

OR

(I) WEIGHING AND MEASURING UNDER § 24-111 OF THIS ARTICLE;

(II) A MOTOR CARRIER SAFETY INSPECTION UNDER § 25-111 OF THIS ARTICLE; OR

(2) AT ANY LOCATION OR TIME, WHEN A POLICE OFFICER HAS REASONABLE CAUSE TO BELIEVE THAT AN INDIVIDUAL DIESEL VEHICLE IS VIOLATING EMISSIONS STANDARDS ESTABLISHED UNDER THIS SUBTITLE.

23-404.

~~(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, IF A DIESEL VEHICLE FAILS AN EMISSIONS TEST ESTABLISHED AND ADMINISTERED UNDER THIS SUBTITLE, THE DRIVER OF THE DIESEL VEHICLE AT THE TIME OF THE TEST FAILURE SHALL BE SUBJECT TO:~~

~~(1) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$500; AND~~

~~(2) FOR A SECOND OR SUBSEQUENT OFFENSE, A FINE NOT EXCEEDING \$1,000.~~

~~(B) (1) THE DEPARTMENT OF THE ENVIRONMENT, THE DEPARTMENT OF STATE POLICE, AND THE DEPARTMENT OF TRANSPORTATION SHALL PROVIDE A PERSON WHOSE DIESEL VEHICLE FAILS AN EMISSIONS TEST AND WHO RECEIVES A FINE UNDER SUBSECTION (A) OF THIS SECTION, THE OPPORTUNITY AFTER EACH TEST FAILURE TO RETEST THE DIESEL VEHICLE NO LATER THAN 30 DAYS AFTER THE DATE OF THE TEST FAILURE.~~

~~(2) IF A DIESEL VEHICLE THAT FAILED AN EMISSIONS TEST IS RETESTED UNDER PARAGRAPH (1) OF THIS SUBSECTION AND PASSES THE EMISSIONS TEST UNDER THIS SUBTITLE, THE FINE ASSESSED AGAINST THE DRIVER OF THE DIESEL VEHICLE UNDER SUBSECTION (A) OF THIS SECTION SHALL BE REDUCED TO:~~

~~(i) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$150; AND~~

~~(ii) FOR A SECOND OR SUBSEQUENT OFFENSE, A FINE NOT EXCEEDING \$500.~~

~~(3) IF A DRIVER OF A DIESEL VEHICLE THAT FAILED AN EMISSIONS TEST SUBMITS A CERTIFICATION OF REPAIR OF THE DIESEL VEHICLE AS REQUIRED UNDER REGULATIONS ADOPTED UNDER THIS SUBTITLE NO LATER THAN 30 DAYS AFTER THE DATE OF THE TEST FAILURE, THE FINE ASSESSED AGAINST THE DRIVER OF THE DIESEL VEHICLE UNDER SUBSECTION (A) OF THIS SECTION SHALL BE REDUCED TO:~~

~~(i) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$150; AND~~

~~(ii) FOR A SECOND OR SUBSEQUENT OFFENSE, A FINE NOT EXCEEDING \$500.~~