

**First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 09-0296.01 Kate Meyer

SENATE BILL 09-003

SENATE SPONSORSHIP

Bacon,

HOUSE SPONSORSHIP

Fischer,

Senate Committees
Transportation

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE AUTOMOBILE INSPECTION AND READJUSTMENT**
102 **PROGRAM, AND, IN CONNECTION THEREWITH, EXPANDING THE**
103 **ENHANCED EMISSIONS PROGRAM TO WELD AND LARIMER**
104 **COUNTIES, MODIFYING THE GEOGRAPHICAL BOUNDARIES OF THE**
105 **PROGRAM AREA, AND ALTERING CRITERIA USED TO DETERMINE**
106 **WHICH COLLECTOR'S ITEMS ARE EXCLUDED FROM THE**
107 **EMISSIONS TESTING PROCESS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

As of January 1, 2010, moves Weld and Larimer counties from the basic emissions program of the automobile inspection and readjustment program (AIR program), established pursuant to the federal "Clean Air Act", to the enhanced emissions program of the AIR program. Modifies the geographical boundaries of those parts of Weld and Larimer counties that are excluded from the emissions program area. Expands the program area to include all previously excluded portions of Adams and Arapahoe counties. Requires the air quality control commission in the department of public health and environment to review the boundaries of the program area.

Ensures that the diesel is inspection program area remains unaltered.

Excludes a collector's item motor vehicle with a model year of 1975 or earlier from the emissions testing process. Correspondingly, changes the definition of "collector's item" from a motor vehicle that is at least 25 years old to a vehicle that is either:

- ! A model year of 1975 or earlier; or
- ! A model year of 1976 or later that is registered as a collector's item on or before September 1, 2009.

Prevents a motor vehicle with a model year of 1976 or later that is registered as a collector's item on or before September 1, 2009, from being registered as a collector's item after sale or transfer to a new owner.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 42-4-304 (2), (3) (c), (9), (18), and (20), Colorado
3 Revised Statutes, are amended to read:

4 **42-4-304. Definitions relating to automobile inspection and**
5 **readjustment program.** As used in sections 42-4-301 to 42-4-316,
6 unless the context otherwise requires:

7 (2) "Basic emissions program" means the inspection and
8 readjustment program, established pursuant to the federal act, ~~on January~~
9 ~~1, 1994,~~ in the counties of ~~El Paso, Larimer, and Weld,~~ as described in
10 SET FORTH IN PARAGRAPH (b) OF subsection (20) of this section.

11 (3) (c) Effective September 1, ~~1991~~ 2009, a certification of
12 emissions control ~~which~~ THAT has been issued for any motor vehicle
13 ~~which~~ THAT is registered as a collector's item under the provisions of

1 section 42-12-102 and ~~which~~ THAT is of model year ~~1960~~ 1976 or later
2 shall be valid until ~~such~~ THE motor vehicle is sold or transferred.

3 (9) (a) "Enhanced emissions program" means ~~effective January 1,~~
4 ~~1995,~~ the emissions inspection program established pursuant to the
5 federal requirements set forth in the federal performance standards, 40
6 CFR, part 51, subpart S, in the ~~counties of Adams, Arapahoe, Douglas,~~
7 ~~and Jefferson and the city and county of Denver,~~ as LOCATIONS set forth
8 in paragraph (c) of subsection (20) of this section.

9 (b) ~~Effective July 1, 1995, "enhanced emissions program" shall~~
10 ~~include Boulder county.~~

11 (18) "Motor vehicle", as applicable to the AIR program, includes
12 only a motor vehicle that is operated with four wheels or more on the
13 ground, self-propelled by a spark-ignited engine burning gasoline,
14 gasoline blends, gaseous fuel, blends of liquid gasoline and gaseous fuels,
15 alcohol, alcohol blends, or other similar fuels, having a personal property
16 classification of A, B, or C pursuant to section 42-3-106, and for which
17 registration in this state is required for operation on the public roads and
18 highways or which motor vehicle is owned or operated or both by a
19 nonresident who meets the requirements set forth in section 42-4-310 (1)
20 (c). "Motor vehicle" does not include kit vehicles; vehicles registered
21 pursuant to section 42-3-219, 42-3-305 (4), or 42-3-306 (4); vehicles
22 registered pursuant to section 42-12-102 that are of model year ~~1959~~ 1975
23 or earlier or that have two-stroke cycle engines manufactured prior to
24 1980; or vehicles registered as street rods pursuant to section 42-3-201.

