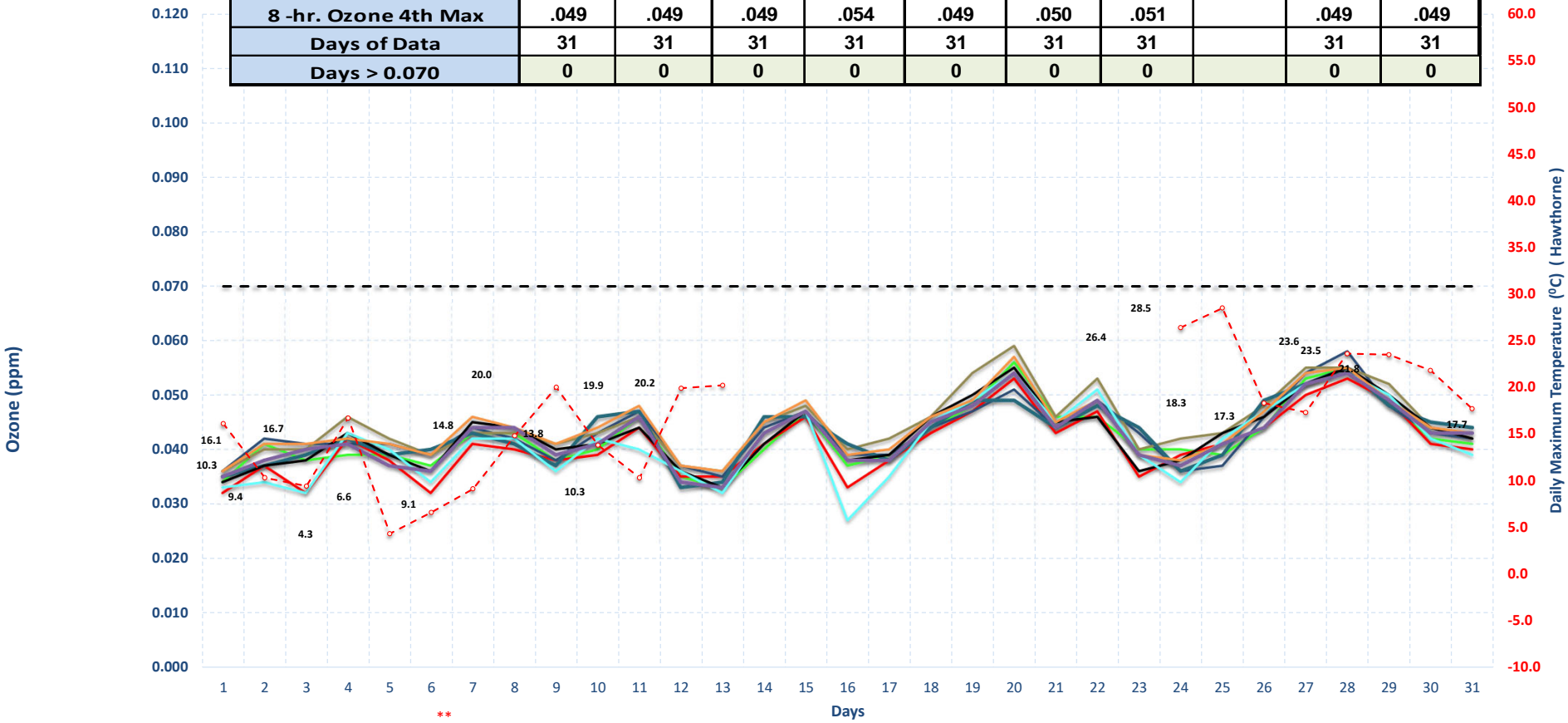
	H3	HW	HV	LN	RS	EQ
Arith Mean	20	18	17	25	13	26
Max 24-hr Avg	74	72	83	141	45	116
Days of Data	19	19	19	19	19	19
Days >150 µg/m³	0	0	0	0	0	0



* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)

Highest 8-hr Ozone Concentration & Daily Maximum Temperature March 2026

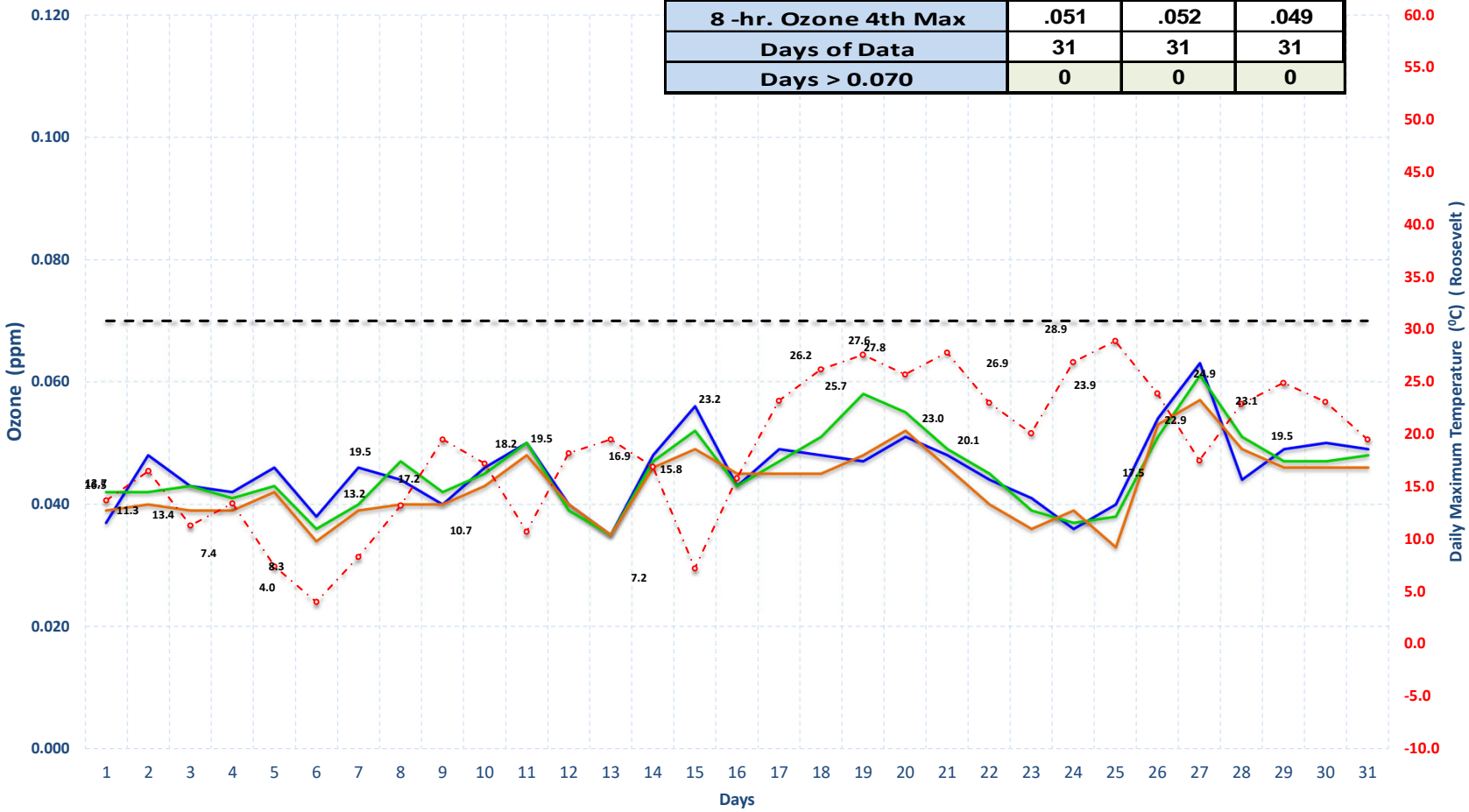
O3 Mar 2026	BV	CV	ED	H3	HV	HW	NR	RB	RP	EQ
Arith Mean	.042	.041	.043	.045	.043	.043	.041		.044	.042
8 -hr. Ozone 4th Max	.049	.049	.049	.054	.049	.050	.051		.049	.049
Days of Data	31	31	31	31	31	31	31		31	31
Days > 0.070	0	0	0	0	0	0	0		0	0



* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)
** Controlling Monitor

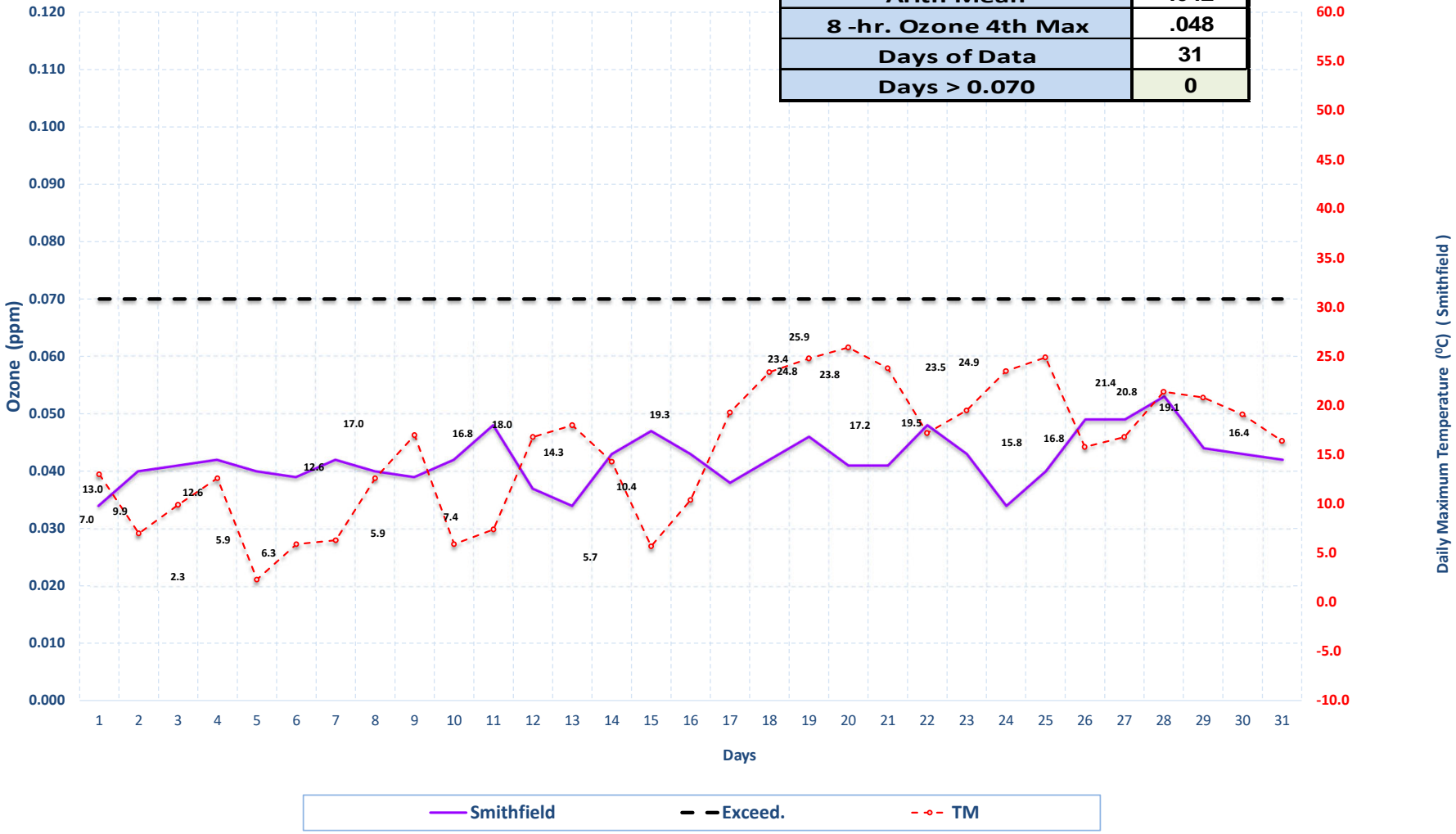
Highest 8-hr Ozone Concentration & Daily Maximum Temperature March 2026

	P2	RS	V4
Arith Mean	.046	.046	.043
8 -hr. Ozone 4th Max	.051	.052	.049
Days of Data	31	31	31
Days > 0.070	0	0	0



