

(8) SHALL ADOPT A SCHEDULE FOR THE EMISSIONS EQUIPMENT AND MISFUELING INSPECTIONS; AND

(9) SHALL ESTABLISH UNDER TITLE 2 OF THE ENVIRONMENTAL ENVIRONMENT ARTICLE, EMISSION STANDARDS TO BE USED FOR THE EXHAUST EMISSIONS TESTING AND EMISSIONS EQUIPMENT AND MISFUELING TESTING OF MOTOR VEHICLES UNDER THIS SUBTITLE.

[(e) The Administration shall prepare a final request for proposal for a contractor operated system with bids to be received no later than January 1, 1981.]

23-203.

(a) (1) [In the proposed] BY rules and [regulations] REGULATIONS, the Administration AND THE SECRETARY shall provide for the establishment of [inspection] facilities TO CONDUCT ANY TESTS OR INSPECTIONS REQUIRED TO BE PERFORMED ON AN ANNUAL OR BIENNIAL BASIS.

(2) If the Administration AND THE SECRETARY [determines] DETERMINE that the system can be installed and operated more effectively and economically by an independent contractor than if installed and operated by the Administration AND THE SECRETARY, the Administration AND THE SECRETARY may award the installation and operation of the inspection facilities to an independent contractor selected in accordance with the bidding procedures established by the laws of this State.

(b) [The] IF THE PROGRAM IS AWARDED TO AN INDEPENDENT CONTRACTOR, THE [facility] FACILITIES shall be provided, equipped, and maintained by the independent contractor, and the operating personnel of the [facility] FACILITIES shall be employees of the contractor, and not of the State, AND THE CONTRACTOR MAY NOT PERFORM ENGINE TUNE-UPS AS DEFINED IN SECTION 23-201.

(c) [(1) Until April 15, 1983, the Secretary of Transportation and the contractor shall minimize nonrecoverable expenses of the State. The 1983 General Assembly action on modification or repeal of the vehicle emissions inspection program shall determine whether the Secretary shall advance program implementation. The Secretary is directed to authorize the contractor to implement only those activities and expenditures which he finds consistent with the goal of minimizing the State's liability expressed above, while maintaining a "good faith" effort to meet the requirements of the Federal Clean Air Act, as amended. Activities and expenditures by the contractor prior to 1983 General Assembly action which are not authorized and approved by the Secretary are undertaken at the contractor's risk and may be viewed unfavorably by the General Assembly in the event an appropriation is requested by