

TITLE 67. TRANSPORTATION
CHAPTER 177. ENHANCED EMISSION INSPECTION PROGRAM
Subchapter D. OFFICIAL EMISSION INSPECTION STATION REQUIREMENTS

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GENERAL

§ 177.401. Appointment.

(a) *Authority.* For the purpose of establishing a system of official emission inspection stations, the Bureau will issue certificates of appointment to facilities within this Commonwealth that comply with the Vehicle Code and this title. Official emission inspection stations are authorized to conduct emission inspections and issue official certificates of emission inspection.

(b) *Scope of certification.* Until January 1, 2006, emission inspection station will not be issued a certificate of appointment unless it is capable of performing every type of emission inspection required for vehicles registered in the region in which the station is located.

(c) *Certificate of appointment.* The certificate of appointment for emission inspection stations will be issued only when the Bureau is satisfied that the station is properly equipped and employs certified emission inspectors, as applicable, to perform emission inspections required of vehicles registered in the region in which the station is located. Only those stations fulfilling Department requirements and complying with this chapter will be issued an emission certificate of appointment. Prior involvement with a suspended inspection station may be sufficient cause to deny appointment. The emission certificate of appointment shall be conspicuously displayed at the place for which issued, in accordance with section 4722 of the Vehicle Code (relating to certificate of appointment).

(d) *Certificate not assignable.* A certificate of appointment for an emission inspection station may not be assigned or transferred to another person, business entity or location and shall be valid only for the person or business entity in whose name it is issued and for transaction of business at the place designated therein.

(e) *Valid certificate required.* A person may not represent any place as an official emission inspection station unless the station is operating under a valid certificate of appointment issued by the Bureau.

(f) *Inspection stations with common access.* An emission inspection certificate of appointment will not be issued for operation of an official emission inspection station on a part of the premises of another official emission inspection station which utilizes the same access. This subsection does not apply where the stations have separate internal accesses, though sharing a common external access.

(g) *Suspended inspection stations.* An emission inspection certificate of appointment will not be issued for operation of an official emission inspection station on a part of the premises of an official emission 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 subsection does not apply where the station and the other business each have a separate internal access, though sharing a common external access.

(h) *Indefinite suspension of appointment.* A certificate of appointment issued to an official emission station may be suspended indefinitely if the station no longer fulfills the requirements for appointment provided in this subchapter. Once the deficiency which prompted the suspension is cured, a station which has had its certificate of appointment indefinitely suspended may apply for re-appointment in accordance with the procedures in this subchapter.

§ 177.402. Application.

(a) *Form.* The applicant shall file one copy of the Official Emission Inspection Station Update/Official Emission Inspection Station Application, with the Bureau. A separate application shall be made for each place of business.

(b) *Bond or proof of insurance.*

(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 section 4722(c) of the Vehicle Code (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 the vehicle may sustain while it is in the possession of the emission inspection station.

(3) The bond or 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 emission inspection station authorization applied for, that is, Commonwealth, general or fleet.

(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) The applicant shall be 18 years of age or older.

(2) If the applicant is a corporation, co-partnership or association, the application shall be signed by an officer, partner or associate, or some other 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 to sign the application shall be attached to the application and attested to by a partner, or corporation or association officer.

§ 177.403. Approval of emission inspection station.

(a) *Investigation.* A quality assurance officer or other authorized Commonwealth representative or agent will conduct an investigation of each applicant to determine full compliance with Chapter 47 of the Vehicle Code (relating to inspection of vehicles) and this chapter.

(b) *English comprehension.* The applicant and each certified emission inspector shall be sufficiently versed in the English language to understand the Vehicle Code and this chapter.

(c) *Issuance and display of certificate.* Upon approval of the application by the Bureau, a

certificate of appointment will be issued to the applicant for the place of business within this Commonwealth as set forth in the application. Emissions inspections may not be performed unless a certificate of appointment has been issued to and is prominently displayed at the officially designated station.

§ 177.404. Required certificates and station signs.

After appointment the owner of an emission inspection station shall prominently display the following:

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

(2) A sign clearly stating the fee for inspection, that the fee is the same whether the vehicle passes or fails, that the fee for inspection includes the cost of labor for the inspection, but not the cost of parts, repairs and adjustments, and that no additional charge shall be made by the inspecting station for one necessary reinspection within 30 days of the original inspection. Fleet and Commonwealth stations are exempt from this paragraph.

(3) The current list of certified emission inspectors.

(4) An approved official emission inspection sign outside of the garage that is clearly visible to the public. This sign shall have a keystone design which is at least 24 inches high and 21 inches wide. The background shall be navy blue with gold lettering. The station number plate shall be at least 3 inches high and at least 13 inches wide. The background shall be green with white station numbers. If a keystone designated sign is already present, the station number shall be placed below present plates. If hung from a bracket, the sign shall be double faced. Fleet and Commonwealth emission inspection stations are exempt from this paragraph.

(5) An approved sign indicating whether the emission inspection station is able to deliver waivers.

(6) A sign clearly providing the location and telephone number of the quality assurance officer or the Vehicle Inspection Division.

§ 177.405. Emission inspection areas.

(a) Emission inspections shall be conducted within approved enclosed or outside inspection areas that are safe, sound, well ventilated, and in good repair and condition.

(1) Emission inspections shall be conducted within an approved enclosed building when outside temperatures are below 35°F or above 110°F or relative humidity exceeds 85%, or when it is precipitating.

(2) Emission inspections may be conducted in an approved area outside an enclosed building when outside temperatures are between 35°F and 110°F with from 0 to 85% relative humidity and if there is no precipitation. The analyzer shall remain within the approved enclosed building at all times but the probe and exhaust gas hose may be extended outside to the vehicle being inspected.

(b) Anticipated alterations or changes affecting the condition, size or safety of inspection areas shall be reported to the Quality Assurance Officer within 5 days of the anticipated alteration or change.

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

(d) The inspection area shall be free of obstructions, including shelves, work benches, partitions, displays, machinery and stairways, unless, in the opinion of the quality assurance officer, the obstruction does not protrude into the area far enough to curtail or interfere with inspection.

(e) Emission inspection stations shall be at least 12 feet by 22 feet.

§ 177.406. Equipment.

(a) General requirements. Official emission inspection stations shall have tools and equipment in good satisfactory operating condition to be able to conduct emission inspections upon a subject vehicle. Equipment required shall include the following:

(1) Wheel chocks.

(2) Approved emission inspection and maintenance textbooks/workbooks or electronic or computerized medium with supplements and current changes and approved handbooks and manuals.

(3) Exhaust emission analyzer approved by the Bureau and certified by the manufacturer as meeting or surpassing specifications set forth in subsection (b), where applicable.

(4) Approved dynamometer, where applicable.

(5) Where applicable, OBD-I/M equipment as specified in § 177.501 (a)(2) (relating to equipment approval procedures), approved by the Bureau.

(6) Where applicable, equipment for performing the gas cap test and visual inspection.

(b) Analyzer specifications. Exhaust emission analyzers approved by the Bureau shall meet the following requirements:

(1) Meet PA 97 equipment specifications, where applicable, as provided in Appendix A (relating to acceleration simulation mode: Pennsylvania procedures, standard, equipment specifications and quality control requirements) and meet section 207b of the Federal Clean Air Act (42 U.S.C.A.

§ 7541(b)) warranty specifications.

(2) Conform with the following minimum specifications:

(i) Upon the activation of the emission test, the Automatic data collection unit or VIID, as applicable, shall automatically set the standard required for comparison as defined in § 177.204 (relating to basis for failure). Standards shall be field programmed by the manufacturer or provided by the vehicle inspection information database, as applicable.

(ii) Approved exhaust emission analyzers shall be powered by alternating current.

