

CHAPTER 312

HEALTH AND ENVIRONMENT

HOUSE BILL 03-1340

BY REPRESENTATIVE(S) Briggs;
also SENATOR(S) Johnson S.**AN ACT****CONCERNING REVISIONS TO THE MOTOR VEHICLE EMISSION BUDGETS CONTAINED IN CERTAIN CARBON MONOXIDE MAINTENANCE PLANS ACCORDING TO THE LATEST FEDERALLY-APPROVED MOBILE SOURCE EMISSIONS MODEL.***Be it enacted by the General Assembly of the State of Colorado:***SECTION 1.** 25-7-133 (7), Colorado Revised Statutes, is amended to read:

25-7-133. Legislative review and approval of state implementation plans and rules - legislative declaration - repeal. (7) (a) ~~The commission may submit a request to redesignate Fort Collins to attainment status for the air pollutant carbon monoxide and may submit an associated maintenance plan for such area to the federal environmental protection agency for approval and incorporation into the state implementation plan. Such redesignation request and maintenance plan shall not be subject to further review pursuant to this section.~~

(b) (I) THE GENERAL ASSEMBLY RECOGNIZES THAT, DUE TO THE FEDERAL IMPOSITION OF NEW EMISSION MODELS AND THE STRINGENT DEADLINES THAT APPLY TO FEDERAL APPROVAL OF MOTOR VEHICLE EMISSION BUDGETS IN THE REQUIRED TRANSPORTATION CONFORMITY FINDINGS, THE TRANSPORTATION PLANNING PROCESS RELATED TO THE PLANS AND BUDGETS DESCRIBED IN THIS PARAGRAPH (b) CANNOT BE COMPLETED WITHIN THE DEADLINES ESTABLISHED BY THE LEGISLATIVE REVIEW PROCESS OTHERWISE REQUIRED BY THIS SECTION, THEREBY POTENTIALLY JEOPARDIZING THE TIMELY IMPLEMENTATION OF CERTAIN TRANSPORTATION PROJECTS.

(II) THEREFORE, TO ASSURE TIMELY PREPARATION AND SUBMISSION OF REQUIRED UPDATED TRANSPORTATION PLANS AND PROGRAMS IN ORDER TO AVOID THE DELAY OF CERTAIN TRANSPORTATION PROJECTS, THE COMMISSION MAY REVISE THE CARBON

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

MONOXIDE MAINTENANCE PLANS FOR THE LONGMONT AND DENVER METROPOLITAN AREAS BY AUGUST 1, 2003, FOR THE SOLE PURPOSE OF REVISING THE MOTOR VEHICLE EMISSION BUDGETS IN SUCH PLANS AS NECESSITATED BY THE USE OF THE LATEST MOBILE SOURCE EMISSIONS MODEL AND GUIDANCE ISSUED BY THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY. THE COMMISSION SHALL NOT REVISE SUCH PLANS IN ANY WAY NOT DIRECTLY RELATED TO THE REQUIRED USE OF SUCH UPDATED MODEL AND GUIDANCE.

(III) IN LIEU OF PROCEEDING PURSUANT TO SUBSECTIONS (1) TO (6) OF THIS SECTION, THE COMMISSION SHALL SUBMIT THE REVISED PLANS AND EMISSION BUDGETS DESCRIBED IN THIS PARAGRAPH (b) IN SUMMARY FORM BY AUGUST 1, 2003, TO AND FOR APPROVAL BY THE GENERAL ASSEMBLY'S LEGISLATIVE COUNCIL. IF THE LEGISLATIVE COUNCIL FAILS TO ACT ON ANY SUCH SUBMISSION BY SEPTEMBER 30, 2003, THE REVISED MAINTENANCE PLANS AND EMISSION BUDGETS DESCRIBED IN THIS PARAGRAPH (b) SHALL NOT BE SUBMITTED TO THE ADMINISTRATOR FOR FINAL APPROVAL AND INCORPORATION INTO THE STATE IMPLEMENTATION PLAN.

(IV) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE DECEMBER 31, 2003.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 22, 2003