

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1625

S.P. 621

In Senate, April 24, 1991

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MILLS of Oxford

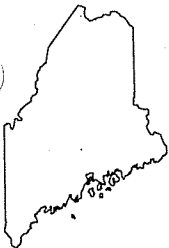
Cosponsored by Representative SIMPSON of Casco, Representative GOULD of Greenville
and Representative JACQUES of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act Prohibiting Chlorofluorocarbons in Automobile Air Conditioners.

(AFTER DEADLINE)



Be it enacted by the People of the State of Maine as follows:

2
4 Sec. 1. 38 MRSa §1606, sub-§1, ¶¶C to G are enacted to read:

6 C. "Department" means the Department of Environmental Protection.

8 D. "Distributor" means a person, resident or nonresident who, in whole or in part, sells or distributes motor vehicles to motor vehicle dealers or who maintains distributor representatives.

12 E. "Manufacturer" means any person, resident or nonresident who manufactures or assembles motor vehicles or who manufactures or installs on previously assembled truck chassis special bodies or equipment that when installed forms an integral part of the motor vehicle and constitutes a major manufacturing alteration and the complete unit is owned by the manufacturer.

20 F. "Mobile air conditioner" means mechanical vapor compression refrigeration equipment used to cool the driver and passenger compartment of a motor vehicle.

24 G. "Wholesaler" means a person, resident or nonresident who, in whole or in part, sells or distributes motor vehicles to motor vehicle dealers or who maintains distributor representatives.

30 Sec. 2. 38 MRSa §1606, sub-§5, as enacted by PL 1989, c. 622, is repealed.

32 Sec. 3. 38 MRSa §1606, sub-§§6 to 8 are enacted to read:

34 6. Distribution of mobile air conditioners. Distribution of mobile air conditioners is governed as follows.

38 A. Beginning on January 1, 1993 and ending December 31, 1993, a manufacturer or distributor may not distribute for sale in this State a mobile air conditioner that contains chlorofluorocarbon compounds that is original equipment in a new motor vehicle unless at least 10% of the new motor vehicles distributed in the United States by that manufacturer or distributor are not equipped with mobile air conditioners that contain chlorofluorocarbon compounds.

46 B. Beginning on January 1, 1994 and ending December 31, 1994, a manufacturer or distributor may not distribute for sale in this State a mobile air conditioner that contains chlorofluorocarbon compounds that is original equipment in a new motor vehicle unless at least 25% of the new motor vehicles distributed in the United States by that

2 manufacturer or distributor are not equipped with mobile air
conditioners that contain chlorofluorocarbon compounds.

4 C. Beginning on January 1, 1995 and ending December 31,
1995, a manufacturer or distributor may not distribute for
6 sale in this State a mobile air conditioner that contains
chlorofluorocarbon compounds that is original equipment in a
8 new motor vehicle unless at least 50% of the new motor
vehicles distributed in the United States by that
10 manufacturer or distributor are not equipped with mobile air
conditioners that contain chlorofluorocarbon compounds.

12 D. After December 31, 1995, a manufacturer or distributor
14 may not distribute for sale in this State a mobile air
conditioner that contains chlorofluorocarbon compounds that
16 is original equipment in a new motor vehicle.

18 7. Waiver by department on year-to-year basis. After
December 31, 1991, the department may waive the requirements of
20 subsection 6 for a manufacturer or distributor on a year-to-year
basis if:

22 A. Viable substitutes for chlorofluorocarbon compounds are
24 toxic and the use of these substitutes is not safe for
consumers, industry or the environment;

26 B. Substitutes for chlorofluorocarbon compounds are not
28 available in sufficient quantities in time for the
manufacturer or distributor to meet the requirements of
30 subsection 6; or

32 C. An acceptable mobile air conditioner can not be
34 manufactured in sufficient quantities in time for the
manufacturer to meet the requirements under subsection 6 and
36 the progress made by the manufacturer or distributor toward
meeting the requirements under subsection 6 is comparable
38 with the progress made by other manufacturers and
distributors of similar models.

40 8. Preemption. Any local law, ordinance, rule or
42 regulation relating to chlorofluorocarbon compounds contained in
or used in the manufacture of motor vehicles must be identical to
44 the rules adopted under this section.

46 STATEMENT OF FACT

48 Manufacturers indicated in public hearings related to Public
50 Law 1989, chapter 622 that they would attempt to comply with a
1994 model year schedule for chlorofluorocarbon reduction. The
engineering problems associated with the multiple

models, frame and engine configurations and coolant system
2 configurations require more time to bring all models into
compliance. This bill proposes a schedule that involves a
4 phase-in approach that begins earlier than the original law
provided.