

23-202.

(a) (1) Subject to subsection (d) of this section, the Administration and the Secretary shall establish an emissions control program in the State in accordance with the federal Clean Air Act.

(2) The program shall remain in effect only as long as required by federal law.

(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] 1997, 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:

(i) Transient mass-emission testing using the IM 240 driving cycle referenced under 40 C.F.R. Part 51;

(ii) An evaporative system integrity (pressure) test or an evaporative system transient purge test that requires the disconnection or manipulation of any engine component, including any hose or emissions equipment, that is located in the vehicle's engine compartment;

(iii) Removal of the driver from a vehicle being tested or inspected; or

(iv) On-road testing.

(2) (I) ~~Nothing in this subsection prohibits the emissions control program from offering to vehicle owners, on a voluntary basis, any of the tests and inspections described in paragraph (1) of this subsection.~~

(H) ~~±~~ THE ADMINISTRATION, IN CONSULTATION WITH THE SECRETARY, SHALL DEVELOP AND OFFER TO OWNERS OF VEHICLES SUBJECT TO THE EMISSIONS CONTROL PROGRAM AN INCENTIVE PROGRAM DESIGNED TO ENCOURAGE VOLUNTARY SUBMISSION TO THE TEST DESCRIBED IN ITEM (1)(I) OF THIS SUBSECTION.

~~±~~ (II) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (C)(1) OF THIS SECTION AND § 23-205(A)(2) OF THIS SUBTITLE, THE INCENTIVES OFFERED UNDER THIS SUBPARAGRAPH MAY INCLUDE REDUCED TEST FEES, FLEXIBLE TEST SCHEDULES, THE WAIVER OF LATE FEES, THE REDUCTION OF EXPENDITURES INCURRED FOR EMISSIONS RELATED REPAIRS NECESSARY TO OBTAIN A WAIVER, AND ANY OTHER COST-EFFECTIVE INCENTIVE THAT IS CONSISTENT WITH STATE AND FEDERAL LAW AND IS REASONABLY EXPECTED BY THE ADMINISTRATION TO INCREASE THE NUMBER OF VEHICLES THAT UNDERGO THE TEST DESCRIBED IN ITEM (1)(I) OF THIS SUBSECTION.

(III) 1. THE ADMINISTRATION SHALL NOTIFY VEHICLE OWNERS OF THE OPPORTUNITY TO VOLUNTARILY SUBMIT A VEHICLE TO THE TESTING DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.