

EMERGENCY BILL

R6

CF 6lr0670

6lr1383

By: Senators Haines, Derr, Jimeno, Hafer, Stoltzfus, Stone, Munson, Della, Colburn, Middlebrooks, and Ferguson

Introduced and read first time: January 22, 1996

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Enhanced Vehicle Emissions Inspection Program - Regional Contingency**

3 FOR the purpose of prohibiting, after a certain date, certain tests and inspections as part
4 of an enhanced emissions control program in the State unless certain contiguous
5 jurisdictions enact legislation or adopt regulations meeting certain requirements;
6 making this Act an emergency measure; and generally relating to the Vehicle
7 Emissions Inspection Program.

8 BY repealing and reenacting, without amendments,
9 Article - Transportation
10 Section 23-202(a), (b), and (c)(6), (7), (8), and (9)
11 Annotated Code of Maryland
12 (1992 Replacement Volume and 1995 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - Transportation
15 Section 23-202(d)
16 Annotated Code of Maryland
17 (1992 Replacement Volume and 1995 Supplement)

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

20 **Article - Transportation**

21 23-202.

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

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

27 (b) (1) The emissions program shall provide for a biennial exhaust emissions
28 test and emissions equipment and misfueling inspection for all vehicles of the 1977 model
29 year and each model year thereafter.

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

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

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

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

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

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

13 (d) [(1)] Notwithstanding subsection (c)(6) of this section or any other provision
14 of law[, during]:

15 (1) DURING the period from January 1, 1995 through May 31, 1996, the
16 emissions control program established under this subtitle may not require for any vehicle
17 other than a State-owned vehicle or, to the extent authorized by federal law, a
18 federally-owned vehicle:

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

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

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

26 (iv) On-road testing; AND

27 (2) DURING THE PERIOD AFTER MAY 31, 1996, THE EMISSIONS CONTROL
28 PROGRAM MAY NOT REQUIRE ANY OF THE TESTS AND INSPECTIONS DESCRIBED IN
29 PARAGRAPH (1) OF THIS SUBSECTION FOR ANY VEHICLE OTHER THAN A
30 STATE-OWNED VEHICLE OR, TO THE EXTENT AUTHORIZED BY FEDERAL LAW, A
31 FEDERALLY-OWNED VEHICLE UNLESS EACH OF THE FOLLOWING JURISDICTIONS
32 ENACTS LEGISLATION OR ADOPTS REGULATIONS LEGALLY IN EFFECT IN THE
33 JURISDICTION AND CERTIFIED BY THE UNITED STATES ENVIRONMENTAL
34 PROTECTION AGENCY AS BEING IN COMPLIANCE WITH THE FEDERAL CLEAN AIR
35 ACT AMENDMENTS OF 1990 AND REGULATIONS ADOPTED UNDER THAT ACT:

36 (I) DELAWARE;

37 (II) THE DISTRICT OF COLUMBIA;

38 (III) PENNSYLVANIA; AND

3

1 (IV) VIRGINIA.

2 [(2)] (E) Nothing in [this subsection] SUBSECTION (D) OF THIS SECTION
3 prohibits the emissions control program from offering to vehicle owners, on a voluntary
4 basis, any of the tests and inspections described in paragraph (1) of this subsection.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
6 measure, is necessary for the immediate preservation of the public health and safety, has
7 been passed by a yea and nay vote supported by three-fifths of all the members elected to
8 each of the two Houses of the General Assembly, and shall take effect from the date it is
9 enacted.