

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 69

(Chair, Judicial Proceedings Committee)(By Request -
Departmental - Transportation)

Judicial Proceedings

Environmental Matters

Vehicle Laws - Air-Conditioning Equipment Specifications and Requirements

This departmental bill replaces the ban on toxic or flammable motor vehicle air-conditioning refrigerants with a new standard that incorporates by reference federal environmental regulations prohibiting ozone-depleting refrigerants.

Fiscal Summary

State Effect: None. This bill does not materially affect State finances or operations.

Local Effect: None.

Small Business Effect: The Maryland Department of Transportation has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

Analysis

Bill Summary: The bill repeals the ban on motor vehicle air-conditioning refrigerants that are toxic or flammable but retains the requirement that air-conditioning equipment be manufactured, installed, and maintained with due regard for the safety of vehicle occupants and the public. Beginning with model year 2011, a person may not sell or equip a motor vehicle with air conditioning equipment unless the equipment contains a refrigerant that is not ozone-depleting or is included in a list of refrigerants identified by the U.S. Environmental Protection Agency (EPA) as safe alternatives.

The bill also repeals the ban on driving a motor vehicle equipped with air-conditioning equipment that is not in compliance with statutory requirements.

The Motor Vehicle Administration (MVA) is authorized, in consultation with the Maryland Department of the Environment, to adopt and enforce safety requirements, regulations, and specifications for air-conditioning equipment.

Current Law: A person may not drive on any highway, or sell or equip, any vehicle with air-conditioning equipment unless the equipment is manufactured, installed, and maintained with due regard for the safety of the occupants of the vehicle and the public, and unless the air-conditioning refrigerant is not toxic or flammable.

Background: MVA indicates that, currently, every vehicle in Maryland is in violation of the air-conditioning refrigerant statute in the Transportation Article because the refrigerants in all vehicles could be considered toxic. EPA has notified Maryland that it is now 1 of only 11 states to contain the antiquated toxic and flammable standard. Instead, many states require that motor vehicles contain air-conditioning refrigerants compliant with EPA Clean Air Act regulations. These regulations ban certain refrigerants with high ozone-depleting properties and offer a list of safe alternatives with low toxicity and flammability.

Additionally, according to MVA, the federal standard being introduced by this bill benefits automobile manufacturers. The new ozone-based standard provides an additional compliance mechanism for manufacturers under Maryland's Clean Car program (established by the Maryland Clean Cars Act of 2007) because manufacturer compliance with this law can be demonstrated either through traditional tailpipe emission reductions or through reductions of nontraditional emissions such as air-conditioning refrigerants.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of the Environment, Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - January 14, 2009
mlm/ljm Revised - Senate Third Reader - March 26, 2009

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Vehicle Laws – Air-Conditioning Equipment Specifications and Requirements

BILL NUMBER: SB 69

PREPARED BY: Maryland Department of Transportation

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

☒ WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND
SMALL BUSINESS

OR

☐ WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND
SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no impact on small business in Maryland.