

**First Regular Session  
Sixty-fourth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 03-0524.01 Jery Payne

**HOUSE BILL 03-1060**

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**HOUSE SPONSORSHIP**

**Lee,**

**SENATE SPONSORSHIP**

**Hillman,**

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**House Committees**

Finance

Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING CASH FUNDING LICENSE PLATE ISSUANCE FROM LICENSE**  
102             **PLATE FEES, AND, IN CONNECTION THEREWITH, MAKING AN**  
103             **APPROPRIATION.**

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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.)*

Credits the fees for all special license plates to the special license plate account in the highway users tax fund. Funds the issuance of all license plates from the special license plate account. Reverts all unexpended moneys in the special license plate account to the highway users tax fund at the end of the fiscal year.

Makes conforming amendments.

Makes an appropriation.

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.*

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

2 **SECTION 1.** 42-3-122.5 (1), Colorado Revised Statutes, is  
3 amended to read:

4 **42-3-122.5. Special plates - fees - special license plate account**  
5 **- creation.** (1) The ~~one-time~~ fees collected pursuant to sections  
6 ~~42-3-115.5 and 42-3-116.7~~ 42-3-114 TO 42-3-122, 42-3-134 (7), AND  
7 42-3-138 for the issuance of a license ~~plate~~ PLATES pursuant to SUCH  
8 sections ~~42-3-115.5 (9) and 42-3-116.7~~ shall be transmitted to the state  
9 treasurer, who shall credit the same to the special license plate account  
10 in the highway users tax fund, which account is hereby created. Moneys  
11 in the account shall be appropriated by the general assembly for the direct  
12 and indirect costs incurred by the department of revenue in ~~the~~  
13 ~~administration of sections 42-3-115.5 (9) and 42-3-116.7~~ ISSUING LICENSE  
14 PLATES PURSUANT TO THIS ARTICLE. At the end of each fiscal year, any  
15 unexpended and unencumbered moneys remaining in the account shall  
16 revert back to the highway users tax fund.

17 **SECTION 2. Repeal.** 42-3-114 (11), Colorado Revised Statutes,  
18 is repealed as follows:

19 **42-3-114. Issuance of personalized plates authorized.**  
20 (11) ~~Notwithstanding the amount specified for any fee in this section, the~~  
21 ~~executive director of the department by rule or as otherwise provided by~~  
22 ~~law may reduce the amount of one or more of the fees if necessary~~  
23 ~~pursuant to section 24-75-402 (3), C.R.S., to reduce the uncommitted~~  
24 ~~reserves of the fund to which all or any portion of one or more of the fees~~  
25 ~~is credited. After the uncommitted reserves of the fund are sufficiently~~  
26 ~~reduced, the executive director of the department by rule or as otherwise~~

1 provided by law may increase the amount of one or more of the fees as  
2 provided in section 24-75-402 (4), C.R.S.

3 **SECTION 3.** 42-3-115 (4), Colorado Revised Statutes, is  
4 amended to read:

5 **42-3-115. Issuance of optional plates authorized - retirement.**

6 (4) (a) The amount of the taxes and fees for such license plates shall be  
7 the same as the amount of the taxes and fees specified for regular motor  
8 vehicle plates plus an additional annual fee of twenty-five dollars. ~~Such~~  
9 ~~additional fee shall be transmitted to the state treasurer, who shall credit~~  
10 ~~the same to the highway users tax fund.~~

11 (b) ~~Notwithstanding the amount specified for the additional fee in~~  
12 ~~paragraph (a) of this subsection (4), the executive director of the~~  
13 ~~department by rule or as otherwise provided by law may reduce the~~  
14 ~~amount of the additional fee if necessary pursuant to section 24-75-402~~  
15 ~~(3), C.R.S., to reduce the uncommitted reserves of the fund to which all~~  
16 ~~or any portion of the additional fee is credited. After the uncommitted~~  
17 ~~reserves of the fund are sufficiently reduced, the executive director of the~~  
18 ~~department by rule or as otherwise provided by law may increase the~~  
19 ~~amount of the additional fee as provided in section 24-75-402 (4), C.R.S.~~

