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NEW SECTION:

Section 8.0 Certified Emission Repair Technicians

8.1 Emission Repair Technician Certification Process.

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Effective January 1, 1997 for vehicles registered in New Castle County and July 1, 1997 for vehicles registered in Kent County, in order to qualify for a waiver under 7.0 of this regulation on any 1981 or later model year vehicle shall be performed by a certified repair technician or a certified manufacturer repair technician, as defined in Section 2 of this regulation. ~~The cost of such repairs must total no less than \$200.~~

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~~8.1.1 Under the policy developed by the Department, a~~ Certified Emission Repair Technician may be certified as trained to do repairs on all makes of vehicles or vehicles of a specific manufacturer. Auto repair technicians seeking to become certified under 7 DE Admin Code Regulation-1131 ~~have the following options in attaining the certification:~~

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~~8.1.1. All those applying for certification shall be ASE-L1 certified or present certification from an equivalent program which is approved by the Department and the Division.~~

~~8.1.2 The certification shall expire every five years.~~

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8.2 Vehicle On-Board Diagnostic Testing Permit

8.2.1 General Provisions

~~8.2.1.1 This regulation establishes the procedures that satisfy the requirement of 7 Del.C. Ch. 60 to provide a permit to certified emission repair technicians to conduct on board diagnostic testing of vehicles that are not in compliance with §2115 of Title 21.~~

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~~8.2.1.2 Any approval granted by the Department pursuant to this regulation shall not relieve certified emission repair technician of the responsibility of complying with applicable local, State, and Federal laws and regulations.~~

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8.2.2 Applicability

~~Vehicle On-Board Diagnostic Testing Permits shall be issued to all certified repair technicians to conduct on board diagnostic testing of vehicles that are not in compliance with §2115 of Title 21.~~

8.2.3 Cancellation of Permits

~~The Department may cancel the Vehicle On-Board Diagnostic Testing permit if the certified emission repair technician fails to maintain its certification as required by 8.1 of this regulation.~~

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8.2.4 Action on Applications

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~~8.2.4.1 If an application is disapproved, the Department shall set forth its objections in the notice of disapproval.~~

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8.2.4.2 Upon granting written approval for Vehicle On-Board Diagnostic Testing, the Department shall give notice of such approval to any person who has submitted a written request for such notice.

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8.2.5 Denial, Suspension or Revocation of Permits

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8.2.5.1 In the event the Department denies a request for approval of a permit to a certified emission repair technician for which an application was made, the applicant shall be notified by the Department.

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8.2.5.2 The Department may suspend or revoke a permit for violation of any permit condition or violation of this or any other applicable rule or regulation of the Department or any law administered by the Department and may take such other actions as it deems necessary.

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8.2.5.3 Suspension or revocation of a permit shall become final immediately upon service of notice on the holder of the permit, unless otherwise stated in the notice of suspension or revocation.

8.2.6 Transfer of Permit Prohibited

No person shall transfer a Vehicle On-Board Diagnostic Testing Permit from one person to another person.

8.2.7 Availability of Permit/Registration

Any permit and any registration form shall be available on the premises where the construction, alteration, installation, or operation activity takes place.

8.2.7 Permit Application

8.2.7.1 Any person identified in 8.2.2 of this regulation shall submit to the Department an application for a permit on forms furnished by the Department. Permit application forms are available from the Department upon request.

8.2.7.2 The application shall consist of a description of at least the following:

8.2.7.2.1 Applicants contact information.

8.2.7.2.2 Name and location of auto repair facility where applicant is employed.

8.2.7.2.3 Applicants emission repair certification information.

8.2.7.3.1 Name of certifying organization

8.2.7.3.2 Date certified.

8.2.7.3.3 Date certification expires.

8.2.7.3 Insurance Information including policy number and agent.

8.2.7.3 A Vehicle On-Board Diagnostic Testing permit or any renewal thereof shall be valid for a period not to exceed five years from the date of issuance, unless sooner revoked by order of the Department, and may be renewed upon application to and approval by the Department.

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8.2.8 Department Records

8.2.8.1 The Department will keep for five years such records.

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~~can test out and gain certification without further emission repair training as provided by Auto Manufacturer or other training organization. The test out process is administered by the College as follows:~~

Comment [V5]: According to Phil Wheeler, DelTech (the College) no longer provides CERT / DEEP training and testing. The last training occurred by a consultant hired by the Department in 2006

~~Applicants without L1 ASE (Automobile Service Excellence) certification must first take the "Fundamental Inspection Repair System Training" final exam. Those achieving a score of 75% or better are eligible to take the "Delaware Emission Education Program" certification exam.~~

~~Applicants achieving a score of 75% or better on the certification exam will become certified on all makes of vehicles. Applicants with L1 ASE certification can test out by taking the "Delaware Emission Education Program" certification exam ONLY.~~

8.1.2. The testing procedure discussed above will determine what, if any, training is needed for applicants seeking certification.

~~Technicians scoring below 75% on the "Fundamental Inspection Repair System Training" final exam must take a 60-hour fundamental emission repair training course provided by the College.~~

~~Those completing the 60-hour program and scoring 75% or better on the final exam can advance into a 40-hour class which is the next level of training, or attempt to test out and take the certification exam, scoring 75% or better to become certified.~~

~~Technicians scoring below 75% on the "Delaware Emission Education Program" certification exam must take a 40-hour emission repair training course provided by the College and then score 75% or better on the final exam to become certified.~~

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8.1.3. Technicians who are L1 ASE certified and who have approved manufacturer's emission repair training will be certified for each make of vehicle of each manufacturer that the technician was trained to do emission repairs. The procedure for certification is as follows:

~~The Department will evaluate each of the manufacturer's "OEM Emissions Path" to determine if it meets a reasonable minimum standard. This evaluation must contain proof that the manufacturer's course work clearly covers the Delaware I/M regulation (e.g. waiver process, etc.)~~

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~~Candidate manufacturer technician submits: His/her transcript from the manufacturer on courses taken and passed and; Proof of ASE L1 certification to the Department.~~

~~Candidate manufacturer technician takes and passes a Delaware-specific short test which is intended to test the candidate on the Delaware regulation, any specifics on waivers that should be known, and general questions on vehicle repair.~~

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~~8.1.4—The Department and the Division issues manufacturing-specific certification with clearly marked authority on the certificate.~~

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