

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
118TH LEGISLATURE  
SECOND SPECIAL SESSION

HOUSE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to H.P. 1594, L.D. 2223, Bill, "An Act to Reduce Air Pollution from Motor Vehicles and to Meet Requirements of the Federal Clean Air Act"

Amend the amendment on page 3 in subsection 2 in the 3rd line (page 3, line 8 in amendment) by striking out the following: "10,001" and inserting in its place the following: '26,001'

Further amend the amendment on page 3 by inserting after the 4th indented paragraph (page 3, line 22 in amendment) the following:

'Further amend the bill in section 9 in that part designated "S2114." by striking out all of subsections 4 to 6 (page 3, lines 28 to 50 and page 4, lines 1 to 34 in L.D.) and inserting in their place the following:

'4. Standards and procedures. The Commissioner of Environmental Protection shall establish standards and procedures to implement the program. The standards and procedures must include the following:

A. Emission opacity standards for diesel-powered motor vehicles that are consistent with emission opacity standards for diesel-powered motor vehicles recommended by an interstate association of air quality control divisions in the northeast states;

B. Standards and procedures, including testing methods and standards for test equipment, for safe and effective

A of S.

2 roadside testing of diesel-powered motor vehicles that  
3 operate on public ways of the State for the purpose of  
4 enforcing compliance with emission opacity standards;

5 C. Standards and procedures for the administration and  
6 enforcement of the program. The rules may establish  
7 reciprocity agreements with other states that recognize  
8 enforcement actions related to diesel-powered motor vehicle  
9 testing programs in other states; and

10 D. Repair requirements and standards and procedures for  
11 certification of repairs.

12 5. Educational program. A person who causes operation of a  
13 diesel-powered motor vehicle that does not comply with the  
14 program's emission opacity standards must be given educational  
15 materials by the Department of Environmental Protection regarding  
16 the environmental and other benefits of a vehicle that is in  
17 compliance with the standards set forth in subsection 4.

18 6. Implementation. The Department of Environmental  
19 Protection shall implement the program no later than 7 days  
20 following the effective date of this section. An operator of a  
21 diesel-powered motor vehicle that does not comply with the  
22 program's emission opacity standards is not subject to penalties.'

23 Further amend the bill in section 9 in that part designated  
24 "§2114." by adding after the last indented paragraph a new  
25 paragraph to read:

26 'This section is repealed June 30, 1999.'

27 Further amend the amendment by striking out section 15 and  
28 inserting in its place the following:

29 'Sec. 15. Allocation. The following funds are allocated from  
30 the Highway Fund to carry out the purposes of this Act.

31 1998-99

32 **ENVIRONMENTAL PROTECTION,**  
33 **DEPARTMENT OF**

34 **Air Quality**

35 All Other \$33,500

36 Allocates funds for the establishment of a  
37 one-year pilot diesel testing program, for  
38 the establishment of an education program

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2 and for certain operational costs of  
automobile inspection and maintenance  
4 testing.

6 **DEPARTMENT OF ENVIRONMENTAL  
PROTECTION**  
8 **TOTAL** \$33,500

10 **PUBLIC SAFETY, DEPARTMENT OF**  
12 **Motor Vehicle Inspection**

14 Positions - Legislative Count (2,000)  
Personal Services \$72,235  
16 All Other 61,165  
Capital Expenditures 52,000

18  
20 Allocates funds for a State Police Sergeant  
and one State Police Trooper, operational  
22 support and equipment to implement the motor  
vehicle inspection program.

24 **DEPARTMENT OF PUBLIC SAFETY**  
**TOTAL** \$185,400

26 **TOTAL ALLOCATIONS** \$218,900'

28  
30 Further amend the amendment by striking out all of the  
fiscal note and inserting in its place the following:

32  
34 **FISCAL NOTE** **1998-99**

36 **APPROPRIATIONS/ALLOCATIONS**

38 Highway Fund \$218,900

40 **REVENUES**

42 Highway Fund \$254,000

44  
46 Increasing the cost of the inspection fee stickers will  
48 increase annual Highway Fund revenue by \$254,000 in fiscal year  
1998-99 and approximately \$508,000 annually beginning in fiscal  
50 year 1999-2000.

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2 This bill includes a Highway Fund allocation of \$185,400 in  
3 fiscal year 1998-99 for a State Police Sergeant, a State Police  
4 Trooper and general operating expenses to handle the additional  
5 motor vehicle inspection responsibilities. The estimated future  
6 costs beginning in fiscal year 1999-2000 will be approximately  
7 \$220,299 annually.

8 This bill also includes a Highway Fund allocation of \$33,500  
9 in fiscal year 1998-99 for the Department of Environmental  
10 Protection to provide a public education program, to establish a  
11 1-year pilot program for diesel testing and to cover operational  
12 costs of automobile inspection and maintenance testing. The  
13 estimated future costs will be approximately \$32,160 annually  
14 beginning in fiscal year 1999-2000.

16 This bill may increase prosecutions for Class E crimes. If  
17 a jail sentence is imposed, the additional costs to the counties  
18 are estimated to be \$86.45 per day per prisoner. These costs are  
19 not reimbursed by the State. The number of prosecutions that may  
20 result in a jail sentence and the resulting costs to the county  
21 jail system are expected to be insignificant.

22 The additional workload and administrative costs associated  
23 with the minimal number of new cases filed in the court system  
24 can be absorbed within the budgeted resources of the Judicial  
25 Department. The collection of additional fines may increase  
26 General Fund revenue by minor amounts.

28  
30 **SUMMARY**

32 This amendment changes the proposed Diesel-powered Motor  
33 Vehicle Emission Opacity Testing Program in the following ways.

34 1. It requires the Commissioner of Environmental Protection  
35 to establish procedures and standards to implement the program  
36 within 7 days of the effective date of the bill. As proposed in  
37 the bill, the Department of Environmental Protection is required  
38 to adopt rules.

40 2. It eliminates the punitive aspects of the program,  
41 instead requiring the department to give the operator of a  
42 vehicle that does not comply with the standards established in

**HOUSE AMENDMENT**

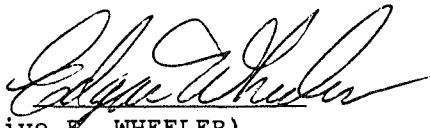
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2 the program educational materials describing the benefits of a  
vehicle that does comply with the program.

4 3. It repeals the program on June 30, 1999.

6  
8

SPONSORED BY:   
(Representative E. WHEELER)

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12  
14

TOWN: Bridgewater

# HOUSE AMENDMENT