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H.48

Introduced by Representatives Graning of Jericho and Arsenault of Williston
Referred to Committee on
Date:
Subject: Motor vehicles; exhaust; exhaust system modification; emissions
Statement of purpose of bill as introduced: This bill proposes to prohibit the
installation of equipment in a motor vehicle that enhances the vehicle's ability
to emit soot or smoke and to prohibit certain motor vehicles from emitting
excessive soot or smoke.

An act relating to prohibiting the emission of excessive soot or smoke from
certain motor vehicles

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 10 V.S.A. § 567 is amended to read:

§ 567. MOTOR VEHICLE POLLUTION

* * *

(b)(1) Except as permitted or authorized by law, no person shall fail to
maintain in good working order or remove, dismantle, or otherwise cause to be
inoperative any equipment or feature constituting an operational element of the
air pollution control system or mechanism of a motor vehicle and required by
rules pursuant to this chapter to be maintained in or on the vehicle. Any failure

1 to maintain in good working order or removal, dismantling, or causing of
2 inoperability shall subject the owner or operator to suspension or cancellation
3 of the registration for the vehicle by the Department of Motor Vehicles. The
4 vehicle shall not thereafter be eligible for registration until all parts and
5 equipment constituting operational elements of the motor vehicle have been
6 restored, replaced, or repaired and are in good working order.

7 (2) No person shall retrofit a motor vehicle with any device or other
8 equipment that enhances the vehicle's ability to emit soot, smoke, or
9 particulates. A person who violates this subdivision shall, in addition to the
10 penalty set forth in subdivision (1) of this subsection, be subject to a civil
11 penalty of not more than \$500.00 for a first offense, and not less than \$500.00
12 nor more than \$1,000.00 for a second or subsequent offense.

13 * * *

14 Sec. 2. 23 V.S.A. § 1221 is amended to read:

15 § 1221. CONDITION OF VEHICLE; EXCESSIVE EXHAUST EMISSIONS

16 (a) A motor vehicle, operated on any highway, shall be in good mechanical
17 condition and shall be properly equipped.

18 (b)(1) An individual shall not:

19 (A) operate a motor vehicle that:

20 (i) has any device or equipment installed that enhances the
21 vehicle's ability to emit soot, smoke, or particulates; or

1 (ii) has an exhaust system that has been modified to increase the
2 amount of soot, smoke, or particulates emitted by the vehicle; or

3 (B) purposefully release from, or cause to be released from, a motor
4 vehicle visible quantities of soot, smoke, or particulates into the air or onto the
5 roadway, other vehicles, or persons.

6 (2) A person who violates this subsection shall be subject to a civil
7 penalty of not more than \$500.00 for a first offense, and not less than \$500.00
8 nor more than \$1,000.00 for a second or subsequent offense.

9 Sec. 3. EFFECTIVE DATE

10 This act shall take effect on July 1, 2025.