

~~(B) THE PROGRAM ESTABLISHED IN ACCORDANCE WITH THIS SUBTITLE SHALL BE FUNCTIONALLY EQUIVALENT TO THE LOW EMISSIONS VEHICLE PROGRAM.~~

(A) THE DEPARTMENT MAY ESTABLISH A LOW EMISSIONS VEHICLE PROGRAM AS PROVIDED IN THIS SUBTITLE.

~~(C) (B) AS PART OF THE PROGRAM, THE DEPARTMENT SHALL ESTABLISH MOTOR VEHICLE EMISSIONS STANDARDS AND A COMPLIANCE PROGRAM FOR THE SAME MOTOR VEHICLES AS ARE INCLUDED IN THE LOW EMISSIONS VEHICLE PROGRAM ESTABLISHED UNDER CALIFORNIA LAW IN ACCORDANCE WITH THE FEDERAL CLEAN AIR ACT, 42 U.S.C. §§ 7401 ET SEQ.~~

~~(D) (C) AS PART OF THE COMPLIANCE PROGRAM ESTABLISHED UNDER THIS SUBTITLE, THE DEPARTMENT MAY ADOPT BY REGULATION MOTOR VEHICLE EMISSIONS INSPECTION, RECALL, AND WARRANTY REQUIREMENTS.~~

~~(E) (1) THE PROGRAM MAY NOT REQUIRE THE DEVELOPMENT, USE, PRODUCTION, SALE, OR DISTRIBUTION OF ANY TYPE OF FUEL OTHER THAN THOSE FUELS THAT MEET THE STANDARDS ESTABLISHED IN THE CLEAN AIR ACT AMENDMENTS OF 1990 (P.L. 101-549) AND THE REGULATIONS PROMULGATED UNDER THESE AMENDMENTS FOR THE FEDERAL MOTOR VEHICLE EMISSIONS CERTIFICATION PROGRAM.~~

~~(2) THE DEPARTMENT MAY NOT ADOPT REGULATIONS UNDER THIS SUBTITLE OR ANY OTHER PROVISION OF LAW THAT REQUIRE THE DEVELOPMENT, USE, PRODUCTION, SALE, OR DISTRIBUTION OF ANY TYPE OF FUEL OTHER THAN THOSE FUELS THAT MEET THE STANDARDS ESTABLISHED IN THE CLEAN AIR ACT AMENDMENTS OF 1990 (P.L. 101-549) AND THE REGULATIONS ADOPTED UNDER THESE AMENDMENTS FOR THE FEDERAL MOTOR VEHICLE EMISSIONS CERTIFICATION PROGRAM.~~

(D) (1) THE PROGRAM MAY NOT REQUIRE THE SALE OR USE OF ANY TYPE OF REFORMULATED GASOLINE OTHER THAN THE FEDERAL REFORMULATED GASOLINE THAT IS CERTIFIED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY UNDER 42 U.S.C. § 7545(K) FOR SALE AND USE IN STATES OTHER THAN CALIFORNIA.

(2) THE DEPARTMENT MAY NOT ADOPT REGULATIONS UNDER THIS SUBTITLE OR ANY OTHER PROVISION OF LAW THAT REQUIRE THE SALE OR USE OF ANY TYPE OF REFORMULATED GASOLINE IN MARYLAND OTHER THAN THE FEDERAL REFORMULATED GASOLINE THAT IS CERTIFIED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY UNDER 42 U.S.C. § 7545(K) FOR SALE AND USE IN STATES OTHER THAN CALIFORNIA.

(E) THE PROVISIONS OF THIS SUBTITLE AND ANY RULES OR REGULATIONS ADOPTED UNDER THIS SUBTITLE SHALL TERMINATE WITHIN 90 DAYS OF:

(1) A FINAL NONAPPEALABLE DECISION OR ORDER BY THE HIGHEST COURT OF COMPETENT JURISDICTION THAT: