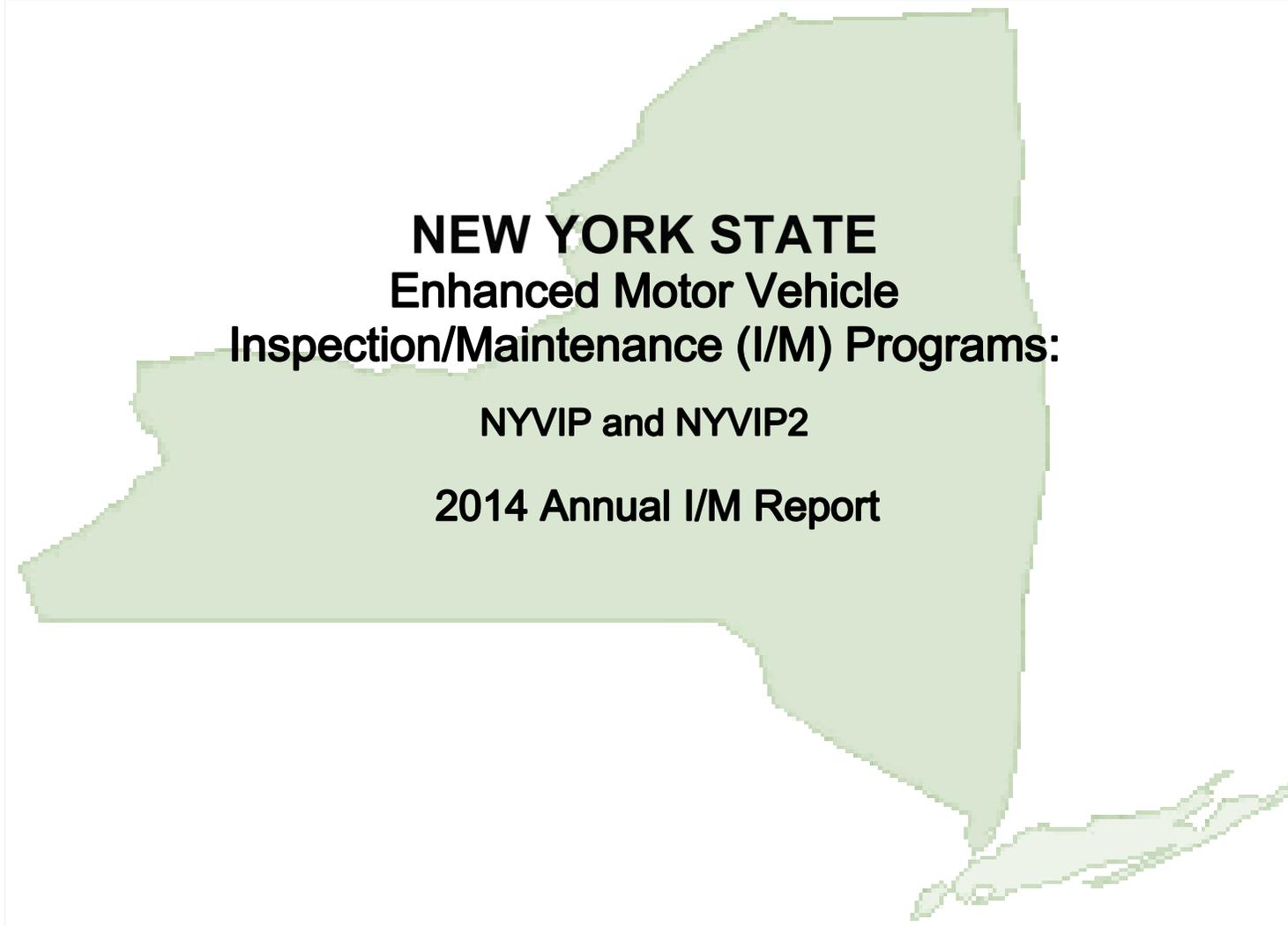




**Department of
Environmental
Conservation**

A large, light green map of the state of New York, including the Long Island Sound and the surrounding islands, serves as a background for the central text.

**NEW YORK STATE
Enhanced Motor Vehicle
Inspection/Maintenance (I/M) Programs:**

NYVIP and NYVIP2

2014 Annual I/M Report

**Division of Air Resources
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233**

December 2015

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EXECUTIVE SUMMARY

The New York State Department of Environmental Conservation (DEC) and Department of Motor Vehicles (DMV) jointly administer New York State's motor vehicle Inspection and Maintenance (I/M) programs. This report reflects the Departments' coordinated efforts to fulfill federal I/M reporting requirements under 40 CFR Section 51.366.

New York State (62 counties) is covered by two I/M areas. The 9-county New York Metropolitan Area (NYMA) includes New York City (Bronx, Kings, New York, Richmond, and Queens Counties), Long Island (Nassau and Suffolk Counties), and Rockland and Westchester Counties. The remaining 53 counties comprise the "Upstate" I/M area.

During Calendar Year 2014, New York State emissions inspections were completed through the former NYVIP and current NYVIP2 (New York Vehicle Inspection Program) contracts. Both programs utilized a statewide network of approximately 10,000 decentralized inspection stations licensed by DMV. Mandatory onboard diagnostic (OBDII) inspections have been completed statewide since 2005 and are required for most model year 1996 and newer non-diesel light duty vehicles (LDVs) and light duty trucks (LDTs). Since July 2012, most 1997 and newer diesel-powered LDVs and LDTs have been subject to OBDII inspections.¹ In addition to OBDII requirements, low enhanced emissions inspections (visual inspection of emission control devices and gas cap) are required statewide for applicable vehicles.

Following a Request for Proposal (RFP) procurement (2012), Opus Inspection (Opus) was awarded the NYVIP2 program manager contract in February 2013. Official inspections using new NYVIP2 equipment and its associated computerized network commenced in October 2013. Due to the planned phase-out of NYVIP, there were two I/M programs in operation during the last quarter of CY 2013 into January 2014. The transition to the current NYVIP2 program was completed on January 15, 2014.

During Calendar Year 2014, more than 5.13 million motor vehicles were registered within NYMA². 3,899,373 NYMA vehicles³ received either a NYVIP or NYVIP2 emissions inspection. The majority of the emissions-tested vehicles (3,617,478 or 92.77%) received OBDII inspections.

During Calendar Year 2014, more than 5.27 million motor vehicles were registered in the Upstate I/M area². 4,238,494 Upstate vehicles³ received either a NYVIP or NYVIP2 emissions inspection. The majority of the emissions-tested vehicles (3,919,382 or 92.47%) received OBDII inspections.

Pursuant to a Consent Order filed on September 6, 1977, all yellow medallion taxi cabs under the jurisdiction of the New York City Taxi and Limousine Commission (T&LC) are required to receive three emissions inspections per year. Beginning in December 2003, the T&LC commenced mandatory OBDII inspections at their centralized test-only Woodside (Queens) facility for their applicable taxi fleet. Beginning in 2010, additional "For-Hire" vehicles became subject to mandatory OBDII inspections at the Woodside facility. During Calendar Year 2014, T&LC completed 111,682 OBDII inspections (initial and re-inspections) for 50,809 distinct vehicles (34,836 LDVs, 15,973 LDTs).

¹ See Appendix C for specific reporting related to light-duty diesel OBD inspections.

² The DMV registration file was screened to remove registration classes not subject to emissions inspections (i.e., trailers, motorcycles, ATVs, boats, locomotives, etc.). Additional discussion can be found within Sections 1.A and 1.B, and Appendices A (Table A-1), E, and F.

³ Based on unique VINs from the NYVIP and NYVIP2 inspection databases. See also Appendix A, Table A-2.

I. INTRODUCTION

New York's I/M programs have been modified over time to reflect state and federal regulatory changes, most notably to implement new emissions test types. New York's enhanced I/M programs have been outlined within the following State Implementation Plan (SIP) revisions:

- *Enhanced Motor Vehicle Inspection/Maintenance Program (March 1996)*
- *New York Vehicle Inspection Program – NYVIP (March 2006) and*
- *New York Metropolitan Area Enhanced I/M Program (June 2009)*

These SIP revisions have been approved by EPA. Final approval of the June 2009 revision was noticed in the Federal Register on February 28, 2012.

The three components of New York's current I/M design are:

- A High-Enhanced I/M program, as defined by Section 51.351(f), in the New York Metropolitan Area (NYMA),
- An Ozone Transport Region (OTR) Low-Enhanced I/M program, as defined by Section 51.351(h), in the Upstate I/M Region (“Upstate”), and
- A New York City Taxi and Limousine Commission (T&LC) inspection program.

The federal annual reporting requirements for required I/M programs are found in 40 CFR Part 51 (Section 51.366). Unless otherwise noted, the applicable reporting period for the Calendar Year 2014 Annual Report is January 1, 2014 to December 31, 2014.

A. High-Enhanced I/M Program - NYMA

Following the adoption of the federal Clean Air Act Amendments of 1990, the 9-county NYMA and seven towns located in southern Orange County were designated as a severe non-attainment area for the one-hour ozone National Ambient Air Quality Standard (NAAQS). New York City, Nassau County, and Westchester County were initially designated as a carbon monoxide (CO) non-attainment area, but were re-designated as a CO maintenance area in 2002.

On March 12, 2008, EPA significantly strengthened the NAAQS for ground-level ozone with changes intended to improve both public health protection and the protection of sensitive trees and plants. The 8-hour “primary” ozone standard was revised to a level of 0.075 parts per million (ppm) to protect public health. In April 2012, EPA designated the 9-county NYMA and Jamestown, NY (Chautauqua County) as marginal non-attainment areas for the primary eight-hour ozone NAAQS (<http://www.epa.gov/ozonedesignations/2008standards/final/region2f.htm>).

During Calendar Year 2014, all NYVIP and NYVIP2 emissions inspections included the following components:

- 1) Comprehensive anti-tampering visual inspection of emissions control devices (“ECD checks”);
- 2) Gas cap presence check; and
- 3) An emissions test as determined by registration class, weight, fuel type, and model year:

OBDII inspection: for model years 1996-2012 non-diesel/non-electric LDVs and LDTs; and for model years 1997-2012 diesel-powered LDVs and LDTs.

Low Enhanced, for model years 1990-1995 non-diesel/non-electric LDVs and LDTs; and for model years 1990-2012 non-diesel/non-electric vehicles 8,501-18,000 lbs.

As noted in Table I.A below, NYVIP and NYVIP2 required the same emissions test types statewide.

Table I.A: Calendar Year 2014, Statewide Test Types

Model Year	Non-diesel (gasoline) <8,501 lbs GVWR	Non-diesel (gasoline) 8,501-18,000 lbs GVWR	Diesel <8,501 lbs GVWR
2014	Safety-Only	Safety-Only	Safety-Only
2013	Safety-Only	Safety-Only	Safety-Only
2012	OBDII	Low Enhanced	OBDII
2011	OBDII	Low Enhanced	OBDII
2010	OBDII	Low Enhanced	OBDII
2009	OBDII	Low Enhanced	OBDII
2008	OBDII	Low Enhanced	OBDII
2007	OBDII	Low Enhanced	OBDII
2006	OBDII	Low Enhanced	OBDII
2005	OBDII	Low Enhanced	OBDII
2004	OBDII	Low Enhanced	OBDII
2003	OBDII	Low Enhanced	OBDII
2002	OBDII	Low Enhanced	OBDII
2001	OBDII	Low Enhanced	OBDII
2000	OBDII	Low Enhanced	OBDII
1999	OBDII	Low Enhanced	OBDII
1998	OBDII	Low Enhanced	OBDII
1997	OBDII	Low Enhanced	OBDII
1996	OBDII	Low Enhanced	Safety-Only
1995	Low Enhanced	Low Enhanced	Safety-Only
1994	Low Enhanced	Low Enhanced	Safety-Only
1993	Low Enhanced	Low Enhanced	Safety-Only
1992	Low Enhanced	Low Enhanced	Safety-Only
1991	Low Enhanced	Low Enhanced	Safety-Only
1990	Low Enhanced	Low Enhanced	Safety-Only
1989	Safety-Only	Safety-Only	Safety-Only
≤1988	Safety-Only	Safety-Only	Safety-Only

Based on a March 8, 2015 query of the DMV database, there were a total of 5,526,320 registrations within the 9 county NYMA. However, certain registration types (i.e., boats, motorcycles, ATVs, trailers, locomotives, etc.) are not subject to emissions inspections. These registration types were removed from further consideration (5,126,754 NYMA motor vehicle registrations were retained).

During Calendar Year 2014, 3,899,373 vehicles received an emissions inspection in NYMA. Of these, 3,617,478 distinct vehicles (2,094,967 LDVs, 1,522,511 LDTs) received at least one OBDII inspection. An additional 281,895 distinct vehicles (109,241 LDVs, 35,394 LDTs, and 137,260 HDVs) received at least one low enhanced inspection. These vehicle counts are based on “distinct” or “unique” vehicle identification numbers (VINs). Some of these vehicles received more than one emissions inspection during Calendar Year 2014. A total of 3,752 public inspection stations operated in NYMA during Calendar Year 2014. See Tables II.B.1 below for additional statistical summaries.

Note that New York State also requires annual I/M inspections for heavy-duty diesel powered vehicles (HDDVs) registered within the 9-county NYMA. This annual report does not include statistics for the HDDV I/M program, but a program fact sheet can be found at: <http://www.dec.ny.gov/regs/4254.html>.

B. Low-Enhanced OTR I/M Program – Upstate I/M Area

Pursuant to the CAA I/M requirements for the ozone transport region (OTR, 42 USC §7511c), New York implemented a low-enhanced I/M program in the 53 “Upstate” counties in January 1998. This program was outlined in the *Enhanced Motor Vehicle Inspection/Maintenance Program (March 1996) SIP revision*.

Mandatory Upstate OBDII inspections through the original NYVIP commenced in September 2004 and was fully implemented in December 2004. When NYVIP expanded into NYMA in May 2005, NYVIP became a mandatory statewide I/M program. The components of the Upstate NYVIP/NYVIP2 emissions inspection during Calendar Year 2014 were:

- 1) Comprehensive anti-tampering visual inspections of emissions control devices (“ECD checks”);
- 2) Gas cap presence check; and
- 3) An emissions test as determined by vehicle registration class, weight, fuel type, and age:

OBDII inspection: for model year 1996-2012 non-diesel/non-electric LDVs and LDTs; and for model year 1997-2012, diesel-powered, LDVs and LDTs.

Low Enhanced, for model year 1990 to 1995 non-diesel/non-electric LDVs and LDTs; and model year 1990-2012 non-diesel/non-electric vehicles 8,501-18,000 lbs.

As noted in Table I.A above, NYVIP and NYVIP2 required the same emissions test types statewide.

Based on a March 8, 2015 query, there were a total of 6,607,776 registrations within the 53-county Upstate I/M area. However, certain registrations types (i.e., boats, motorcycles, ATVs, trailers, locomotives, etc.) are not subject to emissions inspections. These registration types were removed from further consideration (5,273,082 Upstate motor vehicle registrations were retained).

During Calendar Year 2014, 4,238,494 vehicles received an emissions inspection in the Upstate I/M area. Of these, 3,919,382 vehicles (2,151,817 LDVs, 1,767,565 LDTs) received at least one OBDII inspection. An additional 319,112 vehicles (76,564 LDVs, 52,019 LDTs, and 190,529 HDVs) received at least one low enhanced emissions inspection. These vehicle counts are based on “distinct” or “unique” vehicle identification numbers (VINs). Some of these vehicles received more than one emissions inspection during Calendar Year 2014. A total of 6,298 inspection stations operated in the Upstate I/M area during Calendar Year 2014. See Table II.B.1 below for additional statistical summaries.

C. New York City T&LC OBDII Inspection Program

The New York City Taxi and Limousine Commission, under the terms of a September 6, 1977 Consent Order between the City and other parties, requires emissions testing of the yellow medallion taxicab fleet on a three-times-per-year basis. In December 2003, the T&LC commenced safety/OBDII inspections using two lanes of an upgraded T&LC inspection facility. The facility was later expanded to six lanes in August 2004.

In 2010, the New York City Code was revised to require “For Hire Vehicles” regulated by the T&LC to receive OBDII inspections at the centralized test-only facility. These vehicles were previously required to receive three inspections per year at NYTEST or NYVIP stations. During a given two-year period, these livery vehicles are now required to receive one of their six required inspections at the T&LC centralized Woodside (Queens) facility. The remaining five inspections are completed at decentralized NYVIP2 stations. As a consequence, more OBDII inspections are completed at the T&LC.

