

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: September 3, 2015

CALENDAR NO. 30,911

NO. 026599 MAYOR COUNCIL SERIES

BY: COUNCILMEMBER  (BY REQUEST)

AN ORDINANCE to amend and reordain Article XI of Chapter 154 of the Code of Ordinances of the City of New Orleans to establish the operations of the Department of Safety and Permits relative to motor vehicle inspections, to establish permits and fees for motor vehicle inspection certificates and inspection stations, to establish inspection standards for motor vehicle inspections; and to otherwise provide with respect thereto.

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS**, That Sections 154-1296 through 154-1400 of the Code of Ordinances of the City of
3 New Orleans are hereby amended and reordained to read as follows:

4 **“Secs. 154-1296 – 154-1300. – Reserved**

5 **Division 1. – Motor Vehicle Inspection**

6 **Sec. 154-1301. – Established.**

7 (a) There is hereby established in the department of safety and permits a motor vehicle
8 inspection bureau.

9 (b) The director of the department of safety and permits or his designated representative is
10 authorized to make such administrative rules and regulations as may become necessary to
11 carry out and make effective the provisions of this Article.

12 **Sec. 154-1302. – General Authority.**

13 (a) The department of safety and permits shall inspect or cause to be inspected all vehicles
14 registered within the city of New Orleans to determine whether such vehicles are in safe
15 operating condition and are equipped with functioning safety devices required by the
16 laws of the city and state and are adequately covered by liability insurance as required by
17 La. R.S. 32:861 *et seq.*

18 (b) The department of safety and permits shall maintain or authorize operation of one or
19 more motor vehicle inspection stations within the city of New Orleans.

20 (c) Subject to the discretion of the director, the department may authorize satellite inspection
21 stations to perform motor vehicle inspections on behalf of the department of safety and
22 permits.

23 (d) For purposes of this Chapter, a “satellite inspection station” is defined as a facility
24 authorized by the motor vehicle inspection bureau to conduct motor vehicle inspections
25 on behalf of the department of safety and permits, subject to the inspection standards
26 outlined in this Chapter.

27 **Sec. 154-1303. –Vehicle Inspection Required.**

28 (a) All vehicles registered in the city of New Orleans shall be presented to the department of
29 safety and permits or an authorized inspection station at least once every other year,
30 except as may be otherwise provided in this Section.

31 (b) Vehicles with a gross vehicle weight rating of 6,000 pounds or less are eligible for a two-
32 year inspection certificate only if the vehicle age is 10 years or less. For purposes of this
33 article, the term "vehicle age" shall be determined based on the vehicle's model year, and
34 a "year" shall be measured through the last day of that respective calendar year (for

35 example, a vehicle with a model year of 2000 shall have a vehicle age of one year as of
36 January 1, 2001).

37 (c) Vehicles with a gross vehicle weight rating of 6,001 pounds or greater shall be presented
38 to the department of safety and permits or an authorized inspection station on an annual
39 basis and shall not be entitled to a two-year inspection certificate.

40 (d) The annual inspection period shall begin on January 1 of each year; the reinspection
41 month shall be determined by the month and year indicated on each particular vehicle's
42 previous inspection certificate.

43 (e) Inspection certificates with a validity period of two (2) years may not be issued prior to
44 January 1, 2016.

45 **Sec. 154-1304. - Vehicles Exempt from Inspection.**

46 The following categories of vehicles are exempt from inspection under this Chapter:

47 (a) Farm tractors, self-propelled farm equipment, rubber-tired farm wagons and carts, drawn
48 rubber-tired farm equipment, and implements of animal husbandry which are designed
49 primarily for field use and which are operated or moved only incidentally on the streets
50 or highways of the City or State, and which are used for farm purposes only.

51 (b) Motor vehicles which are twenty-five years old or older and which are used primarily for
52 exhibition in shows, parades, tours, and other special uses and not for general
53 transportation and which are registered and licensed as antique as provided in R.S.
54 32:707(L) of the Louisiana Revised Statutes.

55 (c) Single-axle two-wheel trailers and boat trailers.

56 (d) Commercial motor vehicle truck tractors, trailers, and semitrailers engaged in interstate
57 commerce which are subject to the Federal Motor Carrier Safety Regulations, provided

58 that such commercial vehicles fully comply with the requirements of the Code of Federal
59 Regulations (49 CFR 396.17).

