

**TITLE 67. TRANSPORTATION**

**PART I. DEPARTMENT OF TRANSPORTATION**

**Subpart A. VEHICLE CODE PROVISIONS**

**ARTICLE VII. VEHICLE CHARACTERISTICS**

**CHAPTER 175 VEHICLE EQUIPMENT AND INSPECTION**

**Subchapter A. GENERAL PROVISIONS**

**§ 175.2. Definitions.**

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

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*Antique motor vehicle*—A motor vehicle, but not a reproduction thereof, manufactured more than 25 years prior to the current year which has been maintained in or restored to a condition which is substantially in conformance with manufacturer’s specifications and registered with the Department as an antique motor vehicle.

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*Certified inspection mechanic*—A person who holds a valid certification card issued by the Bureau certifying that the person is qualified, has passed all requirements to inspect specific vehicles and holds a valid driver’s license for the correct class of vehicle.

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*Classic motor vehicle*—The term as defined in 75 Pa.C.S. § 102 (relating to definitions).

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*Commonwealth inspection station*—An inspection station appointed to inspect all types of vehicles, space permitted, owned by and engaged exclusively in the performance of the official duties of the Federal Government, the Commonwealth or a political subdivision of the Commonwealth.

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*Department*—The Department of Transportation of the Commonwealth.

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*Essential parts*—Integral and body parts of a vehicle of a type required to be registered under the Vehicle Code, the removal, alteration or substitution of which would tend to conceal the identity of the vehicle or substantially alter its appearance, model type or mode of operation.

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*Feet inspection station*—An inspection station appointed to inspect all types of vehicles, space permitting, leased by or owned and registered in the name of the person in whose name the certificate of appointment is issued.

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*Light truck*—A truck having a registered gross weight of 11,000 pounds or less.

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*Passenger car*—The term as defined in 75 Pa.C.S. §102.

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*Reconstructed vehicle*—The term as defined in 75 Pa.C.S. §102.

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*Registered gross weight*—The term as defined in 75 Pa.C.S. §102.

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*Safety insert tab*—A numbered tab, applied to the Safety Certificate of Inspection, which indicates the month in which the safety certificate of inspection expires.

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*Specially constructed vehicle*—A vehicle not originally constructed by a generally recognized manufacturer of vehicles under a distinctive name and materially altered from its original

construction but assembled from parts of various vehicles and kits and which would be commonly known as a ‘‘homemade’’ vehicle.

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*Street rod*—A motor vehicle, but not a reproduction thereof, with a model year of 1948 or older which has been materially altered or modified by the removal, addition or substitution of essential parts and with a gross weight or registered gross weight of not more than 9,000 pounds.

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*Suspend*—To withdraw temporarily by formal action of the Department a license, registration or privilege issued or granted by the Department. Following a period of suspension, the Department will restore the license, registration or privilege.

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*Vehicle Control Division*—The area of the Bureau which administers vehicle equipment and inspection matters.

#### **§ 175.4. Vehicles required to be inspected.**

A registered vehicle moved upon a highway shall bear a valid certificate of inspection except for the following:

- (1) Special mobile equipment.
- (2) An implement of husbandry.
- (3) A motor vehicle being towed.
- (4) A motor vehicle being driven or a trailer being towed by an official inspection station owner or employe for the purpose of inspection.
- (5) A trailer having a registered gross weight of 3,000 pounds or less.
- (6) A motorized pedalcycle.
- (7) A vehicle being repossessed by a financier or collector-repossessor through the use of miscellaneous motor vehicle business registration plates.

(8) A new vehicle while it is in the process of manufacture including testing, and not in transit from the manufacturer to a purchaser or dealer.

(9) A military vehicle used for training by a private, nonprofit, tax-exempt military educational institution when the vehicle does not travel on public roads in excess of 1 mile and when the property on both sides of the public road is owned by the institution.

(10) An antique vehicle.

**§ 175.6. Annual inspection.**

Other vehicles, including emergency vehicles and private noncommercial vehicles used to transport students, shall be inspected annually.

**§ 175.7. Inspection of vehicle reentering this Commonwealth.**

A vehicle subject to inspection which has been outside this Commonwealth continuously for 30 days or more and which, at the time of reentering this Commonwealth, does not bear a currently valid certificate of inspection, is not required to be inspected until 10 days after reentering this Commonwealth.

**§ 175.8. Newly-purchased vehicles.**

(a) Vehicles without valid certificate of inspection. A vehicle which does not display a valid certificate of inspection at the time of sale, resale or entry into this Commonwealth shall be inspected within 10 days of sale, resale or entry into this Commonwealth, whichever occurs later. The inspection shall be coordinated with the staggered registration system regardless of the date of a previous inspection in this or another jurisdiction.

(b) Vehicles with valid certificate of inspection. A vehicle which displays a valid certificate of inspection at the time of sale or resale may be driven until the inspection certificate expires.

(c) Vehicles subject to semiannual inspection and mass transit vehicles. Vehicles subject to semiannual inspection and mass transit vehicles are exempt from the provision of subsection (a) which requires coordination of inspection expiration with the staggered registration system.

**§ 175.11. Coordination of safety and emission inspection.**

All subject vehicles required to participate in the Enhanced Emission I/M Program shall display on the vehicle a renewed emission certificate of inspection prior to placement of a renewed safety certificate of inspection. A temporary inspection approval indicator may be used to

designate vehicles which have successfully passed the required periodic safety inspection, but must display a renewed emission certificate of inspection, or obtain an official waiver, prior to placement of the renewed safety certificate of inspection. Under this chapter, the expiring safety certificate of inspection may be replaced with a new safety certificate of inspection at any time prior to the expiration of the certificate of inspection to which the temporary inspection approval indicator is affixed. The temporary inspection approval indicator does not extend the inspection expiration of any certificate of inspection to which it is affixed.

## **Subchapter B. Official Inspection Stations.**

### **§ 175.21. Appointment.**

(a) Authority. For the purpose of establishing a system of official inspection stations, the Bureau will issue a certificate of appointment to a privately owned facility within this Commonwealth that complies with the requirements of the Vehicle Code and this title. An official inspection station is authorized to inspect vehicles and issue official certificates of inspection. See 75 Pa.C.S. § 4721 (relating to appointment of official inspection stations).

