

SENATE BILL 106

R6

(PRE-FILED)

6lr1363

CF HB 183

By: **Senators Ready, Bailey, Folden, Gallion, Hershey, Lam, McKay, Salling, and West**

Requested: October 28, 2025

Introduced and read first time: January 14, 2026

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Vehicle Emissions Inspection Program – Repeal**

3 FOR the purpose of repealing the Vehicle Emissions Inspection Program; and generally
4 relating to the Vehicle Emissions Inspection Program.

5 BY repealing

6 Article – Transportation

7 Section 23–201 through 23–206, 23–206.1, 23–206.2, 23–206.4, 23–207, and 23–209
8 and the subtitle “Subtitle 2. Motor Vehicle Emissions Inspection”

9 Annotated Code of Maryland

10 (2020 Replacement Volume and 2025 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

12 That the Laws of Maryland read as follows:

13 **Article – Transportation**

14 [Subtitle 2. Motor Vehicle Emissions Inspection.]

15 [23–201.

16 (a) In this subtitle the following words have the meanings indicated.

17 (b) “Emissions control program” means the program requiring and implementing
18 the exhaust emissions test and the emissions equipment and misfueling inspection.

19 (c) “Emissions equipment” means any emissions control device that has been
20 installed on a motor vehicle by a manufacturer of motor vehicles.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (d) "Emissions equipment and misfueling inspection" means an inspection to
2 verify the presence of required emissions equipment and an inspection to determine that
3 the vehicle has not been misfueled.

(2) "Emissions related repair" does not include adjustment, repair, or replacement necessitated by tampering or misfueling.

10 (f) (1) "Emissions standard" means a requirement that limits the quantity,
11 quality, rate, or concentration of emissions from a motor vehicle.

(2) "Emissions standard" includes a requirement that relates to the operation or maintenance of a motor vehicle to assure continuous emissions reduction.

14 (g) "Exhaust emissions test" means the sampling and measurement of certain
15 components of motor vehicle exhaust to determine whether the motor vehicle is in
16 compliance with an emissions standard.

17 (h) "Misfueling" means the introduction of leaded fuel into a motor vehicle
18 designed by the motor vehicle manufacturer to use unleaded fuel.

19 (i) "Secretary" means the Secretary of the Environment.]

20 [23-202.

24 (2) The program shall remain in effect only as long as required by federal
25 law.

26 (b) (1) Subject to paragraph (3) of this subsection, the emissions control
27 program shall provide for a biennial exhaust emissions test and emissions equipment and
28 misfueling inspection for all vehicles of the 1977 model year and each model year thereafter.

32 (3) (i) In this paragraph, "qualified hybrid vehicle" means an
33 automobile that:

- 1 1. Meets all applicable regulatory requirements;
- 2 2. Meets the current vehicle exhaust standard set under the
- 3 federal Tier 2 program for gasoline-powered passenger cars under 40 C.F.R. Part 80 et seq.;
- 4 and
- 5 3. Can draw propulsion energy from both of the following
- 6 sources of stored energy:
 - 7 A. Gasoline or diesel fuel; and
 - 8 B. A rechargeable energy storage system.

9 (ii) A qualified hybrid vehicle is not required to submit to a first
10 exhaust emissions test and emissions equipment and misfueling inspection until 3 years
11 after the date on which the vehicle was first registered in the State.

