

STATE OF NEW HAMPSHIRE DEPARTMENT OF SAFETY

OFFICE OF THE COMMISSIONER

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

CHAPTER Saf-C 3200 OFFICIAL MOTOR VEHICLE INSPECTION REQUIREMENTS

PART Saf-C 3201 APPLICABILITY

Saf-C 3201.01 Applicability. Unless otherwise stated in this chapter, these rules shall apply to passenger cars, trucks, combination vehicles, trailers and semi-trailers, motorcycles, farm and agricultural vehicles, antique vehicles and motorcycles, recreation vehicles, street rods and homemade vehicles.

Saf-C 3201.02. Exemptions.

- (a) All vehicles owned by the federal government shall be exempt from these rules.
- (b) All new vehicles or chassis shall be exempt from these rules, provided that the new vehicle or chassis is not offered for sale to persons other than the distributor or dealer, as follows:
 - (1) While in transit from a factory to a distributor or dealer;
 - (2) While in transit from a distributor to a dealer;
 - (3) While in transit from a dealer's warehouse or storage facility to his/her place of business; or
 - (4) Delivered with a certificate of origin, until sold at retail, pursuant to RSA 266:1, VIII.

PART Saf-C 3202 DEFINITIONS

Saf-C 3202.01 "Business location" means a permanent, enclosed commercial building located within this state, easily accessible and open to the public as indicated in the approved application, and at which the business of an inspection station can be lawfully carried on in accordance with the terms of all applicable building codes, zoning, and other land use regulatory ordinances. Each business location shall clearly and

conspicuously display the business name in letters no less than 10” in height unless prohibited by local zoning.

Saf-C 3202.02 “Commissioner” means “commissioner” as defined in RSA 259:13.

Saf-C 3202.03 “Department” means “department” as defined in RSA 259:19.

Saf-C 3202.04 “Director” means “director” as defined in RSA 259:20.

Saf-C 3202.05 “Footprint” means the contiguous outside dimensions of a building.

Saf-C 3202.06 “Homemade vehicle” means a vehicle made from various parts of other vehicles so that the serial number of the body frame does not reflect the vehicle’s identity. The term includes “composite vehicle”, “reconstructed vehicle” and “kit car”.

Saf-C 3202.07 “Light-duty truck” means any motor vehicle with a gross vehicle weight rating of 8,500 pounds or less, a vehicle curb weight of 6,000 pounds or less, no more than 2 axles as defined by RSA 259:50, and a basic vehicle frontal area of 45 square feet or less, which is:

- (a) Designed primarily for transporting property or derivation of such a vehicle;
- (b) Designed primarily for transporting persons and capable of seating more than 12 persons; or
- (c) Available with special features enabling off-street or off-highway operation and use.

Saf-C 3202.08 “Light-duty vehicle” means any passenger vehicle or derivation of such a vehicle capable of seating 12 persons or less.

Saf-C 3202.09 “Malfunction indicator light (MIL)” means the instrument panel light used by the on-board diagnostics system to notify the operator of an emissions related fault.

Saf-C 3202.10 “Motorcycle-only inspection station” means an inspection station authorized by the department to conduct only motorcycle safety inspections pursuant to RSA 266:1, V-a and not required to conduct on-board diagnostics-II emission testing pursuant to RSA 266:59-b.

Saf-C 3202.11 “Motor vehicle inspection station” means an inspection station authorized by the department to conduct motor vehicle safety inspections pursuant to RSA 266:1.

Saf-C 3202.12 “Multipurpose passenger vehicle” means any motor vehicle, except a trailer, designed to carry 10 persons or less and which has a maximum height of 30 inches from the manufacturer, measured from the bottom of the frame rails of the vehicle.

Saf-C 3202.13 “Multipurpose passenger vehicle”, for purposes of the definition of school bus pursuant to Saf-C 3202.19, means a vehicle such as a van, station wagon and passenger vehicle of a type that is not designed as a school bus and has a rated passenger capacity of a maximum of 10 passengers including the driver. The term does not include a vehicle which has been equipped with seating to carry a maximum of 10 passengers but is manufactured solely for the transportation of cargo.

Saf-C 3202.14 “Newly registered vehicle” means:

- (a) Any vehicle registered for the first time after an assignment of ownership;
- (b) Any vehicle registered by the same owner whose previous registration for that vehicle has been expired for a period of longer than one year; or
- (c) Any vehicle transferring its registration to New Hampshire from another state.

The term does not include registration renewals.

Saf-C 3202.15 “Official Inspection Sticker” or “sticker” means all components of the adhesive decal indicating compliance with some or all applicable inspection laws and rules, including but not limited to the colored backing and numerical monthly insert.

Saf-C 3202.16 “On-board diagnostics (OBD)” means the computer-based system required by the U.S. Environmental Protection Agency (EPA) in all 1996 and newer light-duty vehicles and trucks, designed to monitor the performance of certain major engine components, including those components responsible for controlling emissions.

Saf-C 3202.17 “On-board diagnostic scan tool” means a device used to communicate with the on-board diagnostics system and that complies with the requirements of Society of Automotive Engineers (SAE) Recommended Practice J1978, April of 2002 and J1979, May of 2007.

Saf-C 3202.18 “Rake” means the angle, measured in degrees, of a motorcycle's steering axis in relation to a line which is perpendicular to the motorcycle’s wheelbase.

Saf-C 3202.19 “School bus” as defined in Saf-C 1302.01, means a motor vehicle or multipurpose passenger vehicle as defined in RSA 259:96 used for transportation of pupils to any school or school related activity, and which has been issued identification

indicating that it has been approved as a school bus, and meets the inspection requirements of RSA 266:7. The term does not include a motor vehicle used by a parent to transport his/her children to any school, or school related activity.

Saf-C 3202.20 “Mixed use school bus” means “mixed use school bus” as defined in RSA 259:96-a.

Saf-C 3202.21 “Street rod” means “street rod” as defined in RSA 259:106-a.

Saf-C 3202.22 “Trail” means the distance measured in inches between the point at which the steering axis intersects with the ground in front of the motorcycle and the point at which the forward limit of the wheelbase intersects with the surface below the motorcycle.

Saf-C 3202.23 “Tread depth” means the amount of tread design on a tire including original, retread and recapped tread, and regrooved designs.

Saf-C 3202.24 “Vehicle inspection report” means the official, clearly legible printed report approved by the department containing the test results for the safety and emissions inspection.

PART Saf-C 3203 GENERAL INSPECTION INFORMATION

Saf-C 3203.01 Items to be Inspected.

- (a) The items to be inspected on a vehicle, which are described in detail in subsequent parts, shall include the following primary areas:
 - (1) Registration, plates, registration certificate and vehicle identification number;
 - (2) Steering, front end and suspension;
 - (3) Brakes, including parking brake;
 - (4) Odometer and speedometer;
 - (5) Electrical system, horn and defroster;
 - (6) Lights and reflectors, including headlight aim;
 - (7) Glass, glazing and mirrors;

- (8) Wipers;
- (9) Exhaust system;
- (10) On-board diagnostics system;
- (11) Body, chassis and bumper height;
- (12) Fuel system; and
- (13) Tires and wheels.

Saf-C 3203.02 Manufacturer's Specifications. All inspection stations shall utilize technical service manuals and other information pertaining to safety standards provided by the manufacturer in electronic or hard copy to determine the manufacturer's specifications for a particular vehicle.

Saf-C 3203.03 Inspection of Vehicles Owned by a Corporation.

- (a) The inspection of vehicles owned by a corporation, partnership or other legal entity shall be conducted during a month which is determined by using the first letter or number of the company name.
- (b) For the purposes of (a) above, “company name” shall not include articles such as but not limited to, “the”, “a”, “as” and “an”, unless the article constitutes the entire company name.
- (c) The annual inspection, pursuant to RSA 266:1, III, shall be conducted as set forth in Table 3200.1.1 below:

Table 3200.1.1 Annual Inspection Schedule

Month	First Letter or Number of Name
January	A-B; 1
February	C; 2
March	D-E; 3

April	F-G; 4
May	H-I; 5
June	J-K-L; 6
July	M; 7
August	N; 8
September	O-P-Q; 9; Government fleet
October	R-S; 0
November	T-U
December	V-W-X-Y-Z

- (d) The semi-annual inspection, pursuant to RSA 266:1, IX, shall be conducted as set forth in Table 3200.1.2 below:

Table 3200.1.2 Semi-annual Inspection Schedule

Months	First Letter or Number of Corporate Name
January and July	A-B; 1
February and August	C; 2
March and September	D-E
April and October	F-G; 4

May and November	H-I; 5
June and December	J-K-L; 6
July and January	M; 7
August and February	N; 8
September and March	O-P-Q; 9; Government fleet
October and April	R-S; 0
November and May	T-U
December and June	V-W-X-Y-Z

Saf-C 3203.04 Early Inspection.

- (a) Pursuant to RSA 266:1, II-a, a mechanic shall be authorized to perform an early inspection of a vehicle if registration renewal will occur within the next 4 months, and the vehicle has a current valid registration. The early inspection shall occur during the 3 months preceding the required month, but in no event shall an inspection sticker be issued for a period longer than 16 calendar months.
- (b) In the event the motor vehicle passes all the inspection requirements, the mechanic shall issue an inspection sticker with an expiration date of the birth month in the following year of the first person named on the registration application, or in accordance with Saf-C 3203.03.
- (c) For the purposes of (a) above, the owner may be a trust.

PART Saf-C 3204 APPLICATION FOR OFFICIAL INSPECTION STATION

Saf-C 3204.01 Applicant.

- (a) An applicant for an inspection station shall be the owner of the business, or in the case of a corporation, partnership or other legal entity, a person with specific written authorization to sign the application.
- (b) The applicant shall be 18 years of age or older.
- (c) An applicant for a fleet inspection station shall own or lease at least 15 legally registered vehicles required to be inspected. Copies of all lease agreements shall be provided to the department, upon request.

Saf-C 3204.02 Application.

- (a) An applicant for an inspection station shall submit a completed form RDMV 705 (rev 12/15) to the department;
- (b) A separate form RDMV 705 shall be filed for each place of business;
- (c) Each owner, partner, and officers shall disclose any and all previous suspensions or revocations on inspection or dealer privileges from any jurisdiction within a period of 10 years prior to the current application;
- (d) All corporate and trade business names shall be registered with the Secretary of State's Office per RSA 349:1;
- (e) In the event that the applicant fails to comply with an applicable statute or rule, the application shall be denied; and
- (f) The applicant will be notified of the reasons for the denial.

Saf-C 3204.03 Specification of Type.

- (a) The application shall state the following type of inspection station authorization requested:
 - (1) Fleet;
 - (2) Government;

- (3) Automobile;
- (4) Motorcycle;
- (5) Replacement glass;
- (6) School bus;
- (7) Heavy truck; or
- (8) Trailer.

PART Saf-C 3205 APPROVAL PROCESS

Saf-C 3205.01 Investigation. An individual authorized by the director shall contact the applicant, at his/her place of business, to determine if the applicant meets the requirements of Saf-C 3206.01 through Saf-C 3206.04.

Saf-C 3205.02 Local Notification and Approval.

- (a) Upon receipt of a completed form DSMV 24, the department shall notify the town/city clerk in the municipality where the business is located.
- (b) The department shall allow 10 working days for the local government to advise whether or not the applicant's business conforms with or is in conflict with existing zoning, building code or other land-use regulatory requirements.
- (c) Except as provided by RSA 261:103-a, IX, in the event the local government fails to advise the department that the applicant is in compliance with the requirements of (b) above, a certificate of appointment shall not be issued until the department receives notification of compliance from the local government.
- (d) In the event the local government advises the department that the applicant is not in compliance with the requirements of (b) above, a certificate of appointment shall not be issued, and the department shall notify the applicant, in writing, of the applicant's responsibility to contact the appropriate local board or officials.

Saf-C 3205.03 Attendance at Inspection School.

- (a) All mechanics who seek approval to conduct inspections shall attend one department inspection overview session for each type of vehicle they intend to inspect at a time and location as determined by the Director. All mechanics shall

be pre-registered for the overview session. Each mechanic may be required to attend a refresher session, as necessary.

- (b) The director shall require any mechanic who has either demonstrated a lack of knowledge of inspection laws or rules or who has been found to have intentionally or knowingly violated inspection laws or rules, to attend the inspection overview session and/or undergo a mechanic field test in accordance with Saf-C 3205.04.

