
By: Senators Stone, Baker, Jimeno, Bromwell, Della, Collins, and Pica Pica, Colburn,
Ferguson, Forehand, Green, Haines, and Middlebrooks

Introduced and read first time: January 18, 1996

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 22, 1996

CHAPTER ____

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

16 BY repealing and reenacting, without amendments,

17 Article - Transportation

18 Section 23-202(a)

19 Annotated Code of Maryland

20 (1992 Replacement Volume and 1995 Supplement)

21 BY repealing and reenacting, with amendments,

22 Article - Transportation

23 Section 23-202(d) and 23-205

24 Annotated Code of Maryland

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1 (1992 Replacement Volume and 1995 Supplement)

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

4 **Article - Transportation**

5 23-202.

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

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

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

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

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

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

23 (iv) On-road testing.

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

27 (II) 1. THE ADMINISTRATION, IN CONSULTATION WITH THE
28 SECRETARY, SHALL DEVELOP AND OFFER TO OWNERS OF VEHICLES SUBJECT TO
29 THE EMISSIONS CONTROL PROGRAM AN INCENTIVE PROGRAM DESIGNED TO
30 ENCOURAGE VOLUNTARY SUBMISSION TO THE TEST DESCRIBED IN ITEM (1)(I) OF
31 THIS SUBSECTION.

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

38 ~~3. THE ADMINISTRATION SHALL INSTITUTE A PUBLIC~~
39 ~~AWARENESS CAMPAIGN TO EDUCATE VEHICLE OWNERS ABOUT THE~~

3

1 ~~ENVIRONMENTAL BENEFITS OF THE EMISSIONS CONTROL PROGRAM AS WELL AS~~
2 ~~THE INCENTIVES PROVIDED UNDER THIS SUBPARAGRAPH.~~

3 23-205.

4 (a) (1) Subject to paragraph (2) of this subsection, the Administration and the
5 Secretary shall set the fee to be charged for each vehicle to be inspected and tested by a
6 facility.

7 (2) The fee established under this subsection:

8 (i) During the period from January 1, 1995 through May 31, [1996]
9 1997, may not exceed \$12; and

10 (ii) During the period after May 31, [1996] 1997, may not exceed \$14.

11 (b) The fee shall be collected in a manner established by the Administration and
12 the Secretary.

13 (c) A specific portion of the fee shall be paid to or retained by the Administration
14 to cover the cost of administration and enforcement of the emissions control program, as
15 provided in the contract between the contractor and the State.

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