

NOTE: The governor signed this measure on 6/5/2013.

An Act

HOUSE BILL 13-1071

BY REPRESENTATIVE(S) Holbert, Conti, Labuda, Lee, Scott, Singer, Tyler, Vigil, Williams, Wright, DelGrosso, Kagan, Szabo; also SENATOR(S) Tochtrop, Crowder, Nicholson.

CONCERNING THE TYPE OF VEHICLE THAT QUALIFIES TO REGISTER AS A COLLECTOR VEHICLE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 42-12-101, **amend** (2) as follows:

42-12-101. Definitions. As used in this article, unless the context otherwise requires:

(2) "Collector's item" means a motor vehicle, including a truck or truck tractor, that is of:

(a) Model year 1975 or earlier; ~~or~~

(b) Model year 1976 or later that was registered as a collector's item prior to September 1, 2009; except that a vehicle so registered is not eligible

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

for registration as a collector's item upon sale or transfer to a new owner;
OR

(c) A MODEL YEAR AT LEAST THIRTY-TWO YEARS OLD; EXCEPT THAT, IF THE VEHICLE IS BEING REGISTERED IN THE PROGRAM AREA, AS DEFINED IN SECTION 42-4-304:

(I) THE VEHICLE MUST HAVE PASSED AN EMISSIONS TEST MEETING THE STANDARDS OF PART 3 OF ARTICLE 4 OF THIS TITLE WITHIN THE LAST TWELVE MONTHS BEFORE BEING INITIALLY REGISTERED BY THE OWNER AS A COLLECTOR'S ITEM; AND

(II) THE OWNER MUST SIGN AN AFFIDAVIT THAT THE VEHICLE WILL NOT BE DRIVEN ON ROADWAYS FOR MORE THAN FOUR THOUSAND FIVE HUNDRED MILES PER YEAR.

SECTION 2. In Colorado Revised Statutes, 42-12-404, **amend** (1); and **add** (3) as follows:

42-12-404. Emissions. (1) EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, a motor vehicle of historic or special interest manufactured prior to the date emission controls were standard equipment on that particular make or model of vehicle is exempted from statutes requiring the inspection and use of such emission controls. A motor vehicle using emission controls as standard equipment at the time of manufacture must have such equipment in proper operating condition at all times when the vehicle is operated on or for highway purposes.

(3) TO REGISTER OR REREGISTER A COLLECTOR'S ITEM THAT IS MODEL YEAR 1976 OR LATER, THE OWNER MUST HAVE A CERTIFICATE OF EMISSION CONTROL ISSUED UNDER PART 3 OF ARTICLE 4 OF THIS TITLE.

SECTION 3. In Colorado Revised Statutes, 42-4-304, **amend** (3) (b) (II) as follows:

42-4-304. Definitions relating to automobile inspection and readjustment program. As used in sections 42-4-301 to 42-4-316, unless the context otherwise requires:

(3) (b) (II) Except as provided in ~~paragraph (c) of this subsection~~ (3)

~~and in~~ section 42-4-309, THE EXECUTIVE DIRECTOR SHALL ESTABLISH a biennial inspection schedule ~~shall be established~~ for 1982 and newer model vehicles, ~~and an annual INSPECTION schedule shall be established~~ for 1981 and older model vehicles, AND A FIVE-YEAR INSPECTION SCHEDULE FOR A 1976 OR NEWER MOTOR VEHICLE REGISTERED AS A COLLECTOR'S ITEM.

SECTION 4. In Colorado Revised Statutes, 42-4-310, **add** (1) (a) (II) (D) as follows:

42-4-310. Periodic emissions control inspection required.

(1) (a) (II) (D) TO BE SOLD OR TRANSFERRED OR TO RENEW THE REGISTRATION, 1976 AND NEWER MODEL MOTOR VEHICLES REGISTERED AS A COLLECTOR'S ITEM UNDER ARTICLE 12 OF THIS TITLE MUST BE INSPECTED AND HAVE A CERTIFICATION OF EMISSIONS CONTROL. THE CERTIFICATION OF EMISSIONS CONTROL IS VALID FOR SIXTY MONTHS.

SECTION 5. In Colorado Revised Statutes, 42-4-311, **amend** (3) (a) (II) as follows:

42-4-311. Operation of inspection and readjustment stations - inspection-only facilities - fleet inspection stations - motor vehicle dealer test facilities - enhanced inspection centers. (3) (a) (II) EXCEPT AS REQUIRED BY SECTION 42-12-404, no verification of emissions test is required to be issued to or required for any motor vehicle that is registered as a collector's item ~~pursuant to~~ UNDER section 42-12-401.

SECTION 6. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, to the department of revenue, for the fiscal year beginning July 1, 2013, the sum of \$193,489 cash funds, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

(a) \$604 from the Colorado state titling and registration account in the highway users tax fund created in section 42-1-211 (2), Colorado Revised Statutes, to the information technology division for the purchase of computer center services; and

(b) \$192,885 from the license plate cash fund created in section 42-3-301 (1) (b), Colorado Revised Statutes, to the division of motor vehicles for the purchase of license plates.

(2) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2013, the sum of \$604, or so much thereof as may be necessary, for allocation to the office of information technology, for the provision of computer center services for the department of revenue related to the implementation of this act. Said sum is from reappropriated funds received from the department of revenue out of the appropriation made in paragraph (a) of subsection (1) of this section.

SECTION 7. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Mark Ferrandino
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

John P. Morse
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO