



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

March 12, 2021

Senator Bill Diamond, Chair
Representative Roland Martin, Chair
130th Legislature
Joint Standing Committee on Transportation
100 State House Station
Augusta, ME 04330

RE: LD 284, “An Act To Provide That Inspections Of New Motor Vehicles Are Valid For 2 Years”; LD 354, “An Act To Require Motor Vehicle Inspections Every 2 Years”; LD 431, “An To Repeal The Requirement That Certain Motor Vehicles Be Inspected”; LD 490, “An Act To Eliminate Certain Motor Vehicle Inspections In the State”; LD 712, “An Act To Eliminate The Requirement For An Inspection For A Noncommercial Vehicle Less Than 20 Years Old”

Dear Senator Diamond, Representative Martin, and Members of the Committee,

The Maine Department of Environmental Protection wishes to convey the impacts these bills could have on Maine’s efforts to remain in compliance with the federal Clean Air Act.

The Clean Air Act Amendments of 1990 require all states located in the Ozone Transport Region with Metropolitan Statistical Areas of 100,000 people or more, which includes the State of Maine, to implement an annual “enhanced” motor vehicle emissions inspection and maintenance (I/M) program as an ozone control strategy. Cumberland County is the minimum area in Maine that is required to comply with this requirement.

In 1997, the Legislature passed an enhanced emissions testing program for Cumberland County only; this program was subsequently approved by the U.S. Environmental Protection Agency (EPA), and became part of the Maine State Implementation Plan (SIP). The SIP is the state’s plan for achieving, maintaining and enforcing the national ambient air quality standards. Maine, along with some other areas in the northeast are using an abbreviated emissions testing protocol commonly referred to as the Ozone Transport Region “low-enhanced” program¹, in lieu of a more involved tail pipe testing program.

Maine’s I/M program began in January 1999, and requires the following to be conducted at the time of the safety inspection:

¹ This abbreviated program was developed for specific areas in the northeast that are statutorily required to implement I/M programs.

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- 1) a visual inspection of the catalytic converter on all 1983 and newer vehicles (required statewide);
- 2) a gas cap pressure test that checks the ability of the cap to limit the release of gasoline vapors on 1974 and newer vehicles (required in Cumberland County); and
- 3) an on-board diagnostics (OBD) inspection of emissions controls on 1996 and newer vehicles (required in Cumberland County).

Today's motor vehicles depend on the proper operation of a wide range of integrated systems, including those related to emissions control. Maine's I/M program not only helps to reduce motor vehicle emissions, but also provides consumers with valuable maintenance information on many of their vehicle's most important components, including the ignition, fuel metering and air injection systems, thereby helping to reduce fuel use and save money. The annual inspection and maintenance program is effective in identifying improperly operating and defective vehicle emission control components, some of which may still be replaced under warranty.

Reducing the frequency of motor vehicle emission inspections from an annual to biennial, or longer basis, would result in some loss of program effectiveness, as polluting cars and trucks may operate for longer periods before proper maintenance. Eliminating inspection requirements for certain classes of vehicles would have even greater impacts on program effectiveness. Since the Maine I/M program is incorporated in the Maine SIP and therefore federally enforceable, implementation of these bills as written could be considered "backsliding" by EPA, meaning there is a loss of emission reduction credit from our State Implementation Plan. In this event, EPA would require the State of Maine to find additional emission credits to "make up" for credits lost because of the less frequent inspection schedule.

Thank you for the opportunity to provide our comments, and we would be happy to attend the work session to answer any questions.



Jeffrey S. Crawford, Director
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