

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

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BILL 1

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LLS NO. 14-0229.01 Jery Payne x2157

INTERIM COMMITTEE BILL

Transportation Legislation Review Committee

SHORT TITLE: "Disabled Parking License Plates Placards"

A BILL FOR AN ACT

101 **CONCERNING A RECODIFICATION OF THE LAWS GOVERNING RESERVED**
102 **PARKING FOR PERSONS WITH DISABILITIES, AND, IN CONNECTION**
103 **THEREWITH, CLARIFYING CERTAIN PROVISIONS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Transportation Legislation Review Committee. The bill recodifies the disabled parking statutes to clarify that:

- The Colorado advisory council for persons with disabilities

- may implement an education program;
- A person may get personalized license plates with an identifying figure;
- The department of revenue places a "C" on the registration of the parent of a child who is mobility-impaired and has a license plate granting reserved parking;
- If an entity transports mobility-impaired people, the entity must provide a driver's license or identification document of its executive director or chief executive officer;
- When a person uses a disabled placard, the placard must be visible through the windshield and hung on the rear-view mirror or placed on the dashboard;
- An applicant for a license plate or placard with the identifying figure must sign an affidavit that the person for whom it is issued is eligible;
- Reserved parking signs must conform to the requirements of the "Americans with Disabilities Act";
- The chief officer and the employee of a company that violates disabled parking law are each individually liable; and
- The prohibition against using reserved parking for commercial purposes does not apply when the owner of the business consents to the use.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-1-227, **amend** (1)

3 (a) as follows:

4 **42-1-227. Disabled parking education program.** (1) Subject to
5 the availability of funds appropriated under section 42-1-226, the Colorado
6 advisory council for persons with disabilities, created in section
7 24-45.5-103, C.R.S.:

8 (a) May make grants or develop, IMPLEMENT, or deliver education
9 programs for the purpose of providing peace officers, local governments,
10 medical providers, drivers, and persons with disabilities with education
11 concerning eligibility standards for RESERVED parking ~~privileges~~ available
12 to a person with a disability affecting mobility, appropriate use of the
13 RESERVED parking, ~~privileges~~, the legal standards and violations contained

1 in sections 42-3-204 and 42-4-1208, and the advantages of creating a
2 volunteer enforcement program; and

3 **SECTION 2.** In Colorado Revised Statutes, **repeal and reenact,**
4 **with amendments,** 42-3-204 as follows:

5 **42-3-204. Reserved parking for persons with disabilities -**
6 **applicability - definitions - rules. (1) Definitions.** AS USED IN THIS
7 SECTION:

8 (a) "DISABILITY" OR "DISABLED" MEANS A PHYSICAL IMPAIRMENT
9 THAT MEETS THE STANDARDS OF 23 CFR 1235.

10 (b) "EXTENDED" MEANS A CONDITION THAT IS NOT EXPECTED TO
11 CHANGE WITHIN THIRTYMONTHS AFTER THEISSUANCE OF AN IDENTIFYING
12 FIGURE, GIVEN THE CURRENT STATE OF MEDICAL OR ADAPTIVE
13 TECHNOLOGY.

14 (c) "IDENTIFICATION NUMBER" MEANS THE NUMBER ON A
15 COLORADO DRIVER'S LICENSE, A COLORADO IDENTIFICATION DOCUMENT,
16 OR AN IDENTIFICATION DOCUMENT ISSUED BY THE UNITED STATES.

17 (d) "IDENTIFYING FIGURE" MEANS A FIGURE THAT PROVIDES NOTICE
18 THAT A PERSON IS AUTHORIZED TO USE A RESERVED PARKING SPACE.

19 (e) "IDENTIFYING PLACARD" MEANS A PLACARD BEARING AN
20 IDENTIFYING FIGURE ISSUED UNDER THIS SECTION OR A SIMILAR
21 PROVISION IN ANOTHER STATE AND REFERS TO A TEMPORARY, EXTENDED,
22 OR PERMANENT PLACARD.

23 (f) "IDENTIFYING PLATE" MEANS A LICENSE PLATE BEARING AN
24 IDENTIFYING FIGURE ISSUED UNDER THIS SECTION OR A SIMILAR
25 PROVISION IN ANOTHER STATE AND REFERS TO EITHER AN EXTENDED OR
26 PERMANENT LICENSE PLATE.

27 (g) "PERMANENT" MEANS A CONDITION THAT IS NOT EXPECTED TO

1 CHANGE WITHIN A PERSON'S LIFETIME, GIVEN THE CURRENT STATE OF
2 MEDICAL OR ADAPTIVE TECHNOLOGY.

3 (h) "PROFESSIONAL" MEANS A PHYSICIAN LICENSED TO PRACTICE
4 MEDICINE OR PRACTICING MEDICINE PURSUANT TO SECTION 12-36-106
5 (3) (i), C.R.S., A PHYSICIAN ASSISTANT LICENSED PURSUANT TO SECTION
6 12-36-107.4, C.R.S., A PODIATRIST LICENSED UNDER ARTICLE 32 OF TITLE
7 12, C.R.S., AN ADVANCED PRACTICE NURSE REGISTERED PURSUANT TO
8 SECTION 12-38-111.5, C.R.S., OR A PHYSICIAN, PHYSICIAN ASSISTANT,
9 PODIATRIST, OR ADVANCED PRACTICE NURSE AUTHORIZED TO PRACTICE
10 PROFESSIONALLY BY ANOTHER STATE THAT SHARES A COMMON BORDER
11 WITH COLORADO. FOR THE PURPOSES OF ISSUANCE OF A TEMPORARY
12 PLACARD ONLY, "PROFESSIONAL" INCLUDES A CHIROPRACTOR OR PHYSICAL
13 THERAPIST.

14 (i) "RESERVED PARKING" MEANS A PARKING SPACE RESERVED FOR
15 A PERSON WITH A DISABILITY AS SET FORTH IN PARAGRAPH (a) OF THIS
16 SUBSECTION (1).

17 (j) "TEMPORARY" MEANS A CONDITION THAT IS EXPECTED TO LAST
18 LESS THAN THIRTY MONTHS AFTER THE ISSUANCE OF AN IDENTIFYING
19 PLATE OR PLACARD, GIVEN THE CURRENT STATE OF MEDICAL OR ADAPTIVE
20 TECHNOLOGY.

21 (2) **Administration by the department.** (a) **Records.** THE
22 DEPARTMENT SHALL MAINTAIN IN ITS RECORDS FOR AT LEAST THREE
23 YEARS:

24 (I) THE REGISTRATION INFORMATION USED TO ISSUE AN
25 IDENTIFYING PLATE OR PLACARD;

26 (II) ANY VIOLATIONS OF SECTION 42-4-1208 BY THE HOLDER OF
27 AN IDENTIFYING PLATE OR PLACARD; AND

1 (III) THE APPLICATION FOR AN IDENTIFYING PLATE OR PLACARD OR
2 AN ELECTRONIC OR DIGITAL REPRODUCTION OF THE APPLICATION.

3 (b) **Peace officers may access records.** UPON THE MONEYS BEING
4 AVAILABLE AND APPROPRIATED FROM THE DISABLED PARKING EDUCATION
5 AND ENFORCEMENT FUND CREATED IN SECTION 42-1-226, THE
6 DEPARTMENT SHALL PROVIDE IMMEDIATE ELECTRONIC ACCESS TO THE
7 RECORDS UNDER THIS SUBSECTION (2) TO A PEACE OFFICER WORKING
8 WITHIN THE COURSE AND SCOPE OF THE OFFICER'S OFFICIAL DUTIES.

