

Title 55
PUBLIC SAFETY

Part III. Motor Vehicles

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Chapter 7. Louisiana Motor Vehicle Safety Inspection Program

§701. Foreword (Formerly §803)

A. The inspection of vehicles as prescribed in the Louisiana motor vehicle inspection law is conducted in privately-owned businesses which have been approved by the Louisiana Department of Public Safety and Corrections. Although these approved inspection stations are privately owned businesses, the inspection of vehicles in compliance with the law is not entirely a private matter. During the course of performing these inspections, the station and its personnel are acting as representatives of the state of Louisiana. The guiding principal of station personnel should be, and must be, providing honest and efficient service to the citizens of our state.

B. Official motor vehicle inspection station operators and employees should be courteous and patient when explaining that the requirements of the motor vehicle inspection laws are designed to promote safety. It should be clearly understood by all employees that the primary function of the inspection station is not an arbitrary enforcement of the law but rather the advancement of highway safety.

C. All inspection station personnel must adopt the attitude that they sell safety. They must also bear in mind that the placement of one inspection certificate on an unsafe vehicle may be the cause of a serious crash. They owe a duty to themselves, their families, other vehicle owners and operators not to jeopardize lives through error, carelessness or indifference.

D. The official motor vehicle inspection station license may be revoked if any station owner, operator or employee fails to achieve and maintain a priority standard of service to the motoring public.

E. Each official motor vehicle inspection station shall give priority to customers seeking motor vehicle inspections. Reasonable time shall be considered when the inspector is committed to other duties, (clean up, hazardous situation).

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1304-1310.

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Chapter 8. Motor Vehicle Inspection

Subchapter A. General

§801. Definitions

A. As used in this Chapter, the following terms have the meanings described below.

Department—Department of Public Safety and Corrections, Office of State Police, Department of Public Safety Police.

Deputy Secretary—Deputy Secretary of the Department of Public Safety and Corrections, Public Safety Services.

Person—an individual, partnership, corporation, limited Liability Company, or other legal entity.

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§803. Penalties for Non-Compliance (Formerly §701)

A. Civil penalties shall be assessed as described in R.S. 32:1312.

1. If an inspection station or mechanic inspector receives three written violation notices within a 12-month period, this shall be grounds to remove said inspection station or mechanic inspector from the Motor Vehicle Safety Inspection Program. This in no way intends to impede the ability of the department from removing an inspection station or mechanic inspector at any time with proper cause.

2. The department shall impose civil penalties after affording the accused an opportunity for a fair and impartial hearing to be held in accordance with the Administrative Procedure Act.

3. Failure to pay civil penalties that have been finally adjudicated and upheld may result in the immediate suspension of the station or inspectors license. The department may prohibit the station from purchasing inspection certificates, and/or selling, issuing or conducting inspections until the penalty has been satisfied.

4. All licensees and applicants shall be current in the payment of all penalties and fees owed to the Department of Public Safety as well as other state and/or local government agencies. Companies failing to comply with this requirement are subject to having their station's license suspended or revoked..

B. To maintain the integrity of the program and the safe operation of vehicles of the motoring public, the following violations are considered serious offenses. The mechanic inspector's license and/or the motor vehicle station's license may be revoked immediately upon a finding by the department of such violations. Upon the revocation of the station license/or mechanic inspector's license, he/she shall have the right to request a hearing in reference to the violations but the license shall remain revoked until the date of the hearing and the ruling from the administrative law Judge. The request for an administrative hearing shall be in writing and must be received by the department within 30 days from the date the license of the station/mechanic inspector was revoked:

1. Allowing uncertified mechanics to inspect;
2. Illegal sale of inspection certificates. This shall include the sale of fraudulent MVI certificates, rejection certificates or any insert that is attached to the MVI certificate;
3. Involvement in criminal activity of a felony nature;
4. Intentionally falsifying a report (written or electronic);
5. Intentionally overcharging for inspections.

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Subchapter B. Safety Inspections

§805. Requirements

A. The Department of Public Safety, upon application and issuance of a motor vehicle inspection license, will authorize a station to conduct certain type inspections. The inspections will be designated by the station number issued to it. Below is an example of a station number.

EXAMPLE NUMBER P03255A-ABCDG

(1)	(2)	(3)	(4)
P	03255	A	BCDG

Position (1) Denotes type of station- P=Public
D=Dealer
F=Fleet
G=Government

Position (2) Denotes station number

Position (3) Denotes Troop Area the MVI station is located in.

Position (4) Denotes the type of inspection the station is allowed to perform-

- B-School Buses
- C-Commercial Motor Vehicle Inspections
- D-Non-attainment emission testing
- G-General inspections-(automobile, trucks, suv's, trailer
- M-Motorcycles

B. Classes of Inspection Stations. The classes of Official Motor Vehicle Inspection (MVI) Stations authorized in Louisiana are:

1. Public Station. Stations authorized by the Louisiana Department of Public Safety and Corrections to inspect any and every vehicle presented for inspection. When warranted and approved by the department, certain stations may be designated to inspect only specific classes of vehicles. When authorizing a public station to inspect only a certain class vehicle, the class of vehicle to be inspected and justification for each authorization shall be noted in the remarks section of the station application form. Such stations will display a sign immediately adjacent to the official Motor Vehicle Inspection sign designating the classes of vehicles which can be inspected. The designation of a specific class of vehicle to be inspected by a station may be as follows:

- a. trucks and trailers only;
- b. passenger vehicles and light duty trucks only;
- c. motorcycles only; and
- d. stations inspecting commercial vehicles and school buses are required to have special authorization from the department.

2. Dealer Station. Any person, association or corporation licensed as a dealer of vehicles which are subject to registration may be licensed as an official MVI dealer inspection station. These stations may only conduct inspections of both new and used vehicles owned by the dealer which are for sale or demonstration. A notation will be made in the remarks section of the application form indicating what type of vehicles is to be inspected. When a dealer is authorized to inspect, it is mandatory that all vehicles sold as new or used must be properly inspected and a valid inspection certificate affixed thereto as prescribed by the official rules and regulations under LAC 55:III.Chapters 7 and 8.

3. Fleet Station. Any motor vehicle repair or maintenance shop operated or maintained by a person, firm or corporation in whose name 10 or more vehicles are licensed under the provisions of R.S. 47:462, may be designated as an official fleet MVI station. Fleet stations may inspect only those vehicles registered to or under bona fide lease to the company designated as an official fleet inspection station;

4. Government Station. A town, municipality, city, parish or state agency to which the department has granted authority to inspect vehicles owned and registered to these government agencies. These stations will not be approved unless they have their own repair shop; a school board may be granted authority to inspect and certify vehicles operated or contracted by that board.

5. Non-attainment area stations are inspection stations receiving specialized training and licensing. Only non-attainment area stations are permitted to inspect vehicles registered within this area that are subject to the inspection and maintenance (I/M) program as provided in 32:1306(B)(3) and LAC 55:817. The nonattainment area consists of five parishes. These parishes are designated by the four-digit domicile code on the registration. Domicile codes beginning with 03 (Ascension Parish), 17 (East Baton Rouge), 24 (Iberville Parish), 32 (Livingston Parish), or 61 (West Baton Rouge) are within the non-attainment area.

C. Request for Appointment as an Official Inspection Station

1. A written request must be submitted to the department at the main office located at 7919 Independence Blvd., Baton Rouge, LA 70806 in order to become an official MVI station. The request can be mailed or faxed. A representative of the department will be assigned to inspect the premises and interview the personnel to determine that all minimum requirements are met.

a. A background check including a criminal history check will be conducted on each applicant applying for a Motor Vehicle Inspection Station License. Applicants with felony backgrounds may be refused to be licensed.

2. Should a person, firm or corporation currently operating a motor vehicle inspection station make application to add commercial inspections at their location, a thorough investigation and evaluation of the performance of the existing station will be conducted. Should the investigation show that the existing station has been operated within the rules and regulations of the motor vehicle inspection program, and the owner/operator has demonstrated a willingness and desire to fulfill all of the obligations and responsibilities as an MVI station operator, the application for the new station, if all other requirements are met, may be approved.

3. Any station application that is found to be falsified for any reason shall result in a denial of the station's application.

D. Minimum Requirements for a Motor Vehicle Inspection Station

1. The following minimum requirements must be met prior to approval as an official MVI station:

- a. the prospective MVI station must project an image of a clean and orderly place of business;
- b. MVI station locations must comply with current local occupational, zoning and building inspection codes, and must be current at the time of application or occupation
 - i. must submit a copy of the occupational license for the MVI station;
 - ii. if the building is leased, the lessee must provide a copy of the written lease agreement and keep a copy on file at the station. The lease must be at least a minimum of 12 months and include verbiage that the lessee is allowed to conduct motor vehicle inspections. Verbal leases and subleases will not be allowed;
- c. must have a covered vehicle stall or bay, with a roof and two permanent connecting walls, large enough to accommodate the inspection of a full-sized motor vehicle.

E. Renewal of Motor Vehicle Inspection Station License

1. All motor vehicle inspection licenses expire on December 31 of each calendar year.

- a. Completed renewal packets should be returned to the department 30 days prior to the expiration of the station/mechanic license.
 - i. All outstanding civil penalties must be paid prior to issuance of the new MVI license.
 - ii. If all required paperwork and fees are not submitted, the station license will not be renewed.
- b. If the motor vehicle inspection station license has not been renewed by December 31, then starting January 1 of the following calendar year, the station must stop conducting all MVI inspections until the license has been renewed and the new license is received by the station from the MVI officer.
- c. If the MVI station fails to renew their MVI license by January 31 following the expiration of their expired MVI license, then on February 1 the station license shall be revoked until the following conditions are met:
 - i. must submit paperwork as required for a new station and must meet all new station/mechanic inspector requirements as stated in this Section. It is the station's responsibility to contact the office if it did not receive its station renewal and complete and return it before the new calendar year;
 - ii. must pay all outstanding civil penalties.

F. Space Requirements

1. All motor vehicle inspections, including the brake check, must be conducted on the premises licensed and must be conducted on a hard solid surface (concrete or asphalt, not just concrete washout or reclaimed asphalt, etc.). A minimum of 150 feet long by 8 feet wide will be required to conduct the brake test, it will be level as well as free from major defects, and must be conducted in a safe location. Officers may reject any applicant if the station does not have the required space or the location is deemed to be unsafe to safely conduct inspections.

2. Commercial and/or School Bus Stations (only) Inspection Stall or Bay. All commercial and/or school bus stations shall be equipped with a stall or bay that is large enough to accommodate a combination tractor-trailer commercial motor vehicle of legal dimensions. Legal dimensions for a combination tractor-trailer are as follows, overall length 75ft, width 8ft 6in, and height 14ft. The stall or bay must have a roof and two permanent connecting walls. The stall or bay shall have a smooth, level, free from major defects hard surface (concrete or asphalt, not just concrete washout or reclaimed asphalt, etc.) that is able to withstand the weight of an 80,000 lbs combination tractor-trailer. A pit in the stall or bay the length of a combination tractor-trailer is encouraged, but will not be required. Combination tractor-trailers entering or leaving the inspection site shall be able to do so without repeated adjustment. An example would be the vehicle pulling into and backing out of a position to enter or leave a location, especially when it involves doing so from or onto a public roadway. A vehicle having to make multiple attempts to enter from a public roadway would cause a safety issue that affects the general motoring public and will not be allowed.

3. If an applicant requests to become both a general and commercial/school bus inspection station, it shall meet the requirements of both Paragraphs 1 and 2 of Subsection F, Space Requirements.

G. Equipment Required for Safety Inspections

1. The following required equipment will be readily accessible during inspection hours and in good working order:

- a. windshield scraper for removing old certificates;
- b. numerical stamps (#1 through #12) 1 inch in size, an X stamp, and a black indelible ink stamp pad;
- c. tire depth gauge;
- d. measuring tape at least 6 feet in length;
- e. flashlight;
- f. tint meter (two-piece type);
- g. adjustable mirror; and
- h. a telephone number listed under the name of the station as it appears on the station license, with a telephone located at the place of business. All stations in the non-attainment area shall have the ability to access a telephone and the world wide web simultaneously during normal hours of operation;
- i. on board diagnostic systems test equipment and evaporative system test equipment which includes gas cap pressure test equipment as per the United States Environmental Protection Agency (U.S. EPA) specifications. Stations must have such approved equipment readily accessible and in good working order. This equipment must be in or near the inspection area. The provisions of this Subparagraph shall only apply to inspection stations located in the non-attainment area. Any inspection station incorporated into a new DEQ emissions control program non-attainment area shall adhere to U.S. EPA specifications;
- j. mechanic's creeper. The provisions of this Subparagraph shall only apply to stations that conduct commercial and school bus inspections;
- k. soapstone marker. The provisions of this Subparagraph shall only apply to stations that conduct commercial and school bus inspections;
- l. two wheel chocks (commercial and school bus inspection only);
- m. floor jack or lift or two jack stands. This equipment must be capable of lifting and safely holding up the vehicle being inspected;
- n. a current Federal Motor Carrier Safety regulation handbook (updated within one calendar year) as prescribed by: the U.S. Department of Transportation, Federal Motor Carrier Safety Administrations, parts 40, 303, 325, 350-399 (commercial and school bus inspections only);
- o. brake chamber tool (commercial and school bus inspections only);
- p. tire pressure gauge;
- q. a current e-mail address from the station;
- r. additional equipment may be required by the department as it may be deemed necessary, for the proper operation of an inspection station. The department shall give prior written notice of any additional equipment requirements. After such written notice is given, such additional equipment requirement shall be enforced as if included in these rules.

H. Responsibility of Station Owner or Operator. Upon application for designation as an official MVI station, the owner/operator has pledged himself to:

1. act as directed by the department when inspecting vehicles in accordance with these rules;
2. any changes or updates to Title 55, Public Safety (LAC 55), can be located on the Division of Administration public website: www.doa.la.gov/Pages/osr/lac/books.aspx All inspectors and station owners are required to check for updates twice a year or when advised to do so by the department;

3. use only employees authorized and licensed by the department to perform the actual inspection of motor vehicles;

4. conduct honest, thorough and efficient inspections in accordance with motor vehicle inspection laws and the department's regulations;

5. maintain in good working order all required tools and equipment described in the minimum requirements, and to cease operations immediately and contact the Department of Public Safety, MVI Section when this condition is not met;

6. maintain a clean and orderly place of business and shop. The owner/operator is responsible for his employees in this respect;

7. refrain from the use of alcohol or drugs while on duty. MVI stations shall not be located on the premises or property where alcoholic beverages are sold;

8. keep an adequate supply of all types of inspection and rejection certificates and all necessary forms on hand at all times; adequate supply shall be considered 15 certificates or more of each type;

9. perform inspections and affix certificates of inspection only in an approved bay or stall at the business location designated on the station license, affix valid certificates of inspection only to those vehicles which have been properly inspected and have passed the safety and/or emission requirements;

10. have at least one approved mechanic inspector on duty to conduct all types of inspections that are offered by that station. At a minimum these inspections will be conducted during the hours listed by a station for each normal business day.;

11. must be open a minimum of 40 hours per week. The days and hours the station is open will be determined by the station owner and approved by the department. The days and hours of operation must be posted on the MVI sign;

a. if a station is required to close or there is not an inspector on-duty for any reason during its posted hours, the station owner or operator must notify the MVI Section by phone, fax or e-mail before closing or ceasing inspections. The station will also post a notice of closure on a main door or in a main window that the station is closed or that an inspector is not available. The notice will include the date and approximate time it will reopen or the inspector will be available;

12. ensure that all mechanic inspectors attend all meetings, training programs and various schools required by the Louisiana Department of Public Safety and Corrections;

13. be responsible for the actions of his mechanic inspectors in all matters relating to motor vehicle inspections. All civil penalties will be addressed to the station and the payment of penalties will be the responsibility of the owner/operator. The station owner/operator is responsible for all violations and fines concerning the operation of his/her station including the actions of his/her mechanic inspectors;

14. immediately follow all directives and instructions issued by the department;

15. properly inform all employees of the rules and regulations set forth herein. Continued supervision of all mechanics authorized to inspect motor vehicles must be maintained; and

16. contact the Motor Vehicle Inspection Section of the Louisiana Department of Public Safety and the Department of Environmental Quality of any changes in mechanic inspectors.

