

**Representative Stephen G. Handy** proposes the following substitute bill:

**NONROAD ENGINE STUDY**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephen G. Handy**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill funds a study of nonroad compression-ignition engines.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ directs the Division of Air Quality to conduct a study into the number and type of nonroad compression-ignition engines in nonattainment areas of Utah;
- ▶ requires the division to report the results of the study; and
- ▶ is repealed on July 1, 2021.

**Money Appropriated in this Bill:**

This bill appropriates in fiscal year 2021:

- ▶ to the Division of Air Quality, as a one-time appropriation:
  - from the General Fund, One-time, \$50,000.

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**63I-2-219**, as last amended by Laws of Utah 2019, Chapter 246



26 ENACTS:

27 19-2-401, Utah Code Annotated 1953

28 19-2-402, Utah Code Annotated 1953

29 19-2-403, Utah Code Annotated 1953

31 *Be it enacted by the Legislature of the state of Utah:*

32 Section 1. Section **19-2-401** is enacted to read:

33 **Part 4. Nonroad Engine Study**

34 **19-2-401. Definitions.**

35 As used in this part:

36 (1) "Compression-ignition" means the same as that term is defined in 40 C.F.R. Sec.  
37 89.2.

38 (2) "Nonattainment area" means the same as that term is defined in 42 U.S.C. Sec.  
39 7501.

40 (3) "Nonroad compression-ignition engine" means a nonroad engine that is also a  
41 compression-ignition engine.

42 (4) "Nonroad engine" means the same as that term is defined in 40 C.F.R. Sec. 89.2.

43 Section 2. Section **19-2-402** is enacted to read:

44 **19-2-402. Nonroad engine study.**

45 (1) The division shall conduct a study of nonroad compression-ignition engines in  
46 nonattainment areas of the state that ~~H~~→ :

46a (a) are not used in agricultural production; and

46b (b) ←H are not currently accounted for in the division's emissions  
47 inventories.

48 (2) The study described in Subsection (1) shall include the following information, if  
49 applicable:

50 (a) the number of nonroad compression-ignition engines operating in nonattainment  
51 areas;

52 (b) the year of manufacture of nonroad compression-ignition engines operating in  
53 nonattainment areas;

54 (c) the horsepower of nonroad compression-ignition engines operating in  
55 nonattainment areas; and

56 (d) the number of hours per year a nonroad compression-ignition engine operates in a

57 nonattainment area.

58 (3) The study described in Subsection (1) shall determine if current department  
59 estimates of the size and age of nonroad engines in nonattainment areas are accurate.

60 (4) The division may use the data from the study described in Subsection (1) to:

61 (a) improve emissions inventories and photochemical modeling in nonattainment  
62 areas; and

63 (b) identify opportunities to direct incentives to reduce air emissions.

64 (5) This part does not authorize the division to regulate nonroad compression-ignition  
65 engines.

66 Section 3. Section **19-2-403** is enacted to read:

67 **19-2-403. Reporting.**

68 (1) The division shall report the results of the study described in Section [19-2-402](#) and  
69 any recommendations based on the results of the study to the Natural Resources, Environment,  
70 and Agriculture Interim Committee on or before June 30, 2021.

71 (2) The Natural Resources, Agriculture, and Environment Interim Committee shall  
72 review the results of the study and propose any recommendations for legislation to the  
73 Legislature.

74 Section 4. Section **63I-2-219** is amended to read:

75 **63I-2-219. Repeal dates -- Title 19.**

76 [~~(1) (a) Subsection [19-1-108](#)(3)(a) is repealed on June 30, 2019.~~]

77 [~~(b) When repealing Subsection [19-1-108](#)(3)(a), the Office of Legislative Research and~~  
78 ~~General Counsel shall, in addition to its authority under Subsection [36-12-12](#)(3), make~~  
79 ~~necessary changes to subsection numbering and cross references.]~~

80 [~~(2)~~] (1) Subsections [19-2-109.2](#)(2) through (10), related to the Compliance Advisory  
81 Panel, are repealed July 1, 2021.

82 [~~(3) Section [19-6-126](#) is repealed on January 1, 2020.~~]

83 (2) Title 19, Chapter 2, Part 4, Nonroad Engine Study, is repealed July 1, 2021.

84 Section 5. **Appropriation.**

85 The following sums of money are appropriated for the fiscal year beginning July 1,  
86 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for  
87 fiscal year 2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures

88 Act, the Legislature appropriates the following sums of money from the funds or accounts  
89 indicated for the use and support of the government of the state of Utah.

90 ITEM 1

91 To Division of Air Quality - Nonroad engine study

92 From General Fund, one-time \$50,000

93 Schedule of Programs:

94 Air Quality \$50,000

95 The Legislature intends that the Division of Air Quality use the appropriation under this

96 Item 1 to carry out the study described in Title 19, Chapter 2, Part 4, Nonroad Engine Study.