Second Regular Session Sixty-seventh General Assembly STATE OF COLORADO

REENGROSSED

This Version Includes All Amendments Adopted in the House of Introduction HOUSE BILL 10-1212

LLS NO. 10-0136.02 Jason Gelender

HOUSE SPONSORSHIP

Rice,

SENATE SPONSORSHIP

Schwartz,

House Committees Transportation & Energy **Senate Committees**

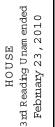
A BILL FOR AN ACT

101	CONCERNING A REQUIREMENT THAT THE EXECUTIVE DIRECTOR OF
102	THE DEPARTMENT OF REVENUE PROMULGATE RULES THAT
103	ESTABLISH CIRCUMSTANCES IN WHICH A VEHICLE OWNER SHALL
104	BE EXEMPTED FROM PAYING THE LATE FEE FOR LATE
105	REGISTRATION OF A VEHICLE.

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.)

The bill requires the executive director of the department of



revenue to promulgate rules that establish circumstances, in addition to circumstances already established in statute, in which a vehicle owner shall be exempted from paying the late fee for late registration of a motor vehicle. The bill requires the rules to apply uniformly throughout the state and to include, but not be limited to, exemptions for:

- ! Acts of God and weather-related delays;
- ! Office closures and furloughs;
- ! Medical hardships, which shall not include financial inability to pay;

SECTION 1. 42-3-112, Colorado Revised Statutes, is amended

- ! Out-of-state lienholders; and
- ! Information technology failures.

The bill requires the executive director to consult with the county clerk and recorders in promulgating the rules.

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

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3 BY THE ADDITION OF A NEW SUBSECTION to read:

4 42-3-112. Failure to pay tax - penalty - rules. 5 (1.5) (a) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF THIS 6 SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL 7 PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S., 8 THAT ESTABLISH CIRCUMSTANCES IN ADDITION TO THE CIRCUMSTANCES 9 DESCRIBED IN SUBSECTION (3) OF THIS SECTION IN WHICH A VEHICLE 10 OWNER SHALL BE EXEMPTED FROM PAYING THE LATE FEE DESCRIBED IN 11 SAID SUBSECTION (1). THE RULES SHALL APPLY UNIFORMLY THROUGHOUT 12 THE STATE AND SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, 13 **EXEMPTIONS FOR:** 14 (I) ACTS OF GOD AND WEATHER-RELATED DELAYS; 15 (II) OFFICE CLOSURES AND FURLOUGHS; 16 (III) VEHICLES FOR WHICH TEMPORARY REGISTRATION NUMBER 17 PLATES, TAGS, OR CERTIFICATES HAVE BEEN ISSUED; 18 (IV) MEDICAL HARDSHIPS;

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2	(V) OUT-OF-STATE LIENHOLDERS; AND
3	(VI) INFORMATION TECHNOLOGY FAILURES.
4	(b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL ALSO
5	PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24 , C.R.S.,
6	THAT ALLOW THE DEPARTMENT OR AN AUTHORIZED AGENT TO REDUCE OR
7	WAIVE THE LATE FEE THAT WOULD OTHERWISE BE DUE UPON THE
8	REGISTRATION OF A TRAILER THAT IS A COMMERCIAL VEHICLE IF THE
9	OWNER CAN ESTABLISH, IN ACCORDANCE WITH CRITERIA SPECIFIED IN THE
10	RULES, THAT THE TRAILER WAS PARKED AND REMOVED FROM SERVICE
11	DURING THE PERIOD FOR WHICH IT WAS NOT REGISTERED AS REQUIRED.
12	THE OWNER SHALL PROVIDE TO THE DEPARTMENT OR AUTHORIZED AGENT
13	A SWORN AFFIDAVIT THAT STATES THAT THE TRAILER HAS NOT BEEN
14	OPERATED ON THE PUBLIC HIGHWAYS DURING THE PERIOD FOR WHICH IT
15	WAS NOT REGISTERED AS REQUIRED AND DESCRIBES THE NATURE OF THE
16	BUSINESS CONDITIONS THAT RESULTED IN THE REMOVAL OF THE TRAILER
17	FROM SERVICE.
18	(c) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL
19	CONSULT WITH THE COUNTY CLERK AND RECORDERS IN PROMULGATING
20	THE RULES REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (1.5) .
21	SECTION 2. Safety clause. The general assembly hereby finds,
22	determines, and declares that this act is necessary for the immediate
23	preservation of the public peace, health, and safety.