



CHAPTER 20

ARTICLE 3A - SAFETY AND EMISSIONS INSPECTION PROGRAM

N.C.G.S. § 20-183.5.

When a vehicle that fails an emissions inspection may obtain a waiver from the inspection requirement.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2007-503, s. 7 — fourth act in the lineage	21 September 2026, 02:14 UTC	a2f967d59ff35d9e26c21302 - 65e12157e176761b24aabf3a - 1e0f4d64c40639ab

§ 20-183.5(a)

Requirements. - The Division may issue a waiver for a vehicle, excluding a vehicle owned or being held for retail sale by a motor vehicle dealer, that meets all of the following requirements:

- (1) Fails an emissions inspection because it passes the visual inspection but fails the analysis of data provided by the on-board diagnostic (OBD) equipment.
- (2) Has documented repairs costing at least the waiver amount made to the vehicle to correct the cause of the failure. The waiver amount is two hundred dollars (\$200.00).
- (3) Is reinspected and again fails the inspection because it passes the visual inspection but fails the analysis of data provided by the on-board diagnostic (OBD) equipment.
- (4) Meets any other waiver criteria required by 40 C.F.R. § 51.360, or as designated by the Division.

§ 20-183.5(b)

Procedure. - To obtain a waiver, a person must contact a local enforcement office of the Division. Before issuing a waiver, an employee of the Division must review the inspection receipts issued for the inspections of the vehicle, review the documents establishing what repairs were made to the vehicle and at what cost, review any statement denying warranty coverage of the repairs made, and do a visual inspection

of the vehicle, if appropriate, to determine if the documented repairs were made. The Division must issue a waiver if it determines that the vehicle qualifies for a waiver. A person to whom a waiver is issued must present the waiver to the self-inspector or inspection station performing the inspection to obtain an electronic inspection authorization.

§ 20-183.5(c)

Repairs. - The following repairs and their costs cannot be considered in determining whether the cost of repairs made to a vehicle equals or exceeds the waiver amount:

- (1) Repairs covered by a warranty that applies to the vehicle.
- (2) Repairs needed as a result of tampering with an emission control device of the vehicle.
- (3) Repairs made by an individual who is not professionally engaged in the business of repairing vehicles.
- (4) OBD diagnostics without corresponding repairs.

§ 20-183.5(d)

Electronic Inspection Authorization. - An electronic inspection authorization issued to a vehicle after the vehicle receives a waiver from the requirement of passing the emissions inspection expires at the same time it would if the vehicle had passed the emissions inspection.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
4 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1985 1986 2007			
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1965	c. 734, s. 1	ENACTED
02	1965	1993 (Reg. Sess., 1994), c. 754, s. 1	AMENDED
03	2000	S.L. 2000-134, ss. 16, 17	AMENDED
04	2007	S.L. 2007-503, s. 7	AMENDED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 20-183.5 (2007).

PINPOINT

N.C. Gen. Stat. § 20-183.5(a) (2007).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1965, c. 734, s. 1; 1993 (Reg. Sess., 1994), c. 754, s. 1; 2000-134, ss. 16, 17; 2007-503, s. 7.)

SET IN SPECTRAL AND ARCHIVO
NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