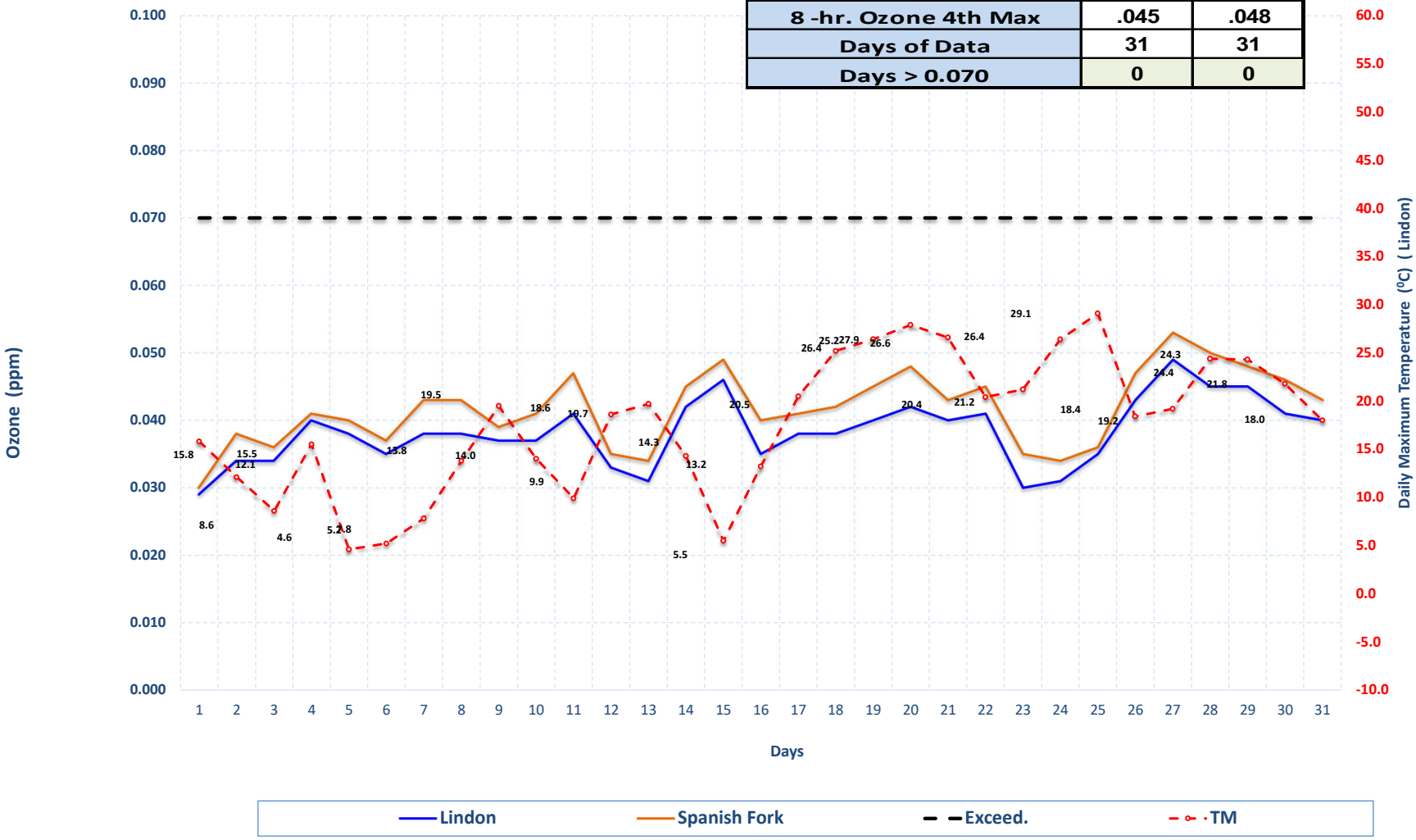
Highest 8-hr Ozone Concentration & Daily Maximum Temperature March 2026

	SM
Arith Mean	.042
8 -hr. Ozone 4th Max	.048
Days of Data	31
Days > 0.070	0



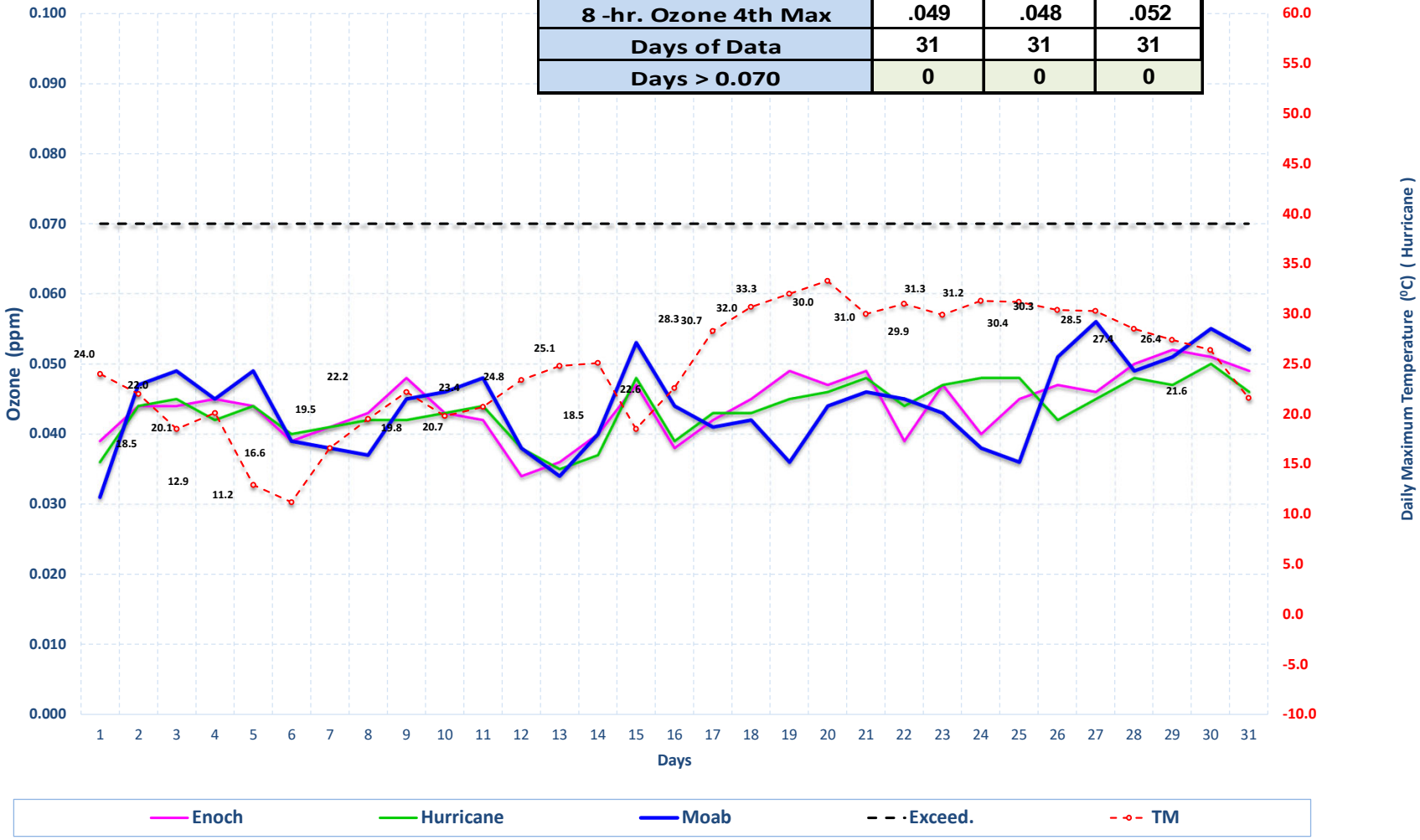
Highest 8-hr Ozone Concentration & Daily Maximum Temperature March 2026

	LN	SF
Arith Mean	.038	.042
8 -hr. Ozone 4th Max	.045	.048
Days of Data	31	31
Days > 0.070	0	0



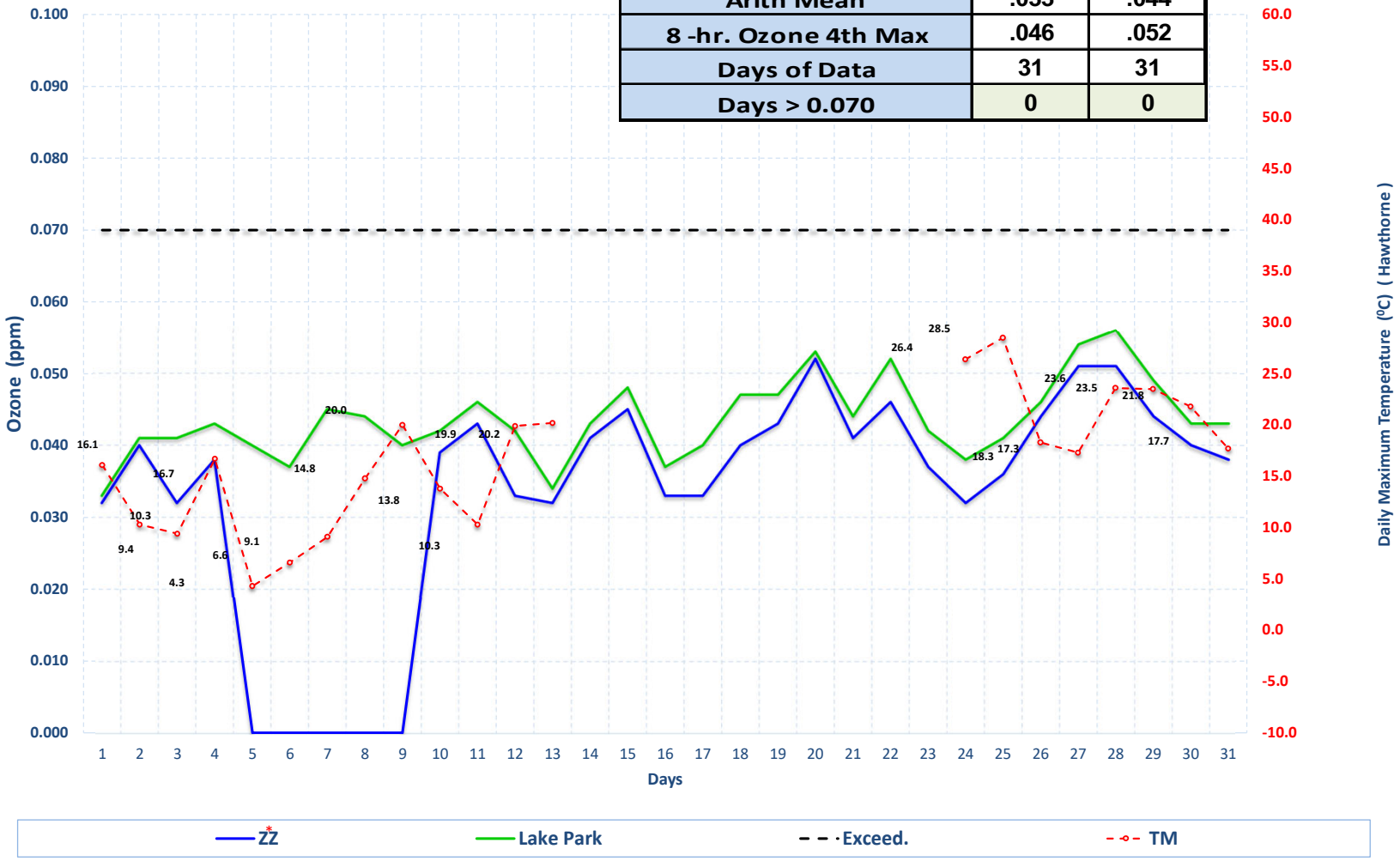
Highest 8-hr Ozone Concentration & Daily Maximum Temperature March 2026

	EN	HC	M7
Arith Mean	.044	.044	.044
8 -hr. Ozone 4th Max	.049	.048	.052
Days of Data	31	31	31
Days > 0.070	0	0	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature March 2026
Stations Monitoring the Inland Port Development

