

TITLE 26 - DEPARTMENT OF THE ENVIRONMENT

SUBTITLE 11 - AIR QUALITY

CHAPTER 20 - Mobile Sources

.01 [Not in SIP]

.02 Motor Vehicle Emission Control Devices.

A. Removal of Control Devices. A person may not remove, alter, or otherwise render inoperative, exhaust emission control, crankcase ventilation, or any other air pollution control device which has been installed as a requirement of federal law or regulation.

B. Operation of Motor Vehicles. A person may not operate a motor vehicle originally equipped with air pollution control devices as required by federal law or regulation unless these devices are in place and in operating condition.

C. Exceptions. The requirements of Sec. A and B do not apply to an alteration or modification to use a fuel other than gasoline if it has been shown that the emissions from the modified or altered vehicle are at levels which comply with existing State or federal standards for emissions from motor vehicles.

.03 Motor Vehicle Fuel Specifications.

A. Definitions. For the purposes of this regulation, the definitions specified in COMAR 03.03.05.01 and COMAR 03.03.06 apply.

B. Applicability. Unless otherwise indicated in COMAR 03.03.05 and COMAR 03.03.06, this regulation applies Statewide.

C. Volatility. Unless the gasoline is segregated and clearly documented as noncomplying and not for sale or supply to an ultimate consumer in an applicable control area, a person may not produce, store, transport, supply, offer to supply, transfer or otherwise handle, sell, offer for sale, or dispense gasoline that does not comply with the vapor pressure requirements specified in COMAR 03.03.05.01-1D, as applicable during the period May 1 through September 15 inclusive, and the requirements of COMAR 03.03.06.

D. Oxygen Content. Unless the gasoline is segregated and clearly documented as noncomplying and not for sale or supply to an ultimate consumer in an applicable control area, a person may not produce, store, transport, supply, offer to supply, transfer or otherwise handle, sell, offer for sale, or dispense gasoline that does not comply with the oxygen content requirements specified in COMAR 03.03.05.01-1N and COMAR 03.03.06.

E. Record Keeping and Transfer Documentation. A person who handles, transports, or otherwise transfers gasoline shall comply with the record-keeping and transfer documentation requirements of COMAR 03.03.06.

F. Inspections. The Department and its representatives have the right to enter at reasonable times and inspect any site, building, or equipment to determine compliance with the requirements of this regulation.

.04 National Low Emission Vehicle Program.

A. Definitions. In this regulation, the following terms have the meanings indicated:

(1) "Heavy-duty vehicle" means a motor vehicle having a manufacturer's gross vehicle weight rating greater than 6,000 pounds, except passenger cars.

(2) "Light-duty truck" means a motor vehicle, rated at 6,000 pounds gross vehicle weight or less, which is:

(a) Designed primarily for purposes of transportation of property or is a derivative of such a vehicle; or

(b) Available with special features enabling off-street or off-highway operation and use.

(3) "Medium-duty vehicle" means any:

(a) Pre-1995 model year heavy-duty vehicle having a manufacturer's gross vehicle weight rating of 8,500 pounds or less;

(b) 1992 and subsequent model year heavy-duty low-emission vehicle or ultra-low-emission vehicle, or zero-emission vehicle, having a manufacturer's gross vehicle weight rating of 14,000 pounds or less; or

(c) 1995 and subsequent model year heavy-duty vehicle having a manufacturer's gross vehicle weight rating of 14,000 pounds or less.

(4) "National LEV" means the Voluntary National Low Emission Vehicle Program whose provisions appear at 40 CFR Part 86, Subpart R.

(5) "Passenger car" means a motor vehicle designed primarily for transportation of individuals and having a design capacity of 12 individuals or less.

B. All other terms have the meanings specified in 40 CFR Part 86, Subpart R.

C. Applicability. This regulation applies Statewide.

D. General.

(1) For the duration of Maryland's participation in the National LEV, manufacturers may comply with the National LEV or equally stringent mandatory federal standards in lieu of compliance with any program, including any mandates for sales of zero emission vehicles, adopted by Maryland pursuant to the authority provided in §177 of the Clean Air Act applicable to passenger cars, light-duty trucks of 6,000 pounds gross vehicle weight rating or less, or medium-duty vehicles of 6,001 to 14,000 pounds gross vehicle weight, if designed to operate on gasoline.

(2) Maryland's participation in the National LEV extends until model year 2006, except as provided in 40 CFR § 86.1707. If, not later than December 15, 2000, the U.S. EPA does not adopt

emissions standards at least as stringent as the National LEV standards provided in 40 CFR Part 86, Subpart R, that apply to new motor vehicles in model year 2004, 2005, or 2006, Maryland's participation in the National LEV extends only until model year 2004, except as provided in 40 CFR § 86.1707.

(3) If a covered manufacturer, as defined at 40 CFR § 86.1702, opts out of the National LEV program pursuant to the EPA National LEV regulations at 40 CFR § 86.1707, the transition from the National LEV requirements to any Maryland §177 program applicable to passenger cars, light-duty trucks of 6,000 pounds gross vehicle weight or less, or medium-duty vehicles of 6,001 to 14,000 pounds gross vehicle weight, if designed to operate on gasoline, will proceed in accordance with the EPA National LEV regulations at 40 CFR § 86.1707.