86R31939 JXC-D

By:  Menéndez S.B. No. 892

(Israel)

Substitute the following for S.B. No. 892:

By:  Thompson of Brazoria C.S.S.B. No. 892

A BILL TO BE ENTITLED

AN ACT

relating to the exhaust emission systems of certain diesel-powered motor vehicles.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 547.605, Transportation Code, is amended by amending Subsection (c) and adding Subsection (f) to read as follows:

(c)  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:

(1)  shall maintain the system in good working condition;

(2)  shall use the system when the motor vehicle or motor vehicle engine is operated; [~~and~~]

(3)  may not remove the system or a part of the system or intentionally make the system inoperable in this state, unless the owner or operator removes the system or part to install another system or part intended to be equally effective in reducing atmospheric emissions; and

(4)  if the motor vehicle is a diesel-powered passenger car or light truck, may not modify or reprogram 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.

(f)  A court shall:

(1)  dismiss a charge for a first offense under Subsection (c)(4) if the defendant:

(A)  after the date of the citation and before the defendant's first court appearance date, obtains all inspections required to be conducted annually for the vehicle under Chapter 548; and

(B)  submits to the court a passing vehicle inspection report from those inspections for the vehicle; and

(2)  assess an administrative fee not to exceed $20 when the charge has been remedied under Subdivision (1).

SECTION 2.  This Act takes effect September 1, 2019.