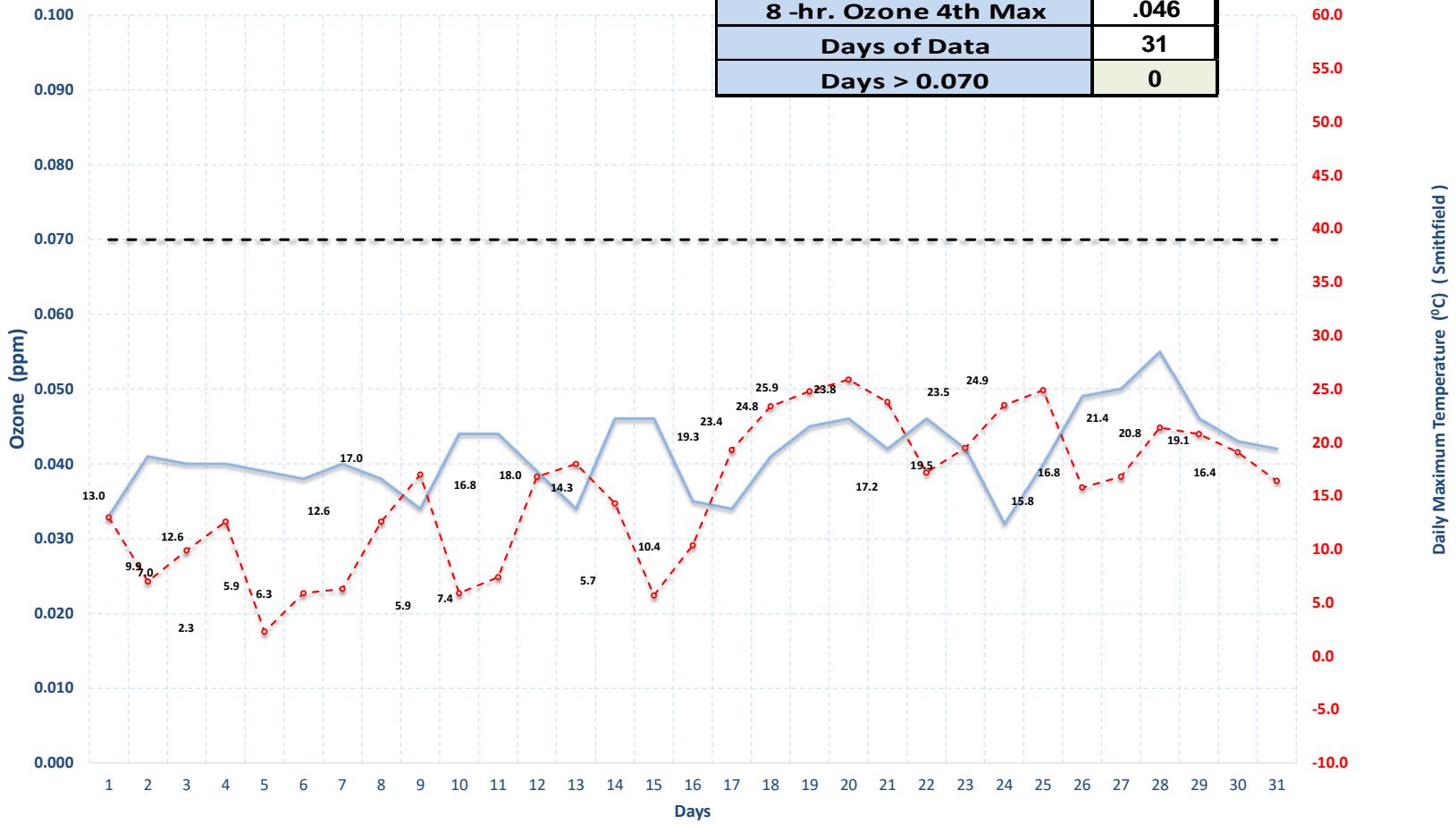
	ZZ	LP
Arith Mean	.033	.044
8 -hr. Ozone 4th Max	.046	.052
Days of Data	31	31
Days > 0.070	0	0



* **ZZ** is located at the New Utah State Prison (1480 North 8000 West, SLC).
This site was previously named **IP**

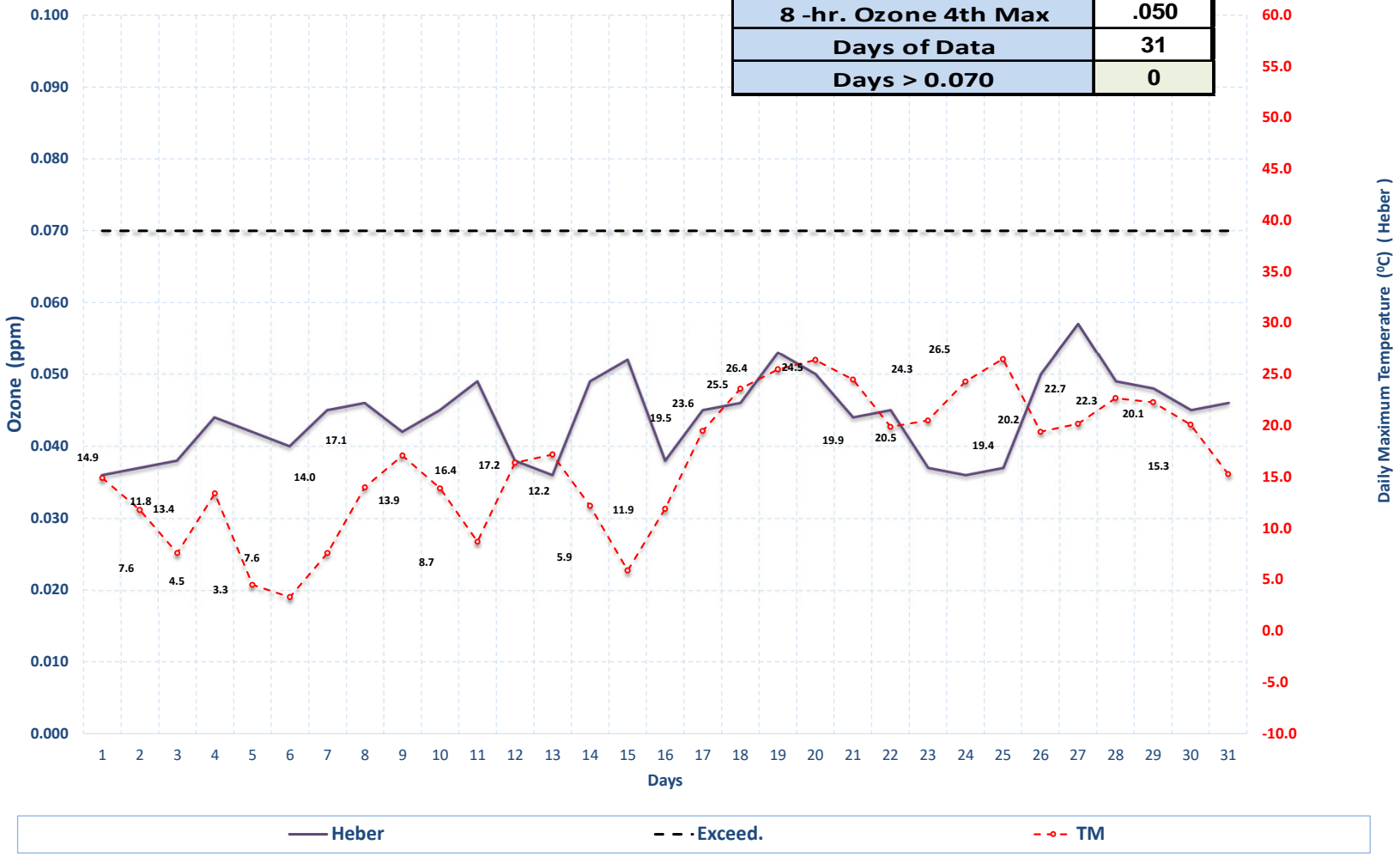
Highest 8-hr Ozone Concentration & Daily Maximum Temperature March 2026

	BG
Arith Mean	.041
8 -hr. Ozone 4th Max	.046
Days of Data	31
Days > 0.070	0



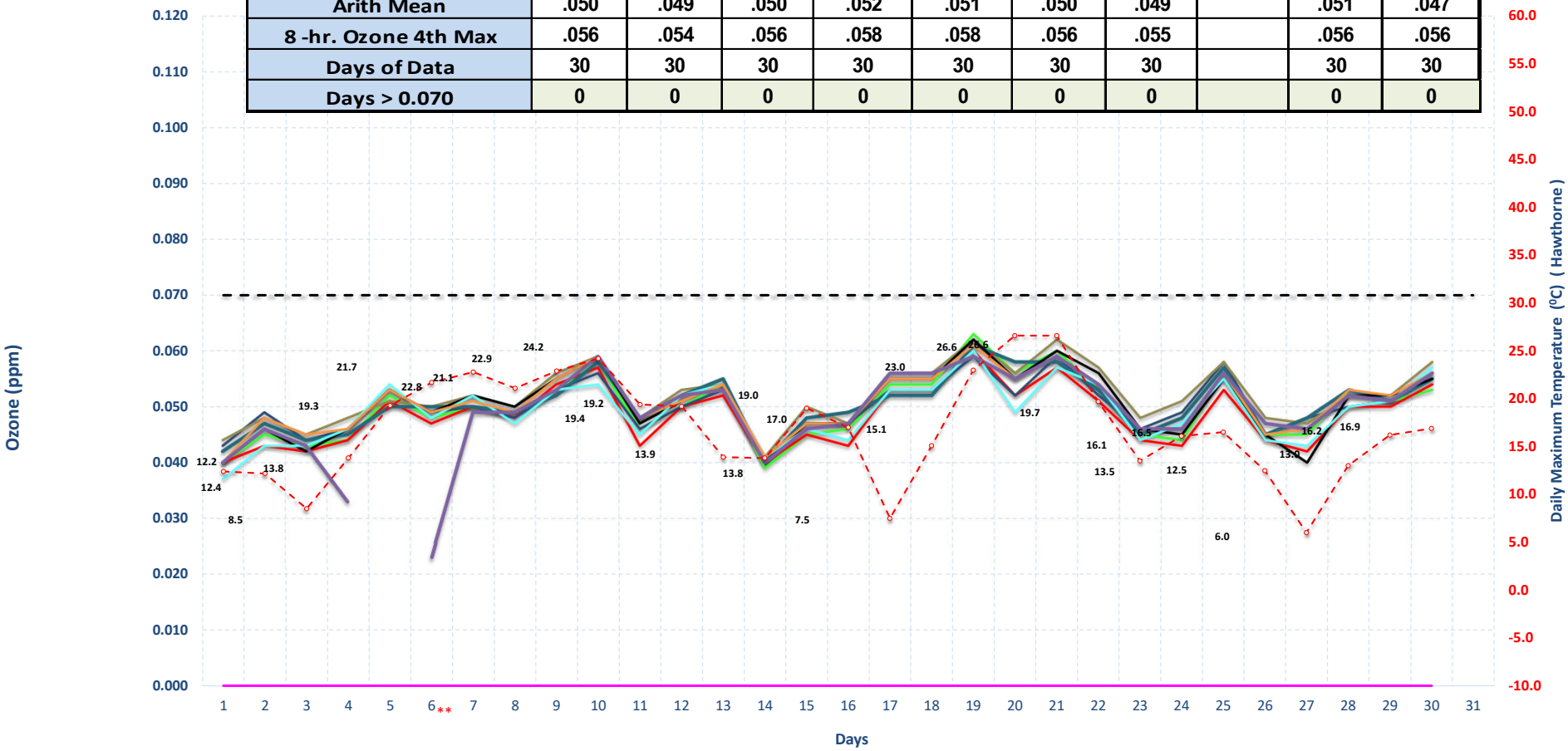
Highest 8-hr Ozone Concentration & Daily Maximum Temperature March 2026

	HB
Arith Mean	.044
8 -hr. Ozone 4th Max	.050
Days of Data	31
Days > 0.070	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature April 2026

O3 Apr 2026	BV	CV	ED	H3	HV	HW	NR	RB	RP	EQ
Arith Mean	.050	.049	.050	.052	.051	.050	.049		.051	.047
8 -hr. Ozone 4th Max	.056	.054	.056	.058	.058	.056	.055		.056	.056
Days of Data	30	30	30	30	30	30	30		30	30
Days > 0.070	0	0	0	0	0	0	0		0	0

