

4. In 1996, has actually incurred an expenditure of \$350 towards emissions related repairs to the vehicle within 120 days after the exhaust emissions test; and

5.] 2. On or after January 1, [1997] 1998, has actually incurred the minimum expenditure required by federal law towards emissions related repairs to the vehicle within 120 days after the exhaust emissions test; and

(iii) The vehicle fails a retest, except that if the vehicle owner has exhibited evidence acceptable to the Administration that the vehicle owner actually incurred the minimum expenditure as required under item (1)(ii) of this subsection for the emissions related repair to the vehicle within 30 days before the initial exhaust emissions test OR THE PERIOD ALLOWED UNDER FEDERAL LAW, WHICHEVER IS LONGER, a retest is not required;

(2) Notwithstanding the provisions of this section, may not grant a waiver if it is found in the testing process that [a] factory-installed emissions [device] EQUIPMENT has been tampered with or removed, or that the vehicle has been misfueled;

(3) Unless otherwise prohibited by federal law, may grant additional waivers to extend the time for compliance in cases of financial hardship or for unusual circumstances;

(4) Shall establish criteria to certify repair facilities for the purpose of bringing vehicles into compliance with the applicable [emission] EMISSIONS standards;

(5) May provide for the suspension, revocation, or denial of renewal of the certification of a repair facility upon evidence that vehicles repaired by that facility for the purpose of bringing them into compliance with the applicable [emission] EMISSIONS standards have repeatedly failed tests or retests and the Administration and the Secretary have clear and convincing evidence the repair facility is not meeting satisfactory performance standards;

(6) Shall define the inspection parameters for the emissions equipment and misfueling inspection;

(7) Shall adopt a schedule for the exhaust emissions test;

(8) Shall adopt a schedule for the emissions equipment and misfueling inspections; and

(9) Shall establish, under Title 2 of the Environment Article, [emission] EMISSIONS standards to be used for the exhaust emissions [testing] TESTS and emissions equipment and misfueling [testing] INSPECTIONS of motor vehicles under this subtitle.

(D) (1) NOTWITHSTANDING SUBSECTION (C)(6) OF THIS SECTION OR ANY OTHER PROVISION OF LAW, DURING THE PERIOD FROM JANUARY 1, 1995 THROUGH MAY 31, 1996, THE EMISSIONS CONTROL PROGRAM ESTABLISHED UNDER THIS SUBTITLE MAY NOT REQUIRE FOR ANY VEHICLE OTHER THAN A STATE-OWNED VEHICLE OR, TO THE EXTENT AUTHORIZED BY FEDERAL LAW, A FEDERALLY-OWNED VEHICLE: