

MAINE STATE LEGISLATURE

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DATE: 3-24-98

(Filing No. H-1051)

REPORT B
NATURAL RESOURCES

Reproduced and distributed under the direction of the Clerk of the House.

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

COMMITTEE AMENDMENT "B" 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 in section 2 in paragraph P (page 1, line 13 in L.D.) by inserting after the following: "models" the following: 'of gasoline-powered vehicles'

Further amend the bill in section 5 in subsection 6 by inserting at the end the following: 'The Chief of the State Police shall adopt rules to establish procedures and standards for a fuel tank cap pressure test.'

Further amend the bill by striking out all of section 8

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

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

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

'Only diesel-powered motor vehicles identified by certified inspectors as potential violators of the program's emission

COMMITTEE AMENDMENT

2 city standards are subject to testing under this section.
3 Inspectors must be certified pursuant to the procedures for
4 certification specified in 40 Code of Federal Regulations, Part
5 60, Appendix A, Method 9.'

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

8
9 **'Sec. 12. Public education program.** The Department of
10 Environmental Protection shall establish and implement an ongoing
11 public education program related to air quality. The education
12 program must be designed to enhance and facilitate the
13 enforcement of state traffic laws governing automobile inspection
14 and maintenance requirements by increasing public awareness of
15 the ozone and air toxics problems in the State related to
16 emissions from mobile sources and promoting measures that achieve
17 the purposes of the automobile inspection and maintenance program.

18
19 **Sec. 13. Allocation.** The following funds are allocated from
20 the Highway Fund to carry out the purposes of this Act.

| | | |
|----|--|----------------|
| 22 | | 1998-99 |
| 24 | ENVIRONMENTAL PROTECTION, | |
| 26 | DEPARTMENT OF | |
| 28 | Air Quality | |
| 30 | All Other | \$65,868 |
| 32 | Allocates funds for public education and | |
| 34 | operational costs for automobile inspection | |
| 36 | and maintenance testing in order to | |
| 38 | facilitate enforcement of state traffic laws | |
| 40 | governing automobile inspection and | |
| 42 | maintenance requirements. | |
| 44 | DEPARTMENT OF ENVIRONMENTAL | |
| 46 | PROTECTION | |
| 48 | TOTAL | <hr/> \$65,868 |
| 50 | PUBLIC SAFETY, DEPARTMENT OF | |
| 52 | State Police Motor Vehicle Inspection | |
| 54 | Positions - Legislative Count | (2,000) |
| 56 | Personal Services | \$72,235 |
| 58 | All Other | 61,165 |

COMMITTEE AMENDMENT

Capital Expenditures 52,000

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

DEPARTMENT OF PUBLIC SAFETY

TOTAL \$185,400

TOTAL ALLOCATIONS \$251,268

Sec. 14. Effective date. That section of this Act that amends the Maine Revised Statutes, Title 29-A, section 1766, subsection 3 takes effect on January 1, 1999.'

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

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

FISCAL NOTE

1998-99

APPROPRIATIONS/ALLOCATIONS

Highway Fund \$251,268

REVENUES

Highway Fund \$254,000

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

This bill includes a Highway Fund allocation of \$185,400 in fiscal year 1998-99 for a State Police Sergeant, a State Police Trooper and general operating expenses to handle the additional motor vehicle inspection responsibilities. The estimated future

2 costs beginning in fiscal year 1999-2000 will be approximately
\$220,299 annually.

4 This bill also includes a Highway Fund allocation of \$65,868
6 in fiscal year 1998-99 for the Department of Environmental
Protection to provide a public education program and to cover
8 operational costs of automobile inspection and maintenance
testing. The estimated future costs will be approximately
\$105,090 annually beginning in fiscal year 1999-2000.

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

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

24
26 **SUMMARY**

28 This amendment, which is a minority report of the Joint
Standing Committee on Natural Resources, clarifies that the fuel
30 tank cap is subject to inspection on gasoline-powered vehicles
only and it requires the State Police to adopt rules to establish
procedures and standards for a fuel tank cap pressure test.

32 The amendment defines "diesel-powered motor vehicle," for
34 purposes of the diesel testing program, as a diesel-powered motor
vehicle that has a gross vehicle weight rating of 10,001 or more
36 pounds and that is used in commerce. It excludes a truck
registered as a farm truck from the diesel testing requirements.
38 The amendment specifies that only diesel-powered motor vehicles
identified by certified inspectors as potential violators of the
40 emission opacity standards are subject to testing under the
diesel testing program and requires that inspectors be certified
42 pursuant to the procedures for certification specified in the
United States Environmental Protection Agency's Reference Method
44 9.

46 The amendment requires the Department of Environmental
Protection to implement a public education program designed to
48 enhance and facilitate the enforcement of state traffic laws
governing automobile inspection and maintenance requirements.
50 The amendment strikes the section from the bill that credits 20¢

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of the inspection sticker fee to the General Fund and it
2 allocates from the Highway Fund \$65,868 to the Department of
Environmental Protection and \$185,400 to the State Police.

4

The amendment also adds a fiscal note to the bill.

COMMITTEE AMENDMENT