The Departments have certified the T&LC OBDII inspection procedure. The T&LC OBDII inspection includes:

- 1) Comprehensive safety check on various components of the vehicle including headlights, suspension, side slip, and brake system;
- 2) Comprehensive anti-tampering visual inspection of emissions control devices (“ECD checks”);
- 3) Gas cap presence check; and
- 4) OBDII inspection

During Calendar Year 2014, 50,809 TLC regulated vehicles (34,836 LDVs, 15,976 LDTs) received 78,911 initial OBDII inspections. Detailed statistics related to the T&LC inspection can be found in Table II.B.1, Appendix B (Table B-3-a-i to Table B-3-b-ii) and Appendix C (Table C-3-a-i to Table C-3-b-ii). During the course of any calendar year, new T&LC regulated vehicles are placed in service while existing vehicles are retired from service. Therefore, not every yellow medallion taxi (based on distinct VIN) receives three initial OBDII inspections.

Unlike the NYVIP2 program, the T&LC does not authorize repair expenditure-based emissions waivers, model year-based “new vehicle” exemptions, or readiness evaluation related time extensions (“10-day extensions”) from the OBDII inspection requirements.

II. DATA ANALYSIS AND REPORTING

The collection of accurate and timely data is essential to the management, evaluation, and enforcement of an efficient I/M program. The NYMA high-enhanced I/M program has been collecting electronic emissions testing data since the onset of the former NYTEST program in January 1998. The Upstate OTR low-enhanced I/M program has been collecting computerized vehicle and emissions test data since September 2004.

Beginning in December 2003, the T&LC provided DEC with all OBDII inspection data through monthly updates. With the implementation of NYVIP2, the T&LC data is sent to and maintained by the NYVIP2 contractor, Opus Inspection. DEC no longer maintains a stand-alone T&LC database.

A. Computerized Network

The NYVIP2 computerized network provides a means of communication between inspection stations, DMV, and Opus Inspection. The current network of licensed decentralized test-and-repair stations transmits real time emissions inspection data to Opus Inspection and DMV's mainframe computer. Opus maintains all current and past inspection data from the combined NYVIP and NYVIP2 programs.

During Calendar Year 2014, a total of 3,752 inspection stations were located within NYMA, and 6,298 stations were located within the Upstate I/M area. The current counts of New York State public inspection stations by county can be found at: www.dmv.ny.gov/forms/ispcap.pdf.

DMV and DEC jointly and independently monitor emissions inspection data for program evaluation and enforcement purposes. The computerized network has resulted in more effective enforcement which is further discussed within the Quality Assurance Report and Quality Control Report sections.

On a monthly basis, Opus Inspection provides program statistics including transaction volume, system availability, and the number/type of help desk calls. A summary of the NYVIP2 data management statistics during Calendar Year 2014 is contained in Table II.A. The current NYVIP2 program differs from the former NYVIP program in that the vast majority of inspection transactions are completed by broadband (>99%). As such, Table II.A differs from previous reports as dial-up communication statistics have been omitted.

Table II.A: Data Management System Statistics (Calendar Year 2014)

Category	System Statistics				
	January to March	April to June	July to September	October to December	Total
(NYMA, UPSTATE, and T&LC)					
Transaction Volumes	2,536,469	3,247,910	3,167,806	2,589,383	11,541,568
Total Help Desk Calls	18,593	13,688	11,474	8,955	52,710
System Availability	99.998%	100%	99.997%	100%	99.999%

B. Test Data Report

DMV registration information provided for this annual report was derived from a query completed on March 8, 2015. An overview of the New York State fleet, by vehicle fuel type and I/M area, based solely on registration data is provided below in Table II.B.1. The registration-based summaries are based on distinct VINs. Table II.B.1 includes T&LC vehicle registrations within the “NYMA” column.

As noted, 96.78% of the NYMA and 95.40% of the Upstate vehicles were gasoline-powered. Similarly, diesel-fueled vehicles represented 3.09% of the NYMA and 4.49% of the Upstate vehicle fleet, respectively. Only 0.13% of the NYMA and 0.10% of the Upstate vehicles, respectively, were powered with “Other” fuels. The “Other” fuels category includes compressed natural gas (CNG), propane, and electricity.

Table II.B.1: General Statistics on New York State I/M Areas (March 2015 Registrations)

Category	NYMA		UPSTATE	
	Count	% of Total	Count	% of Total
Number of Counties	9		53	
Number of Inspection Stations	3,752		6,298	
Number of Certified Inspectors	13,554		21,663	
Number of Registered Vehicles	5,126,754		5,273,082	
Gasoline Fueled	4,961,546	96.78%	5,030,468	95.40%
- LDVs & LDTs -	4,884,567	95.28%	4,896,918	92.87%
a. Pre-1990 Model Years	116,035	2.26%	154,608	2.93%
b. 1990-1995 Model Years	134,859	2.63%	129,576	2.46%
c. 1996-2012 Model Years	3,464,246	67.57%	3,728,404	70.71%
d. 2013+ Model Years	1,169,427	22.81%	884,330	16.77%
- HDVs -	76,979	1.50%	133,550	2.53%
a. Pre-1990 Model Years	13,258	0.26%	18,294	0.35%
b. 1990-2012 Model Years	53,420	1.04%	95,963	1.82%
c. 2013+ Model Years	10,301	0.20%	19,293	0.37%
Diesel Fueled (all MYs)	158,345	3.09%	236,970	4.49%
- LDVs & LDTs -	54,440	1.06%	84,219	1.60%
- HDVs -	103,905	2.03%	152,751	2.90%
Other Fuels (all MYs)	6,863	0.13%	5,644	0.11%
- LDVs & LDTs -	6,124	0.12%	4,945	0.09%
- HDVs -	739	0.01%	699	0.01%

The Departments developed the “NYVIP2 Summary Report” to provide general program information related to vehicle type, test type, inspection counts, waiver counts, 10-day time extension counts, etc. Table II.B.2 below considers all NYVIP and NYVIP2 inspections completed during Calendar Year 2014. Note that Table II.B.2 is based on inspection counts with the exception of Unknown Final Disposition reporting (items 14 and 15) which are based on unique VINs (See Appendix G).

Table II.B.2: NYVIP2 Summary Report (Calendar Year 2014)

NYVIP2 Summary	NYMA	Upstate	TLC
1. Total Inspections (Initial and Re-Inspection, All Test Types)	5,555,705	5,907,054	111,701
a. Light-duty Vehicles	3,209,157	3,145,876	76,393
b. Light-duty Trucks	2,146,437	2,371,036	35,303
c. Heavy-duty Vehicles	200,111	390,142	5
2. Number of Initial Inspections (All Test Types)	5,288,845	5,594,206	78,911
a. Light-duty Vehicles	3,056,274	2,972,697	52,918
b. Light-duty Trucks	2,034,510	2,235,059	26,989
c. Heavy-duty Vehicles	198,061	386,450	4
3. Number of Re-Inspections (All Test Types)	266,860	312,848	32,790
a. Light-duty Vehicles	152,883	173,179	23,475
b. Light-duty Trucks	113,927	135,977	9,314
c. Heavy-duty Vehicles	2,050	3,692	1
4. Number of Inspections (Initial and Re-Inspection) by Test Type			
a. Safety-Only	1,189,621	1,152,501	0
b. Low Enhanced	286,136	324,394	0
c. OBD	3,875,478	4,219,515	111,701
5. Safety Component Initial Failure Rates (All Test Types)			
a. Number of Initial Safety Inspections	5,288,822	5,593,463	78,911
b. Initial Safety Failure Rate	1.42%	2.07%	46.81%
c. Light-duty Vehicles - Safety Failure Rate	1.46%	2.21%	49.24%
d. Light-duty Trucks - Safety Failure Rate	1.40%	2.05%	41.86%
e. Heavy-duty Vehicles - Safety Failure Rate	0.94%	1.06%	100.00%
6. Gas Cap Component Initial Failure Rates (Low Enhanced, OBD)			
a. Number of Initial Gas Cap Inspections	3,864,894	4,190,307	78,911
b. Initial Gas Cap Failure Rate	0.01%	0.01%	0.00%
c. Light-duty Vehicles - Gas Cap Failure Rate	0.01%	0.01%	0.00%
d. Light-duty Trucks - Gas Cap Failure Rate	0.01%	0.01%	0.00%
e. Heavy-duty Vehicles - Gas Cap Failure Rate	0.01%	0.01%	0.00%

