

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF NEW YORK  
TITLE 6. DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
CHAPTER III. AIR RESOURCES  
SUBCHAPTER A. PREVENTION AND CONTROL OF AIR CONTAMINATION AND AIR POLLUTION  
PART 217. MOTOR VEHICLE EMISSIONS  
SUBPART 217-4. INSPECTION AND MAINTENANCE PROGRAM AUDITS UNTIL DECEMBER 31,  
2010

(Statutory authority: Environmental Conservation Law, §§ 1-0101, 1-0303, 3-0301, 19-0103, 19-0105, 19-0107, 19-0301, 19-0303, 19-0305, 19-0320, 71-2103, 71-2105; Vehicle and Traffic Law, §§ 301[c], 375.28)

*[Filed 9/30/02. Amendment filed 11/5/10. Effective 30 days after filing.]*

**Contents:**

**Sec.**

- [217-4.1 Applicability](#)
- [217-4.2 Prohibitions](#)
- [217-4.3 Department audit requirements](#)
- [217-4.4 Enforcement](#)

**§217-4.1 Applicability**

All official motor vehicle emissions inspection stations all be subject to audits, as described in this Subpart, by persons designated by the department, to determine conformance with this Subpart.

**§217-4.2 Prohibitions**

No person shall operate an official emissions inspection station using equipment and/or procedures that are not in compliance with department procedures and/or standards.

**§217-4.3 Department audit requirements**

The department shall periodically conduct equipment audits of the official emissions inspection stations. During these audits department personnel shall conduct quality control evaluations of the required test equipment, including the following:

- (a) a gas audit using gases of known concentrations at least as accurate as those required for regular equipment quality control and comparing these concentrations to actual readings;
- (b) a check for tampering, worn instrumentation, blocked filters, and other conditions that would impede accurate sampling;
- (c) a check of the measured dilute flowrate in the VMAS unit;
- (d) a leak check;

(e) a check to determine that station gas bottles used for calibration purposes are properly labeled and within the relevant tolerances;

(f) functional dynamometer checks addressing coast-down, roll speed and roll distance, inertia weight selection, and power absorption;

(g) a check of the system's ability to accurately detect background pollutant concentrations;

(h) a check of computer logic requirements; and

(i) a check that appropriate cutpoints are used.

#### **§217-4.4 Enforcement**

All duties and obligations under this regulation are enforceable pursuant to article 71 of the Environmental Conservation Law.