

HB 1302

Concerning Auto Emissions Testing

Presentation to
Regional Air Quality Council

June 1, 2006

History

- Sponsors:
 - Rep. Stengel
 - Sen. Gordon
- Passed overwhelmingly in both houses of General Assembly
- Signed by Governor on 5/25

Bill Components

- Remote sensing plan
- Evaluate options for increasing vehicles passing Clean Screen criteria
- Establishes a high-emitter program
- Establishes HE enforcement mechanism
- Establishes a registration-based fee
- Process and date for terminating the program
- Annual reporting to General Assembly
- Contract extension

Remote Sensing Plan

- By December 31, 2006, CDPHE and Envirotest shall develop a plan for phased increase in remote sensing:
 - Increase use of RSD to identify clean vehicles
 - Increase use of RSD to identify high-emitters
- Subject to approval by AQCC
- Likely to be a short-term (07/08) and long-term plan (post-08)

Increase Clean Screen

- Evaluate options to increase Clean Screen
 - # of measurements per vehicle
 - Additional RSD sites
 - Expanded hours of operation
 - Additional staffing
- Work with CDOT to identify locations for unmanned sites
- May reduce the number of testing lanes if Clean Screen is expanded

High-Emitter Program

- CDPHE shall work with Envirotest to develop a high-emitter program that is acceptable to EPA
- Goal is to use “best efforts” to eliminate regular emissions testing program and replace it with a HE program
- Minimize false test results
- AQCC shall establish measurement criteria

High-Emitter Enforcement

- Vehicles identified as high emitters must report for a confirmatory emissions test at an approved facility within 30 days
- If a vehicle fails the test, repairs shall be completed and the vehicle shall pass a subsequent test within 30 days
- A violator whose vehicle fails to comply shall be fined \$100
- If a vehicle remains out of compliance after 90 days, registration shall be administratively suspended until owner provides proof of compliance and pays fine
- Vehicles that are repeatedly detected but are registered outside the area are also subject to the enforcement provisions

Registration-based Fee

- AQCC shall establish a pay-upon-registration fee program and set a date to implement the program
- Fee shall not exceed \$9.00 per registered vehicle, though the AQCC is authorized to lower the fee
- The contractor shall be paid for each inspection performed at a testing facility and for each unique vehicle tested by remote sensing

Program Termination

- If AQCC and the lead air quality planning agency agree that the program is no longer needed to meet AQ standards and transportation conformity requirements, the AQCC may end the program
- The program shall terminate effective 12/31/2010 if the AQCC finds the action does not violate federal air quality standards

Periodic Reporting

- Beginning 7/1/2007 and by October 15 each year thereafter, CDPHE and the contractor shall brief the TLRC on:
 - Cost and effectiveness of the high-emitter program
 - Comparison of effectiveness of HE program to other options, including:
 - Elimination of the program
 - Elimination of the requirement for regular inspections
 - Appropriate reduction of the emissions inspection fee

Contract Extension

- Current contract with Envirotest runs through 12/31/07
- CDPHE may enter into a contract extension with the contractor to implement HB 1302
- CDPHE and AQCC shall consider a reduction in the fees charged for the program

Implementation Issues

- Fleet coverage and # of sites
- Reduce false failure rate
- Feasibility of unmanned locations
- Coordinate Repair Your Air Campaign with implementation of high-emitter program
- Impact on Early Action Compact
- EPA approval of high-emitter program