9 (c) **Records confidential.** IDENTIFYING INFORMATION ABOUT THE
10 PERSON WITH THE DISABILITY FOR WHOM AN IDENTIFYING PLATE OR
11 PLACARD IS ISSUED IS STRICTLY CONFIDENTIAL AND ONLY AVAILABLE TO:

12 (I) A PEACE OFFICER ACTING WITHIN THE COURSE AND SCOPE OF
13 THE OFFICER'S DUTIES; OR

14 (II) PERSONNEL WITHIN THE DEPARTMENT FOR OFFICIAL BUSINESS
15 RELATED TO THE IDENTIFYING PLATE OR PLACARD.

16 (d) **Department to establish forms - rules.** THE DEPARTMENT, IN
17 CONSULTATION WITH THE COLORADO ADVISORY COUNCIL FOR PERSONS
18 WITH DISABILITIES, CREATED IN SECTION 24-45.5-103, C.R.S., SHALL
19 PROMULGATE A RULE CREATING A FORM THAT:

20 (I) MAY BE SIGNED BY A PROFESSIONAL, UNDER PENALTY OF
21 PERJURY, TO AFFIRM THAT AN APPLICANT MEETS THE ELIGIBILITY
22 REQUIREMENTS FOR AN IDENTIFYING PLATE OR PLACARD AND SETTING
23 OUT THE PENALTIES FOR AUTHORIZING AN IDENTIFYING PLATE OR
24 PLACARD WHEN AN APPLICANT IS INELIGIBLE OR BEFORE VERIFYING THAT
25 A PERSON HAS A DISABILITY; AND

26 (II) CONTAINS A NOTICE OF THE ELIGIBILITY REQUIREMENTS TO
27 OBTAIN AN IDENTIFYING PLATE OR PLACARD.

1 **(3) Types of plates or placards. (a) Authorization.** THE
2 DEPARTMENT MAY ISSUE THE FOLLOWING DISABLED PLATES AND
3 PLACARDS THAT NOTIFY THE PUBLIC THAT THE VEHICLE TRANSPORTS A
4 PERSON WHO MAY USE RESERVED PARKING:

- 5 (I) A TEMPORARY IDENTIFYING PLACARD;
- 6 (II) AN EXTENDED IDENTIFYING PLACARD;
- 7 (III) A PERMANENT IDENTIFYING PLACARD;
- 8 (IV) AN EXTENDED IDENTIFYING PLATE;
- 9 (V) A PERMANENT IDENTIFYING PLATE;
- 10 (VI) A DISABLED VETERAN LICENSE PLATE WITH AN ADDITIONAL
11 IDENTIFYING FIGURE, AS DETERMINED BY THE DEPARTMENT, TO INDICATE
12 THAT THE OWNER OF THE VEHICLE IS AUTHORIZED TO MAKE USE OF
13 RESERVED PARKING FOR PERSONS WITH DISABILITIES.

14 **(b) Number of placards and license plates allowed. (I)** THE
15 DEPARTMENT MAY ISSUE TWO IDENTIFYING PLACARDS, TWO IDENTIFYING
16 PLATES, OR ONE PLATE AND ONE PLACARD TO AN ELIGIBLE INDIVIDUAL.

17 (II) THE DEPARTMENT MAY ISSUE A DISABLED VETERAN LICENSE
18 PLATE WITH AN ADDITIONAL IDENTIFYING FIGURE AND ONE PLACARD TO
19 AN INDIVIDUAL.

20 (III) THE DEPARTMENT MAY ISSUE TWO IDENTIFYING PLATES, TWO
21 IDENTIFYING PLACARDS, OR ONE PLATE AND ONE PLACARD TO EACH
22 PARENT OR GUARDIAN OF A CHILD WITH A DISABILITY WHO IS UNDER
23 SIXTEEN YEARS OF THE AGE.

24 **(4) Cost.** THE COST FOR ISSUANCE OF AN IDENTIFYING PLATE IS
25 THE SAME AS FOR A STANDARD PLATE. THERE IS NO FEE FOR AN
26 IDENTIFYING PLACARD.

27 **(5) Issuance of plate or placard - rules. (a) Department to**

1 **issue.** THE DEPARTMENT SHALL ISSUE AN IDENTIFYING PLATE OR PLACARD
2 TO AN APPLICANT THAT PAYS ANY REQUIRED FEES AND IS QUALIFIED FOR
3 THE PLATE OR PLACARD UNDER PARAGRAPH (h) OF THIS SUBSECTION (5).

4 (b) **Identification number on placard.** THE DEPARTMENT SHALL
5 PLACE THE LAST FOUR DIGITS OF THE HOLDER'S IDENTIFICATION NUMBER
6 ON THE FACE OF AN IDENTIFYING PLACARD. IF AN ENTITY THAT
7 TRANSPORTS PERSONS WITH DISABILITIES OBTAINS A PLACARD, THE
8 PLACARD SHALL BEAR THE TRUE NAME OF THE ENTITY PROVIDING THE
9 SERVICE RATHER THAN THE IDENTIFICATION NUMBER.

10 (c) **Expiration date on placard.** THE DEPARTMENT SHALL PLACE
11 THE EXPIRATION DATE ON AN IDENTIFYING PLACARD USING A DATE
12 SYSTEM THAT REMOVES A PORTION OF THE PLACARD TO INDICATE THE
13 EXPIRATION DATE. THE DEPARTMENT SHALL AFFIX TO AN IDENTIFYING
14 PLACARD A VALIDATING STICKER INDICATING THE EXPIRATION DATE.

15 (d) **Department to give notice of rights and responsibilities.**
16 WHEN A PERSON FILES AN APPLICATION FOR ISSUANCE OR RENEWAL OF AN
17 IDENTIFYING PLATE OR PLACARD UNDER THIS SECTION, THE DEPARTMENT
18 SHALL PROVIDE TO THE APPLICANT AN INFORMATIONAL PAMPHLET OR
19 OTHER INFORMATIONAL SOURCE THAT DESCRIBES RESERVED PARKING AND
20 THE RIGHTS AND RESPONSIBILITIES OF THE HOLDERS OF IDENTIFYING
21 PLATES OR PLACARDS. THE PAMPHLET OR OTHER INFORMATIONAL SOURCE
22 SHALL BE DEVELOPED BY THE DEPARTMENT IN CONSULTATION WITH THE
23 COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES, CREATED
24 IN SECTION 24-45.5-103, C.R.S.

25 (e) **Personalized and other specialty plates authorized.** AN
26 APPLICANT MAY APPLY FOR A PERSONALIZED IDENTIFYING PLATE. UPON
27 PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6) (a)

1 FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE SUCH
2 PLATES IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN
3 APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR
4 VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS
5 OR NUMBERS TO A NEW SET OF IDENTIFYING PLATES FOR THE VEHICLE
6 UPON PAYMENT OF THE FEE IMPOSED BY SECTION 42-3-211 (6) AND UPON
7 TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO
8 HAS OBTAINED PERSONALIZED DENVER BRONCOS SPECIAL LICENSE PLATES
9 UNDER THIS PARAGRAPH (e) SHALL PAY THE ANNUAL FEE IMPOSED BY
10 SECTION 42-3-211 (6) (b) FOR RENEWAL OF PERSONALIZED PLATES. THE
11 FEES UNDER THIS PARAGRAPH (e) ARE IN ADDITION TO ALL OTHER TAXES
12 AND FEES IMPOSED FOR PERSONALIZED IDENTIFYING PLATES.

