



CR 82-99

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

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MADISON, WISCONSIN 53707

STATE OF WISCONSIN)
DEPARTMENT OF NATURAL RESOURCES) ss

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TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carroll D. Besadny, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. A-16-82 was duly approved and adopted by this Department on October 27, 1982. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 15th day of March, 1983.

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

5-1-83

ORDER OF THE STATE OF WISCONSIN
NATURAL RESOURCES BOARD
AMENDING AND REPEALING AND RECREATING RULES

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.....
IN THE MATTER OF amending section .
NR 154.17(2)(intro.); and repealing and .
recreating section NR 154.17(3) of the .
Wisconsin Administrative Code pertaining .
to emission limitations and air pollution .
control equipment for motor vehicles .
.....

A-16-82

Analysis Prepared by the Department of Natural Resources

The rule changes in this order are the result of statutory provisions enacted by the 1979 legislature (Chapter 274, Laws of 1979) relating to emission limitations and air pollution control equipment for motor vehicles.

Section 1 conforms the current provisions of the administrative code prohibiting tampering with air pollution control equipment for motor vehicles with the statutory provisions on tampering enacted in the 1979 legislative session (section 144.42(6), Wis. Stats.).

Section 2 promulgates emission limitations which must be met by motor vehicles which are required to be inspected under the emission inspection and maintenance program established under section 110.20, Wis. Stats. The emission limitations, which the department is required to adopt under section 144.42(2), Wis. Stats., are expressed in terms of maximum concentrations of carbon monoxide and hydrocarbons in the exhaust. The emission limitations are applicable to all motor vehicles which are registered in Racine, Kenosha, Waukesha, Milwaukee, Washington and Ozaukee counties unless the motor vehicles are exempt from the emission limitations. Section 2 also includes several categories of motor vehicles which are exempt from the emission limitations. These categories are in addition to the exempt motor vehicles listed in section 144.42(5), Wis. Stats.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 144.31(1)(a), 144.42(2), (5) and (6) and 227.014(2), Stats., the State of Wisconsin Natural Resources Board hereby adopts rules

interpreting s. 144.42(2), (5) and (6), Stats., and revising the State Implementation Plan developed under s. 144.31(1)(f), Stats., as follows:

SECTION 1. NR 154.17(2)(intro.) is amended to read:

(2) (intro.) TAMPERING WITH AIR POLLUTION CONTROL EQUIPMENT. No person ~~shall cause, suffer, allow, or permit the removal, dismantling, disconnection, disabling, or disrepair of~~ may dismantle, remove, or cause to be inoperative any air pollution control device or system which has been installed on a motor vehicle ~~or internal-combustion-engine~~ unless the person replaces the device or system with an identical or comparable tested replacement device or system.

SECTION 2. NR 154.17(3) is repealed and recreated to read:

(3) MOTOR VEHICLE EMISSION LIMITATIONS; EXEMPTIONS.

(a) Any motor vehicle which is subject to inspection under s. 110.20(6), Stats., may not emit carbon monoxide (CO) or hydrocarbons (HC) from the exhaust system in concentrations greater than those set forth in Table 1 when measured in an inspection conducted under ch. Trans. 131.

TABLE 1

Light Duty Vehicles	MODEL YEAR GROUPS		MAXIMUM EMISSION CONCENTRATION	
	Light Duty Trucks with gross vehicle weight of 6000 pounds or less	Light Duty Trucks with gross vehicle weight of 6001 to 8000 pounds	HC (parts per million of exhaust)	CO (as a percent of exhaust)
- - -	- - -	1968-1969	1450	9.0
1968-1971	1968-1971	1970-1972	800	8.0
1972-1974	1972-1974	1973-1978	700	7.0
1975-1977	1975-1978	-	600	6.0
1978-1979	1979-1984	1979-1984	400	4.0
1980	- - -	- - -	275	2.5
1981-1987	1985-1987	1985-1987	220	1.2

Note: Chapter Trans. 131 is being adopted by the Department of Transportation and promulgation of the rule is expected by March 1, 1983. Copies of ch. Trans. 131 may be obtained from the Department of Transportation, Division of Motor Vehicles, Room 255, Hill Farms State Office Building, 4802 Sheboygan Avenue, Madison, Wisconsin 53702.

(b) In addition to the vehicles specified in s. 144.42(5), Stats., the following motor vehicles are exempt from the emission limitations of par. (a):

1. A motor carrier used "for hire" as defined in s. 194.01(15), Stats.
2. A truck tractor as defined in s. 340.01(73), Stats.
3. A motor home as defined in s. 340.01(33m), Stats.
4. A motor vehicle registered under s. 341.26(2)(b), (d), (dm), (e), (f), (g), (h), (i), (j), (k) or (m), (2r) or (4), Stats.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on October 27, 1982.

The rules contained herein shall take effect as provided in s. 227.026(1)(intro.), Stats.

Dated at Madison, Wisconsin March 15, 1983

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)