



HOUSE BILL 259:
2023 Appropriations Act, Sec. 12.7:
Reduce Emissions Inspections Requirements

2023-2024 General Assembly

Committee:		Date:	December 12, 2023
Introduced by:		Prepared by:	Kyle Evans Staff Attorney
Analysis of:	Sec. 12.7 of S.L. 2023-134		

OVERVIEW: *Section 12.7.(a) of S.L. 2023-134 modifies the age of vehicles subject to emissions inspections requirements by: (i) eliminating the requirement for vehicles older than the three most recent model years to those within 20 years of the current model year; and (ii) requiring inspections for those within 20 years of the current model year and earlier than the 2017 model year.*

Section 12.7.(b) eliminates emissions inspection requirements in 18 counties (Alamance, Buncombe, Cabarrus, Cumberland, Davidson, Durham, Forsyth, Franklin, Gaston, Guilford, Iredell, Johnston, Lincoln, New Hanover, Randolph, Rowan, Union, and Wake), and require inspections for Mecklenburg County only.

Section 12.7.(c) requires that, no later than July 1, 2024, the Department of Environmental Quality must prepare and submit to the United States Environmental Protection Agency (USEPA) for approval a proposed North Carolina State Implementation Plan amendment based on the change to the motor vehicle emissions testing program set forth in Sections 12.7.(a) and 12.7.(b).

Section 12.7.(c) became effective July 1, 2023. Sections 12.7.(a) and 12.7.(b) become effective on the first day of a month that is 60 days after the Secretary of the Department of Environmental Quality certifies to the Revisor of Statutes that USEPA has approved an amendment to the SIP submitted as required by Section 12.7.(c).

PRIOR LAW & BILL ANALYSIS:

Article 3A of Chapter 20 of the General Statutes establishes a motor vehicles emissions inspection program. The State is required by the federal Clean Air Act to have an implementation plan (State Implementation Plan (SIP)). Any change to the SIP requires approval from the United States Environmental Protection Agency (USEPA), prior to the State's implementation of changes. Pursuant to G.S. 143-215.107A, motor vehicle emissions inspections are currently performed in the following counties: Alamance, Buncombe, Cabarrus, Cumberland, Davidson, Durham, Forsyth, Franklin, Gaston, Guilford, Iredell, Johnston, Lincoln, Mecklenburg, New Hanover, Randolph, Rowan, Union, Wake, and Mecklenburg County. Under current law, a vehicle in these counties must be inspected annually if it is (i) a vehicle with a model year within 20 years of the current year and older than the three most recent model years or (ii) a vehicle with a model year within 20 years of the current year and has 70,000 miles or more on its odometer.

Section 12.7.(a) would modify¹ the age of vehicles subject to emissions inspections requirements by: (i) eliminating the requirement for vehicles older than the three most recent model years to those within 20

¹ Both Sections 12.7.(a) and 12.7.(b) only become effective if USEPA approves the amendments to the SIP, submitted by DEQ pursuant to Section 12.7.(c) of this act.

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Director



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years of the current model year; and (ii) requiring inspections for those within 20 years of the current model year and earlier than the 2017 model year.

Section 12.7.(b) would eliminate² emissions inspection requirements in 18 counties (Alamance, Buncombe, Cabarrus, Cumberland, Davidson, Durham, Forsyth, Franklin, Gaston, Guilford, Iredell, Johnston, Lincoln, New Hanover, Randolph, Rowan, Union, and Wake), and require inspections for Mecklenburg County only.

Section 12.7.(c) requires that, no later than July 1, 2024, the Department of Environmental Quality must prepare and submit to USEPA for approval a proposed SIP amendment based on the change to the motor vehicle emissions testing program set forth in Sections 12.7.(a) and 12.7.(b).

EFFECTIVE DATE: Sections 12.7.(a) and 12.7.(b) become effective on the first day of a month that is 60 days after the Secretary of the Department of Environmental Quality certifies to the Revisor of Statutes that USEPA has approved an amendment to the SIP submitted as required by Section 12.7.(c). Section 12.7.(c) became effective July 1, 2023.

Jennifer McGinnis, LAD, substantially contributed to this summary.

² See footnote 1.