

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

**SESSION LAW 2011-206
SENATE BILL 194**

AN ACT TO AUTHORIZE COMPRESSED NATURAL GAS VEHICLES AND FUEL CELL ELECTRIC VEHICLES TO OPERATE IN HIGH OCCUPANCY VEHICLE LANES AND TO EXEMPT FUEL CELL ELECTRIC VEHICLES FROM THE EMISSIONS INSPECTION REQUIREMENT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-4.01 reads as rewritten:

"§ 20-4.01. Definitions.

Unless the context requires otherwise, the following definitions apply throughout this Chapter to the defined words and phrases and their cognates:

...

(28b) Dedicated natural gas vehicle. – A four-wheeled motor vehicle that meets each of the following requirements:

- a. Is made by a manufacturer primarily for use on public streets, roads, and highways and meets National Highway Traffic Safety Administration standards included in 49 C.F.R. § 571.
- b. Has not been modified from original manufacturer specifications with regard to power train or any manner of powering the vehicle.
- c. Is powered solely by natural gas.
- d. Is rated at not more than 8,500 pounds unloaded gross vehicle weight.
- e. Has a maximum speed capability of at least 65 miles per hour.

(28c) Fuel cell electric vehicle. – A four-wheeled motor vehicle that meets each of the following requirements:

- a. Is made by a manufacturer primarily for use on public streets, roads, and highways and meets National Highway Traffic Safety Administration standards included in 49 C.F.R. § 571.
- b. Has not been modified from original manufacturer specifications with regard to power train or any manner of powering the vehicle.
- c. Uses hydrogen and a fuel cell to produce electricity on board to power an electric motor to propel the vehicle.
- d. Is rated at not more than 8,500 pounds unloaded gross vehicle weight.
- e. Has a maximum speed capability of at least 65 miles per hour.

...."

SECTION 2. G.S. 20-146.2(a) is amended by adding two new subdivisions to

read:

"(5) Dedicated natural gas vehicles as defined in G.S. 20-4.01(28b), regardless of the number of passengers in the vehicle. These vehicles must be able to travel at the posted speed limit while operating in the HOV lane.



(6) Fuel cell electric vehicles as defined in G.S. 29-4.01(28c), regardless of the number of passengers in the vehicle. These vehicles must be able to travel at the posted speed limit while operating in the HOV lane."

SECTION 3. G.S. 20-183.2(b) reads as rewritten:

"(b) Emissions. – A motor vehicle is subject to an emissions inspection in accordance with this Part if it meets all of the following requirements:

...

(10) It is not a fuel cell electric vehicle as defined in G.S. 20-4.01(28c)."

SECTION 4. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 15th day of June, 2011.

s/ Walter H. Dalton
President of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

s/ Beverly E. Perdue
Governor

Approved 11:56 a.m. this 23rd day of June, 2011