

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 10, 2011
Date

Committee on Transportation.

After consideration on the merits, the Committee recommends the following:

SB11-031 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. Article 12 of title 42, Colorado Revised Statutes,
4 is amended, WITH THE RELOCATION OF PROVISIONS, to read:

5 PART 1
6 GENERAL PROVISIONS

7 **42-12-101. Definitions.** As used in this article, unless the context
8 otherwise requires:

9 (1) "Collector" means an individual or person who is:

10 (a) The owner of one or more vehicles of historic or special
11 interest who collects, purchases, acquires, trades, or disposes of these
12 vehicles or parts thereof for such owner's use in order to preserve, restore,
13 and maintain a vehicle for hobby purposes or use; or

14 (b) A bona fide member of a national automobile club or
15 association whose charter recognizes in membership a sincere
16 demonstration of interest in the history of automotive engineering, in the
17 preservation of antique, vintage, or special interest motor vehicles, in a
18 sharing of knowledge and experience with other automotive enthusiasts,
19 or in the promotion of good fellowship among such members or
20 collectors.

21 (2) "Collector's item" means a motor vehicle, including a truck or
22 truck tractor, that is of:

- 1 (a) ~~(H)~~ Model year 1975 or earlier; or
2 ~~(H)~~ (b) Model year 1976 or later that was registered as a
3 collector's item prior to September 1, 2009; except that a vehicle so
4 registered ~~shall~~ IS not be eligible for registration as a collector's item upon
5 sale or transfer to a new owner. ~~This paragraph (a) is effective September~~
6 ~~1, 2009.~~
7 (b) and (c) ~~(Deleted by amendment, L. 97, p. 358, §1, effective~~
8 ~~July 1, 1997.)~~
9 (3) "COMMERCIAL VEHICLE" MEANS A TRAILER, TRUCK, OR TRUCK
10 TRACTOR, AS THOSE TERMS ARE DEFINED IN SECTION 42-1-102.
11 (4) "DEALER" MEANS A PERSON WHO IS ENGAGED IN THE BUSINESS
12 OR VOCATION OF MANUFACTURING, BUYING, SELLING, TRADING,
13 DESTROYING, OR SALVAGING MOTOR VEHICLES, MOTOR VEHICLE PARTS,
14 MOTOR VEHICLE EQUIPMENT, OR MOTOR VEHICLE ACCESSORIES.
15 (5) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE.
16 (6) "DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE
17 DEPARTMENT OF REVENUE.
18 (7) "GARAGE" MEANS A BUILDING OR BUSINESS PLACE USED FOR
19 THE STORAGE OR REPAIR OF MOTOR VEHICLES.
20 (8) "INSPECTOR" MEANS A PEACE OFFICER OF A LAW ENFORCEMENT
21 AGENCY WHO HAS BEEN CERTIFIED UNDER SECTION 42-5-206 TO INSPECT
22 VEHICLE IDENTIFICATION NUMBERS.
23 (9) "LAW ENFORCEMENT AGENCY" MEANS THE COLORADO STATE
24 PATROL OR THE AGENCY OF A LOCAL GOVERNMENT AUTHORIZED TO
25 ENFORCE THE LAWS OF COLORADO.
26 (10) "MOTOR VEHICLE" MEANS A SELF-PROPELLED VEHICLE
27 DESIGNED FOR OPERATION ON THE HIGHWAY AND NOT RUNNING ON RAILS.
28 (11) **[Formerly 42-12-101 (3)]** "Parts car" means a motor
29 vehicle, generally in ~~nonoperable~~ INOPERABLE condition, ~~which~~ THAT is
30 owned by a collector to furnish or to supply parts that are usually
31 ~~nonobtainable~~ UNOBTAINABLE from normal sources, thus enabling a
32 collector or other collectors to preserve, restore, complete, and maintain
33 a vehicle of historic or special interest.
34 (12) "REBUILT VEHICLE" MEANS A VEHICLE THAT WAS ASSEMBLED
35 FROM PARTS OF TWO OR MORE COMMERCIALY MANUFACTURED VEHICLES
36 OR THAT HAS BEEN ALTERED IN SUCH A MANNER THAT IT IS NOT READILY
37 RECOGNIZABLE AS A COMMERCIALY MANUFACTURED VEHICLE OF A
38 GIVEN YEAR. "REBUILT VEHICLE" INCLUDES A KIT CAR AND A STREET-ROD
39 VEHICLE.
40 (13) "STATE" INCLUDES THE TERRITORIES AND THE FEDERAL
41 DISTRICTS OF THE UNITED STATES.

1 (14) "STREET-ROD VEHICLE" MEANS A VEHICLE WITH A BODY
2 DESIGN MANUFACTURED IN 1948 OR EARLIER OR WITH A REPRODUCTION
3 COMPONENT THAT RESEMBLES A 1948 OR EARLIER MODEL THAT HAS BEEN
4 MODIFIED FOR SAFE ROAD USE, INCLUDING MODIFICATIONS TO THE DRIVE
5 TRAIN, SUSPENSION, AND BRAKE SYSTEMS, MODIFICATIONS TO THE BODY
6 THROUGH THE USE OF MATERIALS SUCH AS STEEL OR FIBERGLASS, AND
7 MODIFICATIONS TO OTHER SAFETY OR COMFORT FEATURES.

8 (15) "VEHICLE" MEANS A MOTOR VEHICLE REQUIRED TO HAVE A
9 CERTIFICATE OF TITLE UNDER PART 1 OF ARTICLE 6 OF THIS TITLE BUT DOES
10 NOT INCLUDE COMMERCIAL VEHICLES.

11 (16) "VEHICLE IDENTIFICATION NUMBER" MEANS THE IDENTIFYING
12 NUMBER, SERIAL NUMBER, ENGINE NUMBER, OR OTHER DISTINGUISHING
13 NUMBER OR MARK, INCLUDING ANY LETTERS, THAT IS UNIQUE TO THE
14 IDENTITY OF A GIVEN VEHICLE OR VEHICLE PART AND THAT WAS PLACED
15 ON A VEHICLE OR VEHICLE PART BY ITS MANUFACTURER OR BY THE
16 DEPARTMENT UNDER EITHER SECTION 42-12-202 OR THE LAWS OF
17 ANOTHER STATE OR COUNTRY.