13 (f) **Trusts may use.** A PERSON MAY USE AN IDENTIFYING PLATE OR
14 PLACARD ON A MOTOR VEHICLE THAT IS OWNED BY A TRUST CREATED FOR
15 THE BENEFIT OF AND IN THE NAME OF A PERSON WHO IS ELIGIBLE FOR
16 RESERVED PARKING.

17 (g) **Placards and license plates issued by other states.** AN
18 IDENTIFYING PLACARD ISSUED IN ANOTHER STATE OR COUNTRY IS NOT
19 VALID FOR MORE THAN NINETY DAYS AFTER THE HOLDER BECOMES A
20 RESIDENT OF COLORADO. A PERSON MUST SURRENDER ANY CURRENTLY
21 HELD IDENTIFYING PLACARD ISSUED IN ANOTHER STATE OR COUNTRY TO
22 BE ISSUED AN IDENTIFYING PLACARD IN COLORADO.

23 (h) **Requirements for issuance of identifying placards or**
24 **plates.** (I) TO QUALIFY FOR AN IDENTIFYING PLACARD OR PLATE, AN
25 INDIVIDUAL MUST SUBMIT:

26 (A) A WRITTEN STATEMENT, MADE BY A PROFESSIONAL ON A FORM
27 PUBLISHED BY THE DEPARTMENT, THAT THE PERSON HAS A PHYSICAL

1 IMPAIRMENT MEETING THE STANDARDS OF 23 CFR 1235 AND THAT THE
2 IMPAIRMENT IS EXPECTED TO BE TEMPORARY, LAST THIRTY MONTHS, OR
3 BE PERMANENT, AS THE CASE MAY BE;

4 (B) A SIGNED AFFIDAVIT AFFIRMING: KNOWLEDGE OF THE
5 ELIGIBILITY REQUIREMENTS; THAT THE PERSON TO WHOM THE PLACARD OR
6 PLATE IS ISSUED IS AND REMAINS ELIGIBLE TO USE THE PLACARD OR PLATE;
7 AND KNOWLEDGE OF THE PENALTIES FOR OBTAINING A PLATE OR PLACARD
8 WHEN INELIGIBLE; AND

9 (C) A COLORADO DRIVER'S LICENSE OR IDENTIFICATION
10 DOCUMENT, OR AN IDENTIFICATION DOCUMENT ISSUED BY THE UNITED
11 STATES GOVERNMENT, FOR THE PERSON WHO IS ENTITLED TO USE
12 RESERVED PARKING.

13 (II) TO QUALIFY FOR A TEMPORARY IDENTIFYING PLACARD, A
14 RESIDENT OF ANOTHER STATE WHO BECOMES DISABLED WHILE IN THIS
15 STATE MUST SUBMIT A DRIVER'S LICENSE OR IDENTIFICATION DOCUMENT
16 ISSUED BY THE STATE OF RESIDENCE OR THE UNITED STATES
17 GOVERNMENT ALONG WITH THE DOCUMENTS REQUIRED BY
18 SUB-SUBPARAGRAPHS (A) AND (B) OF SUBPARAGRAPH (I) OF THIS
19 PARAGRAPH (h).

20 (III) A PLACARD ISSUED FOR A PERSON UNDER SIXTEEN YEARS OF
21 AGE MAY BEAR THE PARENT'S OR GUARDIAN'S IDENTIFICATION NUMBER IN
22 LIEU OF THE HOLDER'S NUMBER. IF THE PLACARD BEARS THE LAST FOUR
23 DIGITS OF A PARENT'S OR GUARDIAN'S IDENTIFICATION NUMBER, THE
24 DEPARTMENT SHALL ALSO PLACE THE LETTER "C" AS A DESIGNATOR ON
25 THE PLACARD.

26 (IV) A STATE AGENCY OR BUSINESS ENTITY THAT TRANSPORTS
27 PERSONS WITH DISABILITIES MAY OBTAIN A PERMANENT IDENTIFYING

1 PLACARD FOR RESERVED PARKING. TO QUALIFY FOR AN EXTENDED OR
2 PERMANENT IDENTIFYING PLATE OR PLACARD, THE AGENCY OR BUSINESS
3 ENTITY MUST:

4 (A) SHOW THAT IT TRANSPORTS PERSONS WITH DISABILITIES;

5 (B) PROVIDE A DRIVER'S LICENSE OR IDENTIFICATION DOCUMENT
6 OF ITS EXECUTIVE DIRECTOR OR CHIEF EXECUTIVE OFFICER;

7 (C) PROVIDE ITS EMPLOYEE IDENTIFICATION NUMBER; AND

8 (D) PROVIDE ANY OTHER INFORMATION REQUIRED BY THE
9 DEPARTMENT BY RULE.

10 (i) **Requirements for identifying figure on disabled veteran**
11 **license plate.** TO QUALIFY FOR A DISABLED VETERAN LICENSE PLATE WITH
12 AN IDENTIFYING FIGURE, THE APPLICANT MUST QUALIFY FOR A
13 PERMANENT IDENTIFYING PLATE UNDER SUBPARAGRAPH(I) OF PARAGRAPH
14 (h) OF THIS SUBSECTION (5) AND MEET THE ELIGIBILITY CRITERIA IN
15 SECTION 42-3-213 (5) FOR A DISABLED VETERAN LICENSE PLATE. A
16 DISABLED VETERAN LICENSE PLATE WITH AN IDENTIFYING FIGURE EXPIRES
17 IN ACCORDANCE WITH THE SCHEDULE ESTABLISHED BY THE DEPARTMENT
18 FOR PERIODIC REGISTRATION UNDER SECTION 42-3-102 (1) (a). EVERY
19 NINE YEARS, THE HOLDER MAY RESUBMIT THE STATEMENT REQUIRED IN
20 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF THIS
21 SUBSECTION (5) TO RENEW THE LICENSE PLATE.

22 (6) **Expiration and renewal.** (a) **Temporary placards.** A
23 TEMPORARY IDENTIFYING PLACARD EXPIRES ON THE LAST DAY OF THE
24 MONTH IN WHICH THE NINETIETH DAY AFTER ISSUANCE OCCURS. THE
25 HOLDER MAY APPLY FOR OR RENEW THE PLACARD BY MEETING THE
26 REQUIREMENTS OF PARAGRAPH (h) OF SUBSECTION (5) OF THIS SECTION
27 TO QUALIFY FOR THE PLACARD.

1 (b) **Extended placards.** AN EXTENDED IDENTIFYING PLACARD
2 EXPIRES ON THE LAST DAY OF THE THIRTY-SIXTH FULL MONTH AFTER THE
3 DATE OF ISSUANCE OR RENEWAL. THE HOLDER MAY APPLY FOR OR RENEW
4 THE PLACARD BY MEETING THE REQUIREMENTS OF SUBPARAGRAPH (I) OF
5 PARAGRAPH (h) OF SUBSECTION (5) OF THIS SECTION TO QUALIFY FOR THE
6 PLACARD.