60 **Sec. 154-1305. –Motor Vehicle Inspection Standards.**

61 (a) The director of safety and permits is authorized to promulgate administrative rules and
62 regulations for the inspection of motor vehicles to further the purpose and intent of this
63 Article. Rules and regulations so promulgated shall supersede and take precedence over
64 standards of the Louisiana Department of Public Safety and Corrections.

65 (b) In the absence of administrative rules and regulations established by the director of safety
66 and permits, motor vehicle inspections within the city of New Orleans will be conducted
67 in compliance with the standards promulgated by the Secretary of the Louisiana
68 Department of Public Safety and Corrections, unless such standards conflict with the
69 provisions of this Article, in which case this Article shall govern.

70 **Sec. 154-1306. – Issuance of Certificate.**

71 (a) Upon determining that a vehicle is equipped with functioning safety devices, as required
72 by the laws of the city and state, and is adequately covered by liability insurance as
73 required by state law, and upon collection of fees for such inspection as set forth in
74 Section 154-1307 of this Chapter, the department of safety and permits shall attach or
75 cause to be attached an inspection certificate to the lower left side of the windshield of
76 such vehicle. Inspection certificates shall expire on the last day of the month indicated on
77 the face of the certificate.

78 (b) Vehicles which fail to pass inspection shall be issued a card showing the mechanical
79 faults or indicating that proof of liability insurance as required by law has not been
80 provided. A period of not more than ten days shall be allowed in which to make

81 necessary repairs or to provide proof of liability insurance as required by law, and such
82 rejection card shall be a substitute for the inspection certificate during such period.

83 **Sec. 154-1307. – Fees.**

84 (a) Inspection Stickers

85 (1) The fees to be paid by the owner or operator of a vehicle for an annual inspection
86 certificate under this Chapter shall be as follows:

- 87 i. All vehicles over 10,001 pounds gross vehicle weight rating shall pay a
88 fee of \$40.00.
- 89 ii. All vehicles with a gross vehicle weight rating between 6,001 and 10,000
90 pounds shall pay a fee of \$30.00.
- 91 iii. All other vehicles shall pay a fee of \$25.00.

92 (2) The department of safety and permits shall collect from the operator of permitted
93 satellite inspection stations the following amount per annual inspection certificate
94 issued:

- 95 i. All inspection certificates for vehicles over 10,001 pounds gross vehicle
96 weight rating: \$35.00.
- 97 ii. All inspection certificates for vehicles with a gross vehicle weight rating
98 between 6,001 and 10,000 pounds: \$25.00.
- 99 iii. Inspection certificates for all other vehicles: \$20.00.

100 (b) Late fees shall be assessed at a rate of \$2.00 per month beginning on the first day of the
101 calendar month following expiration. Late fees shall not exceed the price of an annual
102 inspection certificate.

103 (c) All fees for inspection certificates shall be deposited into the general fund of the city.

104 (d) For inspection certificates providing two (2) years of validity as set forth in this Chapter;
105 the fee for such certificates shall be equivalent to the fee required for two annual
106 inspections.

107 (e) Fees for Satellite Inspection Stations

108 (1) Permitted satellite inspection stations shall remit an annual fee of \$25.00 to the
109 department of safety and permits plus an annual fee of \$5.00 for each inspector
110 named on the permit application.

111 (2) If additional inspectors are added subsequent to the new or renewal application,
112 the satellite inspection station shall remit the \$5.00 fee when that inspector is
113 submitted to the department of safety and permits for approval.

114 **Sec. 154-1308. – Motor Vehicle Inspection Stations, Generally.**

115 (a) Motor vehicle inspection stations shall conduct vehicle inspections throughout the
116 calendar year.

117 (b) Inspection stations shall display signage as proscribed by the director providing
118 information including, but not limited to, hours of motor vehicle inspections, types of
119 vehicle inspections performed, and standards for inspections.

120 (c) Restrooms must be available within the facility for use of customers.

121 (d) All motor vehicle inspections must be conducted on the premises of the approved
122 inspection station and must be conducted on a hard surface (concrete or asphalt).

