



# House of Representatives

General Assembly

**File No. 113**

February Session, 2016

Substitute House Bill No. 5314

*House of Representatives, March 22, 2016*

The Committee on Environment reported through REP. ALBIS of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING THE INCORPORATION BY REFERENCE OF CALIFORNIA'S LOW-EMISSION VEHICLE PROGRAM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-174g of the general statutes is repealed and  
2 the following is substituted in lieu thereof (*Effective July 1, 2016*):

3 (a) On or before December 31, 2004, the Commissioner of Energy  
4 and Environmental Protection shall adopt regulations, in accordance  
5 with the provisions of chapter 54, to implement the light duty motor  
6 vehicle emission standards of the state of California, and shall amend  
7 such regulations from time to time, in accordance with changes in said  
8 standards. Such regulations shall be applicable to motor vehicles with  
9 a model year 2008 and later. Such regulations may incorporate by  
10 reference the California motor vehicle emission standards set forth in  
11 final regulations issued by the California Air Resources Board  
12 pursuant to Title 13 of the California Code of Regulations and  
13 promulgated under the authority of Division 26 of the California  
14 Health and Safety Code, as may be amended from time to time.

15 Nothing in this section shall limit the commissioner's authority to  
16 regulate motor vehicle emissions for any other class of vehicle.

17 (b) The regulations described in subsection (a) of this section shall,  
18 in accordance with subdivision (4) of subsection (b) of section 4-170,  
19 incorporate by reference any provisions of such California regulations  
20 or changes to such California regulations that are necessary to  
21 maintain compliance with Section 177 of the federal Clean Air Act,  
22 provided the commissioner notifies the joint standing committee of the  
23 General Assembly having cognizance of matters relating to the  
24 environment and the standing legislative regulation review committee  
25 of any such changes to such California regulations not less than sixty  
26 days prior to the effective date of any such changes in this state.

27 [(b)] (c) As part of the state's implementation plan under the federal  
28 Clean Air Act, the Commissioner of Energy and Environmental  
29 Protection may establish a program to allow the sale, purchase and use  
30 of motor vehicles which comply with any regulations adopted by the  
31 commissioner which implement the California motor vehicles  
32 emissions standards for purposes of generating any emission  
33 reduction credits under said act. Nothing in this section shall prohibit  
34 the Commissioner of Energy and Environmental Protection from  
35 establishing a program to require the sale, purchase and use of motor  
36 vehicles which comply with any regulations adopted by the  
37 commissioner which implement the California motor vehicle emissions  
38 standards.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2016	22a-174g

**ENV** Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill, which creates a process for updating low emission vehicle (LEV) regulations without the Department of Energy and Environmental Protection (DEEP) going through the legislature's regulation review process, has no fiscal impact.

DEEP has submitted one such regulation to the Regulation Review Committee since FY 13.

**The Out Years****State Impact:** None**Municipal Impact:** None

**OLR Bill Analysis****sHB 5314*****AN ACT CONCERNING THE INCORPORATION BY REFERENCE OF CALIFORNIA'S LOW-EMISSION VEHICLE PROGRAM.*****SUMMARY:**

This bill establishes a procedure to update the state's low emission vehicle regulations without going through the legislature's full regulation review process.

The bill incorporates by reference California's regulations on light duty motor vehicle standards, or any changes to them that are necessary to comply with the federal Clean Air Act, as long as the Environment and Regulation Review committees receive notice of the changes at least 60 days before they would take effect in Connecticut. Existing law allows the Regulation Review Committee to accept proposed regulations that incorporate other regulations by reference in a summary form with a statement of purpose (CGS § 4-170(b)).

In 2004, Connecticut adopted California's motor vehicle emissions regulations to reduce emissions of toxic air pollutants. Those standards took effect in the state starting with 2008 model year vehicles. By law, the regulations must be kept current with changes California makes.

EFFECTIVE DATE: July 1, 2016

**BACKGROUND*****Clean Air Act***

Under the Clean Air Act (42 U.S.C. § 7507), all new cars sold in the United States must comply either with emission standards set by the federal Environmental Protection Agency or California.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 27 Nay 1 (03/04/2016)