

CHAPTER 356

(Senate Bill 69)

AN ACT concerning

Vehicle Laws – Air-Conditioning Equipment Specifications and Requirements

FOR the purpose of repealing a certain prohibition against motor vehicle air-conditioning equipment containing a refrigerant that is toxic or flammable; limiting the refrigerants that may be used in motor vehicle air-conditioning equipment beginning with motor vehicles of a certain model year; providing for consultation with the Department of the Environment in the adoption of certain regulations by the Motor Vehicle Administrator; altering the application of a certain prohibition concerning the sale or equipping of motor vehicles with certain air-conditioning equipment; repealing a certain prohibition against the use of a motor vehicle with certain air-conditioning equipment; clarifying language; defining certain terms; making stylistic changes; and generally relating to motor vehicle air-conditioning equipment.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22-410
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Transportation

22-410.

(a) (1) In this section[,] **THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) [“air conditioning”] **“AIR-CONDITIONING equipment”** means mechanical vapor compression refrigeration equipment used to cool the driver’s or passenger compartment of any motor vehicle.

(3) **“OZONE-DEPLETING REFRIGERANT” MEANS A REFRIGERANT USED IN AIR-CONDITIONING EQUIPMENT THAT CONTAINS A SUBSTANCE IDENTIFIED IN 42 U.S.C. § 7671A(A) OR (B).**

(b) [Air conditioning] **AIR-CONDITIONING** equipment shall be manufactured, **INSTALLED, AND MAINTAINED** with due regard for the safety of the occupants of the vehicle and the public [and may not contain any refrigerant that is toxic to persons or is flammable].

(c) [Air conditioning equipment shall be installed with due regard for the safety of the occupants of the vehicle and the public and may not contain any refrigerant that is toxic to persons or is flammable] **IN A MOTOR VEHICLE OF MODEL YEAR ~~2010~~ 2011, OR ANY MODEL YEAR THEREAFTER, THE AIR-CONDITIONING EQUIPMENT MAY CONTAIN ONLY A REFRIGERANT THAT:**

(1) IS NOT AN OZONE-DEPLETING REFRIGERANT; OR

(2) IS INCLUDED IN THE LIST PUBLISHED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AS A SAFE ALTERNATIVE TO CHLOROFLUOROCARBON-12, PURSUANT TO 42 U.S.C. § 7671K(C).

(d) [Air conditioning equipment shall be maintained with due regard for the safety of the occupants of the vehicle and the public and may not contain any refrigerant that is toxic to persons or is flammable.

(e) The Administrator, **IN CONSULTATION WITH THE DEPARTMENT OF THE ENVIRONMENT**, may adopt and enforce safety requirements, regulations, and specifications for [air conditioning] **AIR-CONDITIONING** equipment consistent with the requirements of this section.

[(f)] **(E)** A person may not have for sale, offer for sale, sell, or equip any motor vehicle, **OF MODEL YEAR ~~2010~~ 2011 OR THEREAFTER**, with any [air conditioning] **AIR-CONDITIONING** equipment unless [it] **THE AIR-CONDITIONING EQUIPMENT** complies with the requirements of this section.

[(g)] A person may not drive on any highway any motor vehicle equipped with any air conditioning equipment unless the equipment complies with the requirements of this section.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2009.

Approved by the Governor, May 7, 2009.