Second Regular Session Sixty-seventh General Assembly STATE OF COLORADO

REREVISED

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

LLS NO. 10-0136.02 Jason Gelender

HOUSE SPONSORSHIP

Rice,

Schwartz,

SENATE SPONSORSHIP

House Committees Transportation & Energy

Senate Committees State, Veterans & Military Affairs

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.

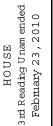
Bill Summary

(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

SENATE 3rd Reading Unam ended M arch 23, 2010

SENATE Am ended 2nd Reading M arch 22, 2010



HOUSE Am ended 2nd Reading Febmary 22, 2010 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 TEMPORARY REGISTRATION NUMBER PLATES, TAGS, OR (III) 17 CERTIFICATES THAT HAVE EXPIRED;
- 18 (IV) MEDICAL <u>HARDSHIPS; AND</u>

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3	(V) 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 OR FARM VEHICLE,
9	AS PART OF THE NORMAL OPERATION, IF THE OWNER CAN ESTABLISH, IN
10	ACCORDANCE WITH CRITERIA SPECIFIED IN THE RULES, THAT THE TRAILER
11	WAS IDLED SO THAT IT WAS NOT OPERATED ON ANY PUBLIC HIGHWAY IN
12	THIS STATE FOR AT LEAST A FULL REGISTRATION PERIOD. NOTHING IN THIS
13	PARAGRAPH (b) SHALL BE CONSTRUED TO EXEMPT THE OWNER OF AN
14	IDLED TRAILER FROM PAYING ANY FEES IMPOSED PURSUANT TO THIS
15	ARTICLE OTHER THAN THE LATE FEE BEFORE AGAIN OPERATING THE
16	TRAILER ON A PUBLIC HIGHWAY IN THIS STATE OR FROM PAYING ANY
17	TAXES IMPOSED PURSUANT TO THIS ARTICLE. THE OWNER SHALL PROVIDE
18	TO THE DEPARTMENT OR AUTHORIZED AGENT A SWORN AFFIDAVIT THAT
19	STATES THAT THE TRAILER HAS NOT BEEN OPERATED ON THE PUBLIC
20	HIGHWAYS DURING THE PERIOD FOR WHICH IT WAS NOT REGISTERED AS
21	REQUIRED AND DESCRIBES THE NATURE OF THE BUSINESS CONDITIONS
22	THAT RESULTED IN THE REMOVAL OF THE TRAILER FROM SERVICE.
23	(c) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL
24	CONSULT WITH THE COUNTY CLERK AND RECORDERS IN PROMULGATING
25	THE RULES REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (1.5) .
26	SECTION 2. Safety clause. The general assembly hereby finds,

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- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.