



**The Maryland Department of the Environment**  
**Secretary Serena McIlwain**

***HB 1391***

***Vehicle Emissions Inspection Program – Testing and Inspection – Grounds for Failure***

**Position:** Information  
**Committee:** Environment and Transportation  
**Date:** March 5, 2026  
**From:** Jeremy D. Baker, Government Relations Director

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The Maryland Department of the Environment (MDE) offers the following **LETTER OF INFORMATION** for HB 1391.

**Bill Summary**

House Bill 1391 would limit the circumstances under which a motor vehicle emissions inspection facility may determine that a vehicle has failed an emissions inspection under Maryland's Vehicle Emissions Inspection Program (VEIP).

**Position Rationale**

HB 1391 presents challenges regarding alignment with Federal law and regulations and undermines the intent of VEIP, which could inadvertently impact regional air quality and public health.

The VEIP is a mandatory program required by the Federal Clean Air Act for areas of Maryland that are, or have historically been, in non-attainment of the federal health-based air quality standard for ground-level ozone. Furthermore, Maryland's inclusion in the Ozone Transport Region mandates the program. Ozone is a pervasive air pollutant that poses significant risk to both human health and the environment. The VEIP is implemented in accordance with the U.S. Environmental Protection Agency's (EPA) regulations governing motor vehicle inspection and maintenance programs, including specific testing procedures and pass/fail standards. HB 1391, by limiting the circumstances under which a vehicle may fail an emissions inspection, directly conflicts with the federally required inspection standards established in EPA's implementing regulations, thereby constituting a violation of federal law.

If HB 1391 were to pass, EPA would be unable to approve the revised program, which could negate VEIP's air quality emissions benefits accounted for in Maryland's State Implementation Plan (SIP) to meet the ozone standard, which is required by the Clean Air Act. That would require MDE to find equivalent air quality emission reductions from regulations applying to other industries and sectors instead. Those options would have substantially higher cost and impact. Failure to achieve these mandated emission reductions would subject Marylanders to dangerous air pollution, and the State to serious consequences, including the risk the loss of federal highway funds, the requirement for emission offsets from industry, and/or the imposition of a Federal Implementation Plan (FIP).

MDE is available for questions on HB 1391.

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