

BILL ANALYSIS

Senate Research Center
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S.B. 892
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Transportation
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 892 is intended to address “coal rolling,” which is the practice of intentionally modifying a diesel engine to increase the amount of fuel entering the engine to increase horsepower and emit large amounts of black or grey exhaust fumes into the air. A vehicle’s emissions control system is designed to limit emissions of harmful pollutants from vehicles or engines. Section 547.605(c), Transportation Code, also prohibits tampering with the emission exhaust systems of vehicles, which includes diesel-powered vehicles.

S.B. 892 would amend the Texas Clean Air Act, as codified in Chapter 382, Health and Safety Code, adding that the inspection and maintenance program applies to any gasoline-powered or diesel-powered vehicle that is required to be registered in and is primarily operated in an affected county and at least two and less than 25 years old; or subject to test-on-resale requirements under Section 548.3011, Transportation Code.

It amends the Transportation Code, adding that the owner or operator of a motor vehicle or motor vehicle engine, of a model year after 1967, that is equipped with an exhaust emission system shall maintain the system in good working condition and shall use the system when the motor vehicle or motor vehicle engine is operated. The owner or operator may not remove the system or a part of the system or intentionally make the system inoperable in this state, unless the owner or operator removes the system or part to install another system or part intended to be equally effective in reducing atmospheric emissions. If the motor vehicle is diesel-powered, the owner or operator may not modify or reprogram the system or a part of the system in a manner that the owner or operator knows or should know will increase the motor vehicle's capacity to emit soot, smoke, or other particulate matter.

As proposed, S.B. 892 amends current law relating to the exhaust emission systems of diesel-powered motor vehicles.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 382.203(a), Health and Safety Code, to include certain diesel-powered vehicles among the vehicles to which the inspection and maintenance program applies.

SECTION 2. Amends Section 547.605(c), Transportation Code, as follows:

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

(1) makes no changes to this subdivision;

(2)–(3) makes nonsubstantive changes to these subdivisions; and

(4) is prohibited, if the motor vehicle is diesel-powered, from modifying or reprogramming the system or a part of the system in a manner that the owner or operator knows or should know will increase the motor vehicle's capacity to emit soot, smoke, or other particulate matter.

SECTION 3. Effective date: September 1, 2019.