18 **42-12-102. [Formerly 42-6-108.5] Rebuilder's certificate of**
19 **title.** (1) (a) ~~On or after July 1, 2008;~~ If the applicant for a certificate of
20 title to a motor vehicle is unable to provide the director or the authorized
21 agent with a certificate of title duly transferred to ~~such~~ THE applicant or
22 other evidence of ownership that satisfies the director that the applicant
23 owns the vehicle, the director may issue a rebuilder's title for a motor
24 vehicle valued principally because of the vehicle's early date of
25 manufacture, design, or historical interest or valued as a collector's item
26 if:

- 27 (I) The motor vehicle is not roadworthy;
- 28 (II) The motor vehicle is at least twenty-five years old;
- 29 (III) The components of the motor vehicle include at least a
30 rolling chassis;
- 31 (IV) The application contains or is accompanied by a statement
32 that complies with paragraph (b) of this subsection (1);
- 33 (V) The applicant obtains a certified vehicle identification number
34 inspection; and
- 35 (VI) The applicant provides surety that complies with subsection
36 (3) of this section.

37 (b) The statement required by subparagraph (IV) of paragraph (a)
38 of this subsection (1) ~~shall~~ MUST contain an account of the facts by which
39 the applicant acquired ownership of the vehicle, the source of the title to
40 the vehicle, and such other information as the director may require. The
41 statement ~~shall~~ MUST contain a written declaration that it is made under

1 the penalties of perjury in the second degree, as defined in section
2 18-8-503, C.R.S.

3 (2) If a motor vehicle titled ~~pursuant to~~ UNDER this section is later
4 made roadworthy, the department shall issue to an applicant a standard
5 certificate of title if the applicant:

6 (a) Obtains a certified vehicle identification number inspection;
7 AND

8 (b) FURNISHES A BOND UNDER SUBSECTION (3) OF THIS SECTION.

9 (3) (a) TO CONVERT A REBUILDER'S TITLE TO A STANDARD
10 CERTIFICATE OF TITLE, the applicant shall furnish evidence of a savings
11 account, deposit, or certificate of deposit meeting the requirements of
12 section 11-35-101, C.R.S., or a good and sufficient bond with a corporate
13 surety. ~~The surety shall be~~ ACCOUNT, DEPOSIT, CERTIFICATE, OR BOND
14 MUST BE in an amount fixed by the director, but not less than twice the
15 reasonable value of the vehicle, determined as of the time of application.
16 The applicant and the applicant's surety shall hold harmless any person
17 who suffers loss or damage by reason of the filing of a certificate of title
18 under this section.

19 (b) If a person suffers loss or damage by reason of the filing of a
20 certificate of title under this section, the person ~~shall have~~ HAS a right of
21 action against the applicant and the surety on the applicant's bond, against
22 either of whom the person damaged may proceed independently of the
23 other.

24 ~~(4) A motor vehicle titled pursuant to this section shall not:~~

25 (a) ~~Be driven~~ A PERSON SHALL NOT DRIVE A MOTOR VEHICLE
26 TITLED UNDER THIS SECTION on the highways until it complies with
27 subsection (5) of this section. ~~or~~

28 (b) ~~Be deemed a salvage vehicle or receive a salvage certificate~~
29 ~~of title~~ THE DEPARTMENT OR ITS AUTHORIZED AGENT SHALL NOT CLASSIFY
30 A VEHICLE ISSUED A TITLE UNDER THIS SECTION AS A SALVAGE VEHICLE.

31 (5) (a) If the motor vehicle's frame and body identification
32 numbers do not match the manufacturer's numbering system as being
33 originally mated or IF THE MOTOR VEHICLE is reconstructed from salvage
34 parts or other motor vehicles or reproduction parts, an application for title
35 ~~under~~ USING subsection (1) or (2) of this section ~~shall be accompanied by~~
36 MUST INCLUDE evidence of ownership ~~acceptable to the director~~, of the
37 parts, other motor vehicles, or reproduction components used in the
38 reconstruction. IF THE EVIDENCE IS NOT ACCEPTABLE TO THE DIRECTOR,
39 THE DIRECTOR SHALL REJECT THE APPLICATION FOR CERTIFICATE OF TITLE.

40 (b) The evidence required by paragraph (a) of this subsection (5)
41 ~~shall~~ MUST include or be accompanied by an affidavit stating the facts

1 concerning the reconstruction and an affidavit of physical inspection that
2 includes a computer check of the state and national compilations of
3 wanted and stolen vehicles.

4 (c) ~~Upon the applicant's compliance with paragraphs (a) and (b)~~
5 BEFORE ISSUING A CERTIFICATE OF TITLE UNDER PARAGRAPH (a) of this
6 subsection (5), the department shall issue a special vehicle identification
7 number to the vehicle.

8 **42-12-103. Furnishing bond for certificates.** (1) IF A
9 COLLECTOR'S ITEM, STREET-ROD VEHICLE, OR HORSELESS CARRIAGE IS
10 TWENTY-FIVE YEARS OLD OR OLDER, THE APPLICANT HAS HAD A CERTIFIED
11 VEHICLE IDENTIFICATION NUMBER INSPECTION PERFORMED ON THE
12 VEHICLE, AND THE APPLICANT PRESENTS A NOTARIZED BILL OF SALE
13 WITHIN TWENTY-FOUR MONTHS AFTER THE SALE WITH THE TITLE
14 APPLICATION, THEN THE APPLICANT NEED NOT FURNISH SURETY UNDER
15 SECTION 42-6-115(3). TO BE EXCEPTED FROM THE SURETY REQUIREMENT,
16 AN APPLICANT SHALL SUBMIT TO THE DEPARTMENT A SWORN AFFIDAVIT,
17 UNDER PENALTY OF PERJURY, STATING THAT THE REQUIRED DOCUMENTS
18 SUBMITTED ARE TRUE AND CORRECT.

