

## CHAPTER 48

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**TRANSPORTATION**

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**HOUSE BILL 97-1066**

BY REPRESENTATIVES June, Agler, Mace, Tucker, and Young;  
also SENATORS Ament, Arnold, Congrove, Mutzebaugh, Perlmutter, Powers, and Rizzuto.

**AN ACT**

CONCERNING DIESEL EMISSIONS INSPECTION FOR NEW DIESEL VEHICLES.

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

**SECTION 1.** 42-4-406 (1) (b) (II), Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended to read:

**42-4-406. Requirement of certification of emissions control for registration - testing for diesel smoke opacity compliance.** (1) (b) (II) Notwithstanding the provisions of subparagraph (I) of this paragraph (b), new diesel vehicles, ~~which are being registered for the first time shall be issued a certification of emissions control without testing~~ REQUIRED UNDER THIS SECTION TO HAVE A CERTIFICATION OF EMISSIONS CONTROL, SHALL BE ISSUED A CERTIFICATION OF EMISSIONS COMPLIANCE WITHOUT INSPECTION OR TESTING. SUCH CERTIFICATE SHALL EXPIRE ON THE ANNIVERSARY OF THE DAY OF THE ISSUANCE OF SUCH CERTIFICATION WHEN SUCH VEHICLE HAS REACHED ITS SECOND MODEL YEAR OR ON THE DATE OF THE TRANSFER OF OWNERSHIP AT ANY TIME PRIOR TO THE SECOND MODEL YEAR. 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 certification shall be valid only for twelve months.

**SECTION 2. Effective date - applicability.** (1) 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.

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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.*

(2) The provisions of this act shall apply to vehicles sold on or after the applicable effective date of this act.

Approved: March 28, 1997