

## CHAPTER 365

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**MOTOR VEHICLES AND TRAFFIC REGULATION**

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**HOUSE BILL 00-1381**

BY REPRESENTATIVES Stengel, Fairbank, Gotlieb, Mace, Mitchell, Paschall, and Webster;  
also SENATOR Andrews.

**AN ACT**

CONCERNING EMISSIONS TESTING FOR DIESEL VEHICLES, AND, IN CONNECTION THEREWITH, INCREASING  
THE EMISSIONS TESTING FEE.

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

**SECTION 1.** 42-4-408 (3), Colorado Revised Statutes, is amended to read:

**42-4-408. Operation of diesel inspection station.** (3) A licensed diesel emissions inspection station shall charge a fee as set by the commission for the inspection of any diesel vehicle pursuant to this section. Such fee shall be intended to encompass all costs related to the inspection, including those costs incurred by the inspection station, the department of revenue, and the department of public health and environment. No fee ~~which~~ THAT is charged pursuant to this section shall exceed ~~forty-five dollars~~ THE POSTED HOURLY SHOP RATE FOR ONE HOUR. Such fee shall be posted by the inspection station pursuant to regulations set by the commission. PERSONNEL WITHIN THE TESTING INSPECTION STATION SHALL NOTIFY THE OWNER OF THE DIESEL VEHICLE TO BE TESTED OF THE FEE BEFORE COMMENCING ANY TESTING ACTIVITIES.

**SECTION 2. Repeal.** 42-4-404 (2) (d), Colorado Revised Statutes, is repealed as follows:

**42-4-404. Powers and duties of the executive director of the department of public health and environment.** (2) The executive director shall instruct the department of revenue to issue a license as a diesel inspection station to one or more parties with either new or existing diesel emissions inspection facilities. Such instruction shall be based on, among other factors:

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

(d) ~~The fee the station would charge the owner or operator of the diesel vehicle for a diesel emissions inspection.~~

**SECTION 3. Effective date.** This act shall take effect February 1, 2001, unless a referendum petition is filed during the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution. If such a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part shall take effect on the specified date only if approved by the people.

Approved: June 1, 2000