

CHAPTER 186

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 03-1313

BY REPRESENTATIVE(S) Wiens, May M., Harvey, Lundberg, Spradley, and Stafford;
also SENATOR(S) Evans and Lambom.

AN ACT

**CONCERNING THE EXCLUSION OF PARTICULAR REGIONS FROM THE MOTOR VEHICLE EMISSIONS
PROGRAM AREA BY RULE PROMULGATED BY THE AIR QUALITY CONTROL COMMISSION.**

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

SECTION 1. The introductory portion to 42-4-304 (20) (a) and 42-4-304 (20) (c) (I) and (20) (c) (II), Colorado Revised Statutes, are amended, and the said 42-4-304 (20) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

42-4-304. Definitions relating to automobile inspection and readjustment program. As used in sections 42-4-301 to 42-4-316, unless the context otherwise requires:

(20) (a) "Program area" means the counties of Adams, Arapahoe, Boulder, Douglas, El Paso, Jefferson, Larimer, and Weld, and the ~~city~~ CITIES and ~~county~~ COUNTIES of BROOMFIELD AND Denver, excluding the following areas AND SUBJECT TO PARAGRAPH (d) OF THIS SUBSECTION (20):

(c) (I) ~~Effective January 1, 1995,~~ The enhanced emissions program area shall consist of the counties of Adams, Arapahoe, BOULDER, Douglas, and Jefferson and the ~~city~~ CITIES and ~~county~~ COUNTIES of BROOMFIELD AND Denver as described in paragraph (a) of this subsection (20) AND SUBJECT TO PARAGRAPH (d) OF THIS SUBSECTION (20).

(II) ~~Effective July 1, 1995, Boulder county shall be incorporated into the enhanced emissions program area.~~

(d) THE COMMISSION SHALL REVIEW THE BOUNDARIES OF THE PROGRAM AREA AND MAY, BY RULE PROMULGATED ON OR BEFORE DECEMBER 31, 2004, ADJUST SUCH

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

BOUNDARIES TO EXCLUDE PARTICULARLY IDENTIFIED REGIONS FROM EITHER THE BASIC PROGRAM AREA, THE ENHANCED AREA, OR BOTH, BASED ON AN ANALYSIS OF THE APPLICABLE AIR QUALITY SCIENCE AND THE EFFECTS OF THE PROGRAM ON THE POPULATION LIVING IN SUCH REGIONS.

SECTION 2. 25-7-133 (7), Colorado Revised Statutes, is amended to read:

25-7-133. Legislative review and approval of state implementation plans and rules. (7) (a) The commission may submit a request to redesignate Fort Collins to attainment status for the air pollutant carbon monoxide and may submit an associated maintenance plan for such area to the federal environmental protection agency for approval and incorporation into the state implementation plan. Such redesignation request and maintenance plan shall not be subject to further review pursuant to this section.

(b) ANY REVISIONS TO THE AUTOMOBILE INSPECTION AND READJUSTMENT PROGRAM AREA PURSUANT TO SECTION 42-4-304 (20) (d), C.R.S., THAT DELETE SPECIFIC REGIONS WITHIN THAT PORTION OF THE AIR PROGRAM AREA THAT IS APPROVED FOR INCORPORATION INTO THE STATE IMPLEMENTATION PLAN SHALL BE SUBMITTED TO THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY AS EXPEDITIOUSLY AS POSSIBLE AND SHALL NOT BE SUBJECT TO FURTHER REVIEW AND APPROVAL PURSUANT TO THIS SECTION; EXCEPT THAT THE COMMISSION SHALL SUBMIT A REPORT PURSUANT TO SUBSECTION (1) OF THIS SECTION.

SECTION 3. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of 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; except that, if 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, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: April 22, 2003