19 (2) IF ANY PERSON SUFFERS LOSS OR DAMAGE BY REASON OF THE
20 FILING OF THE CERTIFICATE OF TITLE AS PROVIDED IN THIS SECTION, THE
21 PERSON SHALL HAVE A RIGHT OF ACTION AGAINST THE APPLICANT AND
22 THE SURETY ON THE APPLICANT'S BOND, AGAINST EITHER OF WHOM THE
23 PERSON DAMAGED MAY PROCEED INDEPENDENTLY OF THE OTHER.

24 **42-12-104. Applicability of articles 1, 3, 4, 5, and 6.** EXCEPT AS
25 OTHERWISE PROVIDED IN THIS ARTICLE, ARTICLES 1, 3, 4, 5, AND 6 OF THIS
26 TITLE APPLY TO THE TITLING AND REGISTRATION OF A MOTOR VEHICLE.

27 PART 2

28 STREET-ROD VEHICLES

29 **42-12-201. [Formerly 42-5-203] Inspections - street-rod**
30 **vehicles.** When an inspector performs a vehicle identification number
31 inspection on a street-rod vehicle, the inspector shall accept the serial
32 number of such street-rod vehicle as the ~~vehicle~~ VEHICLE'S identification
33 number ~~thereof~~; or, if the street-rod vehicle has frame and body
34 identification numbers that do not match or is reconstructed from salvage
35 parts, other vehicles, or reproduction parts, the inspector shall accept the
36 special vehicle identification number assigned to such vehicle by the
37 department of revenue pursuant to BY section ~~42-5-205~~ 42-12-202 as the
38 vehicle identification number.

39 **42-12-202. [Formerly 42-5-205] Assignment of a special**
40 **vehicle identification number by the department.** The department of
41 revenue ~~is authorized to~~ MAY assign a special vehicle identification

1 number to any street-rod vehicle whenever required by section ~~42-6-108~~
2 42-12-203 and to any vehicle or commercial vehicle whenever no vehicle
3 identification number is found on the vehicle or whenever a vehicle
4 identification number has been removed, changed, altered, or obliterated.
5 ~~Such~~ THE special number ~~shall~~ MUST be affixed to the vehicle or
6 commercial vehicle in the manner and position determined by the
7 department. ~~of revenue. Such~~ THE special number ~~shall then be~~ IS the
8 vehicle identification number required to be recorded by an inspector on
9 the inspection form that is transmitted to the ~~executive director of the~~
10 department, ~~of revenue, and the vehicle or commercial vehicle shall then~~
11 ~~be registered and titled under~~ WHICH SHALL REGISTER AND TITLE THE
12 MOTOR VEHICLE USING the special vehicle identification number.

13 **42-12-203. [Formerly 42-6-108] Identification number - title**
14 **- street-rod vehicles.** (1) When a person applies for a certificate of title
15 for a street-rod vehicle, the department shall accept the serial number of
16 ~~such~~ THE street-rod vehicle as its vehicle identification number or the
17 special vehicle identification number assigned to such vehicle by the
18 department ~~pursuant to~~ UNDER section ~~42-5-205~~ 42-12-202.

19 (2) A person who applies for a certificate of title for a street-rod
20 vehicle having frame and body identification numbers that do not match
21 the manufacturer's numbering system as being originally mated or that is
22 reconstructed from salvage parts or other motor vehicles or reproduction
23 parts shall furnish evidence of ownership, acceptable to the director, of
24 such salvage parts, other motor vehicles, or reproduction components
25 used in the reconstruction of such vehicle. In addition, the applicant shall
26 ~~also~~ furnish an affidavit stating the facts concerning the reconstruction
27 and an affidavit of physical inspection that includes a computer check of
28 the state and national compilations of wanted and stolen vehicles. ~~Such~~
29 ~~vehicle reconstructed from salvage parts, other motor vehicles, or~~
30 ~~reproduction parts~~ THE DEPARTMENT may ~~then be issued~~ ISSUE a special
31 vehicle identification number ~~from the department. The~~ AND TITLE THE
32 street-rod vehicle ~~will then be titled~~ as a rebuilt vehicle. The model year
33 and the year of manufacture that are listed on the certificate of title of a
34 street-rod vehicle ~~shall be~~ ARE the model year and the year of
35 manufacture that the body of such vehicle resembles.

36 **42-12-204. [Formerly 42-4-215.5] Signal lamps and devices -**
37 **street-rod vehicles and custom motor vehicles - definition.** (1) As
38 used in this section, ~~unless the context otherwise requires:~~

39 (a) "blue dot tail light" means a red lamp installed in the rear of a
40 motor vehicle containing a blue or purple insert that is not more than one
41 inch in diameter.

1 ~~(b) Repealed.~~

2 (2) A street-rod vehicle or custom motor vehicle may use blue dot
3 tail lights for stop lamps, rear turning indicator lamps, rear hazard lamps,
4 and rear reflectors ~~Such IF THE~~ lamps shall comply with all requirements
5 ~~provided in this OF PART 2 OF article other than color requirements 4 OF~~
6 ~~THIS TITLE.~~

7

PART 3

8

SPECIAL REGISTRATION OF

9

HORSELESS CARRIAGES AND ORIGINAL PLATES

10 **42-12-301. [Formerly 42-3-219] Special registration of**
11 **horseless carriages - rules.** (1) ~~(a)~~ The department may specially
12 register and issue a horseless carriage special license plate for motor
13 vehicles valued principally because of the vehicles' early date of
14 manufacture, design, or historical interest or valued as collector's items.

15 ~~(b) In addition to any other registration, the department may~~
16 ~~approve use of original plates for motor vehicles valued principally~~
17 ~~because of the vehicles' early date of manufacture, design, or historical~~
18 ~~interest or valued as collector's items. The use of a vehicle bearing such~~
19 ~~original plates shall be limited to the uses authorized in subsection (5) of~~
20 ~~this section. when using the original plates authorized in this section. An~~
21 ~~original plate shall meet the following criteria in order to qualify for use~~
22 ~~under this paragraph (b):~~

23 ~~(I) The plates were made at least thirty years prior to registration~~
24 ~~under this section;~~

25 ~~(II) The plates are embossed with the year of original issue;~~

26 ~~(III) The plates are legible;~~

27 ~~(IV) The plates were issued contemporaneously with the year of~~
28 ~~manufacture of the vehicle upon which they are displayed, as determined~~
29 ~~by the department; and~~

30 ~~(V) The plates do not exceed seven characters.~~

31 ~~(e)~~ (b) For the purposes of this section, "early date of
32 manufacture" means that a motor vehicle was manufactured at least fifty
33 years before the current date of registration.