(iii) The sample probe shall meet or surpass PA 97 sample probe requirements and be capable of being placed in the tailpipe a minimum of 10 inches with a device, if necessary, to preclude sample dilution.

(3) Field calibration gases. Field calibration gases shall be as specified in Appendix A (relating to acceleration simulation mode: Pennsylvania procedures, standard, equipment specifications and quality control requirements).

§ 177.407. Hours of operation.

Emission inspection stations shall be open for business a minimum of 5 days per week, 40 hours, Monday through Friday between 7 a.m. and 8 p.m. This section may be waived by the Bureau upon written request of the inspection station owner and prior approval of the quality assurance officer. To qualify for a waiver from the provisions of this section, the station shall be open for business at least 10 business hours during the normal work week (Monday through Friday) between 7 a.m. and 8 p.m. This section does not apply to:

(1) Commonwealth or fleet emission inspection stations.

(2) Emission inspection stations owned and operated by more than one owner to do test-only inspections.

§ 177.408. Certified emission inspectors.

(a) General rule. Personnel who perform emission inspections at each emission inspection station will be certified by the Department as emission inspectors. The emission inspection shall be completely performed by certified emission inspectors with a valid driver's license.

(b) Multiple stations. A certified emission inspector may work at more than one emission inspection station.

(c) Certified emission inspector requirements. An inspector desiring to be certified to perform emission inspections shall:

(1) Be 18 years of age or older.

(2) Possess a valid Pennsylvania driver license.

(3) Have done the following:

(i) Completed an emission inspection training course, approved by the Department, that included, where applicable, information on the following:

(A) The air pollution problem, including its cause and effects.

(B) The purpose, function and goal of the inspection program.

(C) Emission inspection regulations and procedures of the Commonwealth.

(D) Technical details of the test procedures and the rationale for their design.

(E) Emission control device function, configuration and inspection.

(F) Test equipment operation, calibration and maintenance.

(G) Quality control procedures and their purpose.

(H) Public relations.

(I) Safety and health issues related to the inspection process.

(ii) Passed a required written test with a minimum of 80% correct test responses.

(iii) Proved, through means of a computer-based training/testing (CBT) or other Department approved procedure under supervision of a certified educational instructor or other qualified Commonwealth employee or agent, the ability to perform a complete emission inspection, to properly utilize test equipment and to follow other required test procedures as prescribed in §§ 177.202 , 177.202 a, 177.202b, 177.203, 177.271 and 177.272, as applicable. The inability to properly conduct the test procedures shall constitute grounds for refusal of certification.

(4) Complete a refresher training course, under procedures established by the Department and pass the required test every 2 years.

(d) Identification. While conducting inspections, a certified emission inspector shall have in his possession a currently valid inspector emission inspection certification card issued by the Department.

(e) Names of inspectors. The names of certified emission inspectors and their inspector certification numbers shall be placed on the Current List of Certified Emission Inspectors form which shall be posted in a conspicuous location at the emission inspection station.

(f) Number of inspections. The number of inspections performed by a certified emission inspector may not exceed more than 12 subject vehicles per hour for the one or two-speed idle emission inspection, 6 inspections per hour utilizing ASM test equipment and procedures, or 12 OBD-I/M checks per hour.

OBLIGATIONS AND RESPONSIBILITIES OF STATION OWNERS/AGENTS

§ 177.421. Obligations and responsibilities of station owners/agents.

(a) *Personal liability.* It is the responsibility of the owner of an emission inspection station to:

(1) Conduct the business of the official emission inspection station honestly and in the best interests of the Commonwealth, under the Vehicle Code and this chapter and, except in the case of a fleet or Commonwealth emission inspection station, to make every reasonable effort to inspect upon request all vehicles which the station is equipped to inspect.

(2) Make official emission inspection regulations and supplements available for the use of all certified emission inspectors and other employees involved.

(3) Notify within 5 days the quality assurance officer and the Vehicle Inspection Division when a certified emission inspector is hired, resigns or is dismissed.

