

SENATE BILL 125

R6

6lr1129

By: **Senator Serafini**

Introduced and read first time: January 15, 2016

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Emissions Inspection Program – Exemptions**

3 FOR the purpose of creating an exception for qualified hybrid vehicles to the requirement
4 that certain motor vehicles that are exempt from the vehicle emissions inspection
5 program be driven not more than a certain number of miles annually; altering the
6 information that owners of motor vehicles are required to certify to qualify for certain
7 exemptions from the vehicle emissions inspection program; defining the term
8 “qualified hybrid vehicle”; making a certain stylistic change; and generally relating
9 to exemptions from the vehicle emissions inspection program.

10 BY repealing and reenacting, without amendments,
11 Article – Transportation
12 Section 23–202(a)(1) and (b)(1)
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2015 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Transportation
17 Section 23–206.2
18 Annotated Code of Maryland
19 (2012 Replacement Volume and 2015 Supplement)

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

22 **Article – Transportation**

23 23–202.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

7 23–206.2.

8 (a) **IN THIS SECTION, “QUALIFIED HYBRID VEHICLE” MEANS A MOTOR**
9 **VEHICLE THAT:**

10 **(1) MEETS THE CURRENT VEHICLE EXHAUST STANDARD SET UNDER**
11 **THE NATIONAL LOW-EMISSION VEHICLE PROGRAM FOR GASOLINE-POWERED**
12 **PASSENGER MOTOR VEHICLES; AND**

13 **(2) OBTAINS PROPULSION FROM BOTH OF THE FOLLOWING**
14 **ON-BOARD SOURCES OF STORED ENERGY:**

15 **(I) GASOLINE OR DIESEL FUEL; AND**

16 **(II) A RECHARGEABLE ENERGY STORAGE SYSTEM.**

17 **(B) (1)** A motor vehicle for which special registration plates have been issued
18 under § 13–616 of this article is exempt from the mandatory inspections required by this
19 subtitle if:

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

22 (ii) **1.** The motor vehicle is driven 5,000 miles or less annually;
23 **OR**

24 **2. THE MOTOR VEHICLE IS A QUALIFIED HYBRID**
25 **VEHICLE; and**

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

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

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

1 (ii) That the motor vehicle has been issued a special disabled
2 person's registration number and special registration plates under § 13-616 of this article;
3 **AND**

4 (iii) 1. **A.** That the motor vehicle is driven 5,000 miles or less
5 annually; and

6 [(iv)] **B.** The motor vehicle's odometer reading at the time of the
7 certification; **OR**

8 2. **THAT THE MOTOR VEHICLE IS A QUALIFIED HYBRID**
9 **VEHICLE.**

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

12 **[(b)] (C)** (1) A motor vehicle owned by an individual who is at least 70 years
13 of age at the time of a scheduled mandatory inspection under this subtitle is exempt from
14 the mandatory inspections required by this subtitle if:

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

17 (ii) 1. The motor vehicle is being driven 5,000 miles or less
18 annually; **OR**

19 2. **THE MOTOR VEHICLE IS A QUALIFIED HYBRID**
20 **VEHICLE;** and

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

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

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

26 (ii) 1. **A.** That the motor vehicle is being driven 5,000 miles
27 or less annually; and

28 [(iii)] **B.** The motor vehicle's odometer reading at the time of the
29 certification; **OR**

30 2. **THAT THE MOTOR VEHICLE IS A QUALIFIED HYBRID**
31 **VEHICLE.**

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

3 **[(c)] (D)** The Administrator may adopt regulations as necessary to administer or
4 enforce **[the provisions of]** this section.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2016.