I. Requirements for Approval of Mechanic Inspectors. Before any mechanic can perform inspections, the department shall review the mechanic's qualifications and may authorize him to inspect. The following requirements shall be met by each applicant prior to being approved as a mechanic inspector:

1. shall be at least 18 years of age;

2. a criminal history check shall be conducted on all new and renewal applicants who are requesting to be licensed as a mechanic inspector. The following will be grounds for rejection of a mechanic inspector application:

a. any felony conviction within ten years of application, unless the felony is a crime of violence, a felony is defined by R.S. 14:2(A)(4);

b. a felony conviction for an offense related to the operation of a motor vehicle within five years of application, unless the felony is a crime of violence;

c. any felony conviction as defined by R.S. 14:2(B) as a crime of violence;

d. any person who is registered as a sex offender or a child predator;

e. any new mechanic's application that is found to be falsified for any reason shall result in a denial of the individual applying. The denial period is at the discretion of the department;

f. any existing mechanic inspector who is convicted of a felony while licensed will be suspended or revoked in accordance with the above Subparagraphs a-e of this Paragraph;

g. if an existing mechanic inspector has been arrested for a felony, he will be suspended until the charges have been adjudicated. In the event there is only inspector licensed to conduct inspections, the station will also be suspended. Before the suspension is lifted, the inspector will provide the department with official certified court documents that show the inspector has been cleared of all felony charges;

h. if an existing mechanic inspector does not have a current certification/accreditation he shall be suspended until the certification/accreditation is again current.

3. shall be able to read and write the English language. They shall be able to complete MVI certificates and reports accurately and legibly;

4. shall possess a valid Louisiana operator's license. The operator's license shall not be subject to any order of suspension, revocation or cancellation or any other order or action which prevents the issuance of a duplicate or renewed operator's license. An approved mechanic inspector residing in a bordering state or those on active military duty shall furnish a valid operator's license from their resident state along with a copy of their driving record. The suspension, revocation, or cancellation of a mechanic inspector's operator's license shall be grounds to suspend his authority to inspect vehicles. A mechanic inspector shall notify the department immediately of such suspension, revocation, or cancellation of his operator's license;

5. shall successfully complete a training program offered by a state accredited and department approved post-secondary educational institution (which shall include community colleges and vocational-technical schools). The instructor of this program shall possess at least two years of previous automotive/truck mechanic experience or be an ASE-certified master technician. The curriculum of this training program shall be subject to review of, and approval by, the department to ensure inclusion of all aspects of the Motor Vehicle Inspection Program. A mechanic inspector employed by a station approved to inspect school buses and commercial vehicles shall also be properly trained in those areas prior to licensure. A mechanic inspector to be employed by a station within the five parish nonattainment area must first successfully complete special training related to emissions testing. A mechanic inspector whose license has not been current for a 12-month period shall successfully complete a new training program in order to renew his license;

6. a mechanic may be approved to inspect at more than one location. A separate application and fee for each location must be submitted;

7. upon completion of the training program, and submission of the mechanic inspector application's current fee, the mechanic will be certified as a mechanic inspector. The department will re-issue the station license with the new inspectors name noted on the license. The inspector may be required to show proficiency and knowledge of the inspection procedures before he/she is allowed to conduct inspections even after attending the class. A mechanic inspector must have successfully completed the MVI school from which he/she is to be licensed or have been licensed by the department within the previous 12 months. If not, the mechanic inspector must attend the motor vehicle inspection class that he wishes to be certified in.

8. Commercial and/or School Bus Stations. The following requirements shall be met by each applicant prior to being approved as a mechanic inspector for stations that are authorized as commercial and/or school bus:

a. shall meet the same requirements outlined in Subsection I of this Section, except as stated here in;

b. shall be a current ASE (automotive service excellence) certified diesel mechanic or have an equivalent accreditation. Proof shall be provided to the department for review that the mechanic is currently certified and again after every reaccreditation period has been renewed, depending on the type of certification. Proof of current ASE certification or an equivalent type accreditation shall be kept on file at each inspection location for each inspector, for

department review. The department has the right to deny a mechanic's application due to the type of certification/accreditation. Denial by the department will take place if it believes the type of certification/accreditation to be less than the current industry standards, as determined by the department;

c. shall have at least five years of experience as an ASE certified diesel mechanic or an equivalent accreditation. The mechanic shall provide proof of such experience and certification to the department for review. Proof shall be kept on file at each inspection location for each inspector, for department review.

NOTE: for this section an accredited diesel mechanic will have, but not be limited to, auto maintenance and light repair, engine repair, manual drive train and axles, suspension and steering, brakes, light vehicle diesel engines, and diesel engines certifications. In addition for School Bus inspectors, accreditations must include the same areas as above and include School Bus certifications.

J. Duties and Responsibilities of Authorized Mechanic Inspectors

1. The authorized mechanic inspector shall:

- a. always properly and thoroughly conduct an official inspection of vehicles presented for that purpose;
- b. only affix inspection certificates to an approved vehicle. By doing this, he is placing a certificate of safety on the vehicle, indicating it is safe for operation on the highway;
- c. be sure that no life may be jeopardized by his error, carelessness or indifference;
- d. owe a duty to his employer, who has pledged to assist in safeguarding the lives of motorists, to ensure against the operation of unsafe vehicles;
- e. inform the owner/operator of the actual condition of his vehicle after completion of an inspection;
- f. verify that all equipment is of an approved type and is properly adjusted as prescribed. Evaporative system test equipment must be properly calibrated as recommended by the manufacturer;
- g. perform each inspection with the understanding that he assumes full responsibility for the quality of the inspection when he signs the inspection certificate and places his name on the station's weekly/monthly log report;
- h. always remember that he has been authorized to inspect vehicles because he has demonstrated the knowledge to act as an agent of the state of Louisiana when inspecting vehicles;
- i. abide by the inspection laws, rules, regulations and/or procedures. Failure to do so by an authorized mechanic inspector may result in a civil penalty being imposed and could result in the permanent revocation of inspection privileges and may subject him/her to criminal and or civil prosecution;
- j. when changing employment from one inspection station to another, the mechanic inspector or station shall inform the department that he is no longer employed by the inspection station;
- k. determine whether the vehicle being presented for inspection should be inspected under the normal inspection procedures, school bus regulations or commercial criteria. The inspector shall not examine a vehicle he is not certified to inspect.

2. The department reserves the right to withdraw for cause its authorization of any mechanic inspector or to re-examine a mechanic inspector at any time. If a mechanic inspector has been unlicensed for one year or more he must be re-trained before inspecting any vehicle.

K. Approval as an Inspection Station

1. No inspection station shall be appointed as an official motor vehicle inspection station until all of the requirements have been met.

2. If the application is approved, the applicant will be notified. Once the applicant provides a permit fee, an MVI station license will be issued to the applicant. The station will be required to pay an annual renewal fee. An applicant for a public motor vehicle inspection station shall also provide a \$5,000 bond.

3. When all conditions have been met, the station license will be mailed or delivered to the station by a representative of the department appointed to supervise the station. The station license will be presented to any law enforcement officer upon demand.

L. Any applicant who is issued a new station or mechanic inspector license by the department shall be required to serve a one-year probationary period. The department may revoke the license for any violation under the Motor Vehicle Inspection Program contained in this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1304-1310.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Safety Enforcement Section, LR 25:2422 (December 1999), amended LR 27:2260 (December 2001), repromulgated LR 28:344 (February 2002), amended by the Department of Public Safety and Corrections, Office of State Police, LR 38:2550 (October 2012), LR 42:429 (March 2016), LR 44:1631 (September 2018).

§807. Operation as an Official Motor Vehicle Inspection Station

A. Change of Name, Location and/or Ownership

1. Persons operating under a motor vehicle inspection station license contemplating a change of name, location and/or ownership must notify the department in writing before a change is made. All changes must be approved by the department prior to being made by the station. A change in location and/or ownership will require that the new owner/location must meet the current requirements in LAC 55:III.Chapters 7 and 8 of the Motor Vehicle Inspection Program.

2. The new location or owner shall meet all requirements under §805.D and F of this Chapter (minimum requirements for a motor vehicle inspection station and space requirements).

B. Going Out of Business or Discontinuance of Inspections

1. Prior to going out of business or discontinuing inspections, a motor vehicle inspection station owner/operator must immediately notify the department. Either occurrence shall result in the cancellation of the motor vehicle inspection station license. All unused inspection and rejection certificates, along with the motor vehicle inspection station license and all mechanic licenses, must be returned to the department.

C. Official Motor Vehicle Inspection Sign (Public Stations Only)

1. All public motor vehicle inspection stations will be required to display an official motor vehicle inspection sign that must conform to the examples listed herein. The sign shall contain the following language: "Official Motor Vehicle Inspection Station" and shall display the state of Louisiana official seal, with a solid border around the outer perimeter of the sign. The language and state seal shall be displayed as per the pictured example listed as 1. The background of the sign must be orange in color, specifically traffic cone orange (Hex color code value - FF7221 = RGB color code value - 255,114,33). Any language, the state seal, and the border must be black in color. The part of the sign that contains the official language, the state seal, and the border must measure at minimum 18 inches wide by 24 inches high. Any language must be a minimum of 3 inches in height. Any language must be in the font style of "Haettenschweiler". The sign must be displayed in such a manner as to be easily seen and readily distinguishable as an official motor vehicle inspection station by the general motoring public.

2. Display of Inspection Hours and Prices

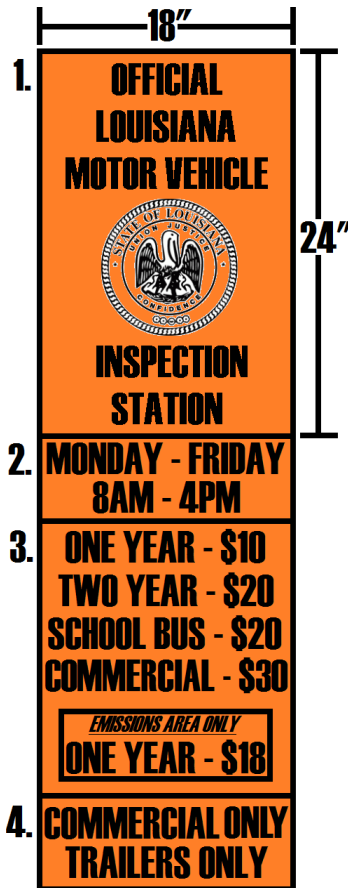
a. The days and hours of operation shall be displayed on the official MVI sign. The days and hours shall be displayed as per the pictured example listed as 2. (See Subparagraph 3.a. of this Subsection.)

b. The price of all relevant inspections conducted by a station shall be displayed on the official MVI sign. (i.e. emissions, commercial, school buses, etc.) If the station conducts emission inspections, it shall also display the price of such inspections. The prices shall be displayed as per the pictured example listed as 3. (See Subparagraph 3.a. of this Subsection.)

c. Inspection hours and prices shall be displayed either above or below the official MVI sign in the same manner listed in Subsection C.1. of this Section (i.e. color, size, font etc.).

3. If the inspection station is restricted to a certain class of vehicle, another section shall be added to the official Motor Vehicle Inspection sign designating which vehicles are to be inspected. Stations authorized to inspect commercial vehicles and/or school buses must display a sign stating this. Additional sections shall be displayed either above or below the official MVI sign in the same manner listed in Subsection C.1. of this Section (i.e. color, size, font etc.) as per the pictured example listed as 4.

a. Official Motor Vehicle Inspection Sign Examples



D. Periods of Inspection

1. All vehicles inspected under the provisions of R.S. 32:1301 through R.S. 32:1314 (motor vehicle inspection law) shall be inspected at least bi-annually.

a. Effective January 3, 2005, the department will implement a two-year inspection certificate program. During the initial phase of the program, automotive dealers of new cars and light trucks, which possess current inspection station licenses, shall be authorized to affix a two-year inspection certificate to every new passenger car or light truck sold. Where the registration of a vehicle indicates the domicile of the owner is in a parish that has been placed on the nonattainment list for ozone standards by the United States Environmental Protection Agency, that vehicle shall not be eligible for a two-year inspection certificate.

b. The fee for inspection of a passenger car or light truck and all other vehicles shall be \$10 for a one-year certificate and \$20 for a two-year certificate except in non-attainment parishes. The owner has the option of requesting either a one- or two-year certificate.

c. Vehicles that are registered inside the non-attainment area and/or vehicles that are registered outside the non-attainment area that are presented for inspection in the non-attainment area that fall within the guidelines of LAC 55:III.817.B shall be issued a one-year certificate only and be assessed an \$18 inspection fee.

i. Cars, light duty trucks, and trailers registered or inspected in the non-attainment area that do not meet the criteria for the enhanced emission testing as stated in LAC 55:III.817.B can at the owners discretion be issued a one- or two-year certificate as stated in Subparagraph D.1.a of this Section.

2. The inspection period shall begin January 1 of each year.

3. The re-inspection month shall be determined by the month indicated on each particular vehicle's previous inspection certificate.

4. A vehicle presented for inspection in a month other than the expiration month noted on the previous inspection certificate shall be issued a certificate with the month the new inspection was performed.

5. Vehicles which have had windshields replaced and have a valid inspection certificate need not be re-inspected, but must carry the original certificate in the vehicle and produce it upon demand. The certificate must not be voided or mutilated and must be legible on both sides. This in no way prohibits the owner/operator from having the vehicle re-inspected after installation of the new windshield.

6. Vehicles which have had inspection certificates lost, stolen or damaged must be re-inspected. The fee may be charged for this inspection.

E. R.S. 32:1306(G) Place of Inspection

1. Notwithstanding any law, rule or administrative policy to the contrary, official MVI stations shall not be required to reserve a service bay or stall for the exclusive purpose of conducting motor vehicle inspections, but such stall or bay must be cleared and available within 20 minutes from the time an inspection is requested.

2. Mechanic inspectors shall only conduct motor vehicle inspections within a bay or stall that has been approved by the department. Mechanic inspectors shall only conduct braking tests on an area 150 feet long by 8feet wide that has been approved by the department as a brake test area.

3. Inspection and rejection certificates shall be issued to a vehicle only by an authorized, licensed mechanic inspector. This will only be done within a bay or stall that has been approved by the department at an authorized inspection station.

F. Ordering Inspection/Rejection Certificates

1. All orders for inspection or rejection certificates should be directed to the local Office of Motor Vehicles.

2. Demands for inspection or rejection certificates should be anticipated before the station's supply is depleted. Every motor vehicle inspection station will be required to have 15 of each type certificates or more on hand at all times. (Example: one and two year general, as well as commercial certificates if applicable)

3. Except as otherwise provided in LAC 55, Part III, Chapter 8, inspection and rejection certificates are not transferable from one Motor Vehicle Inspection station to another. However, report forms, requisition forms and stamps may be borrowed from another station.

4. Only authorized commercial Motor Vehicle Inspection stations with a current license will be permitted to purchase commercial inspection certificates. Each inspection station shall have only one person designated to purchase inspection certificates from the Office of Motor Vehicles. Only commercial inspection stations will be allowed to purchase commercial stickers.

5. Motor vehicle inspection certificates and rejection certificates, and requisition forms may be obtained from the Office of Motor Vehicles.

6. If a station submits funds which are returned NSF from the bank, the station license shall be suspended until the Office of Motor Vehicles receives the funds and penalties associated with the NSF check.

a. If the station does not satisfy the NSF check within 30 days from date of suspension, the station's license shall be permanently revoked and the station will have to re-apply as a new station once all funds and penalties have been received by the Office of Motor Vehicles. The station will have to meet all present requirements as a new station applicant.

b. If the owner of the MVI station is also the owner of the station's property, a license will not be issued to any other applicant who applies for a license on that property until the Office of Motor Vehicles receives the funds and penalties associated with the NSF check.

G. Lost or Stolen Inspection/Rejection Certificates

1. All inspection/rejection certificates and inserts are the property of the Louisiana Department of Public Safety and Corrections and must be safeguarded against loss. They must be kept in a secure place under lock and key, available only to the mechanic inspector. (Inspection/rejection certificates can only be placed on an inspected vehicle.)

2. Each inspection station will be accountable for each inspection/rejection certificate and inserts it receives from the department. Lost or stolen certificates must be accounted for on the log report by numerical listing. In lieu of the inspection information, the word "lost" or "stolen" must be noted on the log report by that certificate number.

3. Should an inspection/rejection certificate or insert be lost or stolen, the department must be notified immediately. If a theft is suspected of an inspection or rejection certificate, the local law enforcement agency shall be asked to investigate the theft and the MVI station must forward a copy of the police report to the department.

4. The loss of any certificates may be grounds for the imposition of a civil penalty or revocation of the station license. Theft of certificates or possession of stolen certificates may result in prosecution of the person(s).

H. Warning Notices. A written warning may be issued by a representative of the department for any infraction of the rules and regulations. This will become a permanent part of the station's file and will be a basis for determining the issuance of a civil penalty, suspension or revocation.

I. Motor Vehicle Inspection Log Report

1. All entries must be legible and made in ink only. The audit number of the inspection or rejection certificates issued must be listed in numerical order and must be shown on the report. All other required information must be provided for the vehicle inspected. Vehicle information will be obtained from the registration. The operator's license number must be taken from the driver's license of the person presenting the vehicle for inspection and not from the registration. In addition to the foregoing all blanks on any log sheets will include all related information. Examples include information related to each station, dates of each week, mechanic inspector(s) name, signatures with date, inspection totals, etc.

a. Stations that are required to maintain log sheets shall maintain the log sheets for 36 months.

i. General MVI Stations. A separate log shall be kept for the one- and two-year certificates.

Exception: Log sheets are not required to be utilized if a station is required to enter the inspection information on the DEQ computer system.

ii. Commercial MVI Stations. The station must maintain a copy of each commercial log sheet.

iii. School Bus MVI Stations. The station must complete and maintain a copy of each school bus inspection checklist.

2. Torn, voided or damaged inspection or rejection certificates must be recorded on the log report. All information required shall be listed on the log sheet and the station shall write torn, voided, or damaged in the signature block. The torn, voided or damaged inspection/rejection certificates shall be attached to the log sheet.

a. stations in the non-attainment area who utilize the DEQ computer system shall also keep a log of all torn, voided, or damaged inspection/rejection certificates and emission inserts. The non-attainment station must comply with Paragraphs 1 and 2 of this Subsection. The non-attainment station that issues a certificate due to the challenge station advising the station to issue a MVI certificate must use the same log as stated above.

3. Falsifying information on any official document, including the inspection report, or computer is a criminal offense. Felony charges may be brought against anyone providing fraudulent information on an inspection report or forging anyone's signature.

4. Dealer, fleet, public, and government Motor Vehicle Inspection stations will no longer be required to submit log reports to the department.

5. Log reports shall be kept in the log book at the Motor Vehicle Inspection station for 36 months. These reports shall be available for inspection by department personnel or law enforcement officers. After 36 months, a station may destroy the log sheets by burning or shredding.

6. Stations in the non-attainment area which are required to submit their inspection information electronically must do so in real time.

a. Stations in the non-attainment area that are licensed to inspect commercial vehicles must maintain a copy of each commercial log sheet for 36 months.

7. Official motor vehicle inspection stations can obtain copies of the log sheets from the Louisiana State Police website at www.lsp.org. Weekly and Commercial forms must be printed on legal size paper (14" wide X 8.5" high).

School bus forms may be printed on letter size paper (11" high X 8.5" wide). Copies of log sheets may be made, but they must be made from current state issued log sheet and contain the same information, in the same order.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1304-1310.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Safety Enforcement Section, LR 25:2424 (December 1999), amended 27:2260 (December 2001), repromulgated LR 28:345 (February 2002), amended LR 30:2859 (December 2004), amended by the Department of Public Safety and Corrections, Office of State Police, LR 38:2552 (October 2012), LR 42:433 (March 2016), amended by the Department of Public Safety and Corrections, Office of State Police, Transportation and Environmental Safety Section, LR 43:538 (March 2017), LR 44:1633 (September 2018).

§809. General Inspection Requirements

A. Fees for Inspection

1. The fee for safety and commercial inspections will be the current fee set by law for each inspection performed, whether it was approved or rejected. No sales tax or late penalty fees will be collected on inspections.

2. A rejected vehicle is entitled to one free re-inspection if returned to the same inspection station within 30 days.

B. Repairs or Adjustments

1. The owner of a vehicle is under no obligation to have defects corrected by the inspection station. The owner may have the vehicle repaired where he chooses or may repair the vehicle himself. The inspection station is only required to perform a complete and proper inspection.

C. Issuance of Inspection Certificates

1. An inspection certificate will be issued for every vehicle inspected which passes the safety and/or emission requirements. The month that a certificate is issued shall be indicated by an insert placed in the appropriate area of the certificate. The year the certificate expires will also be indicated by an insert placed in the appropriate block on the certificate. All of the information on the back of the sticker must be filled in with black indelible ink. The certificate will be firmly attached to the lower left-hand corner of the windshield as viewed from the driver's seated position. Under no circumstances will an inspection certificate be applied to the windshield without the month and year of expiration being noted in the appropriate blocks provided.

2. Mechanic inspectors shall fill in all requested information on the back of the inspection sticker and sign in the appropriate space using a black ink pen.

3. When inspecting motorcycles, motor-driven cycles, trailers and semi-trailers, an "X" will be stamped on the face of the inspection certificate, between the month and year insert. Under no circumstances will the stamp cover the month nor the year of expiration insert or the audit number of the inspection certificate. Inspection certificates of this type will be attached to the registration certificate for the vehicle.

4. All trailers will be considered a separate inspection and a certificate will be issued for each. A separate fee will be charged for each vehicle inspected. The inspection certificate for a trailer will never be placed on the windshield of the towing vehicle.

5. Each inspection shall be a complete inspection. All of the items noted within these rules and regulations shall be inspected.

6. Pre-inspections cause hardship for both you and the customer and will not be allowed.

7. Only year inserts (issued by the Office of Motor Vehicles) shall be placed on MVI certificates. Under no circumstance shall a station stamp or write the year on the certificates.

8. Inserts must be properly affixed to the sticker with the month and year in the proper area on the sticker.

D. Issuance of Rejection Certificates

1. When a vehicle is presented for inspection and fails to pass the safety or emission standards, the current fee will be charged for the service of inspecting the vehicle. The owner or operator will be advised of the defects causing the vehicle to fail inspection.

a. When a vehicle is presented for inspection and the owner/operator requests a one- or two-year inspection and the vehicle is rejected, the station must charge for the sticker that was requested.

2. A rejection certificate is valid for a time period of 30 days from the date of issuance. The owner or operator of the rejected vehicle is allowed this 30 day period to make the necessary repairs or replacements which will place the vehicle in compliance. If the vehicle presents no hazard to the public, it may be used for normal activities. If the vehicle presents a definite hazard to the public, a restricted 20 mile limitation on usage may be imposed (see Subsection E, Issuance of Restricted Rejection Certificate).

3. When a rejected vehicle is returned to the same inspection station within 30 days of issuance, the inspector is required to check only the items previously found defective unless other obvious defects are noted. There is no charge for this re-inspection provided that the defects are corrected and the vehicle is returned to the same inspection station within the 30 day time period. If the vehicle is taken to another inspection station, a complete inspection is to be performed and another fee is required.

4. Only one rejection certificate may be issued to a vehicle. Under no circumstances shall any station issue a second rejection certificate to a vehicle.

5. An inspection station may not issue a rejection certificate solely because the station is out of inspection certificates. If the station's supply of inspection certificates becomes depleted, the station must completely cease inspecting until a new supply of certificates is obtained.

6. All rejection certificates must be entered in the weekly log report in numerical order and must be accounted for. The log report must indicate the items found defective by making a notation in the appropriate blocks provided. In the non-attainment area, the same information shall be entered in the station's computer. The reverse side of the rejection certificate must also indicate the defective items found.

7. Should the owner or operator of a rejected vehicle refuse to accept the rejection certificate, it will be noted as such on the log report. The completed rejection certificate will be attached to the log report and kept with the station. In the non-attainment area, the station shall keep a file for all rejection certificates that have been refused.

8. The rejection certificate must be filled out in ink only. It will be noted on the reverse side of the rejection certificate, the date of inspection, a brief description of the vehicle and the expiration date of the rejection certificate. The face of the rejection certificate will be stamped with the number of the month in which the vehicle was inspected.

9. The rejection certificate will be affixed to the lower left-hand corner of the windshield as viewed from the driver's seated position. The owner or operator will be told by the mechanic inspector of the 30 day expiration of the certificate and what items caused the vehicle to fail inspection. The owner or operator will be advised of the procedure for re-inspection.

10. If the vehicle is returned for re-inspection within the 30 day limit and the defective items have been corrected, and for some reason the station cannot re-inspect the vehicle, the fee collected at the time of rejection must be returned to the owner or operator.

11. If the vehicle fails inspection due to an emission system defect, the reverse side of the rejection certificate will be marked to indicate which system failed.

E. Issuance of Restricted Rejection Certificates

1. If a rejected vehicle presents a definite hazard to the public, the vehicle's usage shall be restricted. A restricted rejection certificate shall be issued limiting the vehicle's usage to 20 miles. The owner or operator still has 30 days to repair the defective item(s). The vehicle should only be used to be repaired, inspected or returned to the owner or operator's residence. The face of the rejection certificate will be marked with the number of the month it is issued along with an X stamped next to it. The mileage at which the rejection will expire will be placed on the face of the certificate. The date of expiration will also be noted on the certificate.

2. A vehicle would be classified as restricted when one or more of the following items causes a rejection. This does not eliminate the fact that a combination of defects may also render the vehicle unsafe and, therefore, restricted:

- a. no liability insurance;
- b. steering;
- c. tires, wheels and rims;
- d. braking system;

- e. tail lights or stop lights; or
- f. exhaust systems.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1304-1310.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Safety Enforcement Section, LR 25:2426 (December 1999), amended by the Department of Public Safety and Corrections, Office of State Police, LR 38:2553 (October 2012), LR 42:434 (March 2016).

§811. Inspection Procedures

A. The mechanic inspector shall record the expired sticker number on the log report then remove the expired sticker prior to continuing with the inspection. The expired motor vehicle inspection sticker must be immediately destroyed.

B. The mechanic inspector will conduct a review of the documents for the vehicle ensuring that all documents are in agreement.

1. Certificate of registration contains information which must be verified with the corresponding information on the vehicle. A photocopy or original registration is acceptable. In lieu of a registration certificate, a vehicle may be inspected with a valid temporary license plate. The valid temporary registration is normally taped to the back of the temporary license plate.

2. Vehicle Identification Number (VIN). The VIN must agree with Certificate of Registration and the insurance document. It must match the VIN displayed on the vehicle.

3. License Plate. The registration indicates a license plate number and expiration date of the plate. This information must correspond with the information displayed on the vehicle. The license plate cannot be expired. An out-of-state vehicle may be inspected, as long as it meets the criteria.

a. Vehicles which display apportioned license plates for trucks which travel out of Louisiana are issued a Louisiana apportioned cab card in lieu of a registration. The cab card will indicate an expiration and a grace period.

b. A temporary registration authorization indicating an apportioned plate has been applied for is also acceptable in lieu of a registration. When this condition exists, no license plate is present. The temporary registration allows the vehicle to be used until the apportioned plate and cab card are issued.

c. Vehicles which display either a dealer plate or a temporary cardboard plate with green lettering on a white background are exempt from presenting a registration certificate. The driver must provide proof of fleet liability insurance coverage. The insurance must be in the name of the dealership which carries the vehicle in its inventory.

d. Drivers of vehicles which display a valid 60 day temporary marker must also present a bona fide bill of sale. The bill of sale must indicate the vehicle was purchased within 60 days from the date the vehicle is presented for inspection.

e. All vehicles which display a public license plate are exempt from presenting a registration certificate and proof of insurance. City, parish or state-owned vehicles, if licensed with Louisiana license plates, are required to be inspected and must meet the same requirements of any other vehicle of that same size and weight.

4. Operator license must be valid and in the immediate possession of the vehicle operator. It must be presented to the mechanic inspector, and the license number must be taken from the driver's license and recorded in the appropriate block on the log report or DEQ computer system.

a. A valid out-of-state driver's license is acceptable. The state in which it was issued must be noted on the log report.

b. A temporary driving permit issued in connection with a traffic violation when the operator's license is held may be accepted until the permit expires on the court date noted.

c. When inspecting motorcycles, the operator's license must have a motorcycle endorsement.

d. Operators of school buses and commercial motor vehicles must possess the appropriate type commercial driver's license.

5. Proof of current liability insurance must be shown to the mechanic inspector. Electronic proof of insurance will be accepted. The vehicle operator must also sign the log report indicating the vehicle is covered by liability

insurance. (Note: Government vehicles are exempt from furnishing proof of insurance.) One of the following must be presented as proof of insurance. Although a trailer is not required to have liability insurance, the inspector must verify that the towing unit complies with one of the below requirements.

a. A current certificate of insurance, motor vehicle liability insurance policy (or duplicate of the original) or a binder for the same is acceptable. A vehicle's policy identification card or photocopy of the same may also be accepted. These documents shall designate the name of the insurance company affording coverage, the policy number, the effective dates of coverage (both the beginning and ending dates are required) and a description of the vehicle covered including the VIN. A binder must be an official accord binder form and can be handwritten.

b. A copy of a motor vehicle liability bond. This document may or may not describe the vehicle covered.

c. A certificate from the state treasurer indicating a deposit was made to the state. It will not have a description of the vehicle, but the vehicle must be registered under the same name as noted on the certificate.

d. A certificate of self-insurance issued by the Louisiana Department of Public Safety and Corrections. It is not required to describe the vehicle covered.

6. License Plate Mounting and Condition: In addition to being valid, the license plate will be inspected for the following:

a. must be secured to their mounting brackets;

b. must be clean, clearly visible and readable for a distance of 50 feet to the rear of the vehicle. Plates shall not be obscured or damaged so that the numbers cannot be identified;

c. must be mounted in the rear;

d. truck-trailer, emergency fire fighting equipment, dump-body trucks, trucks over 6,000 pounds and forestry product licensed vehicles may display the plate on either the front or rear of the vehicle.

C. All vehicles presented for inspection will be inspected for all of the following items: vehicle registration, vehicle license plate, driver's license and proof of liability insurance.

D. Every motor vehicle, trailer, semi-trailer and pole trailer registered in this state shall bear a valid safety inspection certificate issued in the state of Louisiana except as provided in R.S. 32:1311.

E. The director may authorize the acceptance of out-of-state inspection certificates when the state's inspection laws are similar to those stated herein. The director may also extend the time within which a certificate shall be obtained by the resident owner of a vehicle which was temporarily out of state during the time an inspection was required. However, once the vehicle is returned to Louisiana, a valid Louisiana inspection certificate must be obtained immediately.

F. State mechanic inspectors must check registrations prior to inspecting vehicles. Any vehicle registered in the municipalities of New Orleans, Kenner or Westwego must be inspected in those municipalities. In addition, inspectors must refer to the four-digit domicile code on the registration. Effective January 2000, any vehicle registered with a domicile code beginning with 03 (Ascension Parish), 17 (East Baton Rouge Parish), 24 (Iberville Parish), 32 (Livingston Parish), or 61 (West Baton Rouge Parish), and that are subject to the Inspection and Maintenance (I/M) Program as provided in R.S. 32:1306(B)(3) and LAC 55:III.817 must be inspected within that five-parish area.

G. When a vehicle is presented for inspection, the mechanic inspector will collect the inspection fee and request that the driver present his operator's license, vehicle registration certificate and proof of liability insurance for the vehicle being inspected.

H. The vehicle registration must indicate an address other than in Kenner, Westwego or New Orleans. Residents of these areas are required to comply with the municipal ordinances of periodic inspections of the area in which they reside.

Exception: In hardship cases approved by the department, vehicles from these areas with an expired inspection certificate may be inspected at state inspection stations which will be valid until the return of the vehicle to these municipal areas.

I. The mechanic inspector shall verify whether or not he is qualified to inspect and the station is approved for the vehicle type being inspected, such as a passenger vehicle, commercial vehicle, school bus, etc.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1304-1310.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Safety Enforcement Section, LR 25:2427 (December 1999), amended by the Department of Public Safety and Corrections, Office of State Police, LR 38:2553 (October 2012), LR 42:435 (March 2016).

§813. Required Equipment

A. The below items in Subsections B-FF of this Section shall be inspected by the mechanic inspector when an inspection certificate or a rejection is given to the vehicle being presented for an inspection. Inspected items must be in proper condition and adjustment such that the item does not pose an unsafe condition as to endanger any person or property.

B. Speedometer/Odometer

1. The speedometer and odometer must be operational.
2. The speedometer shall indicate miles per hour (mph) traveling.
3. The actual mileage must be recorded on the log report.

C. Horn

1. The horn shall be securely fastened.
2. The horn shall be an original type horn or an equivalent.
3. The horn shall be functional and audible for a distance of 200 feet.
4. An auxiliary horn must be wired to a separate switch.

D. Brakes

1. Every vehicle required to be equipped with brakes must be tested by conducting a braking test on the approved brake test area. The mechanic inspector shall take physical control of the vehicle presented for inspection to determine if the brakes are operating correctly, except motorcycles.

2. The test for stopping distance shall be made on a substantially level, smooth, hard surface that is free from loose material and is at least 150 feet in length by 8 feet wide. The vehicle shall not pull to the right or the left causing the vehicle to excessively alter its direction of travel.

3. A platform brake tester may be used instead of performing the braking test. Before attempting to inspect a vehicle's brakes with a platform brake tester, the mechanic inspector shall be trained on and have experience in the use of the machine. The machine shall have adequate capacity and shall be calibrated and certified yearly. The mechanic inspector shall follow all tester manufacturers' directions.

4. Classifications for Brake Application

a. Single unit vehicles with a manufacturer's gross vehicle weight rating of less than 10,000 pounds shall have a braking distance of 30 feet.

b. Motorcycles and motor-driven cycles shall have a braking distance of 30 feet.

c. Single unit vehicles with a manufacturer's gross weight rating of 10,000 pounds or more shall have a braking distance of 40 feet.

d. Buses, regardless of the number of axles, not having a manufacturer's gross weight rating shall have a braking distance of 40 feet.

e. All combinations of vehicles in drive away, tow-away operations shall have a braking distance of 40 feet.

f. All other vehicles and combinations with a GVWR of 10,000 or more pounds shall have a braking distance of 50 feet. This includes car and trucks towing a trailer over 3,000 lbs and under 10,000 lbs.

E. Brake Requirement

1. Any vehicle registered as a farm trailer, farm semi-trailer, rubber-tired farm wagon, drawn rubber-tired farm equipment or implements of husbandry manufactured or assembled prior to January 1, 1973, and operated or moved only incidentally on the highways of this state, shall be exempt from brake requirements provided that:

- a. the gross weight does not exceed 10,000 pounds;
- b. the speed does not exceed 30 miles per hour;
- c. fertilizer distributors or spreaders are exempt from brake requirements. Commercially owned anhydrous ammonia nurse tank trailers used for the transportation and storage of fertilizer are exempt from the braking requirements.

2. Every registered vehicle when presented for inspection shall be equipped with brakes in accordance with the requirements herein stated.

a. Every motor vehicle, other than motorcycles or motor driven cycles, shall be equipped with brakes adequate to control movement of and to stop and hold movement of such vehicle. Two separate means of applying brakes are required, each of which shall effectively apply brakes to at least two wheels.

b. Every motorcycle and every motor driven cycle manufactured with two wheels shall be required to be equipped with brakes on both wheels.

c. Every trailer or semi-trailer exceeding 3,000 pounds gross weight shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle.

3. The following exceptions exist.

a. Trailers and semi-trailers manufactured or assembled prior to January 1, 1963, need only be equipped with brakes on a single axle provided the combination of vehicles, consisting of the towing vehicle and its total load, is capable of complying with the performance requirements.

b. Farm trailers and semi-trailers manufactured or assembled prior to January 1, 1973, need not be equipped with brakes. Every farm trailer and farm semi-trailer manufactured or assembled on or after January 1, 1973, and having a gross weight exceeding 3,000 pounds shall be equipped with brakes in accordance with the requirements set forth above.

c. Vehicles carrying forest products in their natural state shall not be required to have a brake on the drag axle if the wheels of the drag axle touch the ground only when the vehicle is loaded. However, this provision does not apply to trailers or trucks with more than two axles.

F. Parking Brakes

1. The parking brake will be inspected for the proper operation of the alternative braking system. The parking brake shall operate as originally equipped. The brake must be inspected for proper setting and release functions.

G. Lighting System

1. All exterior required bulbs or sealed beams must light when activated. All lamps must be of an approved type as stated in R.S. 32:330.

2. Auxiliary lighting equipment must not be placed on, in or in front of any lamp nor will auxiliary lighting interfere with the necessary visibility width of any lamp.

3. All lamp assemblies must be properly fastened.

4. No rear lamp is allowed with a broken, missing or defective lens which allows white light to be visible to the rear of the vehicle.

5. The use of tape on the surface of the rear lens or the use of any shield that covers any portion of the light will not be allowed unless originally factory equipped.

6. Any after market auxiliary lamp installed on a vehicle that is designed to emit white light or any auxiliary lamp mounted facing forward must be covered when used on public streets and highways. If auxiliary lamps are not properly covered, the inspector shall reject the vehicle.

7. All motor vehicles, except motorcycles, motor scooters and motor bikes shall be equipped with at least two operable headlamps, emitting white light only. These headlamps may be the multiple beam type or the single beam type. The type headlamp with which the vehicle is equipped will determine what requirements must be met.

8. Motor vehicles must have at least two headlamps, but not more than four headlamps, half mounted on each side on the front of the vehicle.

9. The mounted height of headlamps, measured from the center of the lamp to the level ground, will not be more than 54 inches nor less than 24 inches.

10. All vehicles must be equipped with an operable dimmer switch and beam indicator (high or low beam designation).

11. Headlamp concealment devices must remain fully open when the headlamp is illuminated. The concealment device must be opened automatically or manually without the use of any tools.

H. Parking Lamps on the front of the vehicle. When actuated, the front parking lamps must display either white or amber light. These lamps must operate as originally equipped.

I. Turn Indicator Lamps, Front and Rear

1. Any vehicle manufactured or assembled after December 31, 1962, must be equipped with lamps which indicate the direction of a turn displaying the signal to both the front and rear of the vehicle.

2. Front Turn Indicator Lamps. Both front turn indicator lamps must be mounted on the same level and display an amber light, except those vehicles manufactured or assembled prior to January 1, 1969. Those vehicles may emit either a white or amber colored light.

3. Rear Turn Indicator Lamps. Both rear turn indicator lamps must be mounted on the same level with one on each side of the vehicle. The lamps may emit either red or amber color light only. The lens covering the lamp may not be cracked, broken or missing causing white light to be emitted to the rear of the vehicle. The lens must be of an original type lens.

4. The signal cancellation must operate as originally equipped and cancel the signal when the turning maneuver is completed, except for truck-tractors, motorcycles or motor driven cycles.

J. Tail Lamps

1. Tail lamps must be covered with an original type lens. It cannot be cracked, broken or missing any of the lens which would emit white light to the rear of the vehicle.

2. Vehicles manufactured or assembled after December 31, 1962, must be equipped with at least two tail lamps.

3. The tail lamp must emit red light only.

4. The maximum height of tail lights is 72 inches and the minimum height allowed is 15 inches.

K. Stop Lamps

1. Vehicles manufactured or assembled after December 31, 1962, are required to have two operational stop lamps with the exception of motorcycles, motor driven cycles or truck tractors, which must have at least one.

2. The stop lamps must emit red light only visible at least 300 feet to the rear of the vehicle.

3. The stop lamps must operate as originally equipped.

4. The lens covering the stop lamp must be of an original type not broken, cracked or missing any portion which allows white light to be emitted to the rear of the vehicle.

L. High Mount Brake Lamp

1. All passenger vehicles manufactured September 1, 1985, and thereafter must be equipped with a third stop lamp. This lamp is to be mounted in the line of sight near the rear window with at least 4 1/2 inches of exposed red area on the lens. Light duty trucks with the model year 1995 and later are required to have high mount lamps.

2. The high mount brake lamp must be present and operate as originally equipped.

3. The vehicle shall be rejected if the high mount brake lamp is obscured by any add on item such as ladder racks, luggage racks, etc. Light duty trucks that are equipped with high mount brake lamps and have had a camper top installed must have a similar high mount brake lamp installed on the camper top in a corresponding position in the

rear. If the vehicle comes equipped with a high mount brake lamp, it cannot be obscured by any after market item unless it is replaced with a comparable lamp as originally equipped and visible from the rear of the vehicle.

4. No tint shall obscure the high mount brake light.

M. Back-Up Lamps

1. Vehicles manufactured or assembled after January 1, 1969, must be equipped with no more than two back-up lamps.

2. The back-up lamp must emit a white light only.

3. The back-up lamps must be lighted only when the vehicle is in reverse gear and must not light when the vehicle is in any other gear.

N. License Plate Lamp

1. The license plate lamp must illuminate the license plate making it visible for 50 feet to the rear.

2. The lamp is to be lighted with white light only when headlamps or auxiliary driving lamps are lighted. The use of neon lights or the use of any other lights which obscure the license plate is prohibited.

O. Outside/Inside Rearview Mirrors

1. From the driver's seated position, visually inspect the left outside rearview mirror and the interior mirror for clear and reasonably unobstructed view 200 feet to the rear.

2. The mirrors should not be cracked, pitted or clouded to the extent that the driver's vision would be obscured. Inspect mirrors for correct location and stable mounting.

3. Mirrors must maintain set adjustment so that the rear vision is not impaired.

4. All vehicles manufactured after December 31, 1972, must be equipped at the factory with a left-hand, outside rearview mirror. This includes motorcycles and motor-driven cycles. If two outside mirrors are utilized, no inside mirror is required. If equipped with right outside mirror, it must comply with Paragraph 2 of this Subsection.

P. Windshield Wipers

1. All vehicles manufactured after December 31, 1972, must be equipped with a wiper system capable of operating at two or more speeds. Two wipers are required if the vehicle was originally equipped with such. All motor vehicles equipped with windshields, except motorcycles and motor driven cycles, are required to have windshield wipers.

2. Windshield wipers must operate as originally equipped to operate. If vacuum operated, the engine must be idling and the control must be turned on to the maximum setting.

3. Windshield wipers shall not smear or severely streak the windshield.

4. Proper contact of the blades with the windshield is required. Inspect by raising the arm away from the windshield and then release it. The arm should return to the original position or should urge the wiper blade to contact the windshield firmly.

5. The condition of the blades and metal parts must be checked.

6. Metal parts and blades shall not be missing or damaged. Blades shall not show signs of physical breakdown of rubber wiping element. Rubber blades shall not be damaged, torn or hardened to the point that they do not clear the windshield.

7. The windshield wiper control shall be within reach of the driver.

Q. Windshield Washers

1. The windshield washing system upon a vehicle that is not more than six years old from the date of manufacture or assembly shall be maintained in good working order.

R. Windshields

1. Every passenger vehicle, other than a motorcycle, shall be equipped with an adequate windshield.

2. For inspection purposes, the windshield is composed of three areas as follows.

a. Acute Area. The acute area is directly in the driver's line of vision in the center of the driver's critical area. It is 8 1/2" x 11", the size of a standard piece of paper, held horizontally on the windshield. In this area no cracks are allowed. No more than two stars, nicks, chips, bulls-eyes or half-moons in excess of 1/2 inch will be allowed.

b. Critical Area. The critical area is the area other than the acute area which is cleaned by the normal sweep of the windshield wiper blades on the driver's side only. In this area, any star larger than 2 inches in diameter; two or more stars larger than 1 1/2 inches in diameter or one or more cracks which extend more than 8 inches in length will not be allowed.

c. Non-Critical Area. This area consists of all other windshield area other than the acute or critical area. This area cannot have one or more cracks which extend more than 8 inches, one or more cracks which extend from top to bottom, one or more cracks which extend from right to left or one or more cracks which extend all the way across the windshield.

3. A windshield can be rejected at any time the condition creates a safety hazard. If a windshield is cracked in such a way as to jeopardize the integrity of the windshield, the vehicle is to be rejected.

S. Windows and Glass Sunscreening and Glass Coating

1. Windshields are allowed to have sunscreen extend down from the topmost portion of the windshield no more than 5 inches. The sunscreen shall be transparent and not red or amber in color. The windshield limitation for a vehicle that has a sunscreen certificate is 6 inches from the topmost portion of the windshield.

2. Vehicles being presented for inspection that do not have a valid window tint medical exemption affidavit or a security exemption form issued by the department shall be inspected as follows.

a. Windshield. As stated above, sunscreen may not extend more than 5 inches from the top of the windshield and may not be red or amber in color.

b. Front side windows must have at least 40 percent light transmission.

c. Side windows behind driver must have at least 25 percent light transmission.

d. Rearmost glass must have at least 12 percent light transmission.

e. Label. There must be a label affixed to the lower right corner of the driver's side window. It must not exceed 1 1/2 inches square in size. It must be installed between the glass and the sunscreen material and must contain the name and city of the installer.

3. Light transmission will be checked using only an approved tint meter and following manufacturer's directions.

4. Sunscreen shall not have a luminous reflectance of more than 20 percent.

5. No tint material may be affixed to the front windshield or the front side windows if the material alters the color of the light transmission. No tint other than smoke shall be allowed.

a. No vehicle wraps can be placed on any part of the vehicles glass.

6. Exceptions to the sunscreen rule:

a. sunscreen regulations do not apply to windows behind the driver of trucks, buses, trailers, motor homes, SUV's, multi-purpose passenger vehicles and all windows of vehicles used for law enforcement purposes;

b. vehicles with valid window tint medical exemption affidavit or a security exemption form issued by the department.

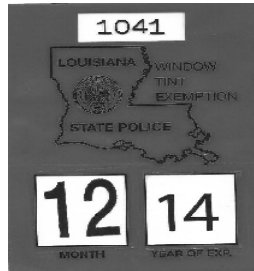
7. Window Tint Medical Exemption Affidavit

a. A person with a medical condition which makes that individual sensitive to sun exposure may obtain a waiver form provided by the department. The waiver must be completed by a licensed physician and must be signed by a department officer. This waiver exempts the vehicle identified on the form from all restrictions except windshields as provided in R.S. 32:361.1.

- b. The medical exemption affidavit shall:
 - i. be valid for a period of not more than 3 years, except for the following provisions;
 - ii. be valid only for vehicles registered in this state where the registered owner, spouse or immediate family member has an approved affidavit that shall be kept in the motor vehicle at all times;
 - iii. not be applied for, or issued to, persons convicted of crimes of violence as defined in R.S. 14:1(13) or criminal offenses involving controlled dangerous substances as defined in RS 40:961 et seq.
 - iv. be returned to applicant by an officer, if approved;
 - v. be non-transferable.
 - vi. be valid for the duration of ownership of a vehicle whose owner is age 60 years or older.

(a). The registered owner of the vehicle is 60 years and older at the time of application for a Medical Exemption Affidavit, or the individual becomes 60 years old while in possession of a valid Medical Exemption Affidavit, then the affidavit will be valid for the duration of that individual's ownership of the vehicle as provided in R.S. 32:361.2(A)(3)(c) unless deemed otherwise by the department.

c. A red medical exemption certificate will be issued to each vehicle that has been approved for a medical Exemption affidavit. The certificate will be placed above the motor vehicle inspection certificate by an officer of the department. The certificate number will correspond to the certificate number on the medical exemption affidavit.



8. Window Tint Security Affidavit

a. The following exclusive list of persons, or entities, shall be eligible for a security exemption from the provisions of R.S. 32:361.1:

- i. private investigators;
- ii. bail enforcement agents;
- iii. railroad police officers;
- iv. Louisiana peace officers, POST-certified and sworn;
- v. elected or appointed public officials.

b. The department will review and make a final decision on any other individual, business, company,, corporation or agency who submits a security exemption affidavit requesting added concealment of persons or property from public view.

c. Window Tint Security Exemption Criteria

- i. Vehicle must be:
 - (a). properly licensed, insured and registered, all in Louisiana; and
 - (b). owned or leased by an applicant.

d. Security Exemption Affidavit

i. An individual seeking exemption to window tint restrictions can obtain a security exemption affidavit form at the department headquarters, any motor vehicle field office or via the world wide web by accessing www.lsp.org.

ii. The security exemption affidavit must be complete, sworn and subscribed in the presence of a notary public. The security exemption affidavit must include:

- (a). applicant's name;
- (b). address, city, state and zip code;
- (c). vehicle description (year, make, model);
- (d). vehicle identification number (VIN);
- (e). vehicle license plate number;
- (f). need, reason or explanation for exemption; and
- (g). signature of applicant.

e. Security Exemption Process

i. A completed Security Exemption Affidavit must be mailed to the Department Headquarters Office, P.O. Box 66614, Mail Slip 26, Baton Rouge, LA 70896-6614. Security exemption affidavits will be reviewed and subsequently approved or disapproved by the department.

ii. Approved security exemption affidavits will be returned to applicant.

iii. An applicant whose Security Exemption Affidavit is disapproved will receive written notification of that decision by U.S. Mail. The correspondence will outline the reason(s) for denial. An applicant may write a letter of rebuttal germane to the reason(s) for denial. Letters of rebuttal will be taken under advisement. Once a final determination of eligibility has been made, an applicant has no further recourse. The Department of Public Safety and Corrections may approve, disapprove, cancel or revoke exemptions for window tint restrictions as deemed appropriate.

T. Body and Sheet Metal. Exterior components of the body and sheet metal parts must not be damaged and/or dislocated so that they project from the vehicle and present a safety hazard to occupants, pedestrians or other vehicles.

U. Fenders

1. Fenders, covers or devices including splash aprons and mud flaps shall be required unless the body of the vehicle or attachments afford protection to effectively minimize the spray or splash of water, mud or loose material on the highway from the rear of the vehicle.

2. Tires shall not extend beyond fenders or attachments more than 1 inch to provide a safe condition.

3. All vehicles with an unladen weight of under 1,500 pounds and trucks or farm vehicles handling or hauling agricultural or forestry products are exempt from fender requirements.

4. Front and rear fenders that have been removed because of being hazardous or unserviceable must be replaced. If replacement of the front or rear fender removes a required lighting device, the lighting device must be re-installed or replaced.

V. Bumpers

1. Bumpers removed from vehicles originally equipped with bumpers will not be permitted. However, rear bumpers are not required on pickup trucks.

2. Rebuilt or modified bumpers must be made of material equivalent to the original bumpers and must be equal in strength.

3. Bumpers must be securely attached and not broken or protruding.

W. Doors. The vehicle's doors will be inspected as follows.

1. All doors must be present and operational with installed handles.

2. Doors must be secured in the closed position.

3. Doors must function as originally equipped by the factory.

4. Drivers side windows must properly function as designed. Laminated driver and passenger side windows cannot have cracks that obscure the drivers view.

X. Hood Latch. The hood must be securely held in a closed position by an original type latch.

Y. Floor Pan. No holes or rusted areas are permitted in the occupant compartment or trunk. Inspectors may require that the trunk of a vehicle be opened on vehicles possessing serious body rust throughout.

Z. Wheels and Tires

1. Conduct a visual check of the wheels and tires to detect any condition that would create a hazard or an unsafe condition.

2. All tires must be for highway use. Tires marked "Not for Highway Use", "Farm Use Only" or "For Racing Purposes Only" are not allowed.

3. Tires without tread wear indicators shall have 2/32 inch tread remaining when measured in any two adjacent major grooves at a minimum of three locations spaced approximately equal distance around the major tire groove.

4. Tires with tread wear indicators shall not allow the indicators to contact the road in any two adjacent major grooves at three locations spaced equally around the tire.

5. Cord shall not be exposed through the tread. Tread cuts, snags or sidewall cracks in excess of 1 inch in any direction deep enough to expose cords, are not allowed.

6. Tires shall not have visible bumps, bulges or knots indicating partial failure or ply separation of the tire structure.

7. Tires shall not be re-grooved or re-cut below the original groove depth except tires which have undertread rubber for this purpose and are identified as such.

8. Tires on the same axle shall be of the same type construction.

9. Wheels shall not be bent, loose, cracked or damaged as to affect safe operation.

10. Rims or wheel flanges shall not be defective.

11. Wheels should be secure. Only one missing or defective bolt, nut or lug is allowed except on a four-hole pattern wheel. On a four hole pattern wheel no missing or defective lugs are allowed.

12. Vehicles equipped with oversized wheels must be able to make a turn of not more than a 45 degree angle without rubbing on the frame.

AA. Steering Mechanism

1. An original equipment type steering wheel is required.

a. The steering wheel shall be of the same diameter as originally equipped. Any modification that may affect the proper steering of the vehicle is prohibited.

b. Chain-type steering wheels shall not be allowed.

2. Excessive play, tightness, binding or jamming shall not be allowed.

a. With the front wheels in a straight-ahead position, check steering for free play. The engine must be running to check the free play in the power steering. More than 2 inches of free play for power-assisted steering and more than 3 inches of free play for manual steering will not be permitted. This shall be conducted during the braking test.

3. Excessively worn or broken parts in the steering components, any leakage of the power unit or excessive looseness of the power system fan belt shall not be permitted.

4. Modification of the front end and steering mechanism in any manner shall not be permitted.

BB. Suspension and Shock Absorbers

1. The vehicle must have operational shock absorbers and springs.

2. The vehicle must have at least 3 inches of suspension travel.

3. The vehicle must have at least 4 inches of ground clearance measured from the frame or the lowest part of the vehicle, with the vehicle on a level surface.

CC. Seats and Seat Belts

1. Front seats shall be securely anchored to the floor pan. Missing anchor bolts are not permitted. The seat adjusting mechanism shall not slip out of the set position.

2. Seat belts shall operate and adjust as originally intended. Seat belt buckles shall operate properly.

3. Webbing shall not be split, frayed or torn.

4. Seat belts shall be securely mounted. Anchorages shall be secure.

5. Passenger cars, vans or trucks with a gross weight of 10,000 pounds or less, and manufactured after January 1, 1981, must have working seatbelts as originally equipped.

DD. Exhaust System. The exhaust system includes the piping leading from the flange of the exhaust manifold to, and including, the mufflers, resonators, tail piping and emission control device. Visually inspect the exhaust system for rusted or corroded surfaces.

1. The vehicle must have a muffler.

2. No loose or leaking joints in the exhaust system are allowed. Also, no holes, leaking seams, loose interior baffles or patches on the muffler are allowed.

3. The tail pipe end cannot be pinched.

4. Elements of the system must be fastened securely, including missing connections or missing or broken hangers.

5. A muffler cannot have a cut-out bypass, or similar device which allows fumes to escape.

6. The muffler cannot emit excessive smoke, fumes, or noise.

7. The tail pipe shall extend past the passenger compartment.

EE. The windshield, rear glass and all windows must be present with no obstructions and in working order as originally equipped except as provided in Paragraphs S.6, S.7, or S.8 of this Section.

FF. Side Marker Lights and Reflectors. In addition to other equipment required in this Chapter, the following vehicles shall be equipped as herein stated under the conditions stated in R.S. 32:301.

GG. Buses, trucks, motor homes, and motor vehicles with mounted truck camper, 80 or more inches in width shall meet equipment requirements as follows:

1. on the front: two clearance lamps, one at each side, and all such vehicles manufactured or assembled after December 31, 1972 shall have three identification lamps meeting the specification of Subsection F of this Section;

2. on the rear: two clearance lamps, one at each side, and all such vehicles assembled or manufactured after December 31, 1972 shall have three identification lamps meeting the specifications of Subsection F of this Section;

3. on each side: two side marker lamps and two reflectors one of each at or near the rear and at or near the front.

HH. Trailers and semi-trailers 80 inches or more in width, except boat trailers, shall meet equipment requirements as follows:

1. on the front: two clearance lamps, one at each side;

2. on the rear: two clearance lamps, one at each side, and all such vehicles manufactured or assembled after December 31, 1972, three identification lamps meeting the specifications of Subsection F of this Section;

3. on each side: two side marker lamps and two reflectors one of each at or near the front and at or near the rear.

II. Truck tractors shall meet equipment requirements as follows:

1. on the front: two cab clearance lamps, one at each side, and on vehicles manufactured or assembled after December 31, 1972, three identification lamps meeting the specifications of Subsection F of this Section;

2. on each side: two amber side marker lamps and two amber reflectors, one of each at or near the front and at or near the rear.

JJ. Trailers, semi-trailers and pole trailers 30 feet or more in length shall have one amber side marker lamp and one amber reflector, centrally located with respect to the length of the trailer, on each side. Pole trailers shall also have on each side, at the rearmost support for the load, one combination marker lamp showing amber to the front and red to the rear and side, mounted to indicate maximum width of the pole trailer.

KK. Boat trailers 80 inches or more in width shall meet equipment requirements as follows:

1. on each side: two side marker lamps and two reflectors, one of each at or near the front and at or near the rear, and at or near the midpoint, one clearance lamp performing the function of both a front and rear clearance lamp;

2. on the rear of boat trailers manufactured or assembled after December 31, 1972, shall be three identification lamps meeting the specifications of Subsection F of this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1304-1310.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Safety Enforcement Section, LR 25:2428 (December 1999), amended LR 28:345 (February 2002), amended by the Department of Public Safety and Corrections, Office of State Police, LR 36:1789 (August 2010), LR 38:2553 (October 2012), LR 42:435 (March 2016), LR 44:1634 (September 2018).

§815. Miscellaneous Inspection Procedures

A. Trailers (must comply with requirements of LAC 55:III.811 and 813 where applicable)

1. Every trailer and semi-trailer with a loaded gross weight capacity of up to 6,000 pounds shall be equipped with safety chains. The safety chains shall be securely attached to the towing vehicle when the trailer or semi-trailer is in motion, and shall be of sufficient strength to hold the trailer behind the towing vehicle in case the connection between the two vehicles detaches.

2. Trailers shall be inspected for fenders, lights and brakes, and tires where applicable.

3. Trailers shall be inspected at the hitch connection and the inspector must verify that the ball and hitch are of the same dimension.

4. Trailers must have working emergency brake-away device.

5. Exemptions. Single axle two-wheel trailers, tandem axle trailers, and all boat trailers are exempt from the MVI requirements (unless these trailers are used in commerce and are subject to 49 CFR 396.17-23 of the Federal Motor Carrier Safety Administration regulations).

B. Antique Cars. Motor vehicles which are 25 years old or older and which are used primarily for exhibition in shows, parades, tours and other special uses and not for general transportation, and which are registered and licensed as antique as provided in R.S. 32:707(L) shall be exempt from the inspection requirements of this Chapter.

C. Motorcycles. In addition to other items already stated, motorcycle handlebars will also be inspected as follows.

1. They must be constructed of tubing comparable to or exceeding the thickness of the original equipment.

2. No cracks, deformation or excessive flexure is allowed.

3. Handlebars shall not extend past the operator's shoulder height when the operator is sitting astride the seat and the operator's hands are on the handlebar grips.

4. Handlebars shall be properly aligned.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1304-1310.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Safety Enforcement Section, LR 25:2433 (December 1999), amended by the Department of Public Safety and Corrections, Office of State Police, LR 42:438 (March 2016), LR 44:1634 (September 2018).

Subchapter C. Vehicle Emission Inspection and Maintenance Program

§817. General Information

A. Emission Control System Inspections. This Section describes the general procedures to be used by certified inspectors when conducting anti-tampering and other emission control system inspections on 1980 and newer model year gasoline-fueled passenger cars and gasoline-fueled light- and heavy-duty trucks (10,000 pounds gvwr or less) registered and/or operated in the state of Louisiana. The purpose of the vehicle anti-tampering inspection is to detect physical damage to, or disablement or removal of, emission control system components, and to repair or replace defective or missing system components. The purpose of the evaporative system pressure test is to ensure that the entire evaporative emission system is fully pressurized and functional. These emission control system inspections are designed to reduce both tailpipe and evaporative pollutant emissions from in-use vehicles operated in Louisiana.

B. General Inspection Procedures

1. The vehicle anti-tampering inspection is designed to identify any evidence of tampering or obvious need for repair or replacement of a vehicle's emissions control system components. Vehicles that initially fail the anti-tampering inspection are required to be repaired and re-inspected in order to comply with the inspection guidelines. The anti-tampering inspections also serve to discourage illegal tampering with the vehicle's emission control system, thereby resulting in additional reductions of vehicular emissions in Louisiana.

2. No attempt shall be made by the certified inspector to remove any engine components to perform the anti-tampering inspection. In instances where certain components are not visible, it will be assumed that the component is properly connected and operative. However, this assumes that a reasonable attempt was made by the certified inspector to identify and visually examine the component.

3. During the inspection, the certified inspector will either pass or fail the vehicle based on the criteria described herein. The vehicle will be rejected if any of the inspected parameters are found disconnected or tampered with. The certified inspector will then place a rejection certificate on the vehicle and inform the vehicle operator why the vehicle failed inspection and what corrective measures are required for the vehicle to pass inspection.

4. For the purpose of the vehicle anti-tampering and inspection and maintenance program, passenger car means every motor vehicle designed for carrying 10 passengers or less and used for the transportation of people.

5. For the purpose of the vehicle anti-tampering and inspection and maintenance program, light-duty truck and heavy-duty truck means a gasoline-fueled motor vehicle with a gross vehicle weight rating of 10,000 pounds or less. Light- and heavy-duty trucks shall include, but not be limited to, minivans, sport utility vehicles, pick-up trucks, panel delivery trucks, and carry-all trucks.

6. Proof of repair or replacement of emission control components shall be provided by the vehicle owner at the time the vehicle is re-inspected. This proof shall be in the form of a dated repair receipt or a sales invoice and must be presented to the inspection station when the vehicle is re-inspected.

C. Manufacturer's Emission Control Label

1. The manufacturer's emission control label located under the hood consists of a schematic diagram of the original emission control components installed on the vehicle. The certified inspector should refer to this label diagram when attempting to locate applicable emission control components. On vehicles equipped with a catalytic unit, a decal is required by federal regulation to have the word catalyst in legible letters.

D. Manufacturer's Information Plate. The gross vehicle weight rating (gvwr) of a vehicle is stamped on the federal safety sticker located inside the left door of the vehicle.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1304-1310.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Safety Enforcement Section, LR 25:2433 (December 1999), amended by the Department of Public Safety and Corrections, Office of State Police, LR 42:438 (March 2016).

§819. Anti-Tampering and Inspection and Maintenance Parameters

A. The statewide vehicle anti-tampering program will include a visual inspection of the following emission control system components on all 1980 and newer model year gasoline-fueled passenger cars and gasoline-fueled light- and heavy-duty trucks (10,000 pounds gvwr or less) registered and/or operated in Louisiana:

1. catalytic converter system (catalyst);
2. air injection system (AIS including belts, hoses, and valves);
3. positive crankcase ventilation system (PCV system including hoses and valves);
4. evaporative emission control system (charcoal canister, hoses, wires, and control valves); and
5. exhaust gas recirculation system (EGR valve and hoses).

B. Effective January 1, 2000, and in addition to the anti-tampering parameter checks listed in Subsection A of this Section, a vehicle inspection and maintenance program consisting of a gas cap pressure test is required on all subject vehicles, 1980 and newer model year, gasoline-fueled passenger cars and gasoline-fueled trucks (10,000 pounds gvwr or less) registered within the five parish non-attainment area. The non-attainment area is comprised of Ascension, East Baton Rouge, Iberville, Livingston, and West Baton Rouge parishes.

C. Effective January 1, 2002, and in addition to the requirements outlined in Subsections A and B of this Section, the performance of Onboard Diagnostic (OBD II) system checks will be required on all 1996 and newer model year gasoline-fueled passenger cars and gasoline-fueled trucks (10,000 pound gvwr or less) registered in the five parish non-attainment area, except those model year vehicles exempted by the Louisiana Department of Environmental Quality pursuant to R.S. 30:2054(B)(8). These mandatory OBD II checks are to be performed in accordance with the federal Amendments to Vehicle Inspection Maintenance Program Requirements Incorporating the Onboard Diagnostic Check; Final Rule at 40 CFR Parts 51 and 85 as published in *Federal Register*, Thursday, April 5, 2001 (Volume 66, pages 18156-18179).

D. Subsections A, B, and C of this Section shall apply to those vehicles (belonging to the covered model years and vehicle classes) that are routinely operated in the five parish non-attainment area as part of a fleet, though the individual vehicles are not registered in any one of those five parishes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1304-1310.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Safety Enforcement Section, LR 25:2434 (December 1999), amended LR 27:2260 (December 2001), LR 28:345 (February 2002), LR 30:2493 (November 2004), amended by the Department of Public Safety and Corrections, Office of State Police, Transportation and Environmental Safety Section, LR 43:538 (March 2017).

Subchapter D. Inspection Procedures for School Buses

§821. General Information

A. These standards are adopted from the minimum standards for school buses in Louisiana as promulgated by authority of *Louisiana Revised Statute* 17:164 which reads: “The Louisiana State Board of Education is authorized, directed and empowered to establish and adopt regulations relating to the construction, design, equipment and operation of school buses used in transportation of students to and from school. The statute further states that: “...any school bus body, chassis or equipment that meets the latest revised minimum standards for school buses adopted and recommended by the National Conference [now Congress] on school Transportation...shall be deemed in compliance with any such regulations adopted by the Louisiana state board of education...”. The National Congress on School Transportation publishes specifications for school buses, along with inspection procedures, in its publication *Specifications and Procedures*, which is available at ncstonline.org. This document is reviewed and revised every five years.

B. Definitions of School Bus Types

Type A—school bus is a conversion or bus constructed utilizing a cutaway front-section vehicle with a left side driver’s door. This definition includes two classifications:

- a. type A-1, with a gross vehicle weight rating (GVWR) of 14,500 pounds or less; and
- b. type A-2, with a GVWR greater than 14,500 and less than or equal to 21,500 pounds.

Type B—school bus is constructed utilizing a stripped chassis. The entrance door is behind the front wheels. This definition includes two classifications:

- a. type B-1, with a GVWR of 10,000 pounds or less; and
- b. type B-2, with a GVWR greater than 10,000 pounds.

Type C—school bus is constructed utilizing a chassis with a hood and front fender assembly. The entrance door is behind the front wheels; also known as a conventional school bus. This type also includes cutaway truck chassis or truck chassis with cab with or without a left side door and a GVWR greater than 21,500 pounds.

Type D—school bus is constructed utilizing a stripped chassis. The entrance door is ahead of the front wheels; also known as rear or front engine transit style school buses.

C. Color

1. Any passenger-carrying vehicle, regardless of its class, with a capacity of more than seven passengers and used exclusively in the transportation of teachers and pupils to and from schools or their institution of learning under contract or other arrangement made by or with the constituted and authorized school personnel shall be considered a school bus. The school bus must be painted national school bus glossy yellow (R.S. 17:161). [The color known as “national school bus yellow” (NSBY) is specified and described in the School Bus Manufacturers Technical Council publication SBMTC-008, National School Bus Yellow Color Standard.] The uppermost top section of the roof may be painted white to reduce heat inside of the bus and the body exterior trim may be painted glossy black.

2. The front and rear bumpers shall be black.

3. Wheels may be gray, yellow or black.

4. Every school bus sold or transferred to any use other than school activities shall be painted by the new owner a color other than national school bus chrome yellow, all lettering of school bus identification, and all semaphore arms and alternate flashing signal lights shall be removed therefrom (R.S. 17:162; R.S. 32:378).

D. All school buses presented for inspection must adhere to all safety requirements, where applicable, and must also conform to applicable Federal Motor Vehicle Safety standard (FMVSSs), Federal Motor Carrier Safety regulations, and LAC 28:CXIII, the Louisiana Department of Education Student Transportation Handbook, *Bulletin 119—Louisiana School Transportation*, Chapter 7, Vehicle Inspection and Maintenance. The bus must comply with the following items and devices in addition to all other requirements.

E. Before being approved to inspect school buses, official motor vehicle inspection stations must meet the following qualifications.

1. The station must have an area large enough to accommodate a bus. The inspection area will be subject to approval by the department.

2. Mechanic inspectors must possess a valid driver's license. The mechanic inspector must also meet the minimum experience qualifications.

3. The mechanic inspector must pass the general and commercial MVI classes and must be approved to inspect school buses by the department.

4. In addition stations and mechanic inspectors must meet all requirements in LAC 55:III.805.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1304-1310.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Safety Enforcement Section, LR 25:2434 (December 1999), amended by the Department of Public Safety and Corrections, Office of State Police, LR 38:2557 (October 2012), LR 42:438 (March 2016), LR 44:1635 (September 2018).

§823. General Inspection Procedures for School Buses (must comply with requirements of LAC 55:III.811 where applicable)

A. Documents. Mechanic inspectors shall check the following:

1. registration. Parish owned buses are exempt from presenting the registration certificate and proof of insurance. However, the operator must sign the log report confirming liability insurance coverage;

2. license plate;

3. operator's license (must be appropriate type of CDL); and

4. proof of insurance.

B. Brakes. All school buses shall be equipped with a hydraulic brake system or an air brake system. Mechanics shall check for all of the following.

1. Hydraulic Brake System

a. The brakes must be able to stop the bus within 30 feet at a speed of 20 miles per hour with no children on board.

b. The master cylinder must be inspected.

2. Air brake systems must be inspected for:

a. at least two reservoirs;

b. a safety valve on the first reservoir;

c. an air gauge;

d. an audible low pressure indicator;

e. hoses, tubes or connections shall be inspected for crimps, abrasions or breaks exposing cord;

f. audible air leaks; and

g. air chamber;

h. if visible, check brake shoes and drums for excessive wear or damage;

i. the push rod travel must be measured (see motor carrier chart) in lieu of a braking test.

C. Fluid Leaks. Vehicle fluids include gasoline or diesel, transmission fluid, engine oil, bearing grease, water or radiator coolant, windshield washer fluid or water and power steering fluid. No fluid leaks of any kind are allowed.

D. Lighting Systems. The lighting system will be checked as follows.

1. Interior Lamps (including stepwell lamp on types A, B, C and D school buses). Interior lamps shall be used to provide adequate illumination of the interior compartment. The stepwell lamp shall be illuminated by an entrance door-operated switch, to illuminate only when headlamps and clearance lamps are on and the entrance door is open.

2. Identification Lamps. A school bus is required to have three amber identification lamps on the front and three red identification lamps on the rear of the bus. They should be mounted at the upper most center of the body of the bus spaced in a horizontal line not more than 12 inches apart.

3. Clearance Lamps. A school bus is required to have clearance lamps mounted as high as possible on the permanent structure of the bus. The lights mounted on the front of the bus must be amber in color and those on the rear must be red. These lights must be mounted on each side of the bus and positioned in such a manner as to indicate the extreme width of the body of the bus.

4. Side Marker Lamps. School buses are required to have amber side marker lamps mounted on the front of the bus and red lamps on the rear. These must be on each side of the bus.

5. Reflectors. The school bus must be equipped with reflectors as follows.

a. Two red reflectors shall be installed on the rear of the bus.

b. Two reflex reflectors shall be installed on the side of the bus.

i. One must be mounted at or near the front of the bus and must be amber in color.

ii. One must be mounted at or near the rear of the bus and must be red in color. Buses 30 feet or longer in length require one additional amber reflex reflector on each side of the bus.

6. School Bus Alternately Flashing Lamps. A school bus shall have alternately flashing lamps mounted at the same horizontal level which identify the vehicle as a school bus. They also inform other vehicle operators that the bus is stopped or about to stop to take on or discharge students.

a. School buses are required to have four alternating flashing red signal lamps mounted at the same level and as high and as widely spaced as practical. Two lamps must be mounted on the front and two lamps must be mounted on the rear. All lamps must alternately flash.

b. All buses manufactured after July 7, 1977, must be equipped with four alternately flashing yellow lamps mounted on the same level as the alternately flashing red lamps, but closer to the vertical center line on the bus. These lamps must display two alternately flashing yellow lights to the front of the bus and two alternately flashing yellow lights to the rear of the bus. The alternately flashing yellow lights must not light when the alternately flashing red lights are activated (during a stop).

c. The alternately flashing lamps (both red and yellow) must function with a manually activated switch only. No brake operated switches are allowed.

d. The school bus must be equipped with an audible or visible means of indicating to the driver that the signaling system is activated.

E. Left Hand Stop Arm Lamps

1. All buses manufactured after July 7, 1977, must be equipped with two flashing red lights on each of the left hand stop arms with the light visible from both sides of the stop arms, and these lights shall be visible at 500 feet in normal sunlight [R.S. 32:318(B)(4)].

a. These lamps must activate when the stop arm is extended and the lamps must flash alternately.

2. Two stop signal arms shall be installed on types B, C and D school buses; one stop signal arm shall be installed on type A school buses. When two stop signal arms are installed on a school bus, the rearmost stop arm shall not contain any lettering, symbols or markings on the forward side.

3. The entire surface of both sides of the stop signal arm shall be of reflectorized material with type III reflector material that meets the minimum specific intensity requirements of 49 CFR 517.131. When two stop signal arms are installed on a bus, the forward side of the rearmost stop signal arm shall not be reflective.

F. Stop Lamps. If the bus was manufactured after December 31, 1962, two 7-inch stop lamps emitting red light only must be mounted on the rear of the bus as high as possible, but below the window line.

G. Turn Indicator Lamps

1. Buses are required to have electric turn signal lamps that indicate the direction of a turn.

2. If the bus was manufactured after August, 1970, it is required to have four 7-inch turn indicator lamps.

a. Two 7-inch amber turn signal lamps must be mounted toward the front of the bus on the same level and as high as practical, but not less than 3 feet above the ground.

b. Two lamps, either red or amber in color, to the rear must be mounted on the same level as the front turn indicator lamps.

3. Buses manufactured after August 1970, are required to have operational four-way hazard warning signals.

H. Fog Lamps. Fog lamps are permissible provided that the lamps are properly installed and operational.

I. Backing Lamp and Audible Backing Alarm

1. Backing Lamp. The bus body shall be equipped with two white rear backup lamps that are at least four inches in diameter, or, if a shape other than round, a minimum of 12 square inches of illuminated area and shall meet FMVSS No. 108. If backup lamps are placed on the same horizontal line as the brake lamps and turn signal lamps, they shall be to the inside.

2. Backing Alarm. Every new school bus ordered or purchased after August 15, 1993, and every used bus not in service as a school bus on that date, but put into service as a school bus thereafter, shall be equipped with an automatic back-up audible alarm which sounds on backing and which is capable of emitting sound audible under normal conditions from a distance of not less than 100 feet. The alarm shall also be capable of operating automatically when the vehicle is in neutral or a forward gear but rolls backward (R.S. 32:378).

J. Mirrors. School buses are required to have an interior mirror, exterior mirrors and one or more exterior cross-view mirrors.

1. Interior Mirror. Type A bus shall have a minimum of 6" x 16" mirror and type B, C and D buses shall have a minimum of 6" x 3" mirror.

2. Exterior mirror must have one or more left and one or more right hand mirrors with a minimum of 50 square inches of reflecting glass.

3. Exterior Cross View Mirror. Buses manufactured after July 1, 1979, shall have a mirror system which will provide a clear, unobstructed view of the area in front of the bus; the area immediately adjacent to the left and right front wheels and the entrance door.

K. Interior Doors

1. Service Door (front passenger pick up door). It may be controlled manually or by power. It must be controlled by the bus driver only.

a. The vertical closing edges of the service door must be equipped with a flexible material to protect passenger's fingers.

2. Emergency Exit Door

a. The passage way to the emergency door must not be restricted in any way to less than 12 inches in width.

b. There must not be steps to the emergency door when the door is in the closed position.

c. It must be equipped with a proper gasket around the door and the glass which furnishes a proper seal.

d. It must be equipped with an audible warning buzzer which notifies the driver's compartment that the door is open.

e. The emergency door mechanism shall function from the inside and outside.

f. The words "Emergency Exit" or "Emergency Door" shall be marked directly above the door on both the inside and outside in letters at least 2 inches high.

g. There must be no manual locking of any doors while the bus is in operation. No pad locks can be used on any door while the bus is in operation.

L. Bumpers and Crossing Control Arm

1. The words "School Bus" must be on the front and rear of the vehicle in plain, black letters at least 8 inches in height.

2. The stop arms shall be painted red with the word "Stop" in white letters.

3. Every school bus shall be equipped with a crossing control device actuated by the driver and operated in conjunction with the stop arm. The crossing control device shall pivot out from the right side of the front bumper to prevent persons from walking directly in front of the bus [R.S. 17:164.1(A)(1)].

M. School bus identification (signs):

1. the words "School Bus" must be on the front and rear of the vehicle in plain, black letters at least 8 inches in height.

2. bus identification number on the sides, rear and front;

3. district, company name or owner of the bus displayed at the beltline;

4. the location of the battery(ies) identified by the word battery or batteries on the battery compartment door in two-inch lettering;

5. "handicap" symbol, identifying the bus as equipped for or transporting student with disabilities; however, the symbol shall not be placed on the glass of the rear emergency exit;

6. the stop arms shall be painted red with the word Stop in white letters, or the stop arms may be covered by a manufactured decal with the same color combination.

N. Tires

1. At a minimum, the steering axle must have 4/32 inch tread.

2. No re-grooved or re-capped tires are allowed on the steering axle.

3. At a minimum, the rear axle must have 2/32 inch tread.

O. Mud Flaps. All school buses manufactured on or after July 1, 1979, shall be equipped with mud flaps on the rear of the vehicle.

P. Front and Rear Suspension and Steering. The front of the bus must be lifted and the following items checked:

1. wheel bearings for excessive looseness and play;
2. king pins and bushings for excessive looseness;
3. drive shaft and universal joints for excessive wear; and
4. ball joints for excessive wear.

Q. Windshield, Windows, and Glass

1. The left front driver's window must readily open and close.
2. No cracks, discoloration or scratches to the front, rear, right or left of the driver which would interfere with his vision are allowed.

3. No window may be broken or have any exposed sharp edges. No window may have any cracked or separated glass allowing one piece of glass to move independently of another.

4. The windshield, not including a 2 inch border at the top and a 1 inch border at each side of the windshield or each panel thereof, may not:

- a. have any crack not over 1/4 inch wide, if not intersected by any other crack; or

- b. have any damaged area which can be covered by a disc 3/4 of an inch in diameter, if not closer than 3 inches to any other such damaged area (Federal Motor Carrier Safety regulation, 393.60).

5. Side windows must open and close properly.

6. Windows must have exposed edge of glass banded.

7. Driver side windows and service doors shall not have window tint.

8. Each emergency exit window must be equipped with an alarm buzzer that alerts the bus driver to an unlatched or open window.

R. Stepwell and Floor Covering

1. The stepwell and the aisle on buses manufactured after July 1, 1966, must be covered with a rubber, non-skid, wear resistant, ribbed material.

2. All openings in the floor board, such as the gear shift lever and auxiliary brakes, shall be sealed.

3. The stepwell must not be rusted in any area and must have sufficient strength to support passengers.

4. The aisle must not be restricted in any way to less than 12 inches in width.

5. There must be no looseness in the stanchions, guard rails or grab rails.

S. Emergency Equipment. Any piece of emergency equipment may be mounted in an enclosed compartment, provided the compartment is labeled in not less than one-inch letters, identifying each piece of equipment contained therein. Emergency equipment shall consist of the following items.

1. First Aid Kit. The bus shall have a removable, moisture-proof and dust-proof first aid kit, securely mounted in an accessible place within the driver's compartment. The first aid kit must contain the supplies necessary to administer first aid in an emergency situation.

2. Fire Extinguisher. The bus will be equipped with at least one UL-approved pressurized ABC type of dry chemical fire extinguisher. It must have a gauge and at least a 5 pound capacity. It must be mounted in the manufacturer's bracket of an automotive type. It must be located in the driver's compartment in a clearly marked location or in full view of, and readily accessible to, the driver. Fire extinguishers must have a valid and up-to-date certification.

