

HOUSE BILL 843

R6
HB 927/05 – ENV

8lr2584

By: **Delegates Myers, Beitzel, Donoghue, Frank, Hecht, Kelly, McKee, Norman, O'Donnell, Shank, Stocksdales, Stull, and Weldon**
Introduced and read first time: February 6, 2008
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Vehicle Emissions Inspection – Test Performed by Dealers**

3 FOR the purpose of authorizing a certain licensed vehicle dealer to conduct a certain
4 exhaust emissions test; establishing that a dealer may only conduct a certain
5 exhaust emissions test by means of an on-board diagnostics test on vehicles
6 that meet certain criteria; establishing that a dealer may only conduct a certain
7 exhaust emissions test on equipment that meets requirements established by
8 the Motor Vehicle Administration; requiring a dealer who performs a certain
9 exhaust emissions test to collect a certain fee; prohibiting a dealer who conducts
10 a certain exhaust emissions test from imposing a certain additional fee;
11 requiring the dealer to provide a certain monthly report to the Administration
12 and to forward certain fees; defining a certain term; and generally relating to
13 motor vehicle emissions inspections.

14 BY adding to
15 Article – Transportation
16 Section 23–210
17 Annotated Code of Maryland
18 (2006 Replacement Volume and 2007 Supplement)

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

21 **Article – Transportation**

22 **23–210.**

23 (A) IN THIS SECTION, “ON-BOARD DIAGNOSTICS TEST” MEANS A TEST
24 IN WHICH A VEHICLE’S COMPUTER IS CHECKED THROUGH A CONNECTOR FOR

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 THE PRESENCE OF RECORDED TROUBLE CODES THAT INDICATE AN EMISSIONS
2 FAILURE.

3 (B) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
4 SUBTITLE, A VEHICLE DEALER LICENSED UNDER TITLE 15, SUBTITLE 3 OF THIS
5 ARTICLE MAY CONDUCT AN EXHAUST EMISSIONS TEST REQUIRED UNDER THIS
6 SUBTITLE.

7 (2) AN EXHAUST EMISSIONS TEST CONDUCTED UNDER THIS
8 SECTION MAY ONLY BE CONDUCTED BY MEANS OF AN ON-BOARD DIAGNOSTICS
9 TEST ON VEHICLES THAT:

10 (I) ARE 1996 MODEL YEAR OR NEWER;

11 (II) WEIGH LESS THAN 8,501 POUNDS; AND

12 (III) ARE EQUIPPED WITH A COMPUTER CONTROLLED
13 ENGINE AND FUEL SYSTEM.

14 (3) AN EXHAUST EMISSIONS TEST CONDUCTED UNDER THIS
15 SECTION MAY ONLY BE CONDUCTED ON EQUIPMENT THAT MEETS
16 REQUIREMENTS ESTABLISHED BY THE ADMINISTRATION.

17 (C) A DEALER PERFORMING EXHAUST EMISSIONS TESTS UNDER THIS
18 SUBTITLE:

19 (1) SHALL COLLECT THE FEE REQUIRED FOR THE EXHAUST
20 EMISSIONS TEST UNDER § 23-205 OF THIS SUBTITLE; AND

21 (2) MAY NOT IMPOSE ANY ADDITIONAL FEE FOR THE SERVICE.

22 (D) THE DEALER SHALL REPORT MONTHLY TO THE ADMINISTRATION
23 THE RESULTS OF ANY EXHAUST EMISSIONS TESTS PERFORMED UNDER THIS
24 SECTION AND FORWARD THE FEES COLLECTED TO THE ADMINISTRATION.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2008.