



## **MARYLAND DEPARTMENT OF THE ENVIRONMENT COMPLIANCE ADVISORY-DIESEL ANTI-TAMPERING**

### **BACKGROUND**

- Congress and the California Air Resources Board established emission standards for vehicles, which Maryland has adopted, to reduce pollution and protect public health. Vehicle manufacturers are required to certify that their designs meet the standards.
- It is illegal to tamper with any air pollution control device that was installed on the vehicle when it was manufactured. This applies to auto repair facilities, commercial mechanics, fleet operators, vehicle dealers, and individuals working on their own vehicles.
- Tampering is removing, disconnecting, altering, bypassing, or rendering ineffective any air pollution control device, including applicable air pollution control software, installed in a motor vehicle.
- Tampering with a vehicle's air pollution control device can negatively affect vehicle performance, void warranties, and contribute to air pollution (one illegally modified heavy duty diesel pick-up truck can pollute as much as up to 300 diesel pick-ups with properly maintained controls).

### **WHAT EPA IS DOING:**

- Federal law prohibits removal, alteration or otherwise tampering with a vehicle's pollution control equipment.
- EPA has and continues to pursue enforcement action against manufacturers, sellers, and installers of defeat devices for diesel engines. In the past few years, EPA has closed over 60 civil tampering cases, and the Department of Justice has filed criminal charges in others.

### **WHAT MARYLAND IS DOING:**

- Both Maryland and Federal law prohibit the removal, alteration or otherwise tampering with a vehicle's pollution control equipment.
- Maryland regulations currently prohibit the removal of pollution control equipment or operation of a motor vehicle that has had the air pollution control equipment tampered or removed. Violation of Maryland's anti-tampering requirements may result in a civil penalty of up to \$25,000 per day per violation
- Maryland is currently working to expand regulatory authority to prohibit the manufacture, sale, use, or installation of defeat devices, and to prohibit offering for sale, sale or transfer of vehicles that have had the air pollution control equipment tampered or removed.
- Maryland will propose updated tampering regulations before the Air Quality Advisory Council on June 14, 2021 at 9:00 AM. This is the first formal step of the regulatory adoption process. Interested parties may participate in the virtual meeting by computer at <https://global.gotomeeting.com/join/477445493>  
You can also dial in using your phone: 1 877 309 2073  
Access Code: 477-445-493