(4) Provide the emission inspection report to motorists after testing and to have the possible repair requirements stated on a form provided to the vehicle owner or operator.

(5) Keep, at the station, as applicable, for 2 years, duplicate copies of completed Certificate of Emission Requisition Forms, repair order forms related to waivers and the original Certificate of Waiver Forms, and other required forms.

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

(i) Every emission inspection conducted at the emission inspection station.

(ii) Every emission inspection waiver delivered by a certified repair technician at the emission inspection station.

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

(iv) Every violation of the Vehicle Code or this chapter related to emission inspections committed by an employee of the emission inspection station.

(v) Maintaining an adequate supply of current certificates of emission inspection and inserts for issuance.

(7) Perform, as applicable, required maintenance and calibration procedures of emission analyzers according to procedures established by the Department and perform electronic zero and span checks hourly during periods of operation and weekly leak checks.

(8) Place an emission analyzer out of service when calibration cannot be performed according to procedures established by the Department.

(9) Ensure that instrument calibration test results are entered into the VIID by the analyzer manufacturer or other approved service representative as directed by the Department.

(i) For basic emission inspection stations, the analyzer manufacturer or other approved service representative shall write maintenance and calibration information on the Emission Analyzer Maintenance and Calibration Report. This report shall be maintained at the station for 2 years.

(ii) For enhanced emission inspection stations, the information required in this paragraph shall be entered into the VIID by the analyzer manufacturer or other approved service representative as directed by the Department.

(10) Maintain adequate numbers of current certificates of emission inspection and inserts for issuance.

(i) *Data entry errors.* If a data entry error occurs, the error and the error correction shall be clearly noted.

(ii) *Voided stickers.* If it is necessary to void a sticker, the sticker number and the reason shall be clearly noted.

(b) *Certificate of appointment.* A certificate of appointment is not assignable and is valid only for the owner in whose name it is issued.

(1) If there is a change of ownership, the certificate of appointment, unissued certificates of inspection and inspection material shall be surrendered to the quality assurance officer within 5 days. If the new owner desires to continue providing emission inspections, the owner shall submit an Official Emission Inspection Station Update/Official Emission Inspection Station Application to the Bureau. An investigation of the premises will be conducted by the inspection station investigator.

(2) In the following circumstances, it is not necessary to surrender unissued certificates of emission inspection; however, inspections may not be conducted until the new ownership has been approved and a new certificate of appointment has been 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.
- (3) If there are changes of location of an emission inspection station:
- (i) An Official Emission Inspection Station Update/Official Emission Inspection Station Application shall be completed and submitted to the Bureau.
 - (A) An investigation of the premises shall be conducted by the quality assurance officer.
 - (B) Certificates of inspections shall be audited by the quality assurance officer or his supervisor and will be retained by the station owner.
 - (ii) An emission inspection may not be made at the new location until it has been investigated, an approved emission analyzer has been installed and calibrated by an approved emission analyzer manufacturer or other approved service representative, and a new certificate of appointment has been issued by the Bureau.
 - (iii) A quality assurance officer will pick up all current emission certificates of inspection and retain them until the new location is approved, if the new location is not approved at the time of investigation.
- (4) Emission inspections shall be discontinued if:
- (i) The owner vacates, abandons or discontinues the inspection business with or without notice to the Bureau and the quality assurance officer and supervisor. The quality assurance officer or supervisor will pick up all certificates of emission appointment, records and all other emission inspection materials and return them to the Bureau.
 - (ii) The owner is deceased and if a member of the family or a partner wishes to continue the business, a new application for appointment shall be submitted to the Department.
 - (iii) If station owner does not pay for required services rendered by the vendor or other approved service provider, the vendor or other approved service representative may file a written complaint with the Department, and the Department, after providing the opportunity for a hearing, may suspend the certificate of appointment until payment has been made.
- (5) The following events shall be reported at once to the quality assurance officer and the Bureau; however, it is not necessary to discontinue inspections:

(i) Whenever certificates of emission inspection are damaged, lost or stolen. Telephone communication to the Bureau within 5 days of the event shall be required providing the serial number of each missing emission certificate.