34 (2) The plates issued under ~~paragraph (a) of~~ subsection (1) of this
35 section shall MUST be of a design, determined by the executive director,
36 ~~of the department. Such design shall be~~ THAT IS different from that used
37 by the state for regular motor vehicle registration.

38 (3) (a) The ~~executive director of the department~~ shall register ~~such~~
39 THE vehicles and issue ~~such~~ plates for a period not exceeding five years,
40 but all ~~such~~ THE registrations and plates shall expire on the same date
41 regardless of the date of issue.

1 (b) Upon the expiration of the five-year period ending with the
2 year 1959, and each five years thereafter, the registration plate originally
3 issued for each vehicle ~~shall~~ MUST remain with the vehicle. The
4 ~~executive director of the department~~ shall issue a tab to be securely
5 fastened to the plate showing the five years for which the motor vehicle
6 is registered.

7 (c) ~~A registration issued pursuant to~~ PERSON WHO HAS REGISTERED
8 ~~A VEHICLE UNDER this section shall be renewed~~ RENEW THE REGISTRATION
9 within thirty days prior to ~~the~~ ITS expiration date. ~~of the registration.~~ If
10 the application for renewal, together with the fees, is not received by the
11 ~~executive~~ director prior to the expiration date, the ~~executive~~ director shall
12 notify the registered owner, at the address shown by the department's
13 records, by regular mail, to reregister ~~said~~ THE vehicle or surrender the
14 registration plate within ten days after the ~~registration~~ expiration date OF
15 THE REGISTRATION. If the notice is not complied with, the ~~executive~~
16 director shall secure the return of the plate.

17 (4) The fee for issuing such registration and special registration
18 plate or tab ~~shall be~~ IS five dollars for each five-year period or fraction
19 thereof. In addition to the five-dollar registration fee, the ~~executive~~
20 director ~~of the department~~ shall collect the one-dollar-and-fifty-cent
21 annual specific ownership fee provided by law for each year of
22 registration, which additional fee shall be collected for the number of
23 years remaining at the time of registration and issuance or renewal of the
24 registration.

25 (5) ~~Motor vehicles having such special registration plates may be~~
26 ~~used~~ A PERSON MAY DRIVE A MOTOR VEHICLE WITH THE SPECIAL
27 REGISTRATION PLATES AUTHORIZED BY THIS SECTION OR SECTION
28 42-12-302 on the streets and highways, ~~for driving such vehicle~~ BUT
29 ONLY:

30 (a) To and from assemblies, conventions, or other meetings where
31 such vehicles and their ownership are the primary interest;

32 (b) ~~Vehicles so registered may also be used or driven~~ On special
33 occasions, for demonstrations and parades;

34 (c) ~~and~~ On occasions when ~~their~~ THE operation OF THE VEHICLE
35 on the streets and highways will not constitute a traffic hazard; AND

36 (d) ~~They may also be used for traveling~~ To, and from, and while
37 ~~on~~ DURING local, state, or national tours held primarily for the exhibition
38 and enjoyment of such vehicles.

39 (6) Upon the sale or transfer of a motor vehicle bearing a special
40 registration plate, the plate ~~shall remain~~ REMAINS with the vehicle and ~~be~~
41 IS transferred to the new owner. The new owner shall title such motor

1 vehicle as provided by law and GIVE notice of the transfer of ownership
2 ~~shall be given~~ to the department.

3 (7) ~~All~~ Applications for special registration of motor vehicles
4 ~~shall be~~ ARE made directly to the department. ~~of revenue.~~ THE
5 DEPARTMENT SHALL ADMINISTER all matters concerning such registration.
6 ~~shall be administered by the department.~~ ~~All~~ THE DEPARTMENT SHALL
7 TRANSFER fees received from special registrations ~~shall be transferred~~ to
8 the state treasurer, ~~and credited~~ WHO SHALL CREDIT THE FEES to the
9 highway users tax fund.

10 (8) The ~~executive~~ director may prepare any special forms and
11 issue any rules necessary to implement this section.

12 (9) When ~~application is made to the executive~~ director RECEIVES
13 AN APPLICATION for a title to a vehicle ~~described in~~ UNDER subsection (1)
14 of this section, the ~~executive~~ director shall accept the original motor or
15 serial number on ~~such~~ THE vehicle and shall not require or issue a special
16 identification number for ~~such~~ THE vehicle.

17 ~~(10) Repealed.~~

18 **42-12-302. Original plates.** (1) IN ADDITION TO ANY OTHER
19 REGISTRATION, THE DEPARTMENT MAY APPROVE USE OF THE STYLE OF
20 ORIGINAL PLATES FROM THE VEHICLE'S YEAR OF MANUFACTURE FOR
21 MOTOR VEHICLES VALUED PRINCIPALLY BECAUSE OF THE VEHICLES' EARLY
22 DATE OF MANUFACTURE, DESIGN, OR HISTORICAL INTEREST OR VALUED AS
23 COLLECTOR'S ITEMS. ORIGINAL PLATES MUST MEET THE FOLLOWING
24 CRITERIA IN ORDER TO QUALIFY FOR USE UNDER THIS SECTION:

25 (a) THE PLATES WERE MADE AT LEAST THIRTY YEARS PRIOR TO
26 REGISTRATION UNDER THIS SECTION;

27 (b) THE PLATES ARE EMBOSSED WITH THE YEAR OF ORIGINAL
28 ISSUE;

29 (c) THE PLATES ARE LEGIBLE;

30 (d) THE PLATES WERE ISSUED CONTEMPORANEOUSLY WITH THE
31 YEAR OF MANUFACTURE OF THE VEHICLE UPON WHICH THEY ARE
32 DISPLAYED, AS DETERMINED BY THE DEPARTMENT; AND

33 (e) THE PLATES DO NOT EXCEED SEVEN CHARACTERS.

34 (2) A PERSON SHALL NOT DRIVE THE VEHICLE BEARING THE
35 ORIGINAL PLATES EXCEPT AS AUTHORIZED IN SECTION 42-12-301 (5).

