

RESOLUTION NO. 040325-29

WHEREAS, Austin entered into an Early Action Compact with the U.S. Environmental Protection Agency and the Texas Commission on Environmental Quality to proactively and effectively address air quality issues in the Austin / Round Rock Metropolitan Statistical Area ("MSA"); and

WHEREAS, Austin and other communities in the MSA have drafted a Clean Air Action Plan consisting of numerous state and locally implemented measures to improve air quality in the region, including a motor vehicle emissions inspection and maintenance program; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Council authorizes the City of Austin's participation in the state's vehicle inspection and maintenance program ("I/M Program") as a strategy of the Clean Air Action Plan for the Austin / Round Rock MSA Early Action Compact ("Plan").

BE IT FURTHER RESOLVED:

This resolution becomes effective only after the Texas Commission on Environmental Quality determines, as evidenced by written notification to the parties, that the Plan is adequate.

Austin will not implement the I/M program if for any reason the Early Action Compact for the Austin / Round Rock MSA is invalidated before the Plan is adopted

into the State Implementation Plan, unless the parties enter into a separate implementation agreement.

BE IT FURTHER RESOLVED:

Austin will be included in the I/M program which is adopted under Section 382.302 of the Texas Health and Safety Code as part of the Plan. The I/M Program will initially inspect vehicle emissions using on-board diagnostics and two-speed idle tests.

The I/M Program will be implemented on or after April 1, 2005 but not later than December 31, 2005.

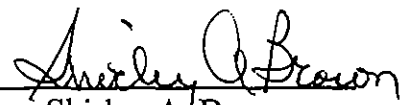
BE IT FURTHER RESOLVED:

Two years after the I/M program is implemented, the Texas Commission on Environmental Quality will evaluate the program, meet with the parties, and make recommendations to improve the program.

Austin may petition the Texas Commission on Environmental Quality to terminate the I/M program in Austin if four years after the program is implemented the program does not achieve its goals or is determined by Austin to be unnecessary.

ADOPTED: March 25, 2004

ATTEST:


Shirley A. Brown
City Clerk