
APPENDIX G



DAVID J. SWARTS
Commissioner

STATE OF NEW YORK DEPARTMENT OF MOTOR VEHICLES

6 EMPIRE STATE PLAZA, ALBANY, NY 12228

Albany, New York

September 18, 2008

TO: Inspection Stations - Attention: Station Owner/Manager

SUBJECT: NYTEST Shared Network Program

On September 24, 2008, emissions inspection facilities in the New York Metropolitan Area (NYMA) will have new options for fulfilling their NYTEST inspection requirements under a newly adopted amendment to Part 79 of the Commissioner's Regulations. We are calling this program the NYTEST Shared Network. The amendment to the Regulations provides relief for stations that are no longer inspecting an adequate number of vehicles model year 1995 and older to warrant maintaining the NYTEST equipment. Stations that no longer service or inspect these vehicles may refer customers to another licensed facility that can inspect these vehicles. Stations who service these model year vehicles may choose to keep their equipment and accept vehicle referrals from neighboring facilities. We have included a summary of the information you need to make an informed business decision for your station.

The NYTEST Shared Network is voluntary. If you choose not to participate, your obligation remains the same; you must continue to inspect all vehicles presented and keep your emissions inspection equipment in proper working order.

If you wish to become a Shared Network Station and you meet the eligibility requirements, you can become a Sending Station or a Receiving Station. A Sending Station can fulfill its NYTEST inspection responsibilities by entering into an agreement with a neighboring licensed inspection station (Receiving Station) to inspect 1995 and older vehicles. The Receiving Station must be within 5 miles and 15 minutes driving time of the Sending Station. Sending Stations will be obligated to keep an agreement with at least one Receiving Station in place at all times and either bring vehicles for inspection or refer their customers to the Receiving Station. The Receiving Station must keep all equipment in proper working order and maintain a service agreement with its NYTEST equipment vendor. Stations may still only charge customers the regulated emissions inspection fee of a maximum of \$37 for a safety/dynamometer or idle test. No additional service fee may be charged if you choose to use this program. Two stations cannot charge the same customer for the same inspection.

While this program is just beginning, we will accept applications at any time. There is no end date for entrance into the NYTEST Shared Network program. However, we will establish a waiting list if we reach the maximum number of Sending Stations allowable per county in order to ensure that vehicle owners do not have difficulty finding a NYTEST-capable station. As the number of vehicles requiring a NYTEST inspection goes down, we will approve additional Sending Stations from the waiting list, if one has been established.

We have attached information and instructions if you wish to apply to become a Shared Network Station, the minimum requirements to be in the Shared Network Program, as well as a sample application form. The Regulation outlines the eligibility criteria and procedures necessary for approval. You may read the complete text of the Regulation changes on the DMV web site at: www.nysdmv.com/forms/cr79up2 . We are revising the CR-79 Motor Vehicle Inspection Regulations manual, and it will be available when the update is completed.

David J. Swarts
Commissioner

Attachments

How to Become a Shared Network Inspection Station

Sending Station Requirements and Process

- Must have a valid official high enhanced emissions public inspection station license, and must have held the license for at least twelve (12) months prior to the date of application.
- Must enter into a Shared Network Agreement in the manner prescribed in Section 79.16(d) of the Regulations. The Agreement must:
 - be a written contract or agreement
 - be legible and in English
 - be signed by an authorized representative of the Sending and Receiving Station
 - be within five (5) driving miles and fifteen (15) driving minutes of the Receiving Station.
 - ensure that the Shared Network Agreement contains provisions for the Receiving Station to inspect all vehicles referred or presented by the Sending Station, the period of time that the Receiving Station is obligated to perform this service, and the payment(s) provided to the Receiving Station (if applicable).
- Must maintain at least one valid Shared Network Agreement; otherwise, all inspection activities (including safety inspections and NYVIP OBD II inspections) will be prohibited. A Sending Station may have up to three Shared Network Agreements.
- Must submit a separate Shared Network Application, in the manner prescribed, for each Shared Network Agreement initiated.
- Must include with each Shared Network Application: (1) a copy of the Shared Network Agreement; (2) a copy of the valid Receiving Station NYTEST service contract(s); and (3) a copy of the results of a computer search for directions, utilizing mapping software, that indicates the driving distance and the driving time between the Sending Station and the Receiving Station.

Receiving Station Requirements and Process

- Must have a valid official high enhanced emissions inspection station license.
- Must maintain a valid service contract with a NYTEST vendor, covering each NYTEST CVIS that the Receiving Station operates.
- Must enter into Shared Network Agreements in the manner prescribed in Section 79.16(d) of the Regulations. (See Sending Station Requirements for details)
- Must have the capability of performing the projected number of inspections that would be reasonably anticipated, based upon the Shared Network Agreements entered into with all Sending Stations.
- Is responsible for completing the entire inspection.

Shared Network Application Process

Facilities wishing to become Sending Stations should complete an **Application for Shared NYTEST Equipment Facility, form MV-253SN**. A copy is included with this package of information. You may photocopy this form or obtain additional copies on DMV's web site //WWW.NYS DMV.COM or by calling 518 - 474-0919.

Send the completed application to: NYS Department of Motor Vehicles, Bureau of Consumer and Facility Services, Application Unit, PO Box 2700, Albany, NY 12220-0700.

Along with the completed application, you must provide:

1. a copy of the Receiving Station service contract,
2. a copy of the written Shared Network Agreement between the Sending Station and your Receiving Station,
3. a printout from a mapping software package indicating the distance between the Sending Station and your Receiving Station.

Please Note: Until DMV approves your application, you must continue to maintain your NYTEST equipment and perform inspections on vehicles needing a NYTEST emissions inspection.

Shared Network Questions and Answers

Q: How do I enter into a Shared Network Agreement?

A: A Sending Station can enter into a Shared Network Agreement with a Receiving Station by filling out **Application for Shared NYTEST Equipment Facility, Form MV-253SN and developing their own separate agreement form to be used by the stations** . The Shared Network Application Form (MV253SN) requires the information and signatures of both the Sending and Receiving Station. You must submit a separate application (MV-253SN) for each agreement you have with each receiving station.

Q: How long must I have performed high-enhanced emissions inspections prior to becoming a Sending Station?

A: In order to become a Sending Station, an inspection station must have held an inspection license for at least twelve months prior to the application date. In addition, the station must provide a history of all the high-enhanced emissions inspections performed twelve months prior to application.

Q: When I become a Sending Station, what do I do with my high-enhanced inspection certificates (stickers)?

A: After becoming a Sending Station, you must surrender all high-enhanced inspection certificates to the Department of Motor Vehicles within thirty days of the Shared Network approval letter. You will get credit for unused stickers as you normally do.

Q: Do I receive payments from Sending Stations for entering into a Shared Network Agreement?

A: Payment is not a requirement of a Shared Network Agreement, but can be negotiated between Sending and Receiving Stations.

Q: How long do I have to perform an inspection for a referral?

A: There is no change from current regulations. Appointments must be within eight business days of the request from the Sending Station.

Q: Who pays the re-inspection fees if a vehicle fails inspection?

A: You cannot charge the consumer any additional fees for re-inspection unless the consumer has removed the vehicle from the inspection facility. If the vehicle requires re-inspection at the Receiving Station prior to delivering to the customer, the customer cannot be charged.

Q: Can I end an Agreement with a Receiving Station?

