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Senator Brian J. Feldman
Chair of the Maryland Senate Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

RE: Oppose Senate Bill 686

Dear Chair Feldman,

The Association of Equipment Manufacturers appreciates the opportunity to provide our written position on Senate Bill (SB) 686 for your consideration.

The Association of Equipment Manufacturers is the North American-based international trade group representing off-road equipment manufacturers and suppliers with over 1,100 member companies and more than 200 product lines in the agriculture and construction-related industry sectors worldwide. Our industry supports over 13,000 jobs throughout the state of Maryland and contributes roughly \$1.9 billion to the state economy every year. ***Our industry produces highly complex equipment relied upon every day for food production, infrastructure development, emergency response, and other essential public services.***

While AEM supports efforts to protect public health and the environment, ***we must oppose the registration requirements in SB 686.*** As drafted, the bill would impose a registration framework that will not work as intended for manufacturers of complex equipment and is unlikely to generate meaningful or reliable information for the State.

Off-road equipment is comprised of hundreds of thousands of individual components sourced through global, multi-tier supply chains that can extend dozens of levels deep. These components are designed and specified based on performance, durability, and safety requirements, not chemical composition. As a result, manufacturers do not possess complete chemical content information at the component level, nor do suppliers routinely collect or disclose such data. Imposing a registration requirement under these circumstances would force manufacturers to undertake extensive, duplicative, and technically infeasible data-collection efforts, placing significant and unnecessary burdens on manufacturers while diverting resources away from safety, innovation, and compliance with existing federal programs. ***A registration system built on incomplete or unavailable data will not produce consistent or reliable information and ultimately undermines the stated objectives of the legislation.***

The proposed registration requirements are also misaligned with the U.S. Environmental Protection Agency's PFAS reporting framework under the Toxic Substances Control Act, which

is based on a “known or reasonably ascertainable” standard that reflects the realities of complex supply chains. Establishing a separate, state-specific registration regime would require manufacturers to navigate multiple, conflicting reporting systems, increasing compliance costs while decreasing data quality. Alignment with federal standards is essential to avoid duplication and ensure that any information collected by the State is meaningful and usable.

In addition, ***certain PFAS uses provide critical safety and performance functions in off-road equipment, including sealing, thermal stability, chemical resistance, and fire prevention.*** These functions protect equipment operators, maintenance personnel, and the public. A registration requirement that does not adequately account for currently unavoidable uses risks disrupting the availability of equipment relied upon for agriculture, construction, utilities, and emergency response, particularly where no technically or economically feasible alternatives exist.

For these reasons, AEM respectfully requests that SB 686 be amended to exempt complex off-road equipment and replacement parts from the PFAS registration requirement, recognize currently unavoidable uses where no feasible alternatives exist, and align any reporting obligations with EPA’s TSCA PFAS reporting framework. As other states, including Maine, have continued to refine their PFAS laws, policymakers are increasingly recognizing the extraordinary complexity of modern equipment and the impracticality of attempting to capture such products through registration programs. This growing experience reflects an understanding that applying PFAS registration requirements to complex equipment is overly burdensome, does not produce meaningful data, and risks undermining essential industries.

AEM remains committed to working collaboratively with the General Assembly and state agencies to develop PFAS policies that are effective, science-based, and practical. ***We respectfully urge the Committee to oppose the registration requirements in SB 686*** unless amended to address these concerns.

Respectfully submitted,



Nick Rudowich
Director, State Affairs
Association of Equipment Manufacturers

cc: Senator Cheryl C. Kagan, Vice Chair
Senator Dalya Attar
Senator Benjamin Brooks
Senator Mary Beth Carozza
Senator Jason C. Gallion
Senator Kevin M. Harris
Senator Katie Fry Hester
Senator Bryan W. Simonaire
Senator Mary Washington
Senator Ron Watson