

Colorado Legislative Council Staff Fiscal Note

STATE
REVISED FISCAL IMPACT

(replaces fiscal note dated February 14, 2014)

Drafting Number: LLS 14-0060 **Date:** February 21, 2014
Prime Sponsor(s): Rep. Ryden **Bill Status:** House Appropriations
 Sen. Tochtrop **Fiscal Analyst:** Kristen Koehler (303-866-4918)

SHORT TITLE: EMISSIONS PROGRAM AUDIT CYCLE

Fiscal Impact Summary	FY 2014-2015	FY 2015-2016
State Revenue		
State Expenditures	\$0	(\$140,000)
General Fund	0	(140,000)
FTE Position Change		
Appropriation Required: None.		

Summary of Legislation

This bill, **recommended by the Legislative Audit Committee**, changes the frequency with which the Office of the State Auditor must audit the emissions program for motor vehicles. Current law requires that the performance audit be completed once every three years. This bill changes the audit frequency to once every five years and requires the first audit to be completed no later than January 1, 2018.

Background

The General Assembly established the Automobile Inspection and Readjustment Program (AIR) in 1980 to reduce vehicle emissions and to meet federal air quality standards. The Environmental Protection Agency (EPA) requires states to implement pollution reduction strategies in populated areas that fail to meet national standards for ozone or carbon monoxide. The AIR program area currently includes all of Broomfield, Boulder, Denver, Douglas, and Jefferson counties and parts of Adams, Arapahoe, Larimer, and Weld counties. Vehicles registered in the program area are required to pass periodic emissions inspections, or be repaired if the vehicle cannot pass the inspection, prior to renewing the vehicle's registration. The program is administered by the Colorado Department of Public Health and Environment (CDPHE) and the Colorado Department of Revenue (DOR).

The purpose of the AIR program audit is to determine the ongoing public need for the program using statutorily established factors, such as the program's impact on ambient air quality, the program's cost effectiveness in relation to other air pollution control measures, and the need for further reductions in pollution to meet national air quality standards. The most recent audit of the program was completed by the Office of the State Auditor (OSA) in November 2012. Under current law, the next program audit would need to be completed by January 1, 2016.

State Expenditures

Overall, this bill is expected to reduce General Fund expenditures in the Office of the State Auditor by \$140,000 in FY 2015-16.

OSA. The OSA contracts for the AIR program audit, at a cost of approximately \$140,000, every three years. Moving the audit from a three-year to a five-year cycle will reduce expenditures in the OSA in FY 2015-16 by this amount. Instead, these costs will be incurred at a future date.

CDPHE. The CDPHE is responsible for the technical aspects of the program, including maintaining and analyzing emissions inspection data, reporting emissions data to the Colorado Air Quality Control Commission, and administering licensing tests for emissions inspectors and mechanics. The CDPHE works closely with the OSA and contracted firms to provide relevant information for audit purposes; the audit generally takes about seven months to complete. Lessening the audit frequency from every three years to every five years will change the frequency with which the CDPHE must provide information for audit purposes and will reduce workload in those years where an audit would have otherwise occurred under current law.

DOR. The DOR is responsible for the oversight of the emissions testing facilities including issuing facility and inspector licenses and performing periodic audits of emissions inspection facilities to ensure compliance with rules and regulations. The DOR provides information that is used during the audit of the AIR program; however, the DOR is not the focus of the audit. Lessening the audit frequency from every three years to every five years will change the frequency with which the DOR must provide information for audit purposes and will reduce workload in those years where an audit would have otherwise occurred under current law.

Effective Date

The bill takes effect August 6, 2014, if the General Assembly adjourns on May 7, 2014, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Public Health and Environment

State Auditor

Revenue