

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 25-0469.02 Jery Payne x2157

SENATE BILL 25-321

SENATE SPONSORSHIP

Kirkmeyer and Rodriguez, Amabile, Kipp, Wallace, Winter F.

HOUSE SPONSORSHIP

Joseph and Gonzalez R.,

Senate Committees

Transportation & Energy
Finance
Appropriations

House Committees

Appropriations

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO ADDRESS AIR POLLUTION LEVELS RELATED**
102 **TO THE OPERATION OF MOTOR VEHICLES IN AREAS THAT DO NOT**
103 **MEET FEDERAL NATIONAL AMBIENT AIR QUALITY STANDARDS.**

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>.)

Under current law, the state contracts to conduct emissions testing. Current law also sets limits on how long the contracts may run. The bill repeals these limits and authorizes the division of administration in the department of public health and environment (division) to determine the length of each contract. Current law also authorizes a vehicle emissions

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

HOUSE
2nd Reading Unamended
May 6, 2025

SENATE
Amended 3rd Reading
May 5, 2025

SENATE
Amended 2nd Reading
May 2, 2025

inspection facility to charge a fee that is set by the air quality control commission (commission), but the fee is capped at \$25 for model year 1982 and newer vehicles and \$15 for model year 1981 and older vehicles. The bill authorizes the commission to adopt rules adjusting this fee limit, but the commission is limited to adjusting:

- The \$15 maximum fee to \$30 when a licensed inspection and readjustment station inspects vehicles model year 1981 and older; and
- The \$25 maximum fee to \$50 for a clean screen inspection performed on vehicles registered in the basic emissions program that are model year 1982 and newer.

The commission may adopt rules requiring the emissions compliance of vehicles that have failed an emissions test and that are registered outside of the program area but that operate within the program area.

The bill requires the commission to adopt rules requiring inspections of motor vehicles that are registered in the nonattainment area and identified as having excess emissions under the clean screen program and are either within the 2-year vehicle inspection cycle or exempt from periodic inspection.

If a motor vehicle's emissions control system has been disconnected, deactivated, or rendered inoperable, the division may notify the executive director of the department of revenue.

Under current law, fines and penalties assessed for violations of air quality laws are deposited in the community impact cash fund. The bill creates a motor vehicle emissions assistance fund (fund) and diverts the first \$1 million from the community impact cash fund to the new fund, but at the end of each state fiscal year, any unspent money in the fund exceeding \$250,000 is returned to the community impact cash fund.

The division may expend money from the fund to provide grants for:

- Paying emissions inspection fees for motor vehicles registered to individuals participating in an established and recognized public assistance program; or
- Adjustments or emissions-related repairs that are necessary and sufficient to receive a certification of emissions compliance.

The division may accept and expend gifts, grants, and donations. The money in the fund is continuously appropriated. To implement the bill, \$5,674 is transferred from the AIR account of the highway users tax fund to the Colorado DRIVES vehicle services account of the fund.

1 **SECTION 1.** In Colorado Revised Statutes, 42-4-304, **amend** the
2 introductory portion and (5) as follows:

3 **42-4-304. Definitions relating to motor vehicle inspection and**
4 **readjustment program.** As used in sections 42-4-301 to ~~42-4-316~~
5 **42-4-316.5**, unless the context otherwise requires:

6 (5) "Contractor" means ~~any~~ A person, partnership, entity, or
7 corporation that is awarded a contract ~~by the state of Colorado through a~~
8 ~~competitive bid process conducted~~ by the division, in consultation with
9 the executive director and in accordance with the "Procurement Code",
10 articles 101 to 112 of title 24, ~~C.R.S.~~, and section 42-4-306, to provide
11 inspection services for vehicles required to be inspected ~~pursuant to~~ IN
12 ACCORDANCE WITH section 42-4-310 within the enhanced EMISSIONS
13 program area, as set forth in subsection (9) of this section; to operate
14 enhanced inspection centers necessary to perform inspections; and to
15 operate the clean screen program within the program area.

16 **SECTION 2.** In Colorado Revised Statutes, 42-4-306, **amend**
17 (3)(a)(I)(C), (3)(b)(IV), (3)(b)(V)(A), and (13); and **add** (3)(b)(VI) and
18 (8)(c) as follows:

19 **42-4-306. Powers and duties of commission - automobile**
20 **inspection and readjustment program - basic emissions program -**
21 **enhanced emissions program - clean screen program - rules - repeal.**

22 (3) (a) (I) (C) Upon the adoption of specifications for measuring
23 instruments and test analyzer systems, the division, in consultation with
24 the executive director, may ~~let~~ INVITE bids for the procurement of
25 instruments that meet federal requirements or guidelines and the
26 standards of the federal act. The invitation for bids for test analyzer
27 systems for the basic EMISSIONS program and the inspection-only facilities

1 in the enhanced EMISSIONS program ~~shall~~ MUST include ~~but shall not be~~
2 ~~limited to~~, the requirements for data collection and electronic transfer of
3 data as established by the commission, service and maintenance
4 requirements for such instruments for the period of the contract,
5 requirements for replacement or loan instruments in the event that the
6 purchased or leased instruments do not function, and the initial purchase
7 or lease price. ~~On and after June 5, 2001, each contract for the purchase~~
8 ~~of such instruments shall have a term of no more than four years.~~

9 (b) (IV) ~~On and after May 26, 1998, any~~ A contract for inspection
10 services ~~shall~~ MUST have a term of no more than five years and shall be
11 DETERMINED BY THE DIVISION AND IS subject to rebidding under ~~the~~
12 ~~provisions of this paragraph (b)~~ THIS SUBSECTION (3)(b).

13 (V) (A) Notwithstanding any contrary provision in the
14 "Procurement Code", articles 101 to 112 of title 24, ~~C.R.S.~~, or this ~~article~~,
15 ~~any~~ ARTICLE 4, A contract for inspection services may be renewed for a
16 term ~~not to exceed two years, after which the contract may be renewed for~~
17 ~~a single term of up to four years or rebid~~ AS DETERMINED BY THE
18 DIVISION; except that inspection fees ~~during any such four-year renewal~~
19 ~~contract shall be as~~ ARE determined under section 42-4-311 (6).

20 (VI) UPON THE DIVISION MAKING A RECOMMENDATION OR DURING
21 THE RENEWAL OF A CONTRACT, THE COMMISSION MAY ADOPT A RULE TO
22 SET OR ADJUST THE INSPECTION FEES AS DESCRIBED IN SECTION 42-4-311
23 (4)(a)(I) OR (6)(a). THE COMMISSION SHALL REQUEST SUPPORTING
24 DOCUMENTATION OR FINANCIAL ANALYSES FROM THE CONTRACTOR TO
25 INFORM THE COMMISSION'S DECISION. IF THE COMMISSION RAISES THE FEE,
26 THE DIVISION SHALL MAKE A REPORT TO THE TRANSPORTATION
27 LEGISLATION REVIEW COMMITTEE CREATED IN SECTION 43-2-145 DURING

1 THE SCHEDULED INTERIM MEETINGS THAT FOLLOW THE FEE CHANGE, BUT
2 NOT LESS THEN SIXTY DAYS FOLLOWING ADOPTION OF THE RULE. THE
3 REPORT MUST:

4 (A) LIST THE FEES BEING CHANGED AND THE AMOUNTS OF THE
5 CHANGES;

6 (B) PROVIDE AN EXPLANATION FOR THE CHANGES AND AN
7 ANALYSIS OF WHY THE CHANGES ARE NEEDED.

8 (8) (c) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
9 SUBSECTION (8), THE COMMISSION SHALL ADOPT RULES REQUIRING
10 INSPECTIONS OF MOTOR VEHICLES THAT ARE:

11 (I) REGISTERED IN COLORADO AND OUTSIDE THE PROGRAM AREA;

12 (II) REGULARLY OPERATED INSIDE THE PROGRAM AREA;

13 (III) IDENTIFIED AS PRODUCING EXCESS EMISSIONS UNDER THE
14 CLEAN SCREEN PROGRAM; AND

15 (IV) (A) WITHIN THE TWO-YEAR VEHICLE INSPECTION CYCLE; OR

16 (B) EXEMPT FROM PERIODIC INSPECTION IN ACCORDANCE WITH
17 RULES ADOPTED UNDER SUBSECTION (8)(a) OF THIS SECTION.

18 (13)(a) The commission shall identify MOTOR vehicle populations
19 contributing significantly to ambient pollution inventories BY utilizing
20 mobile source computer models approved by the environmental
21 protection agency. The commission shall develop and implement more
22 stringent or frequent, or both, inspection criteria for those vehicles with
23 ~~such~~ significant pollution contributions.

24 (b) (I) THE COMMISSION MAY ADOPT RULES TO IDENTIFY MOTOR
25 VEHICLES WITH EXCESS EMISSIONS THAT REGULARLY OPERATE WITHIN THE
26 PROGRAM AREA. THE RULES MUST REQUIRE THAT MOTOR VEHICLES
27 IDENTIFIED AS HAVING EXCESS EMISSIONS COMPLY WITH THE EMISSIONS

1 AND MAINTENANCE REQUIREMENTS OF THIS PART 3 AND ARE SUBJECT TO
2 ENFORCEMENT UNDER RULES ADOPTED BY THE COMMISSION.

3 (II) MOTOR VEHICLES OPERATING IN THE PROGRAM AREA THAT
4 FAILED AN ENHANCED EMISSIONS INSPECTION AND ARE SUBSEQUENTLY
5 REGISTERED OUTSIDE THE PROGRAM AREA MUST COMPLY WITH THE
6 EMISSIONS AND MAINTENANCE REQUIREMENTS OF THIS PART 3 AND ARE
7 SUBJECT TO ENFORCEMENT UNDER RULES ADOPTED BY THE COMMISSION.

8 (III) (A) THIS SUBSECTION (13)(b) IS EFFECTIVE APRIL 1, 2027.

9 (B) THIS SUBSECTION (13)(b)(III) IS REPEALED, EFFECTIVE JULY
10 1, 2027.

11 **SECTION 3.** In Colorado Revised Statutes, 42-4-307, **amend**
12 (10)(b); and **add** (17) as follows:

13 **42-4-307. Powers and duties of the department of public**
14 **health and environment - division of administration - automobile**
15 **inspection and readjustment program - basic emissions program -**
16 **enhanced emissions program - clean screen program - legislative**
17 **declaration - high-emitter motor vehicle regulation - definition - rules**
18 **- repeal.** (10) (b) Upon approval by the department of public health and
19 environment and the executive director, the contractor shall provide
20 inspection services for vehicles within the enhanced EMISSIONS program
21 area required to be inspected pursuant to section 42-4-310.
22 Notwithstanding any contrary provision in the "Procurement Code",
23 articles 101 to 112 of title 24, ~~C.R.S.~~, or this ~~article~~, ~~any~~ ARTICLE 4, A
24 contract for inspection services may be renewed for a term ~~not to exceed~~
25 ~~two years to ensure that, on or after December 31, 2001, inspection~~
26 ~~services in the enhanced program area will not be interrupted by the~~
27 ~~expiration of the previous contract, after which the contract may be~~

1 ~~renewed for a single term of up to four years as provided in section~~
2 ~~42-4-306 (3)(b)(V)(A). Any new contract entered into or renewed after~~
3 ~~the two-year renewal shall require the contractor to provide any necessary~~
4 ~~alternative inspection services or technologies so approved~~ THAT IS
5 DETERMINED BY THE DIVISION.

6 (17) (a) (I) THE GENERAL ASSEMBLY DECLARES THAT:

7 (A) GASOLINE-POWERED MOTOR VEHICLES ARE A MAJOR SOURCE
8 OF OZONE PRECURSORS, INCLUDING NITROGEN OXIDES, HYDROCARBONS,
9 AND CARBON MONOXIDE;

10 (B) GASOLINE-POWERED MOTOR VEHICLES WITH EMISSIONS
11 CONTROL SYSTEMS THAT HAVE BEEN TAMPERED WITH OR EMISSIONS
12 CONTROL SYSTEMS THAT ARE NOT OPERATING PROPERLY CREATE EXCESS
13 OZONE PRECURSORS, INCLUDING NITROGEN OXIDES, HYDROCARBONS, AND
14 CARBON MONOXIDE, AND ARE HIGH-EMITTING MOTOR VEHICLES;

