

MARYLAND DEPARTMENT OF THE ENVIRONMENT

Robert M. Summers, Ph. D., Secretary

BILL NO: HB 677

COMMITTEE: Environmental Matters

POSITION: Oppose

TITLE: Vehicle Emissions Inspection Program – Request for Exhaust Emissions Test After Failing On-Board Diagnostics Test

BILL ANALYSIS: This bill requires that an exhaust emissions test be conducted upon the request of an owner of a vehicle that has failed the On-Board Diagnostics (OBD) test in the Vehicle Emissions Inspection Program (VEIP).

POSITION AND RATIONALE: MDE Opposes HB 677. The OBD test is required by the federal Clean Air Act and US Environmental Protection Agency regulations. Maryland has committed to performing the OBD test in its State Implementation Plan (SIP). Substituting a different test procedure would reduce the effectiveness of the VEIP at reducing air pollution and cause problems with the SIP, putting state transportation funding at risk.

The OBD test represents the current state of the art in emissions testing. The OBD system constantly monitors vehicle subsystems relevant to emissions performance, a process that could not be replicated by a short-term, idle exhaust emissions test. The VEIP regulations specify the OBD test for passenger vehicles built since 1996 and medium-duty trucks built since 2008; the idle test is specified for the older and heavier vehicles that lack advanced emissions control systems. The idle test would not be an appropriate test for OBD equipped vehicles. The idle test procedure is not sophisticated enough to properly gauge the performance of modern computer controlled vehicles with respect to controlling vehicle emissions. The idle test equipment does not measure nitrogen oxide emissions and lacks the sensitivity needed to measure the emissions levels of vehicles built to meet recent federal emissions standards. Further, idle test standards do not exist for these vehicles.

The only other exhaust emissions test procedure available that would comply with federal requirements is a dynamometer test. Maryland ceased dynamometer testing several years ago, and the dynamometers and associated analysis equipment were removed and disposed of. The current cost of a dynamometer test system is approximately \$1M per station. As with the idle exhaust emissions test, standards do not exist for dynamometer testing of newer OBD equipped vehicles in the VEIP. A significant research effort would be needed to develop dynamometer test standards. MDE does not advocate for reintroducing dynamometer testing in Maryland.

The OBD test is the most comprehensive test available and is convenient and cost-effective for Maryland motorists. Vehicles in the VEIP have been undergoing mandatory OBD testing since 2002, and motorists are quite well adapted to it. Despite this long-term success and acceptance of the OBD test, some misconceptions that developed early on in response to the then-new federal OBD requirements linger. The OBD system is, in fact, designed exclusively for vehicle emissions monitoring, and it will only illuminate the dashboard “Check Engine” light – which will cause a VEIP test failure - when it detects an emissions related problem that can result in excess pollution being released into the air. The US EPA requires vehicle manufacturers to design their OBD systems according to detailed specifications developed by the Society of Automotive Engineers, specifically in order for states to perform OBD testing in their vehicle emissions inspection programs. There is no technical need for an additional VEIP test.

The State of Maryland has made tremendous progress in reducing air pollution over the last several decades. Maryland is now in compliance with the federal fine particle standards. Ground level ozone or “smog” levels have also gone down dramatically, but considerable effort will continue to be needed to meet the recently updated and strengthened federal ozone standard. A large part of the clean air progress comes from programs like the VEIP, which is a critically important part of Maryland’s approach to minimizing emissions from motor vehicles. Motor vehicles are still responsible for almost half of the emissions in Maryland.

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