

**AIR QUALITY AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Tyler Clancy**

Senate Sponsor: Kirk A. Cullimore

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**LONG TITLE**

**General Description:**

This bill addresses emission issues related to air quality.

**Highlighted Provisions:**

This bill:

- ▶ establishes a policy regarding reducing certain emissions;
- ▶ addresses possible revocation of a vehicle registration for avoiding emissions testing;
- ▶ clarifies civil penalties by counties;
- ▶ provides for counties to notify the Motor Vehicle Division of the use of an address that is not a bona fide address to avoid emissions testing;
- ▶ defines terms;
- ▶ requires specified state agencies to develop plans to reduce emissions;
- ▶ repeals outdated language regarding air quality mitigation; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:



28 **19-2-101**, as renumbered and amended by Laws of Utah 1991, Chapter 112  
 29 **41-1a-110**, as last amended by Laws of Utah 2023, Chapter 212  
 30 **41-6a-1642**, as last amended by Laws of Utah 2023, Chapters 22, 33 and 532

31 ENACTS:

32 **63G-17-301**, Utah Code Annotated 1953  
 33 **63G-17-302**, Utah Code Annotated 1953

34 REPEALS:

35 **63G-17-101**, as enacted by Laws of Utah 2013, Chapter 105  
 36 **63G-17-102**, as enacted by Laws of Utah 2013, Chapter 105  
 37 **63G-17-201**, as enacted by Laws of Utah 2013, Chapter 105  
 38 **63G-17-202**, as enacted by Laws of Utah 2013, Chapter 105



40 *Be it enacted by the Legislature of the state of Utah:*

41 Section 1. Section **19-2-101** is amended to read:

42 **CHAPTER 2. AIR CONSERVATION ACT**

43 **19-2-101. Policy of state and purpose of chapter -- Support of local and regional**  
 44 **programs -- Provision of coordinated statewide program -- Emission reductions.**

45 (1) [~~This chapter is known as the "Air Conservation Act."~~] As used in this section:

46 (a) "Applicable emission" means:

47 (i) fine particulate matter;

48 (ii) carbon monoxide;

49 (iii) sulfur dioxide; and

50 (iv) nitrogen oxide.

51 (b) "Applicable geographic area" means:

52 (i) Box Elder County;

53 (ii) Cache County;

54 (iii) Davis County;

55 (iv) Salt Lake County;

56 (v) Summit County;

57 (vi) Tooele County;

58 (vii) Utah County; and

59 (viii) Weber County.

60 (2) It is the policy of this state and the purpose of this chapter to achieve and maintain  
61 levels of air quality which will protect human health and safety, and to the greatest degree  
62 practicable, prevent injury to plant and animal life and property, foster the comfort and  
63 convenience of the people, promote the economic and social development of this state, and  
64 facilitate the enjoyment of the natural attractions of this state.

65 (3) Local and regional air pollution control programs shall be supported to the extent  
66 practicable as essential instruments to secure and maintain appropriate levels of air quality.

67 (4) The purpose of this chapter is to:

68 (a) provide for a coordinated statewide program of air pollution prevention, abatement,  
69 and control;

70 (b) provide for an appropriate distribution of responsibilities among the state and local  
71 units of government;

72 (c) facilitate cooperation across jurisdictional lines in dealing with problems of air  
73 pollution not confined within single jurisdictions; and

74 (d) provide a framework within which air quality may be protected and consideration  
75 given to the public interest at all levels of planning and development within the state.

76 (5) (a) It is the policy of the state, independent of federal law, that each type of  
77 applicable emissions, measured in tons per year, be reduced by 50% in the applicable  
78 geographic area by December 31, 2033, compared to a baseline of each type of applicable  
79 emissions determined by the Division of Air Quality for 2017 in the applicable geographic  
80 area.

81 (b) Section 63G-17-302 applies to state plans to achieve the policy described in this  
82 section.

