

(ii) The vehicle owner exhibits evidence acceptable to the Administration that the vehicle has either had a ~~low-emissions~~ AN ENGINE tune-up or that the owner has actually expended \$50 ~~\$75~~ towards a ~~low-emissions~~ AN ENGINE tune-up to the vehicle within 30 days after the emissions test; and

(iii) The vehicle fails a retest, except that if the vehicle owner has exhibited evidence acceptable to the Administration that the vehicle owner actually expended \$50 ~~\$75~~ for the ~~low-emissions~~ ENGINE tune-up to the vehicle within 30 days before the initial EXHAUST emissions test, a retest is not required; ;

(2) Notwithstanding the provisions of this section, may not grant a waiver if it is found in the testing process that a factory-installed emissions device has been tampered with or removed, or that the vehicle has been misfueled;

~~(3)-}~~ ~~(1)}~~ May grant additional ~~-}~~waivers to extend ~~the-}~~ time for compliance in cases of financial hardship or for unusual circumstances; [and]

~~(2)}~~(4) SHALL ESTABLISH CRITERIA TO CERTIFY REPAIR FACILITIES FOR THE PURPOSE OF BRINGING VEHICLES INTO COMPLIANCE WITH THE APPLICABLE EMISSION STANDARDS;

~~[(4)]~~ ~~(3)}~~ (5) May [suspend, revoke, or refuse to renew] PROVIDE FOR THE SUSPENSION, REVOCATION, OR DENIAL OF RENEWAL OF the certification of a repair facility upon evidence that vehicles repaired by that facility for the purpose of bringing them into compliance with the applicable emission standards have repeatedly failed tests or retests and the Administration AND THE SECRETARY [has] HAVE clear and convincing evidence the repair facility is not meeting satisfactory performance standards; ;

~~(4)}~~ ~~(6)}~~ Shall ~~define the--inspection--parameters--for the--emissions--equipment--and--misfueling--inspection;~~

~~(5)}~~ ~~(7)}~~ Shall ~~---adopt--a--schedule--for--the--exhaust--emissions--test;~~

~~(6)}~~ ~~(8)}~~ Shall ~~adopt--a--schedule--for--the--emissions equipment--and--misfueling--inspections;-and~~

~~(7)}~~ ~~(9)}~~ Shall ~~establish under Title 2 of the HEALTH--~~

(6) SHALL DEFINE THE INSPECTION PARAMETERS FOR THE EMISSIONS EQUIPMENT AND MISFUELING INSPECTION;

(7) SHALL ADOPT A SCHEDULE FOR THE EXHAUST EMISSIONS TEST;