(b) Certificate of appointment. The certificate of appointment will be issued only when the Bureau is satisfied that the station is properly equipped and has certified personnel to make inspections and adjustments. Only those stations fulfilling Department requirements and complying with this chapter will be issued a certificate of appointment. Prior involvement with a suspended inspection station may be sufficient cause to deny appointment. The certificate of appointment at all times shall be conspicuously displayed at the place for which it is issued. See 75 Pa.C.S. § 4722 (relating to certificate of appointment).

(c) Certificate not assignable. A certificate of appointment shall be valid only for the person in whose name it is issued and for transaction of business at the place designated therein. A certificate of appointment shall not be assignable to another person or location.

(d) Valid certificate required. No person shall in any manner represent a place as an official inspection station unless the station is operating under a valid certificate of appointment issued by the Bureau.

(e) Inspection stations with common access. No certificate of appointment may be issued for operation by an official inspection station on the premises of another official inspection station which utilizes the same access. This prohibition does not apply if the inspection stations have separate internal accesses, though sharing common external access.

(f) Suspended inspection stations. No certificate of appointment shall be issued for operation of an official safety inspection station on the premises of an official safety inspection station which has been suspended, if the owner of the suspended station continues to conduct any type of business which utilizes the same access. This prohibition shall not apply if the station and the

other business each have a separate internal access, though sharing a common external access.

(g) Cancellation of appointments. A certificate of appointment previously issued for a station which does not comply with the restrictions contained in subsection (e) or (f) will be cancelled April 28, 1983.

**§ 175.22. Making application.**

(a) Form. The applicant shall file one copy of Form MV-427, Application for Designation as an Official Inspection Station, with the Bureau. A separate application shall be made for each place of business.

(b) Bond or proof of insurance. Requirements shall be as follows:

(1) An applicant for a certificate of appointment shall furnish a bond on a form prescribed by the Department or proof of insurance as required by 75 Pa.C.S. § 4722(c) (relating to certificate of appointment).

(2) The bond or insurance shall be in the amount of \$10,000 for each place of business and shall provide compensation to a vehicle owner for damage their vehicle may sustain while it is in possession of the inspection station.

(3) The bond or proof of insurance shall be renewed each year.

(4) Cancellation of the bond or insurance shall automatically void the certificate of appointment. Inspections shall cease until the Bureau receives a new bond or proof of insurance.

(c) Specification of type. The application shall indicate the type of inspection station authorization applied for; that is, Commonwealth, general, fleet, recreational and utility trailer or motorcycle.

(d) Applicant. The applicant shall be the owner of the business or, in the case of a corporation, some other person specifically authorized to sign the application.

(1) If a natural person, the applicant shall be 18 years of age or older.

(2) If the applicant is a corporation, partnership or association, the application shall be signed by an officer, partner, associate or another person specifically authorized to sign the application.

(i) The person who signs the application shall be 18 years of age or older.

(ii) Except in the case of an executive officer, partner or associate, written evidence of the authority of the person-for example, station manager-to sign the application shall be attached thereto and attested to by a partner or a corporation or association officer.

**§ 175.23. Approval.**

(a) *Investigation.* An inspection station supervisor will conduct an investigation of each applicant to determine full compliance with the Vehicle Code and this chapter.

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(c) *Issuance of certificate.* Upon approval of the application by the Bureau, a certificate of appointment shall be issued to the applicant for the place of business located within this Commonwealth, as set forth in the application. No inspections shall be made unless a certificate of appointment has been issued to and is prominently displayed at the official inspection station.

**§ 175.24. Required certificates and station signs.**

After appointment, the owner of each inspection station shall prominently display signs required by the Bureau, including the following:

(1) A certificate of appointment for each type of station approved for the location.

(2) A sign clearly stating the fee for the certificate of inspection separate from the fee for inspection. The fee for inspection shall be the same whether the vehicle passes or fails. The fee for inspection shall include the cost of labor for the inspection, including pulling wheels, but it shall not include the cost of parts, repairs or adjustments. The sign shall clearly indicate the fee for different types of vehicles—for example, passenger cars, trucks and trailers—to the extent that the fee varies among vehicles. Fleet and Commonwealth stations are exempt from this requirement.

(3) A current list of certified inspection mechanics, Form TS-443.

(4) An official inspection station sign outside the garage, clearly visible to the public. This sign shall have a keystone design which is 24 inches high and 21 inches wide. The station number plate shall be 2 3/4 inches high and 13 3/8 inches wide. The background shall be navy blue with gold lettering. If hung from a bracket, the sign shall be double faced. A previously issued sign will still be permitted. Fleet and Commonwealth stations are exempted from this requirement.

**§ 175.25. Inspection area.**

(a) *General.* The following requirements apply to inspection areas:

(1) Except as provided in subsection (b)(1)(iii) and (3), the inspection area shall be entirely

within a sound, enclosed building; shall be in good repair; and shall be kept in good condition.

(2) An anticipated alteration or change affecting the condition or size of the inspection area shall be reported to the inspection station supervisor at once.

(3) The floor shall be of a hard surface and in sound condition. Dirt floors will not be approved.

(4) The floor of the inspection area shall be level. No more than 1% slope from front to rear or side to side is acceptable.

(5) The inspection area shall be free from obstructions, including shelves, work benches, partitions, displays, machinery and stairways. If the inspection area or any part is located outside the building, the area shall also be kept clear of snow or other substances which would curtail or interfere with inspections.

(6) Hoists and lifts are permitted in the inspection area if a thorough and proper inspection can be performed.

(b) *Minimum requirements.* The following minimum dimensions apply to inspection areas:

(1) *Commonwealth, fleet and general inspection stations:*

(i) Twelve feet wide by 22 feet long, if the station uses an approved headlight aimer or tester.

(ii) Twelve feet wide by 43 feet long, if the station uses an approved headlight aiming screen.

