

3745-26-01 **Definitions.**

- (A) "Applicant" means any person filing for a license to operate an official inspection station for the anti-tampering or basic inspection program.
- (B) "Approved technician trainer" means an individual who has attended a train-the-trainer course, is certified as an automotive service excellence (ASE) master technician, has at least ten years of experience in the automotive industry and is approved by the director or his designee to instruct technician training.
- (C) "Certified inspector" means an individual who has attended a required training course, successfully passed a written examination approved by Ohio EPA and certified by the director to inspect motor vehicles subject to the requirements of this chapter.
- (D) "Certified waiver repair technician" means an individual who has attended and completed required training, successfully passed a required examination(s) and has been certified by the director in compliance with rule 3745-26-16 of the Administrative Code to conduct emission related repairs subject to the requirements of this chapter.
- (E) "Compliance" or "comply" means a vehicle has passed all aspects and parameters of the anti-tampering, basic, enhanced or opt-in enhanced vehicle inspection and maintenance program, whichever is required under these rules. A compliance certificate will be issued to the owner or lessee whose vehicle has successfully passed the inspection.
- (F) "Contractor" means the entity selected through competitive bidding procedures or through a request for proposal to provide services to the Ohio environmental protection agency for operation of the basic, enhanced, or opt-in enhanced inspection and maintenance program.
- (G) "Contractor run" means the centralized inspection stations operated by the contractor for the basic, enhanced, or opt-in enhanced inspection and maintenance program.
- (H) "Designated program area" includes any county currently or formerly classified as moderate, serious, severe or extreme nonattainment for carbon monoxide or ozone in accordance with the Clean Air Act Amendments of 1990 and that is subject to a basic, an enhanced or an opt-in enhanced vehicle inspection and maintenance program.
- (I) "Director" means the director of the environmental protection agency or his authorized representative.

- (J) "Engine exchange" means any motor vehicle having an engine block installed that differs from the original manufacturer's specification certified as meeting United States environmental protection agency certification requirements.
- (K) "Enhanced" means the vehicle inspection program described in rules 3745-26-10, 3745-26-12, 3745-26-13 and 3745-26-14 of the Administrative Code.
- (L) "Exemption certificate" means the official certificate, issued by the director, to a vehicle owner or lessee whose vehicle may not require inspection as prescribed in rule 3745-26-02 of the Administrative Code and/or in section 3704.14 of the Revised Code. An exemption certificate shall serve the same purpose as the certificate to be presented to the registrar of motor vehicles as required by section 4503.10 of the Revised Code.
- (M) "Extension certificate" means an official certificate issued by the director to a motor vehicle owner or lessee for emergency and other purposes deemed by the director to warrant an extension of the time that any motor vehicle, required to be tested, is exempt from testing. An extension certificate shall serve the same purpose as the certificate to be presented to the registrar of motor vehicles as required by section 4503.10 of the Revised Code.
- (N) "Facility," as used in this chapter, means any building, structure, installation, operation or combination thereof used or operated to conduct vehicle inspections or licensed to perform waiver repairs pursuant to section 3704.14 of the Revised Code.
- (O) "Foreign imported gray market vehicle" means any vehicle of a type required to be registered that is brought into this state from another country other than in the ordinary course of business by or through a manufacturer or dealer as defined in division (W) of section 4501.01 of the Revised Code.
- (P) "Government vehicle" means any vehicle as defined in section 4503.16 of the Revised Code.
- (Q) "Gross vehicle weight rating" means weight of vehicle plus the load the vehicle is capable of carrying as stated on the manufacturer's door plate.
- (R) "Inspection certificate" means the portion of the vehicle inspection report that is issued to each vehicle owner or lessee at the time of an inspection. An inspection certificate indicating compliance is to be presented to the registrar as required by division (B) of section 4503.10 of the Revised Code.
- (S) "Inspection Procedures Manual" or "manual" means the book containing the most recent official document issued by the director detailing the guidelines and repair requirements to be used in the anti-tampering or tailpipe emissions inspection. Each inspection station shall keep an updated manual on the premises at all times.