123 Notwithstanding any law, rule or administrative policy to the contrary, inspection stations
124 are not required to reserve a service bay or stall for the exclusive purpose of conducting
125 motor vehicle inspections.

126 (e) Inspection stations must have available space to conduct a twenty (20) mile per hour road
127 test approved by the department of safety and permits. Alternatively, a properly installed
128 and calibrated brake testing machine may be utilized in lieu of the road test.

129 (f) Inspection stations are required to maintain telephone service to the place of business and
130 ensure that the telephone number is published in the local telephone directory and is
131 made available on the internet.

132 (g) The following equipment shall be present at all inspection stations at all times during
133 inspection hours:

134 (1) Windshield scraper (for removal of expired certificates)

135 (2) Standard single hole punch

136 (3) Digital tire depth gauge

137 (4) Measuring tape at least six (6) feet in length

138 (5) Flashlight

139 (6) Tint meter (two-piece type)

140 (7) Adjustable mirror

141 (8) Numerical stamps, numbered 1 through 12, and an "X" stamp, 1" size, and a
142 black indelible ink stamp pad

143 (9) The Motor Vehicle Inspection Bureau may require additional or alternate
144 equipment for the proper operation of a satellite inspection station in the interest
145 of ensuring public safety. Any additional or alternate equipment requirements
146 will be provided to inspection stations in writing after which the station will have
147 30 days to obtain such equipment.

148 (h) The following equipment shall be present at all satellite inspection stations performing
149 inspections on vehicles with a gross vehicle weight rating in excess of 10,001 pounds:

150 (1) Mechanic's Creeper

151 (2) Soapstone Marker

152 (3) Floor Jack or Lift, required only for stations which will perform inspections on
153 school buses.

154 (i) Inspection stations shall give priority to customers seeking motor vehicle inspections.

155 (j) Inspection stations may inspect vehicles for good condition and proper adjustment during
156 rain if the conditions are safe and the vehicle can be accurately inspected.

157 (k) Inspection stations shall offer certificates of inspection which are valid for both one year
158 and two year periods. The owner of the vehicle shall have the option of purchasing a one
159 year or a two year certificate, if such vehicle is eligible for a two-year certificate under
160 this Chapter.

161 (l) Inspection stations shall maintain an inventory of certificates of inspection adequate to
162 satisfy the needs of the public, subject to the determination and standards of the
163 department of safety and permits.

164 **Sec. 154-1309. – Satellite Inspection Stations, Specifically.**

165 (a) For the purpose of making inspections and issuing official inspection certificates, as
166 provided within this Article, the director of the department of safety and permits may
167 issue permits for and furnish instructions to satellite inspection stations for the inspection
168 of vehicles as required by this Chapter.

169 (b) Application for a satellite inspection station permit shall be made upon an official form
170 provided by the director for that purpose, and may be granted when the director is

171 satisfied that the station is properly equipped, has adequately trained personnel to
172 perform such inspections, and that inspections will be conducted in accordance with the
173 laws of the City and State.

174 (c) The director shall supervise and cause inspections to be made of such satellite inspection
175 stations and shall suspend and/or revoke and require surrender of any permit issued to a
176 station which is not properly equipped or where inspections are not properly conducted.

177 (d) The director shall suspend and/or revoke and require surrender of any permit issued to a
178 station when such station issues an inspection certificate in violation of this Article, the
179 Code of the City of New Orleans, or state law.

180 (e) Satellite inspection stations permits shall not be assigned, transferred, or used at any
181 location other than therein designated and every permit shall be posted in a conspicuous
182 place at the location designated.

183 (f) Satellite inspection station operators are responsible for the safekeeping of motor vehicle
184 inspection certificates purchased for use by that station from the department of safety and
185 permits. If inspection certificates are lost, stolen, destroyed, or otherwise rendered
186 unusable, no refund of fees or replacement certificates shall be issued by the director.

187 (g) Qualification for Satellite Inspection Stations

188 (1) Any business seeking approval as a satellite inspection station must guarantee
189 inspections will be conducted in accordance with this Article for a minimum of forty
190 (40) hours per week.

191 i. Subject to the determination of the director of safety and permits, approval of a
192 Satellite Inspection Station may be conditioned upon a guarantee of operation on
193 specific days or during specific times to ensure adequate service to the public.

- 194 (2) Satellite inspection stations shall only be approved at locations operating under the
195 use classification of “gas station” or “motor vehicle service and repair, major and
196 minor” in compliance with the standards of the Comprehensive Zoning Ordinance.
- 197 (3) Businesses applying for approval as a satellite inspection station must have been in
198 operation for a minimum of ninety (90) days at the time of application, as evidenced
199 by the business’s Occupational License issued by the Department of Finance.
- 200 (4) Satellite inspection stations are required to submit and maintain a surety bond for the
201 amount of \$5,000 to provide for any damages which may occur to private vehicles
202 during inspection due to negligence on the part of the satellite inspection station or its
203 employees.
- 204 (5) Satellite inspection stations shall have a minimum of two (2) approved motor vehicle
205 inspectors on staff and registered with the department of safety and permits, with at
206 least one (1) approved motor vehicle inspector on duty during all inspection hours to
207 perform motor vehicle inspections.
- 208 (6) Permitted satellite inspection stations shall inspect and issue inspection certificates to
209 the owner or operator of private motor vehicles in accordance with the fees outlined
210 in Section 154-1307(a)(1) of this Chapter.

211 **Sec. 154-1310. – Approved Motor Vehicle Inspectors.**

- 212 (a) All personnel employed by the satellite inspection station for the purpose of conducting
213 motor vehicle inspections shall be approved by the department of safety and permits.
- 214 (b) No person shall be approved as a motor vehicle inspector that has not completed Motor
215 Vehicle Inspection training approved by the Louisiana Department of Public Safety.
216 Evidence of completion shall be submitted to the department of safety and permits.

217 **Sec. 154-1311. – Fleet Inspection Stations.**

218 (a) Any person, corporation, partnership, or other business entity owning or holding leases
219 for more than 10 motor vehicles registered in New Orleans and operating at least one
220 vehicle repair and maintenance shop, may, upon request, have one or more of his vehicle
221 repair and maintenance shops designated as fleet inspection stations for the purpose of
222 inspecting and certifying those motor vehicles which are owned or leased by him.

223 (b) Such fleet inspection stations are required to maintain compliance with all applicable
224 provisions of Sections 154-1308, 154-1309, and 154-1310.

225 (c) Permitted fleet inspection stations shall remit an annual fee of \$25.00 to the department
226 of safety and permits plus an annual fee of \$5.00 for each inspector named on the permit
227 application.

228 (1) If additional inspectors are added subsequent to the new or renewal application,
229 the fleet inspection station shall remit the \$5.00 fee when that inspector is
230 submitted to the department of safety and permits for approval.

231 (d) The department of safety and permits shall collect from the operator of permitted fleet
232 inspection stations the full amount of inspection certificates as provided in Section 154-
233 1307(a)(1).

234 **Sec. 154-1312. – Misrepresentation and False Certificates.**

235 (a) No person shall, in any manner, represent any place or business as a satellite or fleet
236 inspection station unless such station is operating pursuant to a valid permit issued by the
237 department of safety and permits.

238 (b) No person other than an approved motor vehicle inspector shall issue an inspection
239 certificate on behalf of the department of safety and permits or a permitted satellite or
240 fleet inspection station.

241 (c) No person shall display or cause to be displayed upon any vehicle any inspection
242 certificate knowing same to be fictitious, fraudulent, issued to a vehicle other than the one
243 to which it was recorded, or issued without an inspecting having been made.

244 Secs. 162-1313 - 162-1400. - Reserved.”

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS OCT - 1 2015

Jason Rogers Williams

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON OCT - 2 2015

APPROVED:

[REDACTED] OCT - 9 2015

MITCHELL J. LANDRIEU

MAYOR

RETURNED BY THE MAYOR ON OCT - 9 2015 AT -11 10 AM

LORA W. JOHNSON

CLERK OF COUNCIL

ROLL CALL VOTE:

YEAS: Brossett, Cantrell, Gray, Guidry, Head, Ramsey, Williams - 7

NAYS: 0

ABSENT: 0

**THE FOREGOING IS CERTIFIED
TO BE A TRUE AND CORRECT COPY**
Lora W. Johnson
CLERK OF COUNCIL