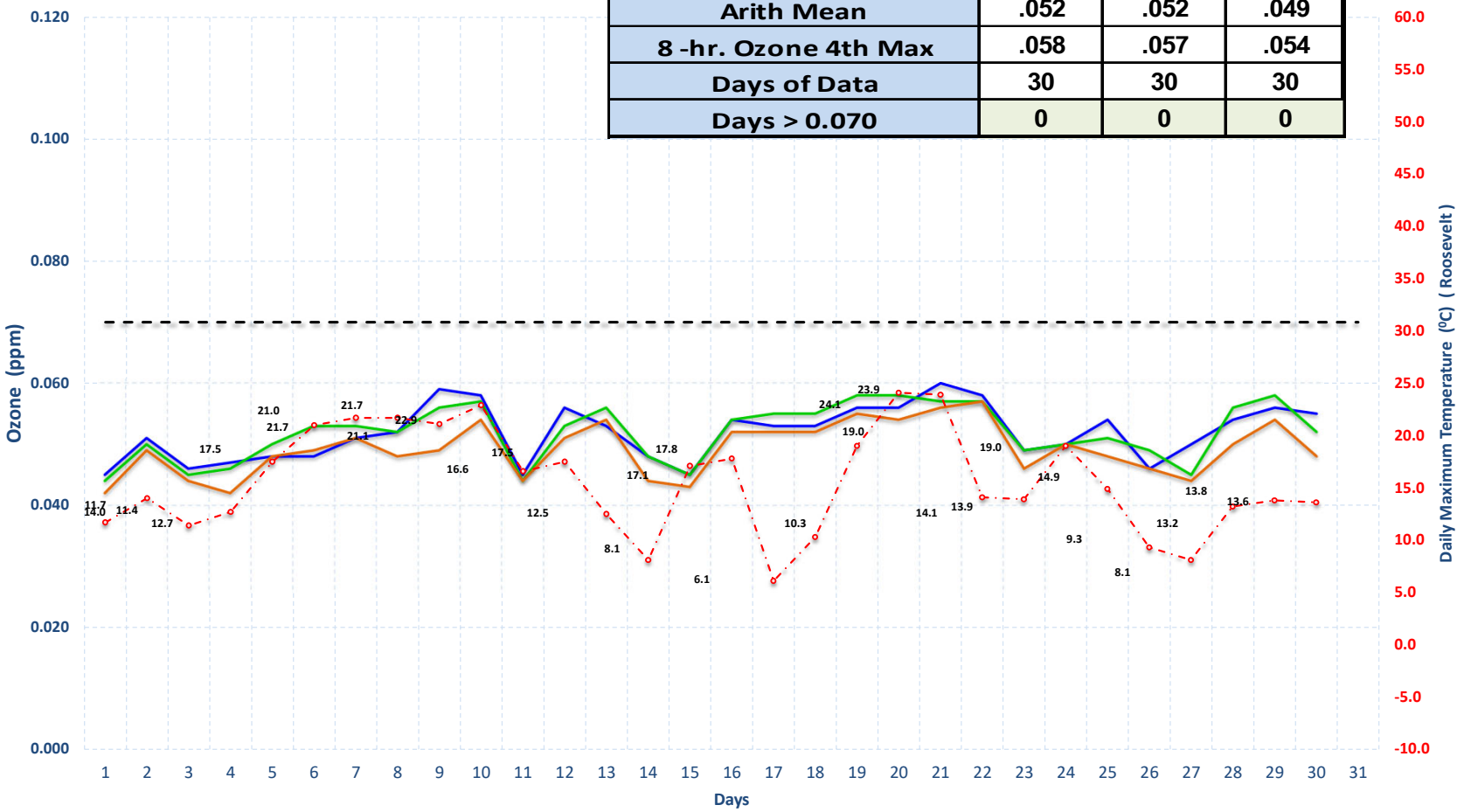


Bountiful | Copperview | Erda | Herriman #3 | Harrisville | Hawthorne
Near Road | Red Butte | Rose Park | Environmental Quality * | Exceed. | TM

* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)
** Controlling Monitor

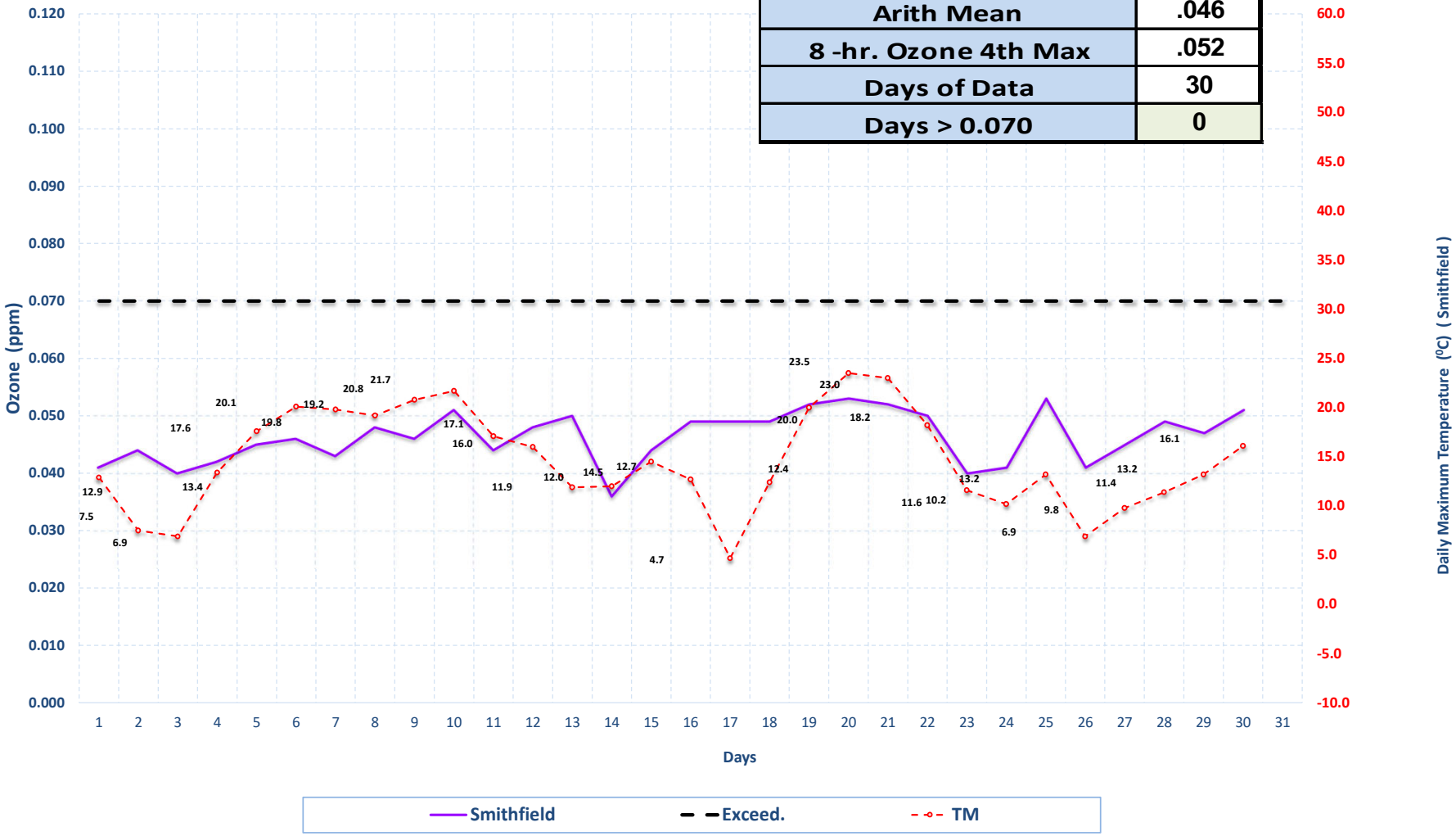
Highest 8-hr Ozone Concentration & Daily Maximum Temperature April 2026

	P2	RS	V4
Arith Mean	.052	.052	.049
8 -hr. Ozone 4th Max	.058	.057	.054
Days of Data	30	30	30
Days > 0.070	0	0	0



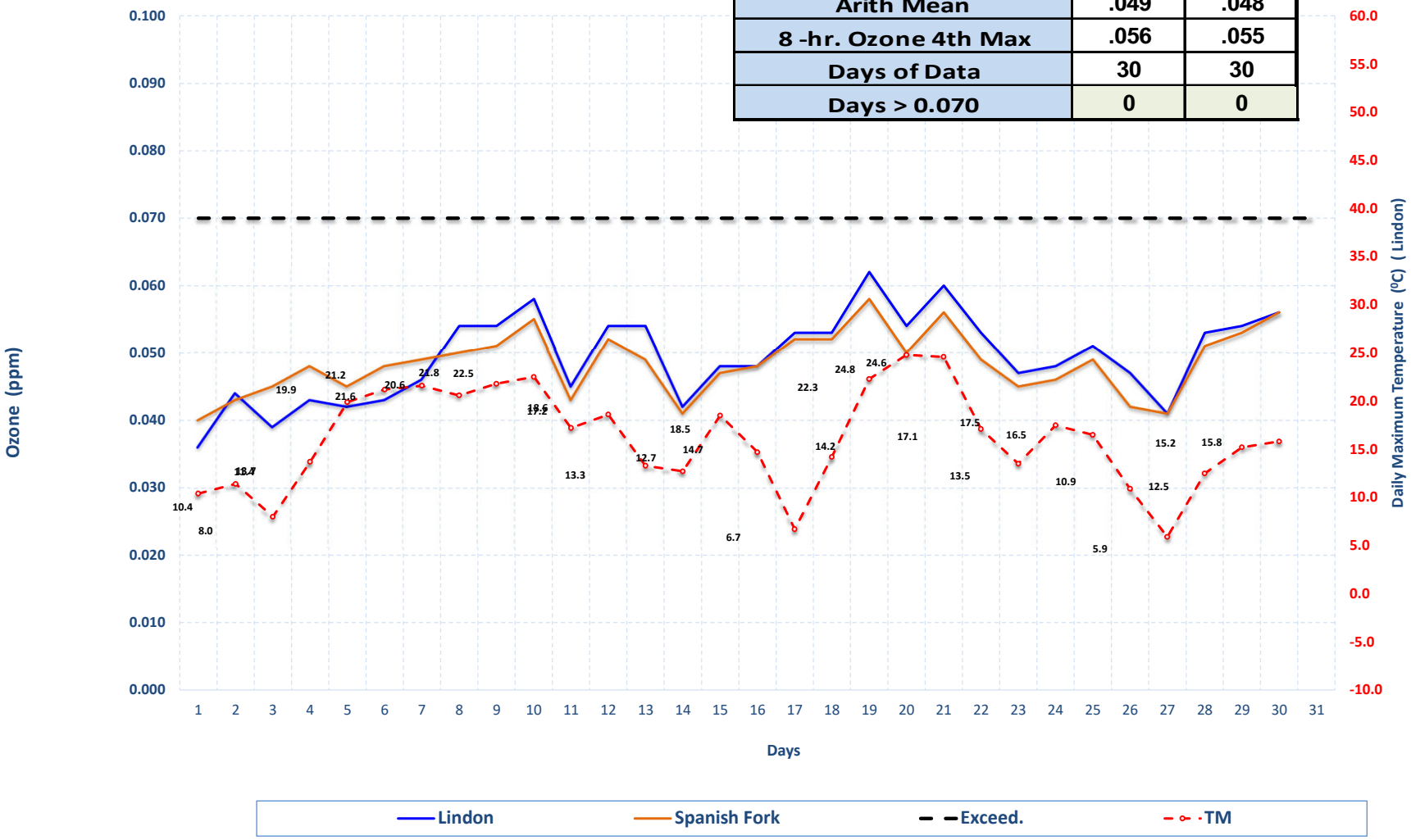
Highest 8-hr Ozone Concentration & Daily Maximum Temperature April 2026

