

# HOUSE BILL 635

R6

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By: **Delegates Lam, Ebersole, Fraser-Hidalgo, C. Howard, Jalisi, Luedtke, Morhaim, Patterson, and Turner**

Introduced and read first time: February 4, 2016

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Emissions Inspection Program – Recall or Remediation –**  
3 **Documentation of Repairs**

4 FOR the purpose of requiring the vehicle emissions inspection program to require that, for  
5 a motor vehicle that at a certain time becomes subject to a certain vehicle emissions  
6 equipment recall or remediation, the owner of the motor vehicle provide  
7 documentation at the time of testing and inspection that the emissions repairs have  
8 been completed; authorizing an owner of a motor vehicle that becomes subject to a  
9 certain vehicle emissions equipment recall or remediation within a certain time  
10 period to provide the repair documentation at the next subsequent scheduled test  
11 and inspection; and generally relating to the documentation of repairs for motor  
12 vehicles subject to an emissions equipment recall or remediation.

13 BY repealing and reenacting, without amendments,  
14 Article – Transportation  
15 Section 23–202(a)(1)  
16 Annotated Code of Maryland  
17 (2012 Replacement Volume and 2015 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article – Transportation  
20 Section 23–202(b)  
21 Annotated Code of Maryland  
22 (2012 Replacement Volume and 2015 Supplement)

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

25 **Article – Transportation**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 23–202.

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

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

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

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

- 13 1. Meets all applicable regulatory requirements;
- 14 2. Meets the current vehicle exhaust standard set under the  
15 federal Tier 2 program for gasoline–powered passenger cars under 40 C.F.R. Part 80 et seq.;  
16 and
- 17 3. Can draw propulsion energy from both of the following  
18 sources of stored energy:
- 19 A. Gasoline or diesel fuel; and
- 20 B. A rechargeable energy storage system.

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

24 **(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**  
25 **EMISSIONS CONTROL PROGRAM SHALL REQUIRE THAT, FOR A MOTOR VEHICLE**  
26 **THAT DURING AN EMISSIONS CYCLE BECOMES SUBJECT TO A VOLUNTARY**  
27 **EMISSIONS RECALL OR A REMEDIAL PLAN DETERMINATION FOR EMISSIONS**  
28 **EQUIPMENT, THE OWNER OF THE MOTOR VEHICLE PROVIDE DOCUMENTATION AT**  
29 **THE TIME OF THE TEST AND INSPECTION THAT THE EMISSIONS REPAIRS HAVE BEEN**  
30 **COMPLETED.**

31 **(II) FOR A MOTOR VEHICLE THAT BECOMES SUBJECT TO A**  
32 **RECALL OR REMEDIATION WITHIN 60 DAYS BEFORE THE DATE OF THE SCHEDULED**  
33 **TEST AND INSPECTION, THE OWNER OF THE MOTOR VEHICLE MAY PROVIDE THE**

1 **REPAIR DOCUMENTATION AT THE NEXT SUBSEQUENT SCHEDULED TEST AND**  
2 **INSPECTION.**

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