(iii) A motor carrier vehicle may be inspected either as single unit or in combination if, in the case of a station meets the requirements of subparagraph (i), the inspection area has an additional unobstructed length of 42 feet or, in the case of a station meets the requirements of subparagraph (ii), an additional unobstructed length of 21 feet.

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(3) *Trailer inspection stations:* 12 feet wide by 55 feet long.

(c) *Inspections conducted in inspection area.* An inspection shall be conducted entirely within the inspection area with the exception of the road test.

### **§ 175.26. Tools and equipment.**

(a) *General requirements.* An inspection station shall have tools and equipment in good operating condition sufficient to inspect each type of vehicle to be inspected, including the following:

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- (3) A portable light.

**§ 175.27. Hours.**

An inspection station shall be open for business a minimum of 40 hours, Monday through Friday between 7 a.m. and 5 p.m. This section may be waived by the Bureau upon written request of the inspection station owner and prior approval of the inspection station supervisor. To be considered for a waiver of this section, 50% of the working hours shall be between 8 a.m. and 5 p.m. Monday through Friday. This section does not apply to Commonwealth or fleet inspection stations.

**§175.28. Certified Inspection Mechanics.**

(a) General. An official inspection station shall have at least one certified inspection mechanic. Every inspection shall be performed by a certified inspection mechanic. The mechanic shall only inspect the type of vehicle for which he is certified. The mechanic signing the inspection sticker shall conduct and be responsible for the entire inspection of the vehicle, including the road test, except that the Department may exempt a mechanic from the requirement to perform a road test because of a physical disability. See 75 Pa.C.S. § 4726 (relating to certification of mechanics).

(b) Multiple stations. A certified inspection mechanic may work part time at more than one official inspection station if the mechanic notifies the inspection station supervisor and the Vehicle Control Division of the names and station numbers of all current employers. Failure to do so may result in suspension of the mechanic's inspection privileges.

(c) Number of inspections. A certified mechanic may not inspect more than:

- (1) Two vehicles other than motorcycles per hour.

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(d) Certification requirements. A mechanic desiring to become certified:

- (1) Shall be 18 years of age or older.

(2) Shall have a valid driver's license for each class of vehicle which the mechanic will inspect; except that a certified mechanic who inspects school buses is not required to hold a Class 4 license but is required to hold a Class 2 or 3 license. For the purposes of this chapter, a valid driver's license shall not include a learner's permit. A mechanic exempted from the requirement to perform the road test shall also be exempt from the requirement of this paragraph.

- (3) Shall have attended an approved 9-hour certification course and successfully completed

the required written examination.

(4) Shall pass the required tactile test administered by a certified/qualified automotive instructor at an approved education facility.

(e) Recertification. A mechanic shall be certified every 3 years by passing the required written examination within 180 days of receipt of notice from the Department that the mechanic card is due to expire.

(f) Prior certification. A mechanic card without an expiration date shall remain valid for 180 days after the date of notice to the mechanic to attend the certification course. Failure to complete the certification course and pass the required tests within 180 days will result in cancellation.

(g) Mechanic license codes. A mechanic will be issued the following codes for the types of vehicle the mechanic is authorized to inspect:

(1) Passenger cars, trucks 17,000 pounds or less, and trailers less than 10,000 pounds.

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(4) All vehicles.

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(h) Mechanic card. The valid mechanic card shall be carried by the mechanic when performing an inspection.

**§ 175.29. Obligations and responsibilities of stations.**

(a) Personal liability. It is the responsibility of the owner of an inspection station to do all of the following:

(1) To conduct the business of the official inspection station honestly and in the best interests of this Commonwealth, in accordance with the provisions of the Vehicle Code and this chapter, and, except in the case of a fleet or Commonwealth inspection station, to make every reasonable effort to inspect all vehicles upon request.

(2) To make official inspection regulations and supplements available for the use of certified inspection mechanics and other employees involved in inspection.

(3) To notify the inspection station supervisor and the Vehicle Control Division when a certified mechanic is hired.

(4) To keep current inspection records at the inspection station for examination and audit by the

inspection station supervisor and other authorized persons.

(5) To keep, for a period of 2 years, duplicate copies of garage report sheets and certificate of inspection requisition forms for each inspection campaign.

(6) To assume full responsibility, with or without actual knowledge, for:

(i) Every inspection conducted by an employe of the inspection station.

(ii) Every inspection conducted on the premises.

(iii) Every certificate of inspection issued to the inspection station.

(iv) Every certificate of inspection issued by the inspection station.

(v) A violation of the Vehicle Code or this chapter related to inspections committed by an employe of the inspection station.

(7) To assure that each inspection is performed by an inspection mechanic certified to inspect that type of vehicle.

(8) To have available, at all times, a current certificate of inspection for all types of vehicles inspected at that station.

(b) Change of ownership. The following apply to change of ownership:

(1) In the case of a change of ownership, the certificate of appointment, all unissued certificates of inspection, and all inspection material shall be surrendered immediately to the inspection station supervisor. The new owner shall submit a Form MV-427 application to the Bureau. An investigation of the premises will be conducted by the inspection station supervisor.

(2) In the following circumstances, it shall not be necessary to surrender unissued certificates of inspection; however, no inspections shall be conducted until the new ownership has been approved and a new certificate of appointment issued:

(i) Creation, modification or termination of a partnership.

(ii) Incorporation of a business.

(iii) Transfer of the controlling interest in a corporation.

(iv) Transfer of ownership to a spouse, child or parent.