(ii) Whenever a certified emission inspector or a person authorized to purchase certificates of inspection is dismissed or resigns, as long as emission inspections are performed by another certified emission inspector.

(iii) Whenever changes in a post office address of an emission inspection station, not location, occur, they shall be reported in writing within 30 days to the quality assurance officer and the Bureau on an Official Emission Inspection Station Update/Official Emission Inspection Station Application.

(iv) Whenever changes of the company name, not ownership, occur, they shall be reported within 30 days on an Official Emission Inspection Station Update/Official Emission Inspection Station Application.

(v) Whenever a person who signs the Official Emission Inspection corporation is no longer in charge of the emission inspection station:

(A) A new Official Emission Inspection Station Update/Official Emission Inspection Station Application shall be submitted to the Bureau immediately.

(B) A new letter of authority shall be required for the person signing the Official Emission Inspection Station Update/Official Emission Inspection Station Application.

(6) Whenever a person, whose name is on the Authorized Agents For Receiving Stickers Form, resigns or is relieved of his emission inspection responsibilities, the owner shall complete a new Authorized Agents For Receiving Stickers Form and submit the completed form to the Bureau immediately.

(7) Customer relations shall be governed by the following:

(i) The garage owner or certified emission inspector shall consult the vehicle owner for permission before emission adjustments are made.

(A) Permission may be established at the time the vehicle is brought to the station or after it is determined to what extent adjustments are needed.

(B) The vehicle owner is allowed to perform his own adjustments, or to select anyone he chooses to do the work for him.

(ii) Parts replaced as a result of inspection shall be retained until the vehicle is returned to the customer. The customer shall have the right to examine replaced parts.

(iii) Inspection station owners and inspectors should be courteous and patient in explaining to the motorist that the requirements of emission inspection are designed to promote clean air. Employees should clearly understand that the function of an official emission inspection station is to perform emission inspections consistent with this chapter.

(iv) The garage owner, authorized manager or certified emission inspection inspector shall provide notice to customers of the location of the nearest quality assurance officer or the Vehicle Inspection Division.

§ 177.422. Commonwealth emission inspection stations.

(a) *Eligibility.* The designation, Commonwealth Emission Inspection Station, will be issued to stations owned and operated by the following:

- (1) The Federal government.
- (2) The Commonwealth.
- (3) A political subdivision of this Commonwealth.

(b) *General requirements.* An applicant for a Commonwealth emission inspection station shall meet the requirements of this chapter, including the requirements for fleet stations.

(c) *Certified emission inspector.* Each official Commonwealth emission inspection station shall have at least one certified emission inspector.

(d) *Method of inspection.* A Commonwealth emission inspection station may, by mutual agreement with another governmental body, inspect and issue certificates of emission inspection to vehicles registered in the name of that governmental body. Inspection fees, as defined in this chapter, may be charged for the inspection. Charges may be collected for repairs.

§ 177.423. Fleet basic and enhanced emission inspection stations.

(a) Eligibility requirements for fleet emission inspection stations are as follows:

(1) *Minimum number of vehicles.* A fleet emission inspection station owner shall own or lease at least 15 subject vehicles.

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

(3) *Certificate cancellation.* The fleet emission inspection certificate shall be cancelled if the

number of subject vehicles owned or leased falls below 15, except for a temporary delay in ordering or receiving additional vehicles to supplement the fleet.

(b) Each fleet emission inspection station shall have at least one certified enhanced emission inspection inspector.

(c) Requirements for fleet inspection stations shall include the following:

(1) Applicants for a fleet emission inspection station shall comply with this chapter unless specifically exempted.

(2) Inspection areas shall be large enough to accommodate the largest subject vehicle to be inspected at the fleet emission inspection facility, in addition to meeting the minimum inspection area requirements of § 177.405 (relating to emission inspection areas).

(d) Limited inspection periods and limitations on the length of service requirements are permitted if the station meets the following:

(1) Fleet vehicles subject to emission inspections are registered in the limited inspection periods, as defined in § 177.3 (relating to definitions).

(2) The station owner, in writing, requests the Department to permit a limited inspection period. This request shall specify the month in which emission inspections will be performed.

(3) The station owner submits a copy of the manufacturer/station agreement specifying regulation service commitments for the limited inspection period.

(4) The station owner is granted written Department approval after a station review and a fleet vehicle registration certification is completed. The approval will designate the months in which emission inspections shall be performed.

(5) The station owner performs emission inspections only during months designated by the Department.

(e) Limited inspection period emission analyzer service requirements with accompanying limitations as to the length of service requirements are as follows:

(1) Station owners shall ensure that required manufacturer/station service commitments are in force during this limited period.

(2) Station owners shall pay for costs to bring the approved analyzer into compliance and monthly or quarterly fees required by the manufacturer or other approved service representative during the limited inspection period.

(3) Station owners shall be responsible for notifying the quality assurance officer or the Vehicle Inspection Division of the starting and ending times for the limited inspection periods. Failure to notify the Department may result in cancellation of this privilege.

(4) Station owners may not permit emission inspections to be performed during the limited inspection period until the Department has been notified by the analyzer manufacturer or other approved Commonwealth agent or service representative that the analyzer is in compliance with all requirements and the Department so notifies the station owner. Failure to comply with this paragraph may result in cancellation of limited inspection period privileges.

§ 177.424. General emission inspection stations.

(a) *Eligibility.* The designation, general emission inspection station, will be issued to stations that emission inspect all subject vehicles, if the station is so equipped.

(b) *General requirements.* An applicant for a general emission inspection station shall comply with this chapter unless specifically exempted.

(c) *Certified enhanced emission inspection inspector.* Each general emission inspection station shall have a certified enhanced emission inspection inspector present during normal business hours.

(d) *Method of inspection.* Subject vehicles shall be inspected consistent with this chapter by a certified emission inspection inspector.

§ 177.425. Security.

(a) *Unlawful possession.* A person may not knowingly possess certificates of emission inspection which have been illegally purchased, stolen or counterfeited.

(b) *Not transferable.* Emission inspection stickers are not transferable. They shall only be affixed to the subject vehicle as recorded on the Exhaust Emission Analyzer and the Vehicle Emission Inspection Report sheet or other approved recording medium.

(c) *Removal.* Certificates of emission inspection may not be removed from a vehicle for which the certificate was issued except to replace it with a new certificate of emission inspection issued under this chapter. This prohibition is not applicable to expired certificates of emission inspection on vehicles registered outside the designated areas. These expired certificates of emission inspection shall be removed only by a certified emission or safety inspection inspector.

(1) A person replacing a windshield or repairing a windshield in a manner which requires removal of a certificate of emission inspection shall, at the option of the registrant of the vehicle, cut out the portion of the windshield containing the emission certificate and deliver it to the registrant of the vehicle or destroy the emission certificate. The vehicle may be driven up to 5

days if it displays the portion of the old windshield containing the emission certificate. Within the 5-day period an appropriate official emission inspection station may affix to the vehicle another certificate of emission inspection for the same period without reinspecting the vehicle in exchange for the portion of the old windshield containing the certificate of emission inspection. A labor fee of no more than \$2 may be charged for the exchanged certificate of emission inspection. The replacement may be made at any time prior to the expiration of the certificate of emission inspection.

(i) The portion of the windshield containing the certificate of emission inspection may be retained for audit by the quality assurance officer.

(ii) The replacement certificate of emission inspection shall be recorded on the appropriate record, either hard copy or VIID, showing all information except inspection items.

(iii) Replacement shall be marked on the reverse side of the replacement certificate of emission inspection.

(2) A certificate of emission inspection may not be removed from a vehicle until a complete inspection has been made.

