

RESOLUTION NO. RS2018-1171 (GILMORE & ALLEN) – This resolution would authorize the continuation of the Metropolitan Government’s vehicle inspection and maintenance program for motor vehicles registered in Davidson County.

Tennessee Code Annotated §68-201-119 provides that the Tennessee Air Pollution Control Board shall promulgate rules that (1) specify the type of vehicle inspection and maintenance program to be established and implemented and (2) establish that the inspection associated with the vehicle inspection and maintenance program will occur on an annual basis in connection with vehicle registration renewal. Pursuant to this legislation, the Metropolitan Government established a vehicle inspection and maintenance program.

During the Tennessee General Assembly’s current legislative session, however, the state law was amended by SB2656/HB1782, banning counties in attainment status from continuing vehicle inspection programs. However, an exception was added to allow counties that, on the effective date of SB2656/HB1782, already have local air pollution control programs and inspection and maintenance programs, to continue such programs. In order to qualify for this exemption, the county legislative body (in this case, Metro Council) must adopt a resolution within 30 days of the effective date of the legislation and provide a copy of said approved resolution to the Technical Secretary of the Air Pollution Control Board within 60 days of the effective date of the legislation.

Metro currently contracts with two (2) private vendors to implement its vehicle inspection program, authorized pursuant to Resolution Nos. RS2017-700 and RS2017-701, which continue through June 30, 2022.

The resolution currently under consideration would authorize the continuation of Metro’s vehicle inspection and maintenance program for motor vehicles registered in Davidson County and would direct a certified copy of the adopted resolution be submitted to the Technical Secretary of the Air Pollution Control Board, thereby fulfilling the requirements for continuing this program under the recently amended Tenn. Code Ann. §68-201-119.

As of this publication date, Governor Haslam has yet to sign SB2656/HB1782. Given the legislative requirement to enact a resolution within 30 days of the effective date of the state legislation, an additional deferral may be indicated.

Fiscal Note: Under the current agreements, the Health Department advises that Metro receives approximately \$2.1 million per year as our share of the auto emissions testing fees. If this resolution is not approved, this revenue would be lost. In addition, there could be an increase in health care costs from the resulting increase in air pollutants in Davidson County. However, it would be speculative to attempt to quantify this amount.