(c) Change of location. In the case of a change of location of an inspection station, all of the

following apply:

- (1) A Form MV-427 application shall be completed and submitted to the Bureau.
  - (2) An investigation of the premises will be conducted by the inspection station supervisor.
  - (3) Certificates of inspection will be audited by the inspection station supervisor and shall be retained by the station owner.
  - (4) No inspections shall be made at the new location until it has been investigated and approved and a new certificate of appointment issued by the Bureau.
  - (5) If the new location is not approved at the time of the investigation, the inspection station supervisor will pick up all current certificates of inspection and will retain them until the new location is approved.
- (d) Discontinuance of business. Inspections shall be discontinued in any of the following circumstances:
- (1) If the owner vacates, abandons or discontinues the inspection business. Immediate notice shall be provided to the Bureau and the inspection station supervisor. The inspection station supervisor will pick up the certificate of appointment and all certificates of inspection, records and other inspection materials and return them to the Bureau.
  - (2) If the owner is deceased. If a member of the family or partner wishes to continue the business, a new application for appointment shall be submitted to the Bureau.
  - (3) If the owner voluntarily discontinues the operation of an inspection station, the owner shall immediately notify the inspection station supervisor. Remaining inspection materials shall be returned to the inspection station supervisor.
- (e) Notice required. The following events shall be reported at once to the inspection station supervisor and the Bureau; however, it is not necessary to discontinue inspections.
- (1) Whenever certificates of inspection are damaged, lost or stolen.
  - (2) Whenever a certified mechanic or a person authorized to purchase certificates of inspection is dismissed or resigns.
  - (3) A change in the post office address of an inspection station, not location. The changes shall be reported at once on Form MV-427.
  - (4) A change of the company name, not ownership. The changes shall be reported at once on Form MV-427.

(5) When a person who signed the Form MV-427 application for a corporation is no longer in charge of the inspection station:

(i) A new Form MV-427 shall be submitted to the Bureau at once.

(ii) A new letter of authority is required for the person signing the Form MV-427.

(6) Whenever a person whose signature is on t

(b) Certified inspection mechanic. Each fleet inspection station shall have at least one inspection mechanic certified to inspect each type of vehicle which will be inspected.

(c) Requirements. Requirements shall include the following:

(1) An applicant for a fleet inspection station shall meet the requirements of this chapter, unless specifically exempted.

(2) In addition to the minimum inspection area requirements of § 175.25 (b)(1)(i) (relating to inspection area), the inspection area shall be large enough to accommodate the largest vehicle to be inspected at the fleet inspection station.

### **§ 175.31. Fleet inspection stations.**

(a) Eligibility. Eligibility requirements are as follows:

(1) A fleet inspection station owner shall own or lease at least 15 or more vehicles.

(2) The certificate of appointment shall authorize inspection of only those vehicles registered or leased by the fleet inspection station owner. Privately owned or registered vehicles of company officers and employes may not be inspected at a fleet inspection station even if they are used for business purposes.

(3) The inspection certificate shall be cancelled if the number of vehicles owned or leased falls below 15, except for a temporary delay in ordering or receiving additional vehicles to supplement the fleet.

(b) Certified inspection mechanic. Each fleet inspection station shall have at least one inspection mechanic certified to inspect each type of vehicle which will be inspected.

(c) Requirements. Requirements shall include the following:

(1) An applicant for a fleet inspection station shall meet the requirements of this chapter,

unless specifically exempted.

(2) In addition to the minimum inspection area requirements of § 175.25(b)(1)(i) (relating to inspection area), the inspection area shall be large enough to accommodate the largest vehicle to be inspected at the fleet inspection station.

#### **§ 175.41. Procedure.**

(a) Unauthorized display of certificate of inspection. No certificate of inspection or temporary inspection approval indicator may be marked or affixed to a vehicle unless the vehicle has successfully passed inspection, meeting the requirements of 75 Pa. C.S. § 101-9701 (relating to the Vehicle Code) and this chapter.

(b) Type. A certificate of inspection shall be selected for the particular type of vehicle being inspected according to this chapter. The certificate of inspection insert shall correspond to the vehicle's registration month based on charts supplied by the Department. The certificate of inspection shall be examined before using. If found to be incorrect, the inspection station supervisor and the Vehicle Control Division shall immediately be notified.

(1) TS-460 shall be used for motor vehicles except motorcycles and motor-driven cycles.

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(3) A temporary inspection approval indicator shall be used to designate a vehicle which has successfully passed the required periodic safety inspection, but which shall display a renewed emission certificate of inspection before a new safety certificate of inspection sticker may be affixed to the vehicle.

(c) Required information. The information on the rear of the certificate of inspection shall be completed in its entirety in permanent ink. The odometer reading is not required to be completed for trailers and motorcycles.

(1) The temporary inspection approval indicator shall be affixed as described in subsection (e)(5) so as to be visible to the vehicle operator (while seated in the driver's location) without obscuring any required information entered on the back of the safety certificate of inspection.

(2) When replacing a certificate of inspection for which a temporary inspection approval indicator has been issued, the back of the new certificate of inspection shall be completed using the information recorded on the report sheet (Form MV-431) at the time of the original inspection.

(d) Affixing certificate of inspection or temporary inspection approval indicator. The certificate of inspection or temporary inspection approval indicator shall only be affixed to the vehicle on the premises of the official inspection station and on a portion of the premises located within 100 feet and on the same side of the street as the official inspection station. A certificate of inspection

or temporary inspection approval indicator may not be issued or affixed at another area of location.

(1) It is the responsibility of the certified inspection mechanic who performed the inspection to affix the certificate of inspection or temporary inspection approval indicator to the vehicle in the location prescribed by the Department. The certificate of inspection or temporary inspection approval indicator shall be affixed only after completion of the entire inspection, including the road test. A mechanic exempted by the Department from performing the road test under this chapter is responsible for affixing the certificate of inspection or temporary inspection approval indicator.

(i) Inspection stations may not replace a certificate of inspection to which a temporary inspection approval indicator has been affixed if one or more of the following apply:

(A) The inspection station did not perform the original inspection of the vehicle or issue the temporary inspection approval indicator affixed to the current certificate of inspection.

(B) The vehicle does not display a renewed emission certificate of inspection.

(C) The original safety certificate of inspection has expired.

(D) The vehicle is in an obviously unsafe condition, including, but not limited to, bald tires, exhaust leaks, broken glazing and broken or missing lighting.

(ii) Inspection stations may charge the posted fee for inspection of a vehicle to which a temporary inspection approval indicator has been affixed. A fee may not be charged for the temporary inspection approval indicator. The posted fee for the new certificate of inspection may only be charged when the new safety certificate of inspection is affixed to the vehicle.

