

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0921.01 Chuck Brackney x2295

SENATE BILL 13-257

SENATE SPONSORSHIP

King and Tochtrop, Guzman, Hill

HOUSE SPONSORSHIP

Ryden, Nordberg, Williams

Senate Committees

Transportation
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING EXEMPTIONS FROM THE MOTOR VEHICLE EMISSIONS**
102 **INSPECTION PROGRAM.**

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>.)

Legislative Audit Committee. Currently, a motor vehicle that is being registered in the emissions program area for the first time is exempt from the requirement to get an emissions control inspection if the motor vehicle is in its fourth model year or newer. The bill extends the exemption period from 4 years to 7 years.

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.*

The air quality control commission is directed to implement the extension of the exemption for current model year vehicles from 4 to 7 years in rules by January 1, 2014. The commission is also directed to adopt rules that allow for the use of on-board diagnostic testing equipment by the same date.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25-7-133, **add** (8),
3 (9), and (10) as follows:

4 **25-7-133. Legislative review and approval of state**
5 **implementation plans and rules - legislative declaration.** (8) THE
6 COMMISSION SHALL ADOPT RULES THAT IMPLEMENT THE EXTENSION OF
7 THE EXEMPTION FROM AN EMISSIONS CONTROL INSPECTION FOR CURRENT
8 MODEL YEAR VEHICLES FROM FOUR TO SEVEN YEARS UNDER SECTION
9 42-4-310, C.R.S., AS AMENDED. THE EXTENSION AS IMPLEMENTED BY THE
10 RULES MUST BE EFFECTIVE ON OR BEFORE JANUARY 1, 2016.

11 (9) THE COMMISSION SHALL ADOPT RULES THAT ALLOW FOR THE
12 USE OF ON-BOARD DIAGNOSTIC TESTING EQUIPMENT. THE RULES MUST
13 ALLOW THE USE OF THIS EQUIPMENT BEGINNING ON OR BEFORE JANUARY
14 1, 2016.

15 (10) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND
16 THE DEPARTMENT OF REVENUE ARE AUTHORIZED TO CONTINUE EXISTING
17 PROGRAMS AND CONTRACTS UNTIL THE RULES IMPLEMENTING EXTENSION
18 OF THE EXEMPTION FROM EMISSIONS CONTROL INSPECTIONS ARE
19 EFFECTIVE.

20 **SECTION 2.** In Colorado Revised Statutes, 42-4-310, **amend** (1)
21 (a) (II) (C), (1) (b) (I) (B), and (1) (b) (II) (A) as follows:

22 **42-4-310. Periodic emissions control inspection required -**
23 **definition.** (1) (a) (II) (C) If ~~such~~ AN OWNER REGISTERS A ROADWORTHY

1 vehicle ~~is being registered~~ in the program area for the first time, the
2 owner shall obtain ~~any~~ A certification required for the county where
3 registration is sought and shall submit ~~such~~ THE certification to the
4 department of revenue or an authorized agent ~~thereof~~ OF THE
5 DEPARTMENT with ~~such~~ THE owner's application for the MOTOR VEHICLE
6 registration. ~~of the motor vehicle~~. AN OWNER MAY REGISTER a motor
7 vehicle THAT IS being registered in the program area for the first time ~~may~~
8 ~~be registered~~, without an inspection or certification if the vehicle has not
9 yet reached its ~~fourth~~ SEVENTH model year or a later model year
10 established by the commission pursuant to section 42-4-306 (8) (b).

11 (b) (I) (B) A new motor ~~vehicles~~ VEHICLE owned by the United
12 States government or an agency ~~thereof~~ OF THE UNITED STATES
13 GOVERNMENT, or by the state of Colorado or ~~any~~ AN agency or political
14 subdivision ~~thereof~~ OF THE STATE OF COLORADO, that would be registered
15 in the program area shall be issued a certification of emissions
16 compliance without inspection. ~~that shall expire~~ THE CERTIFICATION
17 EXPIRES on the anniversary of the day of ~~the~~ ITS issuance ~~of such~~
18 ~~certification~~ when ~~such~~ THE vehicle has reached its ~~fourth~~ SEVENTH
19 model year or a later model year established by the commission pursuant
20 to section 42-4-306 (8) (b). ~~Prior to~~ BEFORE the expiration of ~~such~~ THE
21 certification, ~~such~~ THE vehicle ~~shall~~ MUST be inspected and a certification
22 of emissions control ~~shall~~ MUST be obtained ~~therefor~~ FOR THE VEHICLE.

23 (II) (A) Motor vehicle dealers shall purchase verification of
24 emissions test forms for the sum of twenty-five cents per form from the
25 department or ~~persons~~ ITS DULY authorized ~~by the department to make~~
26 ~~such sales~~ AGENTS to be used only on new motor vehicles. ~~No refund or~~
27 ~~credit~~ THE DEPARTMENT shall ~~be allowed~~ NOT ISSUE A REFUND OR CREDIT

1 for ~~any~~ unused verification of emissions test forms. A new motor ~~vehicles~~
2 VEHICLE required ~~under this section~~ to have a verification of emissions
3 test form UNDER THIS SECTION shall be issued a certification of emissions
4 compliance without inspection ~~which shall expire~~ THAT EXPIRES on the
5 anniversary of the day of the CERTIFICATION'S issuance ~~of such~~
6 ~~certification~~ when ~~such~~ THE vehicle has reached its ~~fourth~~ SEVENTH
7 model year or a later model year established by the commission pursuant
8 to section 42-4-306 (8) (b). ~~Prior to~~ BEFORE the expiration of ~~such~~ THE
9 VEHICLE'S certification, ~~such vehicle shall~~ THE DEALER MUST HAVE THE
10 VEHICLE pass a clean screen test or be inspected ~~and~~ TO OBTAIN a
11 certification of emissions control. ~~shall be obtained therefor.~~

12 **SECTION 3. Effective date.** This act is effective upon passage;
13 except that section 2 of this act takes effect on January 1, 2016.

14 **SECTION 4. Safety clause.** The general assembly hereby finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, and safety.