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New York State Enhanced Motor Vehicle Inspection/Maintenance Program

2007 Annual Report

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EXECUTIVE SUMMARY

The United States Environmental Protection Agency (USEPA or EPA) has defined the reporting requirements for all state-run vehicle Inspection/Maintenance (I/M) programs in 40 CFR Part 51.366 (7-1-05 Edition). The I/M program for the State of New York (the State, or NYS) is jointly administered by the New York State Department of Environmental Conservation (NYSDEC) and the Department of Motor Vehicles (NYSDMV). This report reflects the coordination between the two agencies, and is being submitted to the EPA to fulfill the State's **annual** reporting requirements for the calendar year of 2007.

In the nine counties of the New York Metropolitan Area (NYMA), the State has had an I/M program based on an idle test since 1981, and a high enhanced I/M program since 1998 using a mass emission transient test, referred to as the New York Transient Emission Short Test (NYTEST). On April 1, 2005, the State commenced an on-board-diagnostic (OBD) II-based vehicle inspection program, named the New York Vehicle Inspection Program (NYVIP). By May 5, 2005 all testing facilities in NYMA were required to conduct OBD II inspections for all applicable 1996 and later model year light duty vehicles (LDVs) and light duty trucks (LDTs). During calendar year 2007, more than 4.3 million vehicles and trucks were registered in NYMA, of which 3,669,143 (85.21% of the total registered) were emissions tested, and 2,940,794 (80.15% of the emissions tested vehicles) had OBD II inspections.

Since 1998, a low enhanced I/M program has been operating in the remaining 53 counties of New York (Upstate). On December 1, 2004, the State implemented the OBD II-based NYVIP Upstate. This allowed for the inclusion of all Upstate vehicles into the State's I/M program database. In 2007, more than 4.7 million vehicles and trucks were registered in Upstate, 3,212,615 of them (or 68.30%) received OBD II inspections.

Pursuant to a Consent Order filed on September 6, 1977, all yellow medallion taxi cabs operating in New York City, under the jurisdiction of the New York City Taxi Limousine Commission (NYC TLC, or TLC), are required to be emissions-tested on a three-times-per-year basis. Beginning in 1981, all TLC vehicles were subjected to the idle test. Following upgrades to their Woodside testing facility, the TLC commenced an OBD II inspection program for their taxi fleet on December 8, 2003. This program continued in 2007 for their fleet of 14,702 vehicles (12,516 LDVs and 2,186 LDTs), with a total 37,442 OBD II inspections performed.

The State's goal is to continue to improve the performance of these I/M Programs. New York State will continue to utilize the March 1996 I/M State Implementation Plan (SIP) and the May 2006 NYVIP SIP as the reference documents for delineation of necessary programs, objectives, and goals. New York will maintain and implement measures along these lines to achieve its intended goal: cleaner air for the residents of the State of New York.

I. INTRODUCTION

In keeping with the Federal Clean Air Act Amendments (CAAA) of 1990, the NYSDEC and the NYSDMV in 1998 jointly implemented a high enhanced I/M program for NYMA and a low enhanced I/M program for Upstate, as outlined in the State's March 1996 I/M SIP and the modified May 2006 NYVIP SIP proposal.

In accordance with the reporting requirements described under 40 CFR Part 51.366 paragraphs (a) through (d), this report documents all the required annual information for the I/M program operations in the State of New York, including a high enhanced I/M program in NYMA, a low enhanced I/M program in Upstate, and a New York City taxi OBD II inspection program. The reporting period is from January 1, 2007 to December 31, 2007.

A. High Enhanced I/M Program in NYMA

A high enhanced I/M program has been in operation in the following nine counties:

- Nassau and Suffolk counties in Long Island,
- The five counties of New York City: Bronx, Kings (or Brooklyn), New York (or Manhattan), Queens, and Richmond (or Staten Island), and,
- Rockland and Westchester counties located immediately north of the New York City.

Under the 1990 CAAA, the entire NYMA and seven towns in southern Orange County were designated as a severe non-attainment area for the one-hour ozone National Ambient Air Quality Standard. The City of New York and the counties of Nassau and Westchester were designated as non-attainment for CO until 2002 when they were re-designated as a maintenance area. New York County is also a moderate non-attainment area for PM₁₀.

