Ordinance No: _____

AN ORDINANCE TO AMEND CHAPTER 21, ARTICLE IX, CODE OF ORDINANCES CITY OF MEMPHIS SO AS TO ESTABLISH A MOTOR VEHICLE INSPECTION FEE

WHEREAS, the Memphis City Council has a responsibility, along with the Administration, to insure the health, safety and well-being of all citizens; and

WHEREAS, for several decades the citizens of Memphis have had their motor vehicles inspected for emissions yet there continues to be difficulty in maintaining and attaining the standards set forth by the EPA; and

WHEREAS, thousands of commuters from surrounding municipalities, unincorporated Shelby County, Mississippi and Arkansas that have no emission inspection requirements enter our city daily to work or attend school; and

WHEREAS, it is obvious that these vehicles contribute to the pollution and environmental concerns that Memphians have solely been responsible for trying to curtail; and

WHEREAS, the Memphis City Council deems it necessary to enact a motor vehicle inspection fee and require commuters that enter the City of Memphis boundaries two or more days of the week for school or employment to have their vehicles inspected.

SECTION 1. NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS that Chapter 21, Article IX of the Code of Ordinances of the City of Memphis is hereby amended to add the following:

21-302. Motor Vehicle Inspection Requirements - Frequency

(8) Motor vehicles owned by commuters that enter the City of Memphis two or more days a week for school or employment are required to be inspected annually for compliance with emissions performance.

SECTION 2. BE IT FURTHER ORDAINED, that Chapter 21, Article IX, Section 21-313 is amended to add the following:

A. Inspection Fees

(1) The initial fee for motor vehicle inspection shall be set at $7.00 per motor vehicle. Each owner will be entitled to receive two re-inspections in the event of vehicle inspection failure.
(2) The Director of General Services is authorized to adjust the vehicle inspection fee according to costs incurred upon approval from the Memphis City Council.

SECTION 3. BE IT FURTHER ORDAINED, that the provision of this ordinance will become effective January 1, 2013 and the Administration will create a policy and plan to implement this fee no later than December 1, 2012.

SECTION 4. BE IT FURTHER ORDAINED, that the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 5. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that this ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

Edmund Ford, Jr., Ed.D.
Council Member

Bill Morrison
Council Chairman