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(ii)

22 Administration that the owner[, for an initial exhaust emissions test occurring:

24 incurred an expenditure of \$150 towards emissions related repairs to the vehicle

1.

25 within 60 days after the initial exhaust emissions test[; and

1999 Regular Session 9lr2497 CF SB 696

By: Delegates Cadden and Sophocleus Introduced and read first time: February 23, 1999 Assigned to: Rules and Executive Nominations A BILL ENTITLED 1 AN ACT concerning 2 Motor Vehicle Emissions Inspection - Waivers - Minimum Repair Expenses 3 FOR the purpose of limiting the minimum emissions related repair expense a certain person must incur to be granted a waiver from certain vehicle emissions 4 standards; repealing provisions relating to certain federal standards for a 5 6 certain minimum emissions related repair expense; and generally relating to an emissions related repair expense and waivers from the Vehicle Emissions 7 8 Inspection Program. 9 BY repealing and reenacting, with amendments, Article - Transportation 10 Section 23-202(c) 11 Annotated Code of Maryland 12 (1998 Replacement Volume and 1998 Supplement) 13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 14 15 MARYLAND, That the Laws of Maryland read as follows: 16 **Article - Transportation** 17 23-202. 18 (c) By rules and regulations, the Administration and the Secretary: 19 Shall grant a waiver to a vehicle owner if: (1) 20 The vehicle fails to pass the exhaust emissions test; (i)

The vehicle owner exhibits evidence acceptable to the

In calendar years 1998 through 1999] has actually

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	2. On or after January 1, 2000, has actually incurred the minimum expenditure required by federal law towards emissions related repairs to the vehicle within 120 days after the exhaust emissions test];
6 7 8	(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
12	(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;
	(2) Notwithstanding the provisions of this section, may not grant a waiver if it is found in the testing process that factory-installed emissions equipment has been tampered with or removed, or that the vehicle has been misfueled;
	(3) Unless otherwise prohibited by federal law, may grant additional waivers to extend the time for compliance in cases of financial hardship or for unusual circumstances;
22	(4) Shall establish criteria to certify repair technicians and facilities for the purpose of bringing vehicles into compliance with the applicable emissions standards, including the payment of reasonable fees to cover the costs of administering and overseeing the certification program;
26 27 28	(5) May provide for the suspension, revocation, or denial of renewal of the certification of a repair technician or facility upon evidence that vehicles repaired by that technician or facility for the purpose of bringing them into compliance with the applicable emissions standards have repeatedly failed tests or retests and the Administration and the Secretary have clear and convincing evidence the repair technician or facility is not meeting satisfactory performance standards;
30 31	(6) Shall define the inspection parameters for the emissions equipment and misfueling inspection;
32	(7) Shall adopt a schedule for the exhaust emissions test;
33 34	(8) Shall adopt a schedule for the emissions equipment and misfueling inspections; and
	(9) Shall establish, under Title 2 of the Environment Article, emissions standards to be used for the exhaust emissions tests and emissions equipment and misfueling inspections of motor vehicles under this subtitle.
38 39	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1999.