

WAC 173-422A-400 Emission specialist authorization. (1) To become an authorized emission specialist an individual shall:

(a) Successfully complete an ecology-approved course on emission repair every two years.

(b) Agree in writing to meet all requirements of this rule and all Washington state and federal laws and regulations regarding emission control systems.

(2) To maintain authorization, an authorized emission specialist shall:

(a) Complete required training within ninety days of notification by ecology. Ecology may grant written extensions;

(b) Sign and include their specialist identification number on all receipts for appropriate diagnoses and repairs of vehicles that have failed an emission test. These receipts must:

(i) Be numbered and printed with the business's name and address;

(ii) Include the customer's name, telephone number, and address;

(iii) Include the vehicle's make, model, license number and vehicle identification number (VIN);

(iv) Itemize all appropriate diagnoses and repairs performed by the specialist;

(v) Include any missing or inoperative primary emission control components; and

(vi) Include any further recommended appropriate repairs and diagnoses.

(3) To maintain authorization, an authorized emission specialist may not:

(a) Tamper with emission control systems (a violation of chapter 173-421 WAC), including adjusting an engine outside of the manufacturer's specifications; or

(b) Obtain or attempt to obtain a passing test, waiver, or an exemption from the test requirements by providing false information or by any other fraudulent means that violate this rule; or

(c) Assist any individual in committing a violation of this rule or chapter 173-421 WAC.

(4) Violations of this rule by an authorized emission specialist will result in their authorization being permanently or temporarily revoked unless it is the first lesser rule violation such as an administrative or recordkeeping error.

(a) For the first lesser rule violation, the authorized emission specialist will receive a written warning that further rule violations of this type will result in their authorization being temporarily revoked for thirty to ninety days.

(b) For the first major, deliberate rule violation, such as fraudulent testing or reporting, their authorization will be temporarily revoked for six months.

(c) A second major violation will result in their authorization being permanently revoked.

(d) Reauthorization of a temporarily revoked authorization requires a new application for authorization.

(5) Notifications of violations will be documented in writing.

(6) An authorized emission specialist whose authorization is revoked may appeal to the pollution control hearings board as provided for in RCW 43.21B.310.

[Statutory Authority: RCW 70.120.120. WSR 11-17-041 (Order 08-01), § 173-422A-400, filed 8/10/11, effective 7/1/12.]