

Second Regular Session  
Sixty-third General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 02-0583.01 Jery Payne

HOUSE BILL 02-1091

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HOUSE SPONSORSHIP

Fritz

SENATE SPONSORSHIP

(None)

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House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE AUGMENTATION OF LAW ENFORCEMENT TOOLS  
102 USED TO GAIN COMPLIANCE WITH LAWS REGULATING THE  
103 RECREATIONAL USE OF COLORADO NATURAL RESOURCES.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Clarifies that the wildlife commission ("commission") has the power to provide for the control of wildlife in order to preserve the health, safety, and welfare of the public or to protect other wildlife. Removes a requirement that funds appropriated to the division of parks and outdoor recreation for the acquisition of rights-of-way be expended for the provision of services with the department of transportation.

Clarifies that a permit is not required to trap, kill, or otherwise

**Shading denotes HOUSE amendment.** Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

dispose of bears, mountain lions, or dogs when such animals threaten livestock, people, or property. Requires a person who takes a dog for such purposes to report the fact to the division of wildlife within 48 hours, and a person who takes a mountain lion or bear for such purposes to report the fact within 5 days.

Authorizes a peace officer to write a ticket for an unattended vehicle that is in a state park without the appropriate pass. Requires the payment of such ticket to be made within 30 days or, if not, requires a court date to be set. Imposes liability on the registered owner if the owner knew or should have known that the vehicle was used for such violation.

Authorizes the commission to delegate to a hearing officer the authority to suspend wildlife license privileges. Changes the definition of conviction, as applied to licensing, in order to include the acceptance of a deferred sentence and the adjudication of a juvenile as delinquent. Voids any license that is an illegal second license. Imposes a lifetime suspension of license privileges when a person has had his or her license suspended 3 or more times.

Adds the purchase of, or attempt to sell or purchase, wildlife illegally taken or possessed to the list of prohibited actions that may be prosecuted as separate crimes for each animal or part of such animal. Adds a criminal penalty of \$1,000 to \$10,000 and up to 90 days in jail for any person who applies for a license, or exercises the benefits conferred by a license, while under a lifetime suspension of licensing privileges.

Imposes the following criminal penalties and 15 license suspension points ("points") when a person provides false information while applying for a license, and increases the penalty for making a false statement on a license application from \$200 to the following:

- For a small game license, \$200;
- For each moose, rocky mountain bighorn sheep, rocky mountain goat, or desert bighorn sheep license, \$1,500; and
- For any other big game license, \$500.

Increases the criminal penalties for hunting or taking wildlife without the appropriate license from \$50 and 10 points to the following:

- For a small game license, \$50 and 10 points;
- For each moose, rocky mountain bighorn sheep, rocky mountain goat, or desert bighorn sheep license, \$1,500 and 15 points; and
- For any other big game license, \$500 and 15 points.

Prohibits a person from using another person's license and imposes a criminal penalty of \$200 and 15 points for such violation.

Authorizes the commission to suspend a license for a period of one year to life for illegally hunting, taking, or possessing an endangered or threatened animal or a golden eagle, rocky mountain goat, desert bighorn sheep, American peregrine falcon, or rocky mountain bighorn sheep.

Raises the criminal penalty for illegally taking a desert bighorn sheep, American peregrine falcon, or rocky mountain bighorn sheep to a fine of \$1,000 to \$100,000, one year in jail, and 20 points.

Clarifies that any combination of 3 or more big-game-animal takings violations triggers a penalty enhancement of up to a \$10,000 fine per animal and up to one year in jail. Changes the trigger for such penalty enhancement as follows:

- For each bull elk, lowers the number of antler points from 6 to 5 and adds a requirement that the main beam of the antler be 41 inches.
- For each mule deer buck, lowers the antler spread from 22 to 19 inches and adds the requirement that each antler have at least 4 points and each main beam be at least 21 inches.
- For each whitetail deer buck, lowers the antler spread from 18 to 17 inches and adds the requirement that each antler have at least 4 points and each main beam be at least 21 inches.
- For each bull moose, adds a requirement that the outside antler spread be 35 inches.

Imposes a criminal penalty of \$50 and 10 points when a person fails to attach the carcass tag to an animal that has been taken. Prohibits operating any commercial business on any property owned or managed by the division of parks and outdoor recreation without acquiring a permit, and imposes a criminal penalty of \$100 to \$1,000 or one year in jail and 20 points for such violation.

Removes the intent element in the prohibition of taking wildlife and abandoning the carcass or body, and changes the authorized suspension from permanent to one year to a lifetime suspension of license privileges for big game, eagles, and endangered species.

Adds fishing and trapping to the prohibition of hunting or taking wildlife outside of legal seasons or areas. Changes the penalty for such violation from \$100 and 10 points to the following:

- For a small game license, \$100 and 10 points;
- For each moose, rocky mountain bighorn sheep, rocky mountain goat, or desert bighorn sheep license, \$1,500 and 15 points; or
- For any other big game license, \$500 and 15 points.

Changes the criminal penalty for hunting, taking, or harassing wildlife from or with any motor vehicle from 15 to 10 points. Prohibits illegally hunting wildlife from a motor vehicle, and imposes a criminal penalty of \$100 and 10 points for a violation. Prohibits using electronic communication devices to aid in a hunting or fishing violation, and imposes a criminal penalty of \$200 and 15 points for a violation. Prohibits the use of night vision and thermal imaging devices as an aid in hunting, and imposes a criminal penalty of \$200 and 20 points for a

violation.

Prohibits the operation of a commercial business on any division of parks and outdoor recreation owned or managed property without a permit, and imposes criminal liability of \$100 to \$1,000 or one year in jail, or both, for such violation.

Repeals a statute that imposes criminal penalties for failure to pay a special district toll.

Prohibits the possession of a vessel at a staging area unless it has been registered, and imposes a criminal penalty of \$50 for such violation. Prohibits the operation of a vessel unless all children on deck are wearing flotation devices, and imposes a criminal penalty of \$50 for such violation.

Whereas the operator of a vessel is required to make a report when the vessel is in an accident, repeals the following requirements pertaining to such report:

- The report cannot prejudice the person who files the report or be used as evidence in a relevant civil or criminal trial.
- The report must be kept confidential by the commission except to disclose the identity of a person involved in such accident.

Authorizes the board of parks and outdoor recreation to prohibit the use of whitewater canoes and kayaks in any waters of the state when it may constitute a safety hazard.

Repeals the requirement that, upon registration, the division of parks and outdoor recreation must provide a copy of the laws and rules affecting vessels to a vessel owner.

Raises the following penalties for the following violations:

- From a \$25 to a \$50 fine for operating a motor vehicle on a designated trail.
- From a \$100 to a \$200 fine for failure of a registration agent to remit moneys from the sale of passes and registrations if the amount is less than \$200.
- From a \$100 to a \$200 fine for illegal sale or transfer of a pass or registration.
- From a \$100 to a \$200 fine for fraud in connection with a pass.
- From a \$25 to a \$50 fine for operation of an unregistered vessel, or for failing to make a vessel, snowmobile, or off-highway vehicle registration available for inspection.
- From a \$10 to a \$25 fine for failure to display a vessel or snowmobile registration number.
- From a \$25 to a \$100 fine for failure to maintain vessel livery records.
- From a \$50 to a \$100 fine for permitting any vessel to depart from one's premises unless such vessel is properly

equipped and registered.

- From a \$100 to a \$200 fine for the owner or operator of a vessel livery who permits an unregistered vessel to depart.
- From a \$100 to a \$200 minimum fine for reckless operation of a vessel or snowmobile.
- From a \$100 to a \$200 minimum fine for the operation of a snowmobile or vessel, other than a motorboat or sailboat, under the influence of drugs or alcohol.
- From a \$100 to a \$200 minimum fine and from 180 days to a year in jail for the operation of a motorboat or sailboat under the influence of drugs or alcohol.
- From a \$100 to a \$200 minimum fine for knowingly authorizing the operation of a motorboat or sailboat by a person under the influence of drugs or alcohol.
- From a \$25 to a \$75 fine for hit-and-run with a vessel, snowmobile, or off-highway vehicle.
- From a \$50 to a \$100 fine for operation of a water device in an unsafe manner.
- From a \$25 to a \$50 fine for operation of a water device without a personal flotation device.
- From a \$100 to a \$200 minimum fine for the operation of a water device under the influence of alcohol or drugs.
- From a \$50 to a \$100 fine for failure to obey an order closing areas to vessels.
- From a \$50 to a \$100 fine for the failure of a dealer to register a snowmobile or off-highway vehicle.
- From a \$35 to a \$50 fine for the operation of an unregistered snowmobile or off-highway vehicle.
- From a \$25 to a \$50 fine for the illegal underaged operation of a snowmobile.
- From a \$15 and \$25 to a \$50 fine for the illegal operation of a snowmobile or off-highway vehicle on a highway, freeway, or railroad.
- From a \$50 to a \$100 fine for the operation of a snowmobile on private property without permission.
- From a \$25 to a \$50 fine for the operation of a snowmobile or off-highway vehicle without the appropriate equipment in good working order.
- From a \$50 to a \$100 fine for carelessly operating a snowmobile.
- From a \$25 to a \$50 fine for an owner who permits a snowmobile to be operated in a careless manner or by a person who is under the influence of alcohol.
- From a \$20 to a \$200 fine for hunting from a snowmobile.
- From a \$20 to a \$50 fine for riding a snowmobile with a

- loaded firearm or bow that is not encased.
- From a \$20 to a \$200 fine for pursuing, driving, or harassing wildlife with a snowmobile.
- From a \$25 to a \$50 fine for failing to register or obtain a use permit for an off-highway vehicle.
- From a \$25 to a \$50 fine for the default penalty for any violation of the vessel, snowmobile, or off-highway vehicle statutes or rules.
- From a \$25 to a \$50 fine for camping on state parks land when not so designated.
- From a \$50 to a \$100 fine for careless or illegal operation of a motor vehicle in a state park or leaving such vehicle unattended for more than 24 hours in a state park.

Defines relevant terms, including changing the definition of "resident" to categorically exclude any person who applies for, purchases, or accepts any resident hunting or fishing license issued by a foreign jurisdiction.

Makes conforming amendments.

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

2 **SECTION 1.** 33-1-105 (1), Colorado Revised Statutes, is  
 3 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

4 **33-1-105. Powers of commission - repeal.** (1) The commission  
 5 has power to:

6 (h) PROVIDE FOR THE CONTROL OF ANY WILDLIFE THAT POSES A  
 7 THREAT TO PUBLIC HEALTH, SAFETY, AND WELFARE OR AN UNDUE THREAT  
 8 TO OTHER WILDLIFE. SUCH CONTROL SHALL INCLUDE THE DESTRUCTION  
 9 OF THE WILDLIFE POSING SUCH THREATS.

10 **SECTION 2.** 33-3-106 (2), (3), and (4), Colorado Revised  
 11 Statutes, are amended to read:

12 **33-3-106. Excessive damage - permit to take wildlife -**  
 13 **harassment by dogs.** (2) Any wildlife killed, as permitted under  
 14 subsection (1) OR SUBSECTION (3) of this section, shall remain the  
 15 property of the state AND shall be field dressed promptly, and ~~the~~ SUCH

1 killing thereof shall be reported to the division within forty-eight hours;  
2 EXCEPT THAT THE KILLING OF A BEAR OR MOUNTAIN LION SHALL BE  
3 REPORTED WITHIN FIVE DAYS.

4 (3) Nothing in this section shall make it unlawful to trap, kill, or  
5 otherwise dispose of bears, mountain lions, or dogs WITHOUT A PERMIT  
6 in situations when it is necessary to prevent them from inflicting death or  
7 injury to livestock or human life and additionally, in the case of dogs,  
8 when it is necessary to prevent them from inflicting death or injury to big  
9 game other than bear or mountain lion and to small game, birds, and  
10 mammals. The division may bring a civil action against the owner of any  
11 dog inflicting death or injury to any big game other than bear or mountain  
12 lion and to small game, birds, and mammals for the value of each game  
13 animal injured or killed. The minimum value of each animal shall be as  
14 set forth in section 33-6-110.

15 ~~(4) It shall not be necessary or requisite to obtain from the~~  
16 ~~division any permit for the taking of bears, mountain lions, coyotes,~~  
17 ~~bobcats, or dogs. No dog shall be killed within the city limits of any~~  
18 ~~town, city, or municipality or while in the possession of or under the~~  
19 ~~control of any person unless otherwise permitted by law. All bears and~~  
20 ~~mountain lions which are taken or destroyed under this section shall be~~  
21 ~~reported to the division within five days after the killing thereof.~~

22 **SECTION 3.** 33-4-101.3 (4), Colorado Revised Statutes, is  
23 amended to read:

24 **33-4-101.3. Black bears - declaration of intent - spring season**  
25 **hunting prohibited - prohibited means of taking - penalty.** (4) The  
26 provisions of this section shall not apply to employees of the division of  
27 wildlife or to field agents of the United States department of agriculture,

1 when such employees or agents are acting in their official capacity, nor  
2 shall this section apply to any person who lawfully takes a black bear in  
3 defense of LIVESTOCK OR HUMAN life or property ~~or to any person who~~  
4 ~~traps, kills, or otherwise disposes of a black bear in accordance with~~  
5 ~~section 33-3-106 (3)~~ PURSUANT TO SECTION 33-3-106.

6 **SECTION 4.** 33-6-103, Colorado Revised Statutes, is amended  
7 to read:

8 **33-6-103. Prosecution of offenses.** If the possession, use,  
9 importation, exportation, transportation, storage, sale or PURCHASE,  
10 offering FOR SALE OR PURCHASE, or exposing for sale of wildlife is  
11 prohibited or restricted by articles 1 to 6 of this title or by rule ~~or~~  
12 ~~regulation~~ of the commission, the prohibition or restriction, where not  
13 otherwise specifically provided, shall extend to and include every part of  
14 such wildlife, and a violation as to each animal or part thereof shall be a  
15 separate offense. Two or more offenses may be charged in the same  
16 complaint, information, or indictment, and proof as to part of an animal  
17 shall be sufficient to sustain a charge as to the whole of it. Violations as  
18 to any number of animals of the same kind may be charged in the same  
19 count and punished as a separate offense as to each animal.

20 **SECTION 5.** The introductory portion to 33-6-106 (1) and  
21 33-6-106 (1) (b) (II), (1) (c), (2), and (6), Colorado Revised Statutes, are  
22 amended, and the said 33-6-106 is further amended BY THE ADDITION  
23 OF A NEW SUBSECTION, to read:

24 **33-6-106. Suspension of license privileges.** (1) The commission,  
25 OR A HEARING OFFICER WHO HAS BEEN DELEGATED AUTHORITY BY THE  
26 COMMISSION, has the exclusive authority to suspend the privilege of  
27 applying for, purchasing, or exercising the benefits conferred by any or



1 all licenses issued by the division for a period not to exceed five years,  
2 except as otherwise provided in articles 1 to 6 of this title, if a person:

3 (b) While a Colorado resident:

4 (II) ~~Has been convicted of federal wildlife violations occurring in~~  
5 ~~this state, and such convictions, individually or when combined with~~  
6 ~~convictions specified in paragraph (a) of this subsection (1), total twenty~~  
7 ~~or more points in any consecutive five-year period;~~

8 (c) Has been convicted of any violation of title 18, C.R.S., ~~which~~  
9 ~~he~~ OR OF ANY FEDERAL WILDLIFE VIOLATIONS WITHIN COLORADO FOR  
10 WHICH THE TOTAL ASSESSMENT OF LICENSE SUSPENSION POINTS IS TWENTY  
11 OR MORE, THAT WAS committed while hunting, trapping, fishing, or  
12 engaging in a related activity;

13 (2) For the purposes of license suspension under subsection (1)  
14 of this section, the payment of a penalty assessment, a court conviction,  
15 a plea of nolo contendere, the ~~imposition~~ ACCEPTANCE of a deferred or  
16 suspended sentence by the court, ~~or~~ forfeiture of bail, OR THE  
17 ADJUDICATION OF A JUVENILE AS DELINQUENT FOR ANY VIOLATION OF THIS  
18 TITLE THAT WOULD HAVE RESULTED IN A CONVICTION IF PROSECUTED AS  
19 AN ADULT shall be deemed a conviction.

20 (6) Any person whose license privileges have been suspended  
21 shall not be entitled to purchase, apply for, or exercise the benefits  
22 conferred by any license issued by the division until his OR HER  
23 suspension has expired. Any person who violates this subsection (6) is  
24 guilty of a misdemeanor and, upon conviction, ~~thereof~~, shall be punished  
25 by a fine of five hundred dollars. Conviction under this subsection (6)  
26 shall result in an automatic two-year extension of the existing suspension  
27 added to the end of the original suspension UNLESS SUCH PERSON WAS

1 UNDER A LIFETIME SUSPENSION WHEN SUCH VIOLATION OCCURRED. IF A  
2 PERSON IS UNDER A LIFETIME SUSPENSION AND VIOLATES THIS SUBSECTION  
3 (6), SUCH PERSON SHALL BE GUILTY OF A MISDEMEANOR AND SHALL BE  
4 PUNISHED BY A FINE OF NOT LESS THAN ONE THOUSAND DOLLARS NOR  
5 MORE THAN TEN THOUSAND DOLLARS OR BY IMPRISONMENT IN THE  
6 COUNTY JAIL FOR NOT MORE THAN NINETY DAYS, OR BY BOTH SUCH FINE  
7 AND IMPRISONMENT.

8 (8) IF A PERSON'S PRIVILEGE OF APPLYING FOR, PURCHASING, OR  
9 EXERCISING THE BENEFITS CONFERRED BY ANY OR ALL LICENSES ISSUED  
10 BY THE DIVISION IS SUSPENDED THREE OR MORE TIMES PURSUANT TO THIS  
11 SECTION, SUCH PERSON SHALL RECEIVE A LIFETIME SUSPENSION OF SUCH  
12 PRIVILEGES.