An idle test based I/M program was implemented in NYMA in 1981. On January 1, 1998, this idle emissions test program was replaced by a phased-in high enhanced I/M program¹, a program named "New York Transient Emissions Short Test, or NYTEST," which is a dynamometer-based mass emissions analyzer system (including a dynamometer, BAR 97 analyzer, VMASTM unit, NYTEST software, and camera) that utilizes the IM240 driving cycle. By May of 1999, this enhanced I/M program was fully functional for the entire NYMA.

In 2004, a limited number of testing facilities commenced OBD II inspections using NYTEST-based OBD software certified by the State from two of the NYTEST equipment vendors (ESP and SPX). The installation of the NYVIP-based OBD software (to be described in the next

¹ This high enhanced I/M program, in a pre-existing decentralized test-and-repair network, was proposed in the State's March 1996 I/M SIP and approved by EPA on June 7, 2001.

section) began in NYMA on April 1, 2005. Starting May 5, 2005, all testing facilities in NYMA were required to conduct OBD II inspections for all applicable 1996+ model year light duty fleet.

Under this high enhanced I/M program, all vehicles registered in NYMA are required to have a safety inspection and an emissions test if not exempted, on an **annual** basis as well as at the time of vehicle ownership change. Vehicles exempted from the emissions test include: diesel-fueled vehicles, electric vehicles, motorcycles, historic vehicles, farm equipment, and two-cycle spark ignition vehicles. In addition, vehicles are also exempt if, based upon vehicle's model year, they were less than two years or over 25 years old. The required emissions test includes:

- 1) a comprehensive visual inspection of a given list of emissions control devices (ECDs) when applicable,
- 2) a gas cap integrity (or pressure) check for NYTEST vehicles, a gas cap presence check for OBD II inspected vehicles, and,
- 3) one of the following emissions tests depending upon the vehicle type and vehicle model year:
 - an OBD II inspection for model years 1996+ LDVs and LDTs,
 - a mass-based emissions test, or NYTEST, for model years between 1982 and 1995 LDVs and LDTs,
 - a one-speed idle emissions test for model years between 1982 and 1995 LDVs and LDTs equipped with all-wheel-drive or non-disengageable traction control (when it is impossible to perform a transient test on the two-wheel-drive dynamometer),
 - a one-speed idle emissions test for model years between 1982 and 2005 heavy-duty vehicles (HDVs).

During calendar year 2007, this high enhanced I/M program in NYMA included a total of 2,940,794 LDVs and LDTs with OBD II inspections from 3,889 testing facilities. An additional 728,349 vehicles received NYTESTs (618,292 had transient tests and 110,057 had idle tests) from 3,680 testing facilities. The distribution of those NYMA OBD II/NYTEST inspection stations are shown in Graph 1.

B. Low Enhanced I/M Program in Upstate

Pursuant to requirement, for attainment areas located within the Ozone Transport Region (OTR), a low enhanced I/M program was implemented in the remaining 53 counties of New York (Upstate) in January 1998, as outlined in the State's March 1996 SIP.

An OBD II-based I/M program, named "New York Vehicle Inspection Program, or NYVIP," was commenced on September 17, 2004, and fully implemented on December 1, 2004. This NYVIP was expanded into NYMA effective May 5, 2005 to provide for a statewide OBD II inspection program.

Under this Upstate program, all vehicles registered in the Upstate counties are required to have a safety inspection and an emissions test, if not exempted², on an **annual** basis as well as at the time of vehicle ownership change. The required emissions test includes:

- 1) a comprehensive visual inspection of a given list of ECDs when applicable,
- 2) a gas cap presence check, and,
- 3) an OBD II inspection for model years 1996+ LDVs and LDTs.

During calendar year 2007, this low enhanced I/M Program in Upstate included a total of 3,212,615 LDVs and LDTs with OBD II inspections from 6,530 participating testing facilities. Graph 2 shows the distribution of those OBD II inspection stations located in the Upstate area.

C. New York City Taxi Limousine Commission (TLC) OBD II Inspection Program

The New York City TLC, under terms of a September 6, 1977 Consent Order with the City and other parties, is required to provide emissions testing for all of their yellow medallion taxi cab fleet on a three-times-per-year basis. On December 8, 2003, with the assistance from a contractor, SysTech, International, the first two lanes at TLC's Woodside inspection facility began safety and OBD II inspections. By August of 2004, all six lanes at TLC became operational.

