

HB 1421 -- DIESEL-POWERED VEHICLES

SPONSOR: Cupps

This bill specifies that no entity, including a public officer or state employee of this state or any political subdivision of this state, has the authority to enforce or attempt to enforce any federal laws, orders, or rules governing the removal of emissions control devices on any diesel-powered vehicle. Any entity or person who knowingly acts under the color of any federal or state law to enforce the emission control laws is liable to the injured party for redress. Reasonable attorney fees and costs may be awarded to the prevailing party with specified exceptions. The employer of the individual who is found liable is responsible for the civil penalty of \$100,000, attorney's fees, and court costs associated with the litigation if the individual is found to have violated this act. Qualified immunity shall not be a defense.