

## CHAPTER 309

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**MOTOR VEHICLES AND TRAFFIC REGULATION**


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## HOUSE BILL 02-1338

BY REPRESENTATIVE(S) Webster, Bacon, Fritz, Harvey, Rippy, Stafford, and Williams S.;  
also SENATOR(S) Reeves and Hernandez.

## AN ACT

## CONCERNING FEES FOR PERFORMING EMISSIONS TESTING ON MOTOR VEHICLES.

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

**SECTION 1.** 42-4-311 (4) (a), Colorado Revised Statutes, is amended to read:

**42-4-311. Operation of inspection and readjustment stations - inspection-only facilities - fleet inspection stations - motor vehicle dealer test facilities - enhanced inspection centers - repeal.** (4) (a) (I) A licensed inspection and readjustment station, inspection-only facility, or motor vehicle dealer test facility shall charge a fee not to exceed fifteen dollars for the inspection of vehicles, ~~in the basic emissions program or for the inspection of model year 1981 and older, vehicles~~ at ~~said~~ facilities licensed or authorized within EITHER the BASIC OR enhanced emissions program; except that for 1982 model and newer vehicles a ~~motor vehicle dealer~~ test facility may charge a fee not to exceed twenty-five dollars.

(II) In no case shall any such fee exceed the maximum fee established by and posted by the station or facility pursuant to section 42-4-305 (5) for the inspection of any motor vehicle required to be inspected under section 42-4-310. ~~whether or not the certification of emissions control is issued; except that a licensed inspection and readjustment station, inspection-only facility, or motor vehicle dealer test facility or authorized enhanced inspection center shall charge a fee not to exceed two dollars and fifty cents and not to exceed the maximum fee established and posted by the station or facility, or center pursuant to section 42-4-305 for the issuance of a replacement verification of emissions test.~~

(III) If the commission determines pursuant to section 42-4-306 (23) (b) to implement an expanded clean screen program in the enhanced emissions program area, on and after the date specified by the commission, inspection and readjustment

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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.*

stations shall no longer collect inspection fees for first-time inspections within an inspection cycle of 1982 and newer motor vehicles, and such entities shall collect only one-half of the fee to be charged per emissions inspection established in this section for inspections for a transfer of title of a 1982 and newer motor vehicle and for initial registrations in the program area of 1982 and newer motor vehicles that are not covered by the four-year new motor vehicle exemption of section 42-4-310 (1) (b) (II) (A); except that:

(A) Inspection and readjustment stations in El Paso county may continue collecting such fees if the commission has excluded such county from the clean screen program pursuant to section 42-4-306 (23) (a).

(B) INSPECTION AND READJUSTMENT STATIONS IN WELD AND LARIMER COUNTIES SHALL CONTINUE COLLECTING SUCH FEES WHEN SUCH STATIONS ARE WITHDRAWN FROM THE CLEAN SCREEN FUND PURSUANT TO SECTION 42-3-134 (26.5) (d) (II).

**SECTION 2.** 42-3-134 (26.5) (d), Colorado Revised Statutes, is amended to read:

**42-3-134. Registration fees - passenger and passenger-mile taxes - fee schedule for years of TABOR surplus revenue - refund - clean screen fund - repeal.** (26.5) (d) (I) This subsection (26.5) shall not apply to El Paso county if the commission has excluded such county from the clean screen program pursuant to section 42-4-306 (23) (a).

(II) THIS SUBSECTION (26.5) SHALL NOT APPLY TO INDEPENDENT INSPECTION AND READJUSTMENT STATIONS IN WELD AND LARIMER COUNTIES THAT ARE WITHDRAWN FROM THE CLEAN SCREEN FUND OR TO VEHICLES THAT HAVE BEEN EMISSIONS TESTED AT SUCH STATIONS AND ARE IN COMPLIANCE WITH SECTION 42-4-310.

**SECTION 3. Effective date.** This act shall take effect September 1, 2002.

**SECTION 4. 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: June 7, 2002