7 (c) **Permanent placards.** (I) A PERMANENT IDENTIFYING
8 PLACARD EXPIRES ON THE LAST DAY OF THE THIRTY-SIXTH FULL MONTH
9 AFTER THE DATE OF ISSUANCE OR RENEWAL. THE HOLDER MAY RENEW THE
10 PLACARD BY SUBMITTING:

11 (A) A CURRENT VERIFICATION FORM BY MAIL OR IN PERSON IN THE
12 OFFICE OF AN AUTHORIZED AGENT;

13 (B) AN AFFIDAVIT, MADE UNDER PENALTY OF PERJURY, THAT THE
14 PERSON TO WHOM THE PLACARD IS ISSUED REMAINS ELIGIBLE TO USE THE
15 PLACARD;

16 (C) THE DATE OF BIRTH AND COLORADO DRIVER'S LICENSE OR
17 IDENTIFICATION CARD NUMBER OF THE PERSON WHO MAY USE RESERVED
18 PARKING; AND

19 (D) EVERY THIRD RENEWAL, A WRITTEN STATEMENT REQUIRED BY
20 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF
21 SUBSECTION (5) OF THIS SECTION TO QUALIFY FOR THE PLACARD.

22 (II) IF THE HOLDER IS AN ENTITY, THE HOLDER MAY RENEW THE
23 PLACARD UPON RESUBMITTING AND UPDATING THE INFORMATION
24 NECESSARY TO BE ISSUED THE PLACARD UNDER SUBPARAGRAPH (IV) OF
25 PARAGRAPH (h) OF SUBSECTION (5) OF THIS SECTION.

26 (d) **Extended identifying plates.** (I) AN EXTENDED IDENTIFYING
27 PLATE EXPIRES IN ACCORDANCE WITH THE SCHEDULE ESTABLISHED BY THE

1 DEPARTMENT FOR PERIODIC REGISTRATION UNDER SECTION 42-3-102 (1)
2 (a). ELIGIBILITY FOR AN EXTENDED IDENTIFYING PLATE EXPIRES ON THE
3 LAST DAY OF THE THIRTY-SIXTH FULL MONTH AFTER THE DATE OF
4 ISSUANCE OR RENEWAL. THE HOLDER MAY RENEW THE PLATE BY MEETING
5 THE REQUIREMENTS OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF
6 SUBSECTION (5) OF THIS SECTION TO QUALIFY FOR THE PLATE.

7 (II) IF AN EXTENDED IDENTIFYING PLATE IS ISSUED FOR A PERSON
8 UNDER SIXTEEN YEARS OF AGE USING A PARENT'S OR GUARDIAN'S
9 IDENTIFICATION DOCUMENT, THE DEPARTMENT SHALL PLACE A "C" ON THE
10 REGISTRATION CARD ISSUED UNDER SECTION 42-3-113 (2).

11 (e) **Permanent identifying plates.** (I) A PERMANENT
12 IDENTIFYING PLATE EXPIRES IN ACCORDANCE WITH THE SCHEDULE
13 ESTABLISHED BY THE DEPARTMENT FOR PERIODIC REGISTRATION UNDER
14 SECTION 42-3-102 (1) (a). ELIGIBILITY FOR AN PERMANENT IDENTIFYING
15 PLATE EXPIRES ON THE LAST DAY OF THE THIRTY-SIXTH FULL MONTH
16 AFTER THE DATE OF ISSUANCE OR RENEWAL. THE HOLDER MAY RENEW THE
17 PLATE BY SUBMITTING:

18 (A) A CURRENT VERIFICATION FORM BY MAIL OR IN PERSON IN THE
19 OFFICE OF AN AUTHORIZED AGENT;

20 (B) AN AFFIDAVIT, MADE UNDER PENALTY OF PERJURY, THAT THE
21 PERSON TO WHOM THE PLATE IS ISSUED REMAINS ELIGIBLE TO USE THE
22 PLATE;

23 (C) THE DATE OF BIRTH AND COLORADO DRIVER'S LICENSE OR
24 IDENTIFICATION CARD NUMBER OF THE PERSON WHO MAY USE RESERVED
25 PARKING; AND

26 (D) EVERY THIRD RENEWAL, A WRITTEN STATEMENT REQUIRED BY
27 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF

1 SUBSECTION (5) OF THIS SECTION TO QUALIFY FOR THE PLATE.

2 (II) IF THE PLATE IS ISSUED FOR A PERSON UNDER SIXTEEN YEARS
3 OF AGE USING A PARENT'S OR GUARDIAN'S IDENTIFICATION DOCUMENT,
4 THE DEPARTMENT SHALL PLACE A "C" ON THE REGISTRATION CARD ISSUED
5 UNDER SECTION 42-3-113 (2).

6 (7) **Violations - department may revoke.** (a) (I) UPON RECEIPT
7 OF A SWORN STATEMENT FROM A PEACE OFFICER OR AN AUTHORIZED
8 PARKING ENFORCEMENT OFFICIAL THAT A PERSON HAS IMPROPERLY USED
9 RESERVED PARKING IN VIOLATION OF SECTION 42-4-1208, AN
10 IDENTIFYING PLATE OR PLACARD MAY BE REVOKED BY THE DEPARTMENT.
11 TO BE ACCEPTED BY THE DEPARTMENT, THE PEACE OFFICER OR
12 AUTHORIZED PARKING ENFORCEMENT OFFICIAL MUST INCLUDE WITH THE
13 STATEMENT THE NAME OF THE PERSON WHO MISUSED THE IDENTIFYING
14 PLATE OR PLACARD AND EITHER THE IDENTIFYING PLATE OR PLACARD
15 NUMBER OR THE LAST FOUR DIGITS OF THE DRIVER'S LICENSE OR
16 IDENTIFICATION DOCUMENT NUMBER PRINTED ON THE PLACARD.

17 (II) THE REVOCATION IS EFFECTIVE FORTY-FIVE DAYS AFTER THE
18 DEPARTMENT RECEIVES THE SWORN STATEMENT UNLESS A HEARING IS
19 REQUESTED IN ACCORDANCE WITH PARAGRAPH (e) OF THIS SUBSECTION
20 (7).

21 (b) UPON RECEIPT OF A NOTICE THAT THE HOLDER OF AN
22 IDENTIFYING PLATE OR PLACARD WAS CONVICTED OF, OR PLED NOLO
23 CONTENDERE TO, A VIOLATION OF SECTION 42-4-1208, THE DEPARTMENT
24 SHALL REVOKE EACH IDENTIFYING PLACARD OR PLATE HELD BY THE
25 PERSON.

26 (c) **Revocation period.** (I) UPON A FIRST VIOLATION OF SECTION
27 42-4-1208, THE DEPARTMENT SHALL DENY REISSUANCE OF THE

1 IDENTIFYING PLATE OR PLACARD FOR TWELVE MONTHS AFTER THE DATE
2 OF REVOCATION.

3 (II) UPON A SECOND OR SUBSEQUENT VIOLATION OF SECTION
4 42-4-1208, THE DEPARTMENT SHALL DENY REISSUANCE OF THE
5 IDENTIFYING PLATE OR PLACARD FOR A PERIOD OF AT LEAST FIVE YEARS
6 AFTER THE DATE OF THE SECOND OR MOST RECENT SUBSEQUENT
7 REVOCATION.

