WEST virginia legislature

2022 regular session

**FISCAL NOTE**

Introduced

House Bill 4443

By Delegate Hornbuckle

[Introduced January 31, 2022; Referred to   
the Committee on Technology and Infrastructure then the Judiciary]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17C-15-51, relating to prohibiting certain devices which enhance a diesel-powered vehicle’s capacity to emit soot, smoke, or other particulate emissions; and creating misdemeanor offense with penalty.

Be it enacted by the Legislature of West Virginia:

ARTICLE 15. EQUIPMENT.

§17C-15-51. Installing equipment on diesel powered vehicle that enhances capacity to emit particulate emissions is a misdemeanor; penalty.

A person who knowingly installs or retrofits, reinstalls any diesel-powered vehicle with any device, smoke stack, or other equipment which enhances the vehicle’s capacity to emit soot, smoke, or other particulate emissions, or shall purposely release significant quantities of soot, smoke, or other particulate emissions into the air and onto roadways and other vehicles while operating the vehicle is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than $500 nor more than $2,000, or confined in jail not more than one year, or both fined and confined.

NOTE: The purpose of this bill is to prohibit certain devices which enhance a vehicle’s capacity to emit soot, smoke, or other particulate emissions and creating misdemeanor offense with penalty for violations.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.