

**77.320 Elimination of vehicle emissions testing program in county containing consolidated local government -- Determination of need for program.**

- (1) If by December 1 following the approval of a consolidated local government, the county containing the adopted consolidated local government has been notified by federal authorities of the attainment of the county of the air quality standards established by the Federal Environmental Protection Agency for ozone, carbon monoxide, and nitrogen dioxide, the air pollution control district board in that county shall upon July 15, 2002, begin the necessary actions to eliminate any vehicle emissions testing program operated in the county by November 1, 2003. The air pollution control district board shall not enter into or renew any contracts with any vendors for the operation of a vehicle emissions testing program which would extend beyond this date.
- (2) If a consolidated local government should be notified at a date beyond November 1, 2003, of the county's nonattainment of the air quality standards established by the Federal Environmental Protection Agency for ozone, carbon monoxide, and nitrogen dioxide, notwithstanding the provisions of KRS 77.115, 224.20-130, or 224.20-760 to the contrary, the consolidated local government shall determine the need for the reestablishment, administration, operation, and the role, if any, of an air pollution control district if a vehicle emissions testing program is re-created by the consolidated local government in accordance with KRS 224.20-710 to 224.20-765. Nothing in KRS Chapters 77 and 224 shall preclude a consolidated local government from utilizing other methods and procedures for reaching attainment of the air quality standards established by the Federal Environmental Protection Agency for ozone, carbon monoxide, and nitrogen dioxide.

**Effective:** July 15, 2002

**History:** Created 2002 Ky. Acts ch. 229, sec. 1, effective July 15, 2002; and ch. 346, sec. 235, effective July 15, 2002.

**Legislative Research Commission Note (7/15/2002).** This section was created by 2002 Ky. Acts chs. 229 and 346. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 346, which was last enacted by the General Assembly, prevails under KRS 446.250. Section 240 of 2002 Ky. Acts ch. 346 states, "In case of a conflict between Section 235 of this Act and Section 1 of House Bill 618 of this 2002 Regular Session of the General Assembly, it is the intention of the General Assembly that the provisions of Section 235 of this Act shall prevail."