



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Air Pollution Control Division
9th Floor, L & C Annex, 401 Church Street
Nashville, Tennessee 37243-1531

September 19, 2005

Mr. Bill Kemp
Sumner County Clerk
355 N. Belvedere Dr., Room 111
Gallatin, TN 37066-5410

RE: Clarification for Military Exemptions from Vehicle Emissions Testing

Dear Mr. Kemp:

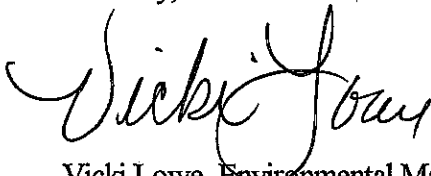
This letter is to provide you with some clarification regarding military exemptions from the vehicle emission testing requirements as specified in the Air Pollution Control Division's, Light-Duty Motor Vehicle Inspection and Maintenance Rule 1200-3-29-.04. This rule only exempts tactical military vehicles from the emissions testing requirement; however, division policy allows for vehicles that are out of the testing area to be exempted until it returns to the testing area. I have enclosed a copy of exemption application with instructions. This information is also available on our web site at www.tdec.net/apc/vehicle.

In addition, rule 1200-3-29-.03(6) specifies that a Certificate of Compliance must be presented to the County Clerks' office prior to the issuance of the wheel tax or the vehicle regulatory license. If someone is registered in a county that is required by the Tennessee Air Pollution Control Board to conduct emissions testing, then vehicles as specified in the above mentioned rule must pass an emissions test prior to registration or license renewal. If someone is in the military and their vehicle is registered in a county that requires an emissions test, but the vehicle is not currently located in the testing area because of active status then the vehicle can be exempted until it returns to the testing area. When the vehicle returns to the area the vehicle must be tested and pass an emission test. If the vehicle is currently operating or being driven in the county, then the vehicle must pass an emissions test.

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I am also enclosing copies of the referenced pages of the division rule for your information and I hope this information is helpful. If you have any questions, please do not hesitate to call me at (615) 532-6811.

Sincerely,

A handwritten signature in cursive script that reads "Vicki Lowe". The signature is written in black ink and is positioned above the typed name and title.

Vicki Lowe, Environmental Manager
Division of Air Pollution Control

Enclosures

cc: Rutherford County Clerk
Williamson County Clerk
Wilson County Clerk



State of Tennessee
 Department of Environment & Conservation
 Division of Air Pollution Control

Mobile & Air Resources Management Program
 401 Church St, L & C Annex 9th Flr.
 Nashville, TN 37243

Telephone: 615-532-0534 (Middle TN)
 Telephone: 1-866-329-9632 (Hamilton County)

FAX: 615-532-6817 (Middle TN)
 FAX: 615-532-0596 (Hamilton County)

APPLICATION FOR VEHICLE EXEMPTION

NAME	PHONE NO.	DATE	
ADDRESS	CITY	STATE	ZIP CODE

VEHICLE INFORMATION

REGISTRATION EXPIRATION DATE	COUNTY TO BE REGISTERED	LICENSE TAG #
VEHICLE IDENTIFICATION NUMBER (VIN)	MAKE AND MODEL	MODEL YEAR

PERSONAL CERTIFICATION

I, _____, ATTEST THAT THE ABOVE VEHICLE IS LOCATED IN _____ AND IS/WILL BE OUT OF THE STATE OR THE TESTING AREA FOR _____ CITY / STATE MORE THAN 90 DAYS PRIOR TO LICENSE RENEWAL DATE. THE EXPECTED RETURN DATE FOR THIS THE VEHICLE IS _____. I AGREE TO HAVE THE VEHICLE'S EMISSIONS TESTED _____ MONTH / YR WHEN IT RETURNS TO THE AREA, AND MAIL THE CERTIFICATE OF COMPLIANCE TO THE ABOVE ADDRESS ABOVE SHOWING IT PASSED AN EMISSIONS TEST.

NOTICE: FAILURE TO COMPLETE A SUCCESSFUL TEST WHEN THE VEHICLE RETURNS WILL RESULT IN NO FUTURE EXEMPTIONS BEING GRANTED FOR THIS VEHICLE.

