Unofficial Copy   2000 Regular Session
R6   0lr1667
HB 93/99 - ENV

_____

By: **Delegate O'Donnell**
Introduced and read first time: February 10, 2000
Assigned to: Environmental Matters

_____

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   (1999 Replacement Volume and 1999 Supplement)

26 BY repealing and reenacting, with amendments,
27   Article - Transportation
28   Section 23-202(d)
29   Annotated Code of Maryland
30   (1999 Replacement Volume and 1999 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) OF THIS
4 SUBTITLE and subsection (c)(1) of this section, the incentives offered under this
5 paragraph may include reduced test fees, flexible test schedules, the waiver of late
6 fees, the reduction of expenditures incurred for emissions related repairs necessary to
7 obtain a waiver, and any other cost-effective incentive that is consistent with State
8 and federal law and is reasonably expected by the Administration to increase the
9 number of vehicles that undergo [the test described in item (1)(i) of this subsection]
10 DYNAMOMETER 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, 2000.