



July 5, 2018

Mr. Bill Kemp  
Sumner County Clerk  
355 N Belvedere Drive  
Gallatin, Tennessee 37066

RE: Vehicle Emission Testing Program in Tennessee

Dear Mr. Holt:

I am writing to be sure you are aware of recently enacted legislation, Public Chapter 953 (attached), relative to eliminating the annual inspection and maintenance program (I/M or vehicle emissions testing program). Public Chapter 953 prohibits employment of a vehicle emissions testing program in Tennessee on or after the effective date of the act. The effective date of the relevant section is 120 days after the United States Environmental Protection Agency (EPA) approves a state implementation plan (SIP) amendment eliminating the program (or the date the contract with the vendor terminates).

Under state and federal law, the vehicle emissions testing program must continue until EPA approves the SIP amendment. The Tennessee Department of Environment and Conservation (TDEC), estimates that it will take about three years, or longer, for the SIP amendment to be prepared by Tennessee and approved by EPA. There are a number of steps that Tennessee must take prior to elimination of the program:

- The Division of Air Pollution Control will first conduct a modeling analysis to determine if elimination of the vehicle emissions testing program will interfere with Tennessee's compliance with federal air quality standards established by EPA for pollutants considered to be harmful to public health and the environment. The division estimates that the analysis will take six months to a year to complete.
- After the analysis is complete, the division will work with the Air Pollution Control Board and local governments to amend the SIP to eliminate the vehicle emissions testing program. The SIP amendment process at the state level includes opportunity for public comment and promulgation of rules. If the analysis shows no interference, the division estimates that this part of the process will take approximately a year. If there is interference, then the process will take longer because substitute measures will have to be identified to replace the vehicle emissions testing program.

- After the state-level SIP amendment process is complete, Tennessee will submit the SIP amendment for EPA approval. EPA approval can take up to a year and a half or more.

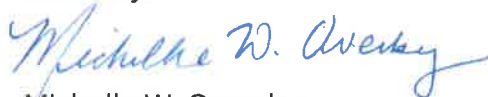
TDEC will seek to amend the contracts governing the services provided by the county clerks to add a provision required by Public Chapter 953 stating that the contract will terminate upon the effective date of the program end. Currently, there is a 90-day termination for convenience clause in the vendor contract. Additionally, TDEC will seek to amend the contract as provided in Public Chapter 953 to make clear the contract will be terminated when the program has ended in Tennessee.

Public Chapter 953 also contains a provision authorizing the local governing body of a county in which the vehicle emissions testing program has ended to add a fee to vehicle registrations. This provision applies after the vehicle emissions testing program has ceased to operate in that county.

TDEC will update the public on its website concerning the SIP amendment process. In addition, TDEC will conduct outreach to inform the public when EPA approves the SIP amendment and the program will be winding down.

Frequently asked question information is enclosed with this letter. I would encourage you to post this information on your website. Should you need additional information, please contact myself or Greg Riggs at [greg.riggs@tn.gov](mailto:greg.riggs@tn.gov), or (615) 532-0567.

Sincerely,



Michelle W. Owenby  
Director

2 Attachments