Saf-C 3205.04 Mechanic Field Test.

- (a) Following attendance at the inspection overview session, an individual authorized by the department shall contact those seeking approval to conduct inspections to schedule an appointment to conduct a practical test.
- (b) The person shall demonstrate his/her ability to inspect a motor vehicle based upon the inspection criteria contained in these rules.
- (c) Any mechanic who has not conducted inspections for a period longer than one year shall:
 - (1) Attend the inspection school pursuant to Saf-C 3205.03; and
 - (2) Meet the requirements of (b) above.
- (d) A mechanic who has failed the practical test pursuant to (b) above shall have no more than 3 opportunities in a one-year period to successfully complete the field test.
- (e) An applicant who has failed the practical test 3 times in a one-year period shall be permitted to retake the examination no sooner than one year from the date of the most recent failure.

Saf-C 3205.05 Certificate of Appointment.

- (a) A certificate of appointment shall be issued when the inspection station:
 - (1) Meets local approval, pursuant to Saf-C 3205.02;
 - (2) Meets the requirements of Saf-C 3205.01, 3204 and 3205;

- (3) Has approved mechanic to conduct inspections, pursuant to Saf-C 3205.03 and Saf-C 3205.04; and
- (4) Pays the appropriate fee, pursuant to RSA 266:1, V(b).

Saf-C 3205.06 Issuance of Certificate of Appointment.

- (a) Upon approval of an application, a certificate of appointment, containing a designated station number, shall be issued to the inspection station.
- (b) Except as otherwise provided by RSA 261:103-a, IX, no inspections shall be conducted unless a certificate of appointment has been issued and at least one approved mechanic is on duty.
- (c) The inspection station shall prominently display the certificate of appointment at all times.
- (d) A certificate of appointment issued to a fleet inspection station shall authorize the station to inspect only those vehicles that are registered or leased to the fleet inspection station.

Saf-C 3205.07 Certificate of Appointment Not Transferred.

- (a) Each certificate of appointment shall be limited to the person in whose name and place of business it has been issued.
- (b) A certificate of appointment shall not be transferred to any other person, business or location and shall not be altered or modified in any manner.
- (c) A certificate of appointment shall be presented to any individual authorized by the department upon demand or surrendered to the department, if required, after a hearing.

Saf-C 3205.08 Renewal of Certificate of Appointment.

- (a) All inspection station certificates of appointment shall expire annually on September 30th.
- (b) Each renewal for a certificate of appointment shall be received by the department prior to October 1 or on a date approve by the director.
- (c) Each inspection station shall:

- (1) Submit a completed form RDMV 705 to the department, pursuant to Saf-C 3204.02;
- (2) Return all completed and expired sticker books in accordance with Saf-C 3209.04(d); and
- (3) Pay the appropriate fee, pursuant to RSA 266:1, V(b).

Saf-C 3205.09 Approved Mechanic.

- (a) Each inspection station shall have at least one approved mechanic, pursuant to Saf-C 3205.03 and Saf-C 3205.04, to inspect vehicles.
- (b) A mechanic shall inspect only those types of vehicles for which he/she has been approved.

Saf-C 3205.10 Mechanic Approval Card.

- (a) Each mechanic authorized to conduct inspections pursuant to Saf-C 3205.03 and Saf-C 3205.04 shall be issued a mechanic approval card, form DSMV 168.
- (b) No mechanic approval card shall be issued to any person under the age of 18.
- (c) A mechanic approval card shall be presented to any individual authorized by the department upon demand or surrendered to the department, if required, after a hearing.
- (d) A mechanic approval card shall not be transferred to any other person, and shall not be altered or modified in any manner.
- (e) A mechanic approval card shall expire in the event the mechanic has not conducted inspections for a period longer than one year.

Saf-C 3205.11 Disqualification of Applicant. For appointment as an official inspection station or approved mechanic, the applicant must meet the following requirements:

- (a) Applicant has had no previous record of misdemeanor or felony criminal convictions for extortion, forgery, fraud related crimes, theft, or embezzlement in the past 10 years;
- (b) Applicant has not been suspended more than once for a violation of inspection laws or regulations in this or any other jurisdiction;

- (c) Applicant has never had its authorization to operate as an inspection station revoked in this or any other jurisdiction;
- (d) Applicant has not previously relocated or discontinued business without appropriate notification and surrendering of supplies; and
- (e) Applicant has paid any and all fines related to these rules in full.

PART Saf-C 3206 INSPECTION AREA AND EQUIPMENT

Saf-C 3206.01 * * *

Saf-C 3206.02 * * *

Saf-C 3206.03 * * *

Saf-C 3206.04 Tools and Equipment.

- (a) Each inspection station shall have the following tools and equipment:
 - (1) A brake drum gauge and a brake rotor measuring device;
 - (2) A gauging device to measure the thickness of brake pads and shoes;
 - (3) A dial indicator capable of measuring suspension components including ball joints;
 - (4) A lift or jack, capable of hoisting any vehicle the station is authorized to inspect;
 - (5) Tools necessary for the proper assembly and disassembly of any parts, which shall include:
 - a. Hammers;
 - b. Portable lights;
 - c. Socket sets, including metric sizes;
 - d. Wrenches, including open and box end; and
 - e. Screwdrivers.

- (6) Commercially manufactured headlight aiming device or headlight wall or board capable of determining the proper headlight angle of all vehicles to be inspected;
 - (7) Commercially recognized tint meter system, capable of measuring all aftermarket tinted windows if the station inspects vehicles with tinted glass;
 - (8) Computer software and hardware authorized by the department, if conducting electronic safety inspections;
 - (9) Any other tools necessary to conduct a proper vehicle inspection; and
 - (10) Tire tread depth gauge.
- (b) All required tools and equipment shall not be shared with other inspection stations.

PART Saf-C 3207 INSPECTION STATIONS

Saf-C 3207.01 Days and Hours of Operation.

- (a) For the purposes of this section, “regular business hours” means the days and hours identified in the approved application.
- (b) Inspection stations shall be ready to conduct inspections during regular business hours.
- (c) The hours of operation shall be posted in a conspicuous manner.
- (d) Each inspection station shall be subject to random visits by an individual authorized by the department.
- (e) Each business governed by these rules shall set forth its regular business hours on form RDMV 705. The business owner shall promptly inform the department, in writing, of any changes in its regular business hours, except if the hours are being extended.
- (f) An inspection station that will be temporarily closed for inspections for longer than one consecutive week at a time, shall notify the department, in writing, no

later than 30 days prior to the date of temporary closure or immediately upon necessity of temporary closure due to unforeseen circumstances.

- (g) An inspection station closed pursuant to (f) above, shall inform the department of the name and telephone number of at least one person who will be available during the period of closure for the department to contact, in the event it is necessary to do so.

Saf-C 3207.02 * * *

Saf-C 3207.03 * * *

Saf-C 3207.04 * * *

Saf-C 3207.05 * * *

Saf-C 3207.06 * * *

Saf-C 3207.07 * * *

PART Saf-C 3208 * * *

PART Saf-C 3209 OBTAINING INSPECTION STICKERS

Saf-C 3209.01 Ordering Stickers.

- (b) All stickers shall be ordered, in writing, on form DSMV 142 (rev 12/15), or similar form. Electronic requests shall be accepted as long as the request contains the signature of a person authorized to order stickers.
- (c) The written request pursuant to (a) above shall include the following:
 - (1) Inspection station number;
 - (2) Type of sticker requested:
 - a. Motor vehicle stickers and year;
 - b. Motorcycle stickers and year; or
 - c. Monthly insert decals;
 - (3) Name and address of business;
 - (4) Number of stickers; and
 - (5) Signature of person authorized pursuant to RDMV 705 to order stickers.

- (d) Each inspection station shall allow a period of 10 days for requests by mail to be processed.

Saf-C 3209.02 Counter Service.

- (a) The department shall provide counter service in Concord or at any substation for inspection sticker purchases and to accept the return of unused stickers and sticker stub books.
- (b) Inspection stickers shall be sold to persons authorized by the inspection station on the form set forth in Saf-C 3209.01. The names of additional persons authorized to purchase stickers shall be filed at the department, in writing.
- (c) Each person authorized to purchase inspection stickers who appears at the counter shall provide proper identification before obtaining any stickers.
- (d) For the purposes of (c) above, proper identification shall include:
 - (1) Driver license;
 - (2) Military card;
 - (3) Passport; or
 - (4) Non-driver identification card, as long it contains a photograph.
- (e) Notwithstanding (c) above, inspection stickers shall be sold at the counter to persons not authorized on the prescribed form to purchase stickers, as long as the person produces a written request containing the signature of an authorized person, which is on file with the department.

Saf-C 3209.03 Payment.

- (a) All inspection sticker purchases shall be accompanied by the appropriate fee, pursuant to RSA 266:2.
- (b) Payment shall be in the form of cash, check, money order or accepted credit cards.
- (c) Checks and money orders shall be made payable to the "State of New Hampshire - DMV". Alternative terms, including but not limited to "State of New Hampshire – Safety", "New Hampshire Department of Safety", "Treasurer – State

of New Hampshire” or “Director of Motor Vehicles” shall not be cause for refusal, provided it does not lend itself to endorsement by any party other than the State of New Hampshire.

- (d) Payments received without a written request or requisition for inspection stickers shall be returned unprocessed.

Saf-C 3209.04 Safekeeping and Security.

- (a) Each inspection station shall immediately report possible errors, misprints, skips in numbering or missing stickers to the department.
- (b) Inspection stations shall not sell, loan or give stickers to any other station.
- (c) Each inspection station shall account for every sticker issued to the station. Inspection stickers shall be maintained in a secured manner at the approved business location, and security shall be managed in such a way to prevent theft and limit access, including but not limited to, inside a locked drawer, cabinet or other device that is not easily moved or portable when not performing an inspection.
- (d) Each station owner shall return completed sticker booklets to the department no later than 30 days following the removal of the last valid sticker from the book or upon expiration of the sticker year.
- (e) All voided stickers shall be marked “void” and affixed to the rear portion of the respective mechanic’s stub.

Saf-C 3209.05 Control.

- (a) Inspection stickers shall not be transferred to any other station once issued to a purchasing station.
- (b) Inspection stickers shall only be affixed to the vehicle shown on the mechanic's work stub in the inspection booklet or electronically as authorized by the department.

Saf-C 3209.06 Document Mailings. The department shall assume no responsibility for sticker stubs or books received with postage due. Inspection stations which make the mailings shall be responsible for full payment of postage.

Saf-C 3209.07 Credit for Unused Stickers.

- (a) Unused stickers shall be turned in for a credit voucher.
- (b) Damaged stickers shall be returned to the department but no credit voucher shall be issued.
- (c) No credit shall be allowed during a period in which any returned stickers are currently valid, unless the inspection station is going out of business.
- (d) No credit shall be allowed for inspection stickers older than the previous inspection period.

Saf-C 3209.08 Issuance of New Stickers.

- (a) New stickers shall be issued in minimum quantities of one full book.
- (b) A full book of motor vehicle stickers shall have 25 stickers.
- (c) A full book of motorcycle stickers shall have 30 stickers.

Saf-C 3209.09 Missing Stickers.

- (a) In the event an inspection station owner discovers sticker(s) which are missing, he or she shall immediately notify and make a full report to the local police department.
- (b) The notification in (a) above shall include:
 - (1) The number of missing or stolen stickers; and
 - (2) The number listed on each missing or stolen sticker.
- (c) In addition to (a) above, the inspection station owner shall immediately contact the department and follow up in writing.

PART Saf-C 3210 INSPECTION OF VEHICLE REGISTRATION AND TIME FOR INSPECTION

Saf-C 3210.01 Verification of Information.

- (a) Prior to inspecting any vehicle, the mechanic shall examine the registration certificate, plates, vehicle description and vehicle identification number. The mechanic shall advise the owner of any error.

- (b) The mechanic shall examine the registration certificate of any homemade vehicle to ensure the certificate shows the vehicle is registered as a composite and that the vehicle has a state issued vehicle identification number originating from any jurisdiction.

Saf-C 3210.02 Correction of Vehicle Identification Number (VIN).

- (a) If the VIN on the registration certificate does not match the VIN on the vehicle, the mechanic shall:
 - (1) Make corrections to the VIN on the registration certificate of up to 3 digits or 3 letters, by drawing a slash “ / ” mark through the incorrect digit or letter and placing the correct digit or letter above or below it;
 - (2) Complete a correction slip, form DSMV 28C, and place it in a separate envelope marked “VIN corrections” to be forwarded to the department;
 - (3) Furnish the following on form DSMV 28C:
 - a. Plate number and type;
 - b. Expiration date of plate;
 - c. Owner's name, address and date of birth;
 - d. Incorrect VIN;
 - e. Correct VIN;
 - f. Mechanic’s signature and date signed; and
 - g. Inspection station name and address.
- (b) If more than 3 digits or 3 letters are incorrect on the VIN, corrections shall be made by the department. No inspection sticker shall be issued until the VIN has been corrected.
- (c) In the event a vehicle identification number plate is missing or has been tampered with, for example, is missing pop rivets, the mechanic shall reject the vehicle and notify the department.

Saf-C 3210.03 Registration Plates.

- (a) The mechanic shall inspect the registration plates and reject the vehicle if it fails to meet any of the following:
 - (1) The registration plates shall be securely mounted on the exterior of the vehicle in the locations provided by the manufacturer. Vehicles which display special number plates pursuant to RSA 261:91 shall be inspected even though the registration certificate reflects a different number;
 - (2) When 2 registration plates are issued, one shall be mounted on the front of the vehicle and the second shall be mounted on the rear;
 - (3) If no location has been provided by the manufacturer, the registration plates shall be securely mounted with a bracket or comparable method in a visible location, and the rear plate shall be illuminated by a white license plate light when the headlights or parking lights are on;
 - (4) The mounting of registration plates shall not be inverted;
 - (5) If the ball of a trailer hitch is mounted in a manner that obscures the numbers or characters on the rear plate, the ball shall be removed or inverted so that the plate is not obscured;
 - (6) In accordance with the provisions of RSA 261:75, II the numbers, characters or identification of the plates as New Hampshire plates shall not be covered up or obscured; and
 - (7) The color of the registration plates shall be the color issued by the department.

Saf-C 3210.04 International Fuel Tax Agreement (IFTA) Validation Stickers.

- (a) A qualified motor vehicle which operates in New Hampshire and at least one other jurisdiction shall be rejected if it does not display valid IFTA stickers on the driver side and passenger side door.
- (b) For the purposes of (a) above, “qualified motor vehicle” means a motor vehicle which is used, designed or maintained for transportation of persons or property and which:
 - (1) Has 2 axles and a gross vehicle weight or registered gross vehicle weight in excess of 26,000 pounds or 11,797 kilograms;

- (2) Has 3 or more axles; or
 - (3) Is used in combination, when the gross vehicle weight or registered gross vehicle weight of such combination is in excess of 26,000 pounds or 11,797 kilograms.
- (c) For the purposes of (a) above, “qualified motor vehicle” shall not include recreation vehicles.

Saf-C 3210.05 Time for Inspection.

- (a) Unless specifically stated otherwise in these rules, all passenger vehicles shall be inspected annually during the owner’s month of birth or the month set forth in Saf-C 3203.02, for a corporation. Pursuant to Saf-C 3203.04, early inspections shall include the required month of registration and 3 preceding months not to exceed 16 months.
- (b) Recreation vehicles, as defined in RSA 259:84-a, shall be inspected annually, no later than June 30 of each year.
- (c) Notwithstanding (a) and (b) above, newly registered passenger and recreation vehicles shall be inspected within 20 days from the date of registration, pursuant to RSA 266:1, IV.
- (d) Notwithstanding (a) and (b) above, all new vehicles purchased at retail from a licensed dealer shall be inspected no later than 20 days after the date of transfer, pursuant to RSA 266:1, IV.

PART Saf-C 3211 * * *

PART Saf-C 3212 * * *

PART Saf-C 3213 * * *

PART Saf-C 3214 * * *

PART Saf-C 3215 * * *

PART Saf-C 3216 * * *

PART Saf-C 3217 * * *

PART Saf-C 3218 EXHAUST SYSTEM

Saf-C 3218.01 Inspection of Exhaust System.

- (a) The exhaust system, including the exhaust pipe, muffler, resonator, catalytic converter, tailpipe, hangers, brackets and all other component parts shall be inspected for leakage, improper fastening or excessive noise pursuant to RSA 266:59.
- (b) All vehicles shall be equipped with mufflers in good working condition and shall meet the requirements of RSA 266:59.
- (c) All replacement exhaust systems shall meet the requirements of RSA 266:59. Trucks that are not equipped with a camper or other enclosed structure for carrying passengers may be inspected without a tail pipe, as long as the muffler extends past the passenger compartment and has a down spout.
- (d) A vehicle shall be rejected if:
 - (1) It has no tailpipe or muffler;
 - (2) There are holes, or structural rust or worn components in any part of the exhaust system that compromises the integrity of the system;
 - (3) There are loose or leaking joints or leaking seams in any section;
 - (4) Any portion of the exhaust system is not securely fastened;
 - (5) Any portion of the exhaust system passes through the passenger compartment or trunk;
 - (6) Muffler jackets or flexible pipe, which does not seal itself, is used in the exhaust system;
 - (7) The tail pipe end is pinched or damaged in such a way to restrict exhaust flow;
 - (8) The muffler has loose or missing interior baffles, or holes which have been repaired with patches;

- (9) There is a muffler cut-out, muffler by-pass or similar device which allows excessive or unusual noise;
- (10) Excessive fumes, smoke, flame, gas, oil or fuel residue escapes in violation of RSA 266:59; or
- (11) Any flammable material is in contact with any portion of the exhaust causing fume, smoke or fire hazard.

Saf-C 3218.02 Outside Pipes.

- (e) The outside pipe, side-pipe or exhaust pipe shall meet the following requirements:
 - (1) The muffler shall be installed according to the vehicle manufacturer's specifications and shall not give off excessive noise, fumes, smoke, flame, gas, oil or fuel residue, pursuant to RSA 266:59;
 - (2) No exhaust gases shall enter the passenger compartment;
 - (3) Any flexi-type exhaust piping shall be self-sealing, free of leaks, holes, patches or defects, properly fastened to the vehicle and used only on the exhaust side of the emission control system; and
 - (4) No portion of the exhaust system or exhaust pipe shall extend, in any direction, beyond the limits of the vehicle's body without heat shielding.