GIVE A FULL DESCRIPTION OF WHY YOUR VEHICLE IS/WILL BE OUT OF THE STATE OR TESTING AREA. DOCUMENTATION SHOWING PROOF OF THE VEHICLE'S LOCATION MUST BE PROVIDED BEFORE AN EXEMPTION CAN BE ISSUED. (FOR EXAMPLE: COPY OF SCHOOL TUITION RECEIPT, UTILITY BILL OR MILITARY ID)

SIGNATURE	DATE
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INSTRUCTIONS TO APPLY FOR A VEHICLE EXEMPTION

These instructions pertain to a vehicle that is registered in, but out of the vehicle emissions testing area and unable to comply with the requirements of Chapter 1200-3-29. In such circumstances, for vehicles registered in Hamilton, Rutherford, Sumner, Williamson, or Wilson County, the State offers a temporary exemption from the vehicle emissions testing requirement. If you are registered in Davidson County, please call 615-340-5656 for county-specific information.

You must complete the Application for Vehicle Exemption Form in order to apply for a vehicle exemption from the emissions testing requirement. **You must have an actual physical address - PO Box is not acceptable.** Follow the steps below:

1. Submit your completed application form, a copy of your vehicle's registration or documents of purchase, and documentation showing the vehicle is out of the State or testing area (*For example:* copy of School Tuition Receipt, Utility Bill, Work Verification or Military ID) to the Division of Air Pollution Control for processing.

Your application and supporting documentation can be mailed, faxed or sent electronically:

Mailing Address: Division of Air Pollution Control
Mobile & Air Resources Management Program
9th Floor, L & C Annex
401 Church St
Nashville, TN 37243-1531

Fax Number: (615) 532-6817 Rutherford, Sumner, Williamson, & Wilson
(615) 532-0596 Hamilton County

Electronic: If available in electronic format, you may email your application and supporting documentation to:
vehicle.emissions.testing@state.tn.us

Do not return the application form to the County Clerk's office. This will delay processing and approval.

2. Upon receipt, the Division will review your application for completeness. If the vehicle qualifies, a Certificate of Compliance Exemption will be issued. The exemption can then be faxed directly to the County Clerk's office or mailed to your home address. Please let us know how you would like the exemption processed when you make your submittal. Hamilton County exemptions will be electronically available to the Clerk upon approval.
3. However it is processed, the Certificate of Compliance Exemption must be available to the County Clerk along with your vehicle's registration renewal information to obtain your vehicle's tags. The exemption, good for one year, serves as a temporary substitute for an emissions test while the vehicle is out of the area.

When the vehicle returns to the emissions testing area, it must be tested at any of the convenient locations (Access www.state.tn.us/environment/apc/vehicle/counties.php#locations for testing locations and hours.).

After you have your vehicle tested, mail or fax the Certificate of Compliance showing that the vehicle passed the emissions test to the Division of Air Pollution Control.

Failure to have the vehicle tested upon its return to the area may result in no future exemptions being granted.

**Rules
of
Tennessee Department of Environment and Conservation
Bureau of Environment
Division of Air Pollution Control**

**Chapter 1200-3-29
Light-Duty Motor Vehicle Inspection and Maintenance**

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1200-3-29-.01 Purpose

The purpose of this Chapter is to reduce the air pollution produced by the operation of light-duty motor vehicles.

Authority: T.C.A. §§ 68-201-105 and 4-5-201 et. seq. Administrative History: Original rule filed February 14, 1994; effective April 30, 1994. Stay of effective date filed April 15, 1994; effective June 14, 1994.

1200-3-29-.02 Definitions

As used in this Chapter, all terms not defined herein shall have the meaning given them in Chapter 1200-3-2:

- (1) Air Pollution is any particulate matter or any gas or vapor other than water or any combination thereof including any physical, chemical, biological, radioactive substance or matter which is emitted into or otherwise enters the ambient air.
- (2) Antique motor vehicle is any motor vehicle over twenty-five years old which is owned solely as a collectors' item and is used for participation in club activities, exhibits, tours, parades and similar uses, but in no event for general transportation.
- (3) Carbon dioxide is a compound consisting of the chemical formula (CO₂).
- (4) Carbon monoxide is a compound consisting of the chemical formula (CO).
- (5) Catalytic converter is a pollution control device containing a catalyst for converting automobile exhaust into mostly harmless products.
- (6) Centralized Network means that motor vehicle inspections are conducted by the State and/or a single contractor in an area.

- (1) All of the light-duty motor vehicles registered in any county that has been designated by the Board to have a motor vehicle inspection and maintenance program or directly with the motor vehicle division of the Tennessee Department of Revenue pursuant to T.C.A. § 55-4-207 and used within or assigned to a user within that county, except those exempted by Rule 1200-3-29-.04, are required to be inspected annually for compliance with emissions performance and anti-tampering test criteria in Rules 1200-3-29-.05 and 1200-3-29-.06. Owners of vehicles so inspected are required to obtain a Certificate of Compliance. A Certificate of Compliance shall be valid for 90 days following the date of issuance, except for those registered pursuant to T.C.A. § 55-4-207, which shall be valid for one year.
- (2) Any light-duty vehicle which is owned or operated by an agency of the federal government and which is operated on a federal installation located in any county that has been designated by the Board to have a motor vehicle inspection and maintenance program is required to be inspected annually for compliance with emissions performance and anti-tampering criteria in Rules 1200-3-29-.05 and 1200-3-29-.06. This requirement shall not apply to a vehicle which is on the facility for less than a total of 60 days during the calendar year.
- (3) A Certificate of Compliance shall be issued only by the Department and/or contractor vehicle inspector or a licensed fleet vehicle inspector and only after the vehicle demonstrates compliance with the test criteria established in Rules 1200-3-29-.05 and 1200-3-29-.06.
- (4) All light-duty motor vehicles required to obtain a Certificate of Compliance except those vehicles contained in a fleet which has a valid fleet inspection permit and those vehicles registered in any county that has been designated by the Board to have a motor vehicle inspection and maintenance program but not subject to either the Wheel Tax or the Motor Vehicle Regulatory License requirements shall obtain a valid Certificate of Compliance within 90 days prior to the required date for payment of the wheel tax or the motor vehicle regulatory license fee as appropriate to the class of motor vehicle.
- (5) All light-duty motor vehicles required to obtain a Certificate of Compliance that are contained in a fleet having a valid fleet inspection permit, operated on a Federal installation registered in any county that has been designated by the Board to have a motor vehicle inspection and maintenance program or vehicles registered in any county that has been designated by the Board to have a motor vehicle inspection and maintenance program in order to attain and maintain compliance with national ambient air quality standards within any area of Tennessee or an adjoining state but exempt from the Wheel Tax and Motor Vehicle Regulatory License requirements shall obtain a valid Certificate of Compliance within 90 days prior to a compliance date for that particular motor vehicle. The Technical Secretary shall establish a schedule of compliance dates for such vehicles. A copy of the Certificate of Compliance for each fleet vehicle shall be submitted to the Technical Secretary within 90 days of the compliance date. A list of all subject vehicles shall be submitted to the Technical Secretary or his designee on an annual basis as directed by the division. Additionally, notification of any changes to the list of subject vehicles shall be made to the division within 30 days of such changes.
- (6) The Certificate of Compliance must be presented to the County Clerks' office prior to the issuance of the Wheel Tax or the Vehicle Regulatory License.
- (7) The requirements contained in this Chapter shall become effective July 1, 1994. The provisions concerning OBD testing shall become effective July 1, 2002.

Authority: T.C.A. §§ 68-201-105 and 4-5-201 et. seq. Administrative History: Original rule filed February 14, 1994; April 30, 1994. Stay of effective date filed April 15, 1994; effective June 14, 1994. Amendment filed October 12, 1998; effective December 26, 1998. Amendment filed July 8, 2001; effective October 1, 2001.

1200-3-29-.04 Exemption from Motor Vehicle Inspection Requirements

- (1) The following classes of motor vehicles are exempt from the requirements established in Rule 1200-3-29-.03 of this Chapter:
- (a) antique motor vehicles
 - (b) electric powered light-duty vehicles
 - (c) light-duty motor vehicles with a designated model year prior to 1975
 - (d) motorcycles
 - (e) heavy-duty motor vehicles
 - (f) new motor vehicles being registered for the first time or one year from initial registration
 - (g) tactical military vehicles

Authority: T.C.A. §§ 68-201-105 and 4-5-201 et. seq. Administrative History: Original rule filed February 14, 1994; April 30, 1994. Stay of effective date filed April 15, 1994; effective June 14, 1994. Amendment filed September 19, 2001; effective December 3, 2001.

1200-3-29-.05 Motor Vehicle Emission Performance Test Criteria

- (1) Vehicles shall not be allowed to complete emission performance testing if one or more of the following conditions exist when the vehicle is presented for testing:
- (a) For 1975 through 1995 model gasoline powered motor vehicles, if the vehicle exhaust system leaks in such a way as to dilute the exhaust emissions being sampled by the exhaust gas analyzer, the sum of carbon monoxide and carbon dioxide concentrations recorded for idle speed reading from an exhaust outlet must not be less than 6%.
 - (b) For 1975 through 2001 model diesel powered motor vehicles, if the vehicle's exhaust system leaks in such a way as to dilute the exhaust emissions being sampled.
 - (c) The visible emissions from the motor vehicle are such that it would interfere with operation of the testing equipment.
- (2) Gasoline powered motor vehicle models 1975 through 1995 which have idle speed emission values that exceed the test standards specified in Table I shall fail the emission performance test.