

1. THE DEPARTMENT OF STATE POLICE SHALL PROVIDE NOTICE TO THE FEDERAL HIGHWAY ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION THAT THE OWNER HAS VIOLATED STATE LAW IN VIOLATION OF 49 C.F.R. § 392.2; AND

2. THE OWNER OF THE DIESEL VEHICLE IS SUBJECT TO A FINE NOT EXCEEDING \$1,000.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October 1, 1999~~ July 1, 2000.

Approved April 13, 1999.

CHAPTER 42

(House Bill 590)

AN ACT concerning

Diesel Vehicle Emissions Control Program

FOR the purpose of requiring the Secretary of the Environment, the Secretary of the State Police, and the Secretary of Transportation to jointly establish by regulation a Diesel Vehicle Emissions Control Program; ~~providing for certain fines collected for certain violations to be remitted to the Department of Transportation and credited to the Transportation Trust Fund under certain circumstances;~~ providing for the admissibility of certain evidence in certain court proceedings; establishing certain prima facie evidence of certain emissions standards under certain circumstances; providing for the payment of certain expenses of the Commercial Vehicle Enforcement Division of the Department of State Police under certain circumstances; requiring the Secretary of the Environment, the Secretary of the State Police, and the Secretary of Transportation to jointly adopt regulations to implement, administer, regulate, and enforce certain provisions of law under certain circumstances; requiring certain regulations to establish certain requirements for certain emissions standards, emissions tests, emissions test equipment, emissions test procedures, and certain circumstances under which a test may be performed; ~~and providing an opportunity to administratively appeal certain findings under certain circumstances;~~ establishing certain consent for and obligation to submit to emissions testing under certain circumstances; establishing certain penalties; ~~requiring an opportunity to repair a certain diesel vehicle under certain circumstances or submit to a certain retest under certain circumstances to reduce certain penalties under certain circumstances~~ establishing that a certain order or a certain notice shall be issued to a certain driver if a certain diesel vehicle fails an emissions test; requiring the repair and retest of a certain diesel vehicle under certain circumstances; providing for the suspension of the registration of a certain diesel vehicle under certain circumstances; providing notice of a certain violation to the Federal Highway Administration of the United States Department of Transportation under certain circumstances;