

HOUSE BILL 1042

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R6
HB 300/96 - ENV

1999 Regular Session
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By: **Washington County Delegation**

Introduced and read first time: February 17, 1999

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of prohibiting the implementation or continuation of the Vehicle
4 Emissions Inspection Program in Washington County; 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 (1998 Replacement Volume and 1998 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article - Transportation
14 Section 23-202(d)
15 Annotated Code of Maryland
16 (1998 Replacement Volume and 1998 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
23 with the 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
27 provision of law, during the period from January 1, 1995 through May 31, 1997, the

1 emissions control program established under this subtitle may not require for any
2 vehicle other than a State-owned vehicle or, to the extent authorized by federal law,
3 a federally-owned vehicle:

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

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

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

12 (iv) On-road testing.

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

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

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

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

28 A. Prominently displayed at all emissions inspection
29 facilities; and

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

32 (3) WHILE THE HAGERSTOWN METROPOLITAN STATISTICAL AREA AND
33 WASHINGTON COUNTY ARE IN ATTAINMENT OF THE NATIONAL AMBIENT AIR
34 QUALITY STANDARDS FOR OZONE, THE EMISSIONS CONTROL PROGRAM MAY NOT BE
35 IMPLEMENTED OR CONTINUED IN WASHINGTON COUNTY.

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
37 June 1, 1999.