(2) The surface on which the sticker is to be attached shall be wiped dry and clean of road film, grease and moisture for proper adhesion. The following apply:

(i) The glass or body surface shall be cleaned thoroughly.

(ii) The protective slip sheet shall be removed from the adhesive side of the certificate of inspection or temporary inspection approval indicator.

(iii) The sticker shall be positioned carefully, then squeezed until it is tightly affixed to the windshield, body or existing certificate of inspection.

(iv) Only the current certificate of inspection shall be visible.

(e) Certificate of inspection location. The certificate shall be located as follows:

(1) On a motor vehicle, the certificate of inspection shall be affixed in an upright position, to the extreme lower left-hand inside corner of the windshield-driver's side.

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(3) The new certificate of inspection may not be placed over the old certificate of inspection. The certificate of inspection which expired or is about to expire shall be removed prior to placement of the new certificate of inspection.

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(5) The temporary inspection approval indicator shall be affixed to the top left portion of the reverse side of the existing safety certificate of inspection so as to be visible to the vehicle operator (while seated in the driver's location) without obscuring any required information entered on the back of the safety certificate of inspection.

(f) Inspection cycles. When selecting the proper type of certificate insert, the new expiration date is based upon whether the inspection is an annual or semiannual inspection.

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(4) A temporary inspection approval indicator shall be used to indicate that a vehicle has successfully passed the required periodic safety inspection, but shall display a renewed emission certificate of inspection before a new safety certificate of inspection sticker may be affixed to the vehicle. The temporary inspection approval indicator does not extend the expiration of any certificate of inspection to which it is affixed.

#### **§ 175.42. Recording inspection.**

(a) *Fraudulent recording.* Fraudulent recording of an inspection report sheet will be considered cause for suspension of inspection privileges.

(b) *Signature.* The certified mechanic who performed the entire inspection shall place his signature in the appropriate column of Form MV-431 or MV-480 immediately following the inspection. Both the mechanic exempted from performing the road test under this chapter and the certified mechanic who performed the road test shall place their signatures in the appropriate column.

(1) When the inspection information is transferred from a work order to the Form MV-431 or

MV-480 by anyone other than the certified mechanic who performed the inspection, the work order shall contain the certified mechanic's signature and be retained for 2 years. The person who enters the information shall place the name of the certified mechanic in the appropriate column and the initials of the person putting the information on the form in the appropriate column. A mechanic exempted from performing the road test under this chapter and the certified mechanic who performed the road test shall sign the work order. The person who transfers the information shall place the names of both certified mechanics in the appropriate column.

(2) A work order shall be available for inspection upon request by the inspection station supervisor or an authorized representative of the Department.

(c) *Duplicates.* An official inspection report sheet shall be maintained in duplicate and, upon completion of the entire sheet, the original copy shall be forwarded immediately to the Bureau of Motor Vehicles, Vehicle Control Division, Post Office Box 8696, Harrisburg, Pennsylvania 17105. The duplicate copy shall be retained as a garage record and kept on file at the station for 2 years. At the close of each inspection period, the original report shall be returned to the Bureau at once, even though all spaces have not been used.

(d) *Content.*

The inspection report sheet (Form MV-431 for passenger cars, trucks and buses or MV-480 for motorcycles and trailers) shall be neat and legible and completed in its entirety. Details pertinent to every vehicle inspected, including rejections, shall be recorded on the report sheet. Items inspected, adjusted or repaired shall be recorded. If the report sheet lists a piece of equipment which does not apply to the specific type of vehicle being inspected, a dash shall be placed in the column to indicate it has not been overlooked or neglected. Certificates of inspection issued shall be listed in numeric order.

(1) Temporary inspection approval indicators, if issued in lieu of a certificate of inspection, shall be recorded on a separate report sheet (Form MV-431) and shall be indicated in the area designated for the sticker number. This separate report sheet shall be completed as described in this subsection except a "T" shall be entered in the area designated for the sticker number to

indicate that a temporary inspection approval indicator was issued. An inspection station may not impose a sticker charge for the issuance of a temporary inspection approval indicator.

(2) Upon the return of a vehicle for which a temporary inspection approval indicator has been issued, the station which originally affixed the temporary inspection approval indicator shall:

(i) Verify the year, make, body style, VIN and proof of financial responsibility for the vehicle presented for a renewed certificate of inspection to ensure it is the same vehicle indicated on the report sheet (Form MV-431) when the original inspection was performed. This information shall be recorded as a new entry on the regular report sheet (Form MV-431) where all inspection sticker serial numbers issued are recorded.

(ii) Record, on the Form MV-431, the serial number of the new certificate of inspection to be affixed to the vehicle along with the vehicle owner's name, address, VIN, license plate number, vehicle year make and body style. A reference to the date and number of the original inspection performed shall be noted in the shaded area to the left of the area designated for the sticker serial number and total cost (that is, "See T-inspection number 123 dated 01/01/97).

(iii) Enter, in the appropriate area of the report sheet (Form MV-431), the name of the certified inspection mechanic that verified the original inspection information and that is replacing the certificate of inspection.

(3) The certified inspection mechanic replacing the certificate of inspection shall sign the back of the new certificate of inspection and record the information from the original inspection entry (wheels pulled, date of inspection, and the like.) on the new certificate of inspection before it is affixed to the vehicle. The expiring certificate of inspection shall be removed prior to affixing the new certificate of inspection as described in paragraph (2).

(4) Inspection stations may not replace a certificate of inspection to which a temporary inspection approval indicator has been affixed if one or more of the following apply:

(i) The inspection station did not perform the original inspection of the vehicle or issue the temporary inspection approval indicator affixed to the current certificate of inspection.

(ii) The vehicle does not display a renewed emission certificate of inspection.

(iii) The original safety certificate of inspection has expired.

(iv) The vehicle is in an obviously unsafe condition, including, but not limited to, bald tires, exhaust leaks, broken glazing and broken or missing lighting.

(e) *Nonrelated items.* Gas, oil or other nonrelated items may not be included in total charges for repair and inspection.

(f) *Enclosures prohibited.* Letters, checks, sticker requisitions or other items may not be enclosed when forwarding the report forms to the Vehicle Control Division.