The TLC yellow medallion taxi cab fleet is required to undergo inspections at four-month intervals with no waivers and no new vehicle exemptions. The required inspections include:

- 1) a comprehensive safety check on various components of the vehicle including headlight, suspension, side slip, and brake system,
- 2) a comprehensive visual inspection of a given list of ECDs tampering check,
- 3) gas cap presence check, and,
- 4) an OBD II inspection.

In calendar year 2007, the entire fleet of TLC's 14,702 yellow medallions (12,516 LDVs and 2,186 LDTs) were OBD inspected with 37,442 OBD II inspection results³.

² Vehicles exempted from the emissions test include: diesel-fueled vehicles, electric vehicles, motorcycles, historic vehicles, farm equipment, and two-cycle spark ignition vehicles. In addition, vehicles are also exempt if, based upon vehicle's model year, they were less than 2 years or over 25 years old.

³ It is noted that many TLC vehicles were "dropped" out of the fleet and hence did not have 3 inspection results.

II DATA ANALYSIS AND REPORTING

The collection of accurate data is essential to the management, evaluation, and enforcement of an efficient I/M program. The State's high enhanced I/M program in NYMA has been collecting vehicle inspection and emissions testing data since the onset of the program in January 1998. Quality control data related to NYTEST emissions testing equipment have also been collected since August 2001. The low enhanced I/M program for Upstate has been collecting computerized vehicle inspection and emissions test data since September 17, 2004. Computerized OBD II inspection data collected by the TLC have also been provided to NYSDEC since December 8, 2003 on a monthly basis.

A. Computerized Network

SGS TestCom, Inc. has been the Data Manager for the NYTEST program since 1998, and the Program Manager for the NYVIP since 2004. A computerized network has been utilized for both the NYMA and Upstate programs for transmitting the real-time inspections/emissions data from all decentralized test-and-repair inspection stations to NYSDMV's mainframe computer and SGS TestCom's computer servers. NYSDEC continues to download the vehicle inspection/emissions data from SGS TestCom on a weekly basis.

This computerized network has also been utilized as a means for communications between the Contractor and the 10,419 testing facilities, 3,889 located in NYMA and 6,530 located across the Upstate. In addition, real-time inspection activities are being monitored by both NYSDMV and NYSDEC based on various enforcement criteria. More effective enforcement actions have resulted and are presented in the Quality Assurance Report and Quality Control Report sections.

Both NYTEST and NYVIP contracts, managed by NYSDMV, require that SGS TestCom prepare and submit monthly reports on various aspects of the network performance. Compiled and reported statistics include: transaction volumes, numbers and types of help desk calls, system availability, and average response time. The statistics are summarized in Table II.A. Data management meetings are being held every month with full staff participation from NYSDMV, NYSDEC, and SGS Testcom. During these meetings, network performance and efficiency related issues are discussed.

SysTech, International is the Program Manager for the TLC OBD II inspection program. During calendar year 2007, TLC data have been provided to both NYSDEC and NYSDMV on a monthly basis.

B. Test Data Report

Per section 51.373 Subpart S (Inspection/Maintenance Program Requirements) updated on July 27, 2005, statistics related to anti-tampering ECD check and gas cap test results are no longer required. Therefore, these statistics are not included in this report.

Overall statistics related to the registered vehicle fleet (based on unique “vehicle identification numbers,” or VINs), by vehicle model year, fuel type, and I/M area (i.e., either NYMA or Upstate) for calendar year 2007 are provided in Table II.B.1, with more detailed statistics shown in Appendix A Table A-1. Note that the statistics included all the yellow medallions under TLC’s OBD II inspection program and excluded all the vehicle types exempted from the I/M program. As can be seen, 96.75% of the NYMA and 95.85% of the Upstate registered vehicles were all gasoline-powered. Diesel-fueled vehicles represented 2.98% of the NYMA and 3.77% of the Upstate vehicle fleet. Only 0.26% of the NYMA and 0.37% of the Upstate vehicles, respectively, were powered with other fuels such as compressed natural gas, propane, or electric.

