



Legislative Council Staff

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Fiscal Note

Drafting Number: LLS 22-0694
Prime Sponsors: Rep. Carver

Date: April 25, 2022
Bill Status: House SCMVA
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Bill Topic: **EMERGENCY ENGINE EXEMPTION EMISSION REGULATION**

Summary of Fiscal Impact:

- | | |
|---|--|
| <input type="checkbox"/> State Revenue | <input type="checkbox"/> TABOR Refund |
| <input checked="" type="checkbox"/> State Expenditure | <input type="checkbox"/> Local Government |
| <input type="checkbox"/> State Transfer | <input type="checkbox"/> Statutory Public Entity |

The bill authorizes the use of emergency stationary engines on military facilities during emergency events and for routine maintenance and testing, and requires operators to notify and submit annual compliance reports to the Department of Public Health and Environment. Beginning in FY 2022-23, it increases state expenditures on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

The bill authorizes the use of emergency stationary engines on military facilities during an emergency event or for routine maintenance or testing, so long as the emergency stationary engine is in compliance with applicable emissions standards.

A person operating an emergency stationary engine must minimize its use as much as possible, report emergency events to the Department of Public Health and Environment (CDPHE), and record certain information about the emergency stationary engine operations, including maintenance and testing. A person that installs an emergency stationary engine must maintain and make available records of operations for five years, and operators must submit annual compliance reports to the CDPHE along with air quality permit compliance reports as required by the CDPHE.

State Expenditures

The bill increases workload in the CDPHE to accept and review emergency event notifications and annual compliance reports from emergency stationary engine operators. This fiscal note assumes that only operators of emergency stationary engines located on military facilities are subject to the

notification and compliance reporting requirements. This fiscal note also assumes that approximately 15 percent of the 1,082 emergency stationary engines are located on military facilities, and that associated workload impacts can be accomplished within existing resources. See Technical Note.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

Technical Note

As written, the bill requires all emergency engine operators to comply with the notification and compliance monitoring requirements. If that is the case, then the CDPHE will require 0.6 FTE to accept and review notifications and compliance reports from the approximately 1,082 emergency stationary engine operators. Based on the language in the legislative declaration, this fiscal note assumes that the notification and compliance report requirements only apply to operators of emergency stationary engines on military facilities.

State and Local Government Contacts

Information Technology

Public Health and Environment