8 (d) **Written notice of revocation.** THE DEPARTMENT SHALL
9 NOTIFY IN WRITING THE PERSON ISSUED THE IDENTIFYING PLATE OR
10 PLACARD OF THE REVOCATION. THE DEPARTMENT SHALL INCLUDE IN THE
11 NOTICE:

12 (I) A DEMAND FOR THE RETURN OF THE IDENTIFYING PLATE OR
13 PLACARD;

14 (II) A WARNING THAT CONTINUED USE OF THE IDENTIFYING PLATE
15 OR PLACARD BY ANY PERSON IS SUBJECT TO THE PENALTY SET FORTH IN
16 SECTION 42-4-1208 (7); AND

17 (III) A STATEMENT THAT THE PERSON MAY APPEAL THE
18 REVOCATION BY FILING A WRITTEN REQUEST WITH THE DEPARTMENT
19 WITHIN THIRTY DAYS AFTER THE DEPARTMENT ISSUED THE NOTICE.

20 (e) **Request for hearing.** IF A PERSON REQUESTS A HEARING ON
21 THE REVOCATION OF AN IDENTIFYING PLATE OR PLACARD WITHIN THIRTY
22 DAYS AFTER THE DEPARTMENT ISSUED THE NOTICE, THE DEPARTMENT
23 SHALL HOLD A HEARING BEFORE REVOKING THE PLATE OR PLACARD. IF A
24 HEARING IS HELD AND THE HEARING OFFICER UPHOLDS THE REVOCATION,
25 THE REVOCATION TAKES EFFECT IMMEDIATELY.

26 (f) **Penalty.** A PERSON WHO FAILS TO RETURN A REVOKED
27 IDENTIFYING PLACARD OR PLATE, OR WHO ATTEMPTS TO OBTAIN AN

1 IDENTIFYING PLATE OR PLACARD WHEN UNDER REVOCATION PURSUANT TO
2 THIS SUBSECTION (7), COMMITS A CLASS B TRAFFIC INFRACTION.

3 **SECTION 3.** In Colorado Revised Statutes, **repeal and reenact,**
4 **with amendments,** 42-4-1208 as follows:

5 **42-4-1208. Reserved parking for persons with disabilities -**
6 **applicability - rules. (1) Definitions.** AS USED IN THIS SECTION:

7 (a) "DISABILITY" OR "DISABLED" HAS THE SAME MEANING AS SET
8 FORTH IN SECTION 42-3-204.

9 (b) "HOLDER" MEANS A PERSON WITH A DISABILITY WHO HAS
10 LAWFULLY OBTAINED AN IDENTIFYING PLATE OR PLACARD.

11 (c) "IDENTIFYING FIGURE" HAS THE SAME MEANING AS SET FORTH
12 IN SECTION 42-3-204.

13 (d) "IDENTIFYING PLACARD" HAS THE SAME MEANING AS SET FORTH
14 IN SECTION 42-3-204.

15 (e) "IDENTIFYING PLATE" HAS THE SAME MEANING AS SET FORTH IN
16 SECTION 42-3-204.

17 (f) "PROFESSIONAL" HAS THE SAME MEANING AS SET FORTH IN
18 SECTION 42-3-204.

19 (g) "RESERVED PARKING" MEANS A PARKING SPACE RESERVED FOR
20 A PERSON WITH A DISABILITY.

21 (2) **Use of plate or placard.** (a) A PERSON WITH A DISABILITY
22 MAY USE RESERVED PARKING ON PUBLIC PROPERTY OR PRIVATE PROPERTY
23 AVAILABLE FOR PUBLIC USE IF THE PERSON DISPLAYS AN IDENTIFYING
24 PLATE OR PLACARD WHILE USING RESERVED PARKING.

25 (b) WHEN AN IDENTIFYING PLACARD IS USED FOR RESERVED
26 PARKING, THE DRIVER OF THE PARKED MOTOR VEHICLE SHALL ENSURE
27 THAT THE FRONT OF THE IDENTIFYING PLACARD IS LEGIBLE AND VISIBLE

1 THROUGH THE WINDSHIELD WHEN VIEWED FROM OUTSIDE THE VEHICLE.
2 THE DRIVER SHALL HANG THE PLACARD FROM THE REAR-VIEW MIRROR
3 UNLESS A REAR-VIEW MIRROR IS NOT AVAILABLE OR THE INDIVIDUAL IS
4 PHYSICALLY UNABLE TO HANG THE PLACARD FROM THE REAR-VIEW
5 MIRROR. IF THE TAG IS NOT HUNG FROM THE REAR-VIEW MIRROR, THE
6 DRIVER SHALL DISPLAY IT ON THE DASHBOARD.

7 (c) A PERSON WITH A DISABILITY WHO IS A RESIDENT OF A STATE
8 OTHER THAN COLORADO MAY USE RESERVED PARKING IN COLORADO IF
9 THE MOTOR VEHICLE DISPLAYS AN IDENTIFYING PLATE OR PLACARD ISSUED
10 BY A STATE OTHER THAN COLORADO, AND IF:

11 (I) THE IDENTIFYING PLATE OR PLACARD IS CURRENTLY VALID IN
12 THE STATE OF ISSUANCE AND MEETS THE REQUIREMENTS OF 23 CFR 1235;
13 AND

14 (II) THE HOLDER HAS NOT BEEN A RESIDENT IN COLORADO FOR
15 MORE THAN NINETY DAYS.

16 (d) A MOTOR VEHICLE WITH AN IDENTIFYING PLATE OR A PLACARD
17 MAY BE PARKED IN PUBLIC PARKING AREAS ALONG PUBLIC STREETS OR IN
18 PRIVATE PARKING LOTS REGARDLESS OF ANY TIME LIMITATION IMPOSED
19 UPON PARKING IN THE AREA; EXCEPT THAT A JURISDICTION MAY
20 SPECIFICALLY LIMIT RESERVED PARKING ON ANY PUBLIC STREET TO NO
21 LESS THAN FOUR HOURS. TO LIMIT RESERVED PARKING, THE JURISDICTION
22 MUST CLEARLY POST THE APPROPRIATE TIME LIMITS IN THE AREA. THE
23 ABILITY TO PARK NOTWITHSTANDING PARKING LIMITATIONS DOES NOT
24 APPLY TO AREAS IN WHICH:

25 (I) STOPPING, STANDING, OR PARKING OF ALL VEHICLES IS
26 PROHIBITED;

27 (II) ONLY SPECIAL VEHICLES MAY BE PARKED; OR

1 (III) PARKING IS NOT ALLOWED DURING SPECIFIC PERIODS OF THE
2 DAY IN ORDER TO ACCOMMODATE HEAVY TRAFFIC.

3 (3) **Misuse of disabled placard or plate.** (a) A PERSON WITHOUT
4 A DISABILITY SHALL NOT PARK IN A PARKING SPACE ON PUBLIC OR PRIVATE
5 PROPERTY THAT IS CLEARLY IDENTIFIED BY AN OFFICIAL SIGN AS BEING
6 RESERVED PARKING UNLESS:

7 (I) THE PERSON IS PARKING THE VEHICLE FOR THE DIRECT BENEFIT
8 OF A PERSON WITH A DISABILITY TO ENTER OR EXIT THE VEHICLE WHILE IT
9 IS PARKED IN THE RESERVED PARKING SPACE; AND

10 (II) AN IDENTIFYING PLATE OR PLACARD OBTAINED UNDER OR
11 AUTHORIZED BY SECTION 42-3-204 IS DISPLAYED IN OR ON THE VEHICLE.

