

IN THE SENATE

SENATE BILL NO. 1130, As Amended

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLES; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE  
2 ADDITION OF A NEW SECTION 49-675, IDAHO CODE, TO PROHIBIT THE RELEASE OF  
3 EMISSIONS UNDER CERTAIN CONDITIONS, TO DEFINE TERMS AND TO PROVIDE FOR  
4 VIOLATIONS AND PENALTIES; AND AMENDING SECTION 49-236, IDAHO CODE, TO  
5 PROVIDE FOR VIOLATIONS AND PENALTIES.  
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Chapter 6, Title 49, Idaho Code, be, and the same is  
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
10 ignated as Section 49-675, Idaho Code, and to read as follows:

11 49-675. PROHIBITION AGAINST THE RELEASE OF EMISSIONS UNDER CERTAIN  
12 CONDITIONS -- PROHIBITION AGAINST CERTAIN MODIFICATION OF DIESEL-POWERED  
13 VEHICLES. (1) No person shall purposely cause a vehicle to release signifi-  
14 cant quantities of soot, smoke or other particulate emissions into the air  
15 and onto roadways, other vehicles, bicyclists, pedestrians or others, a  
16 practice commonly referred to as "coal rolling" or "rolling coal," while  
17 operating a moving vehicle. A violation of the provisions of this subsection  
18 is a misdemeanor.

19 (2) No person shall purposely cause a vehicle to release significant  
20 quantities of soot, smoke or other particulate emissions into the air and  
21 onto roadways, other vehicles, bicyclists, pedestrians or others, a prac-  
22 tice commonly referred to as "coal rolling" or "rolling coal," while operat-  
23 ing a vehicle stopped at a traffic control device. A violation of the provi-  
24 sions of this subsection is an infraction.

25 (3) "Coal rolling" or "rolling coal" means operating a diesel-powered  
26 vehicle in such a manner, that produces particulates in excess of particu-  
27 lates produced under normal operation of an unaltered vehicle meeting fed-  
28 eral emission requirements.

29 (4) Any person who violates any provision of this section shall be sub-  
30 ject to the penalties established pursuant to section 49-236, Idaho Code.

31 SECTION 2. That Section 49-236, Idaho Code, be, and the same is hereby  
32 amended to read as follows:

33 49-236. PENALTIES. (1) It is a misdemeanor for any person to violate  
34 any of the provisions of this title, except the provisions of chapter 3,  
35 other than sections 49-301, 49-316, 49-331 and 49-332, Idaho Code, chapter 4  
36 and chapters 6 through 9 of this title, other than section 49-675(1), Idaho  
37 Code, unless otherwise specifically provided.

38 (2) It is an infraction for any person to violate any of the provisions  
39 of chapters 3, 4 and 6 through 9 of this title, including section 49-675(2),  
40 Idaho Code, unless otherwise specifically provided.

1           (3) Any offense punishable by imprisonment in the state penitentiary is  
2 a felony.

3           (4) Punishments shall be as provided in sections 18-111, 18-112, 18-113  
4 and 18-113A, Idaho Code, unless otherwise specifically provided.

5           (5) Whenever a person is arrested for any violation of the provisions of  
6 this title declared to be a felony, he shall be dealt with in like manner as  
7 upon arrest for the commission of any other felony.

8           (6) It is an infraction punishable by a fine of seventy-five dollars  
9 (\$75.00) for any person to violate the provisions of either section 49-1229,  
10 49-1232 or 49-1428, Idaho Code.