15 (C) HIGH-EMITTING MOTOR VEHICLES CONTRIBUTE A
16 DISPROPORTIONATE AMOUNT OF TOTAL EMISSIONS AND ARE A MAJOR
17 SOURCE OF AIR POLLUTION, ESPECIALLY IN THE OZONE NONATTAINMENT
18 AREA;

19 (D) THE CLEAN SCREEN PROGRAM CURRENTLY OPERATES TO
20 IDENTIFY CLEAN MOTOR VEHICLES OPERATING ON THE ROAD AND WILL
21 IDENTIFY HIGH-EMITTING MOTOR VEHICLES ON THE ROAD; AND

22 (E) HIGH-EMITTING MOTOR VEHICLES THAT ARE OPERATING IN THE
23 OZONE NONATTAINMENT AREA ARE DIFFICULT TO IDENTIFY THROUGH
24 MANDATORY TESTING, AND THESE INCLUDE MOTOR VEHICLES WITH
25 TAMPERED EMISSIONS CONTROL SYSTEMS WITHIN A TESTING EXEMPTION
26 PERIOD, MOTOR VEHICLES REQUIRING REPAIRS BETWEEN EMISSIONS TESTS,
27 AND MOTOR VEHICLES THAT HAVE FAILED AN EMISSIONS TEST AND WERE

1 SUBSEQUENTLY REGISTERED OUTSIDE THE PROGRAM AREA.

2 (II) THE GENERAL ASSEMBLY DETERMINES THAT THE BEST
3 INTEREST OF THE STATE IS TO IDENTIFY HIGH-EMITTING MOTOR VEHICLES
4 AND REQUIRE VEHICLES WITH MALFUNCTIONING OR TAMPERED WITH
5 MOTOR VEHICLE EMISSIONS CONTROL SYSTEMS TO BE REPAIRED IN ORDER
6 TO REDUCE EXCESS EMISSIONS OF OZONE PRECURSORS, INCLUDING
7 NITROGEN OXIDES, HYDROCARBONS, AND CARBON MONOXIDE.

8 (b) (I) THE COMMISSION MAY ADOPT RULES TO IDENTIFY AND
9 REGULATE HIGH-EMITTING MOTOR VEHICLES THAT ARE WITHIN THE MODEL
10 YEAR EXEMPTION PERIOD FOR THEIR VEHICLE EMISSIONS INSPECTION
11 CYCLE OR THAT ARE REGISTERED IN COLORADO AND OUTSIDE THE
12 PROGRAM AREA AFTER FAILING AN EMISSIONS TEST.

13 (II) IF A MOTOR VEHICLE IS IDENTIFIED AS A HIGH-EMITTING
14 MOTOR VEHICLE THROUGH AN ENHANCED EMISSIONS INSPECTION, THE
15 DIVISION MAY NOTIFY THE EXECUTIVE DIRECTOR THAT THE MOTOR
16 VEHICLE FAILS TO COMPLY WITH THE EMISSIONS AND MAINTENANCE
17 REQUIREMENTS OF THIS PART 3 OR RULES ADOPTED BY THE COMMISSION
18 UNDER THIS PART 3.

19 (III) (A) THIS SUBSECTION (17)(b) IS EFFECTIVE APRIL 1, 2027.

20 (B) THIS SUBSECTION (17)(b)(III) IS REPEALED, EFFECTIVE JULY
21 1, 2027.

22 (c) AS USED IN THIS SUBSECTION (17), UNLESS THE CONTEXT
23 OTHERWISE REQUIRES, "HIGH-EMITTING MOTOR VEHICLE" MEANS A MOTOR
24 VEHICLE THAT PRODUCES SIGNIFICANTLY MORE AIR POLLUTANTS THAN
25 THE MOTOR VEHICLE AVERAGE, EXCEEDING ESTABLISHED EMISSIONS
26 LIMITS.