NYVIP2 Summary	NYMA	Upstate	TLC
7. ECD Component Initial Failure Rates (Low Enhanced, OBD)			
a. Number of Initial ECD Check Inspections	3,895,430	4,213,882	78,911
b. Initial ECD Check Failure Rate	0.04%	0.05%	0.00%
c. Light-duty Vehicles - ECD Check Failure Rate	0.04%	0.06%	0.00%
d. Light-duty Trucks - ECD Check Failure Rate	0.03%	0.05%	0.00%
e. Heavy-duty Vehicles - ECD Check Failure Rate	0.04%	0.06%	0.00%
8. Low Enhanced Emissions Initial Failure Rates			
a. Number of Initial Low Enhanced Inspections	281,642	318,730	N/A
b. Initial Low Enhanced Failure Rate	1.57%	2.04%	N/A
c. Light-duty Vehicles - Low Enhanced Failure Rate	1.93%	3.31%	N/A
d. Light-duty Trucks - Low Enhanced Failure Rate	1.83%	2.71%	N/A
e. Heavy-duty Vehicles - Low Enhanced Failure Rate	1.23%	1.34%	N/A
9. OBD Initial Emissions Failure Rates (All Fuel Types)⁴			
a. Number of Initial OBD Inspections	3,613,190	3,913,813	78,907
b. Initial OBD Failure Rate	5.67%	5.74%	10.04%
c. Light-duty Vehicles - OBD Failure Rate	5.50%	5.59%	11.05%
d. Light-duty Trucks - OBD Failure Rate	5.91%	5.93%	7.98%
10. OBD <u>Re-Inspection</u> Emissions Failure Rates (All Fuel Types)⁴			
a. Number of OBD Re-Inspections	260,401	303,825	19,188
b. OBD Re-Inspection Failure Rate	18.71%	15.17%	4.76%
c. Light-duty Vehicles - OBD Re-Inspection Failure Rate	18.28%	15.25%	4.99%
d. Light-duty Trucks - OBD Re-Inspection Failure Rate	18.29%	15.06%	4.27%
11. Number of OBD Waivers⁵			
a. Light-duty Vehicles	882	980	N/A
b. Light-duty Trucks	793	852	N/A
c. Area Waiver Rate (# waivers / # initial failures)	0.80%	0.81%	N/A
12. Number of OBD 10-Day Extensions⁵			
a. Light-duty Vehicles	38,118	43,250	N/A
b. Light-duty Trucks	30,459	39,115	N/A
13. OBD Initial Emissions Failure Rates, <u>Light-duty Diesel Vehicles</u>⁴			
a. Number of Initial OBD LDDV Inspections	1,354	20,394	139
b. Initial OBD LDDV Failure Rate	11.29%	7.38%	19.42%

⁴ Vehicles classified as heavy-duty vehicles (HDVs) by the Appendix J procedure were omitted from this failure rate calculation.

⁵ Vehicles initially classified as heavy-duty vehicles (HDVs) by the Appendix J procedure were included within the light-duty truck (LDT) counts.

NYVIP2 Summary	NYMA	Upstate	TLC
c. Light-duty Diesel Vehicle - OBD Failure Rate	9.77%	6.97%	18.80%
d. Light-duty Diesel Truck - OBD Failure Rate	12.65%	8.87%	23.81%
14. OBD Unknown Final Disposition (Based on Unique VINs)⁶			
a. Number of Vehicles	25,913	19,817	308
b. % of Unknown Final Disposition	0.75%	0.54%	1.41%
15. Low Enhanced Unknown Final Disposition (Based on Unique VINs)⁶			
a. Number of Vehicles	23	61	N/A
b. % of Unknown Final Disposition	0.01%	0.02%	N/A

1. Vehicle Type for Reporting Purposes

The *test data report* requirements of §51.366(a) includes basic statistics according to vehicle model year and vehicle type. Previously submitted annual and program evaluation reports have classified the inspected New York State fleet into 3 possible vehicle types: light-duty vehicle (LDV), light-duty truck (LDT), or heavy-duty vehicle (HDV). For the 1998 to 2013 annual reports, DEC developed an in-house VIN decoding program to make the required vehicle type classifications. Note that these vehicle type determinations are used exclusively for reporting purposes, as they are not used to determine emissions test type during the actual I/M inspection.

Unlike the previous NYTEST and NYVIP I/M programs, the NYVIP2 inspection software (2014) includes an integrated VIN decoding component. To maintain consistency with our past reports, an alternative method was developed to determine vehicle type for NYVIP2 reporting purposes. This method is based predominately on VIN decoded information used by the NYVIP2 software, but there are scenarios where VIN decoded information is not available (i.e., invalid VINs) or where DMV registration and/or inspector changes are allowed by the approved NYVIP2 test sequence.

As part of continuing NYVIP2 software enhancements, the vehicle type classification is being integrated into the inspection record. The procedure used by DEC to validate the reporting of vehicle type, *Procedure for Validating Vehicle Type for Annual Reporting*, is described in detail in Appendix J.

⁶ The Procedure to Determine Vehicles with Unknown Final Outcome (Unique VINs) is described in detail in Appendix G.

2. Statewide, Onboard Diagnostic Inspections (NYVIP, NYVIP2, and T&LC)

Detailed Calendar Year 2014 statistics for NYVIP, NYVIP2, and New York City T&LC OBDII inspections are provided in Appendices A (Tables A-1 and A-2), B (Tables B-1-a-i to B-3-b-ii) and C (Tables C-1-a-i to C-3-b-ii).⁷ These Appendices were used for the summary discussion below.

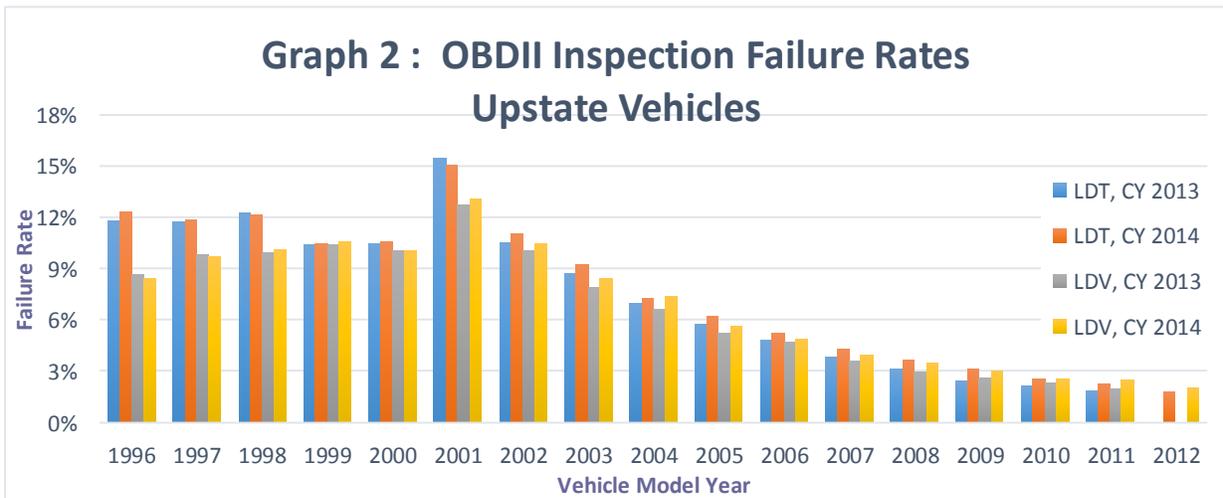
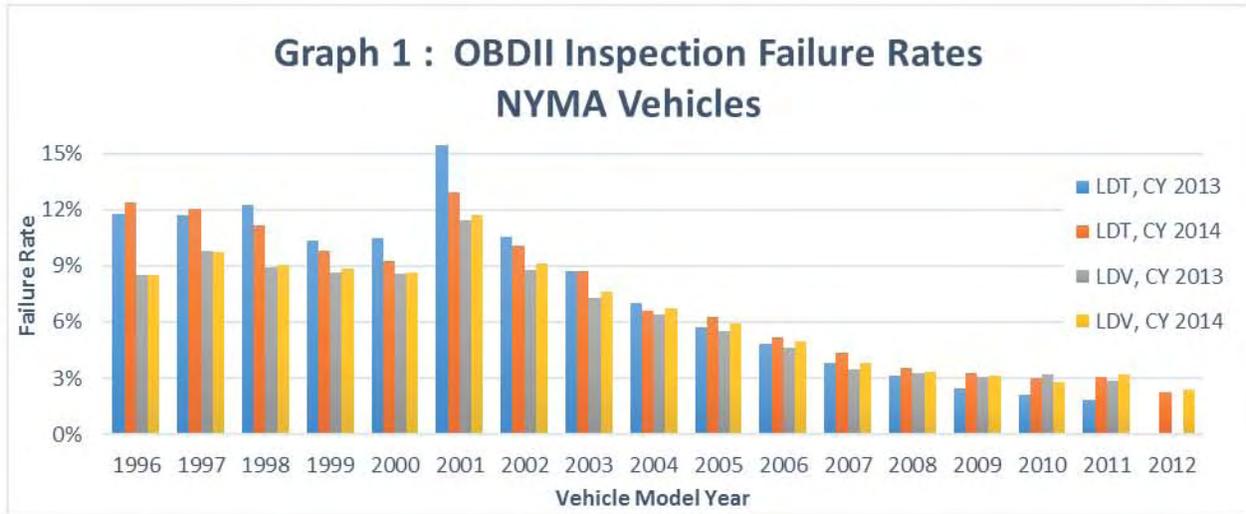
For NYMA, 2,122,328 LDVs and 1,490,862 LDTs (all fuel types, represent 92.77% of the total emissions tested fleet) received 3,613,190 initial NYVIP2 OBDII inspections. The initial OBDII failure rates for NYMA non-diesel LDVs and LDTs are 5.51% and 5.91% (5.67% combined) with waiver rates of 0.75% and 0.90% (0.80% combined), respectively. The corresponding initial OBDII failure rates for NYMA diesel-powered LDVs and LDTs are 9.77% and 12.69% (11.08% combined) with waiver rates of 1.37% and 1.30% (1.33% combined)⁸ respectively.

