

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 788

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “program;” insert “authorizing the Motor Vehicle Administration and the Secretary of the Environment to grant a waiver to a vehicle owner if the vehicle fails an initial exhaust emissions test occurring in certain calendar years and the owner has incurred a certain expenditure towards emissions related repairs to the vehicle within a certain amount of time; prohibiting the Administration from implementing a certain regulation regarding a certain waiver for certain vehicle owners from the vehicle emissions inspection program under certain circumstances;”; after line 10, insert:

“BY repealing and reenacting, with amendments,

Article - Transportation

Section 23-202(c)(1)

Annotated Code of Maryland

(1999 Replacement Volume)”;

and in lines 10 and 15, in each instance, strike “(1998 Replacement Volume and 1998 Supplement)” and substitute “(1999 Replacement Volume)”.

AMENDMENT NO. 2

On page 1, after line 24, insert:

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

(1) Shall grant a waiver to a vehicle owner if:

(i) The vehicle fails to pass the exhaust emissions test;

(Over)

(ii) The vehicle owner exhibits evidence acceptable to the Administration that the owner, for an initial exhaust emissions test occurring:

1. In calendar years 1998 through 1999 has actually incurred an expenditure of \$150 towards emissions related repairs to the vehicle within 60 days after the initial exhaust emissions test; [and]

2. IN CALENDAR YEARS 2000 THROUGH 2001 HAS ACTUALLY INCURRED AN EXPENDITURE TOWARDS EMISSIONS RELATED REPAIRS TO THE VEHICLE WITHIN 120 DAYS AFTER THE INITIAL EXHAUST EMISSIONS TEST IN AN AMOUNT OF:

A. \$200 FOR VEHICLES OF MODEL YEARS 1990 AND OLDER;

B. \$300 FOR VEHICLES OF MODEL YEARS 1991 THROUGH 1997; OR

C. \$450 FOR VEHICLES OF MODEL YEARS 1998 AND NEWER;

AND

3. On or after January 1, [2000] 2002, has actually incurred [the minimum expenditure required by federal law] AN EXPENDITURE OF \$450 towards emissions related repairs to the vehicle within 120 days after the exhaust emissions test;

(iii) The vehicle fails a retest, except that if the vehicle owner has exhibited evidence acceptable to the Administration that the vehicle owner actually incurred the minimum expenditure as required under item (1)(ii) of this subsection for the emissions related repair to the vehicle within 30 days before the initial exhaust emissions test or the period allowed under federal law, whichever is longer, a retest is not required; and

(iv) The vehicle owner exhibits evidence that the emissions related repairs qualifying for a waiver under items (1)(ii) and (iii) of this subsection were performed by a repair technician and at a repair facility both certified under item (4) of this subsection;”.

AMENDMENT NO. 3

On page 2, after line 4, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Motor Vehicle Administration may not implement the provisions of COMAR 11.14.08.06D.(7), as proposed in 25:16 Md. R. 1321-1327 and adopted in 25:21 Md. R. 1574.”;

and in line 5, strike “2.” and substitute “3.”.