27 **SECTION 4.** In Colorado Revised Statutes, 42-4-311, **amend**

1 (4)(a)(I), (6)(a), and (6)(b) as follows:

2 **42-4-311. Operation of inspection and readjustment stations**
3 **- inspection-only facilities - fleet inspection stations - motor vehicle**
4 **dealer test facilities - enhanced inspection centers.** (4) (a) (I) A
5 licensed inspection and readjustment station, inspection-only facility, or
6 motor vehicle dealer test facility shall charge a fee ~~not to exceed fifteen~~
7 ~~dollars~~ for the inspection of MOTOR vehicles ~~model year 1981 and older,~~
8 at facilities licensed or authorized within either the basic or enhanced
9 emissions program. ~~except that for 1982 model and newer vehicles, a test~~
10 ~~facility may charge a fee not to exceed twenty-five dollars~~ THE
11 COMMISSION MAY SET OR ADJUST THE AMOUNT OF THE FEE UNDER SECTION
12 42-4-306 (3)(b)(VI); EXCEPT THAT THE COMMISSION SHALL NOT SET OR
13 ADJUST THE FEE FOR MODEL YEAR 1981 AND OLDER MOTOR VEHICLES TO
14 EXCEED THIRTY DOLLARS OR FOR 1982 MODEL YEAR AND NEWER MOTOR
15 VEHICLES TO EXCEED FIFTY DOLLARS.

16 (6) (a) The AMOUNT OF THE fee charged for enhanced emissions
17 inspections performed within the enhanced emissions program area on
18 1982 MODEL YEAR and ~~later~~ NEWER motor vehicles shall not be any
19 greater than that determined by the contract. ~~and in no case greater than~~
20 ~~twenty-five dollars.~~ The AMOUNT OF THE fee charged for clean screen
21 inspections performed on vehicles registered in the basic EMISSIONS
22 PROGRAM area shall not be any greater than that determined by the
23 contract and in no case greater than fifteen dollars. ~~Such~~ THE AMOUNT OF
24 THE fee ~~shall~~ MUST not exceed the AMOUNT OF THE maximum fee required
25 to be posted by the enhanced inspection center pursuant to section
26 42-4-305 for the inspection of any motor vehicle required to be inspected
27 under section 42-4-310. THE COMMISSION MAY SET OR ADJUST THE

1 AMOUNT OF THE FEES UNDER SECTION 42-4-306 (3)(b)(VI); EXCEPT THAT
2 THE COMMISSION SHALL NOT SET OR ADJUST THE FEE AMOUNT TO EXCEED
3 FIFTY DOLLARS.

4 (b) During the ~~two-year~~ renewal of ~~the~~ A contract entered into
5 pursuant to section 42-4-307 (10), the commission ~~shall~~ MAY hold a
6 hearing to determine the maximum fee that may be charged pursuant to
7 the contract for inspections during any subsequent renewal term. The
8 maximum fee AMOUNT must be based on estimated actual operating costs
9 during the life of the contract, determined pursuant to the proceeding.
10 plus a percentage to be determined by the commission. not to exceed ten
11 percent and not to exceed twenty-five dollars THE COMMISSION MAY
12 ADJUST THE AMOUNT OF THE FEE UNDER SECTION 42-4-306 (3)(b)(VI).

13 **SECTION 5.** In Colorado Revised Statutes, 42-4-314, **amend** (1)
14 and (2); and **add** (7) as follows:

15 **42-4-314. Automobile emissions control systems - tampering**
16 **- operation of vehicle - penalty.** (1) ~~No~~ A person shall NOT knowingly
17 disconnect, deactivate, or otherwise render inoperable ~~any air pollution~~
18 ~~control system which~~ A MOTOR VEHICLE'S EMISSIONS CONTROL SYSTEM
19 THAT has been installed by the manufacturer of any automobile of a
20 model year of 1968 or later, except to repair or replace a part or all of the
21 system.

22 (2) ~~No~~ A person shall NOT operate on ~~any~~ A highway ~~in this state~~
23 ~~any~~ AN automobile described in subsection (1) of this section knowing
24 that ~~any air pollution control system~~ THE EMISSIONS CONTROL SYSTEM
25 installed on ~~such~~ THE automobile has been disconnected, deactivated, or
26 ~~otherwise~~ rendered inoperable.

27 (7) IF A MOTOR VEHICLE'S EMISSIONS CONTROL SYSTEM HAS BEEN

1 DISCONNECTED, DEACTIVATED, OR RENDERED INOPERABLE, THE DIVISION
2 MAY NOTIFY THE EXECUTIVE DIRECTOR THAT THE OWNER OF THE MOTOR
3 VEHICLE HAS VIOLATED SUBSECTION (1) OR (2) OF THIS SECTION.

4 **SECTION 6.** In Colorado Revised Statutes, 25-7-129, **amend**
5 (2)(a) introductory portion and (2)(a)(V) as follows:

6 **25-7-129. Disposition of fines - community impact cash fund**
7 **- repeal.** (2) (a) ~~At~~ THE STATE TREASURER SHALL CREDIT THE receipts
8 from penalties or fines collected under sections 25-7-115, 25-7-122, and
9 25-7-123 ~~shall be credited~~ in the following manner:

10 (V) For state fiscal year 2025-26 and any state fiscal year
11 thereafter:

12 (A) THE FIRST ONE MILLION DOLLARS TO THE MOTOR VEHICLE
13 EMISSIONS ASSISTANCE FUND ESTABLISHED IN SECTION 25-7-129.5; AND

14 (B) One hundred percent of the ~~receipts from penalties or fines~~
15 ~~collected during the fiscal year shall be credited~~ REMAINDER to the fund.

16 **SECTION 7.** In Colorado Revised Statutes, **add** 25-7-129.5 as
17 follows:

18 **25-7-129.5. Motor vehicle emissions assistance fund - division**
19 **to provide grants - gifts, grants, or donations - definition.** (1) AS USED
20 IN THIS SECTION, "FUND" MEANS THE MOTOR VEHICLE EMISSIONS
21 ASSISTANCE FUND CREATED IN SUBSECTION (2) OF THIS SECTION.

22 (2) THE MOTOR VEHICLE EMISSIONS ASSISTANCE FUND IS CREATED
23 IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY CREDITED TO THE
24 FUND PURSUANT TO SECTION 25-7-129 (2)(a)(V)(A), ANY OTHER MONEY
25 THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE
26 FUND, AND ANY GIFTS, GRANTS, AND DONATIONS RECEIVED UNDER
27 SUBSECTION (5) OF THIS SECTION.

1 (3) (a) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
2 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
3 FUND TO THE FUND.

4 (b) AT THE END OF EACH STATE FISCAL YEAR, NO MORE THAN TWO
5 HUNDRED FIFTY THOUSAND DOLLARS THAT IS UNEXPENDED AND
6 UNENCUMBERED REMAINS IN THE FUND.

7 (c) AT THE END OF EACH STATE FISCAL YEAR, THE STATE
8 TREASURER SHALL CREDIT ANY UNEXPENDED AND UNENCUMBERED
9 MONEY IN EXCESS OF TWO HUNDRED FIFTY THOUSAND DOLLARS
10 REMAINING IN THE FUND TO THE COMMUNITY IMPACT CASH FUND CREATED
11 IN SECTION 25-7-129 (1).

12 (4) BEGINNING IN THE STATE FISCAL YEAR 2025-26, THE DIVISION
13 MAY EXPEND MONEY FROM THE FUND TO PROVIDE GRANTS FOR:

14 (a) PAYING EMISSIONS INSPECTION FEES REQUIRED BY PART 3 OF
15 ARTICLE 4 OF TITLE 42, OR RULES ADOPTED BY THE COMMISSION UNDER
16 PART 3 OF ARTICLE 4 OF TITLE 42, FOR MOTOR VEHICLES REGISTERED TO
17 INDIVIDUALS PARTICIPATING IN AN ESTABLISHED AND RECOGNIZED PUBLIC
18 ASSISTANCE PROGRAM; OR

19 (b) ADJUSTMENTS OR EMISSIONS-RELATED REPAIRS THAT ARE
20 NECESSARY AND SUFFICIENT TO RECEIVE A CERTIFICATION OF EMISSIONS
21 COMPLIANCE UNDER PART 3 OF ARTICLE 4 OF TITLE 42 AND RULES
22 ADOPTED UNDER PART 3 OF ARTICLE 4 OF TITLE 42 IF THE ADJUSTMENTS
23 OR REPAIRS ARE PERFORMED BY:

24 (I) A REGISTERED REPAIR FACILITY OR TECHNICIAN, AS DEFINED IN
25 SECTION 42-4-304 (21); OR

26 (II) A MOTOR VEHICLE REPAIR FACILITY REGISTERED WITH THE
27 SECRETARY OF STATE AND IN COMPLIANCE WITH ARTICLE 9 OF TITLE 42 OR