25 (20) (a) "Program area" means the counties of Adams, Arapahoe,
26 Boulder, Douglas, El Paso, Jefferson, Larimer, and Weld, and the cities
27 and counties of Broomfield and Denver, excluding the following areas

1 and subject to paragraph (d) of this subsection (20):

2 (I) ~~That portion of Adams county which is east of Kiowa creek~~
3 ~~(Range 62 West, Townships 1, 2, and 3 South) between the~~
4 ~~Adams-Arapahoe county line and the Adams-Weld county line;~~

5 (II) ~~That portion of Arapahoe county which is east of Kiowa creek~~
6 ~~(Range 62 West, Townships 4 and 5 South) between the Arapahoe-Elbert~~
7 ~~county line and the Arapahoe-Adams county line;~~

8 (III) That portion of El Paso county ~~which~~ THAT is east of the
9 following boundary, defined on a south-to-north axis: From the El
10 Paso-Pueblo county line north (upstream) along Chico creek (Ranges 63
11 and 64 West, Township 17 South) to Hanover road, then east along
12 Hanover road (El Paso county route 422) to Peyton highway, then north
13 along Peyton highway (El Paso county route 463) to Falcon highway, then
14 west on Falcon highway (El Paso county route 405) to Peyton highway,
15 then north on Peyton highway (El Paso county route 405) to Judge Orr
16 road, then west on Judge Orr road (El Paso county route 108) to Elbert
17 road, then north on Elbert road (El Paso county route 91) to the El
18 Paso-Elbert county line;

19 (IV) That portion of Larimer county ~~which~~ THAT is west of the
20 ~~boundary defined on a north-to-south axis by Range 71 West and that~~
21 ~~portion which is north of the boundary defined on an east-to-west axis by~~
22 ~~Township 10 North~~ LONGITUDINAL LINE 105 DEGREES, 29 MINUTES, 40
23 SECONDS WEST AND NORTH OF THE LATITUDINAL LINE 40 DEGREES, 33
24 MINUTES, 17.4 SECONDS NORTH, AND THAT PORTION OF LARIMER COUNTY
25 THAT IS EAST OF THE LONGITUDINAL LINE 105 DEGREES, 29 MINUTES, 40
26 SECONDS WEST AND NORTH OF THE LATITUDINAL LINE 40 DEGREES, 42
27 MINUTES, 47.1 SECONDS NORTH;

1 (V) That portion of Weld county ~~which~~ THAT is ~~outside the~~
2 ~~corporate boundaries of Greeley, Evans, La Salle, and Garden City and,~~
3 ~~in addition, is outside the following boundary: Beginning at the point of~~
4 ~~intersection of the west boundary line of section 21, township six north,~~
5 ~~range sixty-six west and state highway 392, east along state highway 392~~
6 ~~to the point of intersection with Weld county road 37; then south along~~
7 ~~Weld county road 37 to the point of intersection with Weld county road~~
8 ~~64; then east along Weld county road 64 to the point of intersection with~~
9 ~~Weld county road 43; then south along Weld county road 43 to the point~~
10 ~~of intersection with Weld county road 62; then east along Weld county~~
11 ~~road 62 to the point of intersection with Weld county road 49; then south~~
12 ~~along Weld county road 49 to the point of intersection with the south~~
13 ~~boundary line of section 13, township five north, range sixty-five west;~~
14 ~~then west along the south boundary line of section 13, township five~~
15 ~~north, range sixty-five west, section 14, township five north, range~~
16 ~~sixty-five west, and section 15, township five north, range sixty-five west;~~
17 ~~then, from the southwest corner of section 15, township five west, range~~
18 ~~sixty-five west, south along the east boundary line of section 21, township~~
19 ~~five north, range sixty-five west, and section 28, township five north,~~
20 ~~range sixty-five west; then west along the south boundary line of section~~
21 ~~28, township five north, range sixty-five west; then south along the east~~
22 ~~boundary line of section 32, township five north, range sixty-five west,~~
23 ~~and section 5, township four north, range sixty-five west; then west along~~
24 ~~the south boundary line of section 5, township four north, range sixty-five~~
25 ~~west, section 6, township four north, range sixty-five west, and section 1,~~
26 ~~township four north, range sixty-six west; then north along the west~~
27 ~~boundary line of section 1, township four north, range sixty-six west, and~~

