

SENATE BILL 1063

M3

4lr3002
CF HB 1247

By: **Senator Hershey**

Introduced and read first time: February 2, 2024

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Advanced Clean Cars II Program – Application and Enforcement**

3 FOR the purpose of prohibiting the Department of the Environment from adopting the
4 California Advanced Clean Cars II regulations to be effective before a certain motor
5 vehicle model year; prohibiting the Department from applying certain provisions of
6 law governing enforcement and penalties under the California Advanced Clean Cars
7 II Program to a motor vehicle manufacturer for failing to meet the minimum electric
8 vehicle or plug-in hybrid electric vehicle delivery requirements for an applicable
9 motor vehicle model year; and generally relating to the application of and
10 enforcement under the California Advanced Clean Cars II Program.

11 BY repealing and reenacting, without amendments,
12 Article – Environment
13 Section 2–1102(a) and (b)
14 Annotated Code of Maryland
15 (2013 Replacement Volume and 2023 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Environment
18 Section 2–1103 and 2–1106
19 Annotated Code of Maryland
20 (2013 Replacement Volume and 2023 Supplement)

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

23 **Article – Environment**

24 2–1102.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In consultation with the Administration and as provided under this subtitle,
2 the Department shall establish by regulation and maintain a low emissions vehicle
3 program that:

4 (1) Is authorized by § 177 of the federal Clean Air Act; and

5 (2) Is applicable to vehicles of the 2011 model year and each model year
6 thereafter.

7 (b) As part of the program, the Department shall establish new motor vehicle
8 emissions standards and compliance requirements for each model year included in the
9 program as authorized by § 177 of the federal Clean Air Act.

10 2–1103.

11 **(A) [To] SUBJECT TO SUBSECTION (B) OF THIS SECTION, TO** minimize the
12 administrative impact of the program and to minimize the impact of motor vehicle
13 emissions generated out of state on the air quality of this State, the Department:

14 (1) May adopt California regulations, procedures, and certification data by
15 reference; and

16 (2) May work in cooperation with, and enter into contracts or agreements
17 with, California, other states, and the District of Columbia to administer certification,
18 in–use compliance, inspection, recall, and warranty requirements for the program.

19 **(B) THE DEPARTMENT MAY NOT ADOPT THE CALIFORNIA ADVANCED**
20 **CLEAN CARS II REGULATIONS TO BE EFFECTIVE BEFORE MOTOR VEHICLE MODEL**
21 **YEAR 2030.**

22 2–1106.

23 (a) **(1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
24 **SUBSECTION, THE** enforcement and penalty provisions of Subtitle 6 of this title shall apply
25 to a violation of this subtitle.

26 **(2) THE DEPARTMENT MAY NOT APPLY THE ENFORCEMENT OR**
27 **PENALTY PROVISIONS OF SUBTITLE 6 OF THIS TITLE TO A MOTOR VEHICLE**
28 **MANUFACTURER FOR FAILING TO MEET THE MINIMUM ELECTRIC VEHICLE OR**
29 **PLUG–IN HYBRID ELECTRIC VEHICLE DELIVERY REQUIREMENTS UNDER THE**
30 **CALIFORNIA ADVANCED CLEAN CARS II PROGRAM FOR AN APPLICABLE MODEL**
31 **YEAR.**

32 (b) Each transfer or attempted transfer of a motor vehicle or motor vehicle engine
33 in violation of § 2–1104(b) of this subtitle shall constitute a separate violation of the
34 provisions of this subtitle.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2024.