13 **SECTION 6.** 33-6-107 (1), (2), (3), and (7), Colorado Revised  
14 Statutes, are amended to read:

15 **33-6-107. Licensing violations - penalties.** (1) Except as  
16 otherwise provided in articles 1 to 6 of this title or by rule ~~or regulation~~  
17 of the commission, no person shall procure or use more than one license  
18 of a certain type in any one calendar year. Any person who violates this  
19 subsection (1) is guilty of a misdemeanor and, upon conviction, ~~thereof,~~  
20 shall, with respect to wildlife other than big game, be punished by a fine  
21 of fifty dollars and an assessment of ten license suspension points or  
22 shall, with respect to big game, be punished by a fine of two hundred  
23 dollars and an assessment of fifteen license suspension points. ALL  
24 LICENSES PROCURED IN VIOLATION OF THIS SUBSECTION (1) ARE VOID.

25 (2) (a) Any person who makes a false statement OR PROVIDES  
26 FALSE INFORMATION in connection with applying for or purchasing a  
27 license, or any license agent who knowingly uses or accepts false

1 information in connection with selling or issuing a license, is guilty of a  
2 misdemeanor and, upon conviction, ~~thereof~~, shall be punished by a fine  
3 ~~of two hundred dollars~~ THE FOLLOWING FINES and an assessment of  
4 fifteen license suspension points:

5 (I) FOR EACH LICENSE THAT IS NOT A BIG GAME LICENSE, TWO  
6 HUNDRED DOLLARS;

7 (II) FOR EACH MOOSE, ROCKY MOUNTAIN BIGHORN SHEEP, ROCKY  
8 MOUNTAIN GOAT, OR DESERT BIGHORN SHEEP LICENSE, FIFTEEN HUNDRED  
9 DOLLARS; AND

10 (III) FOR EACH BIG GAME LICENSE, EXCEPT THE LICENSES LISTED  
11 IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), FIVE HUNDRED DOLLARS.

12 (b) All licenses obtained with the false information are void.

13 (3) Except as otherwise provided in articles 1 to 6 of this title or  
14 by rule ~~or regulation~~ of the commission, any person, regardless of age,  
15 who hunts or takes wildlife in this state shall procure a proper and valid  
16 license therefor and shall have the valid license on his or her person when  
17 exercising the benefits it confers. A person who violates this subsection  
18 (3) is guilty of a misdemeanor and, upon conviction, ~~thereof~~, shall ~~with~~  
19 ~~respect to wildlife other than big game~~, be punished by a fine of fifty  
20 dollars and an assessment of ten license suspension points or shall, ~~with~~  
21 ~~respect to big game~~, be punished by a fine of two hundred fifty dollars  
22 and an assessment of fifteen license suspension points. AS FOLLOWS:

23 (a) FOR EACH LICENSE THAT IS NOT A BIG GAME LICENSE, THE FINE  
24 SHALL BE FIFTY DOLLARS AND TEN LICENSE SUSPENSION POINTS SHALL BE  
25 ASSESSED;

26 (b) FOR EACH MOOSE, ROCKY MOUNTAIN BIGHORN SHEEP, ROCKY  
27 MOUNTAIN GOAT, OR DESERT BIGHORN SHEEP LICENSE, THE FINE SHALL BE

1 FIFTEEN HUNDRED DOLLARS AND FIFTEEN LICENSE SUSPENSION POINTS  
2 SHALL BE ASSESSED; AND

3 (c) FOR EACH BIG GAME LICENSE, EXCEPT THE LICENSES LISTED IN  
4 PARAGRAPH (b) OF THIS SUBSECTION (3), THE FINE SHALL BE FIVE  
5 HUNDRED DOLLARS AND FIFTEEN LICENSE SUSPENSION POINTS SHALL BE  
6 ASSESSED.

7 (7) It is unlawful for any person to alter, transfer, sell, loan, or  
8 assign his or her own or another person's lawfully acquired license to  
9 another person. IT IS UNLAWFUL FOR ANY PERSON TO USE ANOTHER  
10 PERSON'S LAWFULLY ACQUIRED LICENSE. Any person who violates this  
11 subsection (7) is guilty of a misdemeanor and, upon conviction, ~~thereof~~,  
12 shall be punished by a fine of two hundred dollars and an assessment of  
13 fifteen license suspension points, and any licenses so used are void.

14 **SECTION 7.** The introductory portion to 33-6-109 (3) and  
15 33-6-109 (3) (a), (3) (b), (3) (e), (3.4) (a) (I), (3.4) (a) (II), (3.4) (a) (III),  
16 and (3.4) (a) (IV), Colorado Revised Statutes, are amended to read:

17 **33-6-109. Wildlife - illegal possession.** (3) Any person who  
18 violates subsection (1) or (2) of this section is guilty of a misdemeanor  
19 and, depending upon the wildlife involved, shall be punished upon  
20 conviction ~~thereof~~ by a fine or imprisonment, or both, and license  
21 suspension points or suspension or revocation of license privileges as  
22 follows:

23 (a) For each animal listed as endangered or threatened, a fine of  
24 not less than two thousand dollars and not more than one hundred  
25 thousand dollars, or by imprisonment for not more than one year in the  
26 county jail, or by both such fine and such imprisonment, and an  
27 assessment of twenty points. UPON CONVICTION, THE COMMISSION MAY

1 SUSPEND ANY OR ALL LICENSE PRIVILEGES OF THE PERSON FOR A PERIOD  
2 OF FROM ONE YEAR TO LIFE.

3 (b) For each golden eagle, rocky mountain goat, DESERT BIGHORN  
4 SHEEP, AMERICAN PEREGRINE FALCON, or ROCKY MOUNTAIN bighorn  
5 sheep, a fine of not less than one thousand dollars and not more than one  
6 hundred thousand dollars, or by imprisonment for not more than one year  
7 in the county jail, or both such fine and such imprisonment, and an  
8 assessment of twenty points. UPON CONVICTION, THE COMMISSION MAY  
9 SUSPEND ANY OR ALL LICENSE PRIVILEGES OF THE PERSON FOR A PERIOD  
10 OF FROM ONE YEAR TO LIFE.

11 (e) For each violation of paragraph ~~(b)~~, (c) or (d) of this  
12 subsection (3) where ANY COMBINATION OF three or more animals are  
13 taken or possessed, a minimum fine per animal as set forth in ~~said~~ SUCH  
14 paragraphs, to a maximum of ten thousand dollars per animal, or  
15 imprisonment for not more than one year in the county jail, or by both  
16 such fine and such imprisonment. Upon conviction, the commission may  
17 suspend any or all license privileges of the person for a period of from  
18 one year to life.

19 (3.4) (a) In addition to the criminal penalties listed in subsection  
20 (3) of this section, there shall be assessed a further penalty in the  
21 following amount for each of the following big game animals illegally  
22 taken:

23 (I) For each bull elk with at least ~~six~~ FIVE points on ~~one~~ EACH  
24 antler beam AND WITH A MAIN BEAM LENGTH OF AT LEAST FORTY-ONE  
25 INCHES, ten thousand dollars;

26 (II) For each mule deer buck with AT LEAST FOUR POINTS ON EACH  
27 ANTLER, EXCLUDING THE EYE GUARDS, A MAIN BEAM LENGTH OF AT LEAST

1 TWENTY-ONE INCHES, AND an inside antler spread of at least ~~twenty-two~~  
2 NINETEEN inches, ten thousand dollars;

3 (III) For each whitetail deer buck with AT LEAST FOUR POINTS ON  
4 EACH ANTLER, EXCLUDING THE EYE GUARDS, A MAIN BEAM LENGTH OF AT  
5 LEAST TWENTY-ONE INCHES, AND an inside antler spread of at least  
6 ~~eighteen~~ SIXTEEN inches, ten thousand dollars;

7 (IV) For each bull moose WITH AN OUTSIDE ANTLER SPREAD OF AT  
8 LEAST THIRTY-FIVE INCHES, ten thousand dollars;

9 **SECTION 8.** 33-6-111 (3), Colorado Revised Statutes, is  
10 amended to read:

11 **33-6-111. Inspection of license and wildlife - check stations -**  
12 **failure to tag - eluding an officer.** (3) Any person who, UPON TAKING  
13 AN ANIMAL, fails to void ~~his~~ THE license or carcass tag ~~as~~ AND ATTACH  
14 THE CARCASS TAG TO SUCH ANIMAL IF SUCH VOIDING AND ATTACHING IS  
15 required by commission rule ~~or regulation~~ is guilty of a misdemeanor and,  
16 upon conviction, ~~thereof~~, shall be punished by a fine of fifty dollars and  
17 an assessment of ten license suspension points.

18 **SECTION 9.** 33-6-113 (1), Colorado Revised Statutes, is  
19 amended to read:

20 **33-6-113. Illegal sale of wildlife.** (1) Except as otherwise  
21 provided in articles 1 to 6 of this title or by rule ~~or regulation~~ of the  
22 commission, it is unlawful for any person to sell or purchase or offer for  
23 sale or purchase any wildlife or to solicit another person in the illegal  
24 hunting or taking of any wildlife for the purposes of monetary or  
25 commercial gain or profit. For the purposes of this section, it is deemed  
26 to be a sale of wildlife if a person, for monetary or other consideration,  
27 provides unregistered outfitting services as defined in article 55.5 of title

1 12, C.R.S. IT IS ALSO UNLAWFUL TO COMMERCIALLY GUIDE OR OUTFIT  
2 HUNTERS OR ANGLERS, OR TO OPERATE ANY COMMERCIAL BUSINESS ON  
3 ANY PROPERTY OWNED OR MANAGED BY THE DIVISION, WITHOUT  
4 ACQUIRING A PERMIT THAT IS REQUIRED BY ANY RULE PROMULGATED BY  
5 THE COMMISSION.

