

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 1204

Short Title: New Civil Penalties for Emissions Violations. (Public)

Sponsors: Senators Nesbitt; Atwater, Bingham, Boseman, Clodfelter, Goss, Graham, Hartsell, Hoyle, Kerr, Queen, Snow, Soles, Stevens, and Tillman.

Referred to: Judiciary I (Civil).

March 26, 2007

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH NEW CIVIL PENALTIES FOR EMISSIONS VIOLATIONS BASED ON THE TYPE OF VIOLATION THAT HAS OCCURRED.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-183.8A reads as rewritten:

"§ 20-183.8A. Civil penalties against motorists for emissions violations.

The Division shall assess a civil penalty against a person who owns or leases a vehicle that is subject to an emissions inspection and who does any of the following:

- (1) Fails to have the vehicle inspected within four months after it is required to be inspected under this Part. The civil penalty for a violation of this subdivision is twenty-five dollars (\$25.00).
- (2) Instructs or allows a person to tamper with an emission control device of the vehicle so as to make the device inoperative or fail to work properly. The civil penalty for a violation of this subdivision is one hundred dollars (\$100.00).
- (3) Incorrectly states the county of registration of the vehicle to avoid having an emissions inspection of the vehicle. The civil penalty for a violation of this subdivision is two hundred dollars (\$200.00).

~~The amount of penalty is one hundred dollars (\$100.00) if the vehicle is a pre 1981 vehicle and two hundred fifty dollars (\$250.00) if the vehicle is a 1981 or newer model vehicle. As provided in G.S. 20-54, the registration of a vehicle may not be renewed until a penalty imposed under this section has been paid.~~

SECTION 2. This act becomes effective July 1, 2007.