(g) *Classifications.* The form numbers and colors listed in this subsection explain the general classification of vehicles to be recorded on each type of inspection record sheets:

(1) *Form MV-431.* Motor vehicles except motorcycles and motor-driven cycles shall be recorded on this form.

(2) *MC-480.* Trailer, motorcycle and motor-driven cycles shall be recorded on this form.

**§ 175.43. Security.**

(a) *Check for errors.* When inspection stickers are received by the inspection station, they should be checked for errors. If errors are discovered, they shall be reported to the Vehicle Control Division at once.

(b) *Not transferable.* An inspection certificate is not transferable. It shall only be affixed to vehicles as designated on the inspection record sheet of the inspection station to which the certificates were issued.

(c) *Removal.* Except as provided in paragraphs (1) and (3), a certificate of inspection may not be removed from a vehicle for which the certificate was issued, except to replace it with a new certificate of inspection issued under this chapter and Chapter 177 (relating to emission inspection program).

(1) A person replacing or repairing a windshield in a manner that requires removal of a certificate of inspection shall, at the option of the registrant of the vehicle, cut out the portion of the windshield containing the certificate of inspection and deliver it to the registrant of the vehicle or destroy the certificate. The vehicle may be driven up to 5 days if it displays the portion of the old windshield containing the certificate. Within the 5-day period, an official inspection station may affix to the vehicle another certificate of inspection for the same period without reinspecting the vehicle in exchange for the portion of the old windshield containing the certificate of inspection. Example: A #1 certificate of inspection shall be replaced with a #1 certificate of inspection. The replacement may be made any time prior to the expiration of the certificate of inspection. A fee of no more than \$2 plus the fee paid to the Department for the certificate may be charged for exchanging the certificate of inspection.

(i) A replacement certificate of inspection may not be issued in the following circumstances.

(A) Acceptable proof of financial responsibility is not provided. For the purpose of this chapter, financial responsibility shall be proven by one of the following documents:

(I) A valid financial responsibility identification card issued in accordance with 31 Pa. Code (relating to insurance).

(II) The declaration page of a valid insurance policy.

(III) A valid self-insurance identification card.

(IV) A valid binder of insurance issued by an insurance company licensed to sell motor vehicle liability insurance in this Commonwealth.

(V) A valid insurance policy issued by an insurance company licensed to sell motor vehicle liability insurance in this Commonwealth.

(B) The vehicle is in an obviously unsafe operating condition.

(ii) The portion of the windshield containing the certificate of inspection may be retained for audit by the inspection station supervisor.

(iii) Record all information from the old certificate of inspection on Form MV-431. The replacement certificate of inspection shall be recorded on the same Form MV-431 and marked "replacement sticker issued."

(iv) "Replacement" shall be marked on the reverse side of the replacement certificate of inspection.

(2) Only one current, valid certificate of inspection shall be visible on a vehicle. The old certificate of inspection shall be removed and completely destroyed before a new sticker may be affixed.

(3) A vehicle that has an expired emission certificate of inspection affixed and which no longer has an I/M Registration Indicator on the registration card, shall have the expired emission sticker removed by the safety inspection mechanic who is affixing a new safety certificate of inspection.

(d) *Security.* Inspection certificates and temporary inspection approval indicators shall be kept under lock and key in a safe place. The station owner shall be solely responsible for their safety and shall account for certificates of inspection and temporary inspection approval indicators issued to the station.

(e) *Unused.* Unused certificates of inspection for an expired period shall be retained by the inspection station until audited by the inspection station supervisor. The Department will refund 75% of the purchase price of the unused certificates of inspection after the audit has been completed.

(f) *Issuance of certificates of inspection.* Certificates of inspection will not be issued by the Bureau to anyone who cannot display an executed signature card, Form MV-417. The signature card may not be entrusted to anyone except an employe or other person for whom the inspection station owner or manager will accept full responsibility for certificates of inspection delivered to that person.

(g) *New signature cards.* A new signature card shall be ordered from the Vehicle Control Division immediately whenever one or more of the following occur:

(1) The station copy is lost or stolen. The loss shall be immediately reported to the Vehicle

Control Division.

- (2) An employe whose signature appears on the card is no longer employed by the station.
- (3) The card is defaced, torn or illegible.
- (4) A signature is to be added.

**§ 175.44. Ordering certificates of inspection.**

(a) *Forms.* The following requisition forms shall be used to order certificates of inspection and inserts:

- (1) MV-436a. For vehicles.
- (2) MV-467a. For inserts and temporary inspection approval indicators.

(b) *Contents.* Required information shall be entered on the order form.

(1) The correct name, address and station number, as shown on the certificate of appointment, shall be entered on every requisition form.

(2) A requisition shall be personally signed by one of the persons whose signature appears on the signature card, Form MV-417. The signature shall be identical to the one on file or the requisition will be rejected. No one may order certificates of inspection unless his signature is on the signature card on file with the Department.

(c) *Additional instructions.* The following also apply:

(1) When special delivery is desired, a separate check shall be enclosed for postage. Do not enclose cash or add the amount for postage to the check for certificates of inspection.

(2) Each sticker requisition shall be accompanied by a separate check. Certificates of inspection may be ordered on one requisition form. Checks shall be made payable to the "Department of Transportation" or "PENNDOT."

(3) A requisition may be a snap-out form with two sheets in each set. A copy shall be forwarded to the Department. No copy may be detached.

(4) Orders for certificates of inspection shall be for multiples of 25, with a minimum of 50 certificates, except that Commonwealth and fleet inspection stations shall order a minimum of 25 certificates.

(5) An incomplete or improper certificate of inspection requisition or check shall be returned to

the official inspection station for correction. To avoid unnecessary inconvenience or delay, information shall be rechecked carefully.

(6) If certificates of inspection are to be delivered to a mailing address instead of the inspection station address, the mailing address shall be included on every requisition submitted to the Department.

(d) *Copies.* A copy of the requisition or a Department receipt will be returned with the order of certificates of inspection shipped from the Department. Station copies of the requisitions or Department receipts shall be kept on file at the station for 2 years and shall be made available for inspection upon request of the inspection station supervisor or an authorized representative of the Department.

