

**TOWN OF TIMNATH, COLORADO**

**RESOLUTION NO. 34, SERIES 2009**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH,  
COLORADO EXPRESSING THE TOWN'S OPPOSITION TO SENATE BILL 2009-003,  
CONCERNING THE VEHICLE EMISSIONS INSPECTION PROGRAM IN THE  
NORTH FRONT RANGE**

**WHEREAS**, the Town of Timnath, with a population of 450 persons, is in Larimer County, Colorado; and

**WHEREAS**, the Town Council for the Town of Timnath is aware of the existing vehicle emissions inspection and air quality program adopted by the Colorado Air Quality Commission ("the Commission") pursuant to C.R.S. § 42-4-304(20); and

**WHEREAS**, the focus of the regulatory program is the production of carbon monoxide from various sources, including motor vehicles; and

**WHEREAS**, the existing regulatory program properly addresses motor vehicles as significant sources of carbon monoxide emissions; and

**WHEREAS**, the new program adopted by the Commission in December, 2008 has as its primary focus the reduction of sources of ozone; and

**WHEREAS**, Senate Bill 2009-003, currently being considered by the Colorado General Assembly, would expand the program area covered by the vehicle emissions inspection program to include Weld and Larimer Counties, including rural areas of those counties such as the Town of Timnath and its environs and would also include the regulation of ozone as described above; and

**WHEREAS**, motor vehicles are not a significant source for production of ozone as compared with other natural and man-made sources; and

**WHEREAS**, the new program proposes a maintenance and inspection program for all motor vehicles within the expanded program area; and

**WHEREAS**, implementation of the new program would not be cost-effective with respect to ozone control, for the following reasons, among others:

1. Ozone production from the operation of motor vehicles is not significant when compared to other natural and man-made sources;
2. Even among motor vehicles, ozone production from newer vehicles is significantly less than that from elder vehicles;
3. The proposed new program does not distinguish between old and new vehicles;
4. Expanding the program area to include rural portions of Larimer and Weld Counties, including the Town of Timnath and environs, would impose a cost burden upon

residents of those areas vastly out of proportion to their contribution to ozone production through motor vehicle operation, and

**WHEREAS**, in light of the foregoing, the Timnath Town Council wishes to declare its opposition to Senate Bill 2009-003 and the implementation of the new Colorado Air Quality Commission program as adopted on December, 2008 throughout the proposed expanded area.

**BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO:**

**Section 1.** The Town Council hereby expresses its opposition to the expansion of the motor vehicles emissions inspection program to the rural portions of Weld and Larimer Counties, including the Town of Timnath and its environs for the foregoing reasons.

**Section 2.** The Town Council further expresses its opposition to implementation of the Air Quality Control Commission's proposed maintenance and inspection program with respect to ozone control.

**Section 3.** The Town Council urges the Colorado General Assembly not to adopt SB 2009-003 in its present form, and the Colorado Air Quality Control Commission not to implement the proposed new ozone control program, and, instead, in the event the General Assembly and the Air Quality Control Commission continue to believe some form of motor vehicle maintenance and inspection program is necessary to control ozone production, that such program be limited as follows:

- Reduce the expanded program area to include only the urbanized areas of Larimer and Weld Counties of towns with a population over 25,000, excluding the rural areas of those counties, including the Town of Timnath and its environs.
- Restructure the inspection and maintenance program to cover only those older motor vehicles older than 1995 which have been demonstrated to produce considerably more ozone than newer vehicles, thus targeting the program in areas where it will have the most impact in return for public dollars spent.

**Section 4.** The Town Council urges the citizens of the Town to contact their state legislators and the members of the Colorado Air Quality Control Commission to support the Town's position with respect to the proposed ozone control program and the expansion of the regulatory area covered by that program.

**Section 5. Effective Date**

This Resolution shall be effective upon adoption.

PASSED, APPROVED AND ADOPTED THIS 22<sup>nd</sup> DAY OF April, 2009.

**TOWN OF TIMNATH, COLORADO**

  
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Donna Benson, Mayor

**ATTEST:**

  
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Milissa McGuire, Town Clerk