

MAINE STATE LEGISLATURE

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REPORT A
NATURAL RESOURCES

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

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 bill by striking out all of sections 1 and 2 and inserting in their place the following:

'Sec. 1. 29-A MRSA §1751, sub-§2-A is enacted to read:

2-A. Enhanced inspection. Beginning January 1, 1999, a motor vehicle that is required to be registered in Cumberland County and that is subject to inspection pursuant to subsection 1 must have an annual enhanced inspection. The following equipment is subject to inspection:

A. Equipment subject to inspection pursuant to subsection 2;

B. The fuel tank cap on 1974 and subsequent models of gasoline-powered vehicles; and

C. The on-board diagnostic system on 1996 and subsequent models.

A motor vehicle that is not required to be registered in Cumberland County may have an enhanced inspection under this subsection.'

Further amend the bill in section 3 by striking out all of paragraphs B and C and inserting in their place the following:

'B. Beginning January 1, 1999, the fee for an inspection under subsection 2 is \$6.50;

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2 C. From January 1, 1999 to December 31, 1999, the fee for
3 an enhanced inspection under subsection 2-A is \$9.50; and

4
5 D. Beginning January 1, 2000, the fee for an enhanced
6 inspection under subsection 2-A is \$9.50 for each inspection
7 performed on pre-1996 models and \$12.50 for each inspection
8 performed on 1996 and subsequent models.'

10 Further amend the bill in section 4 in subsection 4 by
11 striking out the first paragraph (page 1, lines 38 and 39 in
12 L.D.) and inserting in its place the following:

14 '4. Phase-in. The enhanced inspection required by
15 subsection 2-A must be phased in as follows.'

16
17 Further amend the bill in section 5 by striking out all of
18 subsection 6 and inserting in its place the following:

20 '6. Inspection standard for fuel tank cap. Notwithstanding
21 the inspection standards of subsection 1, a fuel tank cap subject
22 to the inspection required by section 1751, subsection 2-A,
23 paragraph B must meet the standards in rules adopted by the Chief
24 of the State Police. The Chief of the State Police shall adopt
25 rules to establish procedures and standards for a fuel tank cap
26 pressure test.'

28 Further amend the bill in section 5 in subsection 7 in the
29 4th line (page 2, line 11 in L.D.) by striking out the following:
30 "2, paragraph Q" and inserting in its place the following: '2-A,
31 paragraph C'

32
33 Further amend the bill by striking out all of section 6

34
35 Further amend the bill by inserting after section 6 the
36 following:

38 'Sec. 7. 29-A MRSA §1762, sub-§8 is enacted to read:

40 8. Enhanced inspection stations. Beginning January 1,
41 1999, official inspection stations located in Cumberland County
42 shall offer enhanced inspections pursuant to section 1751,
43 subsection 2-A and may not offer inspections pursuant to section
44 1751, subsection 2. Official inspection stations located outside
45 of Cumberland County may offer inspections under section 1751,
46 subsections 2 and 2-A. An inspection station that offers
47 enhanced inspections shall employ an inspection mechanic
48 certified to perform enhanced inspections.'

50 Further amend the bill by striking out all of section 8

2 Further amend the bill in section 9 in that part designated
4 "§2114." by striking out subsection 2 and inserting in its place
the following:

6 '2. Diesel-powered motor vehicle. As used in this section,
8 "diesel-powered motor vehicle" refers only to diesel-powered
10 motor vehicles that have a gross vehicle weight rating of 10,001
12 or more pounds and that are used in commerce. "Diesel-powered
14 motor vehicle" does not include a truck registered as a farm
16 truck.'

18 Further amend the bill in section 9 in that part designated
20 "§2114." in subsection 3 by inserting at the end the following:

22 'Only diesel-powered motor vehicles identified by certified
24 inspectors as potential violators of the program's emission
26 opacity standards are subject to testing under this section.
28 Inspectors must be certified pursuant to the procedures for
30 certification specified in 40 Code of Federal Regulations, Part
32 60, Appendix A, Method 9.'

34 Further amend the bill in section 11 by striking out all of
36 the first sentence (page 5, lines 6 to 13 in L.D.) and inserting
38 in its place the following: 'By January 1, 1999, the Chief of the
40 State Police shall amend the rules regarding the certification of
42 inspection mechanics to ensure that all inspection mechanics
44 certified to perform enhanced inspections are knowledgeable about
the requirements for motor vehicle inspections under the Maine
Revised Statutes, Title 29-A, section 1751, subsection 2-A and
section 1756, subsections 6 and 7.'

46 Further amend the bill by striking out all of sections 12
48 and 13 inserting in their place the following:

50 **'Sec. 12. Rulemaking; Secretary of State.** The Secretary of
State shall adopt rules to establish a procedure for identifying
on a certificate of registration those vehicles required to have
an enhanced inspection pursuant to the Maine Revised Statutes,
Title 29-A, section 1751, subsection 2-A. The rules may require
that a certificate of registration contain a statement that a
vehicle is registered in Cumberland County or that a vehicle is
subject to enhanced inspection. These rules are routine
technical rules under Title 5, chapter 375, subchapter II-A.'

Sec. 13. Public education program. The Department of
Environmental Protection shall establish and implement an ongoing
public education program in Cumberland County related to air
quality. The education program must be designed to enhance and
facilitate the enforcement of state traffic laws governing

automobile inspection and maintenance requirements by increasing public awareness of the ozone and air toxics problems in the State related to emissions from mobile sources and promoting measures that achieve the purposes of the automobile inspection and maintenance program.