20 **SECTION 4.** 42-3-115.5 (1) (c) (I) and (1) (c) (III), Colorado  
21 Revised Statutes, are amended to read:

22 **42-3-115.5. Special plates - military veterans - rules -**

23 **retirement.** (1) (c) (I) The amount of taxes and fees for special license  
24 plates issued pursuant to this section shall be the same as that specified  
25 for regular motor vehicle registration; except that an additional one-time  
26 issuance or replacement fee for each motor vehicle shall apply. Such  
27 additional one-time fee shall be in the amount of twenty-five dollars. ~~and~~

1 shall be transmitted to the state treasurer, who shall credit the same to the  
2 highway users tax fund.

3 (III) ~~Notwithstanding the amount specified for any fee in this~~  
4 ~~paragraph (c), the executive director of the department by rule or as~~  
5 ~~otherwise provided by law may reduce the amount of one or more of the~~  
6 ~~fees if necessary pursuant to section 24-75-402 (3), C.R.S., to reduce the~~  
7 ~~uncommitted reserves of the fund to which all or any portion of one or~~  
8 ~~more of the fees is credited. After the uncommitted reserves of the fund~~  
9 ~~are sufficiently reduced, the executive director of the department by rule~~  
10 ~~or as otherwise provided by law may increase the amount of one or more~~  
11 ~~of the fees as provided in section 24-75-402 (4), C.R.S.~~

12 **SECTION 5.** 42-3-115.7 (5) (a), Colorado Revised Statutes, is  
13 amended to read:

14 **42-3-115.7. Special plates - alumni associations - retirement.**

15 (5) (a) The amount of the taxes and fees for special alumni license plates  
16 under this section is the same as the amount of the taxes and fees  
17 specified for regular motor vehicle license plates; except that the  
18 department shall collect a one-time fee of twenty-five dollars for each  
19 motor vehicle for issuance or replacement of such license plates. ~~The~~  
20 ~~department shall transmit the additional one-time fee to the state~~  
21 ~~treasurer, who shall credit the same to the highway users tax fund.~~

22 **SECTION 6.** 42-3-115.8 (5) (a), Colorado Revised Statutes, is  
23 amended to read:

24 **42-3-115.8. Special plates - United States olympic committee**

25 **- retirement.** (5) (a) The amount of the taxes and fees for olympic  
26 committee special license plates under this section is the same as the  
27 amount of the taxes and fees specified for regular motor vehicle license

1 plates; except that the department shall collect a one-time fee of  
2 twenty-five dollars for each motor vehicle for issuance or replacement of  
3 such license plates. ~~The department shall transmit the additional~~  
4 ~~one-time fee to the state treasurer who shall credit the same to the~~  
5 ~~highway users tax fund.~~

6 **SECTION 7.** 42-3-116.5 (6) (a), Colorado Revised Statutes, is  
7 amended to read:

8 **42-3-116.5. Special plates - Colorado foundation for**  
9 **agriculture - definitions - retirement.** (6) (a) The amount of the taxes  
10 and fees for special license plates under this section is the same as the  
11 amount of the taxes and fees specified for regular motor vehicle license  
12 plates; except that the department shall collect a one-time fee of  
13 twenty-five dollars for each motor vehicle for issuance or replacement of  
14 such license plates. ~~The department shall transmit the additional~~  
15 ~~one-time fee to the state treasurer, who shall credit the same to the~~  
16 ~~highway users tax fund.~~

17 **SECTION 8.** 42-3-116.7 (5), Colorado Revised Statutes, is  
18 amended to read:

19 **42-3-116.7. Special plates - Colorado commission of Indian**  
20 **affairs.** (5) The amount of the taxes and fees for special license plates  
21 under this section is the same as the amount of the taxes and fees  
22 specified for regular motor vehicle license plates; except that the  
23 department shall collect a one-time fee of twenty-five dollars for each  
24 motor vehicle for issuance or replacement of such license plates. ~~The~~  
25 ~~department shall transmit the additional one-time fee to the state~~  
26 ~~treasurer, who shall credit the same to the highway users tax fund, created~~  
27 ~~in section 43-4-201, C.R.S.~~

1           **SECTION 9.** 42-3-117 (5), Colorado Revised Statutes, is  
2 amended to read:

