

RULES AND REGULATIONS

Title 67—TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 175]

Corrective Amendment to 67 Pa. Code § 175.42

The Department of Transportation has discovered a discrepancy between the agency text of 67 Pa. Code § 175.42 (relating to recording inspection) as deposited with the Legislative Reference Bureau and as published at 33 Pa.B. 5823 (November 29, 2003), and the official text published in the *Pennsylvania Code Reporter* (Master Transmittal Sheet No. 351) and as currently appearing in the *Pennsylvania Code*. Amendments to this section adopted as proposed at 33 Pa.B. 5823 were not codified in MTS 351.

Therefore, under 45 Pa.C.S. § 901: The Department of Transportation has deposited with the Legislative Reference Bureau a corrective amendment to 67 Pa. Code § 175.42. The corrective amendment to 67 Pa. Code § 175.42 is effective as of February 7, 2004, the date the defective official text was announced in the *Pennsylvania Bulletin*.

The correct version of 67 Pa. Code § 175.42 appears in Annex A.

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

Subpart A. VEHICLE CODE PROVISIONS

ARTICLE VII. VEHICLE CHARACTERISTICS

CHAPTER 175. VEHICLE EQUIPMENT AND INSPECTION

Subchapter C. CERTIFICATE OF INSPECTION

§ 175.42. Recording inspection.

(a) *Fraudulent recording.* Fraudulent recording of an inspection report sheet will be considered cause for suspension of inspection privileges.

(b) *Signature.* The certified mechanic who performed the entire inspection shall place his signature in the appropriate column of Form MV-431 or MV-480 immediately following the inspection. Both the mechanic exempted from performing the road test under this chapter and the certified mechanic who performed the road test shall place their signatures in the appropriate column.

(1) When the inspection information is transferred from a work order to the Form MV-431 or MV-480 by anyone other than the certified mechanic who performed the inspection, the work order shall contain the certified mechanic's signature and be retained for 2 years. The person who enters the information shall place the name of the certified mechanic in the appropriate column and the initials of the person putting the information on the form in the appropriate column. A mechanic exempted from performing the road test under this chapter and the certified mechanic who performed the road test shall sign the work order. The person who transfers the information shall place the names of both certified mechanics in the appropriate column.

(2) A work order shall be available for inspection upon request by the inspection station supervisor or an authorized representative of the Department.

(c) *Records retention.* The original official inspection report sheet shall be retained as a garage record and kept on file at the station for 2 years. At the close of each inspection period, the official inspection report sheet shall be placed in the station's files, even though all spaces may not have been used, and a new inspection report sheet shall be started for the new inspection period.

(d) *Content.* The inspection report sheet (Form MV-431 for passenger cars, trucks and buses or MV-480 for motorcycles and trailers) shall be neat and legible and completed in its entirety. Details pertinent to every vehicle inspected, including rejections, shall be recorded on the report sheet. Items inspected, adjusted or repaired shall be recorded. If the report sheet lists a piece of equipment which does not apply to the specific type of vehicle being inspected, a dash shall be placed in the column to indicate it has not been overlooked or neglected. Certificates of inspection issued shall be listed in numeric order.

(1) Temporary inspection approval indicators, if issued in lieu of a certificate of inspection, shall be recorded on a separate report sheet (Form MV-431) and shall be indicated in the area designated for the sticker number. This separate report sheet shall be completed as described in this subsection except a "T" shall be entered in the area designated for the sticker number to indicate that a temporary inspection approval indicator was issued. An inspection station may not impose a sticker charge for the issuance of a temporary inspection approval indicator.

(2) Upon the return of a vehicle for which a temporary inspection approval indicator has been issued, the station which originally affixed the temporary inspection approval indicator shall:

(i) Verify the year, make, body style, VIN and proof of financial responsibility for the vehicle presented for a renewed certificate of inspection to ensure it is the same vehicle indicated on the report sheet (Form MV-431) when the original inspection was performed. This information shall be recorded as a new entry on the regular report sheet (Form MV-431) where all inspection sticker serial numbers issued are recorded.

(ii) Record, on the Form MV-431, the serial number of the new certificate of inspection to be affixed to the vehicle along with the vehicle owner's name, address, VIN, license plate number, vehicle year make and body style. A reference to the date and number of the original inspection performed shall be noted in the shaded area to the left of the area designated for the sticker serial number and total cost (that is, See T-inspection number 123 dated 01/01/97).

(iii) Enter, in the appropriate area of the report sheet (Form MV-431), the name of the certified inspection mechanic that verified the original inspection information and that is replacing the certificate of inspection.

(3) The certified inspection mechanic replacing the certificate of inspection shall sign the back of the new certificate of inspection and record the information from the original inspection entry (wheels pulled, date of inspection, and the like.) on the new certificate of inspection before it is affixed to the vehicle. The expiring certificate of inspection shall be removed prior to affixing the new certificate of inspection as described in paragraph (2).

(4) Inspection stations may not replace a certificate of inspection to which a temporary inspection approval indicator has been affixed if one or more of the following apply:

(i) The inspection station did not perform the original inspection of the vehicle or issue the temporary inspection approval indicator affixed to the current certificate of inspection.

(ii) The vehicle does not display a renewed emission certificate of inspection.

(iii) The original safety certificate of inspection has expired.

(iv) The vehicle is in an obviously unsafe condition, including, but not limited to, bald tires, exhaust leaks, broken glazing and broken or missing lighting.

(e) *Nonrelated items.* Gas, oil or other nonrelated items may not be included in total charges for repair and inspection.

(f) *Classifications.* The form numbers and colors listed in this subsection explain the general classification of vehicles to be recorded on each type of inspection record sheets:

(1) *Form MV-431.* Motor vehicles except motorcycles and motor-driven cycles shall be recorded on this form.

(2) *Form MV-480.* Trailer, motorcycle and motor-driven cycles shall be recorded on this form.

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