3. Warning Devices. Each school bus shall contain at least three retroreflective triangle road warning devices that meet the requirements of FMVSS No. 125, warning devices. They shall be mounted in an accessible place.

4. Body Fluid Cleanup Kit (Optional). Each school bus may have a removable and moisture-proof body fluid clean-up kit accessible to the driver. The kit shall be mounted and identified as a "body fluid clean-up kit."

T. Defrosters. The school bus will be equipped with defrosters which shall be capable of keeping the windshield, driver's left window and glass entrance door clear of fog, frost and snow. In addition, buses manufactured on or after July 7, 1979, shall be equipped with an auxiliary fan at least 6 inches in diameter. The fan must be located in the center of the windshield to provide maximum effectiveness to the right side of the windshield and the service door.

U. Sun Shield. An interior adjustable, transparent sun shield, not less than 6 inches by 30 inches, supported by two brackets shall be installed so that it can be turned up when not in use.

V. Instrument Panel

1. The instrument panel must have a lamp which effectively illuminates all instruments and gauges.

2. The school bus must be equipped with an operational beam indicator to indicate the bright/dim setting on headlamps.

3. All wiring under the instrument panel must not be hanging. Wiring must be tucked under the panel.

W. Seat Belts, Seats, and Guard Rails

1. The driver's compartment must be equipped with an approved seat belt for the driver.

2. No exposed padding, springs or wires will be allowed on the seats or guard rails.

3. If a rip or tear is not more than 3 inches long, the seats may be taped. However, no more than three pieces of tape may be used per seat.

4. No overhead storage compartments or racks shall be permitted inside the bus.

X. Battery. The battery for the school bus must be secured with some type of tie-down device. Bungee cords and bailing wire are not allowed.

Y. Exhaust

1. Inspect the exhaust system for leaks, rusted areas, broken hanger, etc.

2. The end of the exhaust system may turn and exit at the rear, side edge of the bus or it may go past the rear bumper no more than 2 inches. In any case, the exhaust system must extend past the passenger compartment of the bus.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1304-1310.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Safety Enforcement Section, LR 25:2434 (December 1999), amended by the Department of Public Safety and Corrections, Office of State Police, LR 42:439 (March 2016), LR 44:1635 (September 2018).

Subchapter E. Federal Motor Carrier Safety Regulations for Commercial Motor Vehicles (CMV)

§825. General Information

A. Certain types of vehicles are subject to federal regulations in connection with Louisiana's Motor Vehicle Inspection Program. A *commercial vehicle* is defined as any self-propelled or towed vehicle used on public highways in commerce to transport passengers or property when:

1. the vehicle has a gross vehicle weight rating or gross combination weight rating as follows:

a. interstate commerce—the vehicle travels from this state to another state and has a weight rating of 10,001 pounds or more;

b. intrastate commerce—the vehicle travels only in Louisiana and has a weight rating of 26,001 pounds or more;

2. the vehicle is designed to transport more than 15 passengers, including the driver;
3. the vehicle is used in the transportation of hazardous material in a quantity requiring placarding under regulations issued by the secretary under the Hazardous Material Transportation Act.

B. The federal regulations mandate that this motor carrier safety inspection will be conducted on an annual basis, with the commercial vehicle inspection report completed with each yearly inspection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1304-1310.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Safety Enforcement Section, LR 25:2437 (December 1999), amended by the Department of Public Safety and Corrections, Office of State Police, LR 42:441 (March 2016).

§827. 49 Code of Federal Regulations (CFR) §390.15 Motor Carrier Safety Regulations

A. The definition of a *commercial motor vehicle* is any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle:

1. has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight, of 4,536kg (10,001 lbs) or more, whichever is greater; or
2. is designed or used to transport more than 8 passengers (including the driver) for compensation; or
3. is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
4. is used in transporting material found by the secretary of transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the secretary under 49 CFR, subtitle B, chapter I, subchapter C.

B. 49 CFR 396.17, Periodic Inspection

1. Every commercial motor vehicle shall be inspected as required by this Section. The inspection shall include, at a minimum, the parts and accessories set forth in LAC 55:III.829. The term *commercial motor vehicle* includes each vehicle in a combination vehicle. For example, for a tractor semitrailer, full trailer combination, the tractor, semi-trailer and the full trailer (including the converter dolly if so equipped) shall be inspected.

2. Except as provided in C.F.R. 396.23, a motor carrier shall inspect or cause to be inspected all motor vehicles subject to its control.

3. A motor carrier shall not use a commercial motor vehicle unless each component identified in LAC 55:III.829 has passed an inspection in accordance with the terms of this Section at least once during the preceding 12 months. The commercial inspection certificate conforms with C.F.R. 396.17-C-2, which waives the requirement that a copy of the commercial annual inspection form be carried in the vehicle.

4. It shall be the responsibility of the motor carrier to ensure that all parts and accessories not meeting the minimum standards set forth in LAC 55:III.829 are repaired promptly.

5. Failure to perform properly the annual inspection set forth in this Section shall cause the motor carrier to be subject to the penalty provisions provided by 49 U.S.C. 521(B).

C. 49 CFR 396.21 Periodic Inspection/Record-Keeping Requirements

1. The qualified inspector performing the inspection shall complete the record of annual commercial inspection form (DPSSE 1019) in its entirety.

2. The original or a copy of the inspection report shall also be retained by the motor carrier under whose control the vehicle operates for 30 consecutive days or more, for a period of 14 months. The inspection report shall be retained where the vehicle is either housed or maintained. The original or a copy of the inspection report shall be available for inspection upon demand of an authorized federal, state or local official.

a. A copy shall be kept at the MVI station conducting the inspection for 3 years.

3. A record of annual commercial inspection form will be completed for each unit inspected, i.e., tractor, trailer, converter dolly, etc. When a record of annual commercial inspection form is completed, the regular log report need not be filled out.

4. A rejected vehicle is entitled to one free re-inspection if returned to the same inspection station within thirty days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1304-1310.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Safety Enforcement Section, LR 25:2437 (December 1999), amended by the Department of Public Safety and Corrections, Office of State Police, LR 38:2558 (October 2012), LR 42:441 (March 2016).

§829. Minimum Periodic Inspection Standards

A. The mechanic inspector shall record the expired sticker number on the log report and then remove the expired sticker prior to continuing with the inspection.

1. The mechanic inspector shall conduct a review of the documents for the vehicle ensuring that all documents are in agreement.

2. Certificate of Registration. This contains information which must be verified with the corresponding information on the vehicle. A photocopy or original registration is acceptable. In lieu of a registration certificate, a vehicle may be inspected with a valid temporary license plate.

B. Vehicle Identification Number (VIN). The VIN must agree with Certificate of Registration and the insurance document. It must match the VIN displayed on the vehicle.

C. License Plate. The registration indicates a license plate number and expiration date of the plate. This information must correspond with the information displayed on the vehicle. The license plate must be valid.

1. A temporary registration authorization indicating an apportioned plate has been applied for is also acceptable in lieu of a registration. When this condition exists, no license plate is present. The temporary registration allows the vehicle to be used until the apportioned plate and cab card are issued.

D. Operator License. Must be valid and in the immediate possession of the vehicle operator. It must be presented to the mechanic inspector, and the license number must be taken from the driver's license and recorded in the appropriate block on the log report. (Be familiar with Paragraph D.3. of this Section.)

1. A valid out-of-state driver's license is acceptable. The state in which it was issued must be noted on the log report.

2. A temporary driving permit issued in connection with a traffic violation when the operator's license is held may be accepted until the permit expires on the court date noted.

3. Commercial driver's license (CDL) and non-CDL classes;

a. combination vehicle (Class A)—having a gross combination weight rating or gross combination weight of 26,001 pounds or more, whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds, whichever is greater; or

b. heavy straight vehicle (Class B)—having a gross vehicle weight rating or gross vehicle weight of 26,001 pounds or more, whichever is greater; or

c. small vehicle (Class C) that does not meet group A or B requirements but that either:

i. is designed to transport 16 or more passengers, including the driver; or

ii. is of any size and is used in the transportation a placard-able amount of hazardous materials as defined by 49 CFR Part 172, Subpart F.

d. Non-CDL Chauffeur's License (Class D)—any single motor vehicle used in commerce to transport passengers or property if it has a gross vehicle weight rating of 10,001 or more pounds but less than 26,001 pounds, or any combination of vehicles used in commerce to transport passengers or property if the motor vehicle has a combined gross vehicle weight rating of 10,001 or more pounds but less than 26,001 pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or any vehicle designed or utilized for the transportation of passengers for hire or fee; and not utilized in the transportation of materials found to be hazardous under the provisions of the Hazardous Materials Transportation Act which requires the vehicle to bear a placard under the provision of Hazardous Materials Regulations (49 CFR Part 172, Subpart F).

E. Proof of current liability insurance must be shown to the mechanic inspector.

1. A current certificate of insurance, motor vehicle liability insurance policy (or duplicate of the original) or a binder for the same is acceptable. A vehicle's policy identification card or photocopy of the same may also be accepted. These documents shall designate the name of the insurance company affording coverage, the policy number, the effective dates of coverage (both the beginning and ending dates are required) and a description of the vehicle covered including the VIN. A binder must be an official accord binder form and can be handwritten.

2. A copy of a motor vehicle liability bond. This document may or may not describe the vehicle covered.

3. A certificate from the state treasurer indicating a deposit was made to the state. It will not have a description of the vehicle, but the vehicle must be registered under the same name as noted on the certificate.

4. A certificate of self-insurance issued by the Louisiana Department of Public Safety and Corrections. It is not required to describe the vehicle covered.

F. License Plate Mounting and Condition: In addition to being valid, the license plate will be inspected for the following:

1. must be secured to the mounting brackets;

2. must be clean, clearly visible and readable for a distance of 50 feet to the rear of the vehicle. Plates shall not be obscured or damaged so that the numbers cannot be identified;

3. must be mounted in the rear;

4. truck-trailer, emergency firefighting equipment, dump-body trucks, trucks over 6,000 pounds and forestry product licensed vehicles may display the plate on either the front or rear of the vehicle.

G. All vehicles presented for inspection will be inspected for all of the following items: vehicle registration, vehicle license plate, driver's license and proof of liability insurance.

H. Every motor vehicle, trailer, semi-trailer and pole trailer registered in this state shall bear a valid safety inspection certificate issued in the State of Louisiana

1. Commercial Motor Vehicles, truck tractors, trailers, and semi trailers in interstate commerce which are subject to the Federal Motor Carrier Safety Regulations shall be exempt from the inspection requirements if,

2. the truck/truck tractor is registered with an apportioned plate or the trailer and semi trailer is being pulled by a truck/truck tractor registered with an apportioned plate.

a. The vehicle must have an alternate means of compliance with the requirements of 49 CFR. (See exemptions under 32:131(D))

I. As per minimum periodic inspection standards, a vehicle shall be issued a restricted rejection certificate if it has any one of the following defects or deficiencies.

J. Brake System

1. Service Brakes

a. Absence of braking action on any axle required to have brakes upon application of the service brakes (such as missing brakes or brakes shoe(s) failing to move upon application of a wedge, s-cam or disc brake).

b. Missing or broken mechanical components, including shoes, lining, pads, springs, anchor pins, spiders and cam shaft support brackets.

c. Loose brake components including air chambers, spiders, and cam shaft support brackets.

d. Audible air leak at brake chamber (ex. ruptured diaphragm, loose chamber clamp, etc.).

e. Readjustment Limits

i. The maximum pushrod stroke must not be greater than the values given in the tables below and at 393.47(e). Any brake stroke exceeding the readjustment limit will be rejected. Stroke must be measured with engine off and reservoir pressure of 80 to 90 psi with brakes fully applied. Do not attempt to adjust automatic slack adjusters.

(a). The Maximum Stroke at which Brakes Should be Readjusted

Clamp-Type Brake Chamber Data			
Type	Outside Diameter	Brake Readjustment Limit Standard Stroke Chamber	Brake Readjustment Limit Long Stroke Chamber
6	4 1/2 inch	1 1/4 inch	
9	5 1/4 inch	1 3/8 inch	
12	5 11/16 inch	1 3/8 inch	1 3/4 inch
16	6 3/8 inch	1 3/4	2 inch
20	6 25/32 inch	1 3/4 inch	2 inch 2 1/2 inch (For 3" rated stroke)
24	7 7/32 inch	1 3/4 inch	2 2 1/2 inch (For 3" rated stroke)
30	8 3/32 inch	2 inch	2 1/2 inch
36	9 inch		

Bendix DD-3 Brake Chambers		
Type	Outside Diameter	Maximum Stroke At Which Brakes Should Be Readjusted
30	8 1/2 in.	2 1/4 inch

Bolt Type Brake Chamber Data		
Type	Outside Diameter	Maximum Stroke At Which Brakes Should Be Readjusted
A	6 15/16 inch	1 3/8 inch
B	9 3/16 inch	1 3/4 inch
C	8 1/16 inch	1 3/4 inch
D	5 1/4 inch	1 1/4 inch
E	6 3/16 inch	1 3/8 inch
F	11 inch	2 1/4 inch
G	9 7/8 inch	2 inch

Rotochamber Data		
Type	Outside Diameter	Maximum Stroke At Which Brakes Should Be Readjusted
9	4 9/32 inch	1 1/2 inch
12	4 13/16 inch	1 1/2 inch
16	5 13/32 inch	2 inch
20	5 15/16 inch	2 inch
24	6 13/32 inch	2 inch
30	7 1/16 inch	2 1/4 inch
36	7 5/8 inch	2 3/4 inch
50	8 7/8 inch	3 inch

(b). For actuator types not listed in these tables, the pushrod stroke must not be greater than 80 percent of the rated stroke marked on the actuator by the actuator or manufacturer, or greater than the readjustment limit marked on the actuator by the actuator manufacturer.

- f. Brake Lining or Pads
 - i. lining or pad is not firmly attached to the shoe;
 - ii. saturated with oil, grease or brake fluid;
 - iii. non-steering axles. Lining with a thickness less than 1/4 inch at the shoe center for air drum brakes, 1/16 inch or less at the shoe center for hydraulic and electric drum brakes, and less than 1/8 inch for air disc brakes;
 - iv. steering axle. Lining with a thickness less than 1/4 inch at the shoe center from drum brakes, less than 1/8 inch for air disc brakes and 1/16 inch or less for hydraulic disc and electric brakes.

- g. Missing brakes on axle required to have brakes.
 - h. Mismatch across any power unit steering axle of:
 - i. air chamber size;
 - ii. slack adjuster length;
 - iii. wedge brake data—movement of the scribe mark on the lining shall not exceed 1/16 inch.
2. Parking Brake System. No brakes on the vehicle or combination are applied upon actuation of the parking brake control, including drive line hand controlled parking brakes.
3. Brake Drums or Rotors—
- a. with any external crack or cracks that open upon brake application (do not confuse short hairline heat check cracks with flexural cracks);
 - b. any portion of the drum or rotor missing or in danger of falling away.
4. Brake Hose—
- a. hose with any damage extending through the outer reinforcement ply. (Rubber impregnated fabric cover is not a reinforcement ply.) (Thermoplastic nylon may have braid reinforcement or color difference between cover and inner tube. Exposure of second color is cause for rejection.);
 - b. bulge or swelling when air pressure is applied;
 - c. any audible leaks;
 - d. two hoses improperly joined (such as a splice made by slicing the hose ends over a piece of tubing and clamping the hose to the tube). (Exception: A splice utilizing a reverse claw connector is acceptable.);
 - e. air hose cracked, damaged by heat, broken or crimped.
5. Brake Tubing—
- a. any audible leaks;
 - b. tubing cracked, damaged by heat, broken or crimped.
6. Low Pressure Warning Device. Missing, inoperative or does not operate at 55 psi and below, or one-half the governor cut-out pressure, whichever is less.
7. Tractor Protection Valve. Inoperative or missing tractor protection valve(s) on power unit.
8. Air Compressor—
- a. compressor drive belts in condition of impending or probable failure;
 - b. loose compressor mounting bolts;
 - c. cracked, broken or loose pulley;
 - d. cracked or broken mounting brackets, braces or adapters.
9. Electric Brakes—
- a. absence of braking action on any wheel required to have brakes;
 - b. missing or inoperative breakaway braking device.
10. Hydraulic Brakes (including power assist over hydraulic and engine drive hydraulic booster)—
- a. master cylinder less than one-fourth full;
 - b. no pedal reserve with engine running except by pumping pedal;
 - c. power assist unit fails to operate;
 - d. seeping or swelling brake hose(s) under application of pressure;

- e. missing or inoperable check valve;
- f. has any visually observed leaking hydraulic fluid in the brake system;
- g. has hydraulic hose(s) abraded (chafed) through outer cover to fabric layer;
- h. fluid lines or connections leaking, restricted, crimped or broken;
- i. brake failure or low fluid warning light on and/or inoperable.