Table II.B.2 displays some general statistics derived from the emissions tested vehicle fleet, with Appendix A Table A-2 providing emissions tested vehicle counts from the three I/M programs (NYMA, Upstate and TLC). Note that the vehicle counts from NYMA and Upstate programs include vehicles with ownership change, while the TLC vehicle counts represent the number of yellow medallions operating in NYMA.

1. OBD II Inspection Programs

Detailed statistics related to the OBD II inspections obtained from NYMA, Upstate and TLC are provided in Appendix B, Tables B-1-a-i to B-3-b-ii.

In NYMA, as shown in Appendix B, Table B-1-a-i and Table B-1-b-i, 1,741,500 LDVs and 1,199,294 LDTs (representing 80.15% of the total emissions tested fleet) were OBD II inspected, with failure rates of 6.27% and 6.92%, and waiver rates of 3.74% and 3.75%, respectively. The rates for unknown final outcome were 0.64% for LDVs and 0.76% for LDTs.

For Upstate, as shown in Appendix B Table B-2-a-i and Table B-2-b-i, the OBD II inspection failure rates were 5.30% for the 1,738,771 LDVs and 5.65% for the 1,473,844 LDTs, which were lower than those observed from the NYMA fleet. Lower waiver rates (3.19% for LDVs and 2.93% for LDTs) and unknown final outcome rates (0.55% for LDVs and 0.54% for LDTs) were observed as well.

Due to their high mileage accumulation and the nature of being service vehicles, the TLC fleet, as shown in Appendix B Table B-3-a-i and Table B-3-b-i, had very high OBD II inspection failure rates: 15.04% for the LDVs and 9.28% for the LDTs. Note that no waivers are permitted for the TLC fleet. The rates for unknown final outcome were 0.31% for LDVs and 0.10% for LDTs.

2. NYTEST Program

Summary statistics related to NYMA NYTEST results are provided in Appendix C, with Tables C-1-a to C-1-c for the transient tests, and Tables C-2-a to C-2-d for the idle tests.

For the pre-1996 model year fleet, 471,497 LDVs and 146,783 LDTs (16.85% of the total emissions tested NYMA fleet) had transient tests as their initial tests. Observed failure rates were

8.04% for the LDVs and 6.66% for the LDTs, with waiver rates of 1.08% and 1.12%, respectively. The rates for unknown final outcome were 0.93% for LDVs and 0.84% for LDTs. The overall average emission reductions were: 0.91/15.36/1.36 g/mi for HC/CO/NO_x for the LDV fleet, and 1.35/19.48/1.96 g/mi for HC/CO/NO_x for the LDT fleet.

For idle-tested 23,190 LDVs, 35,406 LDTs, and 51,438 HDVs (3.00% of the total emissions tested NYMA fleet), the failure rates were 4.42% for the LDVs, 4.20% for the LDTs, and 2.94% for the HDVs, with the waiver rates of 0.49%, 0.40%, and 0.46%, respectively. The rates for unknown final outcome were 0.22% for LDVs, 0.28% for LDTs, and 0.24% for HDVs. The overall average emission reductions were: 249ppm HC and 1.50% CO for the LDVs, 280ppm HC and 1.52% CO for the LDTs, and 466ppm HC and 1.90% CO for the HDVs.

3. Testing Facilities

Since the State of New York I/M Program has 10,419 testing facilities, it is not practical to generate the required statistics by test station on the initial test volume and initial test failure rate. Instead, Appendix D displays the initial test volume and failure rate statistics by vehicle model year and vehicle type (LDVs and LDTs) from all the testing facilities in each county⁴. Table D-1 includes a total of 12 tables (pages D-1-1 to D-1-12) with statistics from the two different types of emissions tests (OBD II inspections, and NYTEST transient/idle tests) for the nine NYMA counties, two Upstate counties (Orange and Putnam where a few NYTEST facilities are licensed), and “Others”⁵. Table D-2 (pages D-2-1 to D-2-9) includes the OBD II inspection statistics from the remaining 51 Upstate counties.