(3) Only one current, valid certificate of emission inspection shall be visible on a vehicle. The old certificate of emission inspection shall be removed and completely destroyed before a new sticker can be affixed after an inspection and approval.

(d) *Lock and key.* Emission inspection stickers 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 all emission certificates of inspection issued to the station.

(e) *Unused.* Unused certificates of emission inspection for an expired period shall be retained by the emission inspection station until audited by the quality assurance officer. After an audit is completed, the quality assurance officer shall destroy them.

(f) *Issuance of emission certificates of inspection.* Certificates of emission inspection will not be issued by the Bureau to anyone that has not been listed on an executed Authorized Agents for Receiving Stickers Form.

(g) *Authorized agents for receiving stickers.* The Authorized Agents for Receiving Stickers Form shall be completed upon receipt as instructed on the back side of the form and submitted within 1 day of receipt to the Vehicle Inspection Division whenever:

(1) An employe, whose signature appears on the form, is no longer employed by the station.

(2) The card is defaced, torn or illegible.

(3) An authorized agent is to be added.

§ 177.426. Ordering certificates of emission inspection.

(a) *Requisitions.* A properly completed Requisition For Official Inspection Sticker Form for certificates of emission inspection and a Sticker Insert Requisition Form for emission inserts shall be submitted to the Department. If certificates of emission inspection or sticker inserts 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.

(b) *Contents.* The following 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) If special delivery is desired, either shipping costs shall be paid by the station to the delivery agent upon receipt of the stickers, or if a sticker requisition is accompanied by a check for special delivery, the check shall be made payable to the Department of Transportation.

(3) The Official Inspection Sticker Form and Sticker Insert Requisition Form shall be completed and forwarded to the Department.

(4) A copy of the requisition or a Department receipt will be returned with the order of certificates of emission inspection shipped from the Department. Station copies of 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 quality assurance officer or authorized representative of the Department.

(5) Certificates of emission inspection shall be ordered in multiples of 25, with a minimum order of 50 certificates, except that Commonwealth and fleet inspection stations shall order a minimum of 25 certificates.

(6) Incomplete or improper certificates of emission inspection requisitions shall be returned to the official emission inspection station for correction to avoid unnecessary inconvenience or delay. Information shall be rechecked very carefully.

(c) *Inventory.* Emission inspection stations should anticipate their need for additional certificates of emission inspection.

§ 177.427. Violations of use of certificate of emission inspection.

A person may not:

(1) Make, issue, transfer or possess any imitation or counterfeit of an official certificate of

emission inspection.

(2) Display or cause to be displayed on a vehicle or have in possession a certificate of emission inspection knowing the same to be fictitious or stolen or issued for another vehicle or issued without an emission inspection having been made.

(3) Furnish, loan, give or sell certificates of emission inspection and approval to any official emission inspection station or other person except upon an emission inspection performed in accordance with this chapter.

QUALITY ASSURANCE

§ 177.431. Quality assurance.

The Department will conduct performance audits on a periodic basis to determine whether inspectors are correctly performing the tests and other required functions.

(1) Performance audits may be of two types:

(i) Overt performance audits which may include the following:

(A) A check for appropriate document security, as required by §177.425(d) (relating to security).

(B) A check to see that required recordkeeping practices are being followed.

(C) A check for licenses or certificates and other required display information.

(D) Observation and written evaluation of each inspector's ability to properly perform an inspection.

(ii) Covert performance which may include the following:

(A) Remote visual observation of inspector and inspection station personnel performance, which may include the use of binoculars or video cameras.

(B) Site visits using covert vehicles.

(C) Other activities deemed appropriate by the Department as necessary to maintain the level of quality assurance for the emission inspection program required by Federal law.

(2) The station owner and the employees of the station owner shall make available information requested by the Department and shall fully cooperate with Department personnel who conduct the audits and other authorized Commonwealth representatives or agents.

(3) Each quality assurance officer shall be audited on an annual basis.