

CHAPTER 199

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 06-058

BY SENATOR(S) May R., Isgar, and Spence;
also REPRESENTATIVE(S) Larson, Berens, McFadyen, Ragsdale, and Stengel.

AN ACT

CONCERNING AN INCREASE IN THE PERIOD FOR WHICH A CERTIFICATION OF EMISSIONS CONTROL FOR NEWER DIESEL MOTOR VEHICLES IS VALID.

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

SECTION 1. 42-4-406 (1) (a) and (1) (b) (II) (A), Colorado Revised Statutes, are amended to read:

42-4-406. Requirement of certification of emissions control for registration - testing for diesel smoke opacity compliance. (1) (a) A diesel vehicle in the program area that is registered or required to be registered pursuant to article 3 of this title, routinely operates in the program area, or is principally operated from a terminal, maintenance facility, branch, or division located within the program area shall not be sold, registered for the first time, or reregistered unless such vehicle has been issued a certification of emissions control within:

(I) The past twelve months ~~unless subparagraph (II) of this paragraph (a) applies;~~
~~or~~ IF THE MOTOR VEHICLE IS A HEAVY-DUTY DIESEL VEHICLE THAT IS OVER TEN MODEL YEARS OLD;

(II) The last twenty-four months if ~~such~~ THE MOTOR vehicle is ~~equal to or less than~~ A HEAVY-DUTY DIESEL VEHICLE THAT IS ten model years old ~~a heavy-duty diesel vehicle, and of model year 1995~~ or newer;

(III) THE LAST TWELVE MONTHS IF THE MOTOR VEHICLE IS A LIGHT-DUTY DIESEL VEHICLE THAT IS AT LEAST TEN MODEL YEARS OLD OR THAT IS MODEL YEAR 2003 OR OLDER; OR

(IV) THE LAST TWENTY-FOUR MONTHS IF THE MOTOR VEHICLE IS A LIGHT-DUTY

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

DIESEL VEHICLE THAT IS TEN MODEL YEARS OLD OR NEWER AND THAT IS MODEL YEAR 2004 OR NEWER.

(b) (II) Notwithstanding the provisions of subparagraph (I) of this paragraph (b), new diesel vehicles, required under this section to have a certification of emissions control, shall be issued a certification of emissions compliance without inspection or testing. Prior to the expiration of such certification, such vehicle shall be inspected and a certification of emissions control shall be obtained for diesel smoke opacity compliance. Such certificate shall expire on the earliest to occur of the following:

(A) The anniversary of the day of the issuance of such certification when such vehicle has reached its ~~second~~ FOURTH model year if it is a light-duty diesel vehicle;

SECTION 2. Effective date. (1) This act shall take effect July 1, 2007.

(2) However, if a referendum petition is filed against this act or an item, section, or part of this act during the 90-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, then the act, item, section, or part, shall not take effect unless approved by the people at a biennial regular general election and shall take effect on the date specified in subsection (1) or on the date of the official declaration of the vote thereon by proclamation of the governor, whichever is later.

Approved: May 11, 2006