

1                   A bill to be entitled  
2           An act relating to motor vehicle emissions  
3           inspections; directing the Department of  
4           Highway Safety and Motor Vehicles to hire an  
5           independent expert consultant to do a study;  
6           prohibiting the department from entering into a  
7           contract for a motor vehicle inspection  
8           program; providing circumstances for issuance  
9           of request for proposals and one or more  
10          contracts; amending s. 325.214, F.S.; setting  
11          the fee for inspections; establishing funds for  
12          the study; providing an effective date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16           Section 1. (1) The Department of Highway Safety and  
17 Motor Vehicles shall hire an independent expert consultant to  
18 develop appropriate request-for-proposal specifications and a  
19 range of inspection fees for the motor vehicle emissions  
20 inspection program based on an annual and a biennial  
21 inspection program for vehicles 4 model years old and older,  
22 using the basic test for hydrocarbon emissions and carbon  
23 monoxide emissions and other mobile source testing for nitrous  
24 oxides or other pollutants, and no later than January 1, 1999,  
25 to report to the President of the Senate and the Speaker of  
26 the House of Representatives setting forth the relevant facts  
27 and the department's recommendations. Notwithstanding the  
28 provisions of chapter 325, Florida Statutes, the department  
29 and the Governor and Cabinet, acting as head of that agency,  
30 are prohibited from entering into any contract or extension of  
31 a contract for any form of motor-vehicles-emissions testing

1 without legislative approval through the enactment of specific  
2 legislation directing the department to implement an  
3 inspection program and establishing a fee for the program.

4 (2) If no specific legislation is passed during the  
5 1999 legislative session to direct the department to implement  
6 a motor vehicle inspection program, the department may issue a  
7 Request for Proposal and enter one or more contracts for a  
8 biennial inspection program for vehicles five model years and  
9 older using the basic test for hydrocarbon emissions and  
10 carbon monoxide emissions. The requirements for the program  
11 included in the proposals must be based on the requirements  
12 under chapter 325, Florida Statutes, unless those requirements  
13 conflict with this section. No contract entered into under  
14 this subsection may be for longer than 2 years.

15 Notwithstanding the provisions of s. 325.214, if the fee for  
16 motor vehicle inspection proposed by the Department of Highway  
17 Safety and Motor Vehicles will exceed \$10 per inspection, the  
18 department may impose the higher fee if such fee is approved  
19 through the budget amendment process set forth in chapter 216  
20 and notice is provided to the Chairmen of the Senate and House  
21 Transportation and Natural Resources Committees at the time it  
22 is provided to the Senate Ways and Means and House  
23 Appropriations Committees.

24 Section 2. Subsection (2) of section 325.214, Florida  
25 Statutes, is amended to read:

26 325.214 Motor vehicle inspection; fees; disposition of  
27 fees.--

28 (2) ~~The department shall set an inspection fee shall~~  
29 be not to exceed \$10. By rule, the department shall set a  
30 regulatory amount to be included in the fee which is  
31 commensurate with the cost of administering and enforcing the

1 ~~inspection program. It is the intent of the Legislature that~~  
2 ~~the program be self-supporting.~~ Notwithstanding any other  
3 provision of law to the contrary, an additional fee of \$1  
4 shall be assessed upon the issuance of each dealer  
5 certificate, which fee shall be forwarded to the department  
6 for deposit into the Highway Safety Operating Trust Fund.

7       Section 3. There is appropriated from the Department  
8 of Highway Safety Operating Trust Fund of the Department of  
9 Highway Safety and Motor Vehicles for fiscal year 1998-1999,  
10 the sum of \$125,000 to fund the study established in this act.

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