

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1036 (Washington County Delegation)
Environment and Transportation

Washington County – Vehicle Emissions Inspection Program – Exemption

This bill exempts a motor vehicle owned by a resident of Washington County from the Vehicle Emissions Inspection Program (VEIP) if (1) all of the owners are residents of Washington County and (2) the exemption is not otherwise prohibited by federal law. In order to qualify for the exemption, each owner of the motor vehicle must certify that all of the owners of the motor vehicle are residents of Washington County. The motor vehicle must also be registered at an address in Washington County. Certification of those requirements must be made on a form provided by the Motor Vehicle Administration (MVA).

Fiscal Summary

State Effect: Likely none, as Washington County cannot be exempt from emissions testing under federal law, as discussed under Additional Comments.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Statutory provisions generally require all model year 1977 and newer vehicles in the State to be inspected and tested every two years, unless specifically exempt. MVA and the Maryland Department of the Environment (MDE) must set the VEIP fee for each vehicle to be inspected and tested, which may not exceed \$14. The current fee is \$14.

Regulations that took effect in January 2023 made significant changes to the program. Among other changes, the regulations extended (from 36 months to 72 months) the period of time for the initial testing of new vehicles of up to 8,500 pounds that have previously had only a manufacturers certificate of origin (*i.e.*, were not previously owned.) The regulations also eliminated idle exhaust emissions tests, catalytic converter checks, and gas cap leak checks, and established additional exemptions from testing for certain other vehicles. However, implementation of those changes has been delayed.

Certain types of vehicles are exempt from VEIP (either through statute or regulation), including:

- all vehicles with a model year of 1976 or earlier;
- vehicles weighing more than 26,000 pounds (gross vehicle weight);
- zero-emission vehicles;
- vehicles powered solely by diesel fuel or electricity;
- motorcycles;
- vehicles registered as farm trucks, farm truck tractors, or farm area vehicles;
- historic or antique vehicles;
- any fire apparatus or rescue apparatus owned or leased by the State of Maryland, a county, municipality, or volunteer fire department or rescue squad;
- ambulances;
- vehicles registered to owners age 70 or older, or vehicles registered with hard metal disabled tags, that are driven 5,000 miles per year or less (if co-owned, both owners must qualify for the waiver, and mileage must be recertified every two years to continue to receive the waiver);
- vehicles registered as Class N (street rod);
- military vehicles owned by the federal government and used for tactical, combat, or relief operations, or for training for these operations;
- vehicles registered as Class H (school vehicle) or Class P (passenger bus); and
- vehicles registered as Class R (low-speed vehicle).

A separate program applies to certain commercial vehicles.

Additional Comments: The bill specifies that a vehicle owned by a resident of Washington County is exempt from VEIP if (1) all owners are county residents and (2) the exemption is not otherwise prohibited by federal law. MDE and MVA advise that the federal Clean Air Act *requires* VEIP to be implemented in certain areas of the State, including Washington County. Thus, exempting the county from VEIP is not permitted under federal law.

If Washington County were to become exempt from VEIP, MVA advises that approximately 93,260 vehicles would no longer require testing, resulting in significant impacts on Transportation Trust Fund finances.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Washington County; Maryland Department of the Environment; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - March 8, 2023
km/lgc

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