

CHAPTER THREE
STATION OPERATION
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3.5.1 INSPECTION REFUSALS

- a) No Official Vehicle Inspection Station during posted business hours shall refuse to inspect a vehicle that is presented for inspection without an objective justifiable cause related to safety. Official Vehicle Inspection Stations will be required to inspect only those types of vehicles authorized by the endorsement(s) to their Certificate of Appointment.
- b) A vehicle inspection station must refuse to inspect any motor vehicle for which no evidence of financial responsibility is presented. Any vehicle which is too large for the inspection station entrance must be inspected near the inspection building in a space approved by the Department representative.
- c) A vehicle inspection station must refuse to inspect any motor vehicle equipped with a Compressed Natural Gas (CNG) tank(s) that have an expired label or no letter of documentation.

3.10.1 ELECTRONIC VEHICLE INSPECTION STATION INTERFACE

- a) All vehicle inspections performed must be reported using an approved method or device at the time the inspection is conducted. Access to the system at certified vehicle inspection stations must be controlled using procedures, processes, and protocols as established by the Department.
- b) The records maintained in the database are governmental records. Fraudulent use of the database may subject the person to criminal prosecution, as well as administrative action.
- c) Vehicle inspectors and all other authorized users will be held accountable for the security and confidentiality of all assigned access processes including, but not limited to passwords, protocols, or access/identification cards.
- d) Before each official vehicle inspection begins, the inspector must use a unique identifier protocol as established by the department which links the inspection record with the certified vehicle inspector performing the inspection. The inspector of record entering his unique identifier will be responsible for the inspection of all required items of inspection, entering all information into the electronic station interface device at the time of inspection, and completing other documents as required.
- e) Vehicle inspectors may not give, share, lend, or divulge this unique identifier protocol, including but not limited to: passwords, personal identification numbers (PIN), or access/identification cards to another person. Failure to comply with this section may result in suspension or revocation of the vehicle inspector's certification as well as any appropriate criminal action or administrative disciplinary action.
- f) The Department may require certified vehicle inspectors to acknowledge the department's policy for use and protection of access procedures.
- g) If the electronic station interface or printer is not operational no inspections may be performed.
- h) The vehicle inspection data must be reported using the electronic station interface prior to the performance of any additional inspections.

3.15.1 VEHICLE INSPECTION REPORTS

- a) Vehicles that do not meet the inspection requirements must be issued a failed vehicle inspection report.
- b) If an inspector makes a mistake on a vehicle inspection report, the vehicle shall be inspected again and a new vehicle inspection report issued at no charge.
- c) A passenger car or light truck that qualifies for a two-year inspection is one that is: sold in this state; has not been previously registered in this or another state; and on the date of sale is of the current or preceding year model. A "passenger car" means a motor vehicle, other than a motorcycle, used to transport persons and designed to accommodate 10 or fewer passengers. A motor home not registered as a commercial vehicle is considered to be a passenger car.

A “light truck” means a truck, including a pickup truck, panel delivery truck, or carryall truck, that has a manufacturer’s rated carrying capacity (MRCC) of 2000 pounds or less. Generally, the National Highway Traffic Safety Administration (NHTSA) considers the manufacturer’s rated carrying capacity (payload/load carrying capacity) to be the Gross Vehicle Weight Rating minus the Empty Weight of the vehicle. A vehicle inspection station should carefully review the MRCC of any vehicle with a GVWR of 7,000 pounds or more to ensure that the vehicle is eligible for a two-year inspection. Vehicle specification details, including the MRCC, are readily available from the vehicle manufacturer.

3.20.1 METHOD OF PAYMENT

- a) Payment for the purchase of safety automation fees, original application for or renewal of all certifications, replacement of any Department issued property, and/or any other fee required by Texas Transportation Code, Chapter 548 or this chapter are due and payable at the time of order and/or billing. **The Department has transitioned to accepting applications for appointment as a Vehicle Inspection Station or Certified Vehicle Inspector via the Internet. The application fee will be required to be paid at the time of the submission of the on-line application.**
- b) Should the online payment be denied the application will remain valid for 60 days. If online payment is not received within the 60 days the application will be withdrawn and payment and application must be resubmitted.
- c) If payment is dishonored prior to issuance of the certification, the application will be abandoned as "incomplete". The department may dismiss a pending revocation proceeding upon receipt of payment of the full amount due including any additional fees.

3.25.1 VEHICLE INSPECTION FEES

- a) The vehicle inspection fee is a charge for performing the inspection only, and may not exceed the amount set by Texas Transportation Code, Chapter 548 or this chapter.
- b) The vehicle inspection station may collect the inspection fee at the time of the original inspection whether the vehicle is passed or rejected. Every inspection shall be completed before a vehicle is passed or rejected.
- c) Charges for additional services related to the repair, replacement or adjustment of the required items of inspection must be expressly authorized, or approved by the customer, and must be separately listed on the bill from the statutorily mandated inspection fee.
- d) A vehicle inspection station or vehicle inspector may not advertise, charge, or attempt to charge a fee in a manner that could reasonably be expected to cause confusion or misunderstanding on the part of an owner or operator presenting a vehicle regarding the relationship between the statutorily mandated inspection fee and a fee for any other service or product offered by the vehicle inspection station

3.30.1 RETENTION OF RECORDS

- a) Records must be kept in a secured area within the vehicle inspection station.
- b) Records must be filed in a manner to ensure ready availability.
- c) eCopies of any vehicle inspection forms must be kept by the vehicle inspection station for at least one year from the date of completion. Electronic storage is permissible, in a manner consistent with §23.27 of this Title (relating to Vehicle Inspection Station Audit.)
- d) The vehicle inspection station is not required to maintain duplicate paper records of electronically reported inspections or transactions.

3.35.00 VEHICLE INSPECTION STATION RECORD AUDITS

Vehicle inspection stations must grant access to the Department representative, for the purpose of auditing records pertaining to the Department's Vehicle Inspection Program. Records must be made available to the Department's representative at the station premises.