

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Kirkmeyer

1 Amend printed bill, page 12, before line 23 insert:

2 **"SECTION 8.** In Colorado Revised Statutes, 42-4-306, **add** (7)(c)
3 as follows:

4 **42-4-306. Powers and duties of commission - automobile**
5 **inspection and readjustment program - basic emissions program -**
6 **enhanced emissions program - clean screen program - notice to**
7 **revisor of statutes - repeal.** (7) (c) (I) THE DEPARTMENT OF PUBLIC
8 HEALTH AND ENVIRONMENT SHALL SEEK APPROVAL FROM THE
9 ENVIRONMENTAL PROTECTION AGENCY OF A PROPOSED REVISION TO THE
10 STATE IMPLEMENTATION PLAN THAT WOULD REPLACE THE EXISTING
11 ON-BOARD DIAGNOSTICS TEST WITH AN IM240 EMISSIONS TEST OR
12 TAILPIPE EMISSIONS TEST AS SPECIFIED IN GUIDANCE ISSUED BY THE
13 ENVIRONMENTAL PROTECTION AGENCY, UNLESS THE MOTOR VEHICLE
14 CANNOT BE TESTED USING THE TAILPIPE TEST OR THE TAILPIPE TEST IS
15 UNSAFE. THE DEPARTMENT SHALL SUBMIT THE PROPOSED STATE
16 IMPLEMENTATION PLAN REVISION TO THE AIR QUALITY CONTROL
17 COMMISSION BY SEPTEMBER 31, 2024; THE COMMISSION SHALL ADOPT THE
18 PROPOSAL BY DECEMBER 31, 2024; AND THE DEPARTMENT SHALL SUBMIT
19 THE PROPOSAL TO THE ENVIRONMENTAL PROTECTION AGENCY BY MAY 5,
20 2025. BEFORE SUBMITTING THE PROPOSAL TO THE COMMISSION, THE
21 DEPARTMENT SHALL PROVIDE THE OPPORTUNITY FOR WRITTEN COMMENT
22 AND SHALL HOLD A STAKEHOLDER MEETING TO SOLICIT INPUT ON THE
23 PROPOSAL. THE PROPOSAL MUST TAKE INTO CONSIDERATION ANY
24 STAKEHOLDER INPUT RECEIVED, INCLUDING FROM EMISSIONS INSPECTORS,
25 OWNERS OF VEHICLES THAT FAILED THE ON-BOARD DIAGNOSTICS TEST
26 SOLELY BECAUSE A CHECK ENGINE LIGHT WAS ILLUMINATED ON THE
27 VEHICLES' DASHBOARDS, LEGISLATORS, MOTOR VEHICLE
28 MANUFACTURERS, AND AIR QUALITY CONTROL EXPERTS.

29 (II) THIS SUBSECTION (7)(c) WILL BE REPEALED IF THE
30 ENVIRONMENTAL PROTECTION AGENCY REJECTS THE PROPOSED STATE
31 IMPLEMENTATION PLAN REVISION SUBMITTED PURSUANT TO SUBSECTION
32 (7)(c)(I) OF THIS SECTION. THE DIRECTOR OF THE DIVISION OF
33 ADMINISTRATION IN THE DEPARTMENT OF PUBLIC HEALTH AND
34 ENVIRONMENT SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING OF
35 THE DATE ON WHICH THE CONDITION SPECIFIED IN THIS SUBSECTION
36 (7)(c)(II) HAS OCCURRED BY E-MAILING THE NOTICE TO
37 REVISOROFSTATUTES.GA@COLEG.GOV. THIS SUBSECTION (7)(c) IS
38 REPEALED, EFFECTIVE UPON THE DATE IDENTIFIED IN THE NOTICE THAT
39 THE CONDITION OCCURRED OR, IF THE NOTICE DOES NOT SPECIFY THAT
40 DATE, UPON THE DATE OF THE NOTICE TO THE REVISOR OF STATUTES.".

41 Renumber succeeding sections accordingly.

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