(e) *Suggested schedule.* Certificates of inspection should be ordered as needed. Thirty days should be allowed for delivery.

(f) *Additional certificates.* An inspection station should anticipate its need for additional certificates of inspection.

#### **§ 175.45. Violation of use of certificate of inspection.**

A person may not do any of the following:

(1) Make, issue, transfer or possess an imitation or counterfeit of an official certificate of inspection or temporary inspection approval indicator and shall be sanctioned consistent with 75 Pa.C.S. § 4730(c) (relating to penalty).

(2) Display or cause to be displayed on a vehicle or have in his possession a certificate of inspection or temporary inspection approval indicator knowing it is fictitious, stolen, issued for another vehicle or issued without an inspection having been made and shall be sanctioned consistent with the provisions of 75 Pa.C.S. § 4730(c) (relating to penalty).

(3) Furnish, loan, give or sell certificates of inspection and approval to another official inspection station or another person except upon an inspection made in accordance with this chapter. See 75 Pa.C.S. § 4730(b).

#### **Subchapter D. SCHEDULE OF PENALTIES AND SUSPENSIONS: OFFICIAL INSPECTION STATIONS AND CERTIFIED MECHANICS**

#### **§ 175.51. Cause for suspension.**

(a) *Schedule.* The complete operation of an official inspection station is the responsibility of the owner. Failure to comply with the appropriate provisions of 75 Pa.C.S. § § 101—9821 (relating to the Vehicle Code) will be considered sufficient cause for suspension of inspection privileges.

A violator is also subject to criminal prosecution.

*Duration of Suspension*

<i>Type of Violation</i>	<i>1st Violation</i>	<i>2nd Violation</i>	<i>3rd and Subsequent Violation</i>
<i>(1) Category 1</i>			
(i) Issuance or possession of altered, forged, stolen or counterfeit certification of inspection	1 year	Permanent	
(ii) Furnish, lend, give, sell or receive a certificate of inspection without inspection	1 year	Permanent	
(iii) Faulty inspection of equipment or parts	2 months	1 year	3 years
<i>(2) Category 2</i>			
(i) Fraudulent recordkeeping	1 year	Permanent	
(ii) Improper recordkeeping	2 months	1 year	3 years
(iii) Failure to verify registration, title, manufacturer's statement of origin, financial responsibility information, or inspecting a vehicle with an expired registration or when valid proof of	2 months	4 months	1 year

financial responsibility has not been submitted.

(iv) Failure to affix certificate of inspection immediately upon successful completion of the inspection

2 months

4 months

1 year

(v) Improperly assigning certificate of inspection

2 months

4 months

1 year

(vi) Failure to produce records, certificates of inspection, signature cards, certificate of appointment or mechanic card upon demand by inspection station supervisor or authorized representative of the Department

2 months or until produced

6 months or until produced

1 year or until produced

(vii) Improper certificate of inspection security

Warning

4 months

1 year

(viii) Careless recordkeeping

Warning

4 months

6 months

(3) *Category 3*

(i) Inspection by mechanic with suspended, revoked, cancelled or recalled operating privilege

2 months

6 months

1 year

(ii) Inspecting more

4 months

6 months

1 year

than three  
motorcycles or two  
other vehicles per  
hour

(iii) Inspection by uncertified mechanic	4 months	6 months	1 year
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(4) *Category 4*

(i) Misstatement of fact	2 months	4 months	1 year
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(ii) Performing or indicating unnecessary repairs for the purpose of passing an inspection	4 months	6 months	1 year
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(iii) Performing repairs for the purpose of passing an inspection without vehicle owner authorization	4 months	6 months	1 year
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(iv) Unclean inspection area	2 months	4 months	6 months
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(v) Required tools or equipment missing or broken	Warning if tools are repaired or replaced; if not, suspension until tools are repaired or replaced	2 months or until tools are repaired or replaced, whichever is greater	6 months or until tools are repaired or replaced whichever is greater
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(vi) Bad check	Warning if amount due is paid within 10 days from date notified. If not, suspension until amount due is paid	2 months or until amount due is paid, whichever is greater	6 months or until amount due is paid, whichever is greater
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(vii) Failure to report discontinuance of business	1 year	3 years	Permanent
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(viii) Failure to	4 months	6 months	1 year
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notify the Department of changes of ownership, location or other changes affecting an official inspection station

(ix) Failure to give a written receipt or work order to customer, or to list required information on work order

2 months

4 months

1 year

(b) *Assignment of points.* The Department will permit the station owner to consent to the acceptance of a point assessment for the station in lieu of suspension, if the station owner, manager, supervisor or other management level employee was without knowledge of the violation, and should not have known of the violation.

(1) The station owner bears the burden of proving that it provided proper supervision of the employee who committed the violation, but that supervision could not have prevented the violation.

(2) By accepting the assessment of points the station owner waives the right to appeal the Department's determination in the case to a court of record. If the station owner refuses to accept the point assessment, the Department will issue the suspension indicated in this subchapter.

(c) *Point determination.* When offering a point assessment, in lieu of a suspension, the Department will calculate points in the following manner:

(1) One point will be assessed for every 2 months of suspension which the Department would otherwise impose.

(2) A point assessment will not exceed eight points for a single violation.

(3) If an inspection station is currently serving a suspension for a violation of this chapter, no point assessment will be made. A subsequent violation which occurs while a current suspension is being served will result in a suspension that will run consecutively with the current suspension.

(d) *Point suspension.* The Department will suspend the privileges of an official inspection station for an accumulation of points whenever the station accumulates ten or more points.

(1) The first occurrence of an accumulation of ten points or more shall result in a suspension for a period of 2 months for each point over nine points; the second occurrence of an accumulation of ten points or more shall result in a suspension for a period of 4 months for each point over nine points; the third occurrence of an accumulation of ten points or more shall result in a suspension for a period of 6 months for each point over nine points.

(2) The fourth occurrence for an accumulation of ten or more points shall result in a permanent suspension.

(3) Only suspensions issued as the result of an accumulation of points shall be counted in determining whether a suspension for point accumulation is a second, third or fourth suspension.

(4) If the point record of a station has been reduced to zero, a subsequent accumulation of points that will result in the suspension of the station will be considered first, second, third and fourth suspensions.

(e) *Restoration of suspensions.* Stations and mechanics that have had their privilege to inspect suspended shall be restored as follows:

(1) A station that has been suspended as a result of a point accumulation shall have its point total reduced to six points upon restoration.

(2) Additional points assessed against the station since the last violation resulting in a suspension will be added to the point record unless the station has served an additional suspension under subsection (c)(3).

(3) A certified inspection mechanic that has been suspended under this chapter will be restored at the termination of the suspension.

(4) Prior to restoration, the station shall meet the reapplication requirements of § 175.52 (relating to reapplication) to ensure timely restoration.

(f) *Removal of points.* Points assessed against a station shall be removed at the rate of two points for each 12 consecutive months in which the station has not had additional violations charged against it that could result in additional points. The 12-month period starts at the date of the last violation resulting in points or from the date of restoration of a suspension resulting from an accumulation of points, whichever occurred last.

(g) *Subsequent violations.* Determination of second and subsequent violations is made on the basis of previous violations in the same category within a 3-year period.

(h) *Multiple violations.* In the case of multiple violations which are reviewed and considered at one Departmental hearing, the Department will impose separate penalties for each violation as required by the schedule. The Department may direct that a suspension be served concurrently. If

the Department permits a station to accept points in lieu of a suspension, the points will be assigned for the more serious violation affecting each vehicle. Violations affecting more than one vehicle will be treated as separate violations.

(i) *Sale of business.* An inspection station may be sold, transferred or leased to a new owner, and an application for appointment will be considered while the station is suspended or restored pending an appeal unless sold, transferred or leased to a person affiliated with the station or related to the station owner.

(j) *Confiscated materials.* Certificates of inspection and records confiscated as the result of an investigation will be retained by the inspection station supervisor. Certificates of inspection, certificates of appointment, mechanic certification cards and records confiscated as the result of a suspension will be returned to the Department. The Department will refund 75% of the purchase price for certificates of inspection confiscated as the result of a suspension.

(k) *Official documents.* Whenever an inspection station or mechanic is suspended or cancelled, the Department may order the surrender, upon demand, to an Inspection Station Supervisor or authorized representative of the Department of any of the following items:

- (1) Inspection records.
- (2) A certificate of appointment.
- (3) Signature cards.
- (4) Unused certificates of inspection.
- (5) Unused monthly insert tabs.
- (6) A mechanic certification card.

#### **§ 175.52. Reapplication.**

After a suspension has been served, inspection privileges will not be restored until an application for reappointment has been received by the Department. Upon receipt of an application for reappointment following suspension of 3 months or more, a complete and thorough investigation by the inspection station supervisor will be conducted to determine if applicant qualifies for reappointment under Subchapter B (relating to official inspection stations). Other applications for reappointment are subject to investigation at the discretion of the Department. The station shall submit an application for appointment 30 days prior to the restoration date to ensure timely restoration.

#### **Subchapter E. Passenger Cars and Light Trucks.**

**§ 175.61. Application of subchapter.**

Equipment standards set forth in this subchapter apply to passenger cars and light trucks driven on highways.

**§ 175.72. Fuel systems.**

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(d) Filler cap. A fuel system shall be equipped with a filler cap.

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**§ 175.80. Inspection procedure.**

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(d) *Visual inspection of emission control system.* Vehicles registered in counties where there is not an emission inspection program under Chapter 177 (relating to emission inspection program), shall be checked visually for the presence of emission control components. These components may be original vehicle equipment or an equivalent aftermarket replacement component meeting the same standards. In addition to the exceptions under § 175.4 (relating to vehicles required to be inspected), this subsection does not apply to vehicles registered as collectible or classic motor vehicles as defined in 75 Pa.C.S. § 102 (relating to definitions).

(1) The visual inspection shall be performed through direct observation or through indirect observation, using a mirror or other visual aid.

(2) Provided that the make and model year of the vehicle would have originally been equipped with the device, reject if one or more of the following apply:

(i) The catalytic converter has been removed, disconnected or is the wrong type for the certified vehicle configuration.

(ii) Exhaust gas recirculation (EGR) valve has been removed, disconnected or is the wrong type for the certified vehicle configuration.

(iii) Positive crankcase ventilation (PCV) valve has been removed, disconnected or is the wrong type for the certified vehicle configuration.

(iv) Fuel inlet restrictor has been removed, disconnected or is the wrong type for the certified

vehicle configuration.

(v) Air pump has been removed, disconnected or is the wrong type for the certified vehicle configuration.

(vi) Evaporative control system components have been removed, disconnected or are the wrong type for the certified vehicle configuration.

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### **Subchapter H . Motorcycles.**

#### **§ 175.141. Application of subchapter.**

Equipment standards set forth in this subchapter apply to all motorcycles being driven on highways.

### **Subchapter J . Motor-Driven Cycles and Motorized Pedalcycles.**

#### **§ 175.171. Application.**

Equipment standards set forth in this subchapter apply to all motor-driven cycles and motorized pedalcycles driven on highways.

### **Subchapter K . Street Rods, Specially Constructed and Reconstructed Vehicles.**

#### **§ 175.201. Application of subchapter.**

The equipment standards set forth in this subchapter apply to all street rods, specially constructed vehicles and reconstructed vehicles being driven on highways.

#### **§ 175.202. Conditions.**

All parts of a vehicle must comply with this subchapter and Subchapters E - H and J.

#### **§ 175.220. Inspection procedure.**

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(d) *Beneath the vehicle inspection.* A beneath the vehicle inspection shall be performed as follows:

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**Subchapter L . Animal-Drawn Vehicles, Implements of Husbandry and Special Mobile Equipment.**

**§ 175.221. Application.**

Equipment standards set forth in this subchapter apply to all animal-drawn vehicles, implements of husbandry and special mobile equipment driven on highways.