

STATE OF MARYLAND

**MARYLAND DEPARTMENT OF THE ENVIRONMENT**

**Shari T. Wilson, Secretary**

**BILL NO:** HB9

**COMMITTEE:** Environmental Matters

**POSITION:** Oppose

---

**Title:** Vehicle Laws – Vehicle Emissions Inspection – Test Performed by Dealers

**Bill Analysis:** HB 9 would allow certain licensed vehicle dealers to conduct official VEIP tests on 1996 and newer vehicles weighing 8,501 lbs or less.

**Position and Rationale: OPPOSE**

The Maryland Vehicle Emissions Inspection Program (VEIP) is a centralized program where vehicle tests are only conducted at 18 State-owned facilities. HB9 requires certain vehicle dealers be authorized to conduct official VEIP tests only on 1996 and newer vehicles weighing 8,501 lbs or less. The proposed changes included in HB9 would have a significant fiscal impact on MDE, are inconsistent with the Environmental Protection Agency (EPA) regulations, and would provide no additional air quality benefit.

Modification of the VEIP to include dealer testing would have a significant impact the operations of the Air and Radiation Management Administration (ARMA). Under a formal funding agreement with the Maryland Department of Transportation (MDOT), ARMA is responsible for the implementation of specific elements of the VEIP, including implementation of certification programs for Certified Emissions Repair Facilities (CERF), Master Certified Emissions Technicians (MCET), and Fleet Self-Inspection Stations; conducting quality assurance audit inspections at the State VEIP stations, CERFs, and Fleet Self-Inspection Stations; and providing training for repair technicians and other staff at repair facilities.

With the addition of dealer testing, MDE's quality assurance responsibilities would increase and require additional audit inspectors, inspector vehicles, and On-Board Diagnostics audit equipment. The additional quality assurance responsibilities would require monthly inspections of participating authorized dealer inspection facilities. In addition, ARMA would have to provide training on VEIP program procedures and requirements to new MCETs who would be certified to conduct the inspections. MDE estimates the first year start up costs for this expanded program would be in the area of \$200,000 with annual operating costs the four succeeding fiscal years.

The EPA imposes strict requirements for vehicle testing under state vehicle emissions inspection programs, which would apply to dealers licensed under the proposed

legislation. EPA rules require secure, computerized test equipment systems that are automated to the highest degree possible, to minimize the potential for intentional fraud or operator error, and ensure quality control procedures are conducted. Further, the test equipment must provide automatic data capture and electronic transmission of the test data through a real time data link directly into the central VEIP data system. Motor vehicle dealers do not currently have the requisite test equipment and capability to comply with the EPA test equipment and reporting requirement. The only feasible way for the State to meet the federal requirements is to require dealers licensed under the proposed legislation to possess test equipment similar to that used in the central lanes. Dealers would be required to purchase the test equipment from the VEIP contractor. Dealers would also be subject to a transaction fee to cover the costs of the electronic data transmission and data quality assurance. The estimated 5-year cost to a participating dealer is estimated to be between \$40,000 and \$50,000. Under the proposed legislation, dealers will collect the VEIP test fees and transmit them to the State, and may not impose any additional fee for the testing service. The VEIP tests will generate no direct income for the facilities.

Additionally, under the proposed legislation, not all citizens would be served as the proposal only provides for the testing of 1996 and newer vehicles weighing up to 8,500 pounds. In Maryland, all 1977 and newer gasoline powered vehicles up to 26,000 pounds gross vehicle weight are subject to the VEIP program. EPA rules also specify that vehicle emissions test equipment be capable of testing all subject vehicles; this federal requirement would not be met under the proposed legislation.

Additionally, important VEIP administrative services are provided to motorists at the State VEIP stations that could not be provided by a dealer. For instance, motorists may be granted a time extension at State VEIP stations. Also, motorists in need of a repair waiver, after spending at least \$450 on emissions repairs, would be required to travel to a State VEIP station, as MVA must verify the repairs, and review and approve waiver applications.

**FOR MORE INFORMATION,**  
**CONTACT LISA NISSLEY**  
**410-260-6301 ANNAPOLIS**  
**410-537-3812 BALTIMORE**