For the Upstate I/M Area, 2,200,058 LDVs and 1,713,755 LDTs (all fuel types, represent 92.47% of the total emissions tested fleet) received 3,913,813 initial OBDII inspections. The corresponding initial OBDII failure rates for Upstate non-diesel LDVs and LDTs are 5.58% and 5.93% (5.73% combined) with waiver rates of 0.80% and 0.84% (0.81% combined), respectively. The corresponding initial OBDII failure rates for Upstate diesel LDVs and LDTs are 6.97% and 8.87% (7.37% combined) with waiver rates of 0.54% and 0.00% (0.40% combined), respectively.

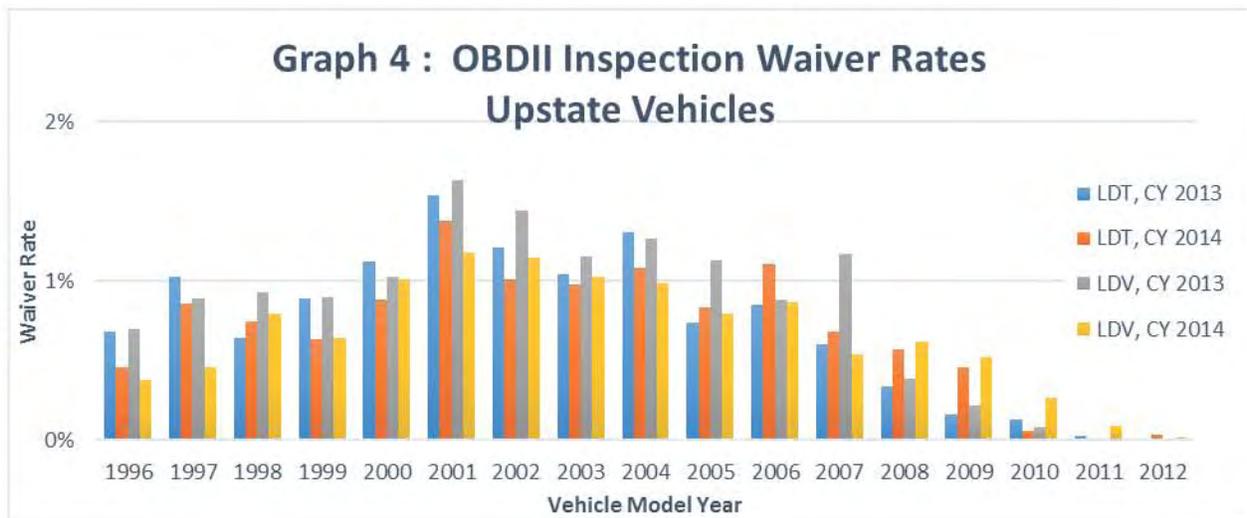
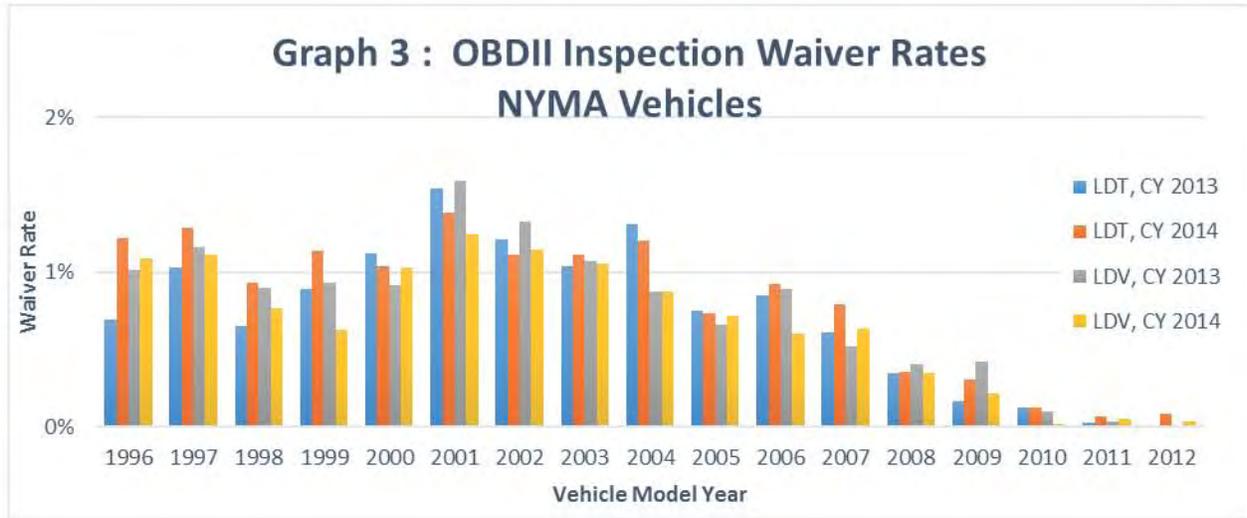
Statewide comparisons of initial OBDII failure rates by ‘vehicle model year’ and ‘vehicle type’ for Calendar Years 2013 and 2014 are shown in Graphs 1 and 2 below. Consistent with observations made in previous reports, there is a pronounced trend of increasing initial OBDII inspection failure rate as vehicles age (i.e., older model years) as well as a more noticeable “spike” associated with the 2001 model year. The elevated MY 2001 failure rate is due to a change in the stringency of the NYVIP/NYVIP2 OBDII readiness evaluation failure criteria. Beginning with the 2001 model year, applicable vehicles will fail the OBDII inspection if 2 or more non-continuous monitors are reported as “Not Ready.” For MYs 1996-2000, the NYVIP readiness evaluation is less stringent, as 3 or more non-continuous monitors must be reported as “Not Ready” for an OBDII inspection failure. In addition, “older” vehicles are removed from the on-road fleet more frequently than the newer vehicles which contributes to a less uniform increase of failure rate with vehicle age.

⁷ Appendices B and C do not include OBD inspections with a vehicle classified as a heavy-duty (see Appendix J).

⁸ Note only 8 waivers were authorized for diesel-powered vehicles statewide.