83 Section 2. Section **41-1a-110** is amended to read:

84 **41-1a-110. Authority of division to suspend or revoke registration, certificate of**  
85 **title, license plate, or permit.**

86 (1) Except as provided in Subsections (3) and (4), the division may suspend or revoke  
87 a registration, certificate of title, license plate, or permit if:

88 (a) the division is satisfied that a registration, certificate of title, license plate, or permit  
89 was fraudulently procured or erroneously issued;

90 (b) the division determines that a registered vehicle is mechanically unfit or unsafe to  
91 be operated or moved upon the highways;

92 (c) a registered vehicle has been dismantled;

93 (d) the division determines that the required fee has not been paid and the fee is not  
94 paid upon reasonable notice and demand;

95 (e) a registration decal, license plate, or permit is knowingly displayed upon a vehicle  
96 other than the one for which issued;

97 (f) the division determines that the owner has committed any offense under this chapter  
98 involving the registration, certificate of title, registration card, license plate, registration decal,  
99 or permit; or

100 (g) the division receives notification by the Department of Transportation that the  
101 owner has committed any offence under Title 72, Chapter 9, Motor Carrier Safety Act.

102 (2) (a) The division shall revoke the registration of a vehicle if the division receives  
103 notification by the:

104 (i) Department of Public Safety that a person:

105 (A) has been convicted of operating a registered motor vehicle in violation of Section  
106 [41-12a-301](#) or [41-12a-303.2](#); or

107 (B) is under an administrative action taken by the Department of Public Safety for  
108 operating a registered motor vehicle in violation of Section [41-12a-301](#); or

109 (ii) designated agent that the owner of a motor vehicle:

110 (A) has failed to provide satisfactory proof of owner's or operator's security to the  
111 designated agent after the second notice provided under Section [41-12a-804](#); or

112 (B) provided a false or fraudulent statement to the designated agent.

113 (b) The division shall notify the Driver License Division if the division revokes the  
114 registration of a vehicle under Subsection (2)(a)(ii)(A).

115 (3) The division may not suspend or revoke the registration of a vessel or outboard  
116 motor unless authorized under Section [73-18-7.3](#).

117 (4) The division may not suspend or revoke the registration of an off-highway vehicle  
118 unless authorized under Section [41-22-17](#).

119 (5) The division shall charge a registration reinstatement fee under Section [41-1a-1220](#),  
120 if the registration is revoked under Subsection (2).

121 (6) (a) Except as provided in Subsections (3), (4), and (7), the division may suspend or  
122 revoke a registered vehicle's registration if the division is notified by a local health department,  
123 as defined in Section [26A-1-102](#), that the registered vehicle is unable to meet state or local air  
124 emissions standards pursuant to Section [41-6a-1642](#) or violates Subsection [41-6a-1626\(2\)\(a\)](#) or  
125 (b).

126 (b) (i) If the division receives information as described in Subsection [41-6a-1642\(14\)](#)  
127 regarding a claim of a possible address discrepancy or violation, the division shall:

128 (A) notify the vehicle owner of the possible address discrepancy or violation; and

129 (B) require the vehicle owner to verify the bona fide residence and mailing address for  
130 the vehicle owner or cure the discrepancy or violation.

131 (ii) If the vehicle owner fails to verify the bona fide residence and mailing address as  
132 required in Section [41-1a-209](#) or otherwise cure the discrepancy or violation within 30 days of  
133 the day the vehicle owner notification described in Subsection (6)(b)(i) is sent, the division  
134 shall:

135 (A) notify the owner of the division's intent to revoke the registration of the vehicle and  
136 the vehicle owner's right to appeal; and

137 (B) provide the vehicle owner reasonable notice and a hearing.

138 (c) If a vehicle owner receives a notification described in Subsection (6)(b)(i), the  
139 vehicle owner shall provide the division verification of the bona fide residence and mailing  
140 address relevant to the vehicle by providing the division:

141 (i) at least three pieces of mail sent to the bona fide residence and mailing address; or

142 (ii) other evidence that the vehicle is located and operated primarily from the provided  
143 bona fide address.

144 (d) If the division notifies a vehicle owner of the division's intent to revoke a vehicle  
145 registration as provided in Subsection (6)(b)(ii), and the vehicle owner fails to make good faith  
146 efforts to comply with the registration requirements of this chapter and emissions inspection  
147 requirements described in Section [41-6a-1642](#) within 60 days following the day on which the  
148 notice is sent, the division shall:

149 (i) revoke the registration of the vehicle; and

150 (ii) notify the relevant county described in Subsection [41-6a-1642\(14\)](#).

151 (7) The division may not suspend or revoke a registered vehicle's registration under

152 Subsection (6) if the registered vehicle has a manufacturer's gross vehicle weight rating that is  
153 greater than 26,000 pounds.

154 Section 3. Section **41-6a-1642** is amended to read:

155 **41-6a-1642. Emissions inspection -- County program.**

156 (1) The legislative body of each county required under federal law to utilize a motor  
157 vehicle emissions inspection and maintenance program or in which an emissions inspection  
158 and maintenance program is necessary to attain or maintain any national ambient air quality  
159 standard shall require:

160 (a) a certificate of emissions inspection, a waiver, or other evidence the motor vehicle  
161 is exempt from emissions inspection and maintenance program requirements be presented:

162 (i) as a condition of registration or renewal of registration; and

163 (ii) at other times as the county legislative body may require to enforce inspection  
164 requirements for individual motor vehicles, except that the county legislative body may not  
165 routinely require a certificate of emissions inspection, or waiver of the certificate, more often  
166 than required under Subsection (9); and

167 (b) compliance with this section for a motor vehicle registered or principally operated  
168 in the county and owned by or being used by a department, division, instrumentality, agency, or  
169 employee of:

170 (i) the federal government;

171 (ii) the state and any of its agencies; or

172 (iii) a political subdivision of the state, including school districts.

173 (2) (a) A vehicle owner subject to Subsection (1) shall obtain a motor vehicle  
174 emissions inspection and maintenance program certificate of emissions inspection as described  
175 in Subsection (1), but the program may not deny vehicle registration based solely on the  
176 presence of a defeat device covered in the Volkswagen partial consent decrees or a United  
177 States Environmental Protection Agency-approved vehicle modification in the following  
178 vehicles:

179 (i) a 2.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide emissions  
180 are mitigated in the state pursuant to a partial consent decree, including:

181 (A) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;

182 (B) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013, and

- 183 2014;
- 184 (C) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;
- 185 (D) Volkswagen Golf Sportwagen, model year 2015;
- 186 (E) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;
- 187 (F) Volkswagen Beetle, model years 2013, 2014, and 2015;
- 188 (G) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and
- 189 (H) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and
- 190 (ii) a 3.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide
- 191 emissions are mitigated in the state to a settlement, including:
- 192 (A) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and
- 193 2016;
- 194 (B) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;
- 195 (C) Audi A6 Quattro, model years 2014, 2015, and 2016;
- 196 (D) Audi A7 Quattro, model years 2014, 2015, and 2016;
- 197 (E) Audi A8, model years 2014, 2015, and 2016;
- 198 (F) Audi A8L, model years 2014, 2015, and 2016;
- 199 (G) Audi Q5, model years 2014, 2015, and 2016; and
- 200 (H) Porsche Cayenne Diesel, model years 2013, 2014, 2015, and 2016.
- 201 (b) (i) An owner of a restored-modified vehicle subject to Subsection (1) shall obtain a
- 202 motor vehicle emissions inspection and maintenance program certificate of emissions
- 203 inspection as described in Subsection (1).
- 204 (ii) A county emissions program may not refuse to perform an emissions inspection or
- 205 indicate a failed emissions test of the vehicle based solely on a modification to the engine or
- 206 component of the motor vehicle if:
- 207 (A) the modification is not likely to result in the motor vehicle having increased
- 208 emissions relative to the emissions of the motor vehicle before the modification; and
- 209 (B) the motor vehicle modification is a change to an engine that is newer than the
- 210 engine with which the motor vehicle was originally equipped, or the engine includes
- 211 technology that increases the facility of the administration of an emissions test, such as an
- 212 on-board diagnostics system.
- 213 (iii) The first time an owner seeks to obtain an emissions inspection as a prerequisite to

214 registration of a restored-modified vehicle:

215 (A) the owner shall present the signed statement described in Subsection 41-1a-226(4);

216 and

217 (B) the county emissions program shall perform the emissions test.

218 (iv) If a motor vehicle is registered as a restored-modified vehicle and the registration  
219 certificate is notated as described in Subsection 41-1a-226(4), a county emissions program may  
220 not refuse to perform an emissions test based solely on the restored-modified status of the  
221 motor vehicle.

222 (3) (a) The legislative body of a county identified in Subsection (1), in consultation  
223 with the Air Quality Board created under Section 19-1-106, shall make regulations or  
224 ordinances regarding:

225 (i) emissions standards;

226 (ii) test procedures;

227 (iii) inspections stations;

228 (iv) repair requirements and dollar limits for correction of deficiencies; ~~and~~

229 (v) certificates of emissions inspections[-]; and

230 (vi) administration of a civil penalty as described in Subsection (14)(b).

231 (b) In accordance with Subsection (3)(a), a county legislative body:

232 (i) shall make regulations or ordinances to attain or maintain ambient air quality  
233 standards in the county, consistent with the state implementation plan and federal  
234 requirements;

235 (ii) may allow for a phase-in of the program by geographical area; and

236 (iii) shall comply with the analyzer design and certification requirements contained in  
237 the state implementation plan prepared under Title 19, Chapter 2, Air Conservation Act.

238 (c) The county legislative body and the Air Quality Board shall give preference to an  
239 inspection and maintenance program that:

240 (i) is decentralized, to the extent the decentralized program will attain and maintain  
241 ambient air quality standards and meet federal requirements;

242 (ii) is the most cost effective means to achieve and maintain the maximum benefit with  
243 regard to ambient air quality standards and to meet federal air quality requirements as related to  
244 vehicle emissions; and



245 (iii) provides a reasonable phase-out period for replacement of air pollution emission  
246 testing equipment made obsolete by the program.

247 (d) The provisions of Subsection (3)(c)(iii) apply only to the extent the phase-out:

248 (i) may be accomplished in accordance with applicable federal requirements; and

249 (ii) does not otherwise interfere with the attainment and maintenance of ambient air  
250 quality standards.

251 (4) The following vehicles are exempt from an emissions inspection program and the  
252 provisions of this section:

253 (a) an implement of husbandry as defined in Section [41-1a-102](#);

254 (b) a motor vehicle that:

255 (i) meets the definition of a farm truck under Section [41-1a-102](#); and

256 (ii) has a gross vehicle weight rating of 12,001 pounds or more;

257 (c) a vintage vehicle as defined in Section [41-21-1](#):

258 (i) if the vintage vehicle has a model year of 1982 or older; or

259 (ii) for a vintage vehicle that has a model year of 1983 or newer, if the owner provides  
260 proof of vehicle insurance that is a type specific to a vehicle collector;

261 (d) a custom vehicle as defined in Section [41-6a-1507](#);

262 (e) to the extent allowed under the current federally approved state implementation  
263 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401, et seq., a motor  
264 vehicle that is less than two years old on January 1 based on the age of the vehicle as  
265 determined by the model year identified by the manufacturer;

266 (f) a pickup truck, as defined in Section [41-1a-102](#), with a gross vehicle weight rating  
267 of 12,000 pounds or less, if the registered owner of the pickup truck provides a signed  
268 statement to the legislative body stating the truck is used:

269 (i) by the owner or operator of a farm located on property that qualifies as land in  
270 agricultural use under Sections [59-2-502](#) and [59-2-503](#); and

271 (ii) exclusively for the following purposes in operating the farm:

272 (A) for the transportation of farm products, including livestock and its products,  
273 poultry and its products, floricultural and horticultural products; and

274 (B) in the transportation of farm supplies, including tile, fence, and every other thing or  
275 commodity used in agricultural, floricultural, horticultural, livestock, and poultry production

276 and maintenance;

277 (g) a motorcycle as defined in Section 41-1a-102;

278 (h) an electric motor vehicle as defined in Section 41-1a-102; and

279 (i) a motor vehicle with a model year of 1967 or older.

280 (5) The county shall issue to the registered owner who signs and submits a signed  
281 statement under Subsection (4)(f) a certificate of exemption from emissions inspection  
282 requirements for purposes of registering the exempt vehicle.

283 (6) A legislative body of a county described in Subsection (1) may exempt from an  
284 emissions inspection program a diesel-powered motor vehicle with a:

285 (a) gross vehicle weight rating of more than 14,000 pounds; or

286 (b) model year of 1997 or older.

287 (7) The legislative body of a county required under federal law to utilize a motor  
288 vehicle emissions inspection program shall require:

289 (a) a computerized emissions inspection for a diesel-powered motor vehicle that has:

290 (i) a model year of 2007 or newer;

291 (ii) a gross vehicle weight rating of 14,000 pounds or less; and

292 (iii) a model year that is five years old or older; and

293 (b) a visual inspection of emissions equipment for a diesel-powered motor vehicle:

294 (i) with a gross vehicle weight rating of 14,000 pounds or less;

295 (ii) that has a model year of 1998 or newer; and

296 (iii) that has a model year that is five years old or older.