12 (b) (I) A PERSON, AFTER USING A RESERVED PARKING SPACE THAT
13 HAS A TIME LIMIT, SHALL NOT SWITCH MOTOR VEHICLES OR MOVE THE
14 MOTOR VEHICLE TO ANOTHER RESERVED PARKING SPACE WITHIN ONE
15 HUNDRED YARDS OF THE ORIGINAL PARKING SPACE WITHIN THE SAME
16 EIGHT HOURS IN ORDER TO EXCEED THE TIME LIMIT.

17 (II) PARKING IN A TIME-LIMITED RESERVED PARKING SPACE FOR
18 MORE THAN THREE HOURS FOR AT LEAST THREE DAYS A WEEK FOR AT
19 LEAST TWO WEEKS CREATES A REBUTTABLE PRESUMPTION THAT THE
20 PERSON IS VIOLATING THIS PARAGRAPH (b).

21 (III) THIS SUBSECTION (3) DOES NOT APPLY TO PRIVATELY OWNED
22 PARKING SPACES.

23 (c) A PERSON SHALL NOT USE RESERVED PARKING FOR A
24 COMMERCIAL PURPOSE UNLESS:

25 (I) THE PURPOSE RELATES TO TRANSACTING BUSINESS WITH A
26 BUSINESS THE RESERVED PARKING IS INTENDED TO SERVE; OR

27 (II) THE OWNER OF PRIVATE PROPERTY CONSENTS TO ALLOW THE

1 USE.

2 (d) (I) AN EMPLOYEE OF AN ENTITY SHALL NOT USE AN
3 IDENTIFYING PLACARD ISSUED TO THE ENTITY UNLESS THE EMPLOYEE IS
4 TRANSPORTING PERSONS WITH DISABILITIES.

5 (II) FOR A VIOLATION OF THIS PARAGRAPH (d), THE EXECUTIVE
6 DIRECTOR OR OFFICER OF THE ENTITY TO WHOM THE PLACARD OR PLATE
7 WAS ISSUED AND THE OFFENDING EMPLOYEE ARE EACH SUBJECT TO THE
8 PENALTIES IN PARAGRAPH (a) OR (b) OF SUBSECTION (7) OF THIS SECTION.

9 (e) A PERSON WHO VIOLATES THIS SUBSECTION (3) IS SUBJECT TO
10 THE PENALTIES IN PARAGRAPH (a) OR (b) OF SUBSECTION (7) OF THIS
11 SECTION.

12 (4) **Blocking access.** (a) REGARDLESS OF WHETHER A PERSON
13 DISPLAYS AN IDENTIFYING PLATE OR PLACARD, A PERSON SHALL NOT PARK
14 A VEHICLE SO AS TO BLOCK REASONABLE ACCESS TO CURB RAMPS,
15 PASSENGER LOADING ZONES, OR ACCESSIBLE ROUTES, AS IDENTIFIED IN 28
16 CFR PART 36 APPENDIX A, THAT ARE CLEARLY IDENTIFIED UNLESS THE
17 PERSON IS ACTIVELY LOADING OR UNLOADING A PERSON WITH A
18 DISABILITY.

19 (b) A PERSON WHO VIOLATES THIS SUBSECTION (4) IS SUBJECT TO
20 THE PENALTIES IN PARAGRAPH (c) OF SUBSECTION (7) OF THIS SECTION.

21 (5) **Fraud and trafficking.** A PERSON IS GUILTY OF A
22 MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED AS PROVIDED
23 IN PARAGRAPH (d) OF SUBSECTION (7) OF THIS SECTION IF THE PERSON:

24 (a) KNOWINGLY AND FRAUDULENTLY OBTAINS, POSSESSES, USES,
25 OR TRANSFERS AN IDENTIFYING PLACARD ISSUED TO A PERSON WITH A
26 DISABILITY;

27 (b) KNOWINGLY MAKES, POSSESSES, USES, OR TRANSFERS WHAT

1 PURPORTS TO BE, BUT IS NOT, AN IDENTIFYING PLACARD; OR

2 (c) KNOWINGLY CREATES OR USES A DEVICE INTENDED TO GIVE
3 THE IMPRESSION THAT IT IS AN IDENTIFYING PLACARD WHEN VIEWED
4 FROM OUTSIDE THE VEHICLE.

5 (6) **Enforcement of reserved parking.** (a) A PEACE OFFICER OR
6 AUTHORIZED AND UNIFORMED PARKING ENFORCEMENT OFFICIAL MAY
7 CHECK THE IDENTIFICATION OF A PERSON USING AN IDENTIFYING PLATE
8 OR PLACARD IN ORDER TO DETERMINE WHETHER THE USE IS AUTHORIZED.

9 (b) (I) A PEACE OFFICER OR AUTHORIZED AND UNIFORMED PARKING
10 ENFORCEMENT OFFICIAL ^{MAY} ~~SHALL~~ CONFISCATE AN IDENTIFYING PLACARD
11 THAT IS BEING USED IN VIOLATION OF THIS SECTION.

12 (II) THE PEACE OFFICER OR PARKING ENFORCEMENT OFFICIAL
13 SHALL SEND THE PLACARD TO THE DEPARTMENT UNLESS IT IS BEING HELD
14 AS EVIDENCE FOR PROSECUTION OF A VIOLATION OF THIS SECTION.

15 (III) THE DEPARTMENT SHALL HOLD A CONFISCATED PLACARD FOR
16 THIRTYDAYS AND MAY DISPOSE OF THE PLACARD AFTER THIRTYDAYS. THE
17 DEPARTMENT SHALL RELEASE THE PLACARD TO THE PERSON WITH A
18 DISABILITY TO WHOM IT WAS ISSUED WHEN THE PERSON SIGNS A
19 STATEMENT UNDER PENALTY OF PERJURY THAT HE OR SHE WAS UNAWARE
20 THAT THE VIOLATOR USED, OR INTENDED TO USE, THE PLACARD IN
21 VIOLATION OF THIS SECTION.

22 (c) A PEACE OFFICER AND THE DEPARTMENT MAY INVESTIGATE AN
23 ALLEGATION THAT A PERSON IS VIOLATING THIS SECTION.

24 (d) A PERSON WHO OBSERVES A VIOLATION OF THIS SECTION MAY
25 SUBMIT EVIDENCE, INCLUDING A SWORN STATEMENT, CONCERNING THE
26 VIOLATION TO ANY LAW ENFORCEMENT AGENCY.

27 (e) (I) A PEACE OFFICER MAY ISSUE A PENALTY ASSESSMENT

1 NOTICE FOR A VIOLATION OF PARAGRAPH (b), (c), OR (d) OF SUBSECTION
2 (3) OF THIS SECTION BY SENDING IT BY CERTIFIED MAIL TO THE
3 REGISTERED OWNER OF THE MOTOR VEHICLE. THE PEACE OFFICER SHALL
4 INCLUDE IN THE PENALTY ASSESSMENT NOTICE THE OFFENSE OR
5 INFRACTION, THE TIME AND PLACE WHERE IT OCCURRED, AND A
6 STATEMENT THAT THE PAYMENT OF THE PENALTY ASSESSMENT AND A
7 SURCHARGE IS DUE WITHIN TWENTY DAYS AFTER THE ISSUANCE OF THE
8 NOTICE. THE DEPARTMENT RECEIVES PAYMENT OF THE PENALTY
9 ASSESSMENT BY THE DUE DATE IF THE PAYMENT IS RECEIVED OR
10 POSTMARKED BY THE TWENTIETH DAY AFTER THE VEHICLE OWNER
11 RECEIVED THE PENALTY ASSESSMENT NOTICE.