In NYMA, Suffolk and Nassau counties had the largest number of testing facilities (807 from Suffolk, 801 from Nassau). For OBD II inspections, the two counties with the highest LDV initial test volumes were Nassau (354,121 inspections) and Suffolk (353,372 inspections). The two counties with the highest LDT initial test volumes were Suffolk (278,174 inspections) and Nassau (225,736 inspections). Kings had the highest OBD II inspection failure rates for both LDVs (8.20%) and LDTs (9.07%), and Queens had the second highest failure rates for both LDVs (7.41%) and LDTs (8.11%).

For transient tests, Suffolk county had the highest initial test volumes for both LDVs (93,161 tests) and LDTs (40,340 tests). Except for the three counties (Orange, Putnam, and Others) which had very low initial test volumes, Westchester had the highest failure rates (9.16% for LDVs and 8.75% for LDTs). For idle tests, Nassau had the highest initial test volumes for LDVs (4,214 tests)

⁴ Note that TLC data were not included in the Appendix D since the TLC data were all from one single testing facility.

⁵ County “Others” includes NYTEST facilities with unknown NYMA designations and one inspection station located in Jersey City, New Jersey under the jurisdiction of Port Authority of New York and New Jersey.

and Queens had the highest for LDTs (6,463 tests). The counties having the highest idle test failure rates were Rockland (5.58%) for the LDVs and Nassau (5.31%) for the LDTs.

For Upstate, Erie county had the largest number of testing facilities (849 facilities), as well as the highest LDV (233,120 inspections) and LDT (176,532 inspections) initial test volumes. The top three LDV OBD II inspection failure rates were: Franklin (7.91%), Greene (7.25%), and Jefferson (7.13%) counties, while the top three LDT failure rates were: Franklin (7.93%), Sullivan (6.96%), and Washington (6.94%) counties.

C. Quality Assurance Report

Considerable progress continues to be made in NYSDMV's quality assurance program. Case development and hearing testimony training, based on a more refined and efficient procedure developed during previous years, has been in place for use by the enforcement personnel since 2002. The use of intranet-based query offerings on inspection data and inspection certificate data has resulted in more users accessing the system and shorter turnaround time in issuing administrative stops on inspection stations for failure to comply with the regulations. The electronic case-tracking management tool named CAPTAIN, initially developed in 2001, has been fully functional since 2002. Refinements of the desk audit techniques and administrative stop capabilities are continuing.

1. NYMA

The results of the various NYSDMV compliance efforts in the NYMA I/M program are summarized in Table II.C.1. From a total of 3,889 certified inspection stations and 14,530 licensed inspectors in NYMA, a total of 6,019 overt audits were performed⁶. As a result of hearings related to overt audits, 10 inspection stations were suspended for a total number of 196 days.

A total of 16 covert vehicles and 24 covert auditors were made available for use in the undercover audit work in NYMA. A total of 2,492 covert audits and 18 inspection station surveillance audits were performed. As a result of hearings related to covert and surveillance audits, 53 inspection stations were suspended for a total of 1,843 days.

Of the covert audits that were completed, 1,348 vehicles were set to fail on one component of the emissions tests and 34 were set to fail for two or more components. Components set to fail included two for EGR, 31 for gas caps, 776 for "OBD MIL On", 288 for OBD monitors, 292 for non-communication, one for fuse, and none for O₂ sensor in calendar year 2007, as well as numerous safety inspection-related item failures. Of these, 1,137 inspection stations correctly failed

⁶ All inspection stations have received at least one overt audit, with most stations receiving two. Stations not receiving two overt audits were typically new facilities whose premises were recently (initially) inspected by field personnel for compliance with regulations prior to operation. In addition to these "regularly scheduled" overt audits, inspection stations were also specially targeted for overt audits based on their history of having high frequencies of idle tests performed and/or high numbers of gas cap tests bypassed.

the vehicles, 193 inspection stations falsely passed the vehicles, and 52 inspection stations simply did not do the inspections.

Desk audits were primarily based on weekly queries of inspection data focused on some preset criteria such as intentionally bypassing the transient tests via incorrect vehicle weight code, vehicle type, and/or traction control/all wheel drive code. In calendar year 2007, a total of 418 desk audits were performed, with 34 inspection stations suspended for a total of 1,371 days. Consumer complaints are also being used as a source of enforcement action. Based on a total of 551 cases, 16 inspection stations were suspended for a total of 454 days.

