

March 24, 2009

S 849. REPEAL MOTOR VEHICLE SAFETY INSPECTIONS. Filed 3/24/09. *TO REPEAL THE REQUIREMENT THAT MOTOR VEHICLES REGISTERED IN THIS STATE HAVE AN ANNUAL SAFETY INSPECTION, TO ELIMINATE THE REQUIREMENT THAT WINDOW TINTING BE INSPECTED AT AN INSPECTION STATION BY A LICENSED SAFETY INSPECTOR, TO ELIMINATE THE AFFIRMATIVE DEFENSE TO AN UNSAFE TIRES CHARGE, TO ELIMINATE THE REQUIREMENT THAT A VEHICLE BE SUBJECT TO A SAFETY INSPECTION BEFORE A CHARGE FOR TINTED WINDOWS MAY BE MADE, TO DEVELOP AND IMPLEMENT A MANAGEMENT IMPROVEMENT PLAN FOR THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM, ADMINISTERED BY THE DIVISION OF MOTOR VEHICLES, WHICH WILL INCREASE EFFICIENCY, REDUCE COSTS, AND IMPROVE CUSTOMER SERVICE, AND TO REQUIRE THE FISCAL RESEARCH DIVISION OF THE GENERAL ASSEMBLY TO CONDUCT A FISCAL REVIEW OF THE DIVISION OF MOTOR VEHICLES EMISSIONS INSPECTION PROGRAM, AS RECOMMENDED BY THE PROGRAM EVALUATION DIVISION OF THE GENERAL ASSEMBLY.*

To be summarized in tomorrow's *Daily Bulletin*.

Intro. by Albertson.

GS 20

March 25, 2009

S 849. REPEAL MOTOR VEHICLE SAFETY INSPECTIONS. Filed 3/24/09. *TO REPEAL THE REQUIREMENT THAT MOTOR VEHICLES REGISTERED IN THIS STATE HAVE AN ANNUAL SAFETY INSPECTION, TO ELIMINATE THE REQUIREMENT THAT WINDOW TINTING BE INSPECTED AT AN INSPECTION STATION BY A LICENSED SAFETY INSPECTOR, TO ELIMINATE THE AFFIRMATIVE DEFENSE TO AN UNSAFE TIRES CHARGE, TO ELIMINATE THE REQUIREMENT THAT A VEHICLE BE SUBJECT TO A SAFETY INSPECTION BEFORE A CHARGE FOR TINTED WINDOWS MAY BE MADE, TO DEVELOP AND IMPLEMENT A MANAGEMENT IMPROVEMENT PLAN FOR THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM, ADMINISTERED BY THE DIVISION OF MOTOR VEHICLES, WHICH WILL INCREASE EFFICIENCY, REDUCE COSTS, AND IMPROVE CUSTOMER SERVICE, AND TO REQUIRE THE FISCAL RESEARCH DIVISION OF THE GENERAL ASSEMBLY TO CONDUCT A FISCAL REVIEW OF THE DIVISION OF MOTOR VEHICLES EMISSIONS INSPECTION PROGRAM, AS RECOMMENDED BY THE PROGRAM EVALUATION DIVISION OF THE GENERAL ASSEMBLY.*

Amends Article 3A of GS Chapter 20 by eliminating the requirement that a motor vehicle be subject to a safety inspection. Retains the vehicle emissions inspection program. Amends GS 20-183.7 to establish fees for an emissions inspection as follows: (1) \$11 for a vehicle emissions inspection (was, \$23.50 for emissions and safety) and (2) \$5.40 for the issuance of an electronic inspection authorization (was, \$6.50 for emissions and safety). Deletes that the fee for an inspection sticker does not apply to a replacement inspection sticker for use on a windshield replaced by a business registered with the Division of Motor Vehicles. Clarifies that a *certified* (was, safety inspection) mechanic is required to inspect after-factory tinted windows. Amends GS 20-183F by removing that the registration of a person in the business of replacing windshields is subject to suspension or revocation by the Division for violations by an inspector under this Part. Further amends GS 20-183.7 to provide that the clear proceeds of all civil penalties, civil forfeitures, and civil fines collected by the Division pursuant to this statute are to be remitted to the Civil Penalty and Forfeiture Fund (was, civil penalties collected are to be credited to the Highway Fund as nontax revenue). Eliminates the fee distributions, resulting from the collection of electronic authorizations for emissions and safety inspections combined, to the Highway Fund, the Volunteer Rescue/EMS Fund, and the Rescue Squad Worker's Relief Fund. Effective October 1, 2009.

Amends GS 20-87 to add an additional \$1 passenger vehicle registration fee to be distributed as follows: (1) 78¢ to the Highway Fund, (2) 13¢ to the Volunteer Rescue/EMS Fund, and (3) 9¢ to the Rescue Squad Workers' Relief Fund. Amends GS 20-88 to add an additional \$1 property hauling vehicle registration fee to be distributed as follows: (1) 78¢ to the Highway Fund,

(2) 13¢ to the Volunteer Rescue/EMS Fund, and (3) 9¢ to the Rescue Squad Workers' Relief Fund. Effective October 1, 2009.

Amends GS 20-122.1 to eliminate the following possible defenses to a charge of operating a motor vehicle with unsafe tires: (1) that a person obtained a certificate from an official safety inspection equipment station within 15 days after the arrest, (2) that the tires had been made to conform to the requirements of the statute, or (3) that the vehicle had been sold, destroyed, or permanently removed from the highways.

Requires that the Division, with the assistance of the Department of Environment and Natural Resources, Division of Air Quality, develop and implement a management improvement plan for the Motor Vehicle Emission Inspection program to increase efficiency, reduce costs, and improve customer service. Specifies information to be included in the plan, including that it meets both federal and state reporting requirements. Requires the Division to present the plan to the Joint Legislative Transportation Oversight Committee and the Joint Environment and Natural Resources Oversight Committee by December 31, 2009. The Division must also report annually to the Joint Legislative Transportation Oversight Committee by January 15 of each year on the prior fiscal year and include recommendations on legislation to improve the program.

Requires the Fiscal Research Division to conduct a fiscal review of the Motor Vehicle Emissions Inspection program. Specifies factors to be reviewed. Requires the Fiscal Research Division to report to the Joint Legislative Transportation Oversight Committee, the Joint Environment and Natural Resources Oversight Committee, the Joint Program Evaluation Oversight Committee, and the Program Evaluation Division by May 1, 2010.

Makes a conforming change to GS 20-127(d) (window tinting violations).

Effective when the act becomes law unless otherwise noted.

Intro. by Albertson.

GS 20