



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2021-1251 **Name:**

**Type:** Resolution **Status:** Passed

**File created:** 11/9/2021 **In control:** Metropolitan Council

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**Title:** A resolution to repeal Resolution No. RS2018-1171 related to the vehicle inspection program.

**Sponsors:** Kevin Rhoten, Freddie OConnell, Dave Rosenberg, Mary Carolyn Roberts, Larry Hagar, Erin Evans, Russ Bradford, Delishia Porterfield, Thom Druffel, Sean Parker, Sharon Hurt, Joy Styles, Steve Glover (resigned 3/1/2022), Robert Swope, Bob Nash, John Rutherford, Courtney Johnston, Ginny Welsch, Angie Henderson, Russ Pulley, Zach Young, Brandon Taylor, Kyonzte Toombs, Emily Benedict, Zulfat Suara

### Indexes:

### Code sections:

**Attachments:** 1. RS2021-1251 Amendment No.pdf, 2. Late Amendment - RS2021-1251 - Rhoten v.pdf

Date	Ver.	Action By	Action	Result
1/5/2022	2	Mayor	approved	
1/4/2022	2	Metropolitan Council	adopted	
1/4/2022	2	Metropolitan Council	amended	
1/4/2022	1	Budget and Finance Committee	approved	
11/16/2021	1	Metropolitan Council	amended	
11/16/2021	1	Public Health and Safety Committee	approved with an amendment	
11/16/2021	1	Metropolitan Council	deferred	Pass
11/9/2021	1	Metropolitan Council	filed	

A Resolution to repeal Resolution No. RS2018-1171 related to the vehicle inspection program.

WHEREAS, in April 2018, the Tennessee General Assembly adopted legislation amending Tenn. Code Ann. § 68-201-119 to eliminate vehicle emissions testing programs in Tennessee upon the approval of the Environmental Protection Agency (EPA); and

WHEREAS, on May 15, 2018, and in accordance with state law, the Metropolitan Council adopted Resolution No. RS2018-1171 to authorize the continuation of the Metropolitan Government's inspection and maintenance program; and

WHEREAS, currently, the Metropolitan Government contracts with private vendors to implement the vehicle inspection program. Each contract contains a provision that the contract may be terminated by Metro upon 30 days written notice to the vendor; and

WHEREAS, on August 17, 2021, the EPA approved a revision to the state's air quality plan that triggered the elimination of vehicle emissions testing programs, as required by Tenn. Code Ann. § 68-201-119. The EPA has determined that the removal of vehicle emissions testing in Tennessee is consistent with the federal Clean Air Act and all applicable regulations. A technical analysis by the EPA concluded that middle Tennessee will continue to comply with all National Ambient Air Quality Standards once the vehicle emissions testing is

removed from Tennessee's air quality plan. The vehicle emissions testing programs in Hamilton, Rutherford, Sumner, Williamson, and Wilson County will end on January 14, 2022; and

WHEREAS, the Metropolitan Council now desires to end the mandatory vehicle emissions testing program, as authorized under state law.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Resolution No. RS2018-1171, which authorized the Metropolitan Government's continuance of its vehicle inspection, is hereby repealed in its entirety. The Metropolitan Government of Nashville and Davidson County shall cease having a vehicle inspection program in accordance with Tennessee Code Annotated § 68-201-119.

Section 2. The Metropolitan Department of Public Health is directed to take any and all actions required to end the vehicle inspection program in Davidson County by January 14, 2022, consistent with state law. The Metropolitan Government shall terminate its contracts with the private vendors who operate the vehicle inspection program, and no contract for operation of the vehicle inspection program shall be in effect on January 14, 2022.

Section 3. This resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

#### Analysis

This resolution would repeal Resolution No. RS2018-1171, which authorized the continuation of the Metropolitan Government's vehicle inspection and maintenance program, also called the emissions testing program.

In April 2018, the Tennessee General Assembly adopted legislation amending Tenn. Code Ann. § 68-201-119 to eliminate vehicle emissions testing programs in Tennessee upon the approval of the Environmental Protection Agency (EPA). The state law also allowed the continuation of Metro's vehicle emissions testing program if a resolution authorizing the continuation was adopted by the Council and submitted to the state Air Pollution Control Board. On May 15, 2018, the Metropolitan Council adopted RS2018-1171 to comply with the state law allowing for continuation of the program.

In August 2017, the EPA approved a revision to the state's air quality plan that would allow for the elimination of vehicle emissions testing programs in five of the six counties with a program, consistent with TCA § 68-201-119. The vehicle emissions testing programs in Hamilton, Rutherford, Sumner, Williamson, and Wilson County will end on January 14, 2022.

The resolution under consideration would allow for the elimination of the vehicle emissions testing program in Nashville and Davidson County. The Metropolitan Department of Public Health would be directed to take any and all actions required to end this program.