36 PART 4
37 COLLECTOR'S ITEMS

38 **42-12-401. [Formerly 42-12-102] Registration of collector's**
39 **items - fees - definition.** (1) Except for ~~those~~ motor vehicles that are
40 entitled to registration under ~~the provisions of~~ section ~~42-3-219~~
41 42-12-301, OWNERS OF collector's items shall ~~be titled, registered~~ APPLY

1 FOR A TITLE, REGISTER, and PAY a specific ownership tax ~~shall be paid~~
2 ~~thereon~~ in the same manner as provided in this title for other motor
3 vehicles, with the following exceptions:

4 (a) Such collector's items ~~shall be~~ ARE registered for periods of
5 five years. The taxes and fees imposed for registration of a collector's
6 item for each five-year registration period ~~shall be~~ IS equal to five times
7 the annual taxes and fees ~~which~~ THAT would otherwise be imposed for the
8 registration of ~~such~~ THE motor vehicle under this title and under title 43,
9 C.R.S.; except that the amount of a surcharge imposed pursuant to section
10 43-4-804 (1) (a) or 43-4-805 (5) (g), C.R.S., ~~shall be~~ IS the amount
11 specified in the applicable section. In addition to any other ~~such~~ taxes
12 and fees, if a collector's item is registered in a county ~~which~~ THAT is a
13 member of ~~one or more~~ A highway ~~authorities~~ AUTHORITY and ~~such~~ THE
14 authority ~~or authorities~~ have HAS imposed an annual motor vehicle
15 registration fee ~~or fees~~ pursuant to the provisions of section 43-4-506 (1)
16 (k), C.R.S., then five times such annual motor vehicle registration fee ~~or~~
17 ~~fees shall be~~ IS imposed and remitted to ~~such~~ THE authority. ~~or authorities~~.

18 (b) ~~(I) No collector's item of model year 1976 or later for which~~
19 ~~a certification of emissions control is required under sections 42-4-301 to~~
20 ~~42-4-316 shall be registered under this section unless a certification of~~
21 ~~emissions control is obtained for the collector's item. Reregistration of~~
22 ~~the collector's item by the same owner shall not require the obtainment of~~
23 ~~a new certification of emissions control, but the collector's item shall not~~
24 ~~be registered under this section after the sale or transfer of the vehicle to~~
25 ~~a new owner~~ THE MOTOR VEHICLE'S COMPLIANCE WITH EMISSIONS
26 STANDARDS IS GOVERNED BY SECTION 42-12-404.

27 ~~(H) (Deleted by amendment, L. 2009, (SB 09-003), ch. 322, p.~~
28 ~~1720, § 8, effective June 1, 2009.)~~

29 (c) The annual registration fee for a truck or truck tractor that has
30 an empty weight of six thousand one pounds or more, or a declared gross
31 vehicle weight of sixteen thousand one pounds or more and is a
32 collector's item, ~~shall be~~ IS sixty-five dollars if such vehicle is used
33 exclusively for noncommercial transportation and only used to drive:

34 (I) To and from assemblies, conventions, or other meetings where
35 such vehicles and their ownership are the primary interest;

36 (II) For special occasions, demonstrations, and parades and on
37 occasions when their operation on the streets and highways will not
38 constitute a traffic hazard; or

39 (III) Traveling to, and from, and ~~while on~~ DURING local, state, or
40 national tours held primarily for the exhibition and enjoyment of such
41 vehicles by their owners.

1 (d) For purposes of paragraph (c) of this subsection (1),
2 "noncommercial transportation" means a truck or truck tractor used
3 exclusively for private transportation of passengers or cargo for purposes
4 unrelated in any way to a business or commercial enterprise.

5 (2) (a) An owner of a collector's item that is not operated upon the
6 highways of this state and that is kept on private property for the purpose
7 of maintenance, repair, restoration, rebuilding, or any other similar
8 purpose shall pay an annual specific ownership tax as provided in section
9 42-3-106 on any such motor vehicle owned by ~~such~~ THE owner, except
10 owners of parts cars ~~as defined in section 42-12-101 (3)~~; or licensed
11 garages or licensed automobile dealers. ~~The payment of~~ The OWNER
12 SHALL PAY THE specific ownership tax ~~shall be made~~ in the manner
13 provided in section ~~42-3-219~~ 42-12-301.

14 (b) Upon payment of the specific ownership tax as provided in
15 this subsection (2), the department of ~~revenue~~ shall issue to the owner of
16 the motor vehicle for which the tax has been paid a license, sticker, decal,
17 or other device evidencing such payment, as may be prescribed by the
18 ~~executive~~ director. When such device or license is affixed to the motor
19 vehicle for which IT IS issued, the owner of that motor vehicle ~~shall be~~ IS
20 permitted to keep such motor vehicle on private property for the purposes
21 of maintenance, repair, restoration, rebuilding, or renovation.

22 (3) Notwithstanding the amount specified for any fee in
23 subsection (1) of this section, the ~~executive~~ director of the department of
24 ~~revenue~~ by rule or as otherwise provided by law may reduce the amount
25 of one or more of the fees if necessary pursuant to section 24-75-402 (3),
26 C.R.S., to reduce the uncommitted reserves of the fund to which all or any
27 portion of one or more of the fees is credited. After the uncommitted
28 reserves of the fund are sufficiently reduced, the ~~executive~~ director of the
29 ~~department of revenue~~ by rule or as otherwise provided by law may
30 increase the amount of one or more of the fees as provided in section
31 24-75-402 (4), C.R.S.

32 (4) An applicant may apply for personalized license plates issued
33 for a motor vehicle registration issued pursuant to this section. If the
34 applicant complies with section 42-3-211, the department of ~~revenue~~ may
35 issue such plates upon payment of the additional fee required by section
36 42-3-211 (6) for personalized license plates. If the applicant has existing
37 personalized license plates for a motor vehicle, the applicant may transfer
38 the combination of letters or numbers to a new set of license plates for the
39 vehicle upon paying the fee imposed by section 42-3-211 (6) (a) and upon
40 turning in such existing plates to the department as required by the
41 department. A person who has obtained personalized plates under this

1 subsection (4) shall pay the annual fee imposed by section 42-3-211 (6)
2 (b) to renew such plates. The fees imposed by this subsection (4) shall be
3 ARE in addition to all other taxes and fees imposed for collector
4 COLLECTOR'S license plates.

