
By: Senators Jimeno, Middlebrooks, Haines, and Collins

Introduced and read first time: January 31, 1997

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Enhanced Vehicle Emissions Inspection Program - Moratorium Extension**

3 FOR the purpose of extending, until a certain date, the period during which the Motor
4 Vehicle Administration and the Secretary of the Environment are prohibited from
5 requiring certain test procedures under the State's emissions control program;
6 altering the periods during which certain limitations on fees for tests and
7 inspections under the emissions control program apply; providing for the effective
8 date of this Act; and generally relating to the Vehicle Emissions Inspection
9 Program.

10 BY repealing and reenacting, with amendments,
11 Article - Transportation
12 Section 23-202(d) and 23-205
13 Annotated Code of Maryland
14 (1992 Replacement Volume and 1996 Supplement)

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

17 **Article - Transportation**

18 23-202.

19 (d) (1) Notwithstanding subsection (c)(6) of this section or any other provision
20 of law, during the period from January 1, 1995 through May 31, [1997] 1998, the
21 emissions control program established under this subtitle may not require for any vehicle
22 other than a State-owned vehicle or, to the extent authorized by federal law, a
23 federally-owned vehicle:

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

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

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

2

1 (iv) On-road testing.

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

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

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

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

17 A. Prominently displayed at all emissions inspection facilities;
18 and

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

21 23-205.

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

25 (2) The fee established under this subsection:

26 (i) During the period from January 1, 1995 through May 31, [1997]
27 1998, may not exceed \$12; and

28 (ii) During the period after May 31, [1997] 1998, may not exceed \$14.

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

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

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