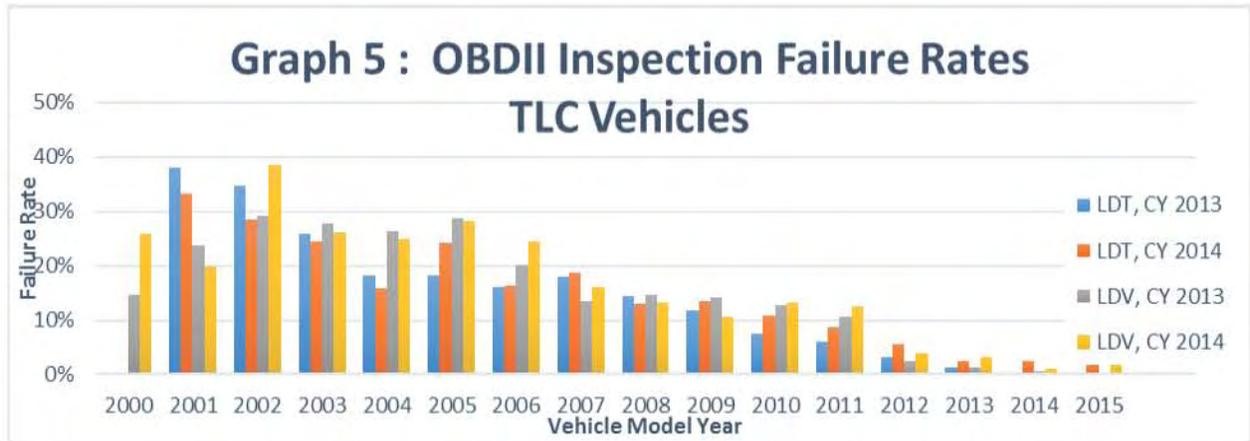


Statewide comparisons of NYVIP OBDII waiver rates by ‘vehicle model year’ and ‘vehicle type’ for Calendar Years 2013 and 2014 are shown below in Graphs 3 and 4. The overall waiver rates for NYMA and Upstate are comparable for both Calendar Years CY 2013 and CY 2014. Model Year 2001 vehicles (LDVs, LDTs) displayed the highest waiver rate for both I/M areas in both Calendar Years 2013 and 2014.



During Calendar Year 2014, the T&LC fleet completed 78,911 initial OBDII inspections on 34,835 distinct LDVs and 26,067 distinct LDTs. The corresponding initial OBDII failure rates for non-diesel LDVs and LDTs are 11.03% and 7.95%, respectively (10.02% combined). The corresponding values for diesel LDVs and LDTs are 18.80% and 23.81%, respectively (19.56% combined).

The T&LC previously supplied all OBDII inspection records to DEC on a monthly basis, but these inspection are now reported to and maintained by Opus Inspection. Comparisons of T&LC OBDII inspection failure rates, by vehicle model year and vehicle type, for Calendar Years 2013 and 2014 are shown in Graph 5. Note that the T&LC does not authorize emissions related waivers.



3. Testing Facilities

Based on unique DMV station identification numbers, 10,050 public inspection stations completed NYVIP/NYVIP2 inspections statewide during the Calendar Year 2014. It is impractical to generate station specific statistics related to test volume or failure rate. Consistent with previously submitted annual reports, New York has provided initial OBDII test volumes and failure rates by county. (See Appendix D.)

Within NYMA, Suffolk and Nassau Counties had the largest number of testing facilities (850 and 760, respectively). The two counties with the highest LDV initial OBDII test volumes were Suffolk County (474,505 inspections) and Nassau County (422,339 inspections). The two counties with the highest LDT initial OBDII test volumes were again Suffolk County (348,925 inspections) and Nassau County (274,203 inspections). Bronx County had the highest OBDII failure rates for both LDVs (7.14%) and LDTs (7.80%), while Kings County had the second highest failure rates for LDVs (6.77%) and LDTs (7.04%).

Within the Upstate I/M Area, Erie County had the largest number of testing facilities (805 facilities), as well as the highest LDV (287,106 inspections) and LDT (211,555 inspections) initial test volumes. The three highest LDV OBDII inspection failure rates were noted in Franklin (8.85%), Orleans (7.92%), and Sullivan (7.90%), counties. The three highest LDT failure rates were Orleans (8.74%), Franklin (8.41%), and Allegany (7.99%) counties.

C. Quality Assurance Report

DMV continues to improve its quality assurance program. Case development and hearing testimony training for DMV enforcement personnel continues to be refined. DMV has increased the number of authorized users having access to inspection records and certificate information. Procedural improvements have led to a shorter time frame in imposing administrative stops on inspection stations for failure to comply with New York State regulations. The electronic case-tracking management tool named CAPTAIN has been fully functional since 2002.

1. NYMA

DMV enforcement efforts within NYMA program are summarized below in Table II.C.1. From a total of 3,752 NYMA inspection stations and 13,554 licensed inspectors, DMV conducted 466 overt audits, 886 covert audits, and 0 surveillance audits during Calendar Year 2014.

These audits combined with consumer complaints led to DMV administrative hearings resulting in 24 inspection station license revocations and 34 station license suspensions (total of 920 days) during Calendar Year 2014. Within Table II.C.1, the Mainframe Case row represents those totals by audit type that led to a hearing.

Additional penalties, revocations, and suspensions were also assessed against certified motor vehicle inspectors as the result of administrative hearings. For purposes of this report, inspector revocations and suspensions are not “counted” within Table II.C.1.

Table II.C.1
 Statistics on NYSDMV Quality Assurance Program – NYMA
 (Calendar Year 2014)

Category	Overt Audit	Covert Audit	Surveillance	Complaints	TOTAL
Total Cases:	466	886	0	53	1405
No Action	435	589	0	20	1044
Warnings Issued	27	192	0	19	238
Hearings Held	4	105	0	14	123
Hearing Results:					
Adjourned	0		0	0	0
No Action	0		0	1	1
Warning Issued	1		0	0	1
Revocation	20		0	4	24
Suspension	27		3	4	34
Civil Penalty (# of)	90		73	13	176
Mainframe Case	97		73	15	185
Civil Penalty Levied	\$781,687		\$46,650	\$107,699	\$936,036
Days Suspended	837		18	65	920

During Calendar Year 2014, DMV staff used 12 vehicles and 7 auditors for undercover covert audits in NYMA. Of the total of 886 covert audits, 178 audits involved setting vehicles to fail for a single component of the OBDII inspection. The number of components set to fail included 147 for the OBDII monitor (readiness) evaluation, 7 for diagnostic trouble codes (DTCs), 24 for inoperative Malfunction Indicator light (MIL), and numerous safety inspection related failures. Of the total (886), 808 inspection stations completed an appropriate inspection, 55 inspection stations completed an inappropriate inspection (covert vehicle set to fail, but inspection passed), and 19 stations did not honor the reservation (appointment) for the inspection.

As previously reported, a more refined “Investigative Audit” (IA) began in 2008. An IA provides additional time for a detailed investigation of an inspection facility, and these are often triggered by NYVIP data analysis of completed inspections by DMV’s Central Office (Albany) or one of the six DMV Regional Offices.

Potential data elements may include:

- High waiver rate;
- Certified inspector date/time overlaps at different facilities;
- Mismatch of OBDII VIN and DMV registration VIN;
- Suspect electronic signature (E-signature) for the vehicle of record;
- Variations in OBDII monitor support status;
- Inconsistent vehicle E-signature inspection history; and
- Inspection sticker misuse/accountability.

During Calendar Year 2014, 13 IAs were conducted within NYMA. The IA results are included within the Table II.C.1 Overt Audit data.

Consumer complaints can also initiate enforcement action. There were a total of 53 NYMA consumer complaints resulting in 4 station license revocations and 4 inspection station suspensions (65 days) during Calendar Year 2014.

DMV's quality assurance program also applies "administrative stops" to prevent inspection stations from performing additional inspections until the station conforms to the requirements of the license or registration they hold. Typically, administrative stops are placed on the inspection station facility license following requests by DMV field staff. Administrative stops have been proven to be very effective in the NYVIP real-time data transmission environment. A total of 728 administrative stops were issued in NYMA during Calendar Year 2014. Table II.C.2 summarizes the statistics on administrative stops.

Table II.C.2: Statistics on NYSDMV Administrative Stops
(Calendar Year 2014)

Reason for Issuing an Administrative Stop	NYMA	Upstate
Missing or Inoperative Equipment	132	106
Transferred Right to Apply for Public Emission Inspection Station	115	103
Failure to Have CVIS	59	194
Out of Business	84	116
Failure to Pay Civil Penalties	45	26
Undeliverable returned mail	1	1
Management Review	14	51
Clean Air Inspection Audit	26	9
Bad Checks	10	7
No Communication from Facility	3	0
No Connection to VID (Station Nonpayment)	236	254
Failed Equipment Audit (DEC HDDV)	3	0
Suspended Pending Hearing	0	2
TOTAL	728	869

2. Upstate Area

The results of various DMV compliance efforts for the Upstate I/M Area are summarized below in Table II.C.3. From a total of 6,298 Upstate Area inspection stations and 21,663 licensed inspectors, DMV conducted 440 overt audits and 363 covert audits during Calendar Year 2014. These audits and consumer complaints led to DMV administrative hearings resulting in 10 inspection station license revocations and 18 station license suspensions (total of 474 days) during Calendar Year 2014. Additional penalties, revocations, and suspensions applied to certified motor vehicle inspectors as the result of administrative hearings. Revocations and suspensions are not double counted for the station when the inspector is sanctioned.