12 (c) By rules and regulations, the Administration and the Secretary:

13 (1) Shall grant a waiver to a vehicle owner if:
14 (i) The vehicle fails to pass the exhaust emissions test;
15 (ii) The vehicle owner exhibits evidence acceptable to the
16 Administration that the owner, for an initial exhaust emissions test occurring:

17 1. In calendar years 1998 through 1999 has actually incurred
18 an expenditure of \$150 towards emissions related repairs to the vehicle within 60 days after
19 the initial exhaust emissions test;

20 2. In calendar years 2000 through 2001 has actually incurred
21 an expenditure towards emissions related repairs to the vehicle within 120 days after the
22 initial exhaust emissions test in an amount of:

23 A. \$200 for vehicles of model years 1990 and older;
24 B. \$300 for vehicles of model years 1991 through 1997; or
25 C. \$450 for vehicles of model years 1998 and newer; and
26 3. On or after January 1, 2002, has actually incurred an
27 expenditure of \$450 towards emissions related repairs to the vehicle within 120 days after
28 the exhaust emissions test;

29 (iii) The vehicle fails a retest, except that if the vehicle owner has
30 exhibited evidence acceptable to the Administration that the vehicle owner actually

1 incurred the minimum expenditure as required under item (ii) of this item for the emissions
2 related repair to the vehicle within 30 days before the initial exhaust emissions test or the
3 period allowed under federal law, whichever is longer, a retest is not required; and

4 (iv) The vehicle owner exhibits evidence that the emissions related
5 repairs qualifying for a waiver under items (ii) and (iii) of this item were performed by a
6 repair technician and at a repair facility both certified under item (4) of this subsection;

7 (2) Notwithstanding the provisions of this section, may not grant a waiver
8 if it is found in the testing process that factory-installed emissions equipment has been
9 tampered with or removed, or that the vehicle has been misfueled;

10 (3) Unless otherwise prohibited by federal law, may grant additional
11 waivers to extend the time for compliance in cases of financial hardship or for unusual
12 circumstances;

13 (4) Shall establish criteria to certify repair technicians and facilities for the
14 purpose of bringing vehicles into compliance with the applicable emissions standards,
15 including the payment of reasonable fees to cover the costs of administering and overseeing
16 the certification program;

17 (5) May provide for the suspension, revocation, or denial of renewal of the
18 certification of a repair technician or facility upon evidence that vehicles repaired by that
19 technician or facility for the purpose of bringing them into compliance with the applicable
20 emissions standards have repeatedly failed tests or retests and the Administration and the
21 Secretary have clear and convincing evidence the repair technician or facility is not meeting
22 satisfactory performance standards;

23 (6) Shall define the inspection parameters for the emissions equipment and
24 misfueling inspection;

25 (7) Shall adopt a schedule for the exhaust emissions test;

26 (8) Shall adopt a schedule for the emissions equipment and misfueling
27 inspections; and

28 (9) Shall establish, under Title 2 of the Environment Article, emissions
29 standards to be used for the exhaust emissions tests and emissions equipment and
30 misfueling inspections of motor vehicles under this subtitle.

31 (d) (1) Notwithstanding subsection (c)(6) of this section or any other provision
32 of law, during the period from January 1, 1995 through May 31, 1997, the emissions control
33 program established under this subtitle may not require for any vehicle other than a
34 State-owned vehicle or, to the extent authorized by federal law, a federally owned vehicle:

35 (i) Transient mass-emission testing using the IM 240 driving cycle
36 referenced under 40 C.F.R. Part 51;

5 (iii) Removal of the driver from a vehicle being tested or inspected; or
6 (iv) On-road testing.

22 A. Prominently displayed at all emissions inspection
23 facilities; and

26 [23-203.

27 (a) (1) By rules and regulations, the Administration and the Secretary shall
28 provide for the establishment of facilities to conduct any tests or inspections required to be
29 performed under this subtitle.

14 (ii) All independent contractors shall be selected in accordance with
15 the procedures established under the State Finance and Procurement Article.

19 (b) If the program is awarded to an independent contractor to operate centralized
20 inspection facilities, the facilities shall be provided, equipped, and maintained by the
21 independent contractor, and the operating personnel of the facilities shall be employees of
22 the contractor, and not of the State, and the contractor may not perform emissions related
23 repairs as defined in § 23-201 of this subtitle.

