

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 19-0334.01 Thomas Morris x4218

SENATE BILL 19-092

SENATE SPONSORSHIP

Zenzinger and Cooke,

HOUSE SPONSORSHIP

Tipper and Liston,

Senate Committees
Transportation & Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING A PROHIBITION ON USING AN ILLUMINATED CHECK**
102 **ENGINE LIGHT AS THE SOLE CRITERION FOR FAILURE OF AN**
103 **EMISSIONS TEST.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill specifies that a motor vehicle does not fail an emissions inspection solely because a check engine light is illuminated on the motor vehicle's dashboard.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-306, **amend**
3 (7)(b)(I) as follows:

4 **42-4-306. Powers and duties of commission - automobile**
5 **inspection and readjustment program - basic emissions program -**
6 **enhanced emissions program - clean screen program.** (7) (b) (I) The
7 commission shall by ~~regulation~~ **RULE** provide that ~~no~~ A vehicle shall NOT
8 be issued a ~~certificate~~ **CERTIFICATION** of emissions compliance or waiver
9 if:

10 (A) Emissions control equipment and diagnostic or malfunction
11 indicator systems, including microprocessor control systems, are not
12 present, intact, and operational; EXCEPT THAT THE RULES MUST NOT
13 PROHIBIT ISSUANCE OF A CERTIFICATION OF EMISSIONS COMPLIANCE
14 SOLELY BECAUSE A CHECK ENGINE LIGHT IS ILLUMINATED ON A VEHICLE'S
15 DASHBOARD;

16 (B) ~~if~~ Repairs were not appropriate and did not address the reason
17 for the emissions failure; or

18 (C) ~~if~~ The vehicle emits visible smoke.

19 **SECTION 2. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act
25 within such period, then the act, item, section, or part will not take effect
26 unless approved by the people at the general election to be held in

- 1 November 2020 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.