

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2356

By Delegate Hornbuckle

[Introduced January 11, 2023; Referred to the
Committee on Technology and Infrastructure then the
Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §17C-15-51, relating to prohibiting certain devices which enhance a diesel-
 3 powered vehicle’s capacity to emit soot, smoke, or other particulate emissions; and
 4 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.

1 A person who knowingly installs or retrofits, reinstalls any diesel-powered vehicle with any
 2 device, smoke stack, or other equipment which enhances the vehicle’s capacity to emit soot,
 3 smoke, or other particulate emissions, or shall purposely release significant quantities of soot,
 4 smoke, or other particulate emissions into the air and onto roadways and other vehicles while
 5 operating the vehicle is guilty of a misdemeanor and, upon conviction thereof, shall be fined not
 6 less than \$500 nor more than \$2,000, or confined in jail not more than one year, or both fined and
 7 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.