

By the Committee on Environmental Preservation and Conservation;  
and Senator Constantine

592-03357-09

20091994c1

1 A bill to be entitled

2 An act relating to motor vehicle emission standards;  
3 amending s. 316.2937, F.S.; ratifying a rule of the  
4 Department of Environmental Protection which adopts  
5 the California motor vehicle emission standards;  
6 providing conditions for future changes to the rule;  
7 requiring the Department of Environmental Protection  
8 and the Department of Highway Safety and Motor  
9 Vehicles to develop a proposal to implement the rule  
10 and report to the Legislature; providing an effective  
11 date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. Section 316.2937, Florida Statutes, is amended  
16 to read:

17 316.2937 Motor vehicle emissions standards.—Rule 62-  
18 285.400, Florida Administrative Code, adopted by If the  
19 Department of Environmental Protection, as filed with the  
20 Secretary of State on January 26, 2009, is ~~proposes to adopt the~~  
21 ~~California motor vehicle emission standards, such standards~~  
22 ~~shall not be implemented until~~ ratified by the Legislature.  
23 However, no order or rule of the California Air Resources Board,  
24 its executive director, or any other non-Florida official's  
25 determination of emissions standards or individual vehicle make  
26 and model emissions values shall be applicable or enforceable in  
27 Florida until ratified by the Legislature. In making these  
28 determinations to adopt standards and individual vehicle make  
29 and model emissions values, the Legislature shall consider the

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30 desirability of conformance with California standards and the  
31 consequences of deviation under the federal Clean Air Act, but  
32 shall ratify only such emissions standards or executive orders  
33 that are consistent with the purposes and standards expressed in  
34 chapter 403. If the department proposes to modify its rule  
35 adopting the California motor vehicle emission standards, such  
36 rule modifications may ~~shall~~ not be implemented until ratified  
37 by the Legislature. The Department of Environmental Protection  
38 and the Department of Highway Safety and Motor Vehicles shall  
39 jointly develop a proposal to implement the Florida Clean Car  
40 Emission rule which addresses methods for monitoring compliance  
41 with the rule, and shall submit the proposal to the President of  
42 the Senate and the Speaker of the House of Representatives by  
43 January 2, 2010.

44 Section 2. This act shall take effect July 1, 2009.