



****NOTE: A WAIVER CANNOT BE ISSUED TO A VEHICLE BEING SOLD BY A DEALER****

1. Do you have an initial emissions inspection failure from the Computerized Vehicle Inspection System (CVIS)? This may be from another facility. A copy of the Vehicle Inspection Report (VIR) is required.
 - Yes - Continue to Step 2.
 - No - Perform initial inspection. You must complete an initial inspection that fails for emissions and have a VIR reflecting the failure to begin the process of issuing a waiver.
2. Is the date of that initial inspection less than 30 days from today's date?
 - Yes - Continue to Step 3.
 - No - Waiver cannot be issued. Perform an initial inspection and continue to Step 3.
3. Did your facility, another registered facility, or the customer make repairs to the vehicle that address the initial emissions failure(s) that occurred after the initial inspection, where the total cost of parts, labor and related sales tax are \$450 or more? Note: Confirm that the invoices and part receipts are dated after the initial inspection and you have all necessary documentation to issue the waiver (this should include the diagnostic procedure used to repair the vehicle). Only costs addressing the DTC's from step one apply towards the \$450 threshold.
 - Yes - Continue to Step 4.
 - No - Make repairs to the vehicle that address the initial failure. **Repairs made prior to the initial failed inspection do not count toward a waiver.** If the customer made repairs, you may only count the cost of the replaced parts and the related sales tax.
4. Reinspect the vehicle. The CVIS will ask you, "Were any emissions-related repairs performed prior to the start of the inspection?". If you select "YES", the CVIS will prompt you to enter the work performed, parts replaced, and the associated costs. Do you have a detailed invoice showing work performed along with parts replaced or receipts for parts replaced by the customer that address the initial failure? Are all documents dated within 30 days of the initial failure? Have you confirmed that the parts have been replaced?
 - Yes - Complete entries in the "Vehicle Repair Data" menu and continue to Step 7 (be sure to double-click the repair items when selecting from the menu).
 - No - Complete the reinspection. Create a detailed invoice listing labor performed and parts replaced. If another registered repair facility made repairs, you will need copies of their detailed invoice. If the customer made repairs, you will need copies of all receipts for parts. You must verify that the parts identified as being replaced were actually replaced.
5. The vehicle must pass the Safety, Emissions Control Device (ECD) and Gas Cap portion of the inspection to issue a waiver. Did the vehicle pass the Safety, ECD and Gas Cap portion of the inspection?
 - Yes - Continue to Step 6.
 - No - Complete the reinspection. Make repairs to the vehicle that address the Safety, ECD or Gas Cap failures. The cost of any repairs addressing a Safety failure does not count towards a waiver. The cost to replace missing ECD's does not count towards a waiver. The cost to replace a missing gas cap does not count towards a waiver.
6. Perform the OBD portion of the reinspection. Did the vehicle fail the OBD portion of the inspection?
 - Yes - Continue to Step 7.
 - No - Vehicle passed inspection. Waiver will not be issued.
7. The CVIS will ask you, "This vehicle is eligible for an emission waiver. Will that waiver be issued now?" You will need to select Yes or No. How did you answer this question?
 - Yes - Continue to Step 8.
 - No - Reinspection is complete. Waiver will not be issued.
8. The statements: "The Inspector and Motorist must sign the waiver form" and "The waiver form and all invoices relevant to this waiver must be kept by the Inspection Station for two years. DMV may audit this waiver" will appear on screen. Select "OK" to continue.
9. The next screen confirms the following items:
 - This is not a vehicle being sold by a dealer.
 - The repairs entered into the Inspection Workstation for this vehicle have not been performed prior to the initial emission failure.
 - The repairs made were not for missing Emission Control Devices or repairs covered under warranty.
 - The repairs made to this vehicle are relevant to the initial emission failure.
 - Repairs made to this vehicle by someone other than the Certified Inspector issuing this waiver have been verified by the Inspector issuing the waiver to the best of the Inspector's ability that the repairs were properly performed and are relevant to the initial emission failure.
 - You have legible copies of all invoices for parts and labor for repairs made to this vehicle relevant to the initial emission failure.
 - You have copies of all vehicle inspection receipts and/or inspection rejection notices for the initial emission inspection failure and all subsequent emissions inspection failures.

At the bottom of the screen the CVIS will ask, "Have all the above requirements been met?"

Select "YES" if all requirements have been met. Select "NO" if all requirements have not been met. How did you answer the question?

- Yes - Waiver will be issued. The CVIS will issue a certificate and print the VIR form along with the waiver form. Make sure to print two copies of these forms. Provide the customer with a copy of each. You and the customer must complete and sign the entries on the waiver forms. The facility will keep this completed checklist, one copy of the final VIR, one copy of the signed waiver form, the initial inspection VIR, additional reinspection VIRs, copies of parts receipts for replaced parts and detailed invoices showing the work performed. Detailed invoices must be finalized and show parts, labor, and related sales tax for the emissions repairs. The waiver documentation must be retained for two years and available for review by NYS.
- No - Waiver will not be issued. Complete the reinspection.

NOTE: This form is a resource and is not intended as a replacement for the Commissioner's Inspection Regulations. For more information, see the Motor Vehicle Inspection Regulations Handbook (form CR-79), OBDII Emissions Waiver FAQs (form VS-71.2), New York State Inspection Guide (form VS-71), and NYVIP unit messages. For additional assistance contact the Office of Clean Air at 518-473-0597, Option #4.