- (T) "Official inspection station," "inspection station" or "reinspection station" means any automotive station or facility, leased or owned, and operated by any person licensed by the director to conduct anti-tampering inspections or tailpipe emission inspections of motor vehicles and to otherwise issue an inspection certificate.
- (U) "Lessee" means any person not having title to a motor vehicle, but granted legal authority by the title holder to possess the vehicle.
- (V) "License" means the lawful authority granted by the director to any qualified person to operate an inspection station for the purpose of conducting motor vehicle inspections as required herein.
- (W) "Licensed waiver repair facility" means the site or location of a building used by a person, firm, corporation, or governmental entity licensed by the director in compliance with rule 3745-26-15 of the Administrative Code to conduct emission related repairs for a waiver to gasoline fueled vehicles (diesel fueled vehicles do not need to have emission repairs for reinspection performed at a licensed waiver repair facility in order to obtain a waiver).
- (X) "Licensee" means any person meeting the established requirements and to whom the director issues a license to conduct motor vehicle inspections.
- (Y) "Motor vehicle" or "vehicle" has the meaning as defined in division (B) of section 4501.01 of the Revised Code.
- (Z) "Multi-fueled vehicle" means any vehicle originally manufactured, designed, or converted from its original manufacturer's specification to utilize more than one fuel type, one of which is gasoline.
- (AA) "Nonattainment area" means an area that has not achieved the national ambient air quality standards and that is required to undergo certain air pollution control strategies pursuant to the 1990 Clean Air Act Amendments.
- (BB) "Opt-in enhanced" means an enhanced vehicle inspection and maintenance program selected by a moderate ozone or carbon monoxide nonattainment area through the process outlined in section 3704.142 of the Revised Code and described in rules 3745-26-10, 3745-26-12, 3745-26-13 and 3745-26-14 of the Administrative Code.
- (CC) "Owner" means any person other than a manufacturer or dealer having title to a motor vehicle.
- (DD) "Person" means the state, any political subdivision, public or private corporation, partnership, firm, association, individual, organization or other entity.
- (EE) "Queuing area" means the space allocated in each lane at each centralized inspection station where vehicles wait for testing.

- (FF) "Test center" means any inspection station operated by a contractor where emission inspections and reinspections are performed.
- (GG) "Ultimate purchaser" with respect to any new motor vehicle means the first person, other than a dealer in its capacity as a dealer, who is a good faith purchaser of such new motor vehicle for purposes other than resale.
- (HH) "Vehicle identification number" or "VIN" means the manufacturer' original serial number affixed to or imprinted upon the chassis or other part of the motor vehicle.
- (II) "Vehicle inspection report" or "VIR" means the official inspection form narrative presented to each vehicle owner or lessee at the time of an inspection. It indicates levels of hydrocarbons, carbon monoxide and nitrous oxides detected during the inspection and indicates whether the vehicle has passed the inspection. The vehicle inspection report contains a detachable inspection certificate that is to be presented to the registrar of motor vehicles as required by division (B) of section 4503.10 of the Revised Code.
- (JJ) "Waiver" means a relinquishment of the requirement to meet compliance with the appropriate model year emission standards.
- (KK) "Waiver certificate" means the official certificate issued to a vehicle owner or lessee whose vehicle has not met compliance with the emissions standards but has met all requirements for a waiver as prescribed in rule 3745-26-12 of the Administrative Code. A waiver certificate shall serve the same purpose as the compliance certificate to be presented to the registrar of motor vehicles as required by section 4503.10 of the Revised Code.
- (LL) "Waiver limit" means the minimum dollar amount, as specified in section 3704.14 of the Revised Code, required to be spent for motor vehicle emission related repair and diagnostic fees, after the low emissions tune-up has been performed, by each owner or lessee whose vehicle fails the basic, enhanced or opt-in enhanced test, in order for said owner or lessee to be eligible for a waiver as prescribed in paragraphs (E)(1) and (E)(2) of rule 3745-26-12 of the Administrative Code. The repair work performed on the vehicle may be completed at a licensed waiver repair facility or by a vehicle owner or lessee, and shall be related to the vehicle's emission control equipment in order to be eligible for a waiver. For any vehicle registered in a county that is subject to a basic or opt-in enhanced inspection program, "waiver limit" means at least two hundred dollars for a vehicle of a 1981 or more recent model year and one hundred dollars for a 1980 or earlier model year, except that for any county classified as serious, severe, or extreme nonattainment that is subject to an enhanced vehicle inspection and maintenance program, "waiver limit" means more than four hundred fifty dollars for any vehicle.

(MM) "Repair spending cap" means the maximum dollar amount required to be spent for motor vehicle emission related repair and diagnostic fees by each owner or lessee whose vehicle fails the basic, enhanced or opt-in enhanced test and which qualifies the vehicle owner or lessee for a waiver as prescribed in paragraphs (E)(1) and (E)(3) of rule 3745-26-12 of the Administrative Code. The repair work performed on the vehicle may be completed at a licensed waiver repair facility, or by a vehicle owner or lessee, and shall be related to the vehicle's emission control equipment. For any vehicle registered in a county that is subject to a basic or opt-in enhanced inspection program, "repair spending cap" means at least three hundred dollars.

(NN) "Low income" means household income, during the past twelve month period, of not more than one hundred fifty per cent of the latest available poverty threshold level established by the U.S. department of health and human services, for the forty-eight contiguous states.

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Original signed by Donald R. Schregardus, Director, Ohio EPA
Certification

July 30, 1996
Date

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