

HOUSE BILL 414

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HB 448/97 - ENV

1998 Regular Session  
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By: **Delegates O'Donnell and Owings**  
Introduced and read first time: February 2, 1998  
Assigned to: Environmental Matters

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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  
4 Inspection Program in Calvert County under certain circumstances; authorizing  
5 the Motor Vehicle Administration, in consultation with the Secretary of the  
6 Environment, to offer a certain incentive program to vehicle owners in Calvert  
7 County to encourage voluntary submission to certain vehicle testing under  
8 certain circumstances; requiring the Administration to provide to vehicle owners  
9 in Calvert County notice of the opportunity to submit voluntarily to certain  
10 emissions testing under certain circumstances; defining a certain term;  
11 repealing certain obsolete language; clarifying language; requiring the  
12 Department of the Environment to monitor the status of Calvert County's  
13 classification regarding the County's attainment or nonattainment of applicable  
14 national ambient air quality standards and whether federal approval of a  
15 certain air quality maintenance plan for Calvert County has been granted;  
16 requiring the Department and the Motor Vehicle Administration to report to  
17 certain committees of the General Assembly regarding Calvert County's  
18 participation in the Vehicle Emissions Inspection Program; providing for the  
19 effective date of this Act; and generally relating to Calvert County and the  
20 Vehicle Emissions Inspection Program.

21 BY repealing and reenacting, without amendments,  
22 Article - Transportation  
23 Section 23-202(a)  
24 Annotated Code of Maryland  
25 (1992 Replacement Volume and 1997 Supplement)

26 BY repealing and reenacting, with amendments,  
27 Article - Transportation  
28 Section 23-202(d)  
29 Annotated Code of Maryland  
30 (1992 Replacement Volume and 1997 Supplement)

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

3 **Article - Transportation**

4 23-202.

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

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

10 (d) (1) THIS SUBSECTION APPLIES ONLY IF:

11 (I) CALVERT COUNTY IS RECLASSIFIED AS BEING IN ATTAINMENT  
12 OF APPLICABLE NATIONAL AMBIENT AIR QUALITY STANDARDS; AND

13 (II) THE U.S. ENVIRONMENTAL PROTECTION AGENCY APPROVES  
14 AN AIR QUALITY MAINTENANCE PLAN FOR CALVERT COUNTY THAT DOES NOT  
15 REQUIRE THE TESTS AND INSPECTIONS DESCRIBED IN PARAGRAPH (2) OF THIS  
16 SUBSECTION.

17 (2) (I) IN THIS PARAGRAPH, "DYNAMOMETER TESTING" MEANS  
18 TRANSIENT MASS-EMISSION TESTING USING THE IM 240 DRIVING CYCLE  
19 REFERENCED UNDER 40 C.F.R. PART 51.

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

25 [(i)] 1. [Transient mass-emission testing using the IM 240 driving  
26 cycle referenced under 40 C.F.R. Part 51] DYNAMOMETER TESTING;

27 [(ii)] 2. An evaporative system integrity (pressure) test or an  
28 evaporative system transient purge test that requires the disconnection or  
29 manipulation of any engine component, including any hose or emissions equipment,  
30 that is located in the vehicle's engine compartment;

31 [(iii)] 3. Removal of the driver from a vehicle being tested or  
32 inspected; or

33 [(iv)] 4. On-road testing.

34 [(2)] (3) (i) The Administration, in consultation with the Secretary,  
35 [shall] MAY develop and offer to owners of vehicles subject to the emissions control  
36 program IN CALVERT COUNTY an incentive program designed to encourage voluntary

1 submission to [the test described in item (1)(i) of this subsection] DYNAMOMETER  
2 TESTING.

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

11 (iii) 1. The Administration shall notify vehicle owners IN  
12 CALVERT COUNTY of the opportunity to voluntarily submit a vehicle to [the testing  
13 described in subparagraph (i) of this paragraph] DYNAMOMETER TESTING.

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

15 A. Prominently displayed at [all] emissions inspection  
16 facilities; and

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

19 SECTION 2. AND BE IT FURTHER ENACTED, That, for the purposes of  
20 Section 1 of this Act, the Maryland Department of the Environment shall monitor the  
21 status of Calvert County's classification with respect to the attainment or  
22 nonattainment of applicable national ambient air quality standards and whether the  
23 U.S. Environmental Protection Agency has approved an air quality maintenance plan  
24 for Calvert County that does not require the tests and inspections described in §  
25 23-202(d)(2)(ii) of the Transportation Article as enacted by Section 1 of this Act.

26 SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland  
27 Department of the Environment and the Motor Vehicle Administration, in accordance  
28 with § 2-1246 of the State Government Article, jointly shall report to the Senate  
29 Judicial Proceedings Committee and the House Environmental Matters Committee  
30 on any changes in the status of Calvert County's participation in the Vehicle  
31 Emissions Inspection Program as a result of § 23-202(d) of the Transportation Article  
32 as enacted by Section 1 of this Act.

33 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
34 June 1, 1998.