

Title 129 - Nebraska Air Quality Regulations

Chapter 39 - VISIBLE EMISSIONS FROM DIESEL-POWERED MOTOR VEHICLES

001 No person shall operate a diesel-powered motor vehicle on any public street or highway in such a manner that smoke discharged from the exhaust is of a shade or density equal to or darker than that designated as No. 1 on the Ringelmann Chart or an equivalent opacity of twenty percent (20%) for ten (10) consecutive seconds or longer. A suspected violator may demand that the suspected vehicle be tested by an approved smokemeter prior to a trial on the alleged violation.

002 Smokemeter tests shall be conducted (a) by or under the supervision of a person or testing facility authorized by the Director to conduct such tests, and (b) by installing an approved smokemeter on the exhaust pipe and operating the suspected vehicle in a manner similar to the manner of operation at the time of the alleged violation.

Enabling Legislation: Neb. Rev. Stat. §60-2203

Legal Citation: Title 129, Ch. 39, Nebraska Department of Environmental Quality

Chapter 39

EPA Rulemakings

CFR: 40 C.F.R. 52.1420(c)(41)
FRM: 60 FR 372 (01/04/95)
PRM: 60 FR 418 (01/04/95)
State Submission: 2/16/94
State Proposal: 9/16/93
State Final: 6/26/94
APDB File: NE-31
Description: The EPA approved the renumbering of this rule as part of the overall recodification of the Nebraska rules. The rule was previously Chapter 24.

Note: All previous versions of the rule are obsolete; the record of prior rulemakings is shown below for historical purposes.

CFR: 40 C.F.R. 52.1420(c)(37)
FRM: 54 FR 21059 (5/16/89)
PRM: None
State Submission: 6/15/88
State Proposal: 2/5/88
State Final: 6/5/88
APDB File: NE-21
Description: The EPA reapproved this rule as Chapter 24 as part of an action to update the entire set of regulations in the Nebraska SIP.

CFR: 40 C.F.R. 52.1420(c)(13)
FRM: 41 FR 25898 (6/23/76)
PRM: 41 FR 8072 (2/24/76)
State Submission: 8/5/75
State Proposal: 6/13/75
State Final: 6/17/75
APDB File: NE-00
Description: The EPA approved a new Rule 23 to restrict visible emissions from diesel-powered motor vehicles.

Difference Between the State and EPA-Approved Regulation

None.