

(2) Suspension of the State Recognition of an electronic advance directives service for a definite period of time after which, depending upon the circumstances of the case and completion of appropriate corrective actions, the [vendor] *Vendor* may seek reinstatement of its State Recognition; or

(3) (text unchanged)

D.—E. (text unchanged)

F. In the event *that State Recognition status is not renewed, or the Commission suspends or revokes State Recognition status, the electronic advance directives service must notify each declarant who prepared an electronic advance directive through the service and health care agent named in an electronic advance directive about the impact of the action on accessibility of the advance directive.*

RANDOLPH S. SERGENT, ESQ.
Chair

Title 11 DEPARTMENT OF TRANSPORTATION

Subtitle 14 MOTOR VEHICLE ADMINISTRATION—VEHICLE INSPECTIONS

Notice of Change to Estimate of Economic Impact and Opportunity for Public Comment

[22-171-P]

The Estimate of Economic Impact and Opportunity for Public Comment notices which appeared in 49:19 Md. R. 878—885 (September 9, 2022) have been changed. The correct notices follow.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action will provide on-going economic benefits to the public by reducing the amount of inspection fees paid. Based on the assumptions and information contained in this fiscal impact statement, the estimated economic impacts for fiscal year 2023 (December 26, 2022 effective date) are: to the public, an estimated \$2,323,998 cost savings; and to the Maryland Department of Transportation Motor Vehicle Administration (MDOT MVA), an estimated \$2,249,670 net loss. (See Section III. for assumptions used in the fiscal impact calculations.) The proposed action is not expected to have significant economic impact on any other entity.

II. Types of Economic Impact.	Revenue (R+/R-)	Expenditure (E+/E-)	Magnitude
A. On issuing agency:			
(1)	(R-)		\$2,323,998 (FY 2023)
(2)	(E-)		\$74,328 (FY 2023)
B. On other State agencies:	(E-)		Minimal
C. On local governments:	(E-)		Minimal

	Benefit (+) Cost (-)	Magnitude
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D. On regulated industries or trade groups:

CERFs and other repair facilities	(-)	Minimal
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E. On other industries or trade groups: NONE

F. Direct and indirect effects on public:	(+)	Minimal
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III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A(1). Based on an analysis of current statistical data, it is estimated that in fiscal year 2023 (December 26, 2022 effective date), 202,797 new vehicles will qualify for the additional three-year delay of the initial inspection. Used vehicles will continue to be subject to VEIP inspection upon transfer of ownership independently of vehicle age, and it is estimated that 78,916 vehicles in this age range will be sold and inspected, yielding a net change of 123,881 vehicles. The inspection fees are \$14 at the VEIP inspection station and \$10 at the VEIP self-service kiosk. Only the OBD test is available at the kiosk. Current data shows that 85% of OBD tests are conducted at the VEIP stations, and 15% are conducted at the kiosks. Additionally, late fee revenue is equivalent to approximately 40% of inspection fee revenue. The estimated revenue impact (loss) to MDOT MVA from the reduction in inspection/late fees is calculated as follows:

- a. VEIP station inspection fee revenue loss: (123,881 vehicle tests x 85% x \$14 = \$1,474,178
- b. VEIP kiosk inspection fee revenue loss: (123,881 vehicle tests x 15%) x \$10 = \$185,821
- Subtotal of a + b = \$1,659,999
- c. Late fee revenue loss: (\$1,659,999 x 40%) = \$663,999
- d. Total fiscal year 2023 revenue loss from this action: (\$1,659,999 + 663,999) = \$2,323,998.

A similar effect on MDOT MVA revenues is expected in future years.

A(2). This proposal will have a small impact on MDOT MVA expenditures in postage costs for fiscal year 2023. MDOT MVA currently incurs postage charges of \$0.60 for each inspection notice mailed. The reduced number of VEIP inspections resulting from this action will reduce the number of notices mailed. In FY2023, based on an estimated 123,881 vehicles, the reduction in postage charges is (123,881 x \$0.60) = \$74,328 (savings).

NOTE: Modest cost savings associated with supplies/materials will also result from this proposal. However, these cost savings are minimal in nature.

B. Other State agencies and local governments will experience minimal reductions in costs due to the reduced number of vehicles they must have inspected.

C. Other State agencies and local governments will experience minimal reductions in costs due to the reduced number of vehicles they must have inspected.

D. There will be minimal impact on automotive repair facilities that are Certified Emissions Repair Facilities (CERFs) due to lost income from potentially fewer vehicles requiring repairs.