A: Yes, you can end a Shared Network Agreement with a Receiving Station at any time. You may end a Shared Network Agreement using the same form, an **Application for Shared NYTEST Equipment Facility, Form MV-253SN**. However, to remain a public inspection station, you must either remain a Sending Station by maintaining a Shared Network Agreement with at least one Receiving Station, or re-commissioning your equipment. If you fail to maintain a Shared Network Agreement with at least one Receiving Station, all inspection activity, including NYVIP, will be stopped.

Q: Can I stop being a Receiving Station?

A: Yes, you may withdraw as a Receiving Station. You must immediately notify any Sending Stations who send their inspections to you. In order to withdraw this designation, you must send a written request to the DMV Vehicle Safety Application Processing Unit which includes: the facility name, facility number and facility address, as well as the reason for the request. The owner, partner, or officer of the business must sign the request.

Q: Can I remove my designation as a Sending Station?

A: You may remove your designation as a Sending Station if you demonstrate that your NYTEST CVIS is fully functional and submit a separate application to drop each of your Receiving Stations.

Q: If I am a Sending Station and my Receiving Station can no longer perform NYTEST inspections, what will happen to me?

A: If you do not have any other active Agreements with another Receiving Station, all inspection activities will be stopped until you obtain another valid Shared Network Agreement or re-commission your NYTEST equipment. If one of your Receiving Stations can no longer perform inspections, you must have at least one other Shared Network Agreement.

Q: Can an inspector from my station perform an inspection at a Receiving Station?

A: This is not prohibited by regulation and is something that can be considered in the Shared Network Agreement.

Q: What do I charge customers for the process?

A: You may charge customers up to the prescribed fee for an inspection and may not charge any additional fees. The customer can only be charged for one inspection; both (sending and receiving) stations may not charge the customer.

Q: How will I know if one of my Receiving Stations is unable to perform high-enhanced emissions inspections?

A: Whenever a Receiving Station is prohibited from performing high-enhanced emissions inspections for any reason, they must immediately inform all of their Sending Stations in writing.

Q: Am I required to make payments to Receiving Stations after entering into a Shared Network Agreement?

A: Sending Stations are not required to make payments to Receiving Stations unless they have negotiated this with the Receiving Station as part of their Shared Network Agreement.

Q: Can I perform a safety inspection prior to bringing it to the Receiving Station for an emissions test?

A: No, a Sending Station is not permitted to perform only the safety portion of an inspection. The inspector certifying the inspection must perform the entire inspection.

Q: Am I required to take possession of vehicles presented to me for an emissions inspection?

A: No. You may choose to refer the customer to your Receiving Station by providing them with the location in writing or you may bring the vehicle to a Receiving Station, with an owner's consent. If you accept responsibility for a vehicle's emissions inspection, you are required to provide the vehicle owner with the name of the inspection station that performed the inspection.



APPLICATION FOR SHARED NYTEST EQUIPMENT FACILITY

INSTRUCTIONS

This form is used to add and/or drop agreements for inspection stations participating in the Shared Network program. A “sending” station must complete an application form MV-253SN for each “receiving” station with which it wants to have an agreement. The sending station must also provide verification of the respective locations of the sending and receiving stations (see the “Location Verification” section below), and a copy of the receiving station’s service agreement. Both the sending and receiving stations must complete and SIGN their respective certification blocks on page 2 of this form.

Note: Complete this form as accurately and legibly as possible. Failure to do so may slow down the application approval process.

ACTION THE SENDING STATION IS TAKING WITH THIS FORM

- Adding an agreement with a receiving station Dropping a receiving station

SENDING STATION INFORMATION

Your Facility Number 	Your Facility Name	Facility Phone Number ()	
Your Facility Address - Number and Street			County
City		State	Zip Code

NYTEST History

Became a NYTEST station on: Month Day Year Number of NYTEST inspections performed in the past 12 months: _____

Location Verification

The sending station is _____ miles from the receiving station on this form, and is _____ minutes’ drive from the receiving station.
 I have attached a copy of one or more maps that verify the LOCATIONS of the sending and receiving stations and their DISTANCE from each other, such as printouts from an internet search or map website.

RECEIVING STATION INFORMATION FOR INITIAL AGREEMENT OR NEW RECEIVING STATION

Facility Number 	Facility Name	Facility Phone Number ()	
Facility Address - Number and Street			County
City		State	Zip Code

Provide the manufacturer’s name and the model number of the testing equipment used by your station.

Manufacturer’s Name: _____ Model Number: _____

NOTE: *The receiving station above MUST provide the sending station with a copy of the receiving station’s service agreement to submit with this application if the sending station is INITIATING a relationship with this receiving station.*
 I have attached the service agreement.

FOR OFFICE USE ONLY

Facility Number		3 of Name		ISP Emission Number	
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RECEIVING STATION CERTIFICATION FOR INITIAL OR NEW RECEIVING STATION

I certify that I am the owner, partner or officer of the receiving station named on page 1 of this application form, and that the information provided by me on this form is true.

Name (Please PRINT FULL name)

Signature (FULL name)

Title

Date

RECEIVING STATION INFORMATION FOR STATION BEING DROPPED

The sending station is: Replacing this receiving station. Dropping this receiving station and NOT adding a new one.

Facility Number

Facility Name

SENDING STATION CERTIFICATION

I certify that I am the owner, partner or officer of the sending station named on page 1 of this application form, and that all of the information provided by me on this form is true.

Name (Please PRINT FULL name)

Signature (FULL name)

Title

Date

CHECKLIST

1. Please indicate whether you are adding or dropping a Shared Network agreement (both can be done on a single application).
2. Completely fill in your facility's information and information regarding your history as a NYTEST station. You must have been a fully operational NYTEST inspection station for one full year BEFORE you can apply to be a sending station. Include the number of NYTEST inspections conducted in your facility over that one-year period.
3. Attach a computer printout of the distance between your station and your receiving station using mapping software such as Google™ maps or MapQuest® maps. (*Note: The travel distance cannot exceed 5 miles OR 15 minutes' driving time.*)
4. Attach a copy of the receiving station's current NYTEST service agreement.
5. Attach a copy of the written agreement between sending and receiving stations.
6. You can include only one receiving station per application.
7. Fill in the receiving station's information (including NYTEST equipment information), and obtain the signature of the owner, partner or officer.
8. If you are ending an agreement with a receiving station, you only need to include the station's name and facility number.
9. Include the name and signature of the sending station's owner, partner or officer at the end of the agreement.
10. **Reminder: In order to perform inspections, you must maintain a Shared Network agreement with at least one (1) receiving station, or recommission your equipment. Sending stations will not be displayed as NYTEST stations on the DMV Internet Facility Look-up web page.**

RETURN THIS COMPLETED REQUEST, AND ANY REQUIRED DOCUMENTATION, TO:

NYS Department of Motor Vehicles, Bureau of Consumer and Facility Services, Application Unit, PO Box 2700, Albany NY 12220-0700
OR send it by FedEx® to: NYS Department of Motor Vehicles, Vehicle Safety Applications Unit, Swan Street Building, Room 110, Core 1, Floor 1, Albany, NY 12228.

You will be notified by mail of the determination regarding this application.

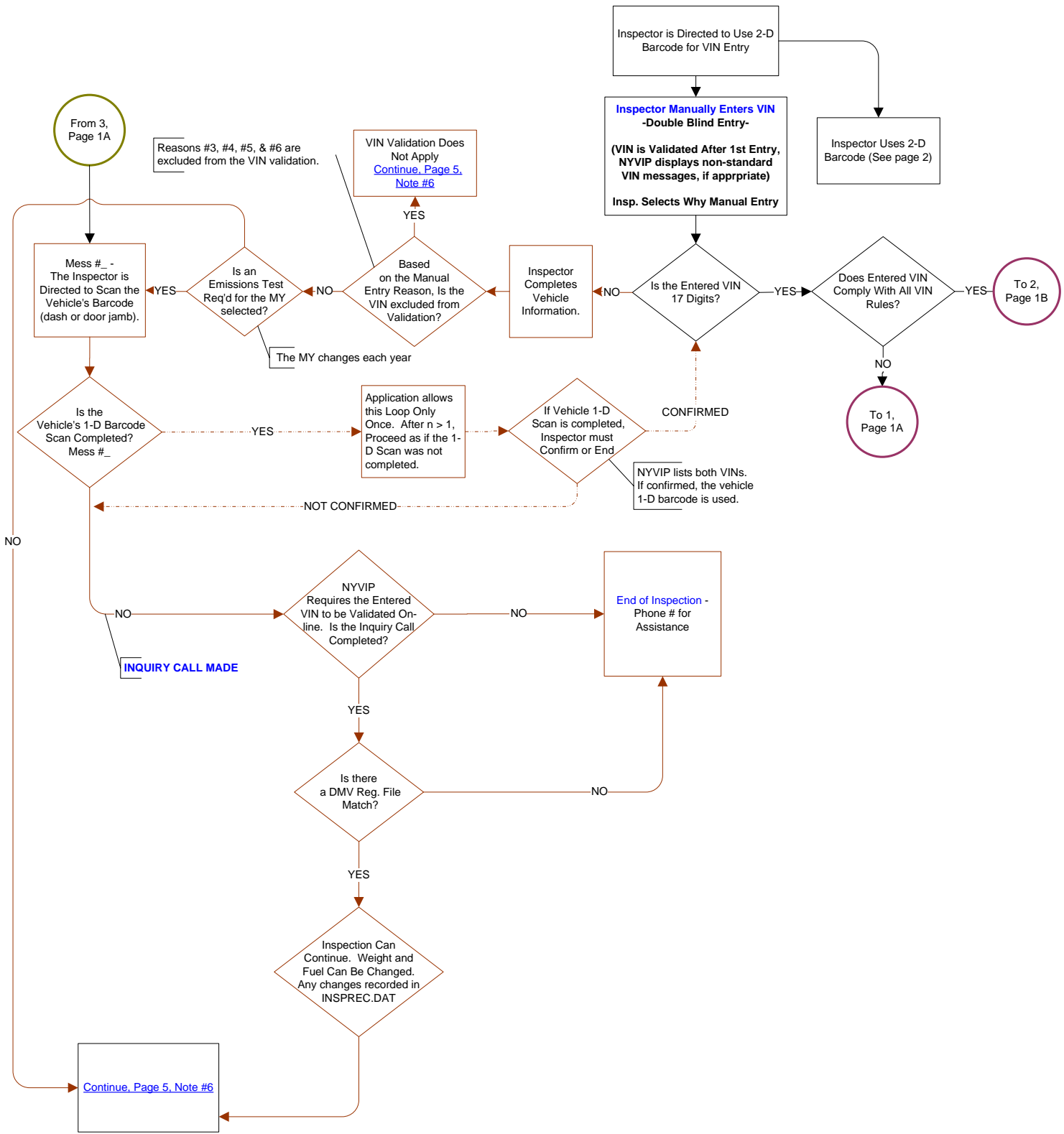
You are required to maintain your NYTEST equipment until you receive official notification that you may decommission it.

APPENDIX H

VIN Validation Flow Chart

Page 1

- VIN Validation "Rules"**
- 17-digits
 - Last 4 digits are numeric
 - Cannot Use I, O, or Q
 - Digit Check on 9th Character
 - Validation Does Not Apply to registrations beginning with "NY".