	SM
Arith Mean	.046
8 -hr. Ozone 4th Max	.052
Days of Data	30
Days > 0.070	0



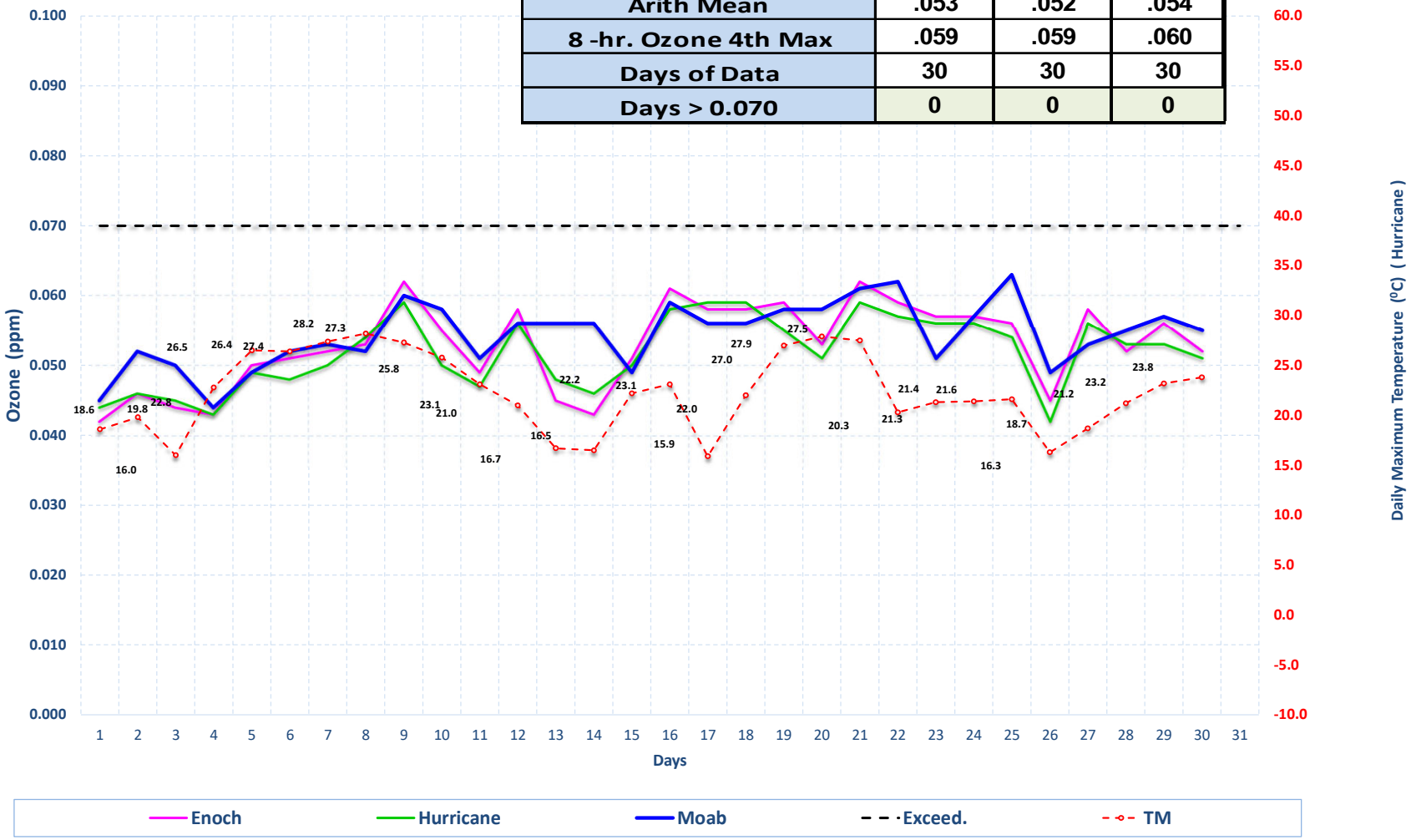
Highest 8-hr Ozone Concentration & Daily Maximum Temperature April 2026

	LN	SF
Arith Mean	.049	.048
8 -hr. Ozone 4th Max	.056	.055
Days of Data	30	30
Days > 0.070	0	0



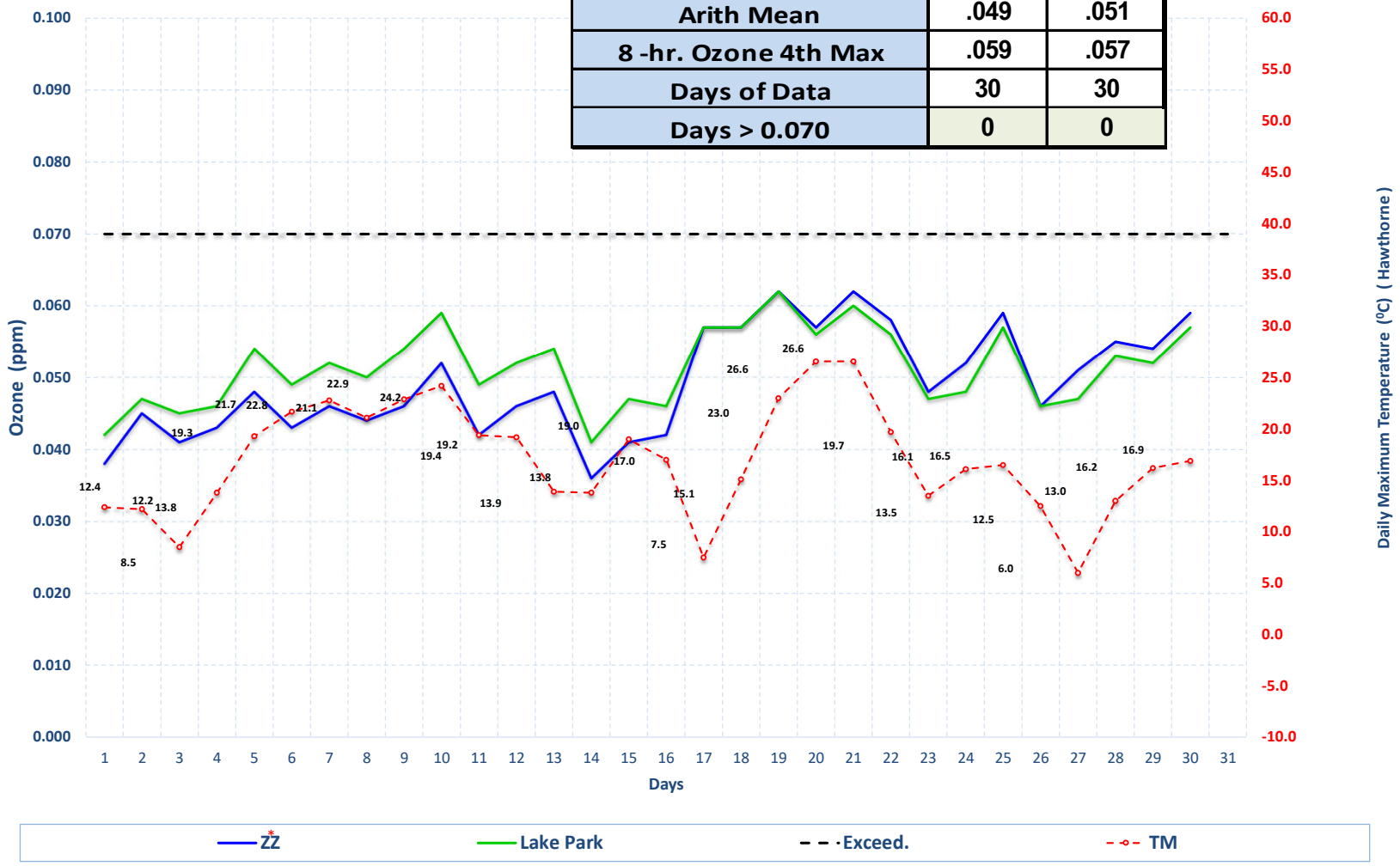
Highest 8-hr Ozone Concentration & Daily Maximum Temperature April 2026

	EN	HC	M7
Arith Mean	.053	.052	.054
8 -hr. Ozone 4th Max	.059	.059	.060
Days of Data	30	30	30
Days > 0.070	0	0	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature April 2026
Stations Monitoring the Inland Port Development

	ZZ	LP
Arith Mean	.049	.051
8 -hr. Ozone 4th Max	.059	.057
Days of Data	30	30
Days > 0.070	0	0



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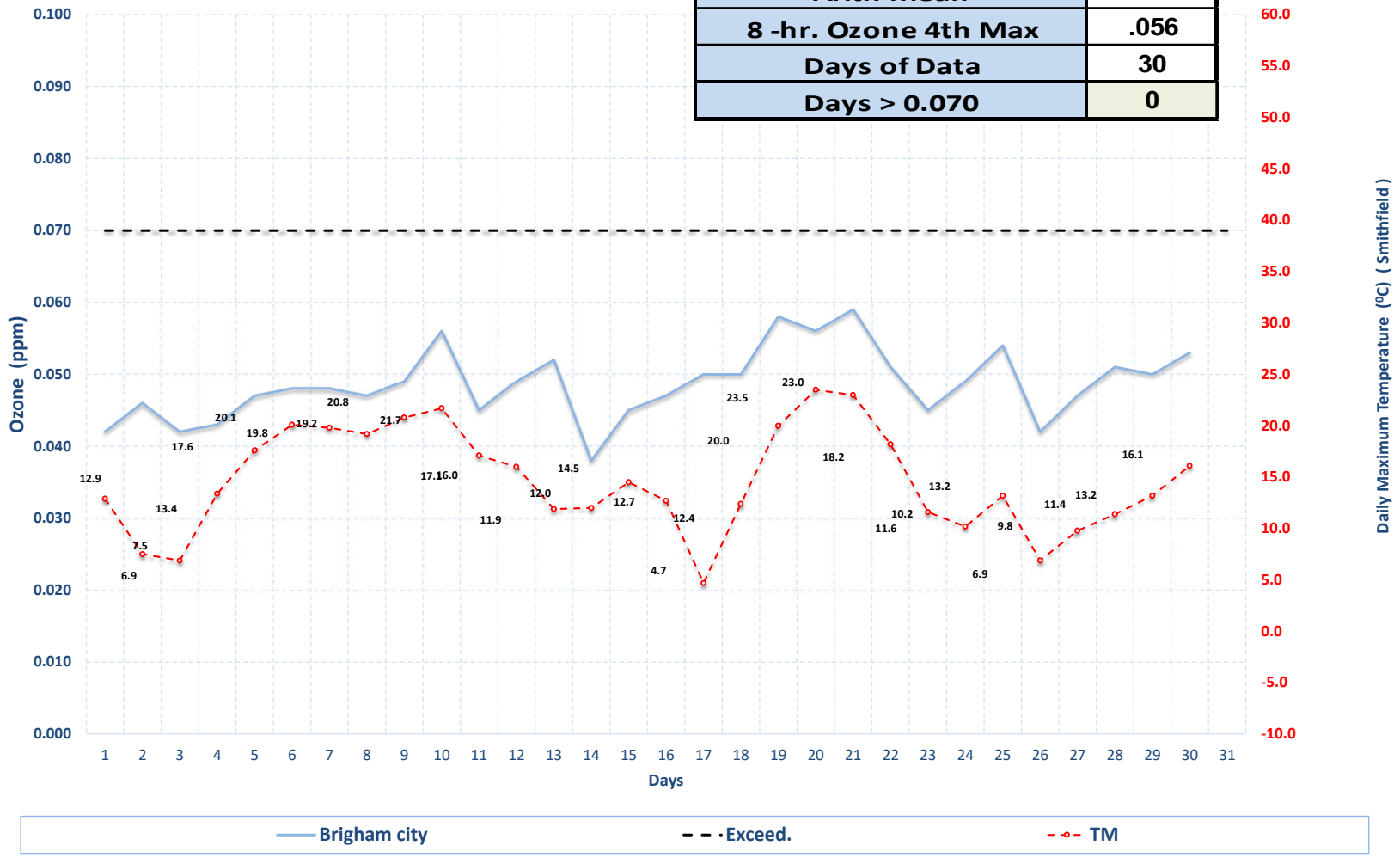
This site was previously named **IP**

