

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 66

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Fry" and substitute "Delegates Fry, Cadden, Ciliberti, Love, and Bonsack".

AMENDMENT NO. 2

On page 1, in line 5, after "fee;" insert "requiring the Motor Vehicle Administration to offer a certain emissions test procedure to vehicle owners on a voluntary basis; requiring the Administration to provide to vehicle owners notice of the availability of the voluntary testing; altering the amount that an owner of a vehicle must spend to qualify for a certain waiver if the vehicle fails a voluntary test offered under this Act;"; and after line 12, insert:

"BY repealing and reenacting, without amendments,

Article - Transportation

Section 23-202(c)

Annotated Code of Maryland

(1992 Replacement Volume and 1995 Supplement)".

AMENDMENT NO. 3

On page 1, after line 16, insert:

"(c) By rules and regulations, the Administration and the Secretary:

(1) Shall grant a waiver to a vehicle owner if:

(i) The vehicle fails to pass the exhaust emissions test;

(ii) The vehicle owner exhibits evidence acceptable to the Administration that

(Over)

the owner, for an initial exhaust emissions test occurring:

1. In calendar years 1995 through 1997 has actually incurred an expenditure of \$150 towards emissions related repairs to the vehicle within 60 days after the exhaust emissions test; and

2. On or after January 1, 1998, has actually incurred the minimum expenditure required by federal law towards emissions related repairs to the vehicle within 120 days after the exhaust 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 incurred the minimum expenditure as required under item (1)(ii) of this subsection for the emissions related repair to the vehicle within 30 days before the initial exhaust emissions test or the period allowed under federal law, whichever is longer, 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 factory-installed emissions equipment has been tampered with or removed, or that the vehicle has been misfueled;

(3) Unless otherwise prohibited by federal law, may grant additional waivers to extend the time for compliance in cases of financial hardship or for unusual circumstances;

(4) Shall establish criteria to certify repair facilities for the purpose of bringing vehicles into compliance with the applicable emissions standards;

(5) May 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 emissions standards have repeatedly failed tests or retests and the Administration and the Secretary have clear and convincing evidence the repair facility is not meeting satisfactory performance standards;

(6) Shall define the inspection parameters for the emissions equipment and misfueling inspection;

(7) Shall adopt a schedule for the exhaust emissions test;

(8) Shall adopt a schedule for the emissions equipment and misfueling inspections;  
and

(9) Shall establish, under Title 2 of the Environment Article, emissions standards to be used for the exhaust emissions tests and emissions equipment and misfueling inspections of motor vehicles under this subtitle.”.

On page 2, strike in their entirety lines 1 through 3, inclusive, and substitute:

“(2)(I) THE ADMINISTRATION SHALL OFFER TO VEHICLE OWNERS, ON A VOLUNTARY BASIS, TRANSIENT MASS EMISSIONS TESTING USING THE IM 240 DRIVING CYCLE.

(II) 1. THE ADMINISTRATION SHALL NOTIFY VEHICLE OWNERS OF THE OPPORTUNITY TO VOLUNTARILY SUBMIT A VEHICLE TO THE TESTING DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.

2. THE NOTICE REQUIRED UNDER THIS SUBPARAGRAPH SHALL BE:

A. PROMINENTLY DISPLAYED AT ALL EMISSIONS INSPECTION FACILITIES; AND

B. INCLUDED BY THE ADMINISTRATION IN TEST NOTICES AND OTHER MAILINGS RELATED TO THE EMISSIONS CONTROL PROGRAM THAT ARE DIRECTED TO VEHICLE OWNERS.

(III) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (C)(1) OF THIS SECTION, THROUGH DECEMBER 31, 1997, IF A VEHICLE VOLUNTARILY SUBMITTED FOR TESTING UNDER THIS PARAGRAPH FAILS TO PASS THE EXHAUST EMISSIONS TEST, THE ADMINISTRATION SHALL GRANT A WAIVER TO THE VEHICLE IF THE VEHICLE’S OWNER EXHIBITS EVIDENCE ACCEPTABLE TO THE ADMINISTRATION THAT THE OWNER HAS ACTUALLY INCURRED AN EXPENDITURE OF \$75 TOWARDS EMISSIONS RELATED REPAIRS TO THE VEHICLE WITHIN 60 DAYS

AFTER THE EXHAUST EMISSIONS TEST. “.