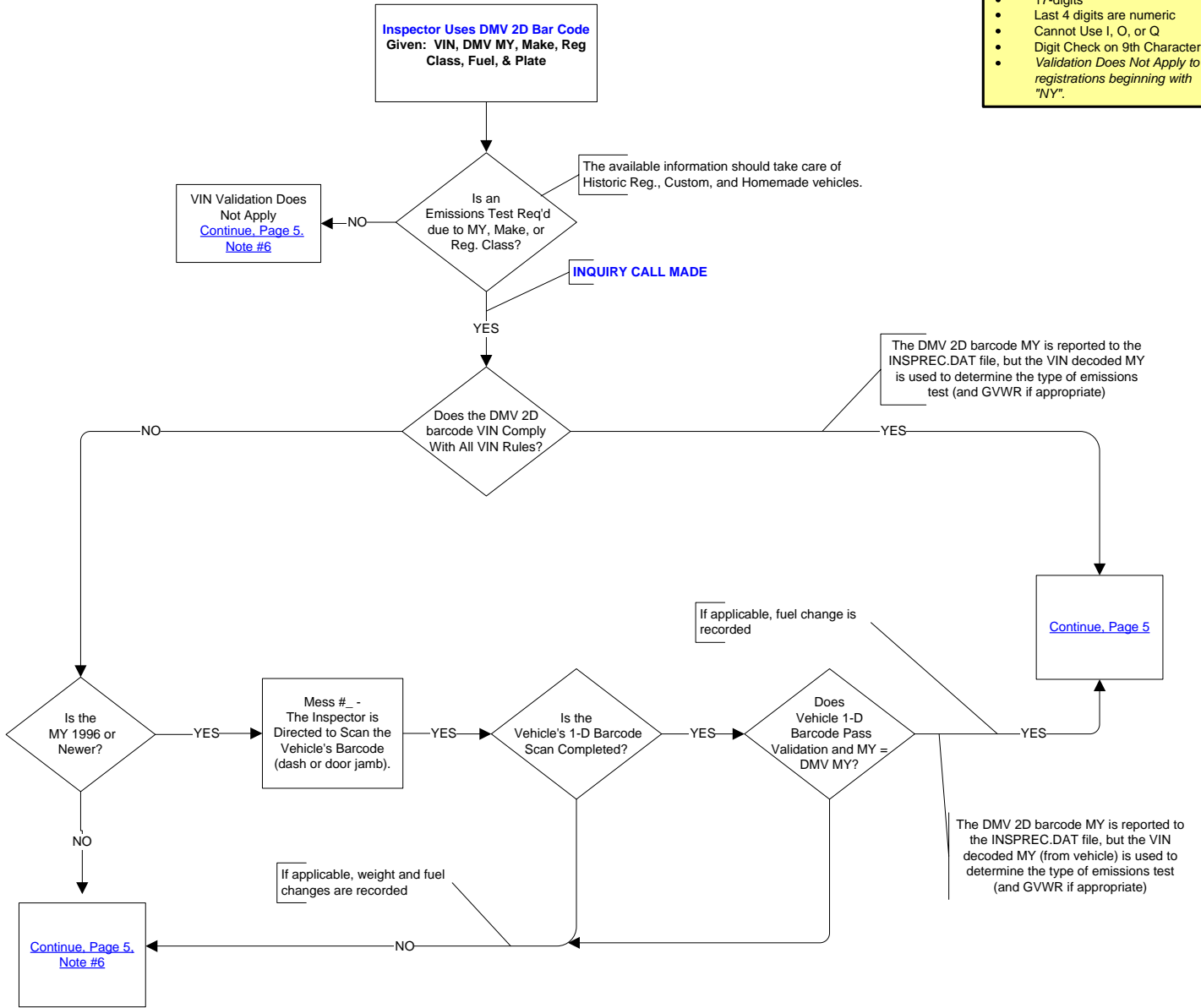


VIN Validation Flow Chart

Page 2

- VIN Validation "Rules"**

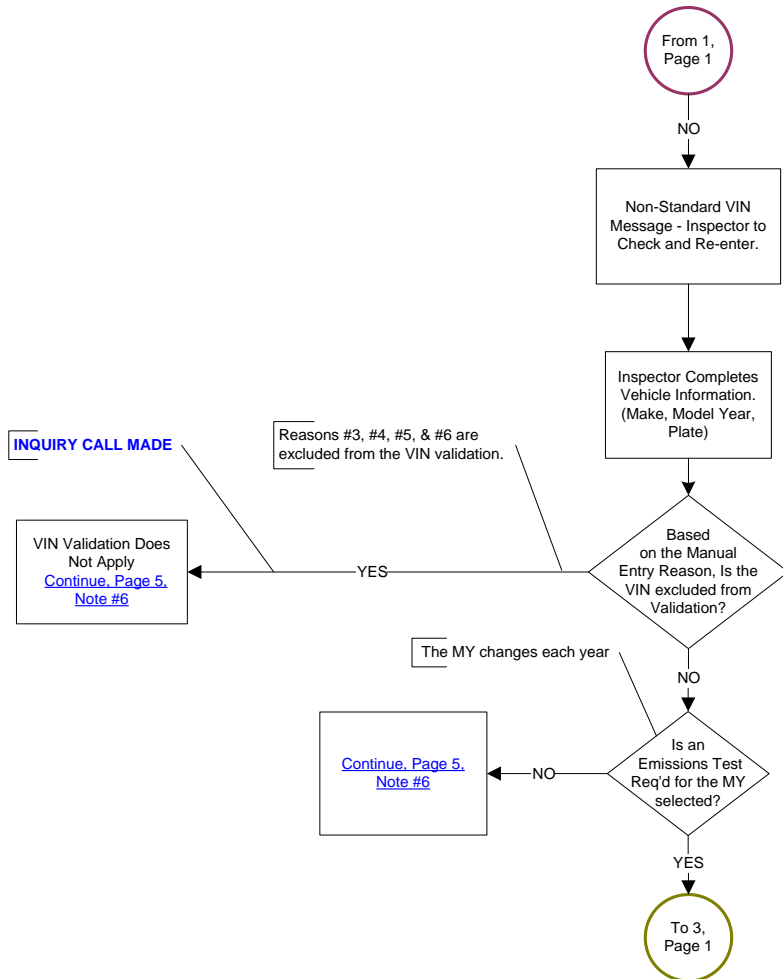
 - 17-digits
 - Last 4 digits are numeric
 - Cannot Use I, O, or Q
 - Digit Check on 9th Character
 - Validation Does Not Apply to registrations beginning with "NY".



VIN Validation Flow Chart

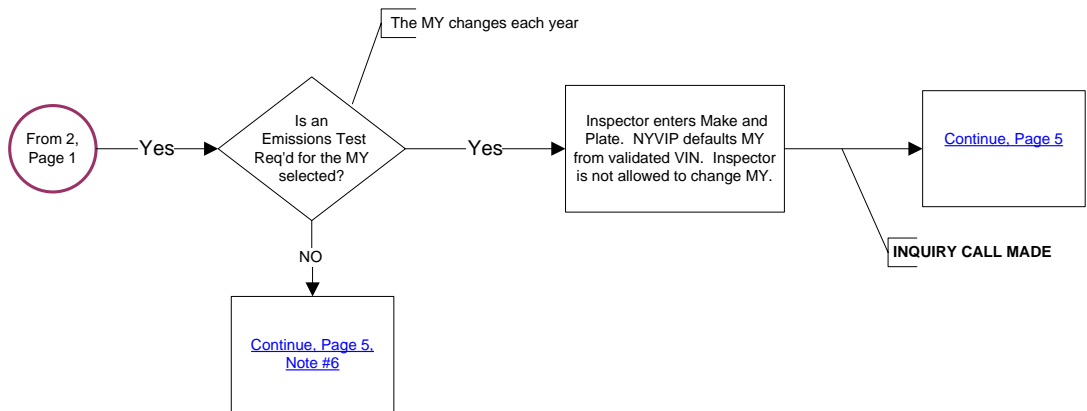
Page 1A

- VIN Validation "Rules"**
- 17-digits
 - Last 4 digits are numeric
 - **Cannot use I, O, or Q**
 - Digit Check on 9th Character



VIN Validation Flow Chart

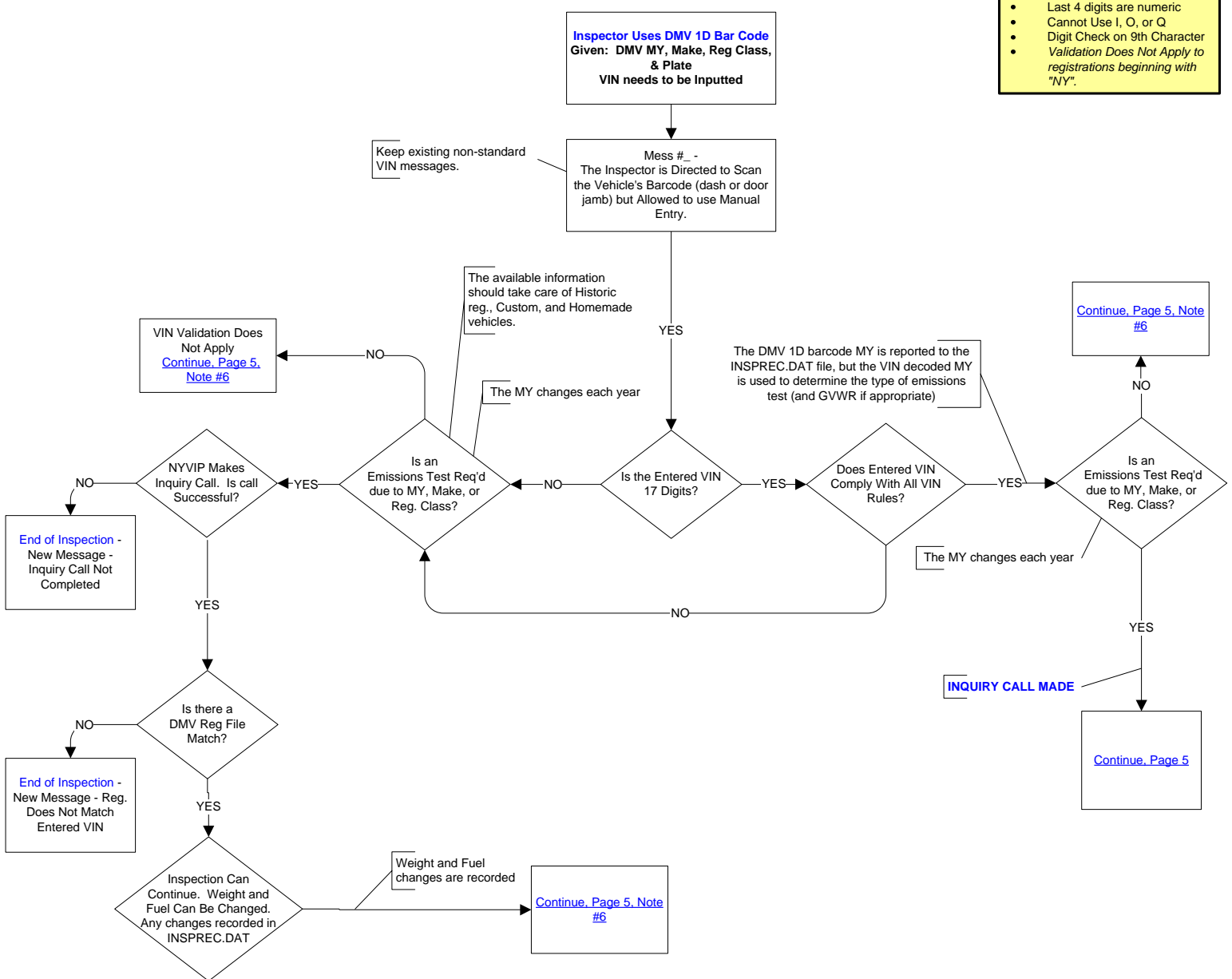
Page 1B



VIN Validation Flow Chart

Page 3

- VIN Validation "Rules"**
- 17-digits
 - Last 4 digits are numeric
 - Cannot Use I, O, or Q
 - Digit Check on 9th Character
 - Validation Does Not Apply to registrations beginning with "NY".

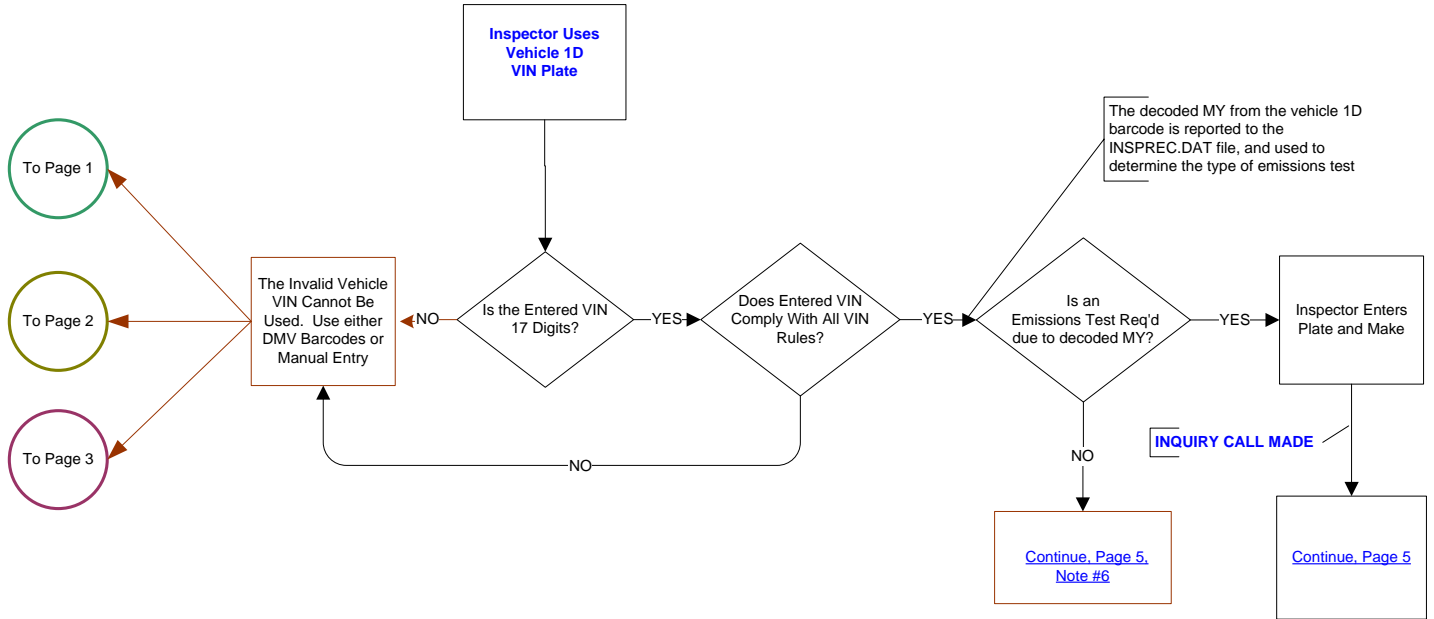


NOTE: For a DMV 1-D barcode scan, the INSPREC.DAT file should be able to record whether the VIN was entered by manual keyboard entry or vehicle barcode scan.

VIN Validation Flow Chart

Page 4

- VIN Validation "Rules"**
- 17-digits
 - Last 4 digits are numeric
 - Cannot Use I, O, or Q
 - Digit Check on 9th Character
 - Validation Does Not Apply to registrations beginning with "NY".



VIN Validation
Flow Chart
Page 5

GENERAL - Unless directed to "Continue, Page 5, Note #6," use the GVWR reference file for validated VINs with **MY 1996 and newer**.

NOTE #1 - Whenever a DMV 1D barcode is used, NYVIP should record how the VIN was entered: manual entry or vehicle VIN plate. The MY from the DMV 1D barcode will be reported to the INSPREC.DAT file, but the decoded MY (from a compliant VIN) will be used to determine GVWR file applicability. (See below.)

NOTE #2 - If a DMV 2-D barcode is scanned but deemed non-complaint, NYVIP should record that the vehicle's VIN plate was used to determine GVWR. The MY from the DMV 2D barcode will be reported to the INSPREC.DAT file, but the decoded MY (from a compliant VIN - VIN plate) will be used to determine GVWR file applicability. (See below.)

NOTE #3 - Values and definitions of the "Data Entry Method" field of the INSPREC.DAT file are:

- 0 = Keyboard Entry
- 1 = DMV 1D Barcode / Manual VIN Entry
- 2 = DMV 2D Barcode
- 3 = Vehicle VIN Plate
- 4 = Non-complaint Manual Entry
- 5 = DMV 1D Barcode / VIN by Vehicle Plate
- 6 = Non-compliant DMV 2D Barcode / Vehicle VIN Used for GVWR
- 7 = Trailer
- 8 = Motorcycle
- 9 = Non-compliant DMV 2D Barcode / Vehicle VIN Not Used for GVWR

NOTE #4 - Whenever the Make, "Other," is chosen by the Inspector, NYVIP will display the message, "Selection of "OTHER" as the vehicle Make may result in the vehicle's registration renewal being denied. Please review the Make selections and select the appropriate Make for the vehicle being inspected, if available". NYVIP will require a second selection of Make, and will record the 2nd selection within the INSPREC.DAT file. (The use of "Other" is an acceptable 2nd selection.) The VIR will also note that, "Other has been chosen as the vehicle Make. Check the vehicle registration document to see if "Other" is the listed Make."

NOTE #5 - The use of the GVWR reference small file is limited to emissions inspections for MY 1996 and newer vehicles, as follows:

Condition #1 (the 17-digit VIN from any entry method passes all of the VIN Validation Rules + the GVWR table has a match indicating the vehicle is less than 8,500 lbs GVWR) - NYVIP completes the weight code field as Weight Code #1; Weight changes are NOT allowed, and the existing weight change warning messages are no longer applicable.

Condition #2a (the 17-digit VIN from any entry method passes all of the VIN Validation Rules + the GVWR table does not find a match) - a) If a DMV weight code is available (from the DMV 1D or 2D barcodes) and the DMV WC is 2, 3, or 4, then NYVIP fills the Weight Code field of the Inspection Screen with the DMV information. Weight changes to the "filled" values are allowed, but the existing weight change warning messages are no longer applicable.

Condition #2b (the 17-digit VIN from any entry method passes all of the VIN Validation Rules + the GVWR table does not find a match) - b) if the DMV weight is WC1 (obtained from the DMV 1D or 2D barcodes) or if DMV weight information is not available (i.e., offline & manual entry), then NYVIP leaves the Weight Code field of the Inspection Screen blank. A new message appears, "Review the vehicle's door jamb for the listed GVWR and enter the weight code. [NYVIP displays the weight ranges for each weight code. NYVIP will not proceed unless a valid weight code is entered. The entry of a GVWR value is not acceptable.] The existing weight change warning messages are no longer applicable.

NOTE #6 - Compliance with VIN validation (and GVWR reference file) is not required in this scenario. The inspection is allowed to continue.

NOTE #7 - A match with the Inspection file has no application with VIN validation or GVWR reference file.

NOTE #8 - A reg. file match is generally based on VIN, model year, and make. If the vehicle make is "Other," the reg. file match will be based on only VIN and model year.

NYVIP MESSAGE No.13 (2006)

Date: 11/20/2006

TO: ALL INSPECTION STATIONS

FROM: NYS DEPT. OF MOTOR VEHICLES

SUBJECT: NYVIP SOFTWARE UPDATE

The Department of Motor Vehicles, The Department of Environmental Conservation and SGS Testcom have made enhancements to the New York Vehicle Inspection Program (NYVIP) software. Many of these enhancements were suggested by individual inspectors or stations and from other feedback we have received since the beginning of the program. In a few days, you will receive a CD in the mail from SGS Testcom containing the NYVIP Software Update. When you receive the CD you should follow the instructions enclosed for updating your NYVIP unit.

The following is a summary of most of the changes incorporated into the Software Update.

- Most Motorcycle, Trailer and Truck makes are now listed. Motorcycle and Trailer makes will only appear when that type of inspection is selected.**
- When the inspector scans a DMV 1D bar code on the registration sticker of the vehicle, he will be prompted to scan the 1D bar code on the vehicle's dashboard or door jamb or enter the VIN manually to ensure that the inspection is credited to the proper vehicle.**
- NYVIP will now validate the VIN and compare it to a gross vehicle weight rating table (GVWR). If the vehicle is on the table, NYVIP will conduct an OBDII inspection. If the vehicle is not on the table, the inspector will be allowed to select the appropriate weight code for the vehicle's inspection. This will eliminate warning messages on most inspection receipts and save the inspector time.**
- The inspector will only be able to enter vehicle emission repairs on a re-inspection to reduce confusion and accidentally entering the same repairs more than once.**
- There will be a confirmation screen when entering the amount of emission repairs to allow the inspector to correct an incorrect entry.**

- **The selection “Unable to remove a wheel” has been added to the screen “Wheel removed to inspect brakes”. If the inspector makes that selection and has previously indicated that the Service Brake system passed, a confirmation screen will appear. Confirming the selection will fail the vehicle for Service Brakes, not confirming the selection will allow the inspector to make another wheel selection.**
- **During some OBDII inspections where the NYVIP and vehicle fail to communicate, inspectors have made the selection that the failure is based on the NYVIP connector being broken or missing. This has caused the NYVIP unit to lock out and the inspector to call to get instructions on un-locking the unit. A confirmation screen has been added to assist the inspector in making the correct selection.**
- **When a vehicle is eligible for an inspection waiver, the inspector will be able to answer the question by pressing the “Y” or “N” on the Scan Tool Interface.**
- **When issuing an inspection certificate to a trailer or to a vehicle receiving an inspection waiver, NYVIP will display new messages informing the inspector of the correct boxes that need to be punched or checked.**
- **NYVIP will now print the Daily Report automatically.**
- **When a message is sent to the station, the Mailbox icon will flash, the inspector will be able to use the mouse and left click on the mailbox and this will open the State Message Menu for the inspector to select the message or messages to view.**
- **Safety and Emission Control Device inspection criteria has been added to the Inspection Menu.**
- **There will be a confirmation when the inspector enters inspection stickers into inventory. The inspector will select the stickers to be entered, and NYVIP will request the first sticker in each book be scanned to confirm the correct stickers are being entered. If the book being scanned matches the selection made by the inspector, NYVIP will display a message indicating the stickers were entered into inventory. Please be careful to only check/select books of stickers that are actually on hand.**
- **When reprinting an inspection receipt for a vehicle that was issued an inspection waiver, NYVIP will print both the receipt and the waiver. Both documents will indicate that they are duplicates. Reprinting a receipt will print the last inspection of the vehicle only.**

- **There will be an End of Year Sticker Inventory Report indicating all inspection stickers that were not used during the year. It will list all stickers that were noted as damaged or stolen and what stickers are eligible to return to DMV for credit.**
- **Please pay attention during the OBDII test sequence to screens and messages, as some of them have been changed to save time.**

As always we value your feedback. Questions or comments regarding the new upgrade or changes for future upgrades may be made from the Main Menu by selecting option #3, Contractor's Add On Menu, and then selecting option #1, Send Feedback. Of course you may still contact Clean Air at 518-473-0597.

It is important that all stations load the CD update in a timely manner. NYVIP units not using the new version of the software by January 31, 2007 will be locked out. If you need assistance in loading the update or you haven't received the update by December 15, 2006, contact the SGS Testcom Help Desk at 1-866-469-8477.

APPENDIX I

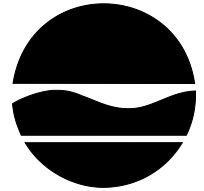
GVWR Table

VIN Position								Make	Model	Application Weight
<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>			
9	U							Acura		< 8,500 GVWR
A	E							Acura		< 8,500 GVWR
H	4							Acura		< 8,500 GVWR
H	N							Acura		< 8,500 GVWR
J	8	T	B	1	8			Acura	RDX	< 8,500 GVWR
C	F	A	A					Aston Martin	DB7	< 8,500 GVWR
C	F	A	B					Aston Martin	Vantage	< 8,500 GVWR
C	F	A	C					Aston Martin	Vanquish	< 8,500 GVWR
C	F	A	D					Aston Martin	DB9	< 8,500 GVWR
C	F	B	B					Aston Martin	Vantage	< 8,500 GVWR
A	1	A						Audi	Q7	< 8,500 GVWR
A	1	B						Audi	Q7	< 8,500 GVWR
A	1	C						Audi	Q7	< 8,500 GVWR
A	1	E						Audi	Q7	< 8,500 GVWR
A	1	Y						Audi	All Road 4-Dr. Wagon	< 8,500 GVWR
A	U							Audi		< 8,500 GVWR
R	U							Audi		< 8,500 GVWR
U	A							Audi		< 8,500 GVWR
C	B	B	R	5	3			Bentley	Flying Spur	< 8,500 GVWR
C	B	B	R	9	3			Bentley	Saloon	< 8,500 GVWR
C	B	D	R	3	3			Bentley	Saloon	< 8,500 GVWR
C	B	L	B					Bentley	Arnage, Green	< 8,500 GVWR
C	B	L	C					Bentley	Arnage, Red	< 8,500 GVWR
C	B	Z	K					Bentley	Azure	< 8,500 GVWR
B	A	A	M	3	3			BMW	328I	< 8,500 GVWR
B	A	A	M	5	3			BMW	328I	< 8,500 GVWR
B	A	A	N	3	3			BMW	323I	< 8,500 GVWR
B	A	A	N	3	7			BMW	325I	< 8,500 GVWR
B	A	A	R	3	3			BMW	323I	< 8,500 GVWR
B	A	A	V	3	3			BMW	325I	< 8,500 GVWR
B	A	A	V	5	3			BMW	330I	< 8,500 GVWR
B	A	A	W	3	3			BMW	325I	< 8,500 GVWR
B	A	A	X	1	3			BMW	325I	< 8,500 GVWR
B	A	A	Z	3	3			BMW	325I	< 8,500 GVWR
B	A	B	D	3	3			BMW	325CI	< 8,500 GVWR
B	A	B	D	5	3			BMW	330CI	< 8,500 GVWR
B	A	B	E	7	3			BMW	318IS	< 8,500 GVWR
B	A	B	E	8	3			BMW	318IS	< 8,500 GVWR
B	A	B	F	7	3			BMW	323IS	< 8,500 GVWR
B	A	B	F	8	3			BMW	323IS	< 8,500 GVWR
B	A	B	G	1	3			BMW	328IS	< 8,500 GVWR
B	A	B	G	2	3			BMW	328IS	< 8,500 GVWR

APPENDIX J

**New York State Department of Environmental Conservation
Division of Air Resources**

Bureau of Mobile Sources and Technology Development, 2nd Floor
625 Broadway, Albany, New York 12233-3255
Phone: (518) 402-8292 • **FAX:** (518) 402-9035
Website: www.dec.ny.gov



Alexander B. Grannis
Commissioner

November 15, 2007

By E Mail

Attn: Docket No. NHTSA-2007-27830
Docket Management Facility
U.S. Department of Transportation
1200 New Jersey Avenue, SE.
West Building, Ground Floor, Room W12-140
Washington, D.C. 20590-001

Docket ID No. NHTSA-2007-27830 Vehicle Identification Number Requirements

Dear Docket Administrator:

These comments relate to the National Highway Traffic Safety Administration (NHTSA) and Department of Transportation's (DOT) proposed amendments to 49 CFR Part 565 governing the configuration of the vehicle identification number (VIN).

The New York State Department of Environmental Conservation (Department) supports NHTSA and DOT's efforts to ensure that there will be a sufficient number of unique manufacturer identifiers and VINs for the current 17-character VIN system for at least another 30 years. The Department wishes to offer the following comments based on the preamble discussion and proposed changes to 49 CFR Part 565:

1. Absent from the Notice of Proposed Rule Making (NPRM) Background discussion is the fact that many motor vehicle Inspection and Maintenance (I/M) programs utilize VIN decoding software to determine emissions testing requirements. Since NHTSA/DOT is amending the VIN regulation, the rulemaking offers an opportunity to seek clarification from vehicle manufacturers concerning issues that presently affect VIN decoding. Vehicle information including age (model year is defined within digit 10), fuel type, weight (gross vehicle weight rating) and make are used to determine emissions testing applicability (i.e., exemptions, exceptions) and the appropriate type of emissions tests (i.e., tailpipe, onboard diagnostic). While this information is currently included within the VIN, fuel type and weight are not treated consistently across all manufacturers and vehicle types.

Trends indicate an increase in the manufacture of light-duty diesels, dedicated alternative fuels, and hybrid vehicle technology in the future. It would be very useful for I/M programs to have dedicated fuel type or type of hybrid technology clearly identified within the VIN. If NHTSA/DOT regulations cannot specifically define fuel type within the 17-digit VIN structure, another alternative could be to have the

manufacturers annually report to NHSTA as to how fuel type is defined within their VINs (i.e., define VIN strings for each fuel type manufactured), and for NHTSA to make this information available for use in state I/M programs.

2. The NPRM proposes to move the location of information conveying vehicle make to the second section of the VIN. It is unclear if vehicle make would become more difficult to obtain if this proposal is finalized as written. Vehicle Make must be readily available to state regulatory programs from the VIN.

3. New vehicles may be certified by the manufacturers to various emission standards (i.e., CARB, 50 state, federal) and levels. It would be useful to states if the 17-digit VIN structure include an identifier noting the certification type and, if possible, the level of certification (i.e., ULEV, SULEV, Tier 2). This information would be beneficial to state efforts in the enforcement of vehicle sale regulations, and would also enable states to more accurately determine the emissions characteristics of their respective fleets for air quality planning purposes.

The Department appreciates this opportunity to comment on the proposed amendments to 49 CFR Part 565.

Sincerely,

Steven E. Flint

Steven E. Flint, P.E.
Director, Bureau of Mobile Sources and Technology
Development
Division of Air Resources

New York State Department of Motor Vehicles
Response to National Highway Safety Administration
49 CFR Part 565 Docket No NHTSA-2007-27830

We do not anticipate any substantial problems with the proposal. We offer the following suggestions:

1. RE: Section 565.4(f) General Requirements (pg 8, column 3 of the Oct 2, 2007 Federal Register): We recommend that this section be amended to include the passage "The VIN must face the front of the vehicle." We have encountered some grey market vehicles with the public VIN tag facing the driver. While the VIN is readable from the outside, it is very hard to read "upside down" especially on SUV vehicles because of the height of the vehicle and the difficult viewing angle that it creates.
2. Bulleted Proposal (un-numbered) #7 regarding the check digit (pg 4, column 2): Effective Jan. 1, 2005 VIN numbers were no longer acceptable for off-road vehicles, such as ATV's, snowmobiles, and dirt bikes. Instead, off-road vehicles now receive a 17 character Product Identification Number (PIN) from SAE (the authorized agency that issues both VINs and PINs to manufacturers). These PIN's will come back as "non-conforming" when using a VIN checking program. The PIN can be easily distinguished from a VIN by the 9th character--the check character. All VINs use a numeric indicator + X. All PINs use an alpha character in the 9th place, except an "X." I recommend that a passage be included in the proposal, as follows: "The changes to the VIN (under the current NHTSA proposal) will not duplicate Product Identification Numbers for Off-Road Vehicles."
3. We anticipate an increase in both dedicated alternative fuels and hybrid vehicle technology. Since I/M programs use the VIN to determine emissions testing requirements it would be very useful to have the dedicated fuel or various types of hybrid engines identified within the VIN.

APPENDIX K

Submitted by e-mail:

NYSDEC would like to offer the following comments on the draft report:

1. The draft report does not mention the significance of mandated safety inspections on some I/M programs. In affected states, motorists will/are required to make periodic station visits to obtain their safety inspection. Should these states transition into alternative OBD programs, such as remote OBD, the "convenience costs" cited would still exist (as long as the safety inspection requirement remains).

