

First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0921.01 Chuck Brackney x2295

SENATE BILL 13-257

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SENATE SPONSORSHIP

King and Tochtrop, Guzman, Hill

HOUSE SPONSORSHIP

Ryden, Nordberg, Williams

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Senate Committees  
Transportation

House Committees

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A BILL FOR AN ACT

101 CONCERNING EXEMPTIONS FROM THE MOTOR VEHICLE EMISSIONS  
102 INSPECTION PROGRAM.

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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/billssummaries>.)*

**Legislative Audit Committee.** 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 7 years.

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.*

The air quality control commission is directed to implement the extension of the exemption for current model year vehicles from 4 to 7 years in rules by January 1, 2014. The commission is also directed to adopt rules that allow for the use of on-board diagnostic testing equipment by the same date.

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

2           **SECTION 1.** In Colorado Revised Statutes, 25-7-133, **add** (8)  
3 and (9) as follows:

4           **25-7-133. Legislative review and approval of state**  
5 **implementation plans and rules - legislative declaration.** (8) THE  
6 COMMISSION SHALL ADOPT RULES THAT IMPLEMENT THE EXTENSION OF  
7 THE EXEMPTION FROM AN EMISSIONS CONTROL INSPECTION FOR CURRENT  
8 MODEL YEAR VEHICLES FROM FOUR TO SEVEN YEARS UNDER SECTION  
9 42-4-310, C.R.S., AS AMENDED. THE EXTENSION AS IMPLEMENTED BY THE  
10 RULES MUST BE EFFECTIVE ON OR BEFORE JANUARY 1, 2014.

11           (9) THE COMMISSION SHALL ADOPT RULES THAT ALLOW FOR THE  
12 USE OF ON-BOARD DIAGNOSTIC TESTING EQUIPMENT. THE RULES MUST  
13 ALLOW THE USE OF THIS EQUIPMENT BEGINNING ON OR BEFORE JANUARY  
14 1, 2014.

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

17           **42-4-310. Periodic emissions control inspection required -**  
18 **definition.** (1) (a) (II) (C) If ~~such~~ AN OWNER REGISTERS A ROADWORTHY  
19 vehicle ~~is being registered~~ in the program area for the first time, the  
20 owner shall obtain ~~any~~ A certification required for the county where  
21 registration is sought and shall submit ~~such~~ THE certification to the  
22 department of revenue or an authorized agent ~~thereof~~ OF THE  
23 DEPARTMENT with ~~such~~ THE owner's application for the MOTOR VEHICLE

1 registration. ~~of the motor vehicle.~~ AN OWNER MAY REGISTER a motor  
2 vehicle THAT IS being registered in the program area for the first time ~~may~~  
3 ~~be registered,~~ without an inspection or certification if the vehicle has not  
4 yet reached its ~~fourth~~ SEVENTH model year or a later model year  
5 established by the commission pursuant to section 42-4-306 (8) (b).

6 (b) (I) (B) A new motor ~~vehicles~~ VEHICLE owned by the United  
7 States government or an agency ~~thereof~~ OF THE UNITED STATES  
8 GOVERNMENT, or by the state of Colorado or ~~any~~ AN agency or political  
9 subdivision ~~thereof~~ OF THE STATE OF COLORADO, that would be registered  
10 in the program area shall be issued a certification of emissions  
11 compliance without inspection. ~~that shall expire~~ THE CERTIFICATION  
12 EXPIRES on the anniversary of the day of ~~the~~ ITS issuance ~~of such~~  
13 ~~certification~~ when ~~such~~ THE vehicle has reached its ~~fourth~~ SEVENTH  
14 model year or a later model year established by the commission pursuant  
15 to section 42-4-306 (8) (b). ~~Prior to~~ BEFORE the expiration of ~~such~~ THE  
16 certification, ~~such~~ THE vehicle ~~shall~~ MUST be inspected and a certification  
17 of emissions control ~~shall~~ MUST be obtained ~~therefor~~ FOR THE VEHICLE.

18 (II) (A) Motor vehicle dealers shall purchase verification of  
19 emissions test forms for the sum of twenty-five cents per form from the  
20 department or ~~persons~~ ITS DULY authorized ~~by the department to make~~  
21 ~~such sales~~ AGENTS to be used only on new motor vehicles. ~~No refund or~~  
22 ~~credit~~ THE DEPARTMENT shall ~~be allowed~~ NOT ISSUE A REFUND OR CREDIT  
23 for ~~any~~ unused verification of emissions test forms. A new motor ~~vehicles~~  
24 VEHICLE required ~~under this section~~ to have a verification of emissions  
25 test form UNDER THIS SECTION shall be issued a certification of emissions  
26 compliance without inspection ~~which shall expire~~ THAT EXPIRES on the  
27 anniversary of the day of the CERTIFICATION'S issuance ~~of such~~

1 ~~certification~~ when ~~such~~ THE vehicle has reached its ~~fourth~~ SEVENTH  
2 model year or a later model year established by the commission pursuant  
3 to section 42-4-306 (8) (b). ~~Prior to~~ BEFORE the expiration of ~~such~~ THE  
4 VEHICLE'S certification, ~~such vehicle shall~~ THE DEALER MUST HAVE THE  
5 VEHICLE pass a clean screen test or be inspected ~~and~~ TO OBTAIN a  
6 certification of emissions control. ~~shall be obtained therefor.~~

7 **SECTION 3. Effective date.** This act is effective upon passage;  
8 except that section 2 of this act takes effect on January 1, 2014.

9 **SECTION 4. Safety clause.** The general assembly hereby finds,  
10 determines, and declares that this act is necessary for the immediate  
11 preservation of the public peace, health, and safety.