PART Saf-C 3219 FUEL SYSTEM

Saf-C 3219.01 Fuel System.

- (a) A vehicle shall be rejected if:
 - (1) There is vapor or fuel leakage anywhere within the fuel system;
 - (2) Any portion of the fuel system is not securely fastened;
 - (3) The fuel system is equipped with a fuel filler cap that does not meet the manufacturer's specifications;
 - (4) The fuel tank or approved fuel container is not secured to the body or chassis or is located in a position that does not meet the manufacturer's specifications; or

- (5) The vehicle is powered by an alternative fuel, for example propane, natural gas or hydrogen, and an inspection of the fuel tank, carburetor, fuel lines and fittings reveals audible leaks or detectable odors.

PART Saf-C 3220 EMISSIONS REQUIREMENTS

Saf-C 3220.01 Positive Crankcase Ventilation (PCV).

- (a) A PCV valve shall be required on all vehicles less than 20 model years old, if so equipped at the time of manufacture.
- (f) A vehicle shall be rejected if:
 - (1) The PCV valve is missing;
 - (2) It is plainly obvious that the PCV valve does not function; or
 - (3) Any hoses associated with the PCV system are missing or do not function.

Saf-C 3220.02 Air Injection Pump/Pulse Air System.

- (a) The air injection pump/pulse air system shall be required on all vehicles less than 20 model years old, if so equipped at the time of manufacture.
- (b) A vehicle shall be rejected if:
 - (1) The air injection pump/pulse air system is missing;
 - (2) It is plainly obvious that the air injection pump/pulse air system does not function; or
 - (3) Any hoses associated with the air injection pump/pulse air system are missing or do not function.

Saf-C 3220.03 Inspection of Fuel System. In addition to the reasons stated in Saf-C 3219.01(a)(3), a vehicle shall be rejected if the fuel filler cap is:

- (1) Missing;
- (2) Loose;

- (3) Degraded to the point that vapors could escape; or
- (4) Improperly fitted.

Saf-C 3220.04 Evaporative Canister.

- (a) An evaporative canister shall be required on all vehicles less than 20 model years old, if so equipped at the time of manufacture.
- (b) A vehicle shall be rejected if:
 - (1) The evaporative canister is missing;
 - (2) It is plainly obvious that the evaporative canister does not function; or
 - (3) Any hoses, wires or cables associated with the evaporative canister are missing or do not function.

Saf-C 3220.05 Inspection of Exhaust System.

- (a) A catalytic converter shall be required on all vehicles less than 20 model years old, if so equipped at the time of manufacture.
- (b) A vehicle shall be rejected if:
 - (1) The catalytic converter is missing; or
 - (2) It is plainly obvious that the catalytic converter does not function.

Saf-C 3220.06 Replacement Parts.

- (a) An inspection station shall make a reasonable effort to obtain replacement parts for equipment such as a:
 - (1) Catalytic converter;
 - (2) Gas cap;
 - (3) Evaporative purge canister;
 - (4) Positive crankcase ventilation (PCV) valve and properly configured hoses;
and

- (5) Properly connected air injection pump/pulse air systems.
- (b) For the purposes of this rule, "reasonable effort" means any combination of 3 telephone calls to parts dealers, original equipment manufacturers or other secondary market sources.
- (c) If replacement parts are unavailable, the inspection station shall so indicate on the inspection form and the vehicle shall pass that portion of the inspection.

PART Saf-C 3221 * * *

PART Saf-C 3222 ON-BOARD DIAGNOSTIC SYSTEM

Saf-C 3222.01 Applicability.

- (g) Notwithstanding Saf-C 3203.01(a)(10), the OBD inspection pursuant to this part shall apply to the following vehicles:
 - (1) Model year 1996 and newer light-duty gasoline vehicles and light-duty gasoline trucks; and
 - (2) Model year 1997 and newer light-duty diesel vehicles and light-duty diesel trucks.
- (h) The year of the engine, as specified by the manufacturer, shall determine whether an OBD inspection is required pursuant to (a) above. New engines, as specified by the manufacturer, built to replicate older model vehicle engines, shall be considered to be the year of the engine being replicated.
- (i) Notwithstanding Saf-C 3203.01(a)(10) or any other rule to the contrary, the OBD inspection pursuant to this part shall not apply to the following vehicles:
 - (1) Street rods, if equipped with an engine manufactured prior to the year 1996;
 - (2) Replicas, if equipped with an engine manufactured prior to the year 1996;
 - (3) Motorcycles; or
 - (4) Vehicles 20 or more model years old.

Saf-C 3222.02 Definitions. For the purposes of this part, the following definitions shall apply:

- (a) “Data link connector” (DLC) means the physical connector/electrical interface between the vehicle’s OBD system and the OBD scan tool or other communications equipment authorized by the department.
- (b) “Diagnostic trouble code” (DTC) means the 5 digit alpha-numeric fault codes set forth in SAE J2012, December of 2007, which identify the component or components that cause illumination of the MIL.

Saf-C 3222.03 OBD Inspection.

- (a) All OBD inspections shall be conducted in accordance with the requirements of 40 CFR 85.2222.
- (b) All results of the OBD inspection shall be reported to the department electronically.
- (c) The mechanic shall furnish the following to the department electronically:
 - (1) Date of inspection;
 - (2) Inspection station name and certification number;
 - (3) Mechanic’s name and identification number;
 - (4) The vehicle’s:
 - a. Year of manufacture;
 - b. Make;
 - c. Model;
 - d. Fuel type;
 - e. Mileage;
 - f. Vehicle identification number; and

- g. Registration plate number;
- (5) Make and model of scan tool;
- (6) Indication as to whether the DLC is missing, has been tampered with, is damaged or is inoperable;
- (7) Indication as to whether:
 - a. The MIL is commanded on or off;
 - b. The MIL is illuminated with ignition key in “key on engine off” position;
 - c. The MIL is illuminated with engine running; and
 - d. The vehicle can communicate with the scan tool;
- (8) Support and readiness status of the:
 - a. Catalyst monitor;
 - b. Heated catalyst monitor;
 - c. Evaporative system monitor;
 - d. Exhaust gas recirculation (EGR) monitor;
 - e. Oxygen (O₂) sensor(s) monitor(s);
 - f. Heated O₂ sensor(s) monitor(s);
 - g. Secondary air monitor; and
 - h. A/C refrigeration monitor, if vehicle is so equipped;
- (9) Diagnostic trouble codes, if applicable;
- (10) OBD diagnostic inspection results;
- (11) Sticker number; and

