SENATE BILL 341:
Safety and Emission Inspection Modifications.

2023-2024 General Assembly

Committee:	Senate Agriculture, Energy, and Environment. If favorable, re-refer to Finance. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	April 4, 2023
Introduced by:	Sens. Jarvis, Ford	**Prepared by:**	Jennifer McGinnis Committee Counsel
Analysis of:	First Edition		

SUMMARY: Senate Bill 341 would:

- ***Eliminate inspection requirements for new vehicles.***
- ***Reduce the required frequency for vehicle safety inspections from annual to every other year.***
- ***Modify the date by which vehicles subject to emissions inspection requirements must be inspected.***
- ***Modify the age of vehicles subject to emissions inspections requirements.***
- ***Eliminate vehicle emission inspection requirements in all counties except Mecklenburg.***

CURRENT LAW: Article 3A of Chapter 20 of the General Statutes provides for an annual safety inspection of vehicles registered in this State. A safety inspection of a motor vehicle is performed to determine whether a vehicle has the following equipment, and whether it is in a safe operating condition: brakes, lights, horn, steering mechanism, windows and windshield wipers, directional signals, tires, mirrors, and exhaust system and emissions control devices.

Article 3A of Chapter 20 of the General Statutes also 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.

Under current law, both safety and emissions inspections are generally required to be performed 90 days prior to midnight of the last day of the month as designated by the vehicle registration sticker.

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

Section 12(b) of Session Law 2017-211 directed the Department of Transportation and the Department of Environmental Quality to jointly study whether the frequency of vehicle safety inspections and vehicle emissions inspections should be decreased. The report, issued March 1, is available here.

BILL ANALYSIS:

Section 1(a) of the bill would:

- Eliminate the requirement that new vehicles must be given a safety inspection prior to delivery to a purchaser, and eliminate the requirement for such an inspection prior to sale for cars less than 3 years old.
- Eliminate annual requirements for safety inspections. Vehicles at least 3 years older than the current model year would require a safety inspection every other year. Vehicles at last 10 years older than the current model year would require a safety inspection in 2024, and thereafter an inspection every other year.

Section 1(b) of the bill would provide that for vehicles subject to emissions inspections requirements, inspections must occur annually and within 180 days of registration. This section of the bill would become effective July 1, 2024.

Section 2(a) of the bill would modify 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 2(b) of the bill would eliminate 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 3 of the bill would require that, no later than December 31, 2023, 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 (SIP) amendment based on the change to the motor vehicle emissions testing program set forth in Section 2 of the bill (modification to age of vehicles subject to, and removal of counties from, emissions inspections requirements).

EFFECTIVE DATE:

Section 2 of the bill would become effective on the later of the following dates and apply 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 USEPA has approved an amendment to the SIP submitted as required by Section 3 of the bill.

Except as otherwise provided, the bill would be effective when it becomes law.