

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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SENATE DRS75162-MA-103 (2/6)

Short Title: Emission Inspection/Military Exception. (Public)

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Sponsors: Senator Brown.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO PROVIDE AN EXEMPTION TO THE CURRENT EMISSIONS AND SAFETY INSPECTION REQUIREMENTS FOR VEHICLES REGISTERED TO MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY AND DEPLOYED OR ON ACTIVE DUTY, REMAIN CITIZENS OF THE STATE, AND ARE STATIONED AT A DUTY STATION OUTSIDE THE STATE.

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.**

(a) 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.
- (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.
- (3) Incorrectly states the county of registration of the vehicle to avoid having an emissions inspection of the vehicle.

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.

(b) This section shall not apply to active duty military personnel who are deployed for any reason outside of the United States or stationed at a duty station outside of this State at the time the inspection sticker expired and the civil penalty is assessed. If the Division receives proof the exemption is met, the civil fine shall be rescinded.

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**SECTION 2.** This act is effective when it becomes law.