2. A few remarks on the cost analysis:

a. The draft report estimates the cost associated with data processing, reporting, and oversight for "remote OBD" at \$2 dollars per vehicle per year. This estimate is, however, based on a quote from an existing "periodic" I/M program. With existing OBD inspections, most vehicles will have only 1 data record/transmission per test cycle (i.e., >90% of the vehicles pass the initial OBD inspection). With remote OBD, there could be many data records/transmissions for each vehicle. The assumption that traditional I/M and remote OBD data manager costs are comparable may not be true. Are actual remote OBD costs available from the pilot programs?

b. The draft report doesn't appear to include any state administration costs with a remote OBD program. Appendix 2 lists state-specific fees for traditional I/M (which should include state oversight costs within the test fees), but similar costs are not listed for remote OBD.

c. A "typical test cycle" for periodic OBD was estimated at 2 hours per inspection cycle. We would expect test cycle durations for periodic OBD to vary considerably from state to state. Several readily apparent variables include network design (i.e., centralized test-only, decentralized test-and-repair), number of inspection stations, and whether or not the official inspection includes a safety component. DEC estimates that the annual "test cycle" time in New York is about 1 hour, including both travel time and the completion of a safety inspection. Please realize that motorists, especially in the NYMA area, don't wait for an inspection. Rather, they make an appointment; drop their vehicle off and go to work; and return later in the day. We suggest this estimate be reconsidered, and possibly an average or range of values be used in the cost analysis.

d. Table 1 and Appendix 2 seem to be based on a comparison of periodic OBD and a 100% mandatory remote OBD program. There would be additional costs associated with voluntary options including kiosk construction/maintenance or the need for referee locations, if required by the I/M agency.

3. The report proposes additional Mobile 6 credit for incorporating remote OBD inspections into an I/M program.

a. EPA's current performance standards contain emission control device checks. How does removing these checks from I/M affect Mobile 6 (or future MOVES) credits?

b. Can modeling (Mobile 6 or future MOVES) quantify credit differences between mandatory and voluntary remote OBD programs? For example, how would credits be awarded for a voluntary program if only 25 percent of the OBD population opts into the program? Also, how would a State ensure motorist compliance at more frequent intervals than registration renewal under remote OBD? Couldn't a motorist simply ignore the State Agency's reminder letters until registration renewal is due? This last series of questions is probably beyond the scope of the report, but should be considered when designing an alternative program.

4. Concerning Appendix 2, New York State has separate emissions fee structures for our two I/M areas: Upstate (53 counties) and the New York Metropolitan Area (9 counties):

New York (Upstate) - (2007) light-duty registrations: 6,000,000, (annual) fee - \$11

New York (NYMA) - (2007) light-duty registrations: 4,700,000, (annual) fee - \$27

These NY inspection costs do not include the statewide safety inspection fee (i.e., an additional \$10)

but do include the state administration fees.

APPENDIX L



Department of Motor Vehicles

STATE OF NEW YORK



Department of Environmental
Conservation

August 22, 2006

Commissioner Matthew W. Daus
New York City Taxi and Limousine Commission
40 Rector Street
New York, New York 10006

RE: Approval of the New York City Taxi and Limousine Commission (T&LC) On-board Diagnostic (OBD II) Inspection Program

Dear Commissioner Daus:

The New York State Departments of Environmental Conservation (DEC) and Motor Vehicles (DMV) have concluded our evaluation of the on-board diagnostic inspection equipment installed at the T&LC Woodside facility. The T&LC inspection software conducts OBD II inspections of all gasoline and alternative fuel-powered yellow medallion taxicabs that are model year 1996 or newer. The Departments find the T&LC OBD program, as designed by SysTech International, to be functionally equivalent to New York State's on-board diagnostic testing specifications.

DEC and DMV conducted acceptance testing on each of the six T&LC OBD-equipped lanes (lanes 3-8) on June 8, 2006, and have evaluated the resulting inspection records transmitted to both Departments. The TLC OBD equipment was identified as having software version #6.04, OBD II software version #7.21.4, and OBDII hardware interface #OBD2NetHEX57. This configuration complies with state and federal OBD requirements in that a vehicle will fail the OBD inspection if one or more of the following conditions are encountered:

- The malfunction indicator light (MIL) does not light during when the ignition is in the Key On/ Engine Off (KO/EO) position;
- The MIL stays lit when the ignition is in the Key On/Engine Running (KO/ER) position;
- The OBD inspection equipment cannot communicate with the vehicle being tested;
- The MIL is commanded on by the vehicle's power train control module (PCM) and applicable diagnostic trouble code(s) are stored; and
- The vehicle does not meet federal readiness guidance ("Performing Onboard Diagnostic System Checks as Part of a Vehicle Inspection Program, June 2001.")

Unauthorized modifications to either the OBD software or the hardware interface will invalidate this approval.

The following conditions apply to this approval:

1. T&LC staff and SysTech International have agreed to forward "Release Plan Notes" for any proposed software change for DEC's review prior to implementation. For any proposed change that will affect the OBD inspection, the T&LC and its agents must provide written clarification of the proposed change at least 30 days in advance of implementation. The DEC will determine whether the TLC OBD inspection process will require another round of certification testing during this 30 day period.
2. The T&LC will transmit all current OBD inspections to DEC through the established FTP site on monthly intervals, no later than the 15th of any month.
3. Data transmission to DMV through the State data manager, SGS TESTCOM, is anticipated on quarterly intervals. The DMV will complete its registration enforcement based only on the inspection data submitted through the data manager. As with all inspection facilities, the T&LC must remain in good standing with the data manager.
4. The Departments may periodically audit the T&LC Woodside facility pursuant to our regulations and federal requirements.

If you have any questions concerning the conditions explained above, please contact Mr. James Clyne, P.E. of DEC at (518) 402-8292 or Mr. Steven Baker of DMV at (518) 474-5227 prior to September 7, 2006. If we do not hear from you by that time, DMV will issue the "P memo" (draft attached) to local law enforcement agencies informing them of this approval. A copy of the final "P memo" will be supplied to you as notice of implementation.

Sincerely,

Jean Rosenthal
Director, Office of Driver & Vehicle
Safety & Clean Air
NYS Department of Motor Vehicles

Sincerely,

David J. Shaw
Director, Division of Air Resources
NYS Department of Environmental
Conservation

Attachment

cc w/attachment:
P. Schenkman, T&LC
R. Allen, T&LC



NANCY A. NAPLES
Commissioner

STATE OF NEW YORK DEPARTMENT OF MOTOR VEHICLES

6 EMPIRE STATE PLAZA, ALBANY, NY 12228

"P" 20 (2006)

"M" 10 (2006)

Albany, New York

September 12, 2006

TO: All Enforcement Agencies and Magistrates

SUBJECT: New York City Taxi and Limousine Commission (TLC) Inspection Stickers

The New York City Taxi and Limousine Commission (TLC) inspection equipment has been certified to conduct emissions and safety inspections of medallion taxis registered with the TLC. DMV regulations under 15 NYCRR Section 174.3(c) permit the display of inspection stickers issued by the T&LC in the lower left hand corner of the windshield in lieu of the New York State inspection sticker. This inspection sticker will be considered equivalent to a NYS inspection sticker issued by a DMV licensed inspection station.

Medallion (Yellow) taxis should not be ticketed for lack of proper inspection if the vehicle displays a valid TLC sticker.

Any questions on the procedures can be directed to OBD/Clean Air staff in the Department of Motor Vehicles by calling (518) 473-0597.

Nancy A. Naples
Commissioner

IMPORTANT: If you are currently on our mailing list and have internet access, you can sign up with DMV to view these memos electronically. If you work for a court, contact DMV by e-mail at TSLEDSupport@dmv.state.ny.us. If you do not work for a court, contact DMV by e-mail at eSeriesMemos@dmv.state.ny.us.