6 **SECTION 10.** 33-6-113 (2), Colorado Revised Statutes, is  
7 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

8 **33-6-113. Illegal sale of wildlife.** (2) Any person who violates  
9 this section:

10 (c) WITH RESPECT TO OPERATING ANY COMMERCIAL BUSINESS ON  
11 ANY PROPERTY OWNED OR MANAGED BY THE DIVISION WITHOUT  
12 ACQUIRING A PERMIT THAT IS REQUIRED BY ANY RULE PROMULGATED BY  
13 THE COMMISSION, IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION,  
14 SHALL BE PUNISHED BY A FINE OF NOT LESS THAN ONE HUNDRED DOLLARS  
15 NOR MORE THAN ONE THOUSAND DOLLARS OR BY IMPRISONMENT IN THE  
16 COUNTY JAIL FOR NOT MORE THAN ONE YEAR, OR BY BOTH SUCH FINE AND  
17 IMPRISONMENT, AND AN ASSESSMENT OF TWENTY LICENSE SUSPENSION  
18 POINTS.

19 **SECTION 11.** The introductory portion to 33-6-117 (1) and  
20 33-6-117 (1) (a) and (2), Colorado Revised Statutes, are amended to read:

21 **33-6-117. Willful destruction of wildlife - legislative intent.**

22 (1) Except as is otherwise provided in articles 1 to 6 of this title or by  
23 rule or regulation of the commission, it is unlawful for any person to hunt  
24 or take, or to solicit another person to hunt or take, any wildlife and  
25 detach or remove ~~with the intent to abandon the carcass or body,~~ only the  
26 head, hide, claws, teeth, antlers, horns, internal organs, or feathers or any  
27 or all of such parts AND TO ABANDON THE CARCASS OR BODY OF SUCH

1 WILDLIFE; or to ~~kill~~ HUNT OR TAKE and abandon any wildlife. Any person  
2 who violates this subsection (1), with respect to:

3 (a) Big game, eagles, and endangered species, commits a class 5  
4 felony and shall be punished as provided in section 18-1-105, C.R.S.,  
5 and, in addition, shall be punished by a fine ~~of not less than one thousand~~  
6 ~~dollars nor more than twenty thousand dollars. For offenses committed~~  
7 ~~on or after July 1, 1985, the fine shall be~~ in an amount within the  
8 presumptive range set out in section 18-1-105 (1) (a) (III), C.R.S. Upon  
9 such conviction, the commission may ~~permanently~~ suspend all wildlife  
10 license privileges of the person convicted FROM ONE YEAR TO LIFE, AND  
11 TWENTY LICENSE SUSPENSION POINTS MAY BE ASSESSED.

12 (2) The purpose and intent of this section is to protect the wildlife  
13 of this state from ~~wanton, ruthless, or~~ wasteful destruction or mutilation  
14 for their heads, hides, claws, teeth, antlers, horns, internal organs, or  
15 feathers; BEING KILLED AND ABANDONED; or any or all of the foregoing,  
16 and the provisions of this section shall be so construed.

17 **SECTION 12.** 33-6-120, Colorado Revised Statutes, is amended  
18 to read:

19 **33-6-120. Hunting, trapping, or fishing out of season or in a**  
20 **closed area.** (1) It is unlawful for any person to FISH, hunt, TRAP, or take  
21 any wildlife outside of the season established by or in an area closed by  
22 commission rule. ~~or regulation.~~ Any person who violates this section is  
23 guilty of a misdemeanor and, upon conviction, ~~thereof,~~ shall be punished  
24 by a fine ~~of one hundred dollars~~ and an assessment of ~~ten~~ license  
25 suspension points AS FOLLOWS:

26 (a) FOR EACH INCIDENT THAT IS NOT RELATED TO THE HUNTING OR  
27 TAKING OF A BIG GAME ANIMAL, THE FINE SHALL BE ONE HUNDRED



1 DOLLARS AND TEN LICENSE SUSPENSION POINTS SHALL BE ASSESSED;

2 (b) FOR HUNTING OR TAKING MOOSE, ROCKY MOUNTAIN BIGHORN  
3 SHEEP, ROCKY MOUNTAIN GOAT, OR DESERT BIGHORN SHEEP, THE FINE  
4 SHALL BE FIFTEEN HUNDRED DOLLARS AND FIFTEEN LICENSE SUSPENSION  
5 POINTS SHALL BE ASSESSED; AND

6 (c) FOR THE HUNTING OR TAKING OF BIG GAME NOT LISTED IN  
7 PARAGRAPH (b) OF THIS SUBSECTION (1), THE FINE SHALL BE FIVE  
8 HUNDRED DOLLARS AND FIFTEEN LICENSE SUSPENSION POINTS SHALL BE  
9 ASSESSED.

10 **SECTION 13.** 33-6-124, Colorado Revised Statutes, is amended  
11 to read:

12 **33-6-124. Use of a motor vehicle, aircraft, or electronic device.**

13 (1) (a) Unless otherwise permitted by commission rule, ~~or regulation,~~ it  
14 is unlawful for any person to hunt, take, or harass any wildlife from or  
15 with any motor vehicle. ANY PERSON WHO VIOLATES THIS PARAGRAPH (a)  
16 IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, SHALL BE  
17 PUNISHED BY A FINE OF TWO HUNDRED DOLLARS AND AN ASSESSMENT OF  
18 TEN LICENSE SUSPENSION POINTS.

19 (b) UNLESS OTHERWISE PERMITTED BY COMMISSION RULE, IT IS  
20 UNLAWFUL FOR ANY PERSON TO DISCHARGE A FIREARM OR RELEASE AN  
21 ARROW FROM A MOTOR VEHICLE WITH THE INTENT TO TAKE WILDLIFE.  
22 ANY PERSON WHO VIOLATES THIS PARAGRAPH (b) IS GUILTY OF A  
23 MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED BY A FINE OF  
24 ONE HUNDRED DOLLARS AND AN ASSESSMENT OF TEN LICENSE SUSPENSION  
25 POINTS.

26 (2) It is unlawful for any person airborne in any aircraft to spot or  
27 locate any wildlife and communicate ~~the~~ ITS location ~~thereof~~ to any

1 person on the ground as an aid to hunting or pursuing ~~said~~ SUCH wildlife;  
2 and it is unlawful for such airborne person or person on the ground  
3 receiving such communication to pursue, hunt, or take game on the same  
4 day or the day following such flight. ANY PERSON WHO VIOLATES THIS  
5 SUBSECTION (2) IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION,  
6 SHALL BE PUNISHED BY A FINE OF TWO HUNDRED DOLLARS AND AN  
7 ASSESSMENT OF FIFTEEN LICENSE SUSPENSION POINTS.

8 (3) IT IS UNLAWFUL FOR TWO OR MORE PEOPLE ON THE GROUND, IN  
9 A MOTOR VEHICLE, OR IN A VESSEL TO USE ELECTRONIC DEVICES TO  
10 COMMUNICATE ANY INFORMATION IN THE FURTHERANCE OF A VIOLATION  
11 OF ANY PROVISION OF ARTICLES 1 TO 6 OF THIS TITLE OR ANY WILDLIFE  
12 COMMISSION RULE. Any person who violates this ~~section~~ SUBSECTION (3)  
13 is guilty of a misdemeanor and, upon conviction, ~~thereof~~, shall be  
14 punished by a fine of two hundred dollars and an assessment of fifteen  
15 license suspension points.

16 **SECTION 14.** 33-6-127, Colorado Revised Statutes, is amended  
17 to read:

18 **33-6-127. Hunting with artificial light, night vision, or thermal**  
19 **imaging devices.** Unless otherwise provided by commission rule ~~or~~  
20 ~~regulation~~ and except as provided in section 33-6-107 (9) for persons  
21 owning or leasing land, members of their family, or their agents, it is  
22 unlawful for any person to utilize any artificial light, EQUIPMENT THAT  
23 ENABLES NIGHT VISION, ELECTRONICALLY ENHANCED LIGHT-GATHERING  
24 OPTICS, OR THERMAL IMAGING DEVICES as an aid in hunting or taking any  
25 wildlife. For the purposes of this section, the possession of any firearm  
26 with cartridges in the chamber or magazine or loaded with powder and  
27 ball or a strung bow, unless the bow is cased, while attempting to project

1 any artificial light into areas where wildlife may be found, OR WHILE  
2 POSSESSING NIGHT VISION EQUIPMENT, ELECTRONICALLY ENHANCED  
3 LIGHT-GATHERING OPTICS, OR THERMAL IMAGING EQUIPMENT, is prima  
4 facie evidence of a violation of this section. Any person who violates this  
5 section is guilty of a misdemeanor and, upon conviction, ~~thereof~~, shall be  
6 punished by a fine of two hundred dollars and an assessment of twenty  
7 license suspension points.

8 **SECTION 15.** 33-10-111 (4), Colorado Revised Statutes, is  
9 amended to read:

10 **33-10-111. Parks and outdoor recreation cash fund created -**  
11 **accounting expenditures for roads and highways.** (4) At each regular  
12 session, the general assembly shall determine the amounts to be expended  
13 by the division for the acquisition of rights-of-way for the construction,  
14 improvement, repair, and maintenance of public roads and highways in  
15 state recreation areas and parks and shall appropriate such amounts from  
16 the state allocation provided by section 43-4-206, C.R.S., from the  
17 highway users tax fund to the division as are necessary to accomplish  
18 these purposes. ~~These funds, and any other funds appropriated for these~~  
19 ~~purposes, may only be expended to contract for the provision of such~~  
20 ~~services with the department of transportation.~~

21 **SECTION 16.** 33-11-112, Colorado Revised Statutes, is amended  
22 to read:

23 **33-11-112. Trails enforcement.** It is unlawful for any person,  
24 except a parks and recreation officer or other peace officer, to operate a  
25 motorized vehicle on a designated nonmotorized trail. Any person who  
26 violates this section is guilty of a class 2 petty offense and, upon  
27 conviction, ~~thereof~~, shall be punished by a fine of ~~twenty-five~~ FIFTY

1 dollars.

2 **SECTION 17.** 33-12-104 (11) (a), Colorado Revised Statutes, is  
3 amended to read:

4 **33-12-104. Pass and registration agents - reports - board of**  
5 **claims - unlawful acts.** (11) Any pass or registration agent who fails,  
6 upon demand of the division or its authorized representative, to account  
7 for passes and registrations or who fails to pay over to the division or its  
8 authorized representative moneys received from the sale of passes and  
9 registrations:

10 (a) When the amount in question is less than two hundred dollars,  
11 is guilty of a misdemeanor and, upon conviction, ~~thereof~~, shall be  
12 punished by a fine of not less than ~~one~~ TWO hundred dollars nor more  
13 than one thousand dollars, or by imprisonment in the county jail for not  
14 more than one year, or by both such fine and imprisonment;

15 **SECTION 18.** 33-12-105, Colorado Revised Statutes, is amended  
16 to read:

17 **33-12-105. Licensing violations.** (1) Except as otherwise  
18 provided in section 33-12-104, it is unlawful for any person to transfer,  
19 sell, or assign any pass or registration issued under articles 10 to 15 of  
20 this title to another person. Any person who violates this subsection (1)  
21 is guilty of a class 2 petty offense and, upon conviction, ~~thereof~~, shall be  
22 punished by a fine of ~~one~~ TWO hundred dollars.

23 (2) Any person who makes any false statement or gives any false  
24 information in connection with purchasing or selling a pass or registration  
25 or who makes any alteration of a pass or registration is guilty of a class  
26 2 petty offense and, upon conviction, ~~thereof~~, shall be punished by a fine  
27 of ~~one~~ TWO hundred dollars, and any such statement, information, or

1 alteration shall render such pass or registration void.

2 (3) Any person who fails to obtain or make readily available for  
3 inspection by a parks and recreation officer or other peace officer an  
4 appropriate and valid pass ~~or registration~~ is guilty of a class 2 petty  
5 offense and, upon conviction, ~~thereof~~, shall be punished by a fine of  
6 twenty-five dollars.

7 **SECTION 19. Repeal.** 33-12-107, Colorado Revised Statutes,  
8 is repealed as follows:

9 **33-12-107. Agreements with special districts to collect special**  
10 **district tolls for access road maintenance furnished by special**  
11 **districts.** ~~(1) Repealed.~~

12 ~~(2) Any person refusing to pay a toll pursuant to this section is~~  
13 ~~guilty of a class 2 petty offense and, upon conviction thereof, shall be~~  
14 ~~punished by a fine of twenty-five dollars. Any peace officer, as defined~~  
15 ~~in section 33-10-102 (17), and any parks and recreation officer may~~  
16 ~~enforce the provisions of this section by utilizing the penalty assessment~~  
17 ~~procedure in section 33-15-102.~~

18 **SECTION 20.** The introductory portion to 33-13-103 (1) and  
19 33-13-103 (4), Colorado Revised Statutes, are amended to read:

20 **33-13-103. Numbering of vessels required.** (1) It is unlawful  
21 for any person to operate or use a vessel on the waters of this state, OR TO  
22 POSSESS A VESSEL AT A VESSEL STAGING AREA, unless such vessel has  
23 been numbered and a certificate of the number, referred to in this article  
24 as a "registration", has been issued to such vessel by the division. The  
25 operator of such vessel shall produce the registration for inspection upon  
26 demand of any officer authorized to enforce the provisions of articles 10  
27 to 15 and 32 of this title. The following are exempt from the

1 requirements of this subsection (1) and from the vessel registration fee as  
2 specified pursuant to section 33-10-111 (5):

3 (4) Any person who violates subsection (1) of this section is guilty  
4 of a class 2 petty offense and, upon conviction, ~~thereof~~, shall be punished  
5 by a fine of ~~twenty-five~~ FIFTY dollars.

6 **SECTION 21.** 33-13-104 (1) and (2), Colorado Revised Statutes,  
7 are amended to read:

8 **33-13-104. Application for vessel number.** (1) The owner of  
9 each vessel requiring numbering by this state shall file an application for  
10 a number with the division or any representative approved by the division  
11 on forms approved and furnished by the division. The application shall  
12 be signed by the owner of the vessel and shall be accompanied by a fee  
13 as specified pursuant to section 33-10-111 (5); except that those vessels  
14 owned and operated by the state or any political subdivision thereof shall  
15 be registered without payment of a registration fee. Upon receipt of the  
16 application in approved form, the division or its representative shall issue  
17 to the applicant a registration stating the number issued to the vessel. The  
18 number issued shall be painted on or attached to each side of the bow on  
19 the forward half of the vessel or, if there are no such sides, at a  
20 corresponding location on both sides of the foredeck of the vessel for  
21 which it is issued. The number issued shall read from left to right in  
22 block characters of good proportion having a minimum of three inches in  
23 height, excluding border or trim, and of a color ~~which~~ THAT contrasts  
24 with the color of the background, and so maintained as to be clearly  
25 visible and legible. No other number shall be carried on the bow of the  
26 vessel. Any person who fails to display a vessel number as required in  
27 this subsection (1) is guilty of a class 2 petty offense and, upon

1 conviction, ~~thereof~~, shall be punished by a fine of ~~ten~~ TWENTY-FIVE  
2 dollars.

3 (2) The registration shall be of pocket size and shall be on board  
4 and available at all times for inspection whenever the vessel for which it  
5 is issued is in operation in this state. Any person who violates this  
6 subsection (2) is guilty of a class 2 petty offense and, upon conviction,  
7 ~~thereof~~, shall be punished by a fine of ~~twenty-five~~ FIFTY dollars. If a  
8 registration is lost or destroyed, the owner shall, within fifteen days,  
9 notify the division. The notification shall be in writing, shall describe the  
10 circumstances of the loss or destruction, and shall be accompanied by a  
11 fee for a replacement registration as required under section 33-12-101.

12 **SECTION 22.** 33-13-106 (5) and (6), Colorado Revised Statutes,  
13 are amended, and the said 33-13-106 is further amended BY THE  
14 ADDITION OF A NEW SUBSECTION, to read:

15 **33-13-106. Equipment requirements.** (4.5) NO PERSON SHALL  
16 OPERATE A VESSEL THAT HAS ENTERED THE WATER UNLESS EACH CHILD  
17 UNDER THE AGE OF THIRTEEN WHO IS ABOARD SUCH VESSEL IS WEARING A  
18 PERSONAL FLOTATION DEVICE, UNLESS SUCH CHILD IS BELOW DECK OR IN  
19 AN ENCLOSED CABIN. SUCH FLOTATION DEVICE SHALL BE OF A TYPE  
20 APPROVED BY THE UNITED STATES COAST GUARD AND SHALL BE IN GOOD  
21 AND SERVICEABLE CONDITION.

22 (5) Any person who violates subsection (1), (2), (3), ~~or~~ (4), OR  
23 (4.5) of this section is guilty of a class 2 petty offense and, upon  
24 conviction, ~~thereof~~, shall be punished by a fine of fifty dollars.

25 (6) The board may exempt vessels from the provisions of  
26 subsection (1), (2), (3), ~~or~~ (4), OR (4.5) of this section under certain  
27 conditions or upon certain waters.

1           **SECTION 23.** 33-13-107, Colorado Revised Statutes, is amended  
2 to read:

3           **33-13-107. Vessel liveries.** (1) The owner or operator of a vessel  
4 livery shall keep a record of the name and address of each person who  
5 hires any vessel ~~which~~ THAT is designed or permitted to be operated as a  
6 vessel, the identification number of such vessel, and the departure date  
7 and time and the expected date and time of return of such vessel. Such  
8 records shall be preserved for at least thirty days after such vessel is to be  
9 returned and shall be subject to inspection by the division. ANY PERSON  
10 WHO VIOLATES THIS SUBSECTION (1) IS GUILTY OF A CLASS 2 PETTY  
11 OFFENSE AND, UPON CONVICTION, SHALL BE PUNISHED BY A FINE OF ONE  
12 HUNDRED DOLLARS.

13           (2) Neither the owner or operator of a vessel livery nor such  
14 owner's or operator's agent or employee shall permit any vessel to depart  
15 from his or her premises unless such vessel is equipped and registered as  
16 required by this article and rules promulgated pursuant ~~thereto~~ TO THIS  
17 ARTICLE. Any person who violates this subsection (2) is guilty of a class  
18 2 petty offense and, upon conviction, ~~thereof~~, shall be punished by a fine  
19 of ~~fifty~~ ONE HUNDRED dollars.

20           **SECTION 24.** 33-13-108 (3) and (4), Colorado Revised Statutes,  
21 are amended to read:

22           **33-13-108. Prohibited vessel operations.** (3) It is unlawful for  
23 any person to operate a vessel in a reckless manner. Any person who  
24 violates this subsection (3) is guilty of a misdemeanor and, upon  
25 conviction, ~~thereof~~, shall be punished by a fine of not less than ~~one~~ TWO  
26 hundred dollars nor more than one thousand dollars, or by imprisonment  
27 in the county jail for not more than one year, or by both such fine and



1 imprisonment.

2 (4) No person shall operate a vessel other than a motorboat or a  
3 sailboat covered by the provisions of section 33-13-108.1 or be in actual  
4 physical control of such a vessel while under the influence of alcohol, a  
5 controlled substance as defined in section 12-22-303 (7), C.R.S., or any  
6 other drug, or any combination ~~thereof, which~~ OF SUCH DRUGS OR  
7 ALCOHOL, THAT renders ~~him~~ SUCH PERSON incapable of safely operating  
8 such a vessel, nor shall the owner or operator of such a vessel knowingly  
9 authorize or permit such vessel to be operated by or under the actual  
10 physical control of any other person if such person is under the influence  
11 of alcohol, a controlled substance, or any other drug, or any combination  
12 ~~thereof, which~~ OF SUCH DRUGS OR ALCOHOL, THAT renders ~~him~~ SUCH  
13 PERSON incapable of safely operating such a vessel. Any person who  
14 violates this subsection (4) is guilty of a misdemeanor and, upon  
15 conviction, ~~thereof~~, shall be punished by a fine of not less than ~~one~~ TWO  
16 hundred dollars nor more than one thousand dollars, or by imprisonment  
17 in the county jail for not more than one year, or by both such fine and  
18 imprisonment.

19 **SECTION 25.** 33-13-108.1 (12) (a) and (13) (b), Colorado  
20 Revised Statutes, are amended to read:

21 **33-13-108.1. Operating a motorboat or sailboat while under**  
22 **the influence.** (12) (a) Every person who is convicted of a violation of  
23 subsection (1) of this section shall be punished by imprisonment in the  
24 county jail for not less than five days nor more than one ~~hundred eighty~~  
25 ~~days~~ YEAR, and, in addition, the court may impose a fine of not less than  
26 ~~one~~ TWO hundred dollars nor more than one thousand dollars. Except as  
27 provided in paragraph (c) of this subsection (12), the minimum period of

1 imprisonment provided for such violation shall be mandatory. In addition  
2 to any other penalty ~~which~~ THAT is imposed, every person who is  
3 convicted of a violation to which this paragraph (a) applies shall perform  
4 no more than ninety-six hours of useful public service.

5 (13) (b) Any person who is convicted of a violation of paragraph  
6 (a) of this subsection (13) is guilty of a misdemeanor and, upon  
7 conviction, ~~thereof~~, shall be punished by imprisonment in the county jail  
8 for not more than one year, or by a fine of not less than ~~one~~ TWO hundred  
9 dollars nor more than one thousand dollars, or by both such fine and  
10 imprisonment.

11 **SECTION 26.** 33-13-109 (4), (5), and (6), Colorado Revised  
12 Statutes, are amended to read:

13 **33-13-109. Collisions, accidents, and casualties.** (4) ~~All reports~~  
14 ~~required under this section shall be without prejudice to the person~~  
15 ~~making the report and shall be for the confidential use of the division;~~  
16 ~~except that the division may disclose the identity of a person involved in~~  
17 ~~an accident when such identity is not otherwise known or when such~~  
18 ~~person denies his involvement in the accident. No such report shall be~~  
19 ~~used as evidence in any trial, civil or criminal, arising out of the accident;~~  
20 ~~except that the division shall furnish, upon demand of any person who~~  
21 ~~has made or who claims to have made such report or upon demand of any~~  
22 ~~court, a certificate showing that a specified report has or has not been~~  
23 ~~made to the division, solely to prove a compliance with or a failure to~~  
24 ~~comply with the reporting requirements of this section.~~

25 (5) ~~Notwithstanding the provisions of subsection (4) of this~~  
26 ~~section, in accordance with any request duly made by an authorized~~  
27 ~~official or agency of the United States government, any information~~

1 ~~compiled by or otherwise available to the division pursuant to this article~~  
2 ~~shall be made available to the official or agency of the United States~~  
3 ~~government making such request.~~

4 (6) Any person who violates subsection (1) or (3) of this section  
5 is guilty of a class 2 petty offense and, upon conviction, ~~thereof~~, shall be  
6 punished by a fine of ~~twenty-five~~ SEVENTY-FIVE dollars.

7 **SECTION 27.** 33-13-110 (1) (c), (2) (d), and (3) (b), Colorado  
8 Revised Statutes, are amended to read:

9 **33-13-110. Water skis, aquaplanes, surfboards, innertubes,**  
10 **and similar devices.** (1) (c) Any person who violates this subsection (1)  
11 is guilty of a class 2 petty offense and, upon conviction, ~~thereof~~, shall be  
12 punished by a fine of ~~fifty~~ ONE HUNDRED dollars.

13 (2) (d) Any person who violates this subsection (2) is guilty of a  
14 class 2 petty offense and, upon conviction, ~~thereof~~, shall be punished by  
15 a fine of ~~twenty-five~~ FIFTY dollars.

16 (3) (b) Any person who violates this subsection (3) is guilty of a  
17 misdemeanor and, upon conviction, ~~thereof~~, shall be punished by a fine  
18 of not less than ~~one~~ TWO hundred dollars nor more than one thousand  
19 dollars, or by imprisonment in the county jail for not more than one year,  
20 or by both such fine and imprisonment.

21 **SECTION 28.** 33-13-111 (1) and (3), Colorado Revised Statutes,  
22 are amended to read:

23 **33-13-111. Authority to close waters.** (1) The board shall  
24 promulgate rules ~~and regulations~~ to prohibit the operation of vessels on  
25 any waters of the state and ordering the removal of vessels from any  
26 waters of the state when such operation constitutes or may constitute a  
27 hazard to human life or safety. ~~For the purposes of this subsection (1),~~

1 ~~"vessel" shall not include white water canoes and kayaks. Nothing in this~~  
2 ~~section shall be construed as to exempt white water canoes and kayaks~~  
3 ~~from any other provisions of this article.~~

4 (3) Any person who fails to obey an order issued under this  
5 section is guilty of a class 2 petty offense and, upon conviction, ~~thereof~~,  
6 shall be punished by a fine of ~~fifty~~ ONE HUNDRED dollars.

7 **SECTION 29. Repeal.** 33-13-114, Colorado Revised Statutes,  
8 is repealed as follows:

9 **33-13-114. Copies of laws and regulations furnished.** ~~Upon the~~  
10 ~~purchase or renewal of any registration required under this article, the~~  
11 ~~owner of the vessel shall be furnished with a copy of the laws and rules~~  
12 ~~and regulations affecting vessels. The expense of printing and~~  
13 ~~distributing such laws and rules and regulations shall be borne by the~~  
14 ~~division.~~

15 **SECTION 30.** 33-14-102 (2) (a) and (9), Colorado Revised  
16 Statutes, are amended to read:

17 **33-14-102. Snowmobile registration - fees - applications -**  
18 **requirements - penalties - exemptions.** (2) (a) Every dealer shall  
19 require a purchaser of a new or used snowmobile sold at retail from the  
20 dealer's inventory to complete a registration application and pay the  
21 registration fee before the snowmobile leaves the dealer's premises,  
22 except for those snowmobiles purchased for use exclusively outside of  
23 this state. Any dealer who does not comply with this paragraph (a) is  
24 guilty of a class 2 petty offense and, upon conviction, ~~thereof~~, shall be  
25 punished by a fine of ~~fifty~~ ONE HUNDRED dollars.

26 (9) Any person who operates a snowmobile in violation of this  
27 section is guilty of a class 2 petty offense and, upon conviction, ~~thereof~~,

1 shall be punished by a fine of ~~thirty-five~~ FIFTY dollars.

2 **SECTION 31.** 33-14-104 (8), Colorado Revised Statutes, is  
3 amended to read:

4 **33-14-104. Issuance of registration.** (8) (a) Any person who  
5 violates subsection (5) of this section is guilty of a class 2 petty offense  
6 and, upon conviction, ~~thereof~~, shall be punished by a fine of ~~ten~~  
7 TWENTY-FIVE dollars.

8 (b) Any person who violates subsection (6) of this section is guilty  
9 of a class 2 petty offense and, upon conviction, ~~thereof~~, shall be punished  
10 by a fine of ~~twenty-five~~ FIFTY dollars.

11 **SECTION 32.** 33-14-109 (3), Colorado Revised Statutes, is  
12 amended to read:

13 **33-14-109. Restrictions on young operators.** (3) Any person  
14 who violates this section is guilty of a class 2 petty offense and, upon  
15 conviction, ~~thereof~~, shall be punished by a fine of ~~twenty-five~~ FIFTY  
16 dollars.

17 **SECTION 33.** 33-14-111 (3), Colorado Revised Statutes, is  
18 amended to read:

19 **33-14-111. Snowmobile operation on right-of-way of streets,**  
20 **roads, or highways.** (3) Any person who violates this section is guilty  
21 of a class 2 petty offense and, upon conviction, ~~thereof~~, shall be punished  
22 by a fine of ~~fifteen~~ FIFTY dollars.

23 **SECTION 34.** 33-14-112 (3), Colorado Revised Statutes, is  
24 amended to read:

25 **33-14-112. Crossing roads, highways, and railroad tracks.**  
26 (3) Any person who violates this section is guilty of a class 2 petty  
27 offense and, upon conviction, ~~thereof~~, shall be punished by a fine of

1 ~~twenty-five~~ FIFTY dollars.

2 **SECTION 35.** 33-14-113, Colorado Revised Statutes, is amended  
3 to read:

4 **33-14-113. Operation of snowmobiles on private property.** No  
5 snowmobile shall be operated on private property other than that owned  
6 or leased by the operator or except when prior permission has been  
7 obtained from the owner, lessee, or agent of the owner or lessee. Any  
8 person who violates this section is guilty of a class 2 petty offense and,  
9 upon conviction, ~~thereof~~, shall be punished by a fine of ~~fifty~~ ONE  
10 HUNDRED dollars.

11 **SECTION 36.** 33-14-114 (3), Colorado Revised Statutes, is  
12 amended to read:

13 **33-14-114. Required equipment - snowmobiles.** (3) Any person  
14 who violates this section is guilty of a class 2 petty offense and, upon  
15 conviction, ~~thereof~~, shall be punished by a fine of ~~twenty-five~~ FIFTY  
16 dollars.

17 **SECTION 37.** 33-14-115 (4), Colorado Revised Statutes, is  
18 amended to read:

19 **33-14-115. Notice of accident.** (4) Any person who violates  
20 subsection (1) or (3) of this section is guilty of a class 2 petty offense  
21 and, upon conviction, ~~thereof~~, shall be punished by a fine of ~~twenty-five~~  
22 SEVENTY-FIVE dollars.

23 **SECTION 38.** 33-14-116 (5), (6), and (7), Colorado Revised  
24 Statutes, are amended to read:

25 **33-14-116. Other operating restrictions.** (5) Any person who  
26 violates subsection (1) of this section is guilty of a class 2 petty offense  
27 and, upon conviction, ~~thereof~~, shall be punished by a fine of ~~fifty~~ ONE

1 HUNDRED dollars.

2 (6) Any person who violates subsection (2) or (3) of this section  
3 is guilty of a misdemeanor and, upon conviction, ~~thereof~~, shall be  
4 punished by a fine of not less than ~~one~~ TWO hundred dollars nor more  
5 than one thousand dollars, or by imprisonment in the county jail for not  
6 more than one year, or by both such fine and imprisonment.

7 (7) Any person who violates subsection (4) of this section is guilty  
8 of a class 2 petty offense and, upon conviction, ~~thereof~~, shall be punished  
9 by a fine of ~~twenty-five~~ FIFTY dollars.

10 **SECTION 39.** 33-14-117 (3), Colorado Revised Statutes, is  
11 amended to read:

12 **33-14-117. Hunting, carrying weapons on snowmobiles -**  
13 **prohibitions.** (3) Any person who violates subsection (1) of this section  
14 is guilty of a class 2 petty offense and, upon conviction, ~~thereof~~, shall be  
15 punished ~~by a fine of twenty dollars~~ AS FOLLOWS:

16 (a) FOR A VIOLATION OF PARAGRAPH (a) OF SUBSECTION (1) OF  
17 THIS SECTION, TWO HUNDRED DOLLARS;

18 (b) FOR A VIOLATION OF PARAGRAPH (b) OF SUBSECTION (1) OF  
19 THIS SECTION, FIFTY DOLLARS; AND

20 (c) FOR A VIOLATION OF PARAGRAPH (c) OF SUBSECTION (1) OF  
21 THIS SECTION, TWO HUNDRED DOLLARS.

22 **SECTION 40.** 33-14.5-102 (7) and (8), Colorado Revised  
23 Statutes, are amended to read:

24 **33-14.5-102. Off-highway vehicle registration -**  
25 **nonresident-owned or -operated off-highway vehicle permits - fees -**  
26 **applications - requirements - exemptions.** (7) Any person who  
27 operates an off-highway vehicle in violation of this section is guilty of a

1 class 2 petty offense and, upon conviction, ~~thereof~~, shall be punished by  
2 a fine of ~~thirty-five~~ FIFTY dollars.

3 (8) Any dealer who does not comply with paragraph (a) of  
4 subsection (2) of this section is guilty of a class 2 petty offense and, upon  
5 conviction, ~~thereof~~, shall be punished by a fine of ~~fifty~~ ONE HUNDRED  
6 dollars.

7 **SECTION 41.** 33-14.5-104 (7), Colorado Revised Statutes, is  
8 amended to read:

9 **33-14.5-104. Issuance of registration.** (7) (a) Any person who  
10 violates ~~either~~ subsection (5) ~~or subsection (6)~~ of this section is guilty of  
11 a class 2 petty offense and, upon conviction, ~~thereof~~, shall be punished  
12 by a fine of twenty-five dollars.

13 (b) ANY PERSON WHO VIOLATES SUBSECTION (6) OF THIS SECTION  
14 IS GUILTY OF A CLASS 2 PETTY OFFENSE AND, UPON CONVICTION, SHALL BE  
15 PUNISHED BY A FINE OF FIFTY DOLLARS.

16 **SECTION 42.** 33-14.5-108 (2), Colorado Revised Statutes, is  
17 amended to read:

18 **33-14.5-108. Off-highway vehicle operation prohibited on**  
19 **streets, roads, and highways.** (2) Any person who violates subsection  
20 (1) of this section is guilty of a class 2 petty offense and, upon conviction,  
21 ~~thereof~~, shall be punished by a fine of ~~twenty-five~~ FIFTY dollars.

22 **SECTION 43.** 33-14.5-109 (2), Colorado Revised Statutes, is  
23 amended to read:

24 **33-14.5-109. Required equipment - off-highway vehicles.**  
25 (2) Any person who violates subsection (1) of this section is guilty of a  
26 class 2 petty offense and, upon conviction, ~~thereof~~, shall be punished by  
27 a fine of ~~twenty-five~~ FIFTY dollars.



1           **SECTION 44.** 33-14.5-112 (6), Colorado Revised Statutes, is  
2 amended to read:

3           **33-14.5-112. Off-highway use permit - fees - applications -**  
4 **requirements - exemptions.** (6) Any person who violates paragraph (b)  
5 of subsection (1) of this section is guilty of a class 2 petty offense and,  
6 upon conviction, ~~thereof~~, shall be punished by a fine of ~~twenty-five~~ FIFTY  
7 dollars.

8           **SECTION 45.** 33-14.5-113 (4), Colorado Revised Statutes, is  
9 amended to read:

10           **33-14.5-113. Notice of accident.** (4) Any person who violates  
11 subsection (1) or (3) of this section is guilty of a class 2 petty offense  
12 and, upon conviction, ~~thereof~~, shall be punished by a fine of ~~twenty-five~~  
13 SEVENTY-FIVE dollars.

14           **SECTION 46.** 33-15-102 (1), Colorado Revised Statutes, is  
15 amended to read:

16           **33-15-102. Imposition of penalty - procedures.** (1) Any person  
17 who violates any of the provisions of articles 10 to 15 ~~and~~ OR 32 of this  
18 title or any rule of the board that does not have a specific penalty listed  
19 is guilty of a class 2 petty offense and, upon conviction, ~~thereof~~, shall be  
20 punished by a fine of ~~twenty-five~~ FIFTY dollars.

21           **SECTION 47.** 33-15-107, Colorado Revised Statutes, is amended  
22 to read:

23           **33-15-107. Camping.** It is unlawful for any person to camp on  
24 land or water under the control of the division unless such area is so  
25 designated and posted pursuant to rule of the board. Any person who  
26 violates this section is guilty of a class 2 petty offense and, upon  
27 conviction, ~~thereof~~, shall be punished by a fine of ~~twenty-five~~ FIFTY

1 dollars.

2 **SECTION 48.** 33-15-110 (2), Colorado Revised Statutes, is  
3 amended to read:

4 **33-15-110. Vehicles and vessels - operation on state property.**

5 (2) Any person who violates this section is guilty of a class 2 petty  
6 offense and, upon conviction, ~~thereof~~, shall be punished by a fine of  
7 ~~twenty-five~~ FIFTY dollars.

8 **SECTION 49.** 33-15-112, Colorado Revised Statutes, is amended  
9 to read:

10 **33-15-112. Motor vehicles - careless operation.** It is unlawful  
11 for any person to operate a motor vehicle on any property under the  
12 control of the division in a careless or imprudent manner without due  
13 regard for the width, grade, corners, or curves of, the traffic on, or the  
14 traffic regulations governing public roads and without due regard for all  
15 other attendant circumstances. Any person who violates this section is  
16 guilty of a class 2 petty offense and, upon conviction, ~~thereof~~, shall be  
17 punished by a fine of ~~fifty~~ ONE HUNDRED dollars.

18 **SECTION 50.** Article 15 of title 33, Colorado Revised Statutes,  
19 is amended BY THE ADDITION OF THE FOLLOWING NEW  
20 SECTIONS to read:

21 **33-15-113. Unattended vehicles without valid pass.** (1) IF AN  
22 UNATTENDED VEHICLE IS PARKED WITHIN AN AREA WHERE A VALID PARKS  
23 PASS IS REQUIRED AND DOES NOT DISPLAY A VALID PARKS PASS, A PEACE  
24 OFFICER MAY PLACE UPON THE VEHICLE A NOTICE OF SUMMONS AND  
25 COMPLAINT PURSUANT TO SECTION 33-15-102 (2). SUCH NOTICE SHALL  
26 CONTAIN THE LICENSE PLATE NUMBER AND STATE OF REGISTRATION OF THE  
27 VEHICLE BUT DOES NOT NEED TO CONTAIN THE IDENTIFICATION OF THE

1 ALLEGED OFFENDER.

2 (2) THE NOTICE OF SUMMONS AND COMPLAINT SHALL DIRECT THE  
3 OWNER OR OPERATOR OF THE VEHICLE TO REMIT A PENALTY ASSESSMENT  
4 PURSUANT TO SECTION 33-15-102 TO THE DIVISION WITHIN TEN DAYS  
5 AFTER THE ISSUANCE OF SUCH NOTICE UNLESS THE PERSON WISHES TO  
6 APPEAR BEFORE A COURT OF COMPETENT JURISDICTION. IF THE PENALTY  
7 ASSESSMENT IS NOT PAID WITHIN TEN DAYS AFTER ISSUANCE, THE PEACE  
8 OFFICER SHALL MAIL A NOTICE TO THE REGISTERED OWNER OF THE  
9 VEHICLE, SETTING FORTH THE OFFENSE AND THE TIME AND PLACE WHERE  
10 SUCH OFFENSE OCCURRED AND DIRECTING THE PAYMENT OF THE PENALTY  
11 ASSESSMENT WITHIN TWENTY DAYS AFTER THE ISSUANCE OF THE NOTICE  
12 UNLESS THE PERSON WISHES TO APPEAR BEFORE A COURT OF COMPETENT  
13 JURISDICTION. IF THE PENALTY ASSESSMENT IS NOT PAID WITHIN TWENTY  
14 DAYS AFTER THE DATE OF MAILING OF THE SECOND NOTICE, THE PEACE  
15 OFFICER WHO ISSUED THE ORIGINAL PENALTY ASSESSMENT NOTICE SHALL  
16 FILE A COMPLAINT WITH A COURT OF COMPETENT JURISDICTION AND ISSUE  
17 AND SERVE UPON THE REGISTERED OWNER OF THE VEHICLE A SUMMONS TO  
18 APPEAR IN COURT AT A TIME AND PLACE SPECIFIED THEREIN AND TO SHOW  
19 CAUSE WHY A PENALTY SHOULD NOT BE IMPOSED PURSUANT TO SECTION  
20 33-15-110.

21 (3) PAYMENT OF A PENALTY ASSESSMENT PURSUANT TO  
22 SUBSECTION (2) OF THIS SECTION BY THE DIVISION SHALL BE DEEMED TO  
23 BE RECEIVED ON THE DATE IT IS POSTMARKED.

24 (4) THE REGISTERED OWNER OF A MOTOR VEHICLE IS LIABLE FOR  
25 PAYMENT OF A PENALTY ASSESSMENT IF THE OWNER KNEW OR SHOULD  
26 HAVE KNOWN THAT THE VEHICLE WAS USED IN A MANNER THAT VIOLATED  
27 SECTION 33-15-110.

1           **33-15-114. Commercial use of state property.** IT IS UNLAWFUL  
2 TO OPERATE ANY COMMERCIAL BUSINESS OR TO SOLICIT BUSINESS ON ANY  
3 DIVISION-OWNED OR -MANAGED PROPERTY WITHOUT FIRST OBTAINING  
4 WRITTEN PERMISSION FROM THE DIVISION OR THE BOARD AS PROVIDED BY  
5 THIS TITLE OR PURSUANT TO ANY APPLICABLE RULES PROMULGATED BY  
6 THE COMMISSION. ANY PERSON WHO VIOLATES THIS SECTION IS GUILTY OF  
7 A MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED BY A FINE  
8 OF NOT LESS THAN ONE HUNDRED DOLLARS NOR MORE THAN ONE  
9 THOUSAND DOLLARS OR BY IMPRISONMENT IN THE COUNTY JAIL FOR NOT  
10 MORE THAN ONE YEAR OR BY BOTH SUCH FINE AND IMPRISONMENT.

11           **SECTION 51.** 33-1-102 (1) and (38) (e), Colorado Revised  
12 Statutes, are amended, and the said 33-1-102 is further amended BY THE  
13 ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

14           **33-1-102. Definitions.** As used in this title, unless the context  
15 otherwise requires:

16           (1) ~~"Bag limit" means the maximum amount, expressed in~~  
17 ~~numbers, of wildlife which may be lawfully taken, caught, killed, or~~  
18 ~~possessed by any one person during any one day or other specified period~~  
19 ~~of time.~~ "ANTLER POINT" MEANS A PROJECTION OF AN ANTLER THAT IS  
20 THE GREATER OF AT LEAST ONE INCH LONG OR LONGER THAN THE WIDTH  
21 OF THE BASE OF SUCH ANTLER POINT.

22           (1.5) "BAG LIMIT" MEANS THE MAXIMUM AMOUNT, EXPRESSED IN  
23 NUMBERS, OF WILDLIFE THAT MAY BELAWFULLY TAKEN, CAUGHT, KILLED,  
24 OR POSSESSED BY ANY ONE PERSON DURING ANY ONE DAY OR OTHER  
25 SPECIFIED PERIOD OF TIME.

26           (11.5) "EDIBLE PORTION", WHEN USED IN REFERENCE TO BIG GAME,  
27 MEANS THE MEAT FROM THE FOUR QUARTERS AND BACKSTRAP OF THE

1 ANIMAL.

2 (26.5) "INSIDE ANTLER SPREAD" MEANS THE SIZE OF AN ANTLER AT  
3 ITS GREATEST WIDTH WHEN MEASURED BETWEEN PERPENDICULARS AT A  
4 RIGHT ANGLE TO THE SURFACE OF THE SKULL.

5 (27.7) "MAIN BEAM LENGTH" MEANS THE DISTANCE FROM THE  
6 LOWEST OUTSIDE EDGE OF THE BURR OVER THE OUTER CURVE TO THE  
7 DISTAL END POINT OF THE MAIN BEAM.

8 (38) (e) Except as provided in paragraph (d) or (d.5) of this  
9 subsection (38), a person is ~~presumed~~ DEEMED, FOR THE PURPOSES OF THIS  
10 TITLE, to have terminated his or her Colorado residence if the person  
11 APPLIES FOR, PURCHASES, OR accepts any resident hunting, fishing, or  
12 trapping license issued by another state or foreign country; registers to  
13 vote in any other state or foreign country; or accepts a driver's license that  
14 shows an address other than in Colorado.

15 **SECTION 52.** 33-13-102, Colorado Revised Statutes, is amended  
16 BY THE ADDITION OF A NEW SUBSECTION to read:

17 **33-13-102. Definitions.** As used in this article, unless the context  
18 otherwise requires:

19 (5.5) "VESSEL STAGING AREA" MEANS ANY PARKING LOT, BOAT  
20 RAMP, OR OTHER LOCATION THAT ANY VESSEL IS TRANSPORTED TO OR  
21 FROM BY A MOTOR VEHICLE AND WHERE SUCH VESSEL IS PLACED INTO  
22 OPERATION ON OR IN THE WATER. "VESSEL STAGING AREA" DOES NOT  
23 INCLUDE ANY LOCATION TO WHICH A VESSEL IS TRANSPORTED PRIMARILY  
24 FOR THE PURPOSE OF SERVICE, MAINTENANCE, REPAIR, OR SALE.

25 **SECTION 53. Effective date - applicability.** This act shall take  
26 effect July 1, 2002, and shall apply to acts committed on or after said  
27 date.

1           **SECTION 54. Safety clause.** The general assembly hereby  
2 finds, determines, and declares that this act is necessary for the immediate  
3 preservation of the public peace, health, and safety.