Sec. 14. Report. The Department of Environmental Protection and the Department of Public Safety shall jointly evaluate the enhanced inspection program required by this Act, including the following: the status of the program, compliance with the program, enforcement of the program and air quality benefits from the program. The Department of Environmental Protection and the Department of Public Safety shall submit a joint report to the joint standing committee of the Legislature having jurisdiction over natural resources matters by January 1, 2000 that includes the findings of the evaluation and any recommendations for expanding the enhanced inspection program statewide.

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

1998-99

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Air Quality

All Other \$22,645

Allocates funds for public education and operational costs for automobile inspection and maintenance testing in order to facilitate enforcement of state traffic laws governing automobile inspection and maintenance requirements.

**DEPARTMENT OF ENVIRONMENTAL
PROTECTION
TOTAL**

\$22,645

PUBLIC SAFETY, DEPARTMENT OF

State Police Motor Vehicle Inspection

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

6 Allocates funds for a State Police Sergeant
 8 position and one State Police Trooper
 10 position, operational support and equipment
 to implement the motor vehicle inspection
 program.

12 **DEPARTMENT OF PUBLIC SAFETY**
 13 **TOTAL** \$185,400

16 **TOTAL ALLOCATIONS** \$208,045

18 **Sec. 16. Effective date.** That section of this Act that amends
 20 the Maine Revised Statutes, Title 29-A, section 1766, subsection
 3 takes effect on January 1, 1999.'

22 Further amend the bill by relettering or renumbering any
 24 nonconsecutive Part letter or section number to read
 consecutively.

26 Further amend the bill by inserting at the end before the
 28 summary the following:

30 **FISCAL NOTE**

32 **1998-99**

34 **APPROPRIATIONS/ALLOCATIONS**

36	Highway Fund	\$208,045
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38 **REVENUES**

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

48 This bill includes a Highway Fund allocation of \$185,400 in
 50 fiscal year 1998-99 for a State Police Sergeant, a State Police

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2 Trooper and general operating expenses to handle the additional
3 motor vehicle inspection responsibilities. The estimated future
4 costs beginning in fiscal year 1999-2000 will be approximately
5 \$220,299 annually.

6 This bill also includes a Highway Fund allocation of \$22,645
7 in fiscal year 1998-99 for the Department of Environmental
8 Protection to provide a public education program and to cover
9 operational costs of automobile inspection and maintenance
10 testing. The estimated future costs will be approximately
11 \$36,160 annually beginning in fiscal year 1999-2000.

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

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

26 SUMMARY

28 This amendment, which is the majority report of the Joint
29 Standing Committee on Natural Resources, amends the State's motor
30 vehicle inspection program to require an enhanced inspection for
31 motor vehicles required to be registered in Cumberland County.
32 The enhanced inspection consists of an inspection of the
33 equipment currently subject to inspection plus a fuel tank cap
34 pressure test on model 1974 and later gasoline-powered vehicles,
35 beginning January 1, 1999, and an inspection of the on-board
36 diagnostic system on 1996 and later vehicles, beginning January
37 1, 2000. The amendment requires the State Police to adopt rules
38 to establish procedures and standards for a fuel tank cap
39 pressure test.

40 The amendment increases the fee for the current inspection
41 to \$6.50 beginning January 1, 1999 and sets the fee for the
42 enhanced inspection at \$9.50 beginning January 1, 1999 and at
43 \$12.50 beginning January 1, 2000 for 1996 and later vehicles
44 only. It retains the section in the bill that increases the fee
45 paid by inspection stations for inspection stickers from \$1 to
46 \$1.50 beginning January 1, 1999, and it strikes the section from
47 the bill that credits 20% of the inspection sticker fee to the
48 General Fund.

2 The amendment requires all inspection stations in Cumberland
4 County to offer the enhanced inspection only and permits
6 inspection stations outside of Cumberland County to offer both
8 the current inspection and the enhanced inspection. It requires
an inspection station that offers enhanced inspections to employ
an inspection mechanic certified to perform enhanced inspections.

10 The amendment defines "diesel-powered motor vehicle," for
12 purposes of the diesel testing program, as a diesel-powered motor
14 vehicle that has a gross vehicle weight rating of 10,001 or more
16 pounds and that is used in commerce. It excludes a truck
18 registered as a farm truck from the diesel testing requirements.
20 The amendment specifies that only diesel-powered motor vehicles
identified by certified inspectors as potential violators of the
emission opacity standards are subject to testing under the
diesel testing program and requires that inspectors be certified
pursuant to the procedures for certification specified in the
United States Environmental Protection Agency's Reference Method
9.

22 The amendment requires the Department of Environmental
24 Protection to implement a public education program in Cumberland
26 County designed to enhance and facilitate the enforcement of
state traffic laws governing automobile inspection and
28 maintenance requirements. It requires the Department of
Environmental Protection and the Department of Public Safety to
30 report jointly to the joint standing committee of the Legislature
32 having jurisdiction over natural resources matters by January 1,
2000 regarding an evaluation of the enhanced inspection program
and any recommendations for expanding the enhanced inspection
program statewide.

34 The amendment allocates from the Highway Fund \$22,645 to the
36 Department of Environmental Protection and \$185,400 to the State
Police.

38 The amendment also adds a fiscal note to the bill.