

CR 92-191



George E. Meyer
Secretary

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

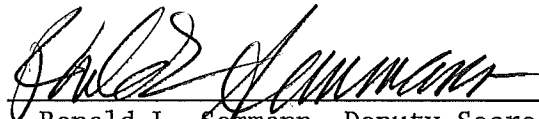
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STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Ronald L. Semmann, Deputy 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. AM-33-92 was duly approved and adopted by this Department on February 25, 1993. 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 here-
unto set my hand and affixed the
official seal of the Department at
the Natural Resources Building in
the City of Madison, this 20
day of April, 1993.



Ronald L. Semmann, Deputy Secretary

(SEAL)

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ORDER OF THE STATE OF WISCONSIN
NATURAL RESOURCES BOARD
CREATING RULES

.....
IN THE MATTER of amending NR 485.02(intro.) and .
creating NR 485.045 of the Wisconsin Administrative .
Code pertaining to the motor vehicle inspection . AM-33-92
maintenance program. .
.....

Analysis Prepared by the Department of Natural Resources

Authorizing statutes: ss. 144.31(1)(a) and 227.11(2)(a), Stats.

Statutes interpreted: ss. 110.20(13) and 144.31(1)(f).

This rule is created to establish a schedule for increasing the repair cost limit for the vehicle inspection and maintenance program to the level required by the Clean Air Act Amendments of 1990. This cost limit is a minimum repair expenditure. A vehicle initially failing the program's tailpipe emission test can demonstrate this expenditure and, if it meets other program requirements, be waived from compliance with the emission limits for one test cycle.

SECTION 1. NR 485.02(intro.) is amended to read:

NR 485.02 DEFINITIONS. (intro.) ~~In addition to the definitions in this section, the~~ The definitions contained in ch. NR 400 apply to the terms used in this chapter. In addition, the following definitions apply to the terms used in this chapter:

SECTION 2. NR 485.045 is created to read:

NR 485.045 REPAIR COST LIMIT FOR VEHICLE INSPECTION PROGRAM.

(1) REPAIR COST LIMIT. For vehicles subject to the motor vehicle emission inspection program under s. 110.20(6), Stats., the repair cost limit for determining eligibility for a waiver of compliance under s. 110.20(13), Stats., from the emission limitations of s. NR 485.04, shall be established in

accordance with 42 USC 7511a (b) (4) or (c) (3) (C), and regulations promulgated thereunder, and shall equal the following amounts:

(a) \$55 for vehicles for which a waiver of compliance is requested after November 15, 1992 and before January 1, 1993.

(b) Effective January 1, 1993, \$75 for vehicles older than model year 1981 and \$200 for vehicles of a 1981 or newer model year.

(c) Effective July 1, 1994, for all vehicles in the counties of Kenosha, Milwaukee, Ozaukee, Racine, Washington and Waukesha, an amount established annually by the U.S. environmental protection agency. That limit shall be equal to the higher of \$450 or an amount calculated from a base of \$450 in 1989 by adjusting for inflation through the use of the federal Consumer Price Index.

(2) CERTIFICATION OF REPAIR COST LIMIT. Beginning in 1994, by April 1 of each year the department shall certify to DOT the amount of the repair cost limit calculated under sub. (1)(c) for determining eligibility for a waiver of compliance under s. 110.20(13), Stats., for the subsequent 12 month period of July 1 through June 30.

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on February 25, 1993.

The rule shall take effect the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin April 20, 1993.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By George E Meyer
George E. Meyer, Secretary

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Secretary

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April 19, 1993

Mr. Gary L. Poulson
Assistant Revisor of Statutes
131 West Wilson Street - Suite 800
Madison, WI

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APR 28 1993

Revisor of Statutes
Bureau

Dear Mr. *Gary* Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. AM-33-92. These rules were reviewed by the Assembly Committee on Environmental Resources and the Senate Committee on Urban Affairs, Financial Institutions and Environmental Resources pursuant to s. 227.19, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees are also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

George
George E. Meyer
Secretary

Enc.