1 section 36, township five north, range sixty-six west; then, from the point
2 of intersection of the west boundary line of section 36, township five
3 north, range sixty-six west and Weld county road 52, west along Weld
4 county road 52 to the point of intersection with Weld county road 27; then
5 north along Weld county road 27 to the point of intersection with the
6 south boundary line of section 18, township five north, range sixty-six
7 west; then west along the south boundary line of section 18, township five
8 north, range sixty-six west, section 13, township five north, range
9 sixty-seven west, and section 14, township five north, range sixty-seven
10 west; then north along the west boundary line of section 14, township five
11 north, range sixty-seven west, section 11, township five north, range
12 sixty-seven west, and section 2, township five north, range sixty-seven
13 west; then east along the north boundary line of section 2, township five
14 north, range sixty-seven west, section 1, township five north, range
15 sixty-seven west, section 6, township five north, range sixty-six west, and
16 section 5, township five north, range sixty-six west; then, from the
17 northeast corner of section 5, township five north, range sixty-six west,
18 north along the west boundary line of section 33, township six north,
19 range sixty-six west, section 28, township six north, range sixty-six west,
20 and section 21, township six north, range sixty-six west, to the point of
21 **beginning** NORTH OF THE LATITUDINAL LINE 40 DEGREES, 42 MINUTES,
22 47.1 SECONDS NORTH.

23 (b) Effective January 1, ~~1994~~ 2010, the basic emissions program
24 area shall consist of the ~~counties~~ COUNTY of El Paso, ~~Larimer,~~ and Weld
25 as described in paragraph (a) of this subsection (20).

26 (c) (I) EFFECTIVE JANUARY 1, 2010, the enhanced emissions
27 program area shall consist of the counties of Adams, Arapahoe, Boulder,

1 Douglas, and Jefferson, LARIMER, AND WELD, and the cities and counties
2 of Broomfield and Denver as described in paragraph (a) of this subsection
3 (20) and subject to paragraph (d) of this subsection (20).

4 (II) (Deleted by amendment, L. 2003, p. 1357, § 1, effective
5 August 6, 2003.)

6 (III) Only those counties included in the basic emissions program
7 area pursuant to paragraph (b) of this subsection (20) ~~as described in~~
8 ~~paragraph (a) of this subsection (20) which~~ THAT violate national ambient
9 air quality standards for carbon monoxide or ozone as established by the
10 environmental protection agency may, on a case-by-case basis, be
11 incorporated into the enhanced emissions program by final order of the
12 commission.

13 (d) The commission shall review the boundaries of the program
14 area and may, by rule promulgated on or before December 31, ~~2004~~ 2011,
15 adjust such boundaries to exclude particularly identified regions from
16 either the basic program area, the enhanced area, or both, based on an
17 analysis of the applicable air quality science and the effects of the
18 program on the population living in such regions.

19 **SECTION 2.** 42-4-310 (1) (d) (II) (B) and (1) (d) (VIII) (A),
20 Colorado Revised Statutes, are amended to read:

21 **42-4-310. Periodic emissions control inspection required.**

22 (1) (d) (II) (B) For the basic emissions program, effective January 1,
23 1994, no emissions-related repair waiver shall be issued for any vehicle
24 ~~which~~ THAT is registered as a collector's item pursuant to the provisions
25 of section 42-12-102 and ~~which~~ THAT is of the model year ~~1960~~ 1976 or
26 later.

27 (VIII) (A) For the enhanced emissions program except as

1 provided in sub-subparagraph (B) of this subparagraph (VIII), effective
2 January 1, 1995, for businesses ~~which~~ THAT operate nineteen or fewer
3 vehicles and for private motor vehicles only of a model year 1967 or
4 earlier required to be registered in the enhanced emissions program area,
5 after any adjustments or repairs required pursuant to section 42-4-306, if
6 total expenditures of at least seventy-five dollars have been made to bring
7 the vehicle into compliance with applicable emissions standards and the
8 vehicle still does not meet ~~such~~ THE standards, a certification of emissions
9 waiver shall be issued for ~~such~~ THE vehicle. No emissions-related repair
10 waiver shall be issued for vehicles ~~which~~ THAT are registered as
11 collector's items pursuant to ~~the provisions of~~ section 42-12-102 and
12 ~~which~~ THAT are of a model year ~~1960~~ 1976 or later.

