

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

H

D

HOUSE DRH70454-MA-299 (3/29)

Short Title: Reduce Emissions Inspection Civil Fines. (Public)

Sponsors: Representatives Clary and Moore (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE A SLIDING SCALE FOR CIVIL FINES TO BE ASSESSED FOR FAILING TO HAVE A MOTOR VEHICLE INSPECTED WITHIN THE REQUIRED TIME LIMIT.

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.
- (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.~~ The amount of the civil penalty to be assessed for a violation of this section is sixty dollars (\$60.00). If the vehicle is inspected within 30 days of the assessment of the civil penalty under this section and the registered owner or the registered owner's agent provides the Division with a copy of the inspection certificate, the civil penalty shall be reduced to thirty dollars (\$30.00). 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 December 1, 2007, and applies to offenses committed on or after that date.