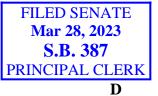
**GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2023** 



## S

## SENATE BILL DRS35135-NE-20

Short Title:	Revise Motor Vehicle Emissions Laws.	(Public)
Sponsors:	Senators Marcus, Garrett, and Mayfield (Primary Sponsors).	
Referred to:		

1	A BILL TO BE ENTITLED
2	AN ACT PROHIBITING MODIFICATIONS ENABLING ILLEGAL EMISSIONS ON
3	DIESEL-POWERED MOTOR VEHICLES, DEFINING AND CRIMINALIZING "COAL
4	ROLLING," AND REQUIRING LAW ENFORCEMENT OFFICERS TO UNDERGO
5	TRAINING TO DEVELOP THE ABILITY TO PROPERLY IDENTIFY ILLEGAL
6	MOTOR VEHICLE EMISSIONS.
7	The General Assembly of North Carolina enacts:
8	<b>SECTION 1.(a)</b> G.S. 20-128 reads as rewritten:
9	"§ 20-128. Exhaust system and emissions control devices.
10	
11	(e) No person shall modify a diesel-powered motor vehicle with a device that temporarily
12	or permanently enables (i) the vehicle to emit visible air contaminants exceeding the limits of
13	G.S. 20-128.1 or (ii) coal rolling, as defined in G.S. 20-128.1A."
14	<b>SECTION 1.(b)</b> G.S. 20-183.3 reads as rewritten:
15	"§ 20-183.3. Scope of safety inspection and emissions inspection.
16	(a) Safety. – A safety inspection of a motor vehicle consists of an inspection of the
17	following equipment to determine if the vehicle has the equipment required by Part 9 of Article
18	3 of this Chapter and if the equipment is in a safe operating condition:
19	
20	(9) Exhaust system and emissions control devices, as required by G.S. 20-128.
21	For diesel-powered motor vehicles, this inspection shall include a
22	determination that the vehicle has not been modified in violation of
23	G.S. 20-128(e). For a vehicle that is subject to an emissions inspection in
24	addition to a safety inspection, a visual inspection of the vehicle's emissions
25	control devices is included in the emissions inspection rather than the safety
26	inspection.
27	"
28	<b>SECTION 1.(c)</b> This section becomes effective October 1, 2023, and applies to
29	vehicles inspected or due to be inspected on or after that date.
30	<b>SECTION 2.(a)</b> Article 3 of Chapter 20 of the General Statutes is amended by adding
31	a new section to read:
32	" <u>§ 20-128.1A. Coal rolling.</u>
33	(a) For purposes of this section, "coal rolling" means operating a diesel-powered motor
34	vehicle in a manner that causes an emission of visible air contaminants with the intent to do any
35	of the following:
36	(1) Cause a reasonable person to feel harassed, annoyed, or alarmed.



General Assem	bly Of North Carolina Sessi	on 2023
<u>(2)</u>	Obstruct or obscure any person's view of the roadway, other users	s of the
	roadway, or a traffic control device.	
(3)	Create a hazard to a motor vehicle operator, bicyclist, or pedestrian.	
	ss the conduct is covered under some other provision of law providing	greater
	person who commits coal rolling is guilty of a Class A1 misdemeanor.	
	<b>TION 2.(b)</b> This section becomes effective December 1, 2023, and an	
	tted on or after that date.	· <b>r</b>
	<b>TION 3.(a)</b> G.S. 17C-6 reads as rewritten:	
	ers of Commission.	
-	dition to powers conferred upon the Commission elsewhere in this Art	icle the
	all have the following powers, which shall be enforceable through its ru	
	ification procedures, or the provisions of G.S. 17C-10:	uies uiie
regulations, certi	incution procedures, of the provisions of 0.5. The To.	
(14)	Establish minimum standards for in-service training for criminal	instice
(11)	officers. In-service training standards for sworn law enforcement office	0
	include all of the following training topics:	cis silai
	mende an of the following training topics.	
	<u>j.</u> <u>Training to develop the ability to properly identify violat</u>	tions of
	G.S. 20-128.1 and G.S. 20-128.1A. The standards establishe	
	this subdivision shall require eight hours of training each year	
	uns subdivision shan require eight nouis of training each year	<u>•</u>
 SFC'	<b>TION 3.(b)</b> G.S. 17E-4 reads as rewritten:	
	ers and duties of the Commission.	
0	Commission shall have the following powers, duties, and responsibilities	which
	through its rules and regulations, certification procedures, or the provis	
G.S. 17E-8 and		510115 01
0.5. 17L-0 and 0	3.5. 17 <u>E</u> -7.	
(11)	Establish minimum standards for in-service training for justice of	officers
(11)	In-service training standards for sworn law enforcement officers shall	
	all of the following training topics:	meruud
	j. <u>Training to develop the ability to properly identify violat</u>	tions of
	j. <u>Training to develop the ability to properly identify violat</u> G.S. 20-128.1 and G.S. 20-128.1A. The standards establishe	
	this subdivision shall require eight hours of training each year	
"	uns subdivision shan require eight hours of training each year	<u>.</u>
••••	TION 3 (a) This spation becomes offective January 1, 2024 and an	mling to
	<b>TION 3.(c)</b> This section becomes effective January 1, 2024, and ap	pries to
	law enforcement certification filed on or after that date.	
	<b>TION 4.</b> Except as otherwise provided, this act is effective when it b	becomes
law.		