



## Don't Tamper With Vehicle Emissions Systems

### What You Need to Know

If you remove, disconnect, detach, deactivate, alter, modify, reprogram, or make less effective any emission control device installed by the manufacturer, or use less effective replacement parts, you have committed the act of tampering. This includes installing replacement parts that don't meet the manufacturers' specifications, reprogramming computer components or installing performance chips to bypass or defeat factory settings.

#### ***Is Tampering Legal?***

Tampering is not legal. Prohibitions against tampering are enforced by EPA and MDE to protect public health and the environment. Emissions controls prevent respiratory disease, premature death, and environmental harm. "Rolling coal" is specifically banned in Maryland (2017 Regular Session-House Bill 11 Chapter 697), and actually decreases fuel economy and engine efficiency.

#### ***What is the Penalty for Tampering?***

The Code of Maryland Regulations 26.11.20.02 prohibits tampering. Violation of Maryland's anti-tampering laws may result in a civil penalty of up to \$25,000 per day per violation (Environment Article, Annotated Code of Maryland, §§ 2-610 and 2-610.1). In addition, a person who knowingly tampers with a vehicle may be found guilty of a misdemeanor, and subject to a fine not exceeding \$25,000, imprisonment of up to 1 year, or both for a first offense (Environment Article, Annotated Code of Maryland, § 2-609.1).

Under federal law, anyone who sells or installs a device to defeat emission controls can be fined up to \$4,800 for each defeat device, and dealers can be fined up to \$48,000 for every tampered vehicle (these values periodically increase pursuant to 40 CFR § 19.4). In the past few years EPA has closed over 60 civil tampering cases, and the Department of Justice has filed criminal charges in others.



#### ***Does This Affect Me?***

Tampering prohibitions apply to anyone who services any emissions-related aspect of any certified vehicle, engine, or piece of equipment. They also apply to anyone who manufactures, distributes, or installs emissions-related parts.

#### ***Why Do People Tamper With Their Emissions Systems?***

There is a perception that removing emissions equipment can improve vehicle performance or reduce the costs of maintenance. The reality is tampering with emissions equipment will often cause drivability issues, decrease performance, result in increased longer-term maintenance costs, and shorten the life of the engine.

Others tamper with emissions equipment in order to "roll coal" by emitting visible black smoke.

Deleting emissions equipment on one truck could cause the truck to emit as much harmful pollution as 300 untampered



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trucks and can void the vehicle warranty. Such tampering makes sale of the vehicle illegal, and the costs to replace the removed emissions equipment can be thousands of dollars.

#### ***How Does Tampering Affect Health?***

Tampering with your emissions control systems also leads to much higher levels of nitrogen oxides (NO<sub>x</sub>), soot, carbon monoxide, and hydrocarbons. These pollutants contribute to a variety of public health problems, such as premature death in people with heart or lung disease, heart attacks, irregular heartbeat, aggravated asthma, decreased lung function, and respiratory symptoms such as irritation of the airways, coughing, or difficulty breathing. NO<sub>x</sub> reacts with sunlight to cause ground-level ozone pollution known as smog, so discomfort and illness may increase, and visibility become more limited, in the summer with vacation travel and people spending more time outside.

#### ***How Does Tampering Affect the Environment?***

Tampering can make a vehicle emit hundreds to thousands of times more pollution than it should. EPA has found that controls on over 500,000 diesel pickup trucks, or about 13% of those registered that were originally certified with emissions controls, have been fully removed or deleted through tampering. The excess NO<sub>x</sub> emissions produced by these vehicles is the same as adding 9 million extra trucks to our roads and interfere with Maryland's efforts to keep the air clean statewide.

#### ***How Can I Avoid Tampering?***

- » Emissions controls are all parts that may affect emissions, such as catalysts, filters, the electronic control unit, the fuel system, and the on board diagnostic system.
- » Do not remove or change emission controls on any certified vehicle, engine, or piece of equipment
- » Do not sell, lease, or offer for sale or lease any vehicle with a tampered emissions system
- » Do not purchase a tampered vehicle from any person, dealer, or auto auction
- » Do not install any non-compliant emission control devices on your vehicle or engine
- » Use only EPA or California Air Resources Board (CARB) approved replacement parts

***For More Information:***  
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