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HB 1077/96 - ENV

1997 Regular Session  
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**By: Delegates Guns, W. Baker, and Walkup**

Introduced and read first time: February 21, 1997

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Emissions Inspection Program - Queen Anne's County**

3 FOR the purpose of prohibiting certain components of the Vehicle Emissions Inspection  
4 Program in Queen Anne's County under certain circumstances; providing for the  
5 effective 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 QUEEN ANNE'S COUNTY IF THE  
30 COUNTY HAS BEEN RECLASSIFIED BY THE U.S. E.P.A. AS BEING IN ATTAINMENT OF  
31 APPLICABLE NATIONAL AMBIENT AIR QUALITY STANDARDS.

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