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**By: Senators Stone, Baker, Jimeno, Bromwell, Della, Collins, and Pica**

Introduced and read first time: January 18, 1996

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Emissions Inspection Program - Voluntary Dynamometer Testing - Incentives**

3 FOR the purpose of extending a prohibition against requiring certain tests and  
4 inspections under an enhanced emissions control program; requiring the Motor  
5 Vehicle Administration, in consultation with the Secretary of the Environment, to  
6 develop and offer to owners of vehicles subject to emissions testing an incentive  
7 program designed to encourage voluntary submission to a certain emissions test  
8 utilizing the IM 240 driving cycle referenced under federal regulations; describing  
9 the types of incentives that may be included in the program; requiring the  
10 Administration to institute a public awareness campaign to educate vehicle owners  
11 about the environmental benefits of the Vehicle Emissions Inspection Program and  
12 the incentives offered under this Act; providing for the effective date of this Act;  
13 and generally relating to emissions testing.

14 BY repealing and reenacting, without amendments,  
15 Article - Transportation  
16 Section 23-202(a)  
17 Annotated Code of Maryland  
18 (1992 Replacement Volume and 1995 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article - Transportation  
21 Section 23-202(d)  
22 Annotated Code of Maryland  
23 (1992 Replacement Volume and 1995 Supplement)

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

26 **Article - Transportation**

27 23-202.

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

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

3 (d) (1) Notwithstanding subsection (c)(6) of this section or any other provision  
4 of law, during the period from January 1, 1995 through May 31, [1996] 1997, the  
5 emissions control program established under this subtitle may not require for any vehicle  
6 other than a State-owned vehicle or, to the extent authorized by federal law, a  
7 federally-owned vehicle:

8 (i) Transient mass-emission testing using the IM 240 driving cycle  
9 referenced under 40 C.F.R. Part 51;

10 (ii) An evaporative system integrity (pressure) test or an evaporative  
11 system transient purge test that requires the disconnection or manipulation of any engine  
12 component, including any hose or emissions equipment, that is located in the vehicle's  
13 engine compartment;

14 (iii) Removal of the driver from a vehicle being tested or inspected; or

15 (iv) On-road testing.

16 (2) (I) Nothing in this subsection prohibits the emissions control program  
17 from offering to vehicle owners, on a voluntary basis, any of the tests and inspections  
18 described in paragraph (1) of this subsection.

19 (II) 1. THE ADMINISTRATION, IN CONSULTATION WITH THE  
20 SECRETARY, SHALL DEVELOP AND OFFER TO OWNERS OF VEHICLES SUBJECT TO  
21 THE EMISSIONS CONTROL PROGRAM AN INCENTIVE PROGRAM DESIGNED TO  
22 ENCOURAGE VOLUNTARY SUBMISSION TO THE TEST DESCRIBED IN ITEM (1)(I) OF  
23 THIS SUBSECTION.

24 2. THE INCENTIVES OFFERED UNDER THIS SUBPARAGRAPH  
25 MAY INCLUDE REDUCED TEST FEES, FLEXIBLE TEST SCHEDULES, THE WAIVER OF  
26 LATE FEES, AND ANY OTHER COST-EFFECTIVE INCENTIVE THAT IS CONSISTENT  
27 WITH STATE AND FEDERAL LAW AND IS REASONABLY EXPECTED BY THE  
28 ADMINISTRATION TO INCREASE THE NUMBER OF VEHICLES THAT UNDERGO THE  
29 TEST DESCRIBED IN ITEM (1)(I) OF THIS SUBSECTION.

30 3. THE ADMINISTRATION SHALL INSTITUTE A PUBLIC  
31 AWARENESS CAMPAIGN TO EDUCATE VEHICLE OWNERS ABOUT THE  
32 ENVIRONMENTAL BENEFITS OF THE EMISSIONS CONTROL PROGRAM AS WELL AS  
33 THE INCENTIVES PROVIDED UNDER THIS SUBPARAGRAPH.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
35 June 1, 1996.