

RESOLUTION NO. RS2018-1171

A resolution authorizing the continuation of the vehicle inspection and maintenance program for motor vehicles registered in Davidson County, originally implemented to attain and maintain compliance with national ambient air quality standards.

WHEREAS, section 68-201-119 of the Tennessee Code Annotated 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; and

WHEREAS, in April 2018, the General Assembly of the State of Tennessee adopted SB2656/HB1782, amending Tenn. Code Ann. §68-201-119 to ban counties in attainment status from entering into or renewing vehicle inspection and maintenance program contracts intended to maintain compliance with national ambient air quality standards; and

WHEREAS, as amended, Tenn. Code Ann. §68-201-119 eliminates vehicle emissions testing programs in Tennessee. However, an exception applies within subsection §68-201-119(b) which provides that inspection and maintenance programs may be employed in counties that, on the effective date of SB2656/HB1782, have local air pollution control programs and implement inspection and maintenance programs; and

WHEREAS, to qualify under this exemption, a county must authorize the continuation of its own inspection and maintenance program by action of its governing body within thirty (30) days of the effective date of the state legislation, and the presiding officer of the county governing body must furnish a certified copy of the approved resolution to the technical secretary of the air pollution control board within sixty (60) days of the effective date of the state legislation; and

WHEREAS, in Tennessee, there are currently six (6) counties implementing inspection and maintenance programs, five (5) of which are operated by the Tennessee Department of Environment and Conservation. However, in Davidson County, the Metro Public Health Department operates its own inspection and maintenance programs pursuant to an agreement with TDEC. These programs are implemented through two (2) contracts with private vendors, authorized pursuant to Resolution Nos. RS2017-700 and RS2017-701, which continue through June 30, 2022; and

WHEREAS, in Davidson County, on-road mobile sources, including cars and trucks subject to the vehicle inspection and maintenance program, are the largest source of nitrogen oxides, the air pollutant with the greatest effect on the formation of ground-level ozone (smog); and

WHEREAS, ground-level ozone can inflame the airways, causing symptoms such as chest pain, coughing, wheezing and shortness of breath – even in healthy people; and

WHEREAS, groups considered most at risk from ozone are children, people with asthma and other lung diseases, older adults and adults who are active or work outside; and

WHEREAS, the vehicle inspection and maintenance program continues to be an effective tool in reducing emissions from excessively polluting vehicles in Davidson County; and

WHEREAS, it is to the benefit of the citizens of Nashville and Davidson County that the vehicle inspection and maintenance programs currently in effect in Nashville and Davidson County continue.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. The Metropolitan Council hereby authorizes the continuation of the vehicle inspection and maintenance programs currently operated by the Metro Public Health Department, as implemented through contracts with private vendors authorized pursuant to Resolution Nos. RS2017-700 and RS2017-701.

Section 2. The President Pro Tem, as the current presiding officer of the Council of The Metropolitan Government of Nashville and Davidson County, shall submit a certified copy of this resolution to the Technical Secretary of the Air Pollution Board of the State of Tennessee within 60 days of the effective date of the above-referenced amendment to Tenn. Code Ann. §68-201-119.

Section 3. This Resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Erica Gilmore

Burkley Allen
Members of Council