

HOUSE BILL 677

R6

4lr0976

By: **Delegates Glass, Aumann, Cluster, Impallaria, Krebs, McConkey,
McDermott, McDonough, and Otto**

Introduced and read first time: January 31, 2014

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Emissions Inspection Program – Request for Exhaust Emissions Test**
3 **After Failing On–Board Diagnostics Test**

4 FOR the purpose of requiring a vehicle emissions inspection facility, at the request of
5 the owner of a vehicle that has failed an on–board diagnostics test, to
6 immediately conduct an exhaust emissions test of the vehicle at no cost to the
7 owner of the vehicle; establishing that a vehicle that passes an exhaust
8 emissions test requested under this Act is deemed to be in compliance with
9 certain emissions standards established for the vehicle; defining a certain term;
10 and generally relating to the vehicle emissions inspection program.

11 BY repealing and reenacting, without amendments,
12 Article – Transportation
13 Section 23–201(g), 23–202(a) and (b), and 23–203(a)(1)
14 Annotated Code of Maryland
15 (2012 Replacement Volume and 2013 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Transportation
18 Section 23–204
19 Annotated Code of Maryland
20 (2012 Replacement Volume and 2013 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article – Transportation**

24 23–201.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (g) “Exhaust emissions test” means the sampling and measurement of
2 certain components of motor vehicle exhaust to determine whether the motor vehicle is
3 in compliance with an emissions standard.

4 23–202.

5 (a) (1) Subject to subsection (d) of this section, the Administration and the
6 Secretary shall establish an emissions control program in the State in accordance with
7 the federal Clean Air Act.

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

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

14 (2) The emissions control program may not authorize an exhaust
15 emissions test or emissions equipment and misfueling inspection for any vehicle of a
16 model year earlier than the 1977 model year.

17 (3) (i) In this paragraph, “qualified hybrid vehicle” means an
18 automobile that:

19 1. Meets all applicable regulatory requirements;

20 2. Meets the current vehicle exhaust standard set under
21 the federal Tier 2 program for gasoline-powered passenger cars under 40 C.F.R. Part
22 80 et seq.; and

23 3. Can draw propulsion energy from both of the
24 following sources of stored energy:

25 A. Gasoline or diesel fuel; and

26 B. A rechargeable energy storage system.

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

30 23–203.

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

1 23-204.

2 **(A) IN THIS SECTION, “ON-BOARD DIAGNOSTICS TEST” MEANS A TEST**
3 **TO DETERMINE, BY CONNECTING A SCAN TOOL INTO A VEHICLE’S ON-BOARD**
4 **DIAGNOSTICS SYSTEM, WHETHER A VEHICLE’S EMISSIONS CONTROL**
5 **COMPONENTS ARE FUNCTIONING PROPERLY.**

6 **(B) The facilities established or approved under § 23-203 of this subtitle**
7 **shall [conduct]:**

8 **(1) CONDUCT** the exhaust emissions tests and emissions equipment
9 and misfueling inspections of motor vehicles to determine whether each vehicle
10 complies with emissions standards established under this subtitle for that vehicle;
11 **AND**

12 **(2) AT THE REQUEST OF THE OWNER OF A VEHICLE THAT FAILS**
13 **AN ON-BOARD DIAGNOSTICS TEST, IMMEDIATELY CONDUCT AN EXHAUST**
14 **EMISSIONS TEST OF THE VEHICLE AT NO COST TO THE OWNER OF THE VEHICLE.**

15 **(C) A VEHICLE THAT PASSES AN EXHAUST EMISSIONS TEST REQUESTED**
16 **UNDER SUBSECTION (B)(2) OF THIS SECTION SHALL BE DEEMED TO BE IN**
17 **COMPLIANCE WITH THE EMISSIONS STANDARDS ESTABLISHED UNDER THIS**
18 **SUBTITLE FOR THAT VEHICLE.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2014.