

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

**SESSION LAW 2002-75  
HOUSE BILL 1308**

AN ACT TO CONFIRM THE DATE ON WHICH STATE REQUIREMENTS GOVERNING THE CONCENTRATION OF SULFUR IN GASOLINE BECOMES EFFECTIVE AND TO PROVIDE THAT GASOLINE THAT MEETS FEDERAL REQUIREMENTS GOVERNING THE CONCENTRATION OF SULFUR IN GASOLINE SHALL BE DEEMED TO COMPLY WITH STATE REQUIREMENTS GOVERNING THE CONCENTRATION OF SULFUR IN GASOLINE DURING THE TWO-YEAR PERIOD ALLOWED FOR THE TRANSITION TO LOW-SULFUR GASOLINE BY FEDERAL REGULATIONS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Section 2.2 of S.L. 1999-328 reads as rewritten:

~~"Section 2.2. Section 2.1 of this act becomes effective as provided in this section. No later than 1 July 2000, the Governor shall determine whether the United States Environmental Protection Agency has adopted, pursuant to the Notice of Proposed Rulemaking published on 13 May 1999 in the Federal Register, Volume 64, Number 92, Page 26003 et seq., regulations applicable to gasoline manufactured, sold, and offered for sale in this State that limit the sulfur content of gasoline to a concentration equal to or less than the concentration set out in Section 2.1 of this act. If the Governor so determines, the Governor shall issue an Executive Order setting out the date on which Section 2.1 of this act becomes effective, which shall be the date on which the federal regulation becomes effective in this State. Otherwise, Section 2.1 of this act becomes effective 1 January 2004. If the United States Environmental Protection Agency promulgates a regulation that imposes a limit on the concentration of sulfur in gasoline other than that set out in G.S. 119-26.2, as enacted by Section 2.1 of this act, it is the intention of the General Assembly to review the limit established in G.S. 119-26.2. In that event, the Environmental Review Commission shall review the limit on the concentration of sulfur in gasoline and report its findings and recommendations, if any, to the General Assembly."~~

**SECTION 2.** Gasoline that meets the requirements of Tier 2 Motor Vehicle Emissions Standards and Gasoline Sulfur Control Requirements as set out in 65 Federal Register No. 28 (10 February 2000) pages 6698 through 6870, as codified in 40 Code of Federal Regulations Parts 80, 85, and 96 (1 July 2001 Edition), shall be deemed to comply with the requirements of G.S. 119-26.2.

**SECTION 3.** This act is effective when it becomes law. Section 2 of this act expires 1 January 2006.

In the General Assembly read three times and ratified this the 8<sup>th</sup> day of August, 2002.

s/ Beverly E. Perdue  
President of the Senate

s/ Joe Hackney  
Speaker Pro Tempore of the House of Representatives

s/ Michael F. Easley  
Governor

Approved 7:23 p.m. this 15<sup>th</sup> day of August, 2002