

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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BILL DRAFT 2011-ME-160 [v.1] (11/14)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

5/10/2012 8:36:06 AM

Short Title: No Vehicle Inspections for First Three Years.

(Public)

Sponsors:

Referred to:

A BILL TO BE ENTITLED
AN ACT TO EXEMPT VEHICLES FROM THE THREE NEWEST MODEL YEARS FROM
SAFETY AND EMISSIONS INSPECTIONS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-183.2 reads as rewritten:

"§ 20-183.2. Description of vehicles subject to safety or emissions inspection; definitions.

...

(a1) Safety Inspection Exceptions. – The following vehicles shall not be subject to a safety inspection pursuant to this Article:

(1) Historic vehicles, as defined in G.S. 20-79.4(b)(63).

(2) Buses titled to a local board of education and subject to the school bus inspection requirements specified by the State Board of Education and G.S. 115C-248.

(3) A motor vehicle that is three or fewer model years old.

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

(1) It is subject to registration with the Division under Article 3 of this Chapter, except for motor vehicles operated on a federal installation as provided in sub-subdivision e. of subdivision (5) of this subsection.

(2) It is not a trailer whose gross weight is less than 4,000 pounds, a house trailer, or a motorcycle.

(3) It is a ~~1996 or later model~~ model younger than the 1996 model year and older than the three most recent model years.

(4) Repealed by Session Laws 1999-328, s. 3.11, effective July 21, 1999.

(5) It meets any of the following descriptions:

a. It is required to be registered in an emissions county.

b. It is part of a fleet that is operated primarily in an emissions county.

c. It is offered for rent in an emissions county.

d. It is a used vehicle offered for sale by a dealer in an emissions county.

e. It is operated on a federal installation located in an emissions county and it is not a tactical military vehicle. Vehicles operated on a federal installation include those that are owned or leased by employees of



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the installation and are used to commute to the installation and those owned or operated by the federal agency that conducts business at the installation.

f. It is otherwise required by 40 C.F.R. Part 51 to be subject to an emissions inspection.

(6) It is not licensed at the farmer rate under G.S. 20-88(b).

(7) It is not a new motor vehicle, as defined in G.S. 20-286(10)a. and has been a used motor vehicle, as defined in G.S. 20-286(10)b., for 12 months or more. However, a motor vehicle that has been leased or rented, or offered for lease or rent, is subject to an emissions inspection when it either:

a. Has been leased or rented, or offered for lease or rent, for 12 months or more.

b. Is sold to a consumer-purchaser.

(8) It is not a privately owned, nonfleet motor home or house car, as defined in G.S. 20-4.01(27)d2., that is built on a single chassis, has a gross vehicle weight of more than 10,000 pounds, and is designed primarily for recreational use.

(9) It is not a plug-in electric vehicle as defined in G.S. 20-4.01(28a).

(10) It is not a fuel cell electric vehicle as defined in G.S. 20-4.01(12a).

..."

SECTION 2. The Department of Economic and Natural Resources shall submit for approval the emissions inspection program changes provided in section 1 of this act to the United States Environmental Protection Agency as an amendment to the North Carolina State Implementation Plan under the federal Clean Air Act. If the United States Environmental Protection Agency approves the amendment, the Department of Economic and Natural Resources shall certify this approval to the Revisor of Statutes.

SECTION 3. After the Motor Vehicle Inspection and Law Enforcement System (MILES) is retired and the replacement system for MILES is operational, the Commissioner of Motor Vehicles shall certify to the Revisor of Statutes that MILES has been replaced.

SECTION 4. Section 1 of this act becomes effective on the later of the following dates and applies to motor vehicles inspected, or due to be inspected, on or after the effective date of section 1 of this act:

(1) January 1, 2014.

(2) The first day of a month that is thirty days after both of the following have occurred:

a. The Department of Economic and Natural Resources certifies to the Revisor of Statutes that the United States Environmental Protection Agency has approved the amendment to the North Carolina State Implementation Plan based on the change to the emissions inspection program provided in section 1 of this act.

b. The Commissioner of Motor Vehicles certifies to the Revisor of Statutes that the Motor Vehicle Inspection and Law Enforcement System (MILES) has been replaced.

This remainder of this act is effective when it becomes law.