Senate Engrossed

State of Arizona
Senate
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 20

SENATE BILL 1394

AN ACT

PROVIDING FOR THE DELAYED REPEAL OF TITLE 41, CHAPTER 14, ARTICLE 6, ARIZONA REVISED STATUTES, TITLE 41, CHAPTER 36, ARIZONA REVISED STATUTES, AND SECTION 41-3010.09, ARIZONA REVISED STATUTES; PROVIDING FOR THE DELAYED REPEAL OF LAWS 1997, CHAPTER 300, SECTION 66, AS AMENDED BY LAWS 1999, CHAPTER 223, SECTION 6; PROVIDING FOR THE DELAYED REPEAL OF LAWS 1999, CHAPTER 177, SECTIONS 9 AND 10, LAWS 2000, CHAPTER 379, SECTION 2 AND LAWS 2000, CHAPTER 404, SECTION 11; AMENDING LAWS 2000, CHAPTER 404, SECTIONS 10 AND 12; RELATING TO CERTAIN LEGISLATIVE COMMITTEES AND COMMISSIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Delayed repeals

A. Title 41, chapter 14, article 6, Arizona Revised Statutes, is repealed from and after August 31, 2009.

B. Title 41, chapter 36, Arizona Revised Statutes, and section 41-3010.09, Arizona Revised Statutes, are repealed from and after September 30, 2004.

C. Laws 1997, chapter 300, section 66, as amended by Laws 1999, chapter 223, section 6, is repealed from and after December 31, 2008.

D. Laws 1999, chapter 177, sections 9 and 10 are repealed from and after September 30, 2004.

E. Laws 2000, chapter 379, section 2 is repealed from and after September 30, 2009.

F. Laws 2000, chapter 404, section 11 is repealed from and after September 30, 2004.

Sec. 2. Laws 2000, chapter 404, section 10 is amended to read:

Sec. 10. Vehicle emissions identification, testing and repair research study; research study evaluation committee; report

A. The director of environmental quality shall conduct a research study to evaluate the feasibility and effectiveness of methods to improve the monitoring of the performance of in-use emissions control systems using alternative technologies not currently utilized in Area A and Area B, as defined in section 49-541, Arizona Revised Statutes. The research study shall be conducted in areas outside and immediately adjacent to the boundaries of Area A and Area B and shall address alternative testing technologies, including improvements in remote sensing, the utilization of on-board diagnostics and any other alternatives for identifying high emitting vehicles and facilitating their repair. The study shall also address methods to improve motorist compliance with the current vehicle emissions inspection program and shall assess the methods to assure a high degree of motorist compliance with the options identified.

B. The director of environmental quality shall solicit proposals to conduct the research study pursuant to title 41, chapter 23, Arizona Revised Statutes, and shall establish a contractor selection committee composed of individuals with expertise in disciplines related to automotive emissions control technologies, automotive emissions repair, design and operation of emissions analyzers, operations research, behavioral science, law enforcement and public safety, program performance evaluation, and engineering to assist the department in developing the request for proposals and evaluating the proposals received.

C. The director of environmental quality may expend up to $927,200 from the emissions inspection fund established pursuant to section 49-544, Arizona Revised Statutes, as amended by this act, to fund the contractor selected to conduct the research study.

D. The contractor shall report to the director of environmental quality at least every six months on research results pursuant to a work plan approved by the director. The director of environmental quality shall submit those reports to the governor, the speaker of the house of representatives, the president of the senate~~,~~ AND the joint legislative budget committee. ~~and the vehicle emissions identification, testing and repair research study oversight committee. By June 30, 2002, the director of environmental quality shall submit a preliminary progress report of the research study, including major findings and conclusions, to the governor, the speaker of the house of representatives, the president of the senate, the joint legislative budget committee and the vehicle emissions identification, testing and repair research study oversight committee.~~

~~E. The director of environmental quality and the contractor shall report to the vehicle emissions identification, testing and repair research study oversight committee as requested by the committee.~~

~~F.~~ E. The research study shall be concluded not later than June 30, 2005, by which time the contractor shall submit a final report of its findings to the director of environmental quality. The director of environmental quality shall review the final report, prepare recommendations based on the report and submit the final report and recommendations to the governor, the speaker of the house of representatives, the president of the senate~~,~~ AND the joint legislative budget committee ~~and the vehicle emissions identification, testing and repair research study oversight committee~~ by September 30, 2005, after the opportunity for a thirty day public review and comment period.

Sec. 3. Laws 2000, chapter 404, section 12 is amended to read:

Sec. 12. Delayed repeal

~~Sections~~ SECTION 10 ~~and 11~~ of this act, relating to the vehicle emissions identification, testing and repair research study, ~~and oversight committee, are~~ IS repealed from and after December 31, 2005.

Sec. 4. Effective date

Laws 2000, chapter 404, sections 10 and 12, as amended by this act, are effective from and after September 30, 2004.

APPROVED BY THE GOVERNOR MARCH 30, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 30, 2004.

Passed the House March 23, 2004,

by the following vote: 50 Ayes,

0 Nays, 10 Not Voting

Jake Flake
Speaker of the House

Norman L. Moore
Chief Clerk of the House

Passed the Senate March 1, 2004,

by the following vote: 27 Ayes,

0 Nays, 3 Not Voting

Ken Bennett
President of the Senate

Charmin Billington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR
This Bill was received by the Governor this

24th day of March, 2004,

at 12:04 o'clock P. M.

Jennifer Ybarra
Secretary to the Governor

Approved this 30 day of

March, 2004,

at 4:30 o'clock P. M.

Jd Napolitano
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 30 day of March, 2004,

at 4:53 o'clock P M.

Janice K. Brewer
Secretary of State

S.B. 1394