

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 1651

H.P. 1174

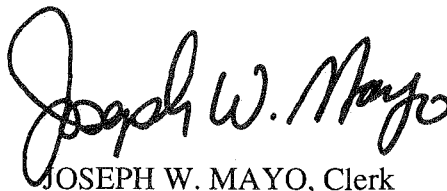
House of Representatives, March 25, 1997

**Resolve, Directing the Department of Environmental Protection to Study and Make Recommendations on the Establishment of a Motor Vehicle Inspection and Maintenance Program to Meet the Requirements of the Federal Clean Air Act.**

(EMERGENCY)

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Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.  
Reference to the Committee on Natural Resources suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative ROWE of Portland.  
Cosponsored by Representatives: BULL of Freeport, DEXTER of Kingfield, FOSTER of Gray, GOOLEY of Farmington, KONTOS of Windham, NICKERSON of Turner, Senator: TREAT of Kennebec.

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the federal Clean Air Act requires the State to implement a motor vehicle inspection and maintenance program; and

Whereas, the United States Environmental Protection Agency has revised its regulations to provide greater flexibility to certain areas in designing an inspection and maintenance program; and

Whereas, federal regulations require that the State implement a program by January 1, 1999 in order to avoid costly sanctions; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Study. Resolved:** That the Commissioner of Environmental Protection shall study options for complying with the requirements of the federal Clean Air Act relating to a motor vehicle inspection and maintenance program in the State; and be it further

**Sec. 2. Recommendations; report. Resolved:** That the commissioner shall submit a report of the commissioner's findings and recommendations to the Legislature by January 5, 1998.

The report must include at least 2 proposals for a motor vehicle inspection and maintenance program. The proposals must include the following.

1. Each proposal must address the following elements: geographic coverage, network type, test frequency, model year coverage, vehicle type coverage, exhaust emission test type, emission standards and emission control device inspections.

2. One of the proposals must include the following program components: statewide coverage and testing of light duty motor vehicles at the time of the existing annual safety inspection.

3. One proposal must include coverage of heavy duty diesel-powered vehicles.

4. Each of the proposals must include recommendations for addressing the needs of low-income vehicle owners for whom the

inspection fee and repair costs may pose an unreasonable economic burden.

5. Each of the proposals must specify a time frame for implementation that provides adequate time for public education and a pilot program.

In addition to the proposals for a motor vehicle inspection and maintenance program, the report must include a recommendation as to whether an alternative strategy or program can be used, alone or in conjunction with a motor vehicle inspection and maintenance program, to achieve compliance with federal requirements through the United States Environmental Protection Agency's Project XL program, defined at 60 Federal Register, 27,282(1995). In studying the Project XL program, the commissioner shall consider, but is not limited to, strategies to reduce vehicle miles traveled in passenger cars and trucks.

In developing the proposals, the commissioner shall solicit input from the public. The Commissioner of Public Safety and the Secretary of State shall work with the commissioner in developing the proposals.

In the report, the commissioner shall rank the proposals and provide a justification for the rankings, including a description of environmental benefits and estimated costs to vehicle owners and station owners; and be it further

**Sec. 3. Interim updates. Resolved:** That the commissioner shall meet with the Joint Standing Committee on Natural Resources or a subcommittee appointed by the chairs at least twice between July 1, 1997 and December 1, 1997 to update and consult with the committee on the progress of the study; and be it further

**Sec. 4. Legislation. Resolved:** That the Joint Standing Committee on Natural Resources is authorized to report out legislation relating to a motor vehicle inspection and maintenance program or a Project XL program during the Second Regular Session of the 118th Legislature.

**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.

## SUMMARY

This resolve is an emergency and directs the Commissioner of Environmental Protection to study options for complying with the requirements of the federal Clean Air Act relating to a motor vehicle inspection and maintenance program in the State. The

2 resolve requires that the commissioner submit a report to the  
Legislature by January 5, 1998 that includes at least 2 proposals  
4 for a motor vehicle inspection and maintenance program. In  
addition, the report must include a recommendation as to whether  
6 the United States Environmental Protection Agency's Project XL  
program can be used as an alternative strategy to meet the  
federal Clean Air Act requirements. The resolve requires the  
8 commissioner to solicit input from the public in developing the  
proposals.

10  
12 The resolve requires the commissioner to meet with the Joint  
Standing Committee on Natural Resources at least twice during the  
study. Finally, the resolve authorizes the committee to report  
14 out legislation during the Second Regular Session of the 118th  
Legislature.