297 (8) (a) Subject to Subsection (8)(c), the legislative body of each county required under  
298 federal law to utilize a motor vehicle emissions inspection and maintenance program or in  
299 which an emissions inspection and maintenance program is necessary to attain or maintain any  
300 national ambient air quality standard may require each college or university located in a county  
301 subject to this section to require its students and employees who park a motor vehicle not  
302 registered in a county subject to this section to provide proof of compliance with an emissions  
303 inspection accepted by the county legislative body if the motor vehicle is parked on the college  
304 or university campus or property.

305 (b) College or university parking areas that are metered or for which payment is  
306 required per use are not subject to the requirements of this Subsection (8).

307 (c) The legislative body of a county shall make the reasons for implementing the  
308 provisions of this Subsection (8) part of the record at the time that the county legislative body  
309 takes its official action to implement the provisions of this Subsection (8).

310 (9) (a) An emissions inspection station shall issue a certificate of emissions inspection  
311 for each motor vehicle that meets the inspection and maintenance program requirements  
312 established in regulations or ordinances made under Subsection (3).

313 (b) The frequency of the emissions inspection shall be determined based on the age of  
314 the vehicle as determined by model year and shall be required annually subject to the  
315 provisions of Subsection (9)(c).

316 (c) (i) To the extent allowed under the current federally approved state implementation  
317 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401 et seq., the legislative  
318 body of a county identified in Subsection (1) shall only require the emissions inspection every  
319 two years for each vehicle.

320 (ii) The provisions of Subsection (9)(c)(i) apply only to a vehicle that is less than six  
321 years old on January 1.

322 (iii) For a county required to implement a new vehicle emissions inspection and  
323 maintenance program on or after December 1, 2012, under Subsection (1), but for which no  
324 current federally approved state implementation plan exists, a vehicle shall be tested at a  
325 frequency determined by the county legislative body, in consultation with the Air Quality  
326 Board created under Section 19-1-106, that is necessary to comply with federal law or attain or  
327 maintain any national ambient air quality standard.

328 (iv) If a county legislative body establishes or changes the frequency of a vehicle  
329 emissions inspection and maintenance program under Subsection (9)(c)(iii), the establishment  
330 or change shall take effect on January 1 if the State Tax Commission receives notice meeting  
331 the requirements of Subsection (9)(c)(v) from the county before October 1.

332 (v) The notice described in Subsection (9)(c)(iv) shall:

333 (A) state that the county will establish or change the frequency of the vehicle emissions  
334 inspection and maintenance program under this section;

335 (B) include a copy of the ordinance establishing or changing the frequency; and

336 (C) if the county establishes or changes the frequency under this section, state how  
337 frequently the emissions testing will be required.

338 (d) If an emissions inspection is only required every two years for a vehicle under  
339 Subsection (9)(c), the inspection shall be required for the vehicle in:

- 340 (i) odd-numbered years for vehicles with odd-numbered model years; or
- 341 (ii) in even-numbered years for vehicles with even-numbered model years.

342 (10) (a) Except as provided in Subsections (9)(b), (c), and (d), the emissions inspection  
343 required under this section may be made no more than two months before the renewal of  
344 registration.

345 (b) (i) If the title of a used motor vehicle is being transferred, the owner may use an  
346 emissions inspection certificate issued for the motor vehicle during the previous 11 months to  
347 satisfy the requirement under this section.

348 (ii) If the transferor is a licensed and bonded used motor vehicle dealer, the owner may  
349 use an emissions inspection certificate issued for the motor vehicle in a licensed and bonded  
350 motor vehicle dealer's name during the previous 11 months to satisfy the requirement under  
351 this section.

352 (c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, the  
353 lessee may use an emissions inspection certificate issued during the previous 11 months to  
354 satisfy the requirement under this section.

355 (d) If the motor vehicle is part of a fleet of 101 or more vehicles, the owner may not  
356 use an emissions inspection made more than 11 months before the renewal of registration to  
357 satisfy the requirement under this section.

358 (e) If the application for renewal of registration is for a six-month registration period  
359 under Section [41-1a-215.5](#), the owner may use an emissions inspection certificate issued during  
360 the previous eight months to satisfy the requirement under this section.

361 (11) (a) A county identified in Subsection (1) shall collect information about and  
362 monitor the program.

363 (b) A county identified in Subsection (1) shall supply this information to an appropriate  
364 legislative committee, as designated by the Legislative Management Committee, at times  
365 determined by the designated committee to identify program needs, including funding needs.

