

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL DRS35128-NEF-45B

Short Title: Safety and Emission Inspection Modifications. (Public)

Sponsors: Senators Jarvis and Ford (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE VARIOUS CHANGES TO THE SAFETY AND EMISSION
3 INSPECTION LAWS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1.(a) G.S. 20-183.4C reads as rewritten:

6 "§ 20-183.4C. When a vehicle must be inspected; inspected for safety; 10-day temporary
7 license plate.

8 (a) Inspection. – A vehicle that is subject to a safety inspection, ~~an emissions inspection,~~
9 ~~or both inspection~~ must be inspected as follows:

10 (1) ~~Except as otherwise provided in this subdivision, a new vehicle must be~~
11 ~~inspected before it is delivered to a purchaser at retail in this State. Upon~~
12 ~~purchase, a receipt approved by the Division must be provided to the new~~
13 ~~owner certifying compliance. An inspection is not required if the vehicle was~~
14 ~~previously inspected by an affiliated dealership, or between dealerships~~
15 ~~having common or interrelated ownership, and the inspection occurred either~~
16 ~~within 180 days from the date of sale or within 300 miles from the mileage~~
17 ~~recorded at the date of sale.~~

18 (1a) ~~A new motor vehicle dealer who is also licensed pursuant to this Article may,~~
19 ~~notwithstanding subdivision (1) of this section, examine the safety and~~
20 ~~emissions control devices on a new motor vehicle and perform such services~~
21 ~~necessary to ensure the motor vehicle conforms to the required specifications~~
22 ~~established by the manufacturer and contained in its predelivery check list.~~
23 ~~The completion of the predelivery inspection procedure required or~~
24 ~~recommended by the manufacturer on a new motor vehicle shall constitute the~~
25 ~~inspection required by subdivision (1) of this section. For the purposes of this~~
26 ~~subdivision, the date of inspection shall be deemed to be the date of the sale~~
27 ~~of the motor vehicle to a purchaser.~~

28 (1b) Motor vehicles that are at least three years older than the current model year
29 shall be inspected every other year.

30 (1c) Motor vehicles that are at least 10 years older than the current model year shall
31 be inspected during 2024 and then every other year.

32 (2) Except as otherwise provided in this subdivision, a used vehicle must be
33 inspected before it is offered for sale at retail in this State by a ~~dealer.~~ dealer
34 unless the vehicle is less than three years old. Upon purchase, a receipt
35 approved by the Division must be provided to the new owner certifying
36 compliance. An inspection is not required if the vehicle was previously



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1 inspected by an affiliated dealership, or between dealerships having common
 2 or interrelated ownership, and the inspection occurred either within 180 days
 3 from the date of sale or within 300 miles from the mileage recorded at the date
 4 of sale. This subdivision does not apply to a used vehicle offered for sale in
 5 this State by an auctioneer pursuant to the judgment or order of any court, on
 6 behalf of receivers, trustees, administrators, executors, guardians,
 7 governmental entities, or other persons, appointed by or acting under a
 8 judgment or order of any court.

9 ...

10 (4) Except as authorized by the Commissioner for a single period of time not to
 11 exceed 12 months from the initial date of registration, a new or used vehicle
 12 acquired by a resident of this State from outside the State must be inspected
 13 before the vehicle is registered with the ~~Division~~Division, unless the vehicle
 14 is less than three years old.

15 (5) Except as authorized by the Commissioner for a single period of time not to
 16 exceed 12 months from the initial date of registration, a vehicle owned by a
 17 new resident of this State who transfers the registration of the vehicle from the
 18 resident's former home state to this State must be inspected before the vehicle
 19 is registered with the ~~Division~~Division, unless the vehicle is less than three
 20 years old.

21 ...

22 (8) A ~~new or used~~ vehicle acquired from a retailer or a private sale in this State
 23 and registered with the Division with a new registration or a transferred
 24 registration must be inspected in accordance with this Part when the current
 25 registration expires unless it has received a passing inspection within the
 26 previous 12 ~~months~~months, unless the vehicle is less than three years old.

27 ...

28 (10) An unregistered vehicle may be registered with the Division in accordance
 29 with G.S. 20-50(b) for a period not to exceed 10 days prior to the vehicle
 30 receiving a passing inspection when an inspection is required in accordance
 31 with this Part.

32"

33 **SECTION 1.(b)** Article 3A of Chapter 20 of the General Statutes is amended by
 34 adding a new section to read:

35 "**§ 20-183.4E. When a vehicle must be inspected for emissions.**

36 (a) Inspection. – A vehicle that is subject to an emissions inspection pursuant to
 37 G.S. 20-183.2 must be inspected within 180 days of vehicle registration and once each year.

38 (b) Exemption. – The Division may issue a temporary exemption from the inspection
 39 requirements of this Article for any vehicle that has been determined by the Division to be
 40 principally garaged, as that term is defined in G.S. 58-37-1, in this State and is primarily operated
 41 outside a county subject to emissions inspection requirements or outside of this State."

42 **SECTION 1.(c)** This section becomes effective July 1, 2024.

43 **SECTION 2.(a)** G.S. 20-183.2(b) reads as rewritten:

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

46 ...

47 (3) ~~It is (i) a vehicle with a model year within 20 years of the current year and~~
 48 ~~older than the three most recent model years or (ii) a vehicle with a model year~~
 49 ~~within 20 years of the current year and has 70,000 miles or more on its~~
 50 ~~odometer.~~

(3a) It is a vehicle with a model year within 20 years of the current year and earlier than the 2017 model year.

...."

SECTION 2.(b) G.S. 143-215.107A(c) reads as rewritten:

"(c) Counties Covered. – Motor vehicle emissions inspections shall be performed in the following counties: ~~Alamance, Buncombe, Cabarrus, Cumberland, Davidson, Durham, Forsyth, Franklin, Gaston, Guilford, Iredell, Johnston, Lincoln, Mecklenburg, New Hanover, Randolph, Rowan, Union, and Wake.~~ Mecklenburg County."

SECTION 3. No later than December 31, 2023, the Department of Environmental Quality shall prepare and submit to the United States Environmental Protection Agency for approval by that agency a proposed North Carolina State Implementation Plan amendment based on the change to the motor vehicle emissions testing program provided in this act.

SECTION 4. Section 2 of this act becomes effective on the later of the following dates and applies to motor vehicles inspected, or due to be inspected, on or after that effective date:

(1) July 1, 2024.

(2) 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 the United States Environmental Protection Agency has approved an amendment to the North Carolina State Implementation Plan submitted as required by Section 3 of this act. The Secretary shall provide this notice along with the effective date of this act on its website and by written or electronic notice to emissions inspection mechanic license holders, emissions inspection station licensees, and self-inspector licensees in the county where motor vehicle emissions inspection requirements are removed by this act.

SECTION 5. Except as otherwise provided, this act is effective when it becomes law.