

CR 83-194

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MAR 13 1984

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C E R T I F I C A T E

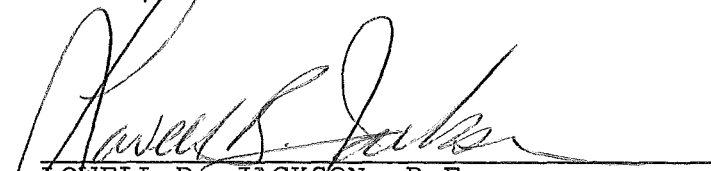
STATE OF WISCONSIN)
) ss.
DEPARTMENT OF TRANSPORTATION)

TO ALL TO WHOM THESE PRESENTS COME, GREETINGS:

I, Lowell B. Jackson, Secretary of the Wisconsin Department of Transportation and custodian of the official records of the Department, do hereby certify that the annexed administrative rule relating to motor vehicle exhaust and fuel systems was approved and adopted by this Department on March 13th, 1984.

I further certify that the annexed copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have here-
onto set my hand and affixed the
official seal of the Department
at the Hill Farms State Office
Building in the City of Madison,
Wisconsin, this 13th day of
March, 1984.



LOWELL B. JACKSON, P.E.
Secretary
Wisconsin Department of
Transportation

5-1-84

IN THE MATTER OF THE AMENDMENT	:	
OF SECTION MVD 5.24, WISCONSIN	:	ORDER
ADMINISTRATIVE CODE, RELATING	:	ADOPTING
TO MOTOR VEHICLE EXHAUST AND	:	RULE
FUEL SYSTEMS	:	

Analysis Prepared by the Wisconsin Department of Transportation

General summary of rule. The Wisconsin Legislature has enacted s. 110.20, Stats., requiring a Department of Transportation established motor vehicle emission inspection and maintenance program. The emission inspection and maintenance program is to start in April 1984. For the inspection and maintenance program to be effective, all necessary vehicle emission control devices on each vehicle inspected must be in place and operating properly. This rule amendment explicitly enumerates those vehicle emission control components that must be properly in place and operating if a vehicle is to operate lawfully on the highway.

Fiscal effect. This rule change will not have a fiscal effect upon the state, local governments or the private sector. It simply explicitly identifies for the benefit of everyone those vehicle emission control components required for a vehicle to operate lawfully.

This analysis was prepared by Philip Peterson, Office of General Counsel, Wisconsin Department of Transportation (608) 266-8810.

Pursuant to authority vested in the Wisconsin department of transportation by ss. 110.06(1) and 110.075, Stats., the department amends rules interpreting ss. 110.075, 110.20, and 347.39, Stats., as follows:

RULE TEXT

SECTION 1. Section MVD 5.24(1)(intro.), Wisconsin Administrative Code, is amended to read:

MVD 5.24 EXHAUST AND FUEL SYSTEMS. (1) The exhaust and fuel systems on every motor vehicle shall be maintained in proper

working order and in conformity with this section. ~~All-vehicle emission-control-devices-originally-installed-by-the-manufacturer or-comparable-tested-replacement-devices-shall-remain-installed and-in-proper-working-order.~~ Piping used in exhaust systems shall be of the rigid type. Convoluted pipe meets this requirement. Flexible tubing shall not be acceptable for use in the exhaust system except in its use in motor driven cycles, road tractors, truck tractors, or trucks over 10,000 pounds GVW, where the connection is outside the cab line. Every exhaust system, so located as to be hazardous to a person outside the vehicle or to a person entering or leaving a vehicle, shall have a protective shield to prevent such person from being burned or injured. The exhaust system location will be considered hazardous if it extends beyond the body line measured at the door sill or rocker panel for those systems where the exhaust pipes are on the side of the vehicle. A system where the exhaust pipes extend upward along the side or rear of the body shall have a protective shield. (See Figure 2a.) Every motor driven cycle must have a protective shield only if the exhaust system is above and to the rear of the foot pegs and if such vehicle was originally equipped with a protective shield over the exhaust system or parts thereof. It shall be unlawful for any vehicle to be operated on the highway if:

SECTION 2. Section MVD 5.24(1)(g), Wisconsin Administrative Code, is amended to read:

(g) ~~The-vehicle-emission-control-system-or-any-part-thereof when-installed-as-original-equipment-or-comparable-tested-replacement-devices-has-been-removed-or-disconnected.~~ The following

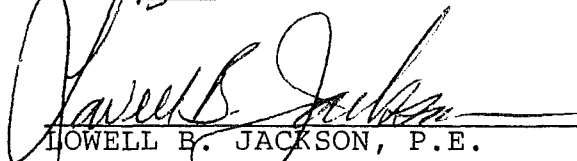
vehicle emission control devices originally installed by the manufacturer or comparable tested replacement devices have been removed, disconnected, or physically altered to be ineffective:

1. Catalytic converter.
2. Fuel tank filler tube restrictor.
3. Thermostatic air cleaner.
4. Air pump system.
5. Positive crankcase ventilation system.
6. Exhaust gas recirculation system.
7. Oxygen sensor.

(End)

THEREFORE, this rule shall take effect upon publication as provided in s. 227.026(1)(intro.), Stats.

Signed at Madison, Wisconsin,
this 13th day of March, 1984.



HOWELL B. JACKSON, P.E.
Secretary
Wisconsin Department of
Transportation



State of Wisconsin \

DEPARTMENT OF TRANSPORTATION



PLEASE REPLY TO:

OFFICE OF GENERAL COUNSEL

4802 Sheboygan Avenue
P. O. Box 7910
Madison, WI 53707

Telephone: (608) 266-8810

March 12, 1984

Mr. Gary Poulson
Assistant Revisor of Statutes
411 West, State Capitol
Madison, Wisconsin 53702

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MAR 13 1984

RE: Clearinghouse Rule 83-194;
In the Matter of the Adoption of MVD 5.24, *Revisor of Statutes*
Wisconsin Administrative Code, Relating Bureau
to Motor Vehicle Exhaust and Fuel Systems

Dear Mr. Poulson:

Enclosed for filing, pursuant to sec. 227.023, Wis. Stats., is a certified copy of CR 83-194, an administrative rule relating to motor vehicle exhaust and fuel systems. An additional, un-certified copy of CR 83-194 is enclosed to be used as a printer's copy. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,

Philip Peterson
Deputy General Counsel

PP:ck

Enclosure

cc: Sue Mattka
Skip Schneider
Norbert Anderson
James Van Sistine
Michael Moschkau
Carl Johnson
David Kussow
Carl Zutz
Don Krohn