

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

INTRODUCED

LLS NO. 13-0459.01 Jennifer Berman x3286

SENATE BILL 13-061

SENATE SPONSORSHIP

Renfroe, Lundberg, Lambert, Harvey, Grantham, Brophy, Crowder, Hill, Marble

HOUSE SPONSORSHIP

Buck, Humphrey

Senate Committees
Transportation

House Committees

A BILL FOR AN ACT

101 **CONCERNING MOTOR VEHICLE EMISSIONS INSPECTIONS.**

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, 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 10 years and expands its coverage to previously registered motor vehicles that have never failed an emissions control inspection. It also extends the exemption period for government-owned and dealer-owned vehicles to

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.

10 years. Finally, the bill creates a senior citizen hardship exemption whereby a senior citizen may register one motor vehicle without obtaining an emissions control inspection.

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

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

4 **42-4-310. Periodic emissions control inspection required -**
5 **definition.** (1) (a) (II) (C) If ~~such~~ AN OWNER REGISTERS A ROADWORTHY
6 vehicle ~~is being registered~~ in the program area for the first time, the
7 owner shall obtain ~~any~~ A certification required for the county where
8 registration is sought and shall submit ~~such~~ THE certification to the
9 department of revenue or an authorized agent ~~thereof~~ OF THE
10 DEPARTMENT with ~~such~~ THE owner's application for the MOTOR VEHICLE
11 registration. ~~of the motor vehicle.~~ AN OWNER MAY REGISTER a motor
12 vehicle THAT IS being registered in the program area for the first time,
13 ~~may be registered~~ OR A PREVIOUSLY REGISTERED MOTOR VEHICLE THAT
14 HAS NEVER FAILED AN INSPECTION, without an inspection or certification
15 if the vehicle has not yet reached its ~~fourth~~ TENTH model year or a later
16 model year established by the commission pursuant to section 42-4-306
17 (8) (b). A SENIOR CITIZEN MAY REGISTER ONE MOTOR VEHICLE WITHOUT
18 AN INSPECTION OR CERTIFICATION. FOR PURPOSES OF THIS SECTION,
19 "SENIOR CITIZEN" MEANS A PERSON SIXTY-FIVE YEARS OF AGE OR OLDER
20 AS OF THE DATE ON WHICH THE VEHICLE REGISTRATION IS DUE.

21 (b) (I) (B) A new motor ~~vehicles~~ VEHICLE owned by the United
22 States government or an agency ~~thereof~~ OF THE UNITED STATES
23 GOVERNMENT or by the state of Colorado or ~~any~~ AN agency or political
24 subdivision ~~thereof~~ OF THE STATE OF COLORADO that would be registered

1 in the program area shall be issued a certification of emissions
2 compliance without inspection that ~~shall expire~~ EXPIRES on the
3 anniversary of the day of the CERTIFICATION'S issuance ~~of such~~
4 ~~certification~~ when ~~such~~ THE vehicle has reached its ~~fourth~~ TENTH model
5 year or a later model year established by the commission pursuant to
6 section 42-4-306 (8) (b). ~~Prior to~~ BEFORE the expiration of ~~such~~ THE
7 certification, ~~such~~ THE vehicle ~~shall~~ MUST be inspected and a certification
8 of emissions control ~~shall~~ MUST be obtained ~~therefor~~ FOR THE VEHICLE.

9 (II) (A) Motor vehicle dealers shall purchase verification of
10 emissions test forms for the sum of twenty-five cents per form from the
11 department or ~~persons~~ ITS DULY authorized ~~by the department to make~~
12 ~~such sales~~ AGENTS to be used only on new motor vehicles. ~~No refund or~~
13 ~~credit~~ THE DEPARTMENT shall ~~be allowed~~ NOT ISSUE A REFUND OR CREDIT
14 for ~~any~~ unused verification of emissions test forms. A new motor ~~vehicles~~
15 VEHICLE required ~~under this section~~ to have a verification of emissions
16 test form UNDER THIS SECTION shall be issued a certification of emissions
17 compliance without inspection ~~which shall expire~~ THAT EXPIRES on the
18 anniversary of the day of the CERTIFICATION'S issuance ~~of such~~
19 ~~certification~~ when ~~such~~ THE vehicle has reached its ~~fourth~~ TENTH model
20 year or a later model year established by the commission pursuant to
21 section 42-4-306 (8) (b). ~~Prior to~~ BEFORE the expiration of ~~such~~ THE
22 VEHICLE'S certification, ~~such vehicle shall~~ THE DEALER MUST HAVE THE
23 VEHICLE pass a clean screen test or be inspected ~~and~~ TO OBTAIN a
24 certification of emissions control. ~~shall be obtained therefor.~~

25 (C) AN OWNER OF A 1981 ~~and~~ OR older model motor ~~vehicles~~
26 VEHICLE required pursuant to this section to have a certification of
27 emissions control shall ~~be~~ HAVE THE VEHICLE inspected at the time of the

1 sale or transfer of ~~any such~~ THE vehicle and, ~~prior to~~ BEFORE registration
2 renewal, ~~shall be issued~~ MUST OBTAIN a certification of emissions control
3 that ~~shall be~~ IS valid for ~~twelve~~ TWENTY-FOUR months; EXCEPT THAT, IF
4 THE MOTOR VEHICLE HAS EVER FAILED AN INSPECTION, THE CERTIFICATION
5 IS VALID FOR TWELVE MONTHS. This sub-subparagraph (C) does not apply
6 to the sale of a motor vehicle which is inoperable or otherwise cannot be
7 tested in accordance with regulations promulgated by the department of
8 revenue if the seller of the motor vehicle provides a written notice to the
9 purchaser pursuant to the requirements of subsection (4) of this section.

10 **SECTION 2.** In Colorado Revised Statutes, 42-4-309, **amend** (7)
11 as follows:

12 **42-4-309. Vehicle fleet owners - motor vehicle dealers -**
13 **authority to conduct inspections - fleet inspection stations - motor**
14 **vehicle dealer test facilities - contracts with licensed inspection-only**
15 **entities.** (7) A motor vehicle dealer shall have a motor vehicle inspected
16 annually pursuant to section 42-4-310. ~~but shall not be required to have~~
17 ~~such vehicle inspected more than once a year.~~

18 **SECTION 3. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, and safety.