366 (12) If approved by the county legislative body, a county that had an established  
367 emissions inspection fee as of January 1, 2002, may increase the established fee that an  
368 emissions inspection station may charge by \$2.50 for each year that is exempted from

369 emissions inspections under Subsection (9)(c) up to a \$7.50 increase.

370 (13) (a) Except as provided in Subsection [41-1a-1223\(1\)\(c\)](#), a county identified in  
371 Subsection (1) may impose a local emissions compliance fee on each motor vehicle registration  
372 within the county in accordance with the procedures and requirements of Section [41-1a-1223](#).

373 (b) A county that imposes a local emissions compliance fee may use revenues  
374 generated from the fee for the establishment and enforcement of an emissions inspection and  
375 maintenance program in accordance with the requirements of this section.

376 (c) A county that imposes a local emissions compliance fee may use revenues  
377 generated from the fee to promote programs to maintain a local, state, or national ambient air  
378 quality standard.

379 (14) (a) If a county has reason to believe that a vehicle owner has provided an address  
380 as required in Section [41-1a-209](#) to register or attempt to register a motor vehicle in a county  
381 other than the county of the bona fide residence of the owner in order to avoid an emissions  
382 inspection required under this section, the county may:

383 (i) investigate and gather evidence to determine whether the vehicle owner has used a  
384 false address or an address other than the vehicle owner's bona fide residence or place of  
385 business[-]; or

386 (ii) provide relevant information and evidence to the Motor Vehicle Division for an  
387 investigation and verification of a bona fide address as described in Subsection [41-1a-110\(6\)](#).

388 (b) If a county conducts an investigation as described in Subsection (14)(a)(i) and  
389 determines that the vehicle owner has used a false or improper address in an effort to avoid an  
390 emissions inspection as required in this section, the county may impose a civil penalty of  
391 \$1,000.

392 (15) A county legislative body described in Subsection (1) may exempt a motor vehicle  
393 from an emissions inspection if:

394 (a) the motor vehicle is 30 years old or older;

395 (b) the county determines that the motor vehicle was driven less than 1,500 miles  
396 during the preceding 12-month period; and

397 (c) the owner provides to the county legislative body a statement signed by the owner  
398 that states the motor vehicle:

399 (i) is primarily a collector's item used for:

- 400 (A) participation in club activities;
- 401 (B) exhibitions;
- 402 (C) tours; or
- 403 (D) parades; or
- 404 (ii) is only used for occasional transportation.

405 Section 4. Section **63G-17-301** is enacted to read:

406 **Part 3. Emission Reduction Plans**

407 **63G-17-301. Definitions.**

408 As used in this part:

409 (1) "Applicable emission" means the same as that term is defined in Section [19-2-101](#).

410 (2) "Applicable geographic area" means the same as that term is defined in Section  
411 [19-2-101](#).

412 (3) "Policy" means the policy set for the reduction of applicable emissions in the  
413 applicable geographic area under Section [19-2-101](#).

414 Section 5. Section **63G-17-302** is enacted to read:

415 **63G-17-302. State agency plans.**

416 (1) In accordance with the other provisions of this section, the following state agencies  
417 shall prepare a plan to contribute to achieving the policy for the reduction of applicable  
418 emissions in the applicable geographic area:

- 419 (a) the Department of Environmental Quality;
- 420 (b) the Governor's Office of Economic Opportunity;
- 421 (c) the Department of Natural Resources;
- 422 (d) the Department of Transportation; and
- 423 (e) the Public Service Commission.

424 (2) A state agency listed in Subsection (1) shall prepare a plan of how the state agency  
425 can contribute to achieving the policy by addressing:

- 426 (a) the state agency's activities, including procurement; and
- 427 (b) activities the state agency oversees or regulates.

428 (3) Notwithstanding the other provisions of this section, the Public Service  
429 Commission shall submit the Public Service Commission's plan required by this section for the  
430 reduction statewide of applicable emissions.

431            (4) A state agency shall submit the agency's plan prepared under this section to the  
432 Legislature by no later than January 1, 2025.

433            Section 6. **Repealer.**

434            This bill repeals:

435            Section **63G-17-101, Title.**

436            Section **63G-17-102, Definitions.**

437            Section **63G-17-201, Title.**

438            Section **63G-17-202, Air quality mitigation report and plan.**

439            Section 7. **Effective date.**

440            This bill takes effect on May 1, 2024.