

By: Menéndez  
(Israel)

S.B. No. 892

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

1  
2 relating to the exhaust emission systems of certain diesel-powered  
3 motor vehicles.

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

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

8 (c) The owner or operator of a motor vehicle or motor  
9 vehicle engine, of a model year after 1967, that is equipped with an  
10 exhaust emission system:

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

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

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

20 (4) if the motor vehicle is a diesel-powered passenger  
21 car or light truck, may not modify or reprogram the system or a part  
22 of the system in a manner that the owner or operator knows or should  
23 know will increase the motor vehicle's capacity to emit soot,  
24 smoke, or other particulate matter.

1       (f) A court shall:

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

4                       (A) after the date of the citation and before the  
5 defendant's first court appearance date, obtains all inspections  
6 required to be conducted annually for the vehicle under Chapter  
7 548; and

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

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

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