5 **42-12-402. [Formerly 42-12-103] Storage.** A collector may
6 store ONE OR MORE motor vehicles, as described in section 42-12-101, or
7 parts thereof, VEHICLES OR MOTOR VEHICLE PARTS on the collector's
8 private property provided such vehicles and parts cars and the outdoor IF
9 THE VEHICLE, MOTOR VEHICLE PART, AND storage areas AREA are
10 maintained in such a manner that they do SO AS TO not constitute a health
11 hazard, a safety hazard, or a fire hazard; and are effectively screened from
12 ordinary public view by means of a solid fence, trees, shrubbery, or other
13 appropriate means; Such storage areas shall be AND ARE kept free of
14 weeds, trash, and other objectionable items.

15 **42-12-403. [Formerly 42-12-104 (1) and (3)] Special**
16 **equipment or modification.** (1) Unless the presence of special
17 equipment was a prior condition for sale within Colorado at the time an
18 historic or special interest vehicle was manufactured for first use, the
19 presence of such equipment or device shall IS not be required as a
20 condition for current legal use.

21 ~~(3)~~ (2) Any safety device or safety equipment which THAT was
22 manufactured for and installed on a motor vehicle as original equipment
23 must be in proper operating condition when the vehicle is operated on or
24 for highway purposes.

25 **42-12-404. Emissions.** (1) [Formerly 42-12-104 (2)] Any A
26 motor vehicle of historic or special interest manufactured prior to the date
27 emission controls were standard equipment on that particular make or
28 model of vehicle is exempted from statutes requiring the inspection and
29 use of such emission controls. Any A motor vehicle using emission
30 controls as standard equipment at the time of manufacture must have such
31 equipment in proper operating condition at all times when the vehicle is
32 operated on or for highway purposes.

33 (2) A CERTIFICATION OF EMISSIONS CONTROL THAT HAS BEEN
34 ISSUED FOR A MOTOR VEHICLE THAT IS REGISTERED AS A COLLECTOR'S
35 ITEM BEFORE SEPTEMBER 1, 2009, AND THAT IS OF MODEL YEAR 1976 OR
36 LATER IS VALID UNTIL THE MOTOR VEHICLE IS SOLD OR TRANSFERRED.

37 **42-12-405. Registration penalty.** IN ADDITION TO ANY OTHER
38 PENALTIES, THE DEPARTMENT SHALL CANCEL THE REGISTRATION OF A
39 NONCOMMERCIAL OR RECREATIONAL VEHICLE, TRUCK, OR TRUCK
40 TRACTOR REGISTERED AS A COLLECTOR'S ITEM PURSUANT TO SECTION
41 42-12-401 THAT IS USED TO TRANSPORT CARGO OR PASSENGERS FOR

1 PROFIT OR HIRE OR IN A BUSINESS OR COMMERCIAL ENTERPRISE. THE
2 DEPARTMENT SHALL CANCEL THE REGISTRATION OF A TRUCK OR TRUCK
3 TRACTOR REGISTERED AS A COLLECTOR'S ITEM PURSUANT TO SECTION
4 42-12-401 THAT IS DRIVEN FOR ANY PURPOSE OTHER THAN THOSE
5 PURPOSES ALLOWED IN SECTION 42-12-401 (1) (c).

6 **SECTION 2.** 4-2.5-104 (1) (a), Colorado Revised Statutes, is
7 amended to read:

8 **4-2.5-104. Leases subject to other law.** (1) A lease, although
9 subject to this article, is also subject to any applicable:

10 (a) Certificate of title statute of this state (including vessels under
11 article 13 of title 33, C.R.S., snowmobiles under article 14 of title 33,
12 C.R.S., mobile homes under article 29 of title 38, C.R.S., aircraft under
13 article 2 of title 41, C.R.S., and motor vehicles under article 6 OR 12 of
14 title 42, C.R.S.);

15 **SECTION 3.** 12-6-102 (17) (f), Colorado Revised Statutes, is
16 amended to read:

17 **12-6-102. Definitions.** As used in this part 1 and in part 5 of this
18 article, unless the context or section 12-6-502 otherwise requires:

19 (17) "Used motor vehicle dealer" means any person who, for
20 commission or with intent to make a profit or gain of money or other
21 thing of value, sells, exchanges, leases, or offers an interest in used motor
22 vehicles, or attempts to negotiate a sale, exchange, or lease of used and
23 new motor vehicles or who is engaged wholly or in part in the business
24 of selling used motor vehicles, whether or not such motor vehicles are
25 owned by such person. The sale of three or more used motor vehicles or
26 the offering for sale of more than three used motor vehicles at the same
27 address or telephone number in any one calendar year shall be prima facie
28 evidence that a person is engaged in the business of selling used motor
29 vehicles. "Used motor vehicle dealer" includes any owner of real
30 property who allows more than three used motor vehicles to be offered
31 for sale on such property during one calendar year unless said property is
32 leased to a licensed used motor vehicle dealer. "Used motor vehicle
33 dealer" does not include:

34 (f) Any person who only sells or exchanges no more than four
35 motor vehicles that are collector's items ~~pursuant to section 42-3-219,~~
36 ~~C.R.S., or pursuant to~~ UNDER PART 3 OR 4 OF article 12 of title 42, C.R.S.;

37 **SECTION 4.** 42-3-121 (1) (g), (1) (h), and (2) (c), Colorado
38 Revised Statutes, are amended to read:

39 **42-3-121. Violation of registration provisions - penalty.** (1) It
40 is unlawful to commit any of the following acts:

41 (g) To use or permit the use of a truck or truck tractor registered

1 as a collector's item pursuant to section ~~42-12-102~~ 42-12-401 (1) (c) to
2 transport cargo or passengers for profit or hire or in a business or
3 commercial enterprise;

4 (h) To drive or permit to be driven a truck or truck tractor
5 registered as a collector's item pursuant to section ~~42-12-102~~ 42-12-401
6 (1) (c) for any purpose other than those purposes allowed in section
7 ~~42-12-102~~ 42-12-401 (1) (c).

