

First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 23-0405.01 Jery Payne x2157

HOUSE BILL 23-1038

HOUSE SPONSORSHIP

Bockenfeld,

SENATE SPONSORSHIP

(None),

House Committees
Energy & Environment

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE REPLACEMENT OF A CATALYTIC CONVERTER THAT
102 HAS BEEN STOLEN FROM A MOTOR VEHICLE.

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://leg.colorado.gov>.)

When a catalytic converter has been stolen from a motor vehicle, current rules of the air quality control commission require the replacement to comply with the rules of the California air resources board. The bill creates an exception that allows a person to use a replacement catalytic converter that complies with the standards established by rules of the federal environmental protection agency if:

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

- The theft has been reported to a law enforcement agency; and
- The owner or operator of the motor vehicle has made a reasonable effort to obtain the required replacement catalytic converter and has been unable to obtain the catalytic converter.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 42-4-318 as
3 follows:

4 **42-4-318. Exception to enforcement in cases of catalytic**
5 **converter theft - unavailability of replacement catalytic converter -**

6 **rules - repeal.** (1) NOTWITHSTANDING THIS PART 3, ARTICLE 7 OF TITLE
7 25, OR ANY RULE PROMULGATED UNDER ARTICLE 7 OF TITLE 25, AN
8 INDIVIDUAL MAY OPERATE A MOTOR VEHICLE WITH A CATALYTIC
9 CONVERTER THAT COMPLIES WITH THE STANDARDS ESTABLISHED BY
10 RULES OF THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY FOR
11 CATALYTIC CONVERTERS IF:

12 (a) A CATALYTIC CONVERTER HAS BEEN STOLEN FROM THE MOTOR
13 VEHICLE;

14 (b) THE OWNER OR OPERATOR OF THE MOTOR VEHICLE HAS
15 REPORTED THE THEFT TO A LAW ENFORCEMENT AGENCY; AND

16 (c) THE OWNER OR OPERATOR OF THE MOTOR VEHICLE HAS MADE
17 A REASONABLE EFFORT TO OBTAIN A REPLACEMENT CATALYTIC
18 CONVERTER THAT COMPLIES WITH THIS PART 3, ARTICLE 7 OF TITLE 25,
19 AND ANY RULES PROMULGATED IN ACCORDANCE WITH ARTICLE 7 OF TITLE
20 25, AND THE OWNER OR OPERATOR HAS BEEN UNABLE TO OBTAIN THE
21 CATALYTIC CONVERTER.

22 (2) THE AIR QUALITY CONTROL COMMISSION SHALL PROMULGATE

1 RULES TO IMPLEMENT THIS SECTION.

2 (3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

3 **SECTION 2. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly; except
6 that, if a referendum petition is filed pursuant to section 1 (3) of article V
7 of the state constitution against this act or an item, section, or part of this
8 act within such period, then the act, item, section, or part will not take
9 effect unless approved by the people at the general election to be held in
10 November 2024 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.