3           **42-3-117. Special plates - active and retired members of the**  
4 **Colorado national guard - retirement.** (5) (a) The amount of taxes and  
5 fees for such special license plates shall be the same as the amount of  
6 taxes and fees specified for regular motor vehicle registration plus an  
7 additional one-time fee of twenty-five dollars. ~~Such additional fee shall~~  
8 ~~be transmitted to the state treasurer, who shall credit the same to the~~  
9 ~~highway users tax fund.~~

10           ~~(b) Notwithstanding the amount specified for the additional fee in~~  
11 ~~paragraph (a) of this subsection (5), the executive director of the~~  
12 ~~department by rule or as otherwise provided by law may reduce the~~  
13 ~~amount of the additional fee if necessary pursuant to section 24-75-402~~  
14 ~~(3), C.R.S., to reduce the uncommitted reserves of the fund to which all~~  
15 ~~or any portion of the additional fee is credited. After the uncommitted~~  
16 ~~reserves of the fund are sufficiently reduced, the executive director of the~~  
17 ~~department by rule or as otherwise provided by law may increase the~~  
18 ~~amount of the additional fee as provided in section 24-75-402 (4), C.R.S.~~

19           **SECTION 10.** 42-3-121 (2) (d), Colorado Revised Statutes, is  
20 amended to read:

21           **42-3-121. Parking privileges for persons with disabilities -**  
22 **applicability.** (2) (d) The department shall establish a fee for any  
23 placard issued pursuant to paragraph (b) of this subsection (2). The fee  
24 established by the department shall not exceed the actual costs of issuing  
25 the placards. ~~and the moneys collected by the department shall be~~  
26 ~~transmitted to the state treasurer, who shall credit such moneys to the~~  
27 ~~highway users tax fund.~~

1           **SECTION 11.** 42-3-122 (4), Colorado Revised Statutes, is  
2 amended to read:

3           **42-3-122. Special plates - rules - new plates - retirement.**

4 (4) The amount of taxes and fees for special license plates issued  
5 pursuant to this section shall be the same as the amount of taxes and fees  
6 specified for regular motor vehicle registration plus an additional  
7 one-time fee of twenty-five dollars. ~~Such additional fee shall be~~  
8 ~~transmitted to the state treasurer, who shall credit the same to the~~  
9 ~~highway users tax fund.~~

10           **SECTION 12. Repeal.** 42-3-124 (5), Colorado Revised Statutes,  
11 is repealed as follows:

12           **42-3-124. Expiration - temporary, new, and old plates -**

13 **reflectorized plates.** (5) ~~Notwithstanding the amount specified for any~~  
14 ~~fee in this section, the executive director of the department by rule or as~~  
15 ~~otherwise provided by law may reduce the amount of one or more of the~~  
16 ~~fees if necessary pursuant to section 24-75-402 (3), C.R.S., to reduce the~~  
17 ~~uncommitted reserves of the fund to which all or any portion of one or~~  
18 ~~more of the fees is credited. After the uncommitted reserves of the fund~~  
19 ~~are sufficiently reduced, the executive director of the department by rule~~  
20 ~~or as otherwise provided by law may increase the amount of one or more~~  
21 ~~of the fees as provided in section 24-75-402 (4), C.R.S.~~

22           **SECTION 13. Repeal.** 42-3-127 (4) (c), Colorado Revised  
23 Statutes, is repealed as follows:

24           **42-3-127. Manufacturers or dealers.** (4) (c) ~~Notwithstanding~~  
25 ~~the amount specified for the fee in this subsection (4), the executive~~  
26 ~~director of the department by rule or as otherwise provided by law may~~  
27 ~~reduce the amount of the fee if necessary pursuant to section 24-75-402~~

1 ~~(3), C.R.S., to reduce the uncommitted reserves of the fund to which all~~  
2 ~~or any portion of the fee is credited. After the uncommitted reserves of~~  
3 ~~the fund are sufficiently reduced, the executive director of the department~~  
4 ~~by rule or as otherwise provided by law may increase the amount of the~~  
5 ~~fee as provided in section 24-75-402 (4), C.R.S.~~