13 **SECTION 3.** 42-4-401 (8), Colorado Revised Statutes, is
14 amended to read:

15 **42-4-401. Definitions.** As used in this part 4, unless the context
16 otherwise requires:

17 (8) "Program area" means the counties ~~as set forth in section~~
18 ~~42-4-304 (20)~~: OF ADAMS, ARAPAHOE, BOULDER, DOUGLAS, EL PASO,
19 JEFFERSON, LARIMER, AND WELD, AND THE CITIES AND COUNTIES OF
20 BROOMFIELD AND DENVER, EXCLUDING THE FOLLOWING AREAS:

21 (a) THAT PORTION OF ADAMS COUNTY WHICH IS EAST OF KIOWA
22 CREEK (RANGE 62 WEST, TOWNSHIPS 1, 2, AND 3 SOUTH) BETWEEN THE
23 ADAMS-ARAPAHOE COUNTY LINE AND THE ADAMS-WELD COUNTY LINE;

24 (b) THAT PORTION OF ARAPAHOE COUNTY WHICH IS EAST OF
25 KIOWA CREEK (RANGE 62 WEST, TOWNSHIPS 4 AND 5 SOUTH) BETWEEN
26 THE ARAPAHOE-ELBERT COUNTY LINE AND THE ARAPAHOE-ADAMS
27 COUNTY LINE;

1 (c) THAT PORTION OF EL PASO COUNTY WHICH IS EAST OF THE
2 FOLLOWING BOUNDARY, DEFINED ON A SOUTH-TO-NORTH AXIS: FROM THE
3 EL PASO-PUEBLO COUNTY LINE NORTH (UPSTREAM) ALONG CHICO CREEK
4 (RANGES 63 AND 64 WEST, TOWNSHIP 17 SOUTH) TO HANOVER ROAD,
5 THEN EAST ALONG HANOVER ROAD (EL PASO COUNTY ROUTE 422) TO
6 PEYTON HIGHWAY, THEN NORTH ALONG PEYTON HIGHWAY (EL PASO
7 COUNTY ROUTE 463) TO FALCON HIGHWAY, THEN WEST ON FALCON
8 HIGHWAY (EL PASO COUNTY ROUTE 405) TO PEYTON HIGHWAY, THEN
9 NORTH ON PEYTON HIGHWAY (EL PASO COUNTY ROUTE 405) TO JUDGE
10 ORR ROAD, THEN WEST ON JUDGE ORR ROAD (EL PASO COUNTY ROUTE
11 108) TO ELBERT ROAD, THEN NORTH ON ELBERT ROAD (EL PASO COUNTY
12 ROUTE 91) TO THE EL PASO-ELBERT COUNTY LINE;

13 (d) THAT PORTION OF LARIMER COUNTY WHICH IS WEST OF THE
14 BOUNDARY DEFINED ON A NORTH-TO-SOUTH AXIS BY RANGE 71 WEST AND
15 THAT PORTION WHICH IS NORTH OF THE BOUNDARY DEFINED ON AN
16 EAST-TO-WEST AXIS BY TOWNSHIP 10 NORTH;

17 (e) THAT PORTION OF WELD COUNTY WHICH IS OUTSIDE THE
18 CORPORATE BOUNDARIES OF GREELEY, EVANS, LA SALLE, AND GARDEN
19 CITY AND, IN ADDITION, IS OUTSIDE THE FOLLOWING BOUNDARY:
20 BEGINNING AT THE POINT OF INTERSECTION OF THE WEST BOUNDARY LINE
21 OF SECTION 21, TOWNSHIP SIX NORTH, RANGE SIXTY-SIX WEST AND STATE
22 HIGHWAY 392, EAST ALONG STATE HIGHWAY 392 TO THE POINT OF
23 INTERSECTION WITH WELD COUNTY ROAD 37; THEN SOUTH ALONG WELD
24 COUNTY ROAD 37 TO THE POINT OF INTERSECTION WITH WELD COUNTY
25 ROAD 64; THEN EAST ALONG WELD COUNTY ROAD 64 TO THE POINT OF
26 INTERSECTION WITH WELD COUNTY ROAD 43; THEN SOUTH ALONG WELD
27 COUNTY ROAD 43 TO THE POINT OF INTERSECTION WITH WELD COUNTY

