

HOUSE BILL NO. 270  
INTRODUCED BY BERGREN

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE USE OR SALE OF ~~FLAMMABLE~~ REFRIGERANTS IN MOTOR VEHICLE AND SPECIAL MOBILE EQUIPMENT AIR CONDITIONING SYSTEMS THAT ARE NOT INCLUDED IN THE LIST OF SAFE ALTERNATIVE AIR CONDITIONING SUBSTITUTES PUBLISHED BY THE ENVIRONMENTAL PROTECTION AGENCY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Air conditioning equipment -- use of flammable refrigerant prohibited.**

(1) Air conditioning equipment must be ~~manufactured, installed, and~~ maintained with due regard for the safety of the occupants of the vehicle, service technicians, and the public.

(2) Air conditioning equipment may ~~not contain any~~ ONLY refrigerant that is ~~flammable~~ HAS BEEN INCLUDED IN THE LIST PUBLISHED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AS A SAFE ALTERNATIVE MOTOR VEHICLE AIR CONDITIONING SUBSTITUTE FOR CHLOROFLUOROCARBON-12 PURSUANT TO 42 U.S.C. 7671K(C).

~~(2)(3)~~ A person may not equip OR MAINTAIN a motor vehicle or special mobile equipment with air conditioning equipment OR REFRIGERANTS that ~~does DO~~ not comply with the requirements of this section.

~~(3)(4)~~ As used in [SECTION 2] AND this section, "air conditioning equipment" means mechanical, belt-driven, vapor compression refrigerant equipment that is used to cool the driver's compartment or passenger compartment of a motor vehicle, as defined in 61-1-102, or special mobile equipment, as defined in 61-1-104.

**NEW SECTION. SECTION 2. AIR CONDITIONING EQUIPMENT -- SALE PROHIBITED. (1) REFRIGERANT NOT ALLOWED TO BE USED PURSUANT TO [SECTION 1] MAY NOT BE SOLD FOR USE IN MOTOR VEHICLES IN MONTANA.**

**(2) MOTOR VEHICLES AND SPECIAL MOBILE EQUIPMENT WITH AIR CONDITIONING EQUIPMENT THAT HAVE REFRIGERANTS NOT ALLOWED IN [SECTION 1], IF INSTALLED PRIOR TO [THE EFFECTIVE DATE OF THIS ACT], ARE NOT SUBJECT TO ANY PENALTIES PROVIDED FOR UNDER TITLE 61, CHAPTER 9.**

**NEW SECTION. Section 3. Codification instruction. [Section 1] is [SECTIONS 1 AND 2] ARE** intended to be codified as an integral part of Title 61, chapter 9, part 4, and the provisions of Title 61, chapter 9, part 4,

apply to ~~section 4~~ SECTIONS 1 AND 2.

NEW SECTION. **Section 4. Saving clause.** [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act].

NEW SECTION. **Section 5. Effective date.** [This act] is effective on passage and approval.

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