6 **SECTION 14. Repeal.** 42-3-134 (30), Colorado Revised  
7 Statutes, is repealed as follows:

8 **42-3-134. Registration fees - passenger and passenger-mile**  
9 **taxes - fee schedule for years of TABOR surplus revenue - refund -**  
10 **clean screen fund - repeal.** (30) ~~Notwithstanding the amount specified~~  
11 ~~for any fee in this section, the executive director of the department by~~  
12 ~~rule or as otherwise provided by law may reduce the amount of one or~~  
13 ~~more of the fees if necessary pursuant to section 24-75-402 (3), C.R.S.,~~  
14 ~~to reduce the uncommitted reserves of the fund to which all or any~~  
15 ~~portion of one or more of the fees is credited. After the uncommitted~~  
16 ~~reserves of the fund are sufficiently reduced, the executive director of the~~  
17 ~~department by rule or as otherwise provided by law may increase the~~  
18 ~~amount of one or more of the fees as provided in section 24-75-402 (4),~~  
19 ~~C.R.S.~~

20 **SECTION 15. Repeal.** 42-3-138 (4) (b), Colorado Revised  
21 Statutes, is repealed as follows:

22 **42-3-138. Special registration of collectors' items.**  
23 (4) (b) ~~Notwithstanding the amount specified for any fee in paragraph (a)~~  
24 ~~of this subsection (4), the executive director of the department by rule or~~  
25 ~~as otherwise provided by law may reduce the amount of one or more of~~  
26 ~~the fees if necessary pursuant to section 24-75-402 (3), C.R.S., to reduce~~  
27 ~~the uncommitted reserves of the fund to which all or any portion of one~~

1 ~~or more of the fees is credited. After the uncommitted reserves of the~~  
2 ~~fund are sufficiently reduced, the executive director of the department by~~  
3 ~~rule or as otherwise provided by law may increase the amount of one or~~  
4 ~~more of the fees as provided in section 24-75-402 (4), C.R.S.~~

5 **SECTION 16. Repeal.** 42-3-144 (2), Colorado Revised Statutes,  
6 is repealed as follows:

7 **42-3-144. Motorized bicycle registration - fee.**  
8 (2) ~~Notwithstanding the amount specified for the fee in subsection (1) of~~  
9 ~~this section, the executive director of the department by rule or as~~  
10 ~~otherwise provided by law may reduce the amount of the fee if necessary~~  
11 ~~pursuant to section 24-75-402 (3), C.R.S., to reduce the uncommitted~~  
12 ~~reserves of the fund to which all or any portion of the fee is credited.~~  
13 ~~After the uncommitted reserves of the fund are sufficiently reduced, the~~  
14 ~~executive director of the department by rule or as otherwise provided by~~  
15 ~~law may increase the amount of the fee as provided in section 24-75-402~~  
16 ~~(4), C.R.S.~~

17 **SECTION 17. Appropriation - adjustment in 2003 long bill.**

18 (1) In addition to any other appropriation, there is hereby appropriated,  
19 out of any moneys in the special license plate account in the highway  
20 users tax fund created in section 42-3-122.5, Colorado Revised Statutes,  
21 not otherwise appropriated, to the department of revenue, for the fiscal  
22 year beginning July 1, 2003, the sum of \_\_\_ dollars (\$\_\_\_), or so much  
23 thereof as may be necessary, for the implementation of this act.

24 (2) For the implementation of this act, appropriations made in the  
25 annual general appropriation act for the fiscal year beginning July 1,  
26 2003, shall be adjusted as follows: The appropriation to the department  
27 of revenue, for license plate ordering, is decreased by \_\_\_ dollars (\$\_\_\_).

1 Of said sum, \_\_\_ dollars (\$\_\_\_) shall be from the general fund and \_\_\_  
2 dollars (\$\_\_\_) shall be from cash funds exempt.

3 **SECTION 18. Effective date - applicability.** This act shall take  
4 effect July 1, 2003, and shall apply to fees due on or after said date.

5 **SECTION 19. Safety clause.** The general assembly hereby finds,  
6 determines, and declares that this act is necessary for the immediate  
7 preservation of the public peace, health, and safety.