1 ROAD 62; THEN EAST ALONG WELD COUNTY ROAD 62 TO THE POINT OF
2 INTERSECTION WITH WELD COUNTY ROAD 49; THEN SOUTH ALONG WELD
3 COUNTY ROAD 49 TO THE POINT OF INTERSECTION WITH THE SOUTH
4 BOUNDARY LINE OF SECTION 13, TOWNSHIP FIVE NORTH, RANGE
5 SIXTY-FIVE WEST; THEN WEST ALONG THE SOUTH BOUNDARY LINE OF
6 SECTION 13, TOWNSHIP FIVE NORTH, RANGE SIXTY-FIVE WEST, SECTION 14,
7 TOWNSHIP FIVE NORTH, RANGE SIXTY-FIVE WEST, AND SECTION 15,
8 TOWNSHIP FIVE NORTH, RANGE SIXTY-FIVE WEST; THEN, FROM THE
9 SOUTHWEST CORNER OF SECTION 15, TOWNSHIP FIVE WEST, RANGE
10 SIXTY-FIVE WEST, SOUTH ALONG THE EAST BOUNDARY LINE OF SECTION
11 21, TOWNSHIP FIVE NORTH, RANGE SIXTY-FIVE WEST, AND SECTION 28,
12 TOWNSHIP FIVE NORTH, RANGE SIXTY-FIVE WEST; THEN WEST ALONG THE
13 SOUTH BOUNDARY LINE OF SECTION 28, TOWNSHIP FIVE NORTH, RANGE
14 SIXTY-FIVE WEST; THEN SOUTH ALONG THE EAST BOUNDARY LINE OF
15 SECTION 32, TOWNSHIP FIVE NORTH, RANGE SIXTY-FIVE WEST, AND
16 SECTION 5, TOWNSHIP FOUR NORTH, RANGE SIXTY-FIVE WEST; THEN WEST
17 ALONG THE SOUTH BOUNDARY LINE OF SECTION 5, TOWNSHIP FOUR NORTH,
18 RANGE SIXTY-FIVE WEST, SECTION 6, TOWNSHIP FOUR NORTH, RANGE
19 SIXTY-FIVE WEST, AND SECTION 1, TOWNSHIP FOUR NORTH, RANGE
20 SIXTY-SIX WEST; THEN NORTH ALONG THE WEST BOUNDARY LINE OF
21 SECTION 1, TOWNSHIP FOUR NORTH, RANGE SIXTY-SIX WEST, AND SECTION
22 36, TOWNSHIP FIVE NORTH, RANGE SIXTY-SIX WEST; THEN, FROM THE
23 POINT OF INTERSECTION OF THE WEST BOUNDARY LINE OF SECTION 36,
24 TOWNSHIP FIVE NORTH, RANGE SIXTY-SIX WEST AND WELD COUNTY ROAD
25 52, WEST ALONG WELD COUNTY ROAD 52 TO THE POINT OF INTERSECTION
26 WITH WELD COUNTY ROAD 27; THEN NORTH ALONG WELD COUNTY ROAD
27 27 TO THE POINT OF INTERSECTION WITH THE SOUTH BOUNDARY LINE OF

1 SECTION 18, TOWNSHIP FIVE NORTH, RANGE SIXTY-SIX WEST; THEN WEST
2 ALONG THE SOUTH BOUNDARY LINE OF SECTION 18, TOWNSHIP FIVE
3 NORTH, RANGE SIXTY-SIX WEST, SECTION 13, TOWNSHIP FIVE NORTH,
4 RANGE SIXTY-SEVEN WEST, AND SECTION 14, TOWNSHIP FIVE NORTH,
5 RANGE SIXTY-SEVEN WEST; THEN NORTH ALONG THE WEST BOUNDARY
6 LINE OF SECTION 14, TOWNSHIP FIVE NORTH, RANGE SIXTY-SEVEN WEST,
7 SECTION 11, TOWNSHIP FIVE NORTH, RANGE SIXTY-SEVEN WEST, AND
8 SECTION 2, TOWNSHIP FIVE NORTH, RANGE SIXTY-SEVEN WEST; THEN EAST
9 ALONG THE NORTH BOUNDARY LINE OF SECTION 2, TOWNSHIP FIVE NORTH,
10 RANGE SIXTY-SEVEN WEST, SECTION 1, TOWNSHIP FIVE NORTH, RANGE
11 SIXTY-SEVEN WEST, SECTION 6, TOWNSHIP FIVE NORTH, RANGE SIXTY-SIX
12 WEST, AND SECTION 5, TOWNSHIP FIVE NORTH, RANGE SIXTY-SIX WEST;
13 THEN, FROM THE NORTHEAST CORNER OF SECTION 5, TOWNSHIP FIVE
14 NORTH, RANGE SIXTY-SIX WEST, NORTH ALONG THE WEST BOUNDARY LINE
15 OF SECTION 33, TOWNSHIP SIX NORTH, RANGE SIXTY-SIX WEST, SECTION
16 28, TOWNSHIP SIX NORTH, RANGE SIXTY-SIX WEST, AND SECTION 21,
17 TOWNSHIP SIX NORTH, RANGE SIXTY-SIX WEST, TO THE POINT OF
18 BEGINNING.