F. Based on the assumptions and calculations included in part A, above, the public will realize estimated cost savings of \$2,323,998 in fiscal year 2023 through reductions in VEIP inspection/late fees paid.

Savings to the public are expected to continue at a similar rate into future years.

Opportunity for Public Comment

Comments may be sent to Marcia Ways, Mobile Sources Control Program Manager, Maryland Department of the Environment, 1800 Washington Boulevard, Suite 705, Baltimore, Maryland 21230-1720, or call (410) 537-3270, or email to marcia.ways@maryland.gov, or fax to (410) 537-4435. Comments will be accepted through October 11, 2022. The Maryland Department of the Environment and the Maryland Department of Transportation Motor Vehicle Administration will hold a virtual public hearing on the proposed action on October 11, 2022 at 10:00 a.m. See the Maryland Department of the Environment’s website for virtual hearing information, <https://mde.maryland.gov/programs/Regulations/air/Pages/reqcomments.aspx>. Interested persons are invited to attend and express their views. For more information or to submit comments, contact Marcia Ways, Mobile Sources Control Program Manager, Maryland Department of the Environment, 1800 Washington Boulevard, Suite 705, Baltimore, Maryland 21230-1720; telephone (410) 537-3270; email marcia.ways@maryland.gov; fax (410) 537-4435.

Copies of the proposed action and supporting documents are available for review at the Maryland Department of the Environment’s website at <https://mde.maryland.gov/programs/Regulations/air/Pages/reqcomments.aspx>.

Persons needing special accommodations at the public hearing should contact the Department’s Fair Practices Office at (410) 537-3964. TTY users may contact the Department through the Maryland Relay Service at 1-800-735-2258.

HORACIO A. TABLADA
Secretary of the Environment

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

Title 12
DEPARTMENT OF PUBLIC
SAFETY AND
CORRECTIONAL SERVICES
Subtitle 10 CORRECTIONAL
TRAINING COMMISSION

12.10.01 General Regulations

Authority: Correctional Services Article, §§2-109 and 8-208, Annotated Code of Maryland

Notice of Proposed Action

[22-183-P]

The Secretary of Public Safety and Correctional Services, in cooperation with the Correctional Training Commission, proposes to amend Regulation .22 under **COMAR 12.10.01 General Regulations**. This action was considered and approved by the Correctional Training Commission at a public meeting held on July 14, 2022.

Statement of Purpose

The purpose of this action is to amend COMAR 12.10.01.22 to ensure that the provisions of the regulation apply to both State and local correctional officers, as well as to correct the unintended requirement for additional drug testing of an applicant who was

lawfully prescribed a controlled dangerous substance. Specifically, the Commission has removed the citation to COMAR 17.04.09.04 that applies only to correctional officers employed by the State of Maryland and replaced the citation with language that is applicable to both State and local correctional agencies. Additionally, by removing the reference to §C(2) from within §C(4) of the regulation, the Commission has eliminated the requirement that an applicant, who was lawfully prescribed a controlled dangerous substance, agree to complete an annual scheduled drug test for the two years following the date of hire.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Albert L. Liebno, Jr., Executive Director, Maryland Police and Correctional Training Center, 6852 4th Street, or call Sykesville, Maryland 21784, or email to albert.liebno@maryland.gov, or fax to 4108753584. Comments will be accepted through October 24, 2022. A public hearing has not been scheduled.

.22 Prior Substance Abuse by Applicants for Certification.

A.—B. (text unchanged)

C. Prior and Current Use Criteria.

(1)—(3) (text unchanged)

(4) [An applicant granted certification by the Commission under §C(2) or (3) of this regulation shall agree to complete an annual drug test to be scheduled at the discretion of the employing agency, and in accordance COMAR 17.04.09.04, during the 2 years following the applicant’s date of hire] *As a condition of being granted certification by the Commission under §C(3) of this regulation, an applicant shall agree to complete an annual drug test to be scheduled at the discretion of the employing agency during each of the 2 years following the applicant’s date of certification.*

(5) *An employing agency that conditionally hires an applicant under §C(4) of this regulation may require an applicant to submit to the employing agency’s drug testing procedures for suspicion of substance use during the 2 years following certification or as part of the employing agency’s procedures for random drug testing of its employees.*

[(5)] (6) (text unchanged)

D.—E. (text unchanged)

ROBERT L. GREEN
Secretary
Public Safety and Correctional Services