

State of Rhode Island  
Department of Environmental Management  
Office of Air Resources

**In re: Proposed revisions to Air Pollution Control Regulation  
No. 34 “Rhode Island Motor Vehicle Inspection and Maintenance Program”**

DECISION

**Introduction**

On October 5, 2018 a notice was posted on the websites of the Rhode Island Department of Environmental Management (RI DEM) and the Rhode Island Office of Secretary of State and was sent to interested parties announcing a public comment period to accept comments on the adoption of proposed revisions to Air Pollution Control Regulation No. 34 “Rhode Island Motor Vehicle Inspection and Maintenance Program” (250-RICR-120-05-34). The notice stated that a public hearing would be held if requested by twenty-five or more people, a governmental agency or subdivisions, or an association having not less than twenty-five members. No requests for a public hearing were received. The public comment period ended at 4:00 PM on November 5, 2018.

The purpose of this regulation is to specify requirements for Rhode Islands' Motor Vehicle Inspection Program. The Department of Environmental Management, Office of Air Resources is proposing to eliminate testing requirements using the RI2000 test analyzer and replace this with an evaporative emissions inspection, an on-board diagnostic (OBD) inspection, and a visual emissions control component inspection. Portions of the regulation that no longer apply have been eliminated. Additionally, the regulation has been updated to current RI Code of Regulations format which required the addition of an incorporated materials section.

Written comments were received from the United States Environmental Protection Agency. The following are the Office of Air Resources' responses to the comments received:

**Response to Comments**

**Comment:** EPA has reviewed Rhode Island’s proposal and finds that the revised regulation is generally consistent with EPA guidance.

**Response:** No response required.


**Comment:** RIDEM should submit the amended APCR No. 34 as a revision to the Rhode Island State Implementation Plan along with the necessary I/M SIP narrative demonstrating that Rhode Island’s OBD testing only I/M program meets the federal I/M rule and all relevant Clean Air Act requirements.

**Response:** The SIP submission will contain the necessary I/M SIP narrative demonstrating that Rhode Island’s OBD testing only meets the federal I/M rule and all relevant Clean Air Act requirements.

**Decision**

It is the decision of the Department to adopt the proposed revisions to Air Pollution Control Regulation, 250-RICR-120-05-34, "Rhode Island Motor Vehicle Inspection and Maintenance Program" as proposed. The final amended regulations are appended to this Decision.

11/28/18  
Date

  
Laurie A. Grandchamp, P.E.  
Administrator, Environmental Protection