**§ 301. Periodic inspection of all motor vehicles.** (a) The commissioner shall require that every motor vehicle registered in this state be inspected once each year for safety, and at least biennially for emissions as provided for pursuant to paragraph two of subdivision (d) of this section, and in accordance with the provisions of this article, and that every motor vehicle sold or transferred for use on the public highways of this state by a dealer registered under section four hundred fifteen of this chapter to any person other than another such registered dealer or transferred for no remuneration by such a registered dealer to any person other than to a welfare to work program authorized by the New York state department of labor, a private industry council, a county or a social services district for the sole use of public assistance recipients or applicants participating in the welfare to work program to which such vehicle is transferred must be inspected and bear a valid certificate or certificates of inspection prior to delivery to the purchaser or transferee. Provided, however, that nothing contained herein shall be deemed to exempt any motor vehicle so transferred to a welfare to work program pursuant to the provisions of this subdivision from being inspected in accordance with the provisions of this section or from complying with all other applicable provisions of this chapter, including registration and financial security, prior to operation on any public highway.

(b) The commissioner shall also require the inspection of any motor vehicle duly registered under the laws of another state, a province of Canada, a territory or a federal district to the extent to which such state, province, territory or federal district requires the inspection of motor vehicles duly registered under the laws of this state.

(c) (1) (a) A safety inspection shall be made with respect to the brakes; steering mechanism; wheel alignment; lights, including but not limited to the lights which are designed and placed on a vehicle for the purpose of illuminating the vehicle's license plates; odometer; tire pressure; seat safety belts; shoulder harness safety belts; any window which is composed of, covered by or treated with any material which has a light transmittance of less than seventy percent pursuant to section three hundred seventy-five of this title and such other mechanisms and equipment as shall be determined by the commissioner to be necessary for proper and safe operations. Such inspection shall also be made with

respect to vehicle identification number. Upon inspection, the mileage appearing on the odometer shall be recorded upon the inspection sticker.

(b) In the case of any passenger car manufactured on or after September first, nineteen hundred ninety-seven, during the course of the vehicle safety inspection, the readiness of the inflatable restraint system, by means of the readiness indicator, shall be noted on the invoice supplied to the consumer. The system's lack of readiness shall not be considered grounds for the vehicle to fail the safety inspection provided for in subparagraph (a) of this paragraph.

(2) Such inspection may also include a visual inspection prescribed by the commissioner to determine the presence and correct installation of any air contaminant emission systems or devices which are required by state or federal law or any rules or regulations pursuant thereto; provided that for any vehicle not subject to an emission inspection pursuant to subdivision (d) of this section, such visual inspection shall be performed.

(3) Improper tire pressure shall not be reason for failure of the inspection.

(d) (1) The commissioner, in consultation with the commissioner of environmental conservation, shall implement a program of motor vehicle emissions inspections with respect to any motor vehicles or class of motor vehicles which are required by federal law or any rules or regulations issued pursuant thereto or by any state law or any rules or regulations issued pursuant thereto, including rules and regulations issued by the department of environmental conservation, to meet standards applicable to the emission of any kind of substance by such vehicles or engines or to contain any equipment, systems or design features to reduce such emission. The commissioner shall establish regulations for such inspections. Such regulations shall include provision for cooperating with the commissioner of environmental conservation to notify owners of vehicles that have failed emission inspections of the availability of mobile source emission reduction credit trading programs pursuant to section 19-0301 of the environmental conservation law.

(2) Such inspection shall be performed biennially; provided however that the commissioner may require emission inspections more frequently than biennially if the commissioner of environmental conservation, in

consultation with the commissioner, makes a determination that more frequent emission inspections are necessary to comply with federal requirements or a court order; and provided that an emission inspection program in operation prior to nineteen hundred ninety-three shall continue to require emission inspections at least annually until January first, nineteen hundred ninety-six.

(3) Such inspection shall be performed at a facility that only performs inspections if the commissioner of environmental conservation, in consultation with the commissioner, makes a determination that such restriction is necessary to meet federal requirements. In no event shall any facility operating pursuant to a contract with the commissioner, entered into pursuant to subdivision (a) of section three hundred three of this chapter, be allowed to perform repairs; provided however, that such a facility shall be allowed to perform repairs at no charge that are incidental to the inspection process.

(4) The commissioner shall establish an emission system repair training program, for purposes of enhancing the quality and reliability of emission system repair services available from official repair stations in all areas where emission inspections are required under this section.

(e) The requirements of air contamination emission system inspection shall not apply to historical motor vehicles registered pursuant to schedule G of subdivision seven of section four hundred one of this chapter unless required by federal law.

(f) The department is authorized, in consultation with the departments of environmental conservation and transportation, to adopt rules and regulations necessary to implement a heavy duty vehicle inspection program pursuant to section 19-0320 of the environmental conservation law and implement such program by June first, nineteen hundred ninety-nine.