

# HOUSE BILL 444

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By: **Delegates Impallaria, Aumann, Boteler, Bromwell, Dwyer, McComas, McDonough, W. Miller, Myers, Parrott, Serafini, Stocksdale, and Szeliga**  
Introduced and read first time: January 28, 2013  
Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Emissions Inspection Program – Alternate Tests and Inspections**

3 FOR the purpose of requiring the Motor Vehicle Administration and the Maryland  
4 Department of the Environment to develop and use an alternate exhaust  
5 emissions test and an alternate emissions equipment and misfueling inspection  
6 under the Vehicle Emissions Inspection Program for a motor vehicle that cannot  
7 take or pass the primary test or inspection for certain reasons; authorizing the  
8 Administration and the Department to develop and use certain emissions tests  
9 or inspections previously used under the Program as an alternate test or  
10 inspection; and generally relating to the Vehicle Emissions Inspection Program.

11 BY repealing and reenacting, without amendments,  
12 Article – Transportation  
13 Section 23–202(a)  
14 Annotated Code of Maryland  
15 (2012 Replacement Volume)

16 BY repealing and reenacting, with amendments,  
17 Article – Transportation  
18 Section 23–202(b)  
19 Annotated Code of Maryland  
20 (2012 Replacement Volume)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article – Transportation**

24 23–202.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) Subject to subsection (d) of this section, the Administration and the  
2 Secretary shall establish an emissions control program in the State in accordance with  
3 the federal Clean Air Act.

4 (2) The program shall remain in effect only as long as required by  
5 federal law.

6 (b) (1) Subject to paragraph (3) of this subsection, the emissions control  
7 program shall provide for a biennial exhaust emissions test and emissions equipment  
8 and misfueling inspection for all vehicles of the 1977 model year and each model year  
9 thereafter.

10 (2) The emissions control program may not authorize an exhaust  
11 emissions test or emissions equipment and misfueling inspection for any vehicle of a  
12 model year earlier than the 1977 model year.

13 (3) (i) In this paragraph, “qualified hybrid vehicle” means an  
14 automobile that:

- 15 1. Meets all applicable regulatory requirements;
- 16 2. Meets the current vehicle exhaust standard set under  
17 the federal Tier 2 program for gasoline-powered passenger cars under 40 C.F.R. Part  
18 80 et seq.; and
- 19 3. Can draw propulsion energy from both of the  
20 following sources of stored energy:
  - 21 A. Gasoline or diesel fuel; and
  - 22 B. A rechargeable energy storage system.

23 (ii) A qualified hybrid vehicle is not required to submit to a first  
24 exhaust emissions test and emissions equipment and misfueling inspection until 3  
25 years after the date on which the vehicle was first registered in the State.

26 **(4) (I) THE ADMINISTRATION AND THE SECRETARY SHALL**  
27 **DEVELOP AND USE AN ALTERNATE EXHAUST EMISSIONS TEST AND AN**  
28 **ALTERNATE EMISSIONS EQUIPMENT AND MISFUELING INSPECTION UNDER THE**  
29 **PROGRAM FOR A MOTOR VEHICLE THAT CANNOT TAKE OR PASS THE PRIMARY**  
30 **TEST OR INSPECTION BECAUSE:**

- 31 1. **THE “CHECK ENGINE” OR OTHER EQUIVALENT**  
32 **LIGHT IS ON;**

1                                   **2. THE “MAINTENANCE REQUIRED” OR OTHER**  
2 **EQUIVALENT LIGHT IS ON; OR**

3                                   **3. THE SPEEDOMETER IS NOT OPERATING**  
4 **PROPERLY.**

5                                   **(II) THE ADMINISTRATION AND THE SECRETARY MAY**  
6 **DEVELOP AND USE A TEST OR AN INSPECTION METHOD PREVIOUSLY USED**  
7 **UNDER THE PROGRAM AS AN ALTERNATE TEST OR INSPECTION.**

8                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2013.