

First Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0666.01 Bart Miller

HOUSE BILL 11-1157

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HOUSE SPONSORSHIP

Casso,

SENATE SPONSORSHIP

(None),

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House Committees  
Transportation

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE EXEMPTION FROM THE HEAVY-DUTY DIESEL  
102 INSPECTION PROGRAM OF HEAVY-DUTY DIESEL VEHICLES BASED  
103 OUTSIDE THE PROGRAM AREA AS PART OF A FLEET REGISTERED  
104 IN THE PROGRAM AREA.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

The bill authorizes the owner of a heavy-duty diesel fleet registered in the program area of the diesel emission inspection program

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.

(program area) to certify that a diesel vehicle registered in the program area is physically based and principally operated from a terminal, division, or maintenance facility outside of the program area. A diesel vehicle that is certified is exempted from the heavy-duty diesel fleet emission inspection program. The bill authorizes the executive director of the department of revenue and the air quality control commission to promulgate rules for the administration of the bill.

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

2 **SECTION 1.** 42-4-414, Colorado Revised Statutes, is amended  
3 BY THE ADDITION OF A NEW SUBSECTION to read:

4 **42-4-414. Heavy-duty diesel fleet inspection and maintenance**  
5 **program - penalty - rules.** (2.5) AN OWNER OF A FLEET REGISTERED IN  
6 THE PROGRAM AREA MAY CERTIFY TO THE EXECUTIVE DIRECTOR OR THE  
7 EXECUTIVE DIRECTOR'S DESIGNEE, IN A FORM AND MANNER REQUIRED BY  
8 THE EXECUTIVE DIRECTOR, THAT A DIESEL VEHICLE REGISTERED IN THE  
9 PROGRAM AREA IS PHYSICALLY BASED AND PRINCIPALLY OPERATED FROM  
10 A TERMINAL, DIVISION, OR MAINTENANCE FACILITY OUTSIDE THE  
11 PROGRAM AREA. ANY DIESEL VEHICLE REGISTERED IN THE PROGRAM  
12 AREA, BUT CERTIFIED TO BE PHYSICALLY BASED AND PRINCIPALLY  
13 OPERATED FROM A TERMINAL, DIVISION, OR MAINTENANCE FACILITY  
14 OUTSIDE THE PROGRAM AREA, IS EXEMPT FROM THIS SECTION. THE  
15 EXECUTIVE DIRECTOR AND THE COMMISSION MAY PROMULGATE RULES TO  
16 ADMINISTER THIS SUBSECTION (2.5).

17 **SECTION 2. Act subject to petition - effective date -**  
18 **applicability.** (1) This act shall take effect at 12:01 a.m. on the day  
19 following the expiration of the ninety-day period after final adjournment  
20 of the general assembly (August 10, 2011, if adjournment sine die is on  
21 May 11, 2011); except that, if a referendum petition is filed pursuant to  
22 section 1 (3) of article V of the state constitution against this act or an

1 item, section, or part of this act within such period, then the act, item,  
2 section, or part shall not take effect unless approved by the people at the  
3 general election to be held in November 2012 and shall take effect on the  
4 date of the official declaration of the vote thereon by the governor.

5 (2) The provisions of this act shall apply to heavy-duty diesel fleet  
6 vehicles registered in the program area of the diesel emission inspection  
7 program on or after the applicable effective date of this act.