In addition, the use of administrative stops in NYS DMV's quality assurance program has been viewed as an extremely effective tool. Usually the administrative stops are the direct result of desk audits described above (via weekly queries of the database), telephone requests by the field staff, or from NYS DEC's NYTEST file-based equipment audits. Administrative stops are placed on the facility file to prevent the inspection stations from performing any more inspections and/or emissions tests until they conform to the requirements of the license or registration they hold. These have been very effective in the NYTEST real-time environment. Table II.C.3 summarizes the statistics on administrative stops. As shown, a total of 835 administrative stops were issued during calendar year 2007.

2. Upstate

Statistics on various elements in the Upstate quality assurance program are presented in Table II.C.2. There were 6,530 licensed inspection stations and 22,669 certified inspectors conducting safety and OBD II inspections in the Upstate area. A total of 8,070 overt audits were performed in calendar year 2007. As a result of hearings related to overt audits, eight inspection stations were suspended for a total of 521 days.

A total of 15 covert vehicles and 29 covert auditors were available for the undercover audit work for Upstate. A total of 1,030 covert audits were performed. For hearings related to covert audits, 18 inspection stations were suspended for a total of 686 days.

Of the covert audits that were completed, 124 vehicles were set to fail on one component of the emissions tests, and six were set to fail for two or more components. Components set to fail included: 77 for gas caps, 35 for "OBD MIL On", 14 for OBD non-communication, two for OBD monitors, six for O₂ sensor, and none for TPS in calendar year 2007, as well as numerous safety inspection related failures. Of these, 114 inspection stations correctly failed the vehicles, 11 inspection stations falsely passed the vehicles, and two inspection stations simply did not do the inspections.

In calendar year 2007, 23 desk audits were performed for the Upstate program resulting in 18 civil penalties imposed. A total of 441 cases of consumer complaints were received. As a result of hearings related to consumer complaints, 15 inspection stations were suspended for a total of 673 days.

During calendar year 2007, a total of 356 administrative stops were issued for Upstate, as shown in Table II.C.3.

D. Quality Control Report

The NYTEST equipment utilizes three main components to analyze and evaluate vehicle exhaust emissions: Dynamometer, VMAS™ sampler, and analyzer gas bench. Many of the analyzers check requirements defined in 40 CFR Part 51.359 were developed for high-volume centralized test programs using laboratory grade instruments, and therefore, are not directly applicable to the NYTEST environment.

Procedures to conduct NYTEST equipment audits at the NYMA inspection stations were developed in 2001, and the full equipment audits commenced in August 2001. In calendar year 2007, NYSDEC visited 1,245 inspection stations and conducted a total of 1,189 audits. Table II.D summarizes the NYTEST equipment audit statistics. Note that many inspection stations failed the equipment audits for more than one reason. Therefore, the audit failure percentages in Table II.D would add up to more than 100%. The top three audit failure reasons were leak check, gas audit, and calibration gas.

The percentage of testing facilities failing the NYTEST equipment audits decreased in calendar year 2007. Stations were again specifically selected for audits based on the reported performance data indicating potential problems: i.e., calibration records, low failure rate, high idle test percentage, high gas cap bypass rate, extremely high emissions readings, or stations that conducted high numbers of tests during a selected time frame. However, a greater number of stations were audited as routine audits selected to ensure that all stations can expect to eventually be periodically audited.

Administrative stops (or a shutdown) are issued to inspection stations that fail the NYTEST equipment audits, per discussions in the Quality Assurance Report section. Note that an audit failure for any of the reasons listed in Table II.D would not necessarily lead to an administrative stop, since the majority of the audit failures were remedied/corrected within the required time frames. In calendar year 2007, a total of 691 failed NYTEST equipment audit cases were noted, as shown in Table II.D. A total of 17 administrative stops/facility shutdowns were issued by NYSDMV, as shown in Table II.C.3.

Additionally, as part of the required NYTEST software update conducted by the vendors during 2001, certain analyzer quality assurance checks (i.e., periodic calibrations) are required on a daily and weekly basis. The software is designed to assure that the acceptance criteria are met. Otherwise, the analyzer would be “locked out” and prevented from further testing until appropriate and necessary repairs are made. This quality control check information is automatically recorded and transferred to NYSDEC in the form of calibration records. These records, as mentioned above, have also been used to target facilities for an NYTEST equipment audit. In calendar year 2007, a

total of 210,026 calibration records were received and these calibration records were selectively reviewed as necessary by NYSDEC staff.