11. Vacuum System—

- a. has insufficient vacuum reserve to permit one full brake application after engine is shut off;
- b. has vacuum hose(s) or line(s) restricted, abraded (chafed) through outer cover to cord ply, crimped, cracked, broken or has collapse of vacuum hose(s) when vacuum is applied;
- c. lacks an operable low-vacuum warning device as required.

K. Coupling Devices

1. Fifth Wheels

- a. Mounting to Frame—
 - i. any fasteners missing or ineffective;
 - ii. any movements between mounting components;
 - iii. any mounting angle iron cracked or broken.
- b. Mounting plates and pivot brackets—
 - i. any fasteners missing or ineffective;
 - ii. any welds or parent metal cracked;
 - iii. more than 3/8 inch horizontal movement between pivot bracket pin and bracket.
 - iv. pivot bracket pin missing or not secured.
- c. Sliders—
 - i. any latching fasteners missing or ineffective;
 - ii. any fore or aft stop missing or not securely attached;
 - iii. movement more than 3/8 inch between slider bracket and slider base;
 - iv. any slider component cracked in parent metal or weld;
- d. Lower Coupler—
 - i. horizontal movement between the upper and lower fifth wheel halves exceeds 1/2 inch;
 - ii. operating handle not in closed or locked position;
 - iii. kingpin not properly engaged;
 - iv. separation between upper and lower coupler allowing light to show through from side to side;
 - v. crack in the fifth wheel plate. Exceptions: Cracks in the fifth wheel approach ramps and casting shrinkage cracks in the ribs of the body or a cast fifth wheel;
 - vi. locking mechanism parts missing, broken or deformed to the extent the kingpin is not securely held.

2. Pintle Hooks

- a. Mounting to Frame—
 - i. any missing or ineffective fasteners (a fastener is not considered missing if there is an empty hole in the device, but no corresponding hole in the frame or vice versa);

- ii. mounting surface cracks extending from point of attachment (e.g., cracks in the frame at mount bolt holes);
- iii. loose mounting;
- iv. frame cross member providing pintle hook attachment cracked;
- b. Integrity—
 - i. cracks anywhere in pintle hook assembly;
 - ii. any welded repairs to the pintle hook;
 - iii. any part of the horn section reduced by more than 20 percent;
 - iv. latch insecure.
- 3. Drawbar/Towbar Eye
 - a. Mounting—
 - i. any cracks in attachment welds;
 - ii. any missing or ineffective fasteners.
 - b. Integrity—
 - i. any cracks;
 - ii. any part of the eye reduced by more than 20 percent.
- 4. Drawbar/Towbar Tongue
 - a. Slider (Power or Manual)—
 - i. ineffective latching mechanism;
 - ii. missing or ineffective stop;
 - iii. movement of more than 1/4 inch between slider and housing;
 - iv. any leaking, air or hydraulic cylinders, hoses or chambers (other than slight oil weeping normal with hydraulic seals).
 - b. Integrity—
 - i. any cracks;
 - ii. movement of 1/4 inch between subframe and drawbar at point of attachment.
- 5. Safety Devices—
 - a. safety devices missing;
 - b. unattached or incapable of secure attachment;
 - c. chains and hooks:
 - i. worn to the extent of a measurable reduction in link cross section;
 - ii. improper repairs including welding, wire or small bolts, rope and tape.
 - d. cable:
 - i. kinked or broken cable stands;
 - ii. improper clamps or clamping.
- 6. Saddle-Mounts
 - a. Method of Attachment—

- i. any missing or ineffective fasteners;
- ii. loose mountings;
- iii. any cracks or breaks in a stress or load bearing member;
- iv. horizontal movement between upper and lower saddle-mount halves exceeds 1/4 inch.

L. Exhaust System—

- 1. any exhaust system determined to be leaking at a point forward of or directly below the driver/sleeper compartment;
- 2. a bus exhaust system leaking or discharging to the atmosphere:
 - a. gasoline powered—excess of 6 inches forward of the rearmost part of the bus;
 - b. other than gasoline powered—in excess of 15 inches forward of the rear most part of the bus;
 - c. other than gasoline powered—forward of the door or window designed to be opened. (Exception: Emergency exits);
- 3. no part of the exhaust system of any motor vehicle shall be so located as would be likely to result in burning, charring, damaging the electrical wiring, the fuel supply or any combustible part of the motor vehicle.

M. Fuel System—

- 1. a fuel system with a visible leak at any point;
- 2. a fuel tank filler cap missing;
- 3. a fuel tank not securely attached to the motor vehicle by reason of loose, broken or missing mounting bolts or brackets (some fuel tanks use springs or rubber bushing to permit movement).

N. Lighting Devices. All lighting devices and reflectors required by 49 CFR part 393 shall be operable.

O. Safe Loading—

- 1. part(s) of the vehicle or condition of loading such that the spare tire or any part of the load or dunnage can fall onto the roadway;
- 2. protection against shifting cargo. Any vehicle without a front-end structure or equivalent device as required.

P. Steering Mechanism

1. Steering Wheel Free Play—

- a. on vehicles equipped with power steering the engine must be running.

Steering Wheel Diameter	Manual Steering System	Power Steering System
16"	2"	4 1/2"
18"	2 1/4"	4 3/4"
20"	2 1/2"	5 1/4"
22"	2 3/4"	5 3/4"

2. Steering Column—

- a. any absence or looseness of u-bolt(s) or positioning part(s);
- b. worn, faulty or obviously repair welded universal joints;
- c. steering wheel not properly secured.
- 3. Front Axle Beam and all Steering Components other than Steering Column—
 - a. any crack(s);
 - b. any obvious welded repair(s).

4. Steering Gear Box
 - a. Any mounting bolt(s) loose or missing;
 - b. any crack(s) in gear box or mounting brackets.
5. Pitman Arm. Any looseness of the pitman arm on the steering gear output shaft.
6. Power Steering—auxiliary power assist cylinder loose.
7. Ball and Socket Joints—
 - a. any movement under steering load of a stud nut;
 - b. any motion, other than rotational, between any linkage member and its attachment point of more than 1/4 inch.
8. Tie Rods and Drag Links—
 - a. loose clamp(s) or clamp bolt(s) on tie rods or drag links;
 - b. any looseness in any threaded joint.
9. Nuts—loose or missing on tie rods, pitman arm, drag link, steering arm or tie rod arm.
10. Steering System. Any modification or other condition n that interferes with free movement of any steering component.

Q. Suspension—

1. any u-bolt(s), spring hanger(s) or other axle positioning part(s) cracked, broken, loose or missing resulting in shifting of an axle from its normal position (after a turn, lateral axle displacement is normal with some suspensions. Forward or rearward operation in a straight line will cause the axle to return to alignment).
2. Spring Assembly—
 - a. any leaves in a leaf spring assembly broken or missing;
 - b. any broken main leaf in a leaf spring assembly (includes assembly with more than one main spring);
 - c. coil spring broken;
 - d. rubber spring missing;
 - e. one or more leaves displaced in a manner that could result in contact with a tire, rim, brake drum or frame;
 - f. broken torsion bar spring in a torsion bar suspension;
 - g. deflated air suspension, i.e., system failure, leak, etc.
3. Torque, Radius, or Tracking Components—
 - a. Any part of a torque, radius or tracking component assembly or any part used for attaching the same to the vehicle frame or axle that is cracked, loose, broken or missing. (Does not apply to loose bushing in torque or track rods.)

R. Frame

1. Frame Member—
 - a. any cracked, broken loose or sagging frame member;
 - b. any loose or missing fasteners including fasteners attaching functional components such as engine, transmission, steering gear suspension, body parts and fifth wheel.
2. Tire and wheel clearance—any condition, including loading, that causes the body or frame to be in contact with a tire or any part of the wheel assembly.
3. Adjustable axle Assemblies—adjusting axle assembly with locking pins missing or not engaged.

S. Tires

1. Any tire on any steering axle of a power unit:
 - a. with less than 4/32-inch tread when measured at any point on a major tread groove;
 - b. has body ply or belt material exposed through the tread or sidewall;
 - c. has any tread or sidewall separation;
 - d. has a cut where the ply or belt material is exposed;
 - e. labeled "Not for Highway Use" or displaying other markings which would exclude use on steering axle;
 - f. a tube-type radial tire without radial tube stem markings. These markings include a red band around the tube stem or the word Radial embossed in metal stems, or the word Radial molded in rubber stems;
 - g. mixing bias and radial tires on the same axle;
 - h. tire flap protrudes through valve slot in rim and touches stem;
 - i. re-grooved tire except motor vehicles used solely in urban or suburban service [see exception in 49 CFR 393.75(e)];
 - j. boot, blowout patch or other ply repairs;
 - k. weight carried exceeds tire load limit. This includes overloaded tire resulting from low air pressure;
 - l. tire is flat or has noticeable (e.g., can be heard or felt) leak;
 - m. any bus equipped with recapped or retreaded tire(s);
 - n. so mounted or inflated that it comes in contact with any part of the vehicle.
2. All tires other than those found on the steering axle of a power unit:
 - a. weight carried exceeds tire load limit. This includes overloaded tire(s) resulting from low air pressure;
 - b. tire is flat or has noticeable (e.g., can be heard or felt) leak;
 - c. has body ply or belt material exposed through the tread or sidewall;
 - d. has any tread or sidewall separation;
 - e. has a cut where ply or belt material is exposed;
 - f. so mounted or inflated that it comes in contact with any part of the vehicle (this includes a tire that contacts its mate);
 - g. is marked "Not for Highway Use" or otherwise marked and having like meaning;
 - h. with less than 2/32-inch tread when measured at any point on a major tread groove.

T. Wheels and Rims

1. Lock or Side Ring. Bent, broken, cracked, improperly seated, sprung or mismatched ring(s).
2. Wheels and Rims. Cracked or broken or has elongated bolt holes.
3. Fasteners (both spoke and disc wheels). Any loose, missing, broken, cracked, stripped or otherwise ineffective fasteners.
4. Welds
 - a. Any cracks in welds attaching disc wheel disc to rim;
 - b. any cracks in welds attaching tubeless demountable rim to adapter;
 - c. any welded repair on aluminum wheel(s) on steering axle;
 - d. any welded repair other than disc to rim attachment on steel disc wheel(s) mounted on the steering axle.

U. Windshield Glazing

1. Any crack, discoloration or vision reducing matter except:
 - a. coloring or tinting applied at the time of manufacture;
 - b. any crack not over 1/4-inch wide if not intersected by any other crack;
 - c. any damage area not more than 3/4-inch in diameter, if not closer than 3 inches to any other such damaged area;
 - d. labels, stickers, decals, etc. (see 49 CFR 393.60 for exceptions).
2. These prohibitions shall not apply to the area consisting of a 2 inch border at the top, a 1 inch border at each side and the area below the topmost portion of the steering wheel.
3. Coloring or tinting of windshields and the windows to the immediate right and left of the driver is allowed, provided the parallel luminous transmittance through the colored or tinted glazing is not less than 70 percent of the light at normal incidence in those portions of the windshield or windows which are marked as having a parallel luminous transmittance of not less than 70 percent. The transmittance restriction does not apply to other windows on the commercial motor vehicle.

V. Windshield wiper—any power unit that has an inoperable wiper, or missing or damaged parts that render it ineffective.

W. Fire Extinguisher. Fire extinguisher must be properly filled and securely fastened in an approved type mount in a readily accessible location on the power unit.

X. Bi-directional triangles—three bi-directional emergency reflective triangles that conform to the requirements of Federal Motor Safety Standard No. 125, 571.125.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1304-1310.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Safety Enforcement Section, LR 25:2438 (December 1999), amended by the Department of Public Safety and Corrections, Office of State Police, LR 38:2558 (October 2012), LR 42:442 (March 2016), LR 44:1635 (September 2018).

§831. Additional Requirements

A. All vehicles presented for inspection for motor carrier shall also comply to all safety requirements where applicable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1304-1310.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Safety Enforcement Section, LR 25:2441 (December 1999).

Subchapter F. Administrative and Audit Procedures

§833. Investigations; Administrative Actions; Sanctions

A. The Motor Vehicle Inspection station owner/operator may be investigated for violating any requirement imposed by any inspection law, or any rule or regulation set forth by this department. The department may initiate an administrative proceeding to require the Motor Vehicle Inspection station owner/operator to comply with any requirement contained in any statute or any rule or regulation. The department may also issue an action or order in connection with a violation of any statute or rule to impose an administrative sanction including a suspension, revocation or cancellation of any license, permit, certificate or authorization issued pursuant to LAC 55, Part III, Chapter 8 or to impose a civil administrative fine.

B. A person who has been denied any license, permit, certification or authorization provided by LAC 55, Part III, Chapter 8, as well as any person who has been subject to any action, order or decision of the department pursuant to LAC 55, Part III, Chapter 8, may make a written request for an administrative hearing to review such action, order, decision, or denial within 30 days of the date of such action, order, decision, or denial. The failure to make a timely written request as provided in LAC 55, Part III, Chapter 8, §805 shall result in such action, order, decision, or denial becoming final and no longer subject to review. The 30 day period provided in LAC 55, Part III, Chapter 8, §805.B shall commence on the date the action, order, decision, or denial is mailed or hand delivered to the person, as the case may be.

C. The department may immediately and temporarily suspend the license of a Motor Vehicle Inspection station prior to providing an administrative hearing when it is determined that the station has violated any of the provisions of LAC 55:III.819. In the event of such an immediate and temporary suspension of its license, the station is entitled to an administrative hearing to be held within 14 days of the initial date of suspension.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1304-1310.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Safety Enforcement Section, LR 25:2441 (December 1999), amended LR 27:2260 (December 2001), repromulgated LR 28:345 (February 2002).

§835. Declaratory Orders and Rulings

A.1. Any person desiring a ruling on the applicability of R.S. 32:1301 et seq., or any other statute, or the applicability or validity of any rule, regarding the inspection of motor vehicles as provided in Louisiana Motor Vehicle Inspection Law shall submit a written petition to the deputy secretary for the department.

2. The written petition shall cite all constitutional provisions, statutes, ordinances, cases, and rules which are relevant to the issue presented or which the person wishes the deputy secretary to consider prior to rendering an order or ruling in connection with the petition. The petition shall be typed, printed or written legibly, and signed by the person seeking the ruling or order. The petition shall also contain the person's full printed name, the complete physical and mailing address of the person, and a daytime telephone number.

B. If the petition seeks an order or ruling on any action, order or decision of the department, including the issuance or denial of any license, permit, certification, authorization or approval, the person submitting the petition shall notify all persons specifically named in the action, order or decision, if the person submitting the petition is not one of the named persons. Such notice shall be sent by certified mail, return receipt requested. In such case, the petition shall not be considered until proof of such notice has been submitted to the deputy secretary, or until the person petitioning for the order or ruling establishes that the person required to receive notice cannot be notified after a due and diligent effort. The notice shall include a copy of the petition submitted to the deputy secretary.

C. The deputy secretary, or his designee, may request the submission of legal memoranda to be considered in rendering any order or ruling. The deputy secretary or his designee shall base the order or ruling on the documents submitted including the petition and legal memoranda. If the deputy secretary or his designee determines that the submission of evidence is necessary for a ruling, the matter may be referred to a hearing officer prior to the rendering of the order or ruling for the taking of such evidence.

D. Notice of the order or ruling shall be sent to the person submitting the petition as well as all other persons provider receiving notice of the petition at the mailing addresses provided in connection with the petition.

E. The deputy secretary may decline to render an order or ruling if the person submitting the petition has failed to comply with any requirement in this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1301 et seq. and R.S. 49:962.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Safety Enforcement Section, LR 25:2442 (December 1999).