19 **SECTION 4.** 42-4-412 (3) (b), Colorado Revised Statutes, is
20 amended to read:

21 **42-4-412. Air pollution violations.** (3) (b) Subparagraph (II) of
22 paragraph (a) of subsection (1) of this section shall apply to all areas of
23 the state except the program area, ~~as defined in section 42-4-304 (20),~~
24 which program area shall be subject to section 42-4-413.

25 **SECTION 5.** 42-4-413 (1) (a), Colorado Revised Statutes, is
26 amended to read:

27 **42-4-413. Visible emissions from diesel-powered motor**

1 **vehicles unlawful - penalty.** (1) (a) Effective January 1, 1987, no owner
2 or operator of a diesel-powered vehicle shall cause or knowingly permit
3 the emission from ~~such~~ THE vehicle of any visible air contaminants ~~which~~
4 THAT exceed the emission level as described in section 42-4-412 (2) (a)
5 within the program area. ~~as defined in section 42-4-304 (20).~~

6 **SECTION 6.** 42-12-101 (2) (a), Colorado Revised Statutes, is
7 amended to read:

8 **42-12-101. Definitions.** As used in this article, unless the context
9 otherwise requires:

10 (2) "Collector's item" means a motor vehicle, including a truck or
11 truck tractor, that is OF:

12 (a) (I) ~~At least twenty-five years old~~ MODEL YEAR 1975 OR
13 EARLIER; OR

14 (II) MODEL YEAR 1976 OR LATER THAT WAS REGISTERED AS A
15 COLLECTOR'S ITEM PRIOR TO SEPTEMBER 1, 2009; EXCEPT THAT A VEHICLE
16 SO REGISTERED SHALL NOT BE ELIGIBLE FOR REGISTRATION AS A
17 COLLECTOR'S ITEM UPON SALE OR TRANSFER TO A NEW OWNER. THIS
18 PARAGRAPH (a) IS EFFECTIVE SEPTEMBER 1, 2009.

19 **SECTION 7.** 42-12-102 (1) (b), Colorado Revised Statutes, is
20 amended to read:

21 **42-12-102. Registration of collectors' items - fees.** (1) Except
22 for those motor vehicles that are entitled to registration under the
23 provisions of section 42-3-219, collectors' items shall be titled, registered,
24 and a specific ownership tax shall be paid thereon in the same manner as
25 provided in this title for other motor vehicles, with the following
26 exceptions:

27 (b) (I) No collector's item of model year ~~1960~~ 1976 or later for

1 which a certification of emissions control is required under ~~the provisions~~
2 ~~of sections 42-4-301 to 42-4-316 shall be registered under the provisions~~
3 ~~of this section unless a certification of emissions control is obtained for~~
4 ~~such~~ THE collector's item. Reregistration of ~~such~~ THE collector's item by
5 the same owner shall not require the obtainment of a new certification of
6 emissions control, but ~~such~~ THE collector's item shall not be registered
7 under ~~the provisions~~ of this section after the sale or transfer of ~~such~~ THE
8 vehicle to a new owner. ~~until a new certification of emissions control has~~
9 ~~been obtained for such collector's item.~~

10 (II) ~~Notwithstanding subparagraph (I) of this paragraph (b),~~
11 ~~collector's items of model year 1970 or earlier may be registered under the~~
12 ~~provisions of this section without a certification of emissions control for~~
13 ~~such collector's items if the division of administration in the department~~
14 ~~of public health and environment recommends and the air quality control~~
15 ~~commission determines that exempting such collector's items will not~~
16 ~~negatively affect the federal environmental protection agency's approval~~
17 ~~of the SIP and to the extent that doing so is allowed under federal law.~~

18 **SECTION 8. Applicability.** This act shall apply to motor
19 vehicles registered as collector's items on or after the effective date of this
20 act.

21 **SECTION 9. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.