12 (II) IF THE PENALTY ASSESSMENT AND SURCHARGE ARE NOT PAID
13 WITHIN TWENTY DAYS AFTER THE DATE THE VEHICLE OWNER RECEIVES THE
14 ASSESSMENT NOTICE SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH
15 (e), THE PEACE OFFICER WHO ISSUED THE ORIGINAL PENALTY ASSESSMENT
16 NOTICE SHALL FILE A COMPLAINT WITH A COURT HAVING JURISDICTION
17 AND ISSUE AND SERVE UPON THE REGISTERED OWNER OF THE VEHICLE A
18 SUMMONS TO APPEAR IN COURT AT THE TIME AND PLACE SPECIFIED.

19 (f) (I) THE ENTERING COURT SHALL SEND CERTIFICATION OF THE
20 ENTRY OF JUDGMENT FOR EACH VIOLATION OF PARAGRAPH (b), (c), OR (d)
21 OF SUBSECTION (3) OF THIS SECTION TO THE DEPARTMENT.

22 (II) UPON RECEIPT OF CERTIFICATION OF AN ENTRY OF JUDGMENT
23 FOR A VIOLATION OF PARAGRAPH (b), (c), OR (d) OF SUBSECTION (3) OF
24 THIS SECTION, THE DEPARTMENT SHALL NOT REGISTER THE PERSON'S
25 VEHICLE UNTIL ALL FINES IMPOSED FOR THE VIOLATIONS HAVE BEEN PAID.

26 (III) UPON RECEIPT OF CERTIFICATION OR INDEPENDENT
27 VERIFICATION OF AN ENTRY OF JUDGMENT, THE DEPARTMENT SHALL

1 REVOKE AN IDENTIFYING PLATE OR PLACARD AS PROVIDED IN SECTION
2 42-3-204 (7) (d).

3 (g) (I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
4 SECTION TO THE CONTRARY, A HOLDER IS LIABLE FOR ANY PENALTY OR
5 FINE AS SET FORTH IN THIS SECTION OR SECTION 42-3-204 OR FOR ANY
6 MISUSE OF AN IDENTIFYING PLATE OR PLACARD, INCLUDING THE USE OF
7 SUCH PLATE OR PLACARD BY ANY PERSON OTHER THAN A HOLDER, UNLESS
8 THE HOLDER FURNISHES SUFFICIENT EVIDENCE THAT THE IDENTIFYING
9 PLATE OR PLACARD WAS, AT THE TIME OF THE VIOLATION, IN THE CARE,
10 CUSTODY, OR CONTROL OF ANOTHER PERSON WITHOUT THE HOLDER'S
11 KNOWLEDGE OR CONSENT.

12 (II) A HOLDER MAY AVOID THE LIABILITY DESCRIBED IN
13 SUBPARAGRAPH (I) OF THIS PARAGRAPH (g) IF, WITHIN A REASONABLE TIME
14 AFTER NOTIFICATION OF THE VIOLATION, THE HOLDER FURNISHES TO THE
15 PROSECUTORIAL DIVISION OF THE APPROPRIATE JURISDICTION THE NAME
16 AND ADDRESS OF THE PERSON WHO HAD THE CARE, CUSTODY, OR CONTROL
17 OF THE IDENTIFYING PLATE OR PLACARD AT THE TIME OF THE VIOLATION
18 OR THE HOLDER REPORTS THE LICENSE PLATE OR PLACARD LOST OR
19 STOLEN TO BOTH THE APPROPRIATE LOCAL LAW ENFORCEMENT AGENCY
20 AND THE DEPARTMENT.

21 (h) AN EMPLOYER SHALL NOT FORBID AN EMPLOYEE FROM
22 REPORTING VIOLATIONS OF THIS SECTION. A PERSON SHALL NOT INITIATE
23 OR ADMINISTER ANY DISCIPLINARY ACTION AGAINST AN EMPLOYEE
24 BECAUSE THE EMPLOYEE NOTIFIED THE AUTHORITIES OF A POSSIBLE
25 VIOLATION OF THIS SECTION IF THE EMPLOYEE HAS A GOOD-FAITH BELIEF
26 THAT A VIOLATION HAS OCCURRED.

27 (i) A LANDLORD SHALL NOT RETALIATE AGAINST A TENANT

1 BECAUSE THE TENANT NOTIFIED THE AUTHORITIES OF A POSSIBLE
2 VIOLATION OF THIS SECTION IF THE TENANT HAS A GOOD-FAITH BELIEF
3 THAT A VIOLATION HAS OCCURRED.

4 (7) **Penalties.** (a) ANY PERSON WHO VIOLATES SUBSECTION (3) OF
5 THIS SECTION COMMITS A MISDEMEANOR AND, UPON CONVICTION, SHALL
6 BE PUNISHED BY A SURCHARGE OF THIRTY-TWO DOLLARS PURSUANT TO
7 SECTIONS 24-4.1-119 (1) (f) AND 24-4.2-104 (1) (b) (I), C.R.S., AND:

8 (I) A FINE OF NOT LESS THAN THREE HUNDRED FIFTY DOLLARS BUT
9 NOT MORE THAN ONE THOUSAND DOLLARS FOR THE FIRST OFFENSE;

10 (II) A FINE OF NOT LESS THAN SIX HUNDRED DOLLARS BUT NOT
11 MORE THAN ONE THOUSAND DOLLARS FOR A SECOND OFFENSE; AND

12 (III) A FINE OF NOT LESS THAN ONE THOUSAND DOLLARS BUT NOT
13 MORE THAN FIVE THOUSAND DOLLARS, IN ADDITION TO NOT MORE THAN
14 TEN HOURS OF COMMUNITY SERVICE, FOR A THIRD OR SUBSEQUENT
15 OFFENSE.

16 (b) A PERSON WHO VIOLATES SUBSECTION (3) OF THIS SECTION BY
17 PARKING A VEHICLE OWNED BY A COMMERCIAL CARRIER IS GUILTY OF A
18 MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED BY THE
19 SURCHARGE AND A FINE OF UP TO TWICE THE PENALTY IMPOSED IN
20 PARAGRAPH (a) OF THIS SUBSECTION (7).

21 (c) (I) A PERSON WHO VIOLATES SUBSECTION (4) OF THIS SECTION
22 COMMITS A CLASS B TRAFFIC INFRACTION AND IS SUBJECT TO A FINE OF
23 ONE HUNDRED FIFTY DOLLARS. UPON CONVICTION OR A PLEA OF GUILTY
24 OR NOLO CONTENDERE FOR A VIOLATION OF SUBSECTION (4), OF THIS
25 SECTION THE COURT SHALL SEND A CERTIFICATION OF THE ENTRY OF
26 JUDGMENT TO THE DEPARTMENT.

