

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0512.01 Jery Payne

HOUSE BILL 11-1034

HOUSE SPONSORSHIP

Wilson, Jones, Massey

SENATE SPONSORSHIP

Schwartz,

House Committees
Transportation

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE CREATION OF A PROTECT-OUR-RIVERS SPECIAL
102 LICENSE PLATE FOR COLORADO TROUT UNLIMITED.

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 creates the protect-our-rivers special license plate. A person becomes eligible to use the plate by donating \$25 to Colorado trout unlimited. In addition to the normal motor vehicle fees, the plate requires 2 one-time fees of \$25. One of the fees is credited to the highway users tax fund and the other to the licensing services cash fund.

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.*

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

2 **SECTION 1.** Part 2 of article 3 of title 42, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
4 read:

5 **42-3-236. Special plates - protect our rivers.** (1) BEGINNING
6 THE EARLIER OF JANUARY 1, 2012, OR WHEN THE DEPARTMENT IS ABLE TO
7 ISSUE THE PLATES, THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE
8 PLATES TO QUALIFIED APPLICANTS UNDER THIS SECTION FOR
9 MOTORCYCLES, PASSENGER CARS, TRUCKS, OR NONCOMMERCIAL OR
10 RECREATIONAL MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN
11 THOUSAND POUNDS EMPTY WEIGHT.

12 (2) (a) THERE IS HEREBY ESTABLISHED THE PROTECT-OUR-RIVERS
13 SPECIAL LICENSE PLATE. THE DEPARTMENT MAY STOP ISSUING THE
14 PROTECT-OUR-RIVERS SPECIAL LICENSE PLATE IF THREE THOUSAND
15 LICENSE PLATES ARE NOT ISSUED BY JULY 1, 2014. A PERSON MAY
16 CONTINUE TO USE THE PROTECT-OUR-RIVERS SPECIAL LICENSE PLATE
17 AFTER JULY 1, 2014.

18 (b) COLORADO TROUT UNLIMITED MAY DESIGN THE SPECIAL
19 LICENSE PLATES, BUT THE DESIGN MUST CONFORM WITH STANDARDS
20 ESTABLISHED BY THE DEPARTMENT.

21 (3) (a) A PERSON MAY APPLY FOR A PROTECT-OUR-RIVERS SPECIAL
22 LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED
23 UNDER THIS SECTION AND PROVIDES TO THE DEPARTMENT OR AN
24 AUTHORIZED AGENT A CERTIFICATE, ISSUED BY COLORADO TROUT
25 UNLIMITED OR ITS SUCCESSOR ORGANIZATION, CONFIRMING THAT THE
26 APPLICANT HAS DONATED TWENTY-FIVE DOLLARS TO COLORADO TROUT

1 UNLIMITED.

2 (b) COLORADO TROUT UNLIMITED, OR ITS SUCCESSOR
3 ORGANIZATION, SHALL FILE WITH THE DEPARTMENT AN ANNUAL
4 STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION.

5 (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE
6 PLATES UNDER THIS SECTION ARE THE SAME AS THE AMOUNT OF THE
7 TAXES AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT
8 THAT THE DEPARTMENT SHALL COLLECT A ONE-TIME FEE OF TWENTY-FIVE
9 DOLLARS FOR ISSUANCE OR REPLACEMENT OF EACH SUCH LICENSE PLATE.
10 THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME FEE TO
11 THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE HIGHWAY
12 USERS TAX FUND CREATED IN SECTION 43-4-201, C.R.S.

13 (5) AN APPLICANT MAY APPLY FOR PERSONALIZED
14 PROTECT-OUR-RIVERS SPECIAL LICENSE PLATES. UPON PAYMENT OF THE
15 ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6) (a) FOR
16 PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE SUCH
17 PLATES IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN
18 APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR
19 VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS
20 OR NUMBERS TO A NEW SET OF PROTECT-OUR-RIVERS SPECIAL LICENSE
21 PLATES FOR THE VEHICLE UPON PAYING THE FEE REQUIRED BY SECTION
22 42-3-211 (6) (a) AND UPON TURNING IN THE EXISTING PLATES TO THE
23 DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED
24 PROTECT-OUR-RIVERS SPECIAL LICENSE PLATES UNDER THIS SUBSECTION
25 (5) SHALL PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6) (b) FOR
26 RENEWAL OF SUCH PERSONALIZED PLATES. THE FEES UNDER THIS
27 SUBSECTION (5) ARE IN ADDITION TO ALL OTHER APPLICABLE TAXES AND

1 FEES.

2 **SECTION 2.** 42-3-312, Colorado Revised Statutes, is amended
3 to read:

4 **42-3-312. Special license plate surcharge.** In addition to any
5 other fee imposed by this article, an applicant for a special license plate
6 created by rule in accordance with section 42-3-207, as such section
7 existed when the plate was created, or license plates issued pursuant to
8 sections 42-3-211 to 42-3-218, ~~and~~ sections 42-3-221 to 42-3-234, AND
9 SECTION 42-3-236 shall pay an issuance fee of twenty-five dollars; except
10 that the fee ~~shall~~ IS not ~~be~~ imposed on special license plates exempted
11 from additional fees for the issuance of a military special license plate by
12 section 42-3-213 (1) (b) (II). The fee shall be transferred to the state
13 treasurer and credited to the licensing services cash fund created in
14 section 42-2-114.5.

15 **SECTION 3. Act subject to petition - effective date.** This act
16 shall take effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly (August
18 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
19 referendum petition is filed pursuant to section 1 (3) of article V of the
20 state constitution against this act or an item, section, or part of this act
21 within such period, then the act, item, section, or part shall not take effect
22 unless approved by the people at the general election to be held in
23 November 2012 and shall take effect on the date of the official
24 declaration of the vote thereon by the governor.