- (12) Repairs made, if applicable.
- (j) A vehicle subject to the OBD inspection shall be rejected if:
 - (1) The DLC is missing, has been tampered with, is damaged or is otherwise inoperable;
 - (2) The MIL does not illuminate with the ignition key in the “key on, engine off” position;
 - (3) The MIL is illuminated when the engine is running;
 - (4) The MIL is commanded “on” for one or more OBD diagnostic trouble codes;
 - (5) The MIL is commanded to be illuminated and does not visually illuminate;
 - (6) Monitors reveal a “not ready” status in accordance with (e) below; or
 - (7) The vehicle cannot communicate with the scan tool.
- (k) A vehicle shall be rejected for testing, and the customer shall be instructed to return after the vehicle has been run under conditions that allow completion of all applicable on-board tests if:
 - (1) A scan of the OBD system reveals a “not ready” status for 3 or more monitors on manufacture years 1996 through 2000 vehicles, inclusive; or
 - (2) A scan of the OBD system reveals a “not ready” status for 2 or more monitors on manufacture years 2001 and newer vehicles.
- (l) If a vehicle is rejected pursuant to (d) or (e) above and the vehicle fails to return for and pass an inspection by the sixtieth day following the inspection, the mechanic shall furnish the following to the department electronically:
 - (1) Date of inspection;
 - (2) Inspection station name and certification number;
 - (3) Mechanic’s name and identification number;

- (4) The vehicle's:
 - a. Year of manufacture;
 - b. Make;
 - c. Model; and
 - d. Vehicle identification number;
- (5) A list of diagnostic trouble codes and readiness items that were cause for rejection(s); and
- (6) Date vehicle due to be reinspected/repared, which shall be no later than 60 days from the date of inspection.

Saf-C 3222.04 Tampering With the Emission Control System of a Vehicle.

- (a) For the purposes of this section, “tamper with” means to permanently remove bypass, defeat or otherwise render inoperable, or falsely report test results, for any portion of an emission control system, including software, that is installed in or on a motor vehicle.
- (b) If, during a safety inspection or OBD inspection, a mechanic determines that any portion of an emission control system has been tampered with pursuant to (a) above, the mechanic shall report, in writing, the details of such tampering to the department.
- (c) Upon receipt of a report pursuant to (b) above, the department shall notify the EPA for any action it deems appropriate.
- (d) If a mechanic tampers with any portion of an emission control system pursuant to (a) above, the mechanic and/or inspection station may be subject to an administrative hearing pursuant to RSA 266:1, XI(a) and PART Saf-C 3248.

Saf-C 3222.05 Test Results.

- (a) The inspection station shall provide the customer with a printed report containing the same information as required in Saf-C 3222.03(c), including the following:
 - (1) The OBD-related diagnostic trouble codes retrieved that are cause(s) for rejection;

- (2) The name of the component or system associated with each diagnostic trouble code retrieved;
- (3) Whether the MIL is commanded “on” or “off”; and
- (4) The signature of the approved mechanic who performed the inspection pursuant to RSA 641:3.

Saf-C 3222.06 Exemptions from Rejection Criteria.

- (a) The following vehicles shall not be rejected for inspection due to “readiness” status as set forth in Saf-C 3222.03(d)(6):
 - (1) All new vehicles with an odometer reading of less than 1000 miles;
 - (2) All vehicles whose model year is the current calendar year minus one or newer; and
 - (3) Vehicles with known readiness issues, as identified in the Environmental Protection Agency’s “OBD Readiness Testability Issues”, EPA-420-B-12-044, June 2012, that are recommended to be tested without regard to monitor readiness.
- (b) The vehicles set forth in (a) above are subject to all other OBD inspection requirements set forth in Saf-C 3222.03.

Saf-C 3222.07 Electronic Administrator’s Certificate.

- (a) Any vehicle that does not pass an OBD inspection due to issues as specified by the manufacturer, yet meets all other safety inspection requirements, shall be eligible for an administrator’s certificate, upon consultation with and agreement by the EPA, which shall be maintained electronically.
- (b) An electronic administrator’s certificate shall:
 - (1) Permit an inspection station to issue a valid inspection sticker for the vehicle until the next inspection is required pursuant to RSA 266:1; and
 - (2) Be non-transferable.

- (c) An inspection station shall be permitted to reissue an electronic administrator's certificate at each ensuing inspection for the same vehicle as long as the requirements of (a) above are met.

Saf-C 3222.08 Economic Hardship Waiver.

- (a) Pursuant to RSA 266:59-b, V, if a vehicle has failed the OBD inspection, yet meets all other safety inspection requirements, a person who cannot make the necessary repairs due to economic hardship may apply to the division for an economic hardship waiver.
- (b) An applicant for an economic hardship waiver shall submit the following to the department on the prescribed form:
 - (1) Name and address of applicant;
 - (2) Description of household composition;
 - (3) Description of vehicle, including:
 - a. Manufacturer;
 - b. Year and model; and
 - c. Vehicle identification number (VIN);
 - (4) Approximate number of miles driven per year;
 - (5) Name and address of employer, if applicable;
 - (6) Complete list of all forms of annual financial income from all sources;
 - (7) Complete list and description of any other motor vehicles owned by the applicant;
 - (8) Complete list and description of any other motor vehicles registered to the household;
 - (9) A detailed explanation as to the reasons why necessary OBD repairs constitute an economic hardship; and
 - (10) Signature of applicant under the penalty of unsworn falsification.

- (c) The applicant shall provide a copy of the report generated by the inspection station that indicates that the vehicle has passed the safety inspection and identifies the reason(s) for the OBD failure, when the application is submitted.
- (d) The applicant shall provide a copy of at least one estimate from a recognized repair technician of the cost to complete the necessary OBD repairs, when the application is submitted.
- (e) All applications for an economic hardship waiver shall be submitted to the OBD program assistant, department of safety, division of motor vehicles, 23 Hazen Drive, Concord, NH 03305.
- (f) In order to establish the broadest possible waiver for applicants, in accordance with RSA 266:59-b
 - (1) A waiver had previously been granted for the same vehicle;
 - (2) The applicant fails to provide all information required by this rule;
 - (3) The applicant provides false or inaccurate information;
 - (4) The explanation of economic hardship provided by the applicant fails to demonstrate inadequate income to pay for the necessary repairs; or
 - (5) The explanation of economic hardship provided by the applicant fails to demonstrate that no other transportation either owned by the applicant or registered to the applicant's household is available to the applicant.
- (g) The division shall notify the applicant, in writing, whether the economic hardship waiver has been granted or denied. The director's decision shall be final.
- (h) An economic hardship waiver shall be valid until the end of the current inspection period for which it is issued and shall not be renewed for that vehicle, including in the event the vehicle has a transfer of ownership.

Saf-C 3222.09 Exemption from Visual Inspection Requirements.

- (a) Vehicles that are subject to the OBD inspection, pursuant to this part, shall be exempt from the following visual inspections:
 - (1) PVC valve, pursuant to Saf-C 3220.01;

- (2) Air injection pump/pulse air system, pursuant to Saf-C 3220.02;
- (3) Fuel system, pursuant to Saf-C 3220.03;
- (4) Evaporative canister, pursuant to Saf-C 3220.04; and
- (5) Exhaust, pursuant to Saf-C 3220.05.

PART Saf-C 3223 through PART Saf-C 3247 * * *

PART Saf-C 3248 ADMINISTRATIVE FINES AND HEARINGS

Saf-C 3248.01 Administrative Fines.

- (a) For the purposes of this section, a violation means one or more infractions cited as a result of a single review or visit to the inspection station on a specific date.
- (b) For the purposes of establishing a subsequent violation, the subsequent violation shall have occurred within 3 years from the date of the final administrative disposition of the previous violation.
- (c) In the event a hearings examiner recommends a fine as a matter of disposition after a hearing, the fine shall not take effect until the commissioner approves it.
- (d) In the event a fine is imposed pursuant to (c) above, the order from the hearings examiner shall state that payment shall be made within 30 days of receipt of the order.
- (e) For the purposes of (d) above, an order shall be sent by first class mail and receipt shall be presumed to have occurred 3 days after the order is mailed.

Saf-C 3248.02 Payment of Fines.

- (a) In the event a fine is imposed, an inspection station shall pay the fine in full within 30 days of receipt of the order. Fines may be paid by mail or in person.
- (b) In the event a fine is paid by mail, payment shall be in the form of a personal check, cashier's check or money order. All payments of fines by mail shall be addressed to:

Department of Safety
Business Office
James H. Hayes Building

33 Hazen Drive
Concord, NH 03305

- (c) In the event a fine is paid in person, it shall be made at the business office at 33 Hazen Drive, Concord, NH 03305. Payment shall be made in the form of cash, a personal check, cashier's check or money order.
- (d) For the purposes of (b) and (c) above, all checks or money orders shall be made payable to "New Hampshire Department of Safety" or "NH Department of Safety".

Saf-C 3248.03 Protested Checks.

- (a) When any check is in payment of a fine and returned to the department as uncollectable:
 - (1) The check shall not be redeposited; and
 - (2) The business office shall forward and advisory letter to the signer of the check which contains:
 - a. Notification that the check has been returned and the reason;
 - b. Notification that the check cannot be redeposited;
 - c. A request for restitution of the full amount of the check in addition to the penalty authorized by RSA 6:11-a;
 - d. Notificaiton that the payment shall be made by certified check, money order or cash;
 - e. Notification that payment made by mail, it shall be certified check or money order; and
 - f. Notification that payment shall be made payable to "State of New Hampshire - Administrative Fine Payment", and addressed to:

Department of Safety
Business Office
James H. Hayes Building
33 Hazen Drive
Concord, N.H. 03305

- (b) Nothing contained in this rule shall preclude the department from:

- (1) Pursuant to Saf-C 211.01, suspending any vehicle registered to an inspection station that issued a bad check; or
- (2) Pursuant to RSA 638:4, seeking criminal prosecution of any person or inspection station that issued a bad check.

Saf-C 3248.04 Nonpayment of Fines.

- (a) In the event the department does not receive a fine payment by its due date, the department shall send notice to the inspection station to appear at an administrative hearing to show cause why all inspection station privileges should not be suspended or revoked for nonpayment of the administrative fine.
- (b) The hearing shall be scheduled no earlier than 14 days from the date of the notice in (a) above.
- (c) The hearing shall be limited to whether the administrative fine was paid.
- (d) In the event the hearings examiner finds that an inspection station has not paid its administrative fine, the inspection station's privileges shall be suspended pending receipt by the department of the administrative fine paid in full.

Saf-C 3248.05 Appeal of an Administrative Fine.

- (a) Any appeal from an administrative fine shall be in accordance with the provisions of RSA 541.
- (b) Any appeal filed pursuant to this section shall not suspend payment of the fine.
- (c) In the event a fine is overturned on appeal, the department shall, pursuant to the court's order, refund the fine within 30 working days of the receipt of the court's order.

Saf-C 3248.06 Administrative Hearing.

- (a) Upon receipt of information as specified in RSA 266:1, XI(a), the director shall provide the inspection station and/or mechanic with an opportunity for an administrative hearing.
- (b) Hearings shall be conducted in accordance with the provisions of Saf-C 203.

- (c) The scope of the hearing shall be limited to a determination of whether the inspection station and/or mechanic violated any provision of the inspection laws or these rules.
- (d) After a hearing, a hearings examiner shall suspend the inspection station's privileges and/or mechanic approval card if there is a finding that the inspection station and/or mechanic violated any provision of the inspection laws or these rules or shall impose an administrative fine as set forth in Saf-C 3248.01. Pursuant to RSA 266:1, XI(a), a hearings examiner shall not impose both an administrative fine and suspension of the inspection station's privileges in the same proceeding.
- (e) A hearings examiner shall determine the appropriate sanction based upon the following factors:
 - (1) The severity of the offense;
 - (2) The number of offenses committed; and
 - (3) Whether the inspection station and/or mechanic has committed prior offenses.

* * * Note: EPA did not approve these sections of the rule into the New Hampshire State Implementation Plan.