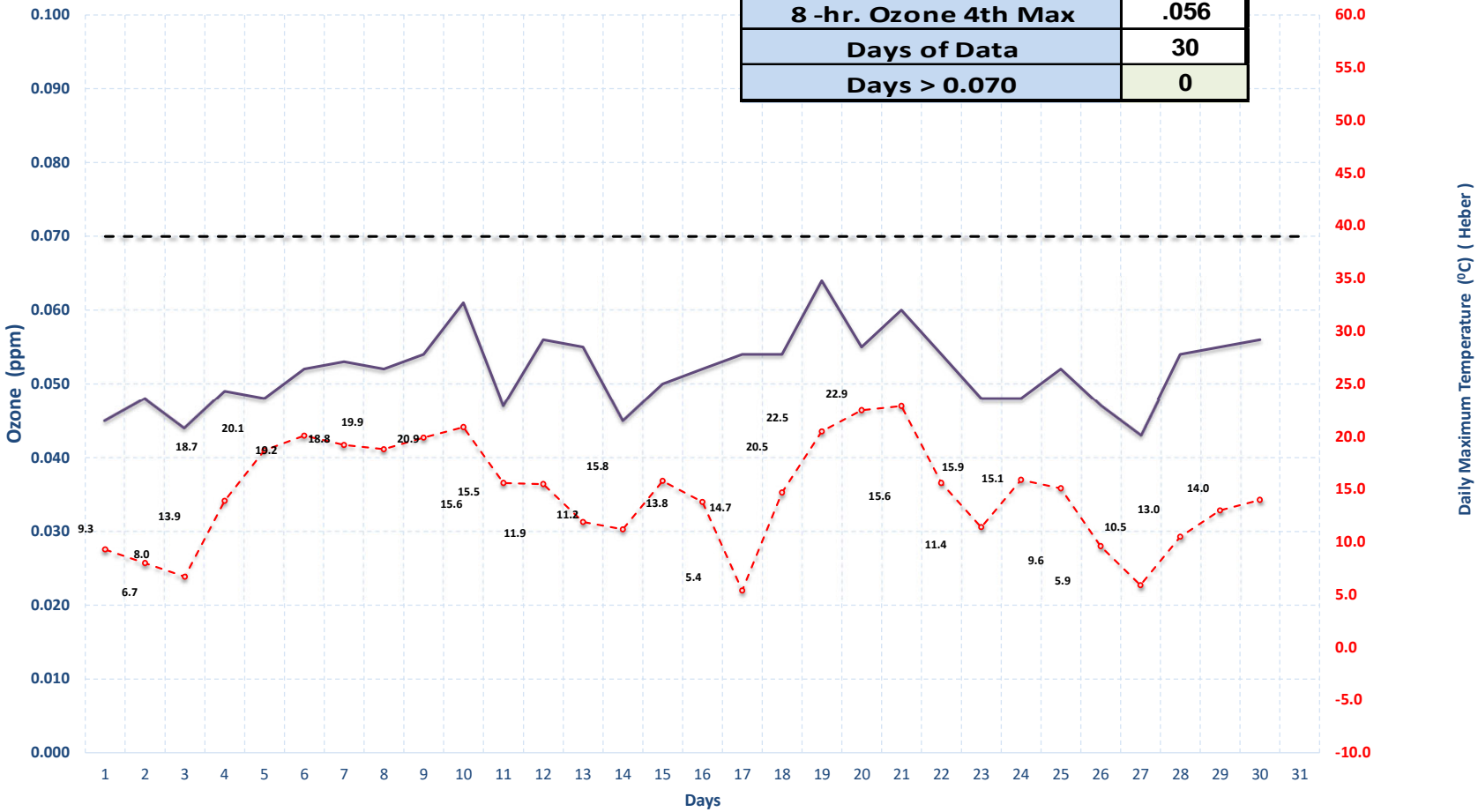
Highest 8-hr Ozone Concentration & Daily Maximum Temperature April 2026

	BG
Arith Mean	.049
8 -hr. Ozone 4th Max	.056
Days of Data	30
Days > 0.070	0



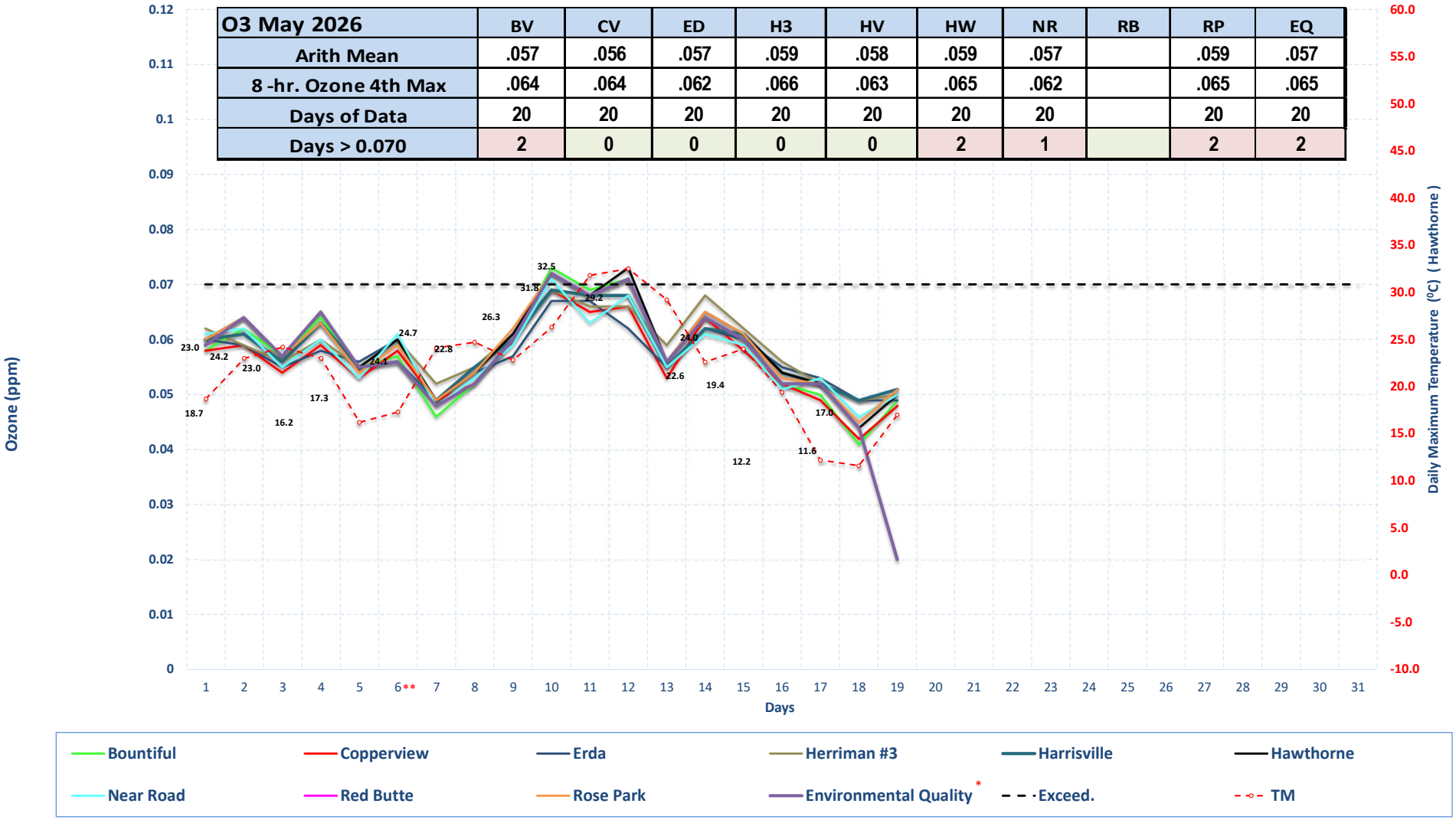
Highest 8-hr Ozone Concentration & Daily Maximum Temperature April 2026

	HB
Arith Mean	.052
8 -hr. Ozone 4th Max	.056
Days of Data	30
Days > 0.070	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature May 2026

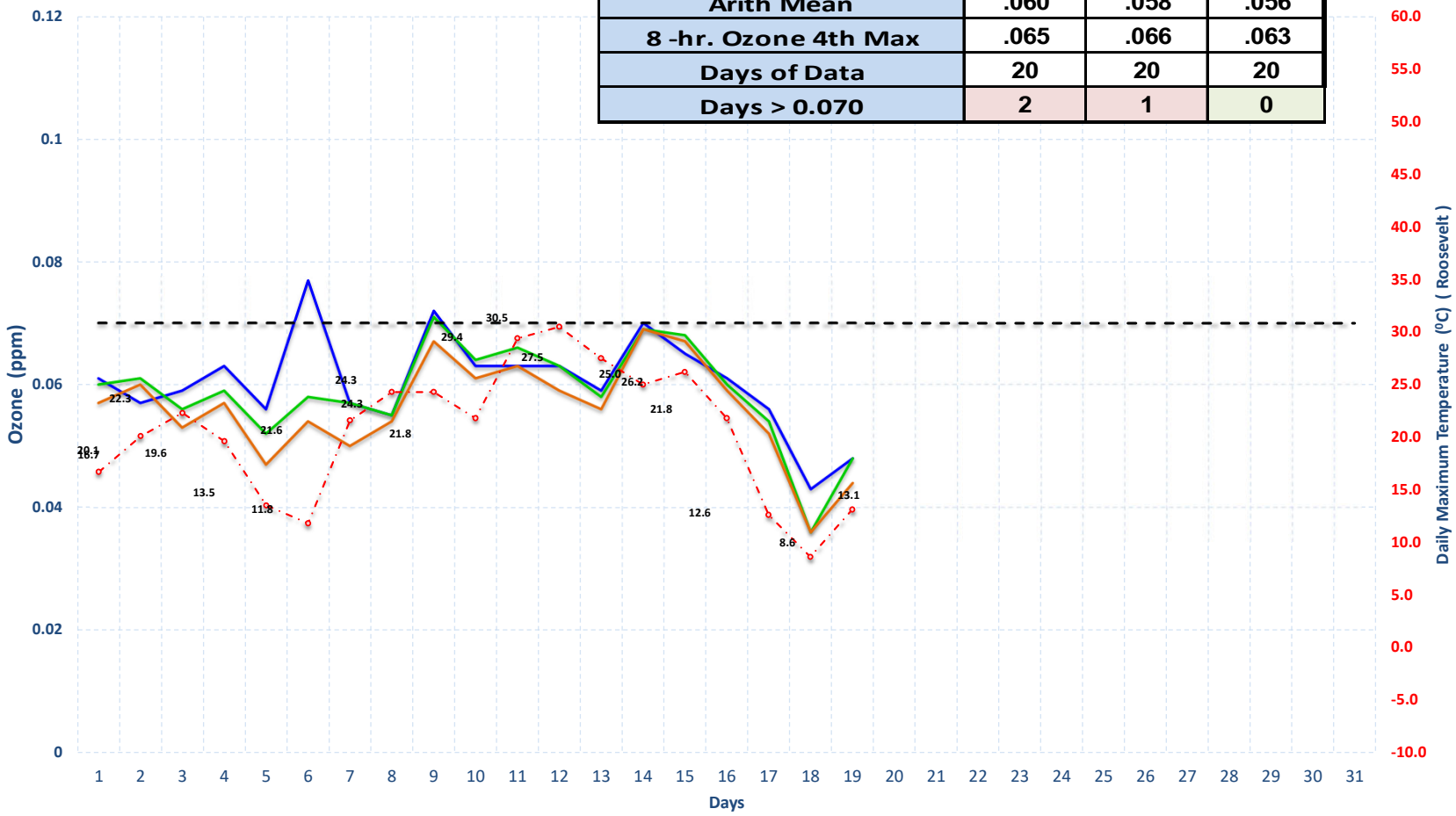
O3 May 2026	BV	CV	ED	H3	HV	HW	NR	RB	RP	EQ
Arith Mean	.057	.056	.057	.059	.058	.059	.057		.059	.057
8 -hr. Ozone 4th Max	.064	.064	.062	.066	.063	.065	.062		.065	.065
Days of Data	20	20	20	20	20	20	20		20	20
Days > 0.070	2	0	0	0	0	2	1		2	2



* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)
** Controlling Monitor

Highest 8-hr Ozone Concentration & Daily Maximum Temperature May 2026

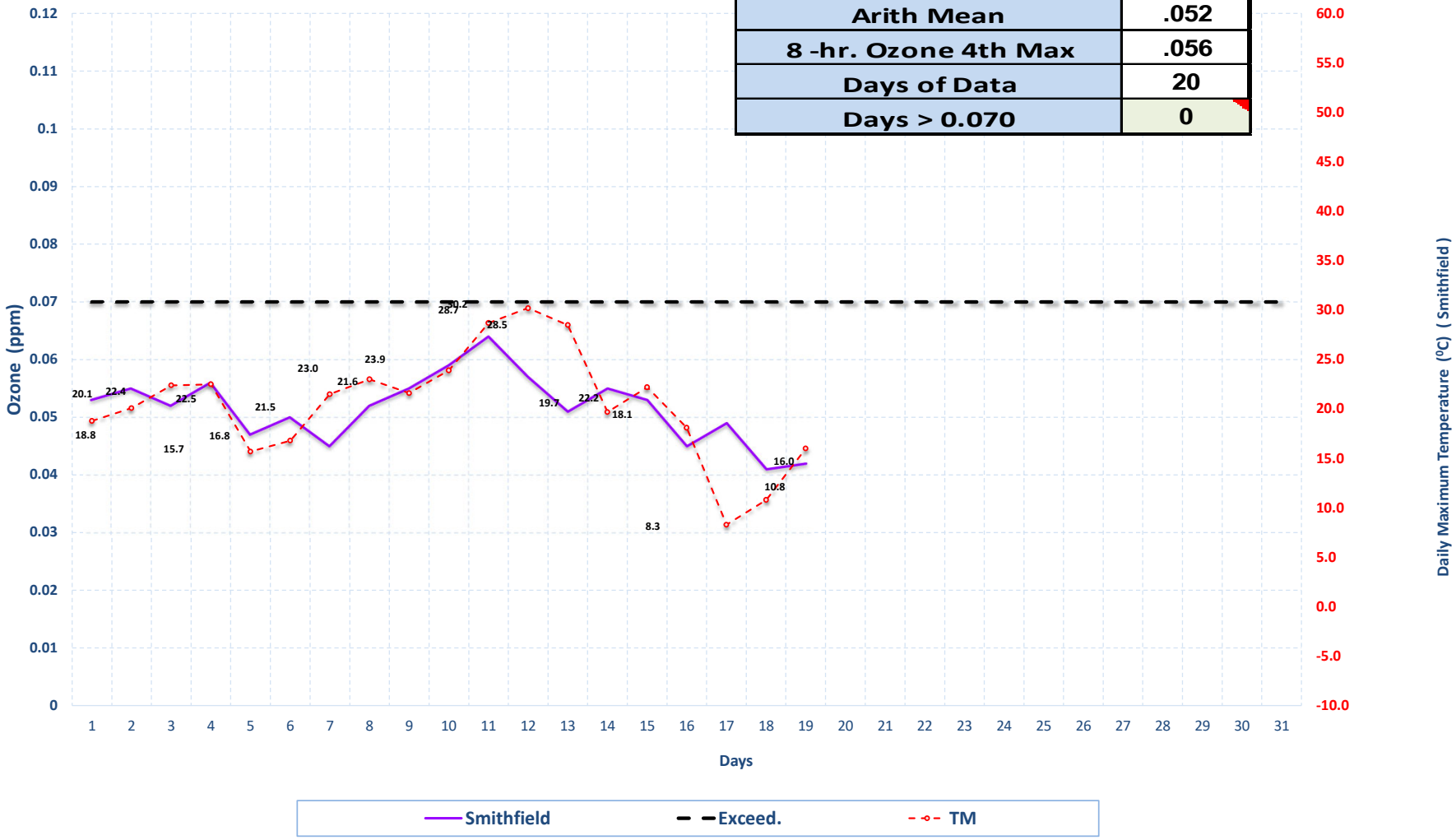
	P2	RS	V4
Arith Mean	.060	.058	.056
8 -hr. Ozone 4th Max	.065	.066	.063
Days of Data	20	20	20
Days > 0.070	2	1	0



Price #2 | Roosevelt | Vernal | Exceed. | TM

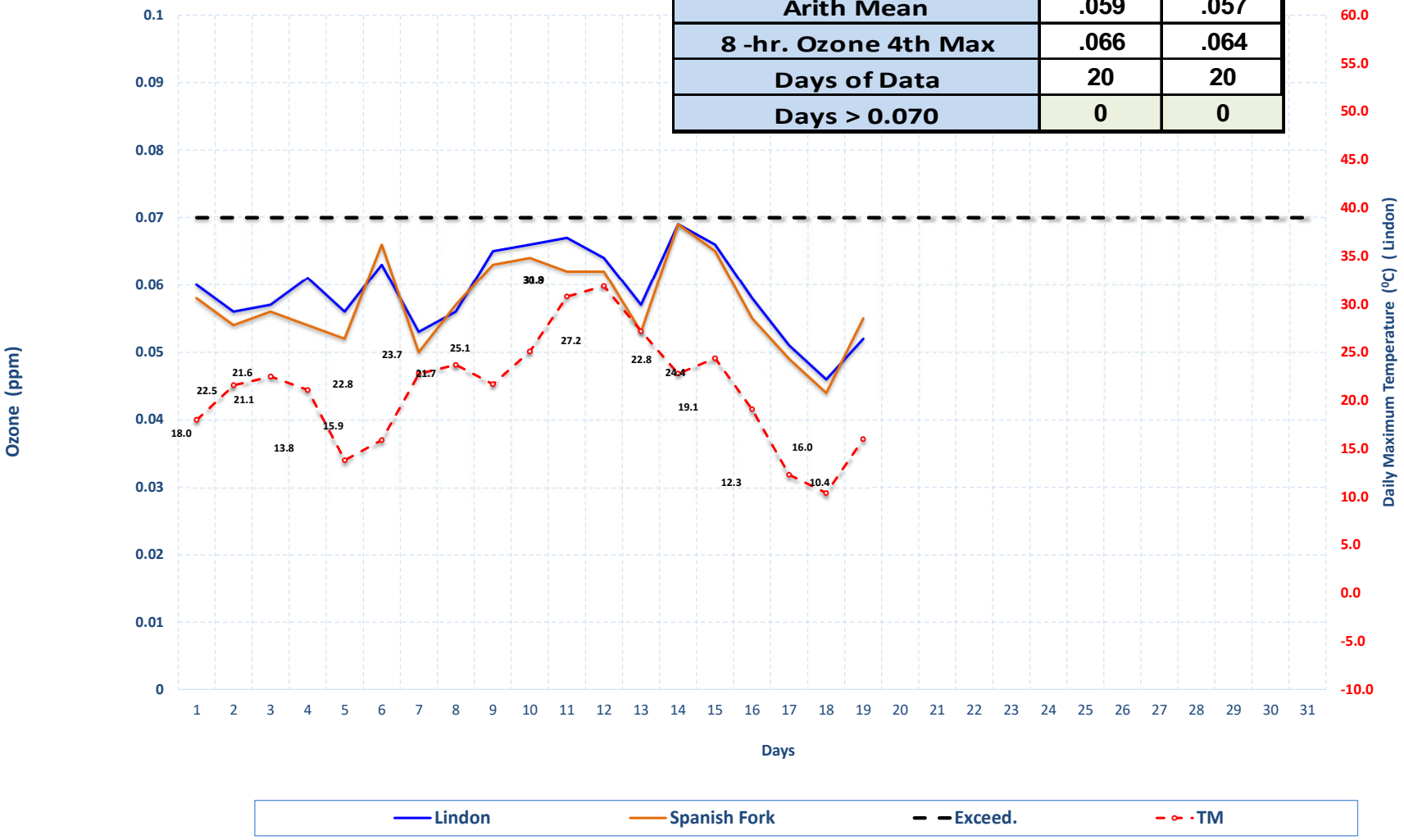
Highest 8-hr Ozone Concentration & Daily Maximum Temperature May 2026

	SM
Arith Mean	.052
8 -hr. Ozone 4th Max	.056
Days of Data	20
Days > 0.070	0



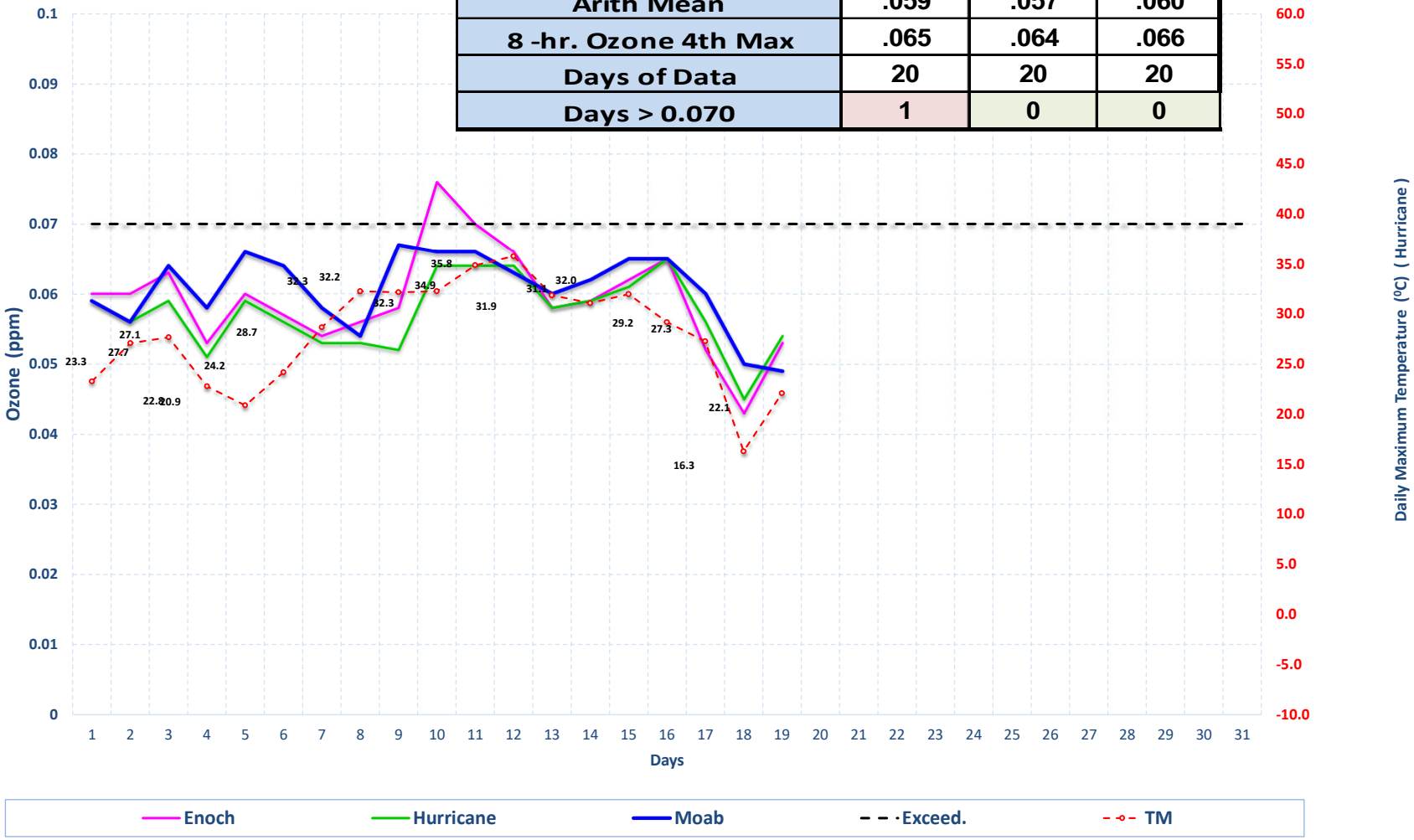
Highest 8-hr Ozone Concentration & Daily Maximum Temperature May 2026

	LN	SF
Arith Mean	.059	.057
8 -hr. Ozone 4th Max	.066	.064
Days of Data	20	20
Days > 0.070	0	0



