

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 15-0603.01 Jery Payne x2157

HOUSE BILL 15-1134

HOUSE SPONSORSHIP

Coram,

SENATE SPONSORSHIP

Cooke,

House Committees

Transportation & Energy
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE NEW VEHICLE EXEMPTION FOR EMISSIONS TESTING**
102 **OF HEAVIER DIESEL VEHICLES WITH A MODEL YEAR THAT IS NO**
103 **OLDER THAN 2014, AND, IN CONNECTION THEREWITH, MAKING**
104 **AN APPROPRIATION.**

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>.)

Currently, heavy-duty diesel vehicles are exempt from testing until their fourth model year. The bill extends this exemption to the sixth model year if the gross vehicle weight is at least 26,000 pounds and is a

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.

HOUSE
Amended 2nd Reading
February 24, 2015

model year of 2014 or newer.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-406, **amend**

3 (1) (b) (II) as follows:

4 **42-4-406. Requirement of certification of emissions control for**
5 **registration - testing for diesel smoke opacity compliance.**

6 (1) (b) (II) Notwithstanding ~~the provisions of~~ subparagraph (I) of this
7 paragraph (b), new diesel vehicles, required under this section to have a
8 certification of emissions control, shall be issued a certification of
9 emissions compliance without inspection or testing. Prior to the
10 expiration of ~~such~~ THE certification, ~~such~~ THE OWNER SHALL HAVE THE
11 vehicle ~~shall be~~ inspected and a SHALL OBTAIN A certification of
12 emissions control ~~shall be obtained~~ for diesel smoke opacity compliance.
13 ~~Such~~ THE certificate shall expire on the earliest to occur of the following:

14 (A) The anniversary of the day of the issuance of ~~such~~ THE
15 certification when ~~such~~ THE vehicle has reached its fourth model year if
16 it is a light-duty diesel vehicle;

17 (B) The anniversary of the day of the issuance of ~~such~~ THE
18 certification when ~~such~~ THE vehicle has reached its fourth model year if
19 it is a heavy-duty diesel vehicle; ~~or~~

20 (C) ~~On the date of the transfer of ownership if such date is within~~
21 ~~twelve months before such certification would expire pursuant to~~
22 ~~sub-subparagraph (A) or (B) of this subparagraph (II), unless such~~
23 ~~transfer of ownership is a transfer from the lessor to the lessee. THE~~
24 ANNIVERSARY OF THE DAY OF THE ISSUANCE OF THE CERTIFICATION WHEN
25 THE VEHICLE HAS REACHED ITS SIXTH MODEL YEAR IF THE VEHICLE HAS A

1 GROSS VEHICLE WEIGHT RATING OF TWENTY-SIX THOUSAND POUNDS OR
2 MORE AND IT IS OF A MODEL YEAR OF 2014 OR NEWER; OR

3 (D) ON THE DATE OF THE TRANSFER OF OWNERSHIP IF THE DATE IS
4 WITHIN TWELVE MONTHS BEFORE THE CERTIFICATION WOULD EXPIRE
5 UNDER SUB-SUBPARAGRAPH (A), (B), OR (C) OF THIS SUBPARAGRAPH (II),
6 UNLESS THE TRANSFER OF OWNERSHIP IS A TRANSFER FROM THE LESSOR
7 TO THE LESSEE.

8 **SECTION 2.** In Colorado Revised Statutes, 42-4-414, **amend** (2)
9 (c) as follows:

10 **42-4-414. Heavy-duty diesel fleet inspection and maintenance**
11 **program - penalty - rules.** (2) (c) (I) EXCEPT AS PROVIDED IN
12 SUBPARAGRAPH (II) OF THIS PARAGRAPH (c), the commission shall exempt
13 a new diesel vehicle enrolled in the fleet inspection and maintenance
14 program from testing until the vehicle has reached its fourth model year
15 or, if ownership of the vehicle is transferred after the vehicle has reached
16 its third model year, ~~but before expiration of the exemption period,~~ until
17 the date of the transfer of ownership.

18 (II) IF A NEW DIESEL VEHICLE HAS A GROSS VEHICLE WEIGHT
19 RATING OF AT LEAST TWENTY-SIX THOUSAND POUNDS AND IS OF A MODEL
20 YEAR OF 2014 OR NEWER, THE COMMISSION SHALL EXEMPT THE VEHICLE
21 FROM TESTING UNTIL THE VEHICLE HAS REACHED ITS SIXTH MODEL YEAR
22 OR, IF OWNERSHIP OF THE VEHICLE IS TRANSFERRED AFTER THE VEHICLE
23 HAS REACHED ITS FIFTH MODEL YEAR, UNTIL THE DATE OF THE TRANSFER
24 OF OWNERSHIP.

25 **SECTION 3. Appropriation.** For the 2015-16 state fiscal year,
26 \$2,756 is appropriated to the department of revenue. This appropriation
27 is from the general fund. To implement this act, the department may use

1 this appropriation for CITA Annual Maintenance and Support.

2 **SECTION 4. Act subject to petition - effective date.** This act
3 takes effect at 12:01 a.m. on the day following the expiration of the
4 ninety-day period after final adjournment of the general assembly
5 (August 5, 2015, if adjournment sine die is on May 6, 2015); except that,
6 if a referendum petition is filed pursuant to section 1 (3) of article V of
7 the state constitution against this act or an item, section, or part of this act
8 within such period, then the act, item, section, or part will not take effect
9 unless approved by the people at the general election to be held in
10 November 2016 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.