Table II.C.3
 Statistics on NYSDMV Quality Assurance Program – Upstate
 (Calendar Year 2014)

Category	Overt Audit	Covert Audit	Surveillance	Complaints	Total
Total Cases:	440	363	0	91	894
Warnings Issued	110	104	0	50	264
Hearings Held	21	53	0	18	92
No Action	309	206	0	23	538
Hearing Results:					
Adjourned	0		0	0	0
No Action	0		2	1	3
Warning Issued	2		0	0	2
Revocation	7		2	1	10
Suspension	8		5	5	18
Civil Penalty (#)	81		45	15	141
Mainframe Case	85		48	16	149
Civil Penalty Levied	\$56,000		\$22,475	\$9,100	\$87,575
Days Suspended	242		134	98	474

During Calendar Year 2014, DMV used 14 vehicles and 19 auditors for undercover (covert) audits in the Upstate I/M Area. Of a total of 363 covert audits, 131 audits involved setting a vehicle to fail for a single component of an OBDII emissions test. Five additional covert audits had two component failures. The components set to fail included: 3 for MIL commanded on with diagnostic trouble codes (DTCs), 50 for failing the OBDII readiness evaluation, and numerous safety inspection related failures. Of the total (363), 237 inspection stations completed an appropriate inspection, 87 inspection stations completed an inappropriate inspection (i.e., covert vehicle set to fail, but inspection passed). Also, 39 inspection stations did not honor the reservation to conduct an official inspection.

During Calendar Year 2014, DMV staff completed 46 IAs in the Upstate I/M Area. The results are included within the Table II.C.3 Overt Audit data. As stated above, an IA provides additional time for the detailed investigation of an inspection facility and is often triggered by NYVIP data analysis completed by DMV's Central Office (Albany) or one of the six DMV Regional Offices.

Potential data elements may include:

- High waiver rate;
- Certified inspector date/time overlaps at different facilities;
- Mismatch of OBDII VIN and DMV registration VIN;
- Suspect electronic signature (E-signature) for the vehicle of record;
- Variations in OBDII monitor support status;
- Inconsistent vehicle E-signature history; and
- Inspection sticker misuse/accountability.

Consumer complaints can also initiate enforcement action. Based on a total of 91 consumer complaints from the Upstate I/M Area, 1 station license was revoked and 5 inspection stations were suspended for a total of 98 days.

Administrative stops were also applied Upstate to prevent inspection stations from performing any more inspections until the station conformed to the requirements of its license or registration. Typically, administrative stops are placed on the inspection station's facility license following requests by DMV field staff. As noted in Table II.C.2 above, 869 administrative stops were issued in the Upstate I/M Area during Calendar Year 2014.

D. Enforcement Program Report

New York utilizes both sticker-based and computer matching registration-based enforcement mechanisms. Inspection certificates or "stickers" are authorized by NYVIP2 when a vehicle passes the annual safety/emissions inspection. Sticker inventory is accounted for electronically by NYVIP2. With these computerized systems, the number of stickers missing, stolen, or sold has decreased. During Calendar Year 2014, NYVIP and NYVIP2 issued 5,225,806 and 5,259,570 inspection stickers in NYMA and the Upstate I/M Area, respectively. These stickers represent emissions/safety (OBDII, low enhanced) and safety-only inspections.

To ensure that vehicles receive the appropriate inspection, vehicle information including VIN, registration expiration date, I/M area, vehicle weight, and fuel type are encoded into a DMV registration 2D bar code. The NYVIP inspection software uses this information to minimize inspector input when determining the appropriate inspection type. For example, when the DMV 2D barcode is scanned, the NYVIP software would decode the applicable model year and evaluate GVWR using the encoded vehicle identification number (VIN). The NYVIP inspection software determines whether the inspector is allowed to make changes.

DMV also monitors the issuance of traffic tickets by various law enforcement sources through state, county and local courts. There were 177,154 traffic tickets issued to motorists in 2014 for operating an uninspected vehicle pursuant to Vehicle and Traffic Law, Section 306(b). Of these tickets, 50,816 were issued in NYMA and 126,338 in the Upstate I/M Area.

1. Registration-Based Enforcement (RBE)

The NYS RBE program validates that a motorist has a valid inspection record on file within the previous 12 months when attempting to renew vehicle registrations. If a valid inspection record is not found, a warning is printed on the DMV registration renewal invitation. In the event that a motorist subsequently provides sufficient proof of inspection (i.e., valid sticker number, vehicle inspection receipt), the denial would be overridden and the registration would be renewed. DMV initially implemented RBE in NYMA during the NYTEST program in 2001. Statewide RBE enforcement commenced with the September 2007 registration renewals.

A summary of month-by-month RBE statistics is provided in Table II.D.1 below. Note that the number of April invitations is typically larger than the average monthly volume as all motorcycle and ATV renewals are mailed in April. Similarly, the number of December invitations is also large as all the trailer, ambulance, and livery invitations are mailed in December. In Calendar Year 2014, 5,832,423 registration renewal invitations were generated by DMV. Motorists were notified of the need for a completed emissions inspection in order to renew their registration. Of this total, 169,745 vehicle owners still attempted to renew their registration without proof of an emission test, and DMV denied these renewals.

Table II.D.1
Statistics on NYSDMV Registration Denial Enforcement Program (Calendar Year 2014)

Month	NYMA			Upstate		
	Invitations	Denials	% Denied	Invitations	Denials	% Denied
January	214,873	9,102	4.24%	218,817	5,673	2.59%
February	209,751	6,915	3.30%	197,395	4,550	2.31%
March	271,293	9,562	3.52%	300,127	5,627	1.87%
April	291,376	11,126	3.82%	380,872	7,972	2.09%
May	256,393	9,009	3.51%	315,413	6,286	1.99%
June	226,522	8,439	3.73%	237,354	5,766	2.43%
July	224,343	10,934	4.87%	251,682	7,101	2.82%
August	231,112	7,471	3.23%	220,192	4,979	2.26%
September	214,838	8,067	3.75%	195,057	5,008	2.57%
October	188,219	8,542	4.54%	195,311	6,174	3.16%
November	198,847	5,967	3.00%	250,877	3,961	1.58%
December	241,738	6,695	2.77%	300,021	4,819	1.61%
TOTAL	2,769,305	101,829	3.68%	3,063,118	67,916	2.22%

2. Sticker Compliance Survey

DMV continued the long standing, quarterly sticker compliance survey and 10,144 sticker surveys were completed statewide during Calendar Year 2014. The survey resulted in a statewide compliance rate of 96.60%, which is consistent with past surveys. A summary of the Calendar Year 2014 Sticker Compliance Survey is included as Appendix H.

E. Program Changes & Issues Discovered During the Reporting Period

1. NYVIP Enforcement

A joint investigation involving the Departments and the Westchester County District Attorney's Office, resulted in the arrest of two individuals including the owner of J&K Valhalla Automotive in Valhalla, NY. The DEC press release associated with the arrests is included as Appendix I.

2. DMV Regulatory Changes, 15 NYCRR Part 79

15 NYCRR Part 79 was not revised during Calendar Year 2014.

Section 79.7 was revised (effective July 13, 2011) to allow the Commissioner of Motor Vehicles to limit the number of new official emission inspection stations licensed with in New York State. If the maximum number of such inspection stations is reached in any county, DMV places new applications for an inspection station license on a waiting list. If the number of stations falls below the designated maximum in a given county, the applicant who has been on the list the longest will be considered for an inspection station license. DMV's fact sheet related to these changes can be found at: <http://www.dmv.ny.gov/vs-ispcap.htm>.

On March 28, 2012, DMV adopted changes to Section 79 to allow for statewide light-duty diesel (LDDV) OBDII inspections for MY 1997 and newer vehicles. The NYVIP inspection software was subsequently modified to require LDDV OBDII inspections beginning on July 1, 2012.

