

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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SENATE BILL 1497*

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

Sponsors: Senator Berger of Rockingham.

Referred to: Commerce, Small Business and Entrepreneurship.

March 27, 2007

1 A BILL TO BE ENTITLED
2 AN ACT TO EXEMPT FIRE SUPPRESSION EQUIPMENT FROM THE
3 REQUIREMENTS OF THE SAFETY AND EMISSIONS INSPECTION
4 REQUIREMENTS OF CHAPTER 20 OF THE GENERAL STATUTES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 20-183.2 reads as rewritten:

7 "**§ 20-183.2. Description of vehicles subject to safety or emissions inspection;**
8 **definitions.**

9 (a) Safety. – A motor vehicle is subject to a safety inspection in accordance with
10 this Part if it meets all of the following requirements:

11 (1) It is subject to registration with the Division under Article 3 of this
12 Chapter.

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

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

17 (a1) Safety Inspection Exception. – Historic vehicles, as defined in
18 G.S. 20-79.4(b)(17), shall not be subject to a safety inspection pursuant to this Article.
19 Any fire truck, pump truck, tanker truck, or ladder truck used to suppress fire, or a
20 four-wheel drive vehicle intended to be mounted with a water tank and hose and used
21 for forest firefighting, which is owned and operated by a volunteer or governmental fire
22 department or agency, shall not be subject to a safety inspection pursuant to this Article.
23 This exception shall not apply to any passenger vehicles owned and operated by a
24 volunteer or governmental fire department or agency.

25 (b) Emissions. – A motor vehicle is subject to an emissions inspection in
26 accordance with this Part if it meets all of the following requirements:

27 (1) It is subject to registration with the Division under Article 3 of this
28 Chapter, except for motor vehicles operated on a federal installation as
29 provided in sub-subdivision e. of subdivision (5) of this subsection.

- 1 (2) It is not a trailer whose gross weight is less than 4,000 pounds, a house
2 trailer, or a motorcycle.
- 3 (3) It is a 1996 or later model.
- 4 (4) Repealed by Session Laws 1999-328, s. 3.11, effective July 21, 1999.
- 5 (5) It meets any of the following descriptions:
- 6 a. It is required to be registered in an emissions county.
- 7 b. It is part of a fleet that is operated primarily in an emissions
8 county.
- 9 c. It is offered for rent in an emissions county.
- 10 d. It is a used vehicle offered for sale by a dealer in an emissions
11 county.
- 12 e. It is operated on a federal installation located in an emissions
13 county and it is not a tactical military vehicle. Vehicles operated
14 on a federal installation include those that are owned or leased
15 by employees of the installation and are used to commute to the
16 installation and those owned or operated by the federal agency
17 that conducts business at the installation.
- 18 f. It is otherwise required by 40 C.F.R. Part 51 to be subject to an
19 emissions inspection.
- 20 (6) It is not licensed at the farmer rate under G.S. 20-88(b).
- 21 (7) It is not a new motor vehicle, as defined in G.S. 20-286(10)a. and has
22 been a used motor vehicle, as defined in G.S. 20-286(10)b., for 12
23 months or more. However, a motor vehicle that has been leased or
24 rented, or offered for lease or rent, is subject to an emissions
25 inspection when it either:
- 26 a. Has been leased or rented, or offered for lease or rent, for 12
27 months or more.
- 28 b. Is sold to a consumer-purchaser.
- 29 (8) It is not a privately owned, nonfleet motor home or house car, as
30 defined in G.S. 20-4.01(27)d2., that is built on a single chassis, has a
31 gross vehicle weight of more than 10,000 pounds, and is designed
32 primarily for recreational use.
- 33 (b1) Emission Inspection Exception. – Any fire truck, pump truck, tanker truck, or
34 ladder truck used to suppress fire, or a four-wheel drive vehicle intended to be mounted
35 with a water tank and hose and used for forest firefighting, which is owned and operated
36 by a volunteer or governmental fire department or agency, shall not be subject to an
37 emissions inspection pursuant to this Article. This exception shall not apply to any
38 passenger vehicles owned and operated by a volunteer or governmental fire department
39 or agency.
- 40 (c) Definitions. – The following definitions apply in this Part:
- 41 (1) Emissions county. – A county listed in G.S. 143-215.107A(c) or
42 designated by the Environmental Management Commission pursuant
43 to G.S. 143-215.107A(d) and certified to the Commissioner of Motor

- 1 Vehicles as a county in which the implementation of a motor vehicle
2 emissions inspection program will improve ambient air quality.
3 (2) Federal installation. – An installation that is owned by, leased to, or
4 otherwise regularly used as the place of business of a federal agency."
5 **SECTION 2.** This act is effective when it becomes law.