

CHAPTER 202

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 96-203

BY SENATORS Wells, Mutzebaugh, and Norton;
also REPRESENTATIVES McElhany and Prinzler.**AN ACT**

CONCERNING PERIODIC EMISSIONS CONTROL INSPECTIONS UNDER THE AIR PROGRAM FOR MOTOR VEHICLES OWNED BY PERSONS WHO ARE EMPLOYED IN OR ATTEND SCHOOL IN THE AIR PROGRAM AREA BUT DO NOT RESIDE THEREIN OR WHO RESIDE IN ONE PART OF THE AREA AND ARE EMPLOYED IN OR ATTEND SCHOOL IN A DIFFERENT PART OF SUCH AREA.

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

SECTION 1. 42-4-310 (1) (c), Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended to read:

42-4-310. Periodic emissions control inspection required. (1) (c) (I) Effective October 1, 1989, those motor vehicles owned by nonresidents who reside in either the basic or enhanced emissions program areas or BY residents who reside outside the program area who are employed for at least ninety days IN ANY TWELVE-MONTH PERIOD in a program area or who are attending school in a program area, AND ARE OPERATED IN EITHER THE BASIC OR ENHANCED EMISSIONS PROGRAM AREAS FOR AT LEAST NINETY DAYS, shall be inspected as required by this section and a valid certification of emissions compliance or emissions waiver shall be obtained as required for the county where said person is employed or attends school. Such nonresidents include, but are not limited to, all military personnel, temporarily assigned employees of business enterprises, and persons engaged in activities at the olympic training center.

(II) Any person owning or operating a business and any post-secondary educational institution located in a program area shall inform all persons employed by such business or attending classes at such institution that they are employed or attending classes in a program area and are required to comply with the provisions of subparagraph (I) of this paragraph (c).

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

(III) Vehicles that are registered in a program area that are being operated outside such area but within another program area shall comply with all program requirements of the area where such vehicles are being operated. Vehicles registered in a program area that are being temporarily operated outside of any program area at the time of registration or registration renewal may apply to the department of revenue for a temporary exemption from program requirements. Upon return to the program area, such vehicles must be in compliance with all requirements within fifteen days.

(IV) Nothing in this section shall be deemed to prevent or shall be interpreted so as to hinder the voluntary inspection of any motor vehicle in the enhanced emissions program. A certificate of emissions control issued under the provisions of the enhanced emissions program shall be acceptable as a demonstration of compliance within the basic program for vehicle registration purposes. In order to provide motorist protection, those vehicles voluntarily inspected and ~~which~~ THAT fail said inspection but ~~which~~ THAT are warrantable under manufacturers' emissions control warranties pursuant to section 207 (A) and (B) of the federal act shall comply with the emissions-related repair requirements of this part 3.

(V) MOTOR VEHICLES OPERATED IN THE ENHANCED EMISSIONS PROGRAM AREA, AND REQUIRED TO BE INSPECTED PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (c), SHALL COMPLY WITH THE INSPECTION REQUIREMENTS OF THE ENHANCED EMISSIONS PROGRAM AREA AND ARE NOT REQUIRED TO COMPLY WITH THE INSPECTION REQUIREMENTS OF THE BASIC EMISSIONS PROGRAM AREA.

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 23, 1996