3. NYVIP2 Contractor Selection

DMV formally released the NYVIP2 Request for Proposals (RFP) on March 30, 2012. Following the review of five submitted proposals and subsequent approval by the NYS Office of the State Comptroller (OSC), the NYVIP2 contract was awarded to Opus Inspection. The transition from the original NYVIP contract (SGS TESTCOM) to NYVIP2 was completed on January 15, 2014.

4. Start-up Issue-10-day Extensions/Readiness Criteria (January 2014)

10-day time extensions have been allowed under limited conditions since 2005. These time extensions are necessary to allow motorists or repair technicians to drive a vehicle following an OBDII readiness criteria failure and to comply with DMV regulations. Without the time extension provision, a motorist with an expired sticker would not be able to legally drive the vehicle in an effort to re-set

monitors. As controlled by the inspection software, inspection stations cannot authorize 10-day time extension (once per inspection cycle) unless the following conditions were met:

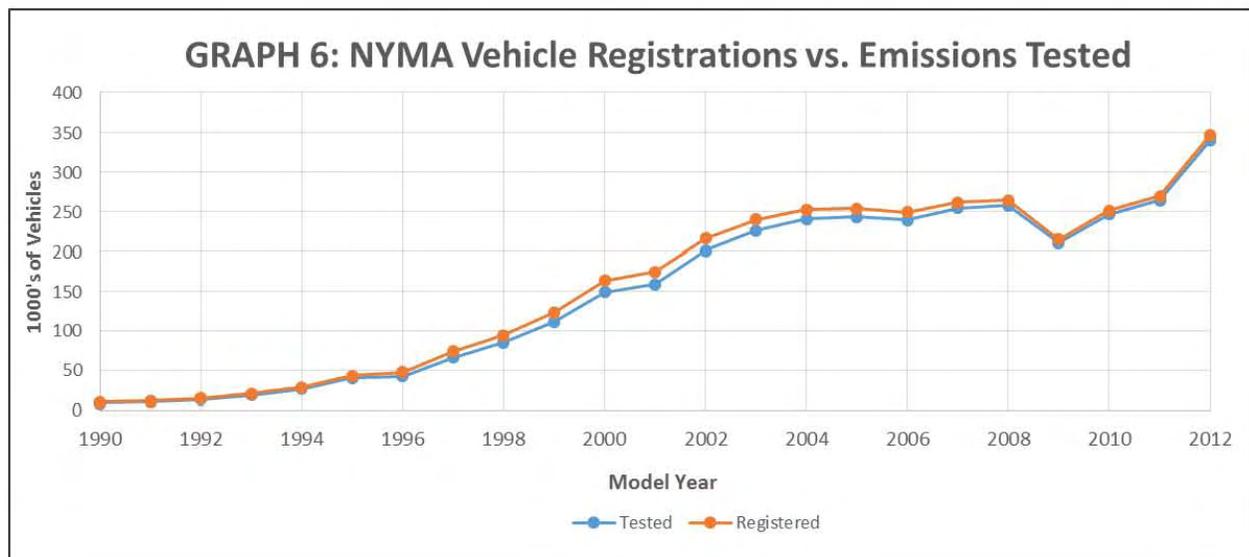
- The vehicle, when presented for inspection, had an expired inspection sticker that was properly removed by the inspector in compliance with state regulation;
- The vehicle failed the OBD inspection for only the readiness criteria; and
- The vehicle passes all other inspection requirements (safety, ECD checks, gas cap check).

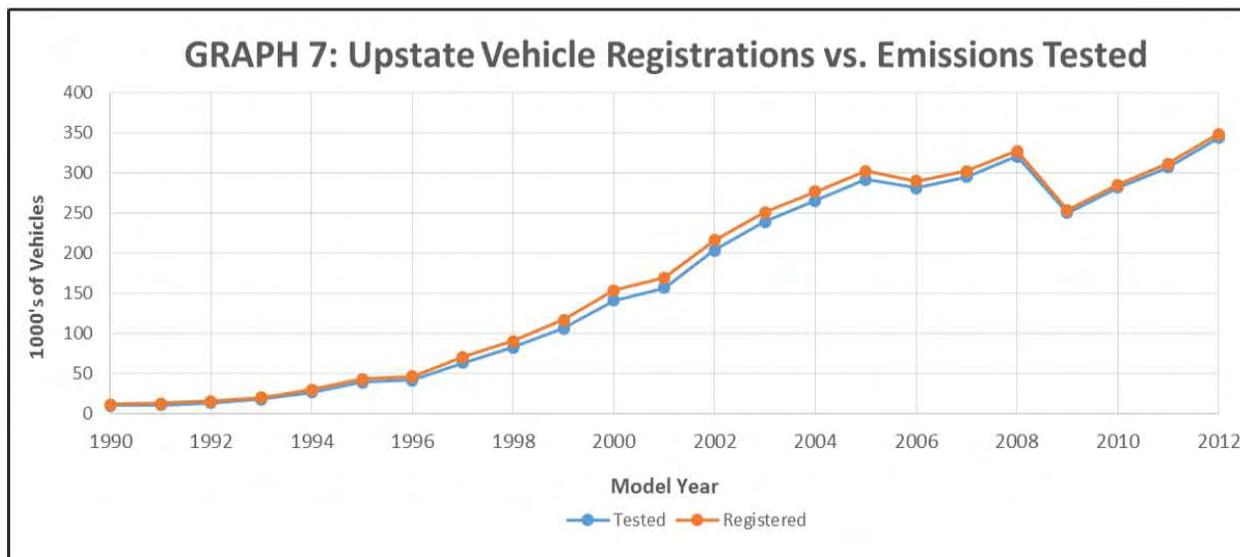
The issuance of a 10-day time extension is noted on the Vehicle Inspection Receipt which then is placed inside the windshield for display. The official electronic record also indicates when a 10-day extension was authorized.

The first version of NYVIP2 software initially allowed for 10-day time extensions, but this functionality unexpectedly stopped on January 1, 2014. Without an automated means to provide for time extensions, it was necessary to disable the readiness evaluation failure criteria beginning on January 6, 2014 for all OBDII inspections. The remaining OBD failure criteria (non-communication, visual MIL checks, MIL commanded on with DTCs) were unaffected. To resolve the issue, Opus Inspection completed a new software release that was reviewed and approved. The functionality of the OBD monitor readiness failure criteria and the ability to authorize 10-day time extensions resumed on February 1, 2014.

F. Vehicle Registrations vs. Emissions Tests, CY 2014

The Departments and Opus Inspection compared vehicle registration data (i.e., vehicles potentially subject to emissions testing) to vehicles actually receiving a passing (or waived) emission test for both NYMA and the Upstate areas for Calendar Year 2014. The procedure used for this comparison is described further within Appendix E, *Procedure to Sort DMV Registration File and Matching of Emissions Inspections – I/M Program Evaluation*. Appendix F contains the referenced *Registration Type Codes*. In summary, the NYMA and Upstate I/M areas were found to have a combined 95.95% compliance rate. Graphs 6 and 7 provide by model year comparisons for NYMA and the Upstate I/M areas.





III. CONCLUSIONS

During Calendar Year 2014, New York State and Opus Inspection successfully completed the transition from NYVIP to NYVIP2. New York State maintained viable motor vehicle inspection and maintenance programs (NYVIP, NYVIP2, and the NYC Taxi and Limousine Commission) without significant disruption or inconvenience to inspection stations and motorists. As outlined within this report, the most significant reporting metrics, including OBD failure rates (Graphs 1, 2, and 5), OBD waiver rates (Graphs 3 and 4), vehicles with no known final outcome (Table II.B.2), and % of emissions tested versus registered (Graphs 6 and 7) remain consistent between NYVIP (2013) and the first year of NYVIP2 (2014).

DEC and DMV staff completed the necessary regulatory and programmatic changes to implement the NYVIP2 I/M program to maximize its effectiveness through enhanced enforcement (data analysis, undercover operations) and focused quality assurance and quality control (waiver monitoring, station auditing) measures. Significant effort was devoted to the development of direct EPA reporting using the Opus Inspection database. These efforts will continue throughout the term of the contract.

The New York City T&LC OBDII inspection program continues to inspect its yellow medallion taxi cab fleet and applicable For-Hire vehicles at the Woodside (Queens) centralized test-only station. DEC is able to complete EPA reporting for T&LC inspections using the Opus Inspection database.

These continuing efforts on the part of DEC, DMV, and the T&LC enable New York State to achieve our enhanced I/M SIP obligations, including its intended goal of healthier, cleaner air for New York State.