24 (c) The Administration and the Secretary shall determine, on or before March 1,
25 1998, whether the following criteria for establishing a decentralized retesting program
26 have been satisfied:

35 (d) If the Administration and the Secretary determine that the criteria listed in
36 subsection (c) of this section have not been met in a given year, they shall determine, on or

1 before March 1 of the succeeding year, whether the criteria have been satisfied in the
2 intervening period.

3 (e) Notwithstanding subsections (a) and (b) of this section, if the program is
4 awarded to an independent contractor to operate centralized inspection facilities and if the
5 Administration and the Secretary have determined that the criteria listed in subsection (c)
6 of this section have been satisfied, the Administration and the Secretary shall propose
7 regulations to:

8 (1) Allow the owner of a vehicle that fails an exhaust emissions test or
9 emissions equipment and misfueling inspection at a centralized inspection facility to have
10 the vehicle retested at either a centralized inspection facility or an approved certified repair
11 facility;

12 (2) Allow a certified repair facility to retest vehicles if approved for that
13 purpose by the Department of the Environment;

14 (3) Require the initial exhaust emissions test and emissions equipment
15 and misfueling inspection in each biennial test cycle to be performed at a centralized
16 inspection facility;

17 (4) Establish criteria for testing equipment, procedures, and reporting of
18 retests for approved certified repair facilities;

19 (5) Provide for the suspension, revocation, or denial of renewal of approval
20 for a certified repair facility to perform retests if the Secretary, or the Secretary's designee,
21 determines that the facility has performed fraudulent retests or is not in compliance with
22 the regulations adopted under this subsection; and

23 (6) Establish a reasonable fee for approval of a certified repair facility to
24 perform retests, covering the costs of the approvals and oversight of the decentralized
25 retesting program.]

26 [23–204.

27 The facilities established or approved under § 23–203 of this subtitle shall conduct
28 the exhaust emissions tests and emissions equipment and misfueling inspections of motor
29 vehicles to determine whether each vehicle complies with emissions standards established
30 under this subtitle for that vehicle.]

31 [23–205.

32 (a) (1) Subject to paragraph (2) of this subsection, the Administration and the
33 Secretary shall set the fee to be charged for each vehicle to be inspected and tested by a
34 facility.

35 (2) The fee established under this subsection:

1 (i) During the period from May 31, 1997, through June 30, 2025,
2 may not exceed \$14;

3 (ii) During the period from July 1, 2025, through June 30, 2026, may
4 not exceed \$30; and

(3) During the period after June 30, 2026, the fee established under this subsection shall equal at least the amount in the immediately preceding fiscal year adjusted for inflation in accordance with paragraph (4) of this subsection.

(ii) The percentage increase in the Consumer Price Index for All Urban Consumers shall be determined by comparing the average of the index for the 12 months ending April 30 immediately preceding the fiscal year for which the funding amount is being calculated to the average index for the prior 12 months.

18 (iii) If there is a decline or no growth in the Consumer Price Index for
19 All Urban Consumers, the fee amount under this paragraph shall remain unchanged.

20 (b) The fee shall be collected in a manner established by the Administration and
21 the Secretary.

22 (c) A specific portion of the fee shall be paid to or retained by the Administration
23 to cover the cost of administration and enforcement of the emissions control program, as
24 provided in the contract between the contractor and the State.]

25 [23-206.

26 (a) An owner of a motor vehicle that is registered in this State shall have the
27 vehicle inspected and tested as required under this subtitle.

28 (b) A motor vehicle registered in this State, unless exempted or given a waiver
29 under this subtitle, shall meet the standards and requirements of this subtitle.

1 [23–206.1.

2 Notwithstanding any rule or regulation to the contrary and unless otherwise
3 prohibited by federal law, any fire or rescue apparatus or ambulance owned or leased by a
4 political subdivision of the State, or by a volunteer fire company, rescue squad, or volunteer
5 ambulance company, that is registered as an emergency vehicle as defined in § 11–118 of
6 this article, is exempt from mandatory inspections under this subtitle.]

7 [23–206.2.

