



## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R10-OAR-2025-0181; FRL-12873-02-R10]

### Air Plan Approval; Oregon; 2024 Vehicle Inspection Program Updates

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving and incorporating by reference into the Oregon State Implementation Plan (SIP) the revisions submitted by the Oregon Department of Environmental Quality (ODEQ) on April 3, 2025. The SIP revision updates rules for the Vehicle Inspection Program (VIP) which is applicable in the Portland and Medford areas, and includes a demonstration that the requested revisions will not interfere with attainment or maintenance of any national ambient air quality standard (NAAQS) or with any other applicable requirement of the Clean Air Act (CAA or Act). The EPA is approving these revisions because they meet the applicable requirements of the CAA.

**DATES:** This final rule is effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA-R10-OAR-2025-0181 at <https://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information the disclosure of which is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available at <https://www.regulations.gov>, or please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

**FOR FURTHER INFORMATION CONTACT:** Tess Bloom, EPA Region 10, 1200 6th Ave., Seattle, WA 98101, at telephone number: (206) 553-6362, or email address: *bloom.tess@epa.gov*.

**SUPPLEMENTARY INFORMATION:** Throughout this document, wherever “we,” “us,” or “our” is used, it is intended to refer to the EPA.

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### **I. Background**

On April 3, 2025, the ODEQ submitted revisions to the Oregon SIP containing updates to Chapter 340, Division 256—Motor Vehicles section of the SIP, which includes the provisions for Oregon’s VIP. ODEQ added a new provision under OAR 340-256-0200(4) to make explicit that new vehicles are exempt from on-board diagnostic (OBD) test requirements of the VIP program contained in OAR 340-256-0355 until January 1<sup>st</sup> of the calendar year that is four years after a vehicle’s designated model year. Additionally, sections 340-256-0010, 340-256-0300, 340-256-0370, and 340-256-0465 were revised to include non-substantiative changes. On September 25, 2025, the EPA proposed to approve these changes (90 FR 46117). The reasons for our proposed approval were stated in the proposed rulemaking and will not be re-stated here. The public comment period for our proposed action ended on October 27, 2025.

### **II. Public Comments and EPA Responses**

The EPA provided a 30-day period for the public to comment on the proposed action that ended on October 27, 2025. The EPA received three comments on the proposed rule. The comments received and EPA’s responses can be found in the “Response to Comments” document included in the docket for this action. The full text of all public comments may also be found in the docket for this action. After considering the comments, the EPA’s position remains

that approval of the revisions is consistent with the CAA.

### **III. Final Action**

We are approving, and incorporating by reference into the Oregon SIP, the submitted revisions to the Division 256 “Motor Vehicles” regulations, sections 0010, 0300, 0370, and 0465. These rules became State effective January 10, 2025, and were submitted to the EPA by the ODEQ on April 3, 2025. Based on the demonstration provided by ODEQ, we find that these revisions will not interfere with attainment of the NAAQS or any other applicable requirement of the CAA.

### **IV. Incorporation by Reference**

In this document, the EPA is finalizing regulatory text that will be incorporated by reference into 40 CFR part 52. In accordance with requirements of 1 CFR 51.5, we are finalizing the incorporation by reference of Oregon Chapter 340, Division 256—Motor Vehicles revisions, State effective January 10, 2025, as described in section I. of this preamble and set forth in the amendments to 40 CFR part 52 in this document. The EPA has made, and will continue to make, these documents generally available through <https://www.regulations.gov> and at the EPA Region 10 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, these materials have been approved by the EPA for inclusion in the SIP, have been incorporated by reference by the EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of the EPA’s approval, and will be incorporated by reference by the Director of the *Federal Register* in the next update to the SIP compilation.

### **V. Statutory and Executive Order Reviews**

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA’s role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves State

law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a State program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

This action is subject to the Congressional Review Act (CRA), and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

#### **List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: March 24, 2026.

**Emma Pokon,**  
*Regional Administrator, Region 10.*

For the reasons stated in the preamble, 40 CFR part 52 is amended as follows:

**PART 52-APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS**

1. The authority citation for part 52 continues to read as follows:

**Authority:** 42 U.S.C. 7401 *et seq.*

**Subpart MM—Oregon**

2. In § 52.1970, amend table 2 in paragraph (c) by revising the entries “256-0010”, “256-0300”, “256-0370”, and “256-0465” to read as follows:

**§ 52.1970 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

**Table 2—EPA Approved Oregon Administrative Rules (OAR)<sup>1</sup>**

State citation	Title/subject	State effective date	EPA approval date	Explanations
*	*	*	*	* *
<b>Division 256—Motor Vehicles</b>				
256-0010	Definitions	1/10/2025	[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER], 91 FR [INSERT FEDERAL REGISTER PAGE WHERE THE DOCUMENT BEGINS]	
*	*	*	*	* *
<b>Emission Control System Inspection</b>				
256-0300	Scope	1/10/2025	[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER], 91 FR [INSERT FEDERAL REGISTER PAGE WHERE THE DOCUMENT BEGINS]	

*	*	*	*	*	*	*
256-0370	Renewal of Registration for Light-duty Motor Vehicles and Heavy-duty Gasoline Motor Vehicles Temporarily Operating Outside of the Oregon Vehicle Inspection Boundaries	1/10/2025	[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER], 91 FR [INSERT FEDERAL REGISTER PAGE WHERE THE DOCUMENT BEGINS]			
*	*	*	*	*	*	*
256-0465	Test Equipment Criteria for OBD Test Program	1/10/2025	[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER], 91 FR [INSERT FEDERAL REGISTER PAGE WHERE THE DOCUMENT BEGINS]			
*	*	*	*	*	*	*

<sup>1</sup> The EPA approves the requirements in Table 2 of this paragraph (c) only to the extent they apply to (1) pollutants for which NAAQS have been established (criteria pollutants) and precursors to those criteria pollutants as determined by the EPA for the applicable geographic area; and (2) any additional pollutants that are required to be regulated under Part C of Title I of the CAA, but only for the purposes of meeting or avoiding the requirements of Part C of Title I of the CAA.

<sup>2</sup> Only for the Portland-Vancouver, Medford-Ashland, and Salem-Keizer Area Transportation Study air quality management areas, as well as all of Clackamas, Multnomah, and Washington counties.

<sup>3</sup> The EPA approves Division 244 only to the extent needed to implement the requirements for gasoline dispensing facilities that are approved into the SIP for the purpose of regulating VOC emissions.

\* \* \* \* \*

[FR Doc. 2026-06388 Filed: 4/1/2026 8:45 am; Publication Date: 4/2/2026]