

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE DRS35347-MA-282* (03/13)

Short Title: Exempt Fire Equipment from MV Inspections. (Public)

Sponsors: Senator Berger of Rockingham.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXEMPT FIRE SUPPRESSION EQUIPMENT FROM THE
REQUIREMENTS OF THE SAFETY AND EMISSIONS INSPECTION
REQUIREMENTS OF CHAPTER 20 OF THE GENERAL STATUTES.

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.**

(a) Safety. – A motor vehicle is subject to a safety 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.

(2) It is not subject to inspection under 49 C.F.R. Part 396, the federal Motor Carrier Safety Regulations.

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

(a1) Safety Inspection Exception. – Historic vehicles, as defined in G.S. 20-79.4(b)(17), shall not be subject to a safety inspection pursuant to this Article.

Any fire truck, pump truck, tanker truck, or ladder truck used to suppress fire, or a four-wheel drive vehicle intended to be mounted with a water tank and hose and used for forest firefighting, which is owned and operated by a volunteer or governmental fire department or agency, shall not be subject to a safety inspection pursuant to this Article. This exception shall not apply to any passenger vehicles owned and operated by a volunteer or governmental fire department or agency.

(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 (1) It is subject to registration with the Division under Article 3 of this
2 Chapter, except for motor vehicles operated on a federal installation as
3 provided in sub-subdivision e. of subdivision (5) of this subsection.
- 4 (2) It is not a trailer whose gross weight is less than 4,000 pounds, a house
5 trailer, or a motorcycle.
- 6 (3) It is a 1996 or later model.
- 7 (4) Repealed by Session Laws 1999-328, s. 3.11, effective July 21, 1999.
- 8 (5) It meets any of the following descriptions:
- 9 a. It is required to be registered in an emissions county.
- 10 b. It is part of a fleet that is operated primarily in an emissions
11 county.
- 12 c. It is offered for rent in an emissions county.
- 13 d. It is a used vehicle offered for sale by a dealer in an emissions
14 county.
- 15 e. It is operated on a federal installation located in an emissions
16 county and it is not a tactical military vehicle. Vehicles operated
17 on a federal installation include those that are owned or leased
18 by employees of the installation and are used to commute to the
19 installation and those owned or operated by the federal agency
20 that conducts business at the installation.
- 21 f. It is otherwise required by 40 C.F.R. Part 51 to be subject to an
22 emissions inspection.
- 23 (6) It is not licensed at the farmer rate under G.S. 20-88(b).
- 24 (7) It is not a new motor vehicle, as defined in G.S. 20-286(10)a. and has
25 been a used motor vehicle, as defined in G.S. 20-286(10)b., for 12
26 months or more. However, a motor vehicle that has been leased or
27 rented, or offered for lease or rent, is subject to an emissions
28 inspection when it either:
- 29 a. Has been leased or rented, or offered for lease or rent, for 12
30 months or more.
- 31 b. Is sold to a consumer-purchaser.
- 32 (8) It is not a privately owned, nonfleet motor home or house car, as
33 defined in G.S. 20-4.01(27)d2., that is built on a single chassis, has a
34 gross vehicle weight of more than 10,000 pounds, and is designed
35 primarily for recreational use.
- 36 (b1) Emission Inspection Exception. – Any fire truck, pump truck, tanker truck, or
37 ladder truck used to suppress fire, or a four-wheel drive vehicle intended to be mounted
38 with a water tank and hose and used for forest firefighting, which is owned and operated
39 by a volunteer or governmental fire department or agency, shall not be subject to an
40 emissions inspection pursuant to this Article. This exception shall not apply to any
41 passenger vehicles owned and operated by a volunteer or governmental fire department
42 or agency.
- 43 (c) Definitions. – The following definitions apply in this Part:

- 1 (1) Emissions county. – A county listed in G.S. 143-215.107A(c) or
2 designated by the Environmental Management Commission pursuant
3 to G.S. 143-215.107A(d) and certified to the Commissioner of Motor
4 Vehicles as a county in which the implementation of a motor vehicle
5 emissions inspection program will improve ambient air quality.
6 (2) Federal installation. – An installation that is owned by, leased to, or
7 otherwise regularly used as the place of business of a federal agency."
8 **SECTION 2.** This act is effective when it becomes law.