8 (a) (1) A motor vehicle for which special registration plates have been issued
9 under § 13–616 of this article is exempt from the mandatory inspections required by this
10 subtitle if:

11 (i) All of the owners of the motor vehicle meet the disability
12 requirements of § 13–616(b)(1) of this article;

13 (ii) The motor vehicle is driven 5,000 miles or less annually; and

14 (iii) The exemption is not otherwise prohibited by federal law.

15 (2) In order to qualify for an exemption under paragraph (1) of this
16 subsection, all owners of the motor vehicle shall certify the following:

17 (i) That the owner of the motor vehicle meets the disability
18 requirements of § 13–616(b)(1) of this article;

19 (ii) That the motor vehicle has been issued a special disabled
20 person's registration number and special registration plates under § 13–616 of this article;

21 (iii) That the motor vehicle is driven 5,000 miles or less annually; and

22 (iv) The motor vehicle's odometer reading at the time of the
23 certification.

24 (3) The certification required in paragraph (2) of this subsection shall be
25 made on a form provided by the Administration.

26 (b) (1) A motor vehicle owned by an individual who is at least 70 years of age
27 at the time of a scheduled mandatory inspection under this subtitle is exempt from the
28 mandatory inspections required by this subtitle if:

29 (i) All of the owners of the motor vehicle are at least 70 years of age
30 at the time of the scheduled mandatory inspection under this subtitle;

31 (ii) The motor vehicle is being driven 5,000 miles or less annually;
32 and

(iii) The exemption is not otherwise prohibited by federal law.

(2) In order to qualify for an exemption under paragraph (1) of this subsection, all owners of the motor vehicle shall certify the following:

4 (i) That all of the owners of the motor vehicle are at least 70 years
5 of age at the time of a scheduled mandatory inspection under this subtitle;

6 (ii) That the motor vehicle is being driven 5,000 miles or less
7 annually; and

10 (3) The certification required in paragraph (2) of this subsection shall be
11 made on a form provided by the Administration.

12 (c) (1) A motor vehicle owned by at least one active duty member of the
13 uniformed services at the time of a scheduled mandatory inspection under this subtitle is
14 exempt from the mandatory inspections required by this subtitle if:

15 (i) An owner of the motor vehicle who is a member of the uniformed
16 services has received official orders:

17 1. For deployment outside the United States; or

20 (ii) The exemption is not otherwise prohibited by federal law.

28 (d) The Administrator may adopt regulations as necessary to administer or
29 enforce the provisions of this section.]

30 [23-206.4.]

31 (a) In this section, "zero-emission vehicle" means any vehicle that:

(1) Is determined by the Secretary to be of a type that does not produce any tailpipe or evaporative emissions; and

3 (2) Has not been altered from the manufacturer's original specifications.

4 (b) A zero-emission vehicle is exempt from the mandatory tests and inspections
5 required by this subtitle.

6 (c) The Administration and the Secretary shall adopt regulations necessary to:

7 (1) Provide for the determination of which vehicles are zero-emission
8 vehicles; and

9 (2) Implement the provisions of this section.]

10 [23-207.

11 The Administration and the Secretary may jointly adopt rules and regulations as
12 required for purposes of implementation, administration, regulation, and enforcement of
13 the provisions of this subtitle, including rules and regulations that, consistent with federal
14 law, exempt certain vehicles from the inspections and tests under this subtitle.]

15 [23-209.

16 A person may not commit any fraud or make any misrepresentation in applying for
17 or preparing documentation relating to this subtitle.]

18 SECTION 2. AND BE IT FURTHER ENACTED, That the publisher of the
19 Annotated Code of Maryland, in consultation with and subject to the approval of the
20 Department of Legislative Services, shall correct, with no further action required by the
21 General Assembly, cross-references and terminology rendered incorrect by this Act. The
22 publisher shall adequately describe any correction that is made in an editor's note following
23 the section affected.

24 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2026.