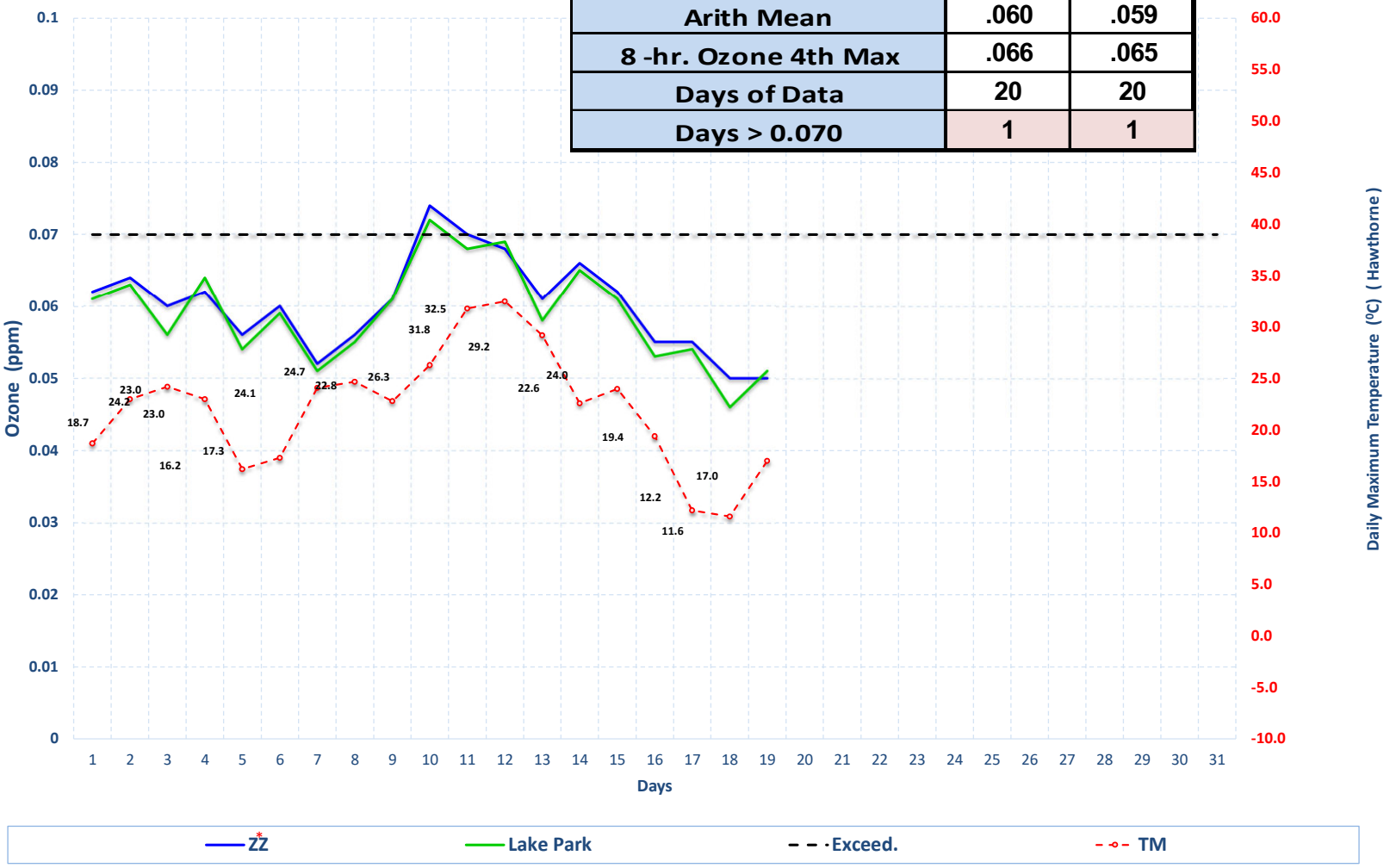
Highest 8-hr Ozone Concentration & Daily Maximum Temperature May 2026

	EN	HC	M7
Arith Mean	.059	.057	.060
8 -hr. Ozone 4th Max	.065	.064	.066
Days of Data	20	20	20
Days > 0.070	1	0	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature May 2026
Stations Monitoring the Inland Port Development

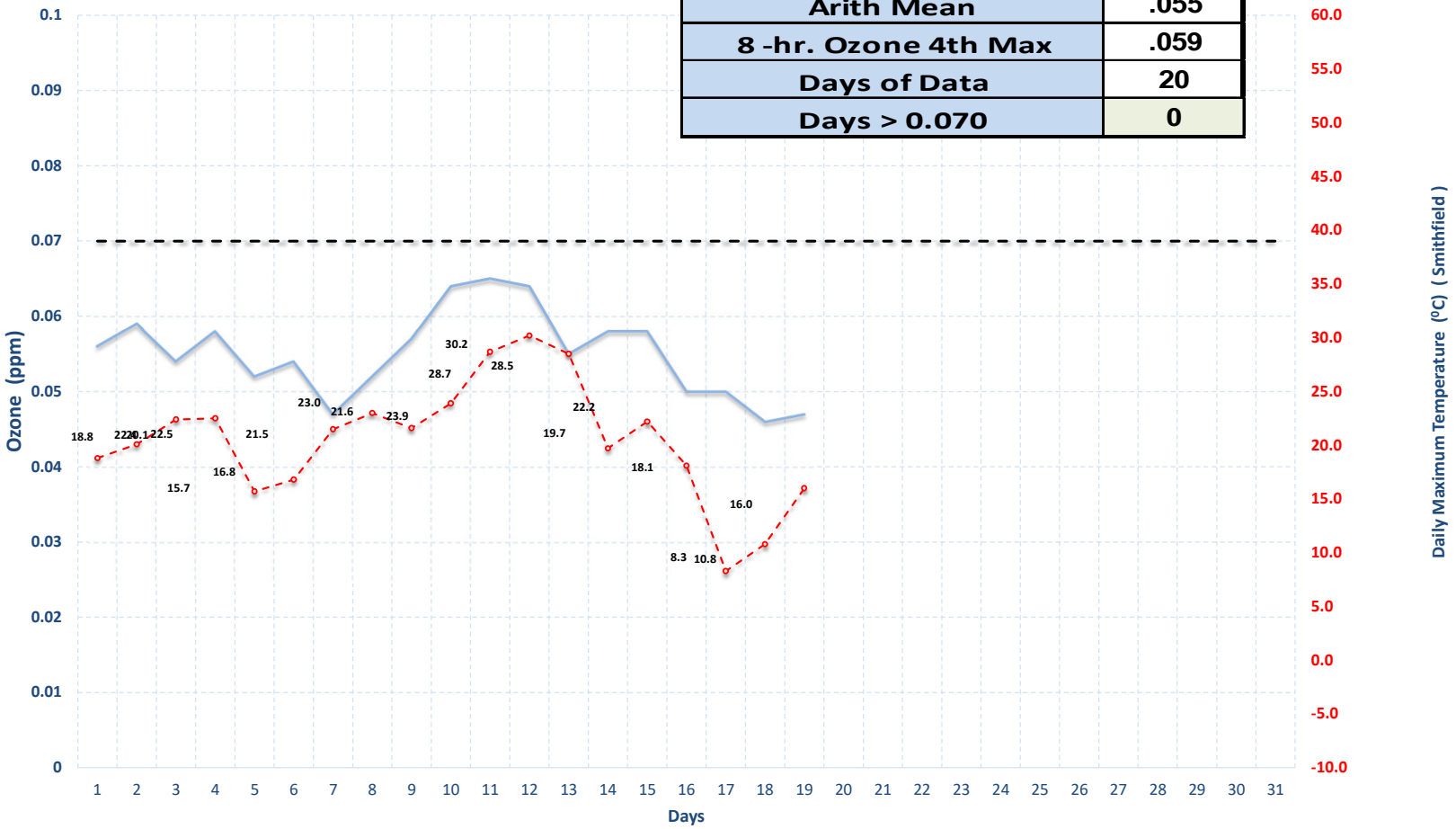
	ZZ	LP
Arith Mean	.060	.059
8 -hr. Ozone 4th Max	.066	.065
Days of Data	20	20
Days > 0.070	1	1



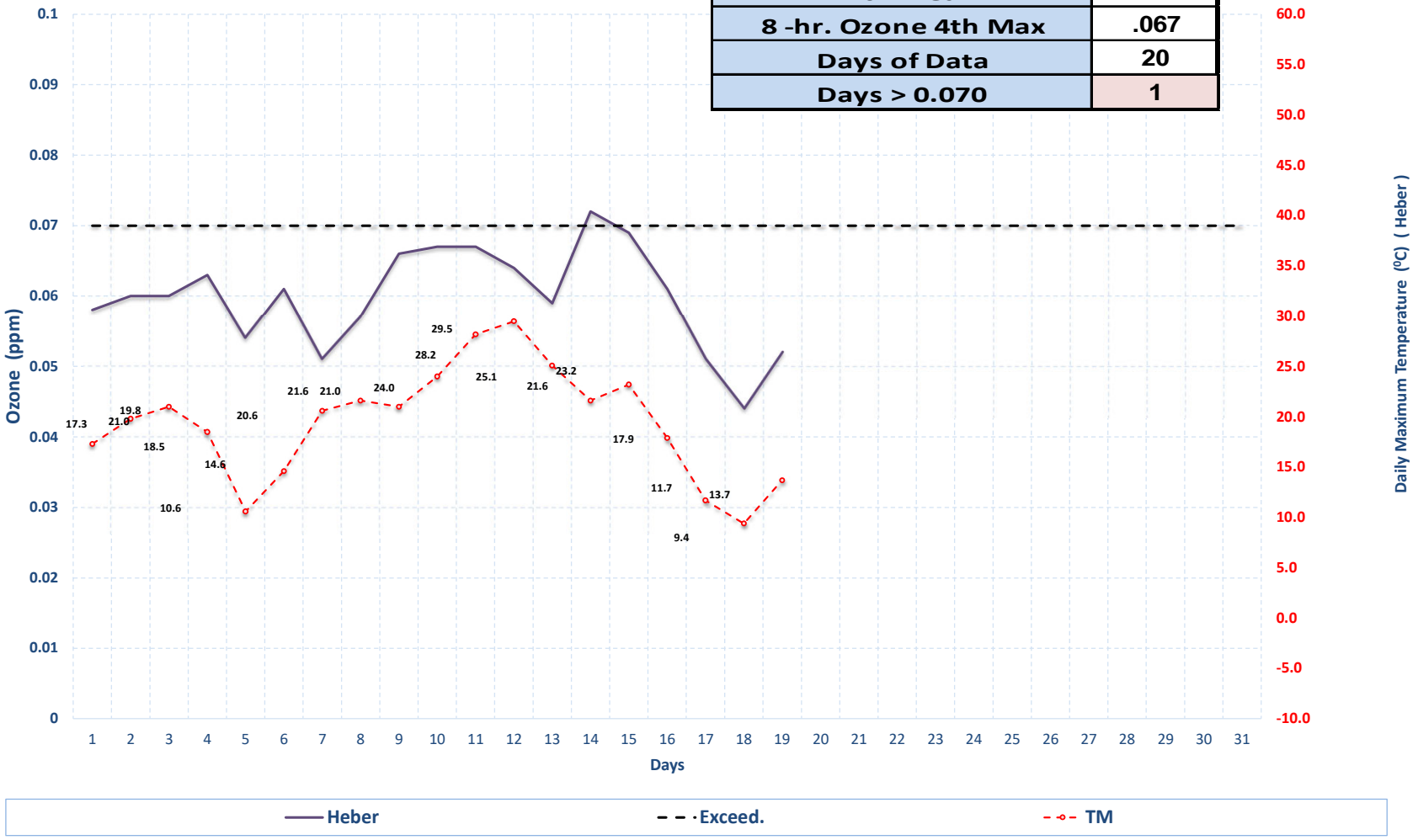
* **ZZ** is located at the New Utah State Prison (1480 North 8000 West, SLC).
This site was previously named **IP**

Highest 8-hr Ozone Concentration & Daily Maximum Temperature May 2026

	BG
Arith Mean	.055
8 -hr. Ozone 4th Max	.059
Days of Data	20
Days > 0.070	0



Brigham city — Exceed. — TM

Highest 8-hr Ozone Concentration & Daily Maximum Temperature May 2026

	HB
Arith Mean	.060
8 -hr. Ozone 4th Max	.067
Days of Data	20
Days > 0.070	1