

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]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §22-5-15a, relating to the prohibition of certain additives in diesel fuel; defining
 3 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.

- 1 (a) Definitions. For the purposes of this section:
 2 "Additive" means any substance added to diesel fuel that alters the characteristics of the
 3 fuel.
 4 "Smoke" means visible emissions from a diesel engine caused by the presence of
 5 particulate matter.
 6 (b) Prohibition. No person shall manufacture, sell, offer for sale, or use any additive in
 7 diesel fuel that is intended to produce visible smoke emissions.
 8 (c) Penalties. Any person who violates any provision of this section shall be guilty of a
 9 misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000 for each violation.
 10 (d) Enforcement. This section shall be enforced by all law enforcement officers within their
 11 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.