

MARYLAND DEPARTMENT OF THE ENVIRONMENT  
AIR AND RADIATION ADMINISTRATION

PUBLIC HEARING ON  
PROPOSED AMENDMENTS UNDER COMAR 11.14.08  
VEHICLE EMISSIONS INSPECTION PROGRAM

The hearing in the above matter commenced on  
Tuesday, October 11, 2022, virtually from the the  
Maryland Department of Environment, 1800 Washington  
Boulevard, Baltimore, Maryland 21230.

BEFORE: Carolyn Jones, Hearing Officer

Reported by: Camaron Nelms

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A P P E A R A N C E S

ON BEHALF OF THE MARYLAND DEPARTMENT OF THE ENVIRONMENT:

**CAROLYN JONES**

Senior Engineer  
Maryland Department of the Environment  
Air and Radiation Administration  
1800 Washington Boulevard, Suite 730  
Baltimore, Maryland 21230

**DANIEL NEWELL**

Regulatory Compliance Engineer  
Maryland Department of the Environment  
Mobile Sources Control Program  
Air and Radiation Administration  
1800 Washington Boulevard, Suite 730  
Baltimore, Maryland 21230

ALSO PRESENT

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- Peggy Courtright, MDE
- Katharine Daristotle, MDE
- Kathleen Field, MDE
- Randy Mosier, MDE
- Megan Ulrich, MDE
- Philip Dacey, MDOT MVA
- Leslie Dews, MDOT MVA
- Alan Holloway MVA
- Jonas Jacobson, Perry, White, Ross & Jacobson

I N D E X

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<u>Speaker:</u>	<u>Page:</u>
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Hearing Statement, Daniel Newell, MDE	8



1 anybody wanted to make a statement. Let the record show  
2 that it is now 10:07, and this hearing was scheduled to  
3 start at 10:00 a.m. We will now proceed with the public  
4 hearing.

5 The purpose of this hearing is to give you, the  
6 public, the opportunity to comment on the regulatory  
7 proposal to amend existing COMAR 11.14.08, Vehicle  
8 Emissions Inspection Program.

9 Notice of the virtual public hearing for this  
10 action appeared as follows:

11 (1) In the Maryland Register, Volume 49,  
12 Issue 19, page 878 through 885 on Friday September 9,  
13 2022; corrections were printed in Volume 49, Issue 19,  
14 page 918 through 919 on Friday September 23, 2022;

15 (2) On the Maryland Department of the  
16 Environment Air and Radiation Administration webpage  
17 titled "Air & Radiation Regulations Public Hearings,  
18 Meetings and Request for Comments;"

19 (3) And on the Maryland Department of the  
20 Environment's webpage titled "Calendar of Events."

21 The public comment period began on September

1 9th for receipt of all comments to the proposal. Oral  
2 comments are being recorded today. Written comments for  
3 this proposal must be received by 5:00 p.m. this evening,  
4 October 11th. Comments may be sent to Marcia Ways with  
5 the Maryland Department of the Environment, Air and  
6 Radiation Administration Mobile Sources Control Program  
7 at email [marcia.ways@maryland.gov](mailto:marcia.ways@maryland.gov).

8 The hearing will proceed in the following  
9 order. First, I will introduce Mr. Daniel Newell, the  
10 representative of the Air and Radiation Administration,  
11 who will make a statement. After Mr. Newell is finished,  
12 I can call on members of the public who might like to  
13 make a comment.

14 Hello? I see Alan Holloway has joined. We're  
15 going to have the MDE make a statement, and then if you'd  
16 like to speak, we can ask for that. But right now, I'm  
17 going to ask you to mute your line.

18 Okay, for now, then, I will call on Daniel  
19 Newell to make his statement.

20 MR. NEWELL: Okay, everything working fine  
21 now?

1 MS. JONES: I hear you. Yes, thanks.

2 MR. NEWELL: Okay, great. I'll go ahead and  
3 get started, then.

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5 **Statement of the Air and Radiation Administration**  
6 **Department of the Environment**  
7 **for the Public Hearing Relating to Proposed**  
8 **Amendments under COMAR 11.14.08 Vehicle Emissions**  
9 **Inspection Program**  
10 **held on October 11, 2022**  
11 **Baltimore, MD**

12 My name is Daniel Newell. I am a Regulatory  
13 Compliance Engineer in the Mobile Sources Control Program  
14 of the Air and Radiation Administration, Maryland  
15 Department of the Environment.

16 This public hearing is being held pursuant to  
17 the requirements of 40 CFR Section 51.102 and Sections  
18 2-301 et. seq. of the Environment Article, Annotated Code  
19 of Maryland. It is also being held in conformance with  
20 the State Administrative Procedure Act, Section 10-101 et  
21 seq. of the State Government Article.



1                   Notice of this hearing appeared in the Maryland  
2 Register on September 9, 2022. Minor clarifying  
3 corrections were printed in the Maryland Register on  
4 September 23, 2022.

5                   Copies of the proposed action and supporting  
6 documents were made available for public inspection at  
7 the Air and Radiation Administration offices in Baltimore  
8 and at the Air and Radiation webpage titled "Air &  
9 Radiation Regulations Public Hearings, Meetings and  
10 Request for Comments" from September 9 to October 11,  
11 2022.

12                   The purpose of today's hearing is to give the  
13 public an opportunity to comment on the proposed  
14 amendments to Regulations .01-.06 and .20, adoption of  
15 new Regulation .07, and amendment and recodifying of  
16 existing Regulations .07 -.14 and .16-.18 to be  
17 Regulations .08-.15 and .17-.19 respectively,  
18 recodifying existing Regulation .15 to be Regulation  
19 .16, and repealing existing Regulation .19 under COMAR  
20 11.14.08, Vehicle Emissions Inspection Program. This  
21 is a joint proposal from the Secretary of the Environment

1 and the Administrator of the Motor Vehicle  
2 Administration.

3 The purpose of this action is to implement the  
4 second phase of a Vehicle Emissions Inspection Program  
5 (VEIP) modernization effort that began in 2018 with the  
6 goals of improving customer service and reducing  
7 financial and regulatory burden for Maryland motorists  
8 while minimizing the impact on air quality. These  
9 enhancements allow Marylanders to benefit from recent  
10 significant air quality progress in the State.

11 The proposed amendments extend the initial VEIP  
12 inspection date for new vehicles for an additional three  
13 years over current requirements established in 2018, when  
14 the first test for new, not previously titled vehicles  
15 was delayed from two years to three years of age. These  
16 amendments delay the initial testing of new vehicles to  
17 six years of age.

18 VEIP test data shows that these vehicles are  
19 very unlikely to fail VEIP testing or require emissions  
20 repairs. Extending the initial testing requirement is a  
21 practical program update that will yield significant

1 motorist convenience benefits.

2 This action will also establish VEIP Motorist  
3 Assistance Centers to support motorists in acquiring  
4 effective emissions repairs so their vehicles will pass  
5 VEIP testing and maintain the improved emissions  
6 performance into the future. The Centers will provide  
7 motorists with access to an emissions repair specialist  
8 to help ensure that vehicles are repaired correctly and  
9 in a timely manner, enhancing both customer service and  
10 air quality benefits.

11 The proposal also includes minor  
12 clarifications and technical corrections to the  
13 regulations.

14 Several key programs and advancements in  
15 technology have resulted in much cleaner air in Maryland  
16 since VEIP began in 1984. In the past, vehicles produced  
17 much higher levels of pollution. Vehicle emissions  
18 control systems were simple and deteriorated quickly,  
19 resulting in increased emissions of pollutants over a  
20 relatively short vehicle age. Since that time, there  
21 have been remarkable advancements in emissions control

1 technology. Today's vehicles are dramatically cleaner  
2 and equipped with emissions systems that are  
3 significantly more capable of maintaining the lower  
4 emissions levels over a longer period. VEIP testing  
5 methods have also grown more advanced.

6 Maryland has also implemented aggressive  
7 pollution controls on power plants, cars and trucks, and  
8 many other sources of air pollution. These controls have  
9 been very effective towards attaining and maintaining air  
10 quality standards. Maryland currently complies with the  
11 fine particulate air quality standard statewide and is  
12 extremely close to meeting the ozone standard. Emerging  
13 opportunities to further clean the air include electric  
14 vehicles and other "Zero Emission Vehicles," as well as  
15 technological advances on emissions controls for many  
16 other mobile sources. The recent improvements in air  
17 quality and emerging technological advancements allow  
18 Maryland to move forward with these customer service  
19 enhancements to the VEIP.

20 The Maryland Department of the Environment has  
21 assessed the air quality effect from the proposed action

1 and has found the impact to be negligible. The vehicles  
2 qualifying for the delay in initial testing have very low  
3 VEIP failure rates. The Motorist Assistance Centers will  
4 help improve testing outcomes for all vehicles subject to  
5 the program.

6 Approximately 1.65 million vehicles are  
7 inspected by VEIP annually. In Fiscal Year 2023  
8 (December 26, 2022 effective date), it is expected that  
9 approximately 203,000 new vehicles will qualify for the  
10 additional three-year delay of the initial inspection.  
11 Used vehicles will continue to be subject to VEIP  
12 inspection upon transfer of ownership regardless of  
13 vehicle age, and it is estimated that approximately  
14 79,000 used vehicles in this age range will be sold and  
15 inspected, resulting in a net reduction of about 124,000  
16 in the number of vehicles tested. This action is  
17 expected to save motorists approximately \$2.32 million  
18 through reduced inspection and late fees in fiscal year  
19 2023. The economic impact on the Maryland Department of  
20 Transportation, Motor Vehicle Administration, which is  
21 responsible for the operations of the VEIP, is an

1 estimated \$2.25 million net loss, due to reduced revenue  
2 from inspection and late fees, offset by some savings in  
3 administrative costs.

4 This action will be submitted to the U.S.  
5 Environmental Protection Agency as a revision to the  
6 Maryland State Implementation Plan.

7 The Departments of the Environment and  
8 Transportation will consider all comments before making a  
9 decision to adopt the amendments.

10 \_\_\_\_\_  
11 MR. NEWELL: Thank you.

12 Carolyn?

13 MS. JONES: Thank you, Mr. Newell.

14 Is there anyone who would like to make a  
15 statement today?

16 **(No response.)**

17 MS. JONES: Okay. Hearing none, let the record  
18 reflect that a statement has been taken from all those  
19 who wish to make one. It is now 10:16 a.m., and let the  
20 record reflect that this will conclude the public hearing  
21 for the amendments to COMAR 11.14.08. Thank you all for

1 attending.

2 We can end the recording now.

3 (Whereupon, at 10:16 a.m., the hearing was  
4 concluded.)

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