WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 436

By Senator Woodrum

[Introduced January 12, 2024; referred
to the Committee on Transportation and Infrastructure]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §22-5-15a, relating to the prohibition of certain additives in diesel fuel; defining terms; providing for penalties; and providing for enforcement.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. AIR POLLUTION CONTROL.

§22-5-15a. Prohibition of certain additives in diesel fuel; penalties.

(a) Definitions. For the purposes of this section:

"Additive" means any substance added to diesel fuel that alters the characteristics of the fuel.

"Smoke" means visible emissions from a diesel engine caused by the presence of particulate matter.

(b) Prohibition. No person shall manufacture, sell, offer for sale, or use any additive in diesel fuel that is intended to produce visible smoke emissions.

(c) Penalties. Any person who violates any provision of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than $1,000 for each violation.

(d) Enforcement. This section shall be enforced by all law enforcement officers within their respective jurisdictions.

NOTE: The purpose of this bill is to prohibition of certain additives in diesel fuel; defining terms; providing for penalties; and providing for enforcement.

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