

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 133

(Chair, Environment and Transportation Committee)(By
Request - Departmental - Transportation)

Environment and Transportation

Judicial Proceedings

**Vehicle Emissions Inspection Program - Deployed Military Personnel -
Exemption**

This departmental bill exempts from the mandatory Vehicle Emissions Inspection Program (VEIP) a motor vehicle owned by at least one active-duty member of the armed services of the United States if the owner has received military orders (1) for deployment outside the United States or (2) to a duty station in a jurisdiction that is not subject to a vehicle emissions control inspection and maintenance program. The exemption does not apply if prohibited by federal law. In order to qualify for the exemption established by the bill, all owners of the vehicle must certify that at least one owner of the vehicle has received military orders for deployment, as specified. The certification must be on a form provided by the Motor Vehicle Administration (MVA).

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) revenues decrease, likely by less than \$5,000 annually, beginning in FY 2020. Expenditures are not materially affected.

Local Effect: None.

Small Business Effect: The Maryland Department of Transportation has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Current Law: In response to requirements of the federal Clean Air Act, Maryland has operated VEIP in various parts of the State since 1984. All model year 1977 and newer vehicles in the State, unless specifically exempt, must be inspected and tested every two years. MVA and the Maryland Department of the Environment (MDE) must set the VEIP fee for each vehicle to be inspected and tested, which may not exceed \$14. The current fee is \$14.

Exhibit 1 shows the required tests by vehicle type and model year.

Exhibit 1 Required VEIP Tests by Model Year and Vehicle Weight

<u>Required Tests</u>	<u>Model Year</u>	<u>Vehicle Weight</u>
Gas Cap Test	1977 through 1995	8,501-26,000 pounds
On-board Diagnostic Test	1996 and newer (powered by gasoline or propane)	8,500 pounds or less
	2008 and newer (heavy duty vehicles)	8,501-14,000 pounds
Idle Exhaust Emissions Test	1977 through 1995 (powered by gasoline or propane)	8,501-26,000 pounds
	2008 and newer (heavy duty vehicles)	14,001-26,000 pounds

VEIP: Vehicle Emissions Inspection Program

Source: Motor Vehicle Administration

Certain types of vehicles are currently exempt from VEIP, including:

- vehicles with a model year of 1976 or earlier;
- vehicles weighing more than 26,000 pounds (gross vehicle weight);

- vehicles powered solely by diesel or electric;
- motorcycles;
- vehicles registered as farm trucks, farm truck tractors, or farm area vehicles;
- historic or antique vehicles;
- new vehicles and qualified hybrids for the first 36 months after titling and registration;
- any fire apparatus owned or leased by the State of Maryland, a county, municipality, or volunteer fire department or rescue squad;
- ambulances;
- vehicles registered to owners age 70 or older, or vehicles registered with hard metal disabled tags, that are driven 5,000 miles per year or less (if co-owned, both owners must qualify for the waiver, and mileage must be recertified every two years to continue to receive the waiver);
- vehicles registered as Class N (street rod);
- military vehicles owned by the federal government and used for tactical, combat, or relief operations, or for training for these operations; and
- vehicles registered as Class H (school vehicle) or Class P (passenger bus).

Background: All vehicles registered in Maryland (in nonattainment areas for pollutants under the federal Clean Air Act, unless specifically exempt) must undergo VEIP inspections. According to MVA, motorists drive approximately 135 million miles in Maryland daily, an amount that increases each year. VEIP ensures vehicles are operating efficiently and, thus, reduces air pollution created by vehicle emissions (a major component of smog). VEIP is jointly administered by MVA and MDE. MVA is responsible for collection of motorist test fees and payment of operations contractor fees.

MVA [regulations](#) allow VEIP extensions to be granted in specified circumstances.

MVA advises that the bill is intended to allow active-duty military personnel deployed outside the United States (or stationed in a non-emissions inspection area) to defer VEIP

testing for one inspection cycle. MVA further advises that it granted about 300 extensions in fiscal 2019 on the basis of military deployment or temporary domestic assignment. Exempting these active-duty military personnel from VEIP requirements for one inspection cycle is intended to reasonably accommodate individuals who already bear a heavy burden.

State Revenues: While the exact number of individuals who may qualify for the bill's exemption cannot be determined, *for illustrative purposes only*, assuming 300 individuals annually qualify for the exemption established by the bill (*i.e.*, the same number of individuals who requested a deployment-related extension in fiscal 2019), TTF revenues decrease by about \$4,200 annually.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland Department of the Environment; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - February 4, 2020
md/ljm Third Reader - March 14, 2020

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

**TITLE OF BILL: Vehicle Laws – Motor Vehicle Emissions Inspection – Deployed
Military Personnel Exemption**

BILL NUMBER: HB 133

**PREPARED BY: Maryland Department of Transportation / Motor Vehicle Administration
(Dept./Agency)**

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

 x WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL
BUSINESS

OR

 WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL
BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS