

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 11-0512.01 Jery Payne

HOUSE BILL 11-1034

HOUSE SPONSORSHIP

Wilson, Jones, Massey

SENATE SPONSORSHIP

Schwartz,

House Committees

Transportation

Agriculture, Livestock, & Natural Resources

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) THE 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 SHALL FILE WITH THE
3 DEPARTMENT AN ANNUAL STATEMENT VERIFYING THAT IT IS A NONPROFIT
4 ORGANIZATION.

5 (c) COLORADO TROUT UNLIMITED SHALL NOT USE ANY MONEYS
6 FROM A DONATION MADE UNDER PARAGRAPH (a) OF THIS SUBSECTION (3)
7 FOR LITIGATION OR LOBBYING.

8 (d) COLORADO TROUT UNLIMITED SHALL USE ANY MONEY FROM A
9 DONATION MADE UNDER PARAGRAPH (a) OF THIS SUBSECTION (3) FOR
10 RIVER AND STREAM RESTORATION AND IMPROVEMENT.

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

19 (5) AN APPLICANT MAY APPLY FOR PERSONALIZED
20 PROTECT-OUR-RIVERS SPECIAL LICENSE PLATES. UPON PAYMENT OF THE
21 ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6) (a) FOR
22 PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE SUCH
23 PLATES IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN
24 APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR
25 VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS
26 OR NUMBERS TO A NEW SET OF PROTECT-OUR-RIVERS SPECIAL LICENSE
27 PLATES FOR THE VEHICLE UPON PAYING THE FEE REQUIRED BY SECTION

1 42-3-211 (6) (a) AND UPON TURNING IN THE EXISTING PLATES TO THE
2 DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED
3 PROTECT-OUR-RIVERS SPECIAL LICENSE PLATES UNDER THIS SUBSECTION
4 (5) SHALL PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6) (b) FOR
5 RENEWAL OF SUCH PERSONALIZED PLATES. THE FEES UNDER THIS
6 SUBSECTION (5) ARE IN ADDITION TO ALL OTHER APPLICABLE TAXES AND
7 FEES.

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

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

21 **SECTION 3. Act subject to petition - effective date.** This act
22 shall take effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly (August
24 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
25 referendum petition is filed pursuant to section 1 (3) of article V of the
26 state constitution against this act or an item, section, or part of this act
27 within such period, then the act, item, section, or part shall not take effect

1 unless approved by the people at the general election to be held in
2 November 2012 and shall take effect on the date of the official
3 declaration of the vote thereon by the governor.