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R6
HB 456/96 - ENV

1997 Regular Session
7r1508

By: Delegates O'Donnell and Owings

Introduced and read first time: January 27, 1997

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Emissions Inspection Program - Calvert County**

3 FOR the purpose of prohibiting certain components of the Vehicle Emissions Inspection
4 Program in Calvert County under certain circumstances; providing for the effective
5 date of this Act; and generally relating to the Vehicle Emissions Inspection
6 Program.

7 BY repealing and reenacting, without amendments,
8 Article - Transportation
9 Section 23-202(a)
10 Annotated Code of Maryland
11 (1992 Replacement Volume and 1996 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article - Transportation
14 Section 23-202(d)
15 Annotated Code of Maryland
16 (1992 Replacement Volume and 1996 Supplement)

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

19 **Article - Transportation**

20 23-202.

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

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

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

2

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

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

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

8 (iv) On-road testing.

9 (2) (i) The Administration, in consultation with the Secretary, shall
10 develop and offer to owners of vehicles subject to the emissions control program an
11 incentive program designed to encourage voluntary submission to the test described in
12 item (1)(i) of this subsection.

13 (ii) Notwithstanding the provisions of § 23-205(a)(2) and subsection
14 (c)(1) of this section, the incentives offered under this paragraph may include reduced
15 test fees, flexible test schedules, the waiver of late fees, the reduction of expenditures
16 incurred for emissions related repairs necessary to obtain a waiver, and any other
17 cost-effective incentive that is consistent with State and federal law and is reasonably
18 expected by the Administration to increase the number of vehicles that undergo the test
19 described in item (1)(i) of this subsection.

20 (iii) 1. The Administration shall notify vehicle owners of the
21 opportunity to voluntarily submit a vehicle to the testing described in subparagraph (i) of
22 this paragraph.

23 2. The notice required under this subparagraph shall be:

24 A. Prominently displayed at all emissions inspection facilities;
25 and

26 B. Included by the Administration in test notices and other
27 mailings related to the emissions control program that are directed to vehicle owners.

28 (3) THE TESTS AND INSPECTIONS DESCRIBED IN PARAGRAPH (1) OF
29 THIS SUBSECTION MAY NOT BE REQUIRED IN CALVERT COUNTY IF:

30 (I) THE COUNTY IS RECLASSIFIED AS BEING IN ATTAINMENT OF
31 APPLICABLE NATIONAL AMBIENT AIR QUALITY STANDARDS; AND

32 (II) THE U.S. EPA APPROVES A MAINTENANCE PLAN FOR THE
33 COUNTY THAT DOES NOT REQUIRE THE TESTS AND INSPECTIONS DESCRIBED IN
34 PARAGRAPH (1) OF THIS SUBSECTION.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 June 1, 1997.