8 (2) (c) A person who violates paragraph (f) or (g) of subsection
9 (1) of this section commits a class B traffic infraction. ~~In addition to the~~
10 ~~penalties prescribed for a violation of paragraph (f) or (g) of subsection~~
11 ~~(1) of this section, the department shall cancel the registration of a~~
12 ~~noncommercial or recreational vehicle, truck, or truck tractor registered~~
13 ~~as a collector's item pursuant to section 42-12-102 (1) (c) that has been~~
14 ~~used to transport cargo or passengers for profit or hire or in a business or~~
15 ~~commercial enterprise. The department shall cancel the registration of a~~
16 ~~truck or truck tractor registered as a collector's item pursuant to section~~
17 ~~42-12-102 (1) (c) that has been driven for any purpose other than those~~
18 ~~purposes allowed in section 42-12-102 (1) (c).~~

19 **SECTION 5.** 42-4-206 (1) and (4), Colorado Revised Statutes,
20 are amended to read:

21 **42-4-206. Tail lamps and reflectors.** (1) TO BE OPERATED ON
22 A ROAD, every motor vehicle, trailer, semitrailer, and pole trailer and any
23 other vehicle ~~which~~ THAT is being drawn at the end of a train of vehicles
24 ~~shall~~ MUST be equipped with at least one tail lamp mounted on the rear,
25 which, when lighted as required in section 42-4-204, ~~shall emit~~ EMITS a
26 red light plainly visible from a distance of five hundred feet to the rear;
27 except that, in the case of a train of vehicles, only the tail lamp on the
28 rear-most vehicle need actually be seen from the distance specified, ~~and~~
29 except as provided in section ~~42-4-215.5~~ 42-12-204. Furthermore, every
30 ~~such~~ vehicle registered in this state and manufactured or assembled after
31 January 1, 1958, ~~shall~~ MUST be equipped with at least two tail lamps
32 mounted on the rear, on the same level and as widely spaced laterally as
33 practicable, which, when lighted as required in section 42-4-204, ~~shall~~
34 comply with ~~the provisions of~~ this section.

35 (4) TO BE OPERATED ON A ROAD, every motor vehicle ~~operated on~~
36 ~~and after January 1, 1958, upon a highway in the state of Colorado shall~~
37 MUST carry on the rear, either as part of a tail lamp or separately, one red
38 reflector meeting the requirements of this section; except that vehicles of
39 the type mentioned in section 42-4-207 ~~shall~~ MUST be equipped with
40 reflectors as required ~~in those sections applicable thereto and except as BY~~
41 LAW UNLESS OTHERWISE provided in section ~~42-4-215.5~~ 42-12-204.

1 **SECTION 6.** 42-4-215 (1), (2), and (7), Colorado Revised
2 Statutes, are amended to read:

3 **42-4-215. Signal lamps and devices - additional lighting**
4 **equipment.** (1) TO BE OPERATED ON A ROAD, any motor vehicle may be
5 equipped, and when required under this article ~~shall~~ MUST be equipped,
6 with a stop lamp or lamps on the rear of the vehicle ~~which~~ THAT, except
7 as provided in section ~~42-4-215.5~~, ~~shall~~ 42-12-204, display a red or amber
8 light, or any shade of color between red and amber, visible from a
9 distance of not less than one hundred feet to the rear in normal sunlight,
10 ~~and which shall be~~ THAT ARE actuated upon application of the service
11 (foot) brake, and ~~which~~ THAT may but need not be incorporated with one
12 or more other rear lamps. Such stop lamp or lamps may also be
13 automatically actuated by a mechanical device when the vehicle is
14 reducing speed or stopping. If two or more stop lamps are installed on
15 any motor vehicle, any device actuating such lamps ~~shall~~ MUST be so
16 designed and installed that all stop lamps are actuated by such device.

17 (2) Any motor vehicle may be equipped, and when required under
18 this article ~~shall~~ MUST be equipped, with lamps showing to the front and
19 rear for the purpose of indicating an intention to turn either to the right or
20 to the left. ~~Such~~ THE lamps showing to the front ~~shall~~ MUST be located
21 on the same level and as widely spaced laterally as practicable and when
22 in use ~~shall~~ display a white or amber light, or any shade of color between
23 white and amber, visible from a distance of not less than one hundred feet
24 to the front in normal sunlight, and the lamps showing to the rear ~~shall~~
25 MUST be located at the same level and as widely spaced laterally as
26 practicable and, except as provided in section ~~42-4-215.5~~ 42-12-204,
27 when in use ~~shall~~ MUST display a red or amber light, or any shade of color
28 between red and amber, visible from a distance of not less than one
29 hundred feet to the rear in normal sunlight. When actuated, ~~such~~ THE
30 lamps ~~shall~~ MUST indicate the intended direction of turning by flashing
31 the light showing to the front and rear on the side toward which the turn
32 is made.

33 (7) Any vehicle may be equipped with lamps ~~which~~ THAT may be
34 used for the purpose of warning the operators of other vehicles of the
35 presence of a vehicular traffic hazard requiring the exercise of unusual
36 care in approaching, overtaking, or passing and, when so equipped and
37 when the ~~said~~ vehicle is not in motion or is being operated at a speed of
38 twenty-five miles per hour or less and at no other time, may display such
39 warning in addition to any other warning signals required by this article.
40 The lamps used to display such warning to the front ~~shall~~ MUST be
41 mounted at the same level and as widely spaced laterally as practicable

1 and shall display simultaneously flashing white or amber lights, or any
2 shade of color between white and amber. The lamps used to display such
3 THE warning to the rear shall MUST be mounted at the same level and as
4 widely spaced laterally as practicable and, except as provided in section
5 ~~42-4-215.5, shall~~ 42-12-204, show simultaneously flashing amber or red
6 lights, or any shade of color between amber and red. These warning
7 lights shall MUST be visible from a distance of not less than five hundred
8 feet under normal atmospheric conditions at night.

