

STATE OF MARYLAND

MARYLAND DEPARTMENT OF THE ENVIRONMENT

Shari T. Wilson, Secretary

BILL NO: SB 69

COMMITTEE: Judicial Proceedings

POSITION: Support with Amendment

TITLE: Vehicle Laws – Air-Conditioning Equipment Specifications and Requirements

BILL ANALYSIS: The bill removes the requirement that automotive air-conditioning refrigerants be non-toxic and non-flammable, and replaces it with the requirement that any model year 2010 and newer vehicle may only be equipped with refrigerants that are non-ozone depleting or approved by the United States Environmental Protection Agency (EPA) and are not harmful to the environment.

The bill does not make changes to previous model year vehicles. Any model year vehicle prior to model year 2010 will still have to be maintained with due regard for the safety of the vehicle occupants, the vehicle, and the public.

POSITION AND RATIONALE: The Department supports Senate Bill 69 with the Maryland Department of Transportation amendment to have the bill's requirements apply starting in the model year 2011 instead of 2010.

The Department was notified by the EPA that the existing Maryland statute requiring automotive air-conditioning refrigerants to be non-toxic and non-flammable could inadvertently preclude the introduction of newer, more environmentally friendly refrigerants. The EPA, with the support of the automobile industry, requested us to take legislative action to address this shortcoming.

As currently written, Maryland statute requires an automotive air-conditioning refrigerant to be non-toxic and non-flammable, while not providing a toxic or flammable definition. The bill proposes to replace this requirement with one that requires a vehicle to have an automotive refrigerant approved by the EPA. The EPA, under its Significant New Alternatives Program (SNAP, 42 U.S.C. §7671K(c)), is required to review alternative motor vehicle air conditioning refrigerants and approve the use of alternatives which reduce the overall risk to public health and the environment. In its review, the EPA evaluates the ozone depleting potential, global warming potential, toxicity and flammability of proposed new alternatives. Changing the Maryland statute, as proposed, to require the use of refrigerants that have been reviewed and approved by the EPA, and accepted by the automobile manufacturers, will eliminate the existing problematic language, maximize the environmental benefits, and allow the State to meet the more appropriate, current and vetted requirement for motor vehicle refrigerant alternatives.

This action will also facilitate manufacturer compliance with the Maryland Clean Cars Act of 2007. The Clean Car program requires automobile manufacturers to provide new vehicles that have reduced greenhouse gas emissions. The manufacturers can comply with the requirements of this program by reducing emissions in several different ways including reducing traditional or tailpipe emissions as well as non-traditional or refrigerant emissions. This change will allow the manufacturers this additional compliance mechanism. The Clean Car program is scheduled to begin with new, model year 2011 vehicles.

FOR MORE INFORMATION,
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