27 (II) A PERSON WHO VIOLATES SUBSECTION (3) OF THIS SECTION BY

1 PARKING A VEHICLE OWNED BY A COMMERCIAL CARRIER IS GUILTY OF A
2 MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED BY A FINE OF
3 UP TO TWICE THE PENALTY IMPOSED IN THIS PARAGRAPH (c).

4 (d) (I) A PERSON WHO VIOLATES SUBSECTION (5) OF THIS SECTION
5 IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, SHALL BE
6 PUNISHED BY THE CRIMINAL AND CIVIL PENALTIES PROVIDED UNDER
7 SECTION 42-6-139 (3) AND (4).

8 (II) A PERSON WHO WILLFULLY RECEIVES REMUNERATION FOR
9 VIOLATING SUBSECTION (5) OF THIS SECTION IS GUILTY OF A
10 MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED BY TWICE THE
11 CIVIL AND CRIMINAL PENALTIES THAT WOULD BE IMPOSED UNDER
12 SUBPARAGRAPH (I) OF THIS PARAGRAPH (d).

13 (8) THE STATE OR LOCAL AUTHORITY ISSUING A CITATION UNDER
14 THIS SECTION, OR UNDER ANY LOCAL ORDINANCE DEFINING A
15 SUBSTANTIALLY EQUIVALENT OFFENSE, SHALL TRANSFER ONE-HALF OF THE
16 FINE TO THE STATE TREASURER, WHO SHALL CREDIT THE FINE TO THE
17 DISABLED PARKING EDUCATION AND ENFORCEMENT FUND CREATED IN
18 SECTION 42-1-226.

19 **SECTION 4.** In Colorado Revised Statutes, 42-3-213, **amend** (1)
20 (a) introductory portion, (1) (b) (I), (1) (b) (II) (B), (1) (b) (IV), (1) (b) (V),
21 (1) (c), (1) (g), (5) (a), and (5) (b) as follows:

22 **42-3-213. License plates - military veterans - rules -**
23 **retirement.** (1) (a) The department shall issue one or more sets of **special**
24 license plates to the following persons who own a truck that does not
25 exceed sixteen thousand pounds empty weight, a passenger car, a
26 motorcycle, or a noncommercial or recreational vehicle:

27 (b) (I) Except as provided in subparagraph (II) of this paragraph (b),

1 the amount of taxes and fees for ~~special~~ license plates issued pursuant to
2 UNDER this section ~~shall be~~ ARE the same as that specified for regular
3 motor vehicle registration plus an additional one-time issuance or
4 replacement fee. The additional one-time fee ~~shall be~~ IS twenty-five dollars
5 and shall be transmitted to the state treasurer, who shall credit ~~the same~~ IT
6 to the highway users tax fund for allocation and expenditure as specified in
7 section 43-4-205 (5.5) (b), C.R.S.

8 (II) Notwithstanding subparagraph (I) of this paragraph (b):

9 (B) No fee shall be charged for one set of disabled veteran ~~special~~
10 license plates issued pursuant to subsection (5) of this section for a
11 passenger car, a truck, a motorcycle, or a noncommercial or recreational
12 vehicle.

13 (IV) One dollar of each additional fee collected from purchasers
14 of ~~special~~ license plates issued pursuant to subsections (4) and (5) of this
15 section shall be retained by the authorized agent, and one dollar and fifteen
16 cents of each ~~such~~ additional fee shall be credited to the special purpose
17 account established under section 42-1-211.

18 (V) One dollar of each additional fee collected from purchasers of
19 ~~special~~ license plates issued pursuant to subsection (8) of this section shall
20 be retained by the authorized agent.

21 (c) All applications for the ~~special~~ license plates described in this
22 section shall be made directly to the department and shall include such
23 information as the department may require.

24 (g) The department shall issue a ~~special~~ license plate authorized
25 pursuant to this section for a motor vehicle owned by a trust if

26 (I) The trust is created for the benefit of a natural person who is
27 qualified to receive the ~~special~~ license plate under paragraph (a) of this

1 subsection (1); and

2 (II) The trust name includes a natural person who is qualified to
3 receive the ~~special~~ license plate under paragraph (a) of this subsection (1).

4 (5) **Disabled veterans.** (a) (I) The disabled veteran ~~special~~ license
5 plate shall indicate that the owner of the motor vehicle to which ~~such~~ THE
6 license plate is attached is a disabled veteran of the United States armed
7 forces.

8 (II) In addition to the requirements of subparagraph (I) of this
9 paragraph (a), if the applicant demonstrates that he or she has a physical
10 impairment affecting mobility under the standards provided in section
11 42-3-204 (1), then ~~such special~~ THE license plate shall have an additional
12 identifying figure, as ~~determined by the department~~ DEFINED IN SECTION
13 42-3-204 (1) (c), to indicate that the ~~owner of the~~ vehicle is authorized to
14 ~~make use of parking privileges for persons with disabilities~~ TO TRANSPORT
15 A PERSON WHO IS ELIGIBLE TO USE RESERVED PARKING UNDER SECTION
16 42-4-1208.

17 (b) A natural person who has received an honorable discharge from
18 a branch of the armed services of the United States and meets the
19 requirements of section 42-3-304 (3) (a) may use a disabled veteran
20 ~~special~~ license plate. When applying for such a license plate, the applicant
21 shall submit proof of honorable discharge from an armed forces branch of
22 the United States.

23 **SECTION 5.** In Colorado Revised Statutes, 42-4-1701, **amend** (4)

24 (a) (I) (M) as follows:

25 **42-4-1701. Traffic offenses and infractions classified -**
26 **penalties - penalty and surcharge schedule - repeal.** (4) (a) (I) Except
27 as provided in paragraph (c) of subsection (5) of this section, every person

1 who is convicted of, who admits liability for, or against whom a judgment
 2 is entered for a violation of any provision of this title to which paragraph
 3 (a) or (b) of subsection (5) of this section apply shall be fined or penalized,
 4 and have a surcharge levied thereon pursuant to sections 24-4.1-119 (1) (f)
 5 and 24-4.2-104 (1) (b) (I), C.R.S., in accordance with the penalty and
 6 surcharge schedule set forth in sub-subparagraphs (A) to (P) of this
 7 subparagraph (I); or, if no penalty or surcharge is specified in the schedule,
 8 the penalty for class A and class B traffic infractions shall be fifteen
 9 dollars, and the surcharge shall be four dollars. These penalties and
 10 surcharges shall apply whether the defendant acknowledges the defendant's
 11 guilt or liability in accordance with the procedure set forth by paragraph (a)
 12 of subsection (5) of this section or is found guilty by a court of competent
 13 jurisdiction or has judgment entered against the defendant by a county
 14 court magistrate. Penalties and surcharges for violating specific sections
 15 shall be as follows:

16	Section Violated	Penalty	Surcharge
17	(M) Parking violations:		
18	42-4-1201	\$ 30.00	\$ 6.00
19	42-4-1202	30.00	6.00
20	42-4-1204	15.00	6.00
21	42-4-1205	15.00	6.00
22	42-4-1206	15.00	6.00
23	42-4-1207	15.00	6.00
24	42-4-1208 (9), (15), or (16) (3) (b), (3)		
25	(c), AND (3) (d)	150.00	32.00

26 **SECTION 6. Effective date - applicability.** This act takes effect
 27 July 1, 2014, and applies to applications for identifying plates or placards

1 submitted and offenses committed on or after January 1, 2015.

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