9 **SECTION 7.** 42-4-229 (4), Colorado Revised Statutes, is
10 amended to read:

11 **42-4-229. Safety glazing material in motor vehicles.** (4) No A
12 person shall NOT operate a motor vehicle on any A highway within this
13 state unless such THE vehicle is equipped with a front windshield as
14 provided in this section, except as provided in section 42-4-232 (1) and
15 except for motor vehicles registered as collector's items under section
16 ~~42-3-219~~ 42-12-301 OR 42-12-302.

17 **SECTION 8. Repeal.** 42-4-304 (3) (c), Colorado Revised
18 Statutes, is repealed as follows:

19 **42-4-304. Definitions relating to automobile inspection and**
20 **readjustment program.** As used in sections 42-4-301 to 42-4-316,
21 unless the context otherwise requires:

22 (3) (c) ~~Effective September 1, 2009, a certification of emissions~~
23 ~~control that has been issued for any motor vehicle that is registered as a~~
24 ~~collector's item under the provisions of section 42-12-102 and that is of~~
25 ~~model year 1976 or later shall be valid until the motor vehicle is sold or~~
26 ~~transferred.~~

27 **SECTION 9.** 42-4-304 (18), Colorado Revised Statutes, is
28 amended to read:

29 **42-4-304. Definitions relating to automobile inspection and**
30 **readjustment program.** As used in sections 42-4-301 to 42-4-316,
31 unless the context otherwise requires:

32 (18) "Motor vehicle", as applicable to the AIR program, includes
33 only a motor vehicle that is operated with four wheels or more on the
34 ground, self-propelled by a spark-ignited engine burning gasoline,
35 gasoline blends, gaseous fuel, blends of liquid gasoline and gaseous fuels,
36 alcohol, alcohol blends, or other similar fuels, having a personal property
37 classification of A, B, or C pursuant to section 42-3-106, and for which
38 registration in this state is required for operation on the public roads and
39 highways or which motor vehicle is owned or operated or both by a
40 nonresident who meets the requirements set forth in section 42-4-310 (1)
41 (c). "Motor vehicle" does not include kit vehicles; vehicles registered

1 pursuant to section ~~42-3-219~~ 42-12-301 or 42-3-306 (4); vehicles
2 registered pursuant to section ~~42-12-102~~ 42-12-401 that are of model year
3 1975 or earlier or that have two-stroke cycle engines manufactured prior
4 to 1980; or vehicles registered as street-rods pursuant to section 42-3-201.

5 **SECTION 10.** The introductory portion to 42-3-306 (5), Colorado
6 Revised Statutes, is amended to read:

7 **42-3-306. Registration fees - passenger and passenger-mile**
8 **taxes - fee schedule.** (5) The annual registration fee for those trucks and
9 truck tractors operated over the public highways of this state, except
10 trucks that are registered under subsections (4) and (13) of this section
11 and section ~~42-12-102~~ 42-12-401 (1) (c), shall be IS as follows:

12 **SECTION 11.** 42-4-310 (1) (d) (II) (B) and (1) (d) (VIII) (A),
13 Colorado Revised Statutes, are amended to read:

14 **42-4-310. Periodic emissions control inspection required.**
15 (1) (d) (II) (B) ~~For the basic emissions program, effective January 1,~~
16 ~~1994, no emissions-related repair waiver shall be issued for any vehicle~~
17 ~~that is registered as a collector's item pursuant to the provisions of section~~
18 ~~42-12-102 and that is of the model year 1976 or later.~~

19 (VIII) (A) For the enhanced emissions program except as
20 provided in sub-subparagraph (B) of this subparagraph (VIII), ~~effective~~
21 ~~January 1, 1995,~~ for businesses that operate nineteen or fewer vehicles
22 and for private motor vehicles only of a model year 1967 or earlier
23 required to be registered in the enhanced emissions program area, after
24 any adjustments or repairs required pursuant to UNDER section 42-4-306,
25 if total expenditures of at least seventy-five dollars have been made to
26 bring the vehicle into compliance with applicable emissions standards and
27 the vehicle still does not meet the standards, a certification of emissions
28 waiver shall be issued for the vehicle. ~~No emissions-related repair waiver~~
29 ~~shall be issued for vehicles that are registered as collector's items pursuant~~
30 ~~to section 42-12-102 and that are of a model year 1976 or later.~~

31 **SECTION 12.** The introductory portion to 42-4-311 (2) and
32 42-4-311 (2) (b) and (3) (a) (II), Colorado Revised Statutes, are amended
33 to read:

34 **42-4-311. Operation of inspection and readjustment stations**
35 **- inspection-only facilities - fleet inspection stations - motor vehicle**
36 **dealer test facilities - enhanced inspection centers.** (2) A licensed
37 inspection and readjustment ~~stations~~ STATION, inspection-only ~~facilities~~
38 FACILITY, fleet inspection ~~stations,~~ and STATION, motor vehicle dealer test
39 ~~facilities,~~ and FACILITY, OR authorized enhanced inspection ~~centers~~
40 CENTER shall NOT issue a certification of emissions control to a motor
41 vehicle ~~only~~ EXCEPT upon forms prescribed by the executive director. ~~and~~

1 ~~a certification of emissions compliance or, if applicable, emissions waiver~~
2 ~~shall be issued by the licensed inspection and readjustment station,~~
3 ~~inspection-only facility, fleet inspection station, or motor vehicle dealer~~
4 ~~test facility or authorized enhanced inspection center to a motor vehicle~~
5 ~~only after~~ SUCH STATION, FACILITY, OR CENTER SHALL NOT ISSUE A
6 CERTIFICATION OF EMISSIONS COMPLIANCE OR EMISSION WAIVER UNLESS
7 the licensed or authorized emissions inspector or emissions mechanic
8 performing ~~said~~ THE inspection at ~~said station~~ determines that:

9 (b) The exhaust gas and, if applicable, evaporative emissions from
10 the motor vehicle do not comply with the applicable emissions standards
11 after the adjustments and repairs required ~~in accordance with~~ BY section
12 42-4-306 have been performed and there is no evidence of emissions
13 system tampering or visible smoke, in which case a certification of
14 emissions waiver shall be issued. A FLEET EMISSION INSPECTOR SHALL
15 NOT ISSUE A certification of emissions waiver ~~shall not be issued by a~~
16 ~~fleet emissions inspector~~ within the enhanced program area. A
17 ~~certification of emissions waiver shall not be issued for a