

**Department of Legislative Services  
Maryland General Assembly  
2007 Session**

**FISCAL AND POLICY NOTE  
Revised**

House Bill 1276

(Delegate Malone)

Environmental Matters

Judicial Proceedings

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**Task Force to Study the Establishment of Biennial Motor Vehicle Safety  
Inspections**

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This bill establishes the Task Force to Study the Establishment of Biennial Motor Vehicle Safety Inspections, staffed by the Motor Vehicle Administration (MVA). The task force is charged with considering the positive and negative aspects of such inspections, programs in other states, and costs to the State and the vehicle owner. The task force must make specific recommendations as to whether requiring biennial motor vehicle inspections would benefit the citizens of the State and how to implement a biennial motor vehicle safety inspections requirement. A report is due to the Governor and the General Assembly by December 31, 2007.

The bill takes effect June 1, 2007 and terminates May 31, 2008.

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**Fiscal Summary**

**State Effect:** Any expense reimbursements for task force members are assumed to be minimal and absorbable within existing resources. Staffing could also be provided within existing resources.

**Local Effect:** None.

**Small Business Effect:** None.

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## Analysis

**Current Law:** Generally, if a person transfers a used motor vehicle, the person must obtain an inspection certificate from an inspection station. The inspection certificate is to be attached to the window of the vehicle. The inspection requirement does not apply to transfers between spouses, parents and children, vehicle co-owners, or vehicles that are not to be both titled and registered in Maryland. The inspection requirement also does not apply to other specialized types of transfers, as specified in statute.

A valid inspection certificate for a used vehicle is required for titling and registration. An inspection certificate is valid from the date of the inspection certificate for a period of 90 days. An inspection certificate issued for a used vehicle owned and held in inventory by a licensed dealer expires at the earlier of six months or after 1,000 miles has been added to the vehicle's odometer since issuance of the inspection certificate.

If a person applies for titling and registration of a used vehicle, the MVA may issue a temporary registration and withhold delivery of the certificate of title until an inspection certificate is received. A vehicle with a temporary registration must be inspected within 60 days of the issuance of the temporary registration.

**Background:** According to the latest available information from the American Automobile Association and the Automotive Service Association, 18 states and the District of Columbia require inspections of passenger cars on a periodic basis (Delaware, Hawaii, Louisiana, Maine, Massachusetts, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Texas, Utah, Vermont, Virginia, and West Virginia). Inspection fees vary, as does the proportion of the fee kept by the inspection stations for performing inspections.

All these states require annual safety inspections except New Jersey, Rhode Island, and Utah. In the first five years of ownership, Utah requires safety inspections biennially; thereafter, the inspections are required annually. The District of Columbia also requires inspections on a biennial basis. Most states test for emissions and safety at the same time. The dual testing does not occur in the District of Columbia and portions of Maine, Texas, and Virginia and the states of Hawaii, Mississippi, Pennsylvania, Utah, and West Virginia. In New York, dual testing is available for an additional fee.

Eighteen other states, including Maryland authorize a law enforcement officer to stop and inspect a vehicle if there is a reasonable suspicion that the vehicle lacks required safety equipment or otherwise appears unsafe. Usually a safety equipment repair order is issued and the motorist is subject to suspension of the vehicle registration for noncompliance.

In addition to Maryland, Connecticut generally requires inspections upon the transfer of a used vehicle to another person.

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### **Additional Information**

**Prior Introductions:** This bill is similar to HB 1257/SB 562 of 2005. HB 1257 received an unfavorable report from the House Environmental Matters Committee and SB 562 received an unfavorable report from the Senate Judicial Proceedings Committee.

**Cross File:** None.

**Information Source(s):** Maryland Department of Transportation, Automotive Service Association, American Automobile Association, Department of Legislative Services

**Fiscal Note History:** First Reader - March 18, 2007  
mll/ljm Revised - House Third Reader - April 3, 2007

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