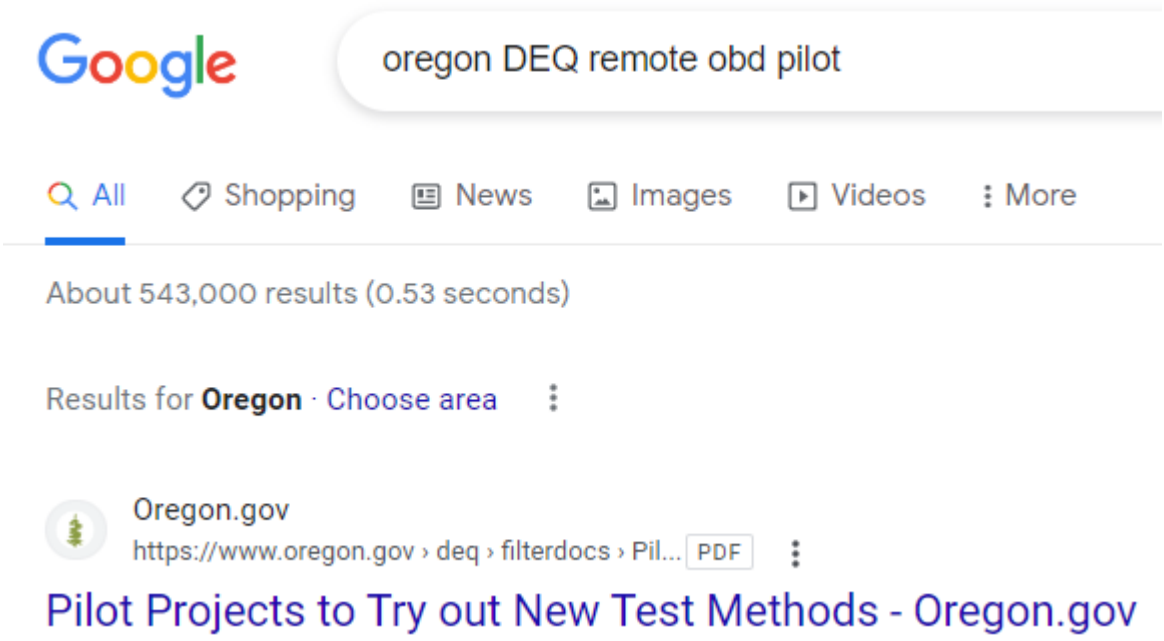
DEQ Too is NOT a Pilot Program

(March 2, 2023)

DEQ already conducted a pilot about remote OBD in 2014 and that is what led to the launching of DEQ Too in 2016. That is clear on the next page of this document and that's directly from the internet of a webpage that DEQ formerly had on its website. The agency has recently removed that webpage so it can more easily try to claim that DEQ Too is just in its infancy as a pilot – so it can't possibly entertain a fee change - and rules are needed about the program. But that's simply not the case!

The program has been operational for 7 years now. That is hardly a pilot program or in its infancy. It's a well-established program which takes no additional rulemaking authority because existing rule already authorizes the agency to test through remote means, self-test or let representatives test on behalf of motorists. Just like it's been doing for 7 years. Even though the rule does not refer to this as "DEQ Too", the authorizes exactly what DEQ Too is all about. The agency can even charge a lower fee for DEQ Too testing without rulemaking as it would only take rulemaking if DEQ wanted to increase it higher than the maximum fee allowed.



State of Oregon Department of Environmental Quality

Pilot Projects to Try out New Test Methods

Remote Sensing Pilot

This test method was piloted by DEQ years ago. It was not a very successful pilot at the time but technology has changed significantly since the trial. As the **Remote Sensing** link describes, DEQ is not ruling out the possibility of trying it as a test method in Oregon. Also, it could be used as a tool to assist with air-shed planning efforts.

Remote OBD Pilot

Some of the remote OBD devices that DEQ started piloting are still installed in a municipal fleet of vehicles. These devices transmit data to a receiver and then the receiver wirelessly sends the data to DEQ. This project successfully helped us test the technological capability of remotely transmitting data from a vehicle's OBD computer in a secure fashion through DEQ's firewall so we could see the data on our end. After determining it was technically feasible, the pilot eventually gave way to envisioning DEQ Too.

The vision for DEQ Too™ started taking shape as it became evident that the pilot-type equipment wouldn't be sustainable over the long-run. It would require too many receiver installations to be near all the roadways motorists drive. Many customers aren't willing to be monitored 24/7 by a DEQ device. DEQ could face liability issues as the owner of the devices. And perhaps most importantly, technology was (and is) changing faster than DEQ could keep pace. Not just the technology of the testing equipment itself, but it's become standard for vehicles to come equipped with embedded systems that can accommodate Remote OBD.

So with all these things in mind, we decided the best way to keep pace with continual technological advancements was to leverage an already well-established telematics industry. We ultimately decided to bring in the private sector to own and distribute the telematics devices. DEQ would still make the ultimate regulatory determination of pass or fail and we'd shift our focus onto building the infrastructure that would support an open-market approach and sharing economy to widely disseminate the availability of devices for the public to use.

Once DEQ Too™ begins to grow, we envision that some of our original remote OBD equipment (devices and receivers) could be used by interested municipal fleets (with government-to-government agreements). And the equipment could also be used in our Clean Air Stations.

Self-Service Pilot

This test method started with a pilot in one lane of a Clean Air Station. We initiated it with a 1:1 attendant to customer ratio to carefully study how well the customer could interact with the testing process and the kiosk. After working through some technology hurdles and receiving good customer feedback, we expanded it to what's in use today; a 1:2 attendant to customer ratio.