

## **BILL ANALYSIS**

C.S.S.B. 892  
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Environmental Regulation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Concerns have been raised regarding the practice of coal rolling, whereby a diesel-powered vehicle is made to emit thick, black smoke through the alteration of certain vehicle components, and the negative health and environmental effects of that practice. C.S.S.B. 892 seeks to address these concerns by prohibiting the owners and operators of certain diesel-powered vehicles that are equipped with an exhaust emission system from modifying or reprogramming the system or related part in a certain manner.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.S.B. 892 amends the Transportation Code to prohibit the owner or operator of a motor vehicle or motor vehicle engine of a model year after 1967 that is equipped with an exhaust emission system, if the motor vehicle is a diesel-powered passenger car or light truck, from modifying or reprogramming the system or a part of the system in a manner that the owner or operator knows or should know will increase the motor vehicle's capacity to emit soot, smoke, or other particulate matter. The bill requires a court to take the following actions:

- dismiss a charge for a first offense under such prohibition if the defendant:
  - after the date of the citation and before the defendant's first court appearance date, obtains all applicable inspections required to be conducted annually for the vehicle; and
  - submits to the court a passing vehicle inspection report from those inspections for the vehicle; and
- assess an administrative fee capped at \$20 when the charge has been remedied as such.

### **EFFECTIVE DATE**

September 1, 2019.

### **COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE**

While C.S.S.B. 892 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute does not include a provision expanding the types of vehicles to which the vehicle emissions inspection and maintenance program applies by including any diesel-powered passenger car or light truck that meets applicable qualifications.

The substitute includes provisions requiring a court to dismiss a charge for a first offense under the bill's prohibition under certain conditions and to assess an administrative fee capped at \$20 when the charge has been applicably remedied.