

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 19-0526.01 Jery Payne x2157

**SENATE BILL 19-053**

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**SENATE SPONSORSHIP**

**Cooke,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**  
Health & Human Services

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING A PROHIBITION ON THE AIR QUALITY CONTROL**  
102              **COMMISSION ADOPTING AIR QUALITY CONTROL STANDARDS FOR**  
103              **MOTOR VEHICLES THAT ARE MORE STRINGENT THAN THE**  
104              **FEDERAL STANDARDS.**

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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://leg.colorado.gov>.)*

The bill prohibits the air quality control commission from adopting motor vehicle emission standards that are more stringent than federal standards and from adopting the California motor vehicle emission

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

standards and test procedures unless they are the same as the federal standards.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25-7-105, **add** (21)  
3 as follows:

4 **25-7-105. Duties of commission - rules.** (21) THE COMMISSION  
5 SHALL NOT ADOPT RULES IMPLEMENTING MOTOR VEHICLE EMISSION  
6 STANDARDS OR IMPLEMENTING A MOTOR VEHICLE INSPECTION AND  
7 MAINTENANCE PROGRAM, EITHER OF WHICH ARE:

8 (a) MORE STRINGENT THAN THE EMISSION STANDARDS AND TEST  
9 PROCEDURES ADOPTED BY THE UNITED STATES ENVIRONMENTAL  
10 PROTECTION AGENCY FOR THE CORRESPONDING MODEL YEAR AND CLASS  
11 OF VEHICLE OR ENGINE; OR

12 (b) IDENTICAL TO THE EMISSION STANDARDS AND TEST  
13 PROCEDURES ADOPTED BY CALIFORNIA UNLESS THE STANDARDS AND  
14 PROCEDURES ARE ALSO IDENTICAL TO THE EMISSION STANDARDS AND TEST  
15 PROCEDURES ADOPTED BY THE UNITED STATES ENVIRONMENTAL  
16 PROTECTION AGENCY FOR THE CORRESPONDING MODEL YEAR AND CLASS  
17 OF VEHICLE OR ENGINE.

18 **SECTION 2.** In Colorado Revised Statutes, 42-4-403, **repeal**  
19 (6)(a) as follows:

20 **42-4-403. Powers and duties of the commission.**

21 ~~(6) (a) Notwithstanding any other provisions to the contrary, the~~  
22 ~~commission shall not have authority to adopt emission standards or~~  
23 ~~implement an inspection and maintenance program that would result in~~  
24 ~~emission requirements or an in-use testing or compliance demonstration~~  
25 ~~that would be more stringent than the emission standards and test~~

1 ~~procedures adopted by the United States environmental protection agency~~  
2 ~~for the corresponding model year and class of vehicle or engine.~~

3           **SECTION 3. Act subject to petition - effective date.** This act  
4 takes effect at 12:01 a.m. on the day following the expiration of the  
5 ninety-day period after final adjournment of the general assembly (August  
6 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
7 referendum petition is filed pursuant to section 1 (3) of article V of the  
8 state constitution against this act or an item, section, or part of this act  
9 within such period, then the act, item, section, or part will not take effect  
10 unless approved by the people at the general election to be held in  
11 November 2020 and, in such case, will take effect on the date of the  
12 official declaration of the vote thereon by the governor.