

# MAINE STATE LEGISLATURE

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DATE: April 2, 1998

(Filing No. S- 696 )

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STATE OF MAINE  
SENATE  
118TH LEGISLATURE  
SECOND SPECIAL SESSION

SENATE AMENDMENT "C" 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 A, B and C and inserting in their place the following:

'A. The fee for an inspection under subsection 2 is \$6;

2 B. From January 1, 1999 to December 31, 1999, the fee for  
4 an enhanced inspection under subsection 2-A is \$6; and

6 C. Beginning January 1, 2000, the fee for an enhanced  
8 inspection under subsection 2-A is \$6 for each inspection  
performed on pre-1996 models and \$9 for each inspection  
performed on 1996 and subsequent models.'

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

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

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

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

28 Further amend the bill in section 5 in subsection 7 in the  
30 4th line (page 2, line 11 in L.D.) by striking out the following:  
32 "2, paragraph Q" and inserting in its place the following: '2-A,  
paragraph C'

34 Further amend the bill by striking out all of sections 6 to  
8 and inserting in their place the following:

36 'Sec. 6. 29-A MRS §1762, sub-§8 is enacted to read:

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

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 in the last line (page 3, line 26 in L.D.) by inserting after the following: "requirements." the following: 'Only diesel-powered motor vehicles identified by certified inspectors as potential violators of the program's emission opacity standards are subject to testing under this section. Inspectors must be certified pursuant to the procedures for certification specified in 40 Code of Federal Regulations, Part 60, Appendix A, Method 9.'

Further amend the bill in section 11 by striking out all of the first sentence (page 5, lines 6 to 13 in L.D.) and inserting in its place the following: 'By January 1, 1999, the Chief of the State Police shall amend the rules regarding the certification of inspection mechanics to ensure that all inspection mechanics 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.'

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

**'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

2 facilitate the enforcement of state traffic laws governing  
3 automobile inspection and maintenance requirements by increasing  
4 public awareness of the ozone and air toxics problems in the  
5 State related to emissions from mobile sources and promoting  
6 measures that achieve the purposes of the automobile inspection  
7 and maintenance program.

8 **Sec. 14. Department of Transportation.** The Department of  
9 Transportation shall provide assistance to the Department of  
10 Public Safety in the conduct of activities in support of  
11 implementing the state motor vehicle inspection program.

12 **Sec. 15. Report; enhanced inspection program.** The Department of  
13 Environmental Protection and the Department of Public Safety  
14 shall jointly evaluate the enhanced inspection program required  
15 by this Act, including the following: the status of the program,  
16 compliance with the program, enforcement of the program and air  
17 quality benefits from the program. The Department of  
18 Environmental Protection and the Department of Public Safety  
19 shall submit a joint report to the joint standing committee of  
20 the Legislature having jurisdiction over natural resources  
21 matters by January 1, 2000 that includes the findings of the  
22 evaluation and any recommendations for expanding the enhanced  
23 inspection program statewide.

24 **Sec. 16. Report; inspection fee.** The Department of Public Safety  
25 shall study and report by January 15, 1999 to the joint standing  
26 committee of the Legislature having jurisdiction over  
27 transportation matters on the fee for motor vehicle inspections  
28 and enhanced inspections required under the Maine Revised  
29 Statutes, Title 29-A, section 1751. The department shall  
30 consider funding for implementation of the inspection program and  
31 whether the inspection fee should be market-driven or based on an  
32 hourly labor rate or a flat-rate fee and whether there should be  
33 a cap on such a fee. The department shall make a recommendation  
34 on whether the inspection fees established in Title 29-A, section  
35 1751, subsection 3 should be replaced with a market-driven fee.

36  
37 The joint standing committee of the Legislature having  
38 jurisdiction over transportation matters may report out  
39 legislation to the First Regular Session of the 119th Legislature  
40 regarding the inspection fee and funding of the inspection  
41 program.

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43 **Sec. 17. Allocation.** The following funds are allocated from  
44 the Highway Fund to carry out the purposes of this Act.  
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1998-99

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**PUBLIC SAFETY, DEPARTMENT OF**

**Motor Vehicle Inspection**

Personal Services	\$15,000
All Other	35,000

Allocates funds to provide a match for federal funds for operational support and equipment to implement the motor vehicle inspection program.

**DEPARTMENT OF PUBLIC SAFETY  
TOTAL**

\$50,000'

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

**FISCAL NOTE**

1998-99

**APPROPRIATIONS/ALLOCATIONS**

Highway Fund	\$50,000
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This bill includes a Highway Fund allocation of \$50,000 in fiscal year 1998-99 for general operating expenses to handle the additional motor vehicle inspection responsibilities. The amount of federal funds received as a result of this Highway Fund allocation can not be determined at this time.

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

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

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

SUMMARY

This amendment amends the State's motor vehicle inspection program to require an enhanced inspection for motor vehicles required to be registered in Cumberland County. The enhanced inspection consists of an inspection of the equipment currently subject to inspection plus a fuel tank cap pressure test on model 1974 and later gasoline-powered vehicles, beginning January 1, 1999, and an inspection of the on-board diagnostic system on 1996 and later vehicles, beginning January 1, 2000. The amendment requires the State Police to adopt rules to establish procedures and standards for a fuel tank cap pressure test.

The amendment retains the \$6 fee for the current inspection and sets the fee for the enhanced inspection at \$6 beginning January 1, 1999 and at \$9 beginning January 1, 2000 for 1996 and later model vehicles only. It strikes the section in the bill that increases the fee paid by inspection stations for inspection stickers from \$1 to \$1.50 and it strikes the section from the bill that credits 20% of the inspection sticker fee to the General Fund.

The amendment requires all inspection stations in Cumberland County to offer the enhanced inspection only and permits inspection stations outside of Cumberland County to offer both 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.

The amendment defines "diesel-powered motor vehicle," for purposes of the diesel testing program, as a diesel-powered motor vehicle that has a gross vehicle weight rating of 10,001 or more pounds and that is used in commerce. It excludes a truck registered as a farm truck from the diesel testing requirements. 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.

The amendment requires the Department of Environmental Protection to implement a public education program in Cumberland

SENATE AMENDMENT

SENATE AMENDMENT "C" to H.P. 1594, L.D. 2223

2 County designed to enhance and facilitate the enforcement of  
state traffic laws governing automobile inspection and  
4 maintenance requirements. It requires the Department of  
Environmental Protection and the Department of Public Safety to  
6 report jointly to the joint standing committee of the Legislature  
having jurisdiction over natural resources matters by January 1,  
2000 regarding an evaluation of the enhanced inspection program  
8 and any recommendations for expanding the enhanced inspection  
program statewide. It also requires the Department of Public  
10 Safety to report to the joint standing committee of the  
Legislature having jurisdiction over transportation matters on  
12 issues related to market pricing of motor vehicle inspections and  
enhanced inspections.

14  
16 The amendment allocates from the Highway Fund \$50,000 to the  
State Police to implement the motor vehicle inspection program.  
18 These funds will be used to match federal congestion mitigation  
and air quality funds that will be used to provide equipment to  
official inspection stations in Cumberland County to perform the  
20 fuel tank cap pressure test.

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

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SPONSORED BY:

(Senator TREAT)

28

COUNTY: Kennebec

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