E. Enforcement Program Report

With mandatory annual safety inspections and emissions tests, stickers (for vehicles “passing” either NYTEST or NYVIP) are being accounted for electronically as well as generated directly by the inspection equipment (NYTEST) with a security font. With these computerized systems, the number of stickers missing, stolen, or sold has decreased.

Vehicle information, such as registration expiration date, area of operation (i.e., NYMA or Upstate), weight class, and fuel, have been encoded into the bar code for use during vehicle inspection. Both NYSDEC and NYSDMV utilize the database as a computer matching-based enforcement program to monitor the vehicle information and to check for validity.

For example, a transient-tested vehicle must not be coded as a HDV, or an applicable model year 1996+ LDV must receive an OBD II inspection. In addition, issues related to clean scanning and repair waivers are also being examined. These rigorous studies and investigations are ongoing, and have resulted in record updates and data corrections.

Another enforcement activity utilized by NYS DMV is based on the traffic tickets issued by law enforcement from multiple sources such as state, county and local courts. There were 157,496 traffic tickets issued to motorists in calendar year 2007 for having a V&T Law 306(b) violation (i.e., operating an uninspected vehicle), 37,693 of them were issued in NYMA and 119,803 in Upstate.

1. NYMA

The high enhanced I/M program has provided mandatory annual safety inspections with emission tests for 78.12% of the entire light-duty fleet, with the remaining 21.88% exempt due to vehicles’ model year or fuel. In calendar year 2007, a total of 4,986,958 inspection stickers were issued for NYMA.

NYSDMV implemented a phased-in registration-based denial enforcement program⁷ in 2001, with a full implementation in late 2002. The summary of this month-by-month registration denial enforcement program statistics is provided in Table II.E. Due to a change in NYSDMV reporting, the number of denial warnings issued was not available at this time. As shown in Table II.E, of those motorists receiving warning in calendar year 2007, 55,341 still attempted to renew their registration without correcting the problem, hence their renewals were denied.

⁷ Under the program, motorists must have a valid inspection record on file within the previous 15 months upon registration renewal. Otherwise, a warning is printed on the registration renewal invitation. In the event that motorists provide sufficient proof (e.g., valid sticker number or receipt) later on, the denial would be overridden and renewal of registration would be allowed.

NYSDMV inspected 4,916 stickers from NYMA vehicles. Based on the inspection sticker compliance surveys, an overall compliance rate of 96.77% was found, with the following non-compliance issues: 23 with no stickers, one with the wrong sticker, 89 with stickers expired for 60 days or less, and 46 with stickers expired more than 60 days.

2. Upstate

For the low enhanced I/M program in Upstate, 79.94% of the light duty fleet was required to undergo an OBD II inspection. A total of 5,213,311 inspection stickers (for safety inspections and emissions tests) were issued.

DMV implemented registration-based denial enforcement program for Upstate starting with dealer transactions in December 2006. Enforcement for the registration renewal population was phased-in gradually starting with the September 2007 renewals. Starting in September 2007, a total of 13,008 registration renewals were denied.

NYSDMV inspected 5,352 tickers from Upstate vehicles. Based on the inspection sticker compliance surveys, an overall compliance rate of 96.12% was found, with the following non-compliance issues: 29 with no stickers, three with the wrong stickers, 108 with stickers expired for 60 days or less, and 68 with stickers expired more than 60 days.

III. CONCLUSIONS

During calendar year 2007, the State of New York continued to operate the OBD II inspection program for all model year 1996+ LD fleet vehicles registered in both the NYMA and Upstate I/M areas, and the NYTEST program for all 1982 to 1995 model year LD fleet vehicles as well as all 1982 to 2005 HDV fleet vehicles registered in NYMA. The TLC OBD II inspection program, which began on December 8, 2003, also continued to function through calendar year 2007 with various improvements.

More importantly, continuing efforts on the part of NYSDEC and NYSDMV will enable New York State to maintain conformance with the SIP and its intended goal: Cleaner air for the residents of the State of New York.