1 REGISTERED WITH THE DIVISION PURSUANT TO RULES ADOPTED BY THE
2 COMMISSION.

3 (c) TO QUALIFY FOR A GRANT UNDER SUBSECTION (4)(b) OF THIS
4 SECTION, A MOTOR VEHICLE OWNER MUST:

5 (I) OWN A MOTOR VEHICLE THAT IS REQUIRED TO BE REGISTERED
6 IN THE PROGRAM AREA AND EITHER;

7 (A) PARTICIPATE IN AN ESTABLISHED AND RECOGNIZED PUBLIC
8 ASSISTANCE PROGRAM; OR

9 (B) DEMONSTRATE QUALIFYING REPAIR EXPENDITURES THAT MEET
10 OR EXCEED THE LIMITS ESTABLISHED TO COMPLY WITH SECTION 42-4-310
11 (1)(d)(VI); OR

12 (II) OWN A MOTOR VEHICLE THAT HAS BEEN IDENTIFIED AS A HIGH
13 EMITTER AND PARTICIPATE IN A VOLUNTARY STUDY CONDUCTED BY THE
14 DIVISION.

15 (d) SUBSECTION (4)(c)(II) OF THIS SECTION DOES NOT REQUIRE THE
16 DIVISION TO PAY A MOTOR VEHICLE OWNER TO PARTICIPATE IN A
17 VOLUNTARY STUDY.

18 (5) THE DIVISION MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,
19 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES SET
20 FORTH IN THIS SECTION. THE STATE TREASURER SHALL CREDIT ANY GIFTS,
21 GRANTS, OR DONATIONS RECEIVED BY THE DIVISION TO THE FUND.

22 (6) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
23 DIVISION TO ACCOMPLISH THE PURPOSES SET FORTH IN THIS SECTION.

24 **SECTION 8.** In Colorado Revised Statutes, 42-3-304, **add**
25 (18)(e) as follows:

26 **42-3-304. Registration fees - passenger-mile taxes - clean**
27 **screen fund - pilot program - report - rules - definitions - repeal.**

1 (18) (e) (I) ON JULY 1, 2026, THE STATE TREASURER SHALL TRANSFER
2 FIVE THOUSAND SIX HUNDRED SEVENTY-FOUR DOLLARS FROM THE AIR
3 ACCOUNT'S SUBACCOUNT AVAILABLE FOR APPROPRIATION TO THE
4 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT UNDER SUBSECTIONS
5 (18)(a) AND (18)(b) OF THIS SECTION TO THE COLORADO DRIVES
6 VEHICLE SERVICES ACCOUNT CREATED IN SECTION 42-1-211.

7 (II) THIS SUBSECTION (18)(e) IS REPEALED, EFFECTIVE JULY 1,
8 2027.

9 **SECTION 9. In Colorado Revised Statutes, 24-77-102, amend**
10 **as amended by Senate Bill 25-173 (2)(b)(IV) as follows:**

11 **24-77-102. Definitions.** As used in this article 77, unless the
12 context otherwise requires:

13 (2) "Damage award" means any pecuniary compensation received
14 by the state as a result of:

15 (b) For state fiscal years commencing on or after July 1, 2024:

16 (IV) A monetary fine or penalty collected by the division of
17 administration of the department of public health and environment
18 pursuant to section 25-7-115, 25-7-122, or 25-7-123 and deposited in the
19 community impact cash fund created in section 25-7-129 OR IN THE
20 MOTOR VEHICLE EMISSIONS ASSISTANCE FUND CREATED IN SECTION
21 25-7-129.5; and

22 **SECTION 10. Effective date.** This act takes effect upon passage;
23 except that section 9 of this act takes effect only if Senate Bill 25-173
24 becomes law, in which case section 9 takes effect upon the effective date
25 of this act or Senate Bill 25-173, whichever is later.

26 **SECTION 11. Safety clause.** The general assembly finds,
27 determines, and declares that this act is necessary for the immediate

- 1 preservation of the public peace, health, or safety or for appropriations for
- 2 the support and maintenance of the departments of the state and state
- 3 institutions.