

3745-80-03 Anti-tampering inspection procedures and requirements.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (M) of rule 3745-80-01 of the Administrative Code titled "referenced materials."]

- (A) For the purposes of investigating reported tampering violations and conducting routine audits to determine compliance with sections 3704.16 to 3704.162 of the Revised Code, the director may inspect, during normal business hours, any motor vehicle or documents located at a motor vehicle facility.
- (B) All anti-tampering inspectors shall satisfactorily complete the training required to receive a designation of authorized representative of the United States environmental protection agency for the purpose of conducting anti-tampering investigations or other motor vehicle anti-tampering training approved by the director. Each anti-tampering inspector who satisfactorily completes the training shall be issued a certificate by the Ohio environmental protection agency. The certificate shall be valid for three years from the date of issuance. Renewal anti-tampering training may be required in order to renew the certificate. If an inspector fails to satisfactorily complete any required renewal training prior to the certificate expiration date, the inspector shall surrender the certificate.
- (C) Upon receipt of a reported anti-tampering violation regarding a motor vehicle facility, or for the purpose of inspecting a motor vehicle facility to determine compliance with sections 3704.16 to 3704.162 of the Revised Code, anti-tampering inspectors shall inspect a variety of motor vehicle makes, model years and types so as to provide an adequate cross section of the motor vehicles offered for sale at the motor vehicle facility.
- (D) During motor vehicle facility investigations, or investigations of reported violations, pursuant to paragraph (G) of rule 3745-80-02 of the Administrative Code, anti-tampering inspectors shall inspect the motor vehicle emission systems in accordance with the procedures listed in the statewide anti-tampering procedures manual. Motor vehicles shall be inspected for compliance with the original manufacturer's United States environmental protection agency design specifications. After-market replacement parts and add-on and modified parts meeting the performance criteria specified in volume 40 of the Code of Federal Regulations, Part 85, Subpart V; the requirements of the United States environmental protection agency policy document, memorandum 1A or have not otherwise been found in violation of the anti-tampering provisions of the Clean Air Act, are considered to be in compliance with this chapter.
- (E) The emission system reference manual or the motor vehicle emission control information (VECI) label located on each motor vehicle shall be used to determine the motor vehicle emissions systems requiring inspection. If a conflict exists, the VECI label shall take precedence. The emission systems subject to inspection may include, but not be limited to the following:
 - (1) Catalytic converter system.
 - (2) Evaporative emission system.

- (3) Fuel inlet restrictor.
- (4) Positive crankcase ventilation system.
- (5) Thermostatic air intake system.
- (6) Air injection reaction system.
- (7) Exhaust gas recirculation system.
- (8) Oxygen sensor.
- (9) Computer control system.

Effective: 12/12/2015

Five Year Review (FYR) Dates: 09/24/2015 and 12/12/2020

CERTIFIED ELECTRONICALLY

Certification

12/02/2015

Date

Promulgated Under: 119.03

Statutory Authority: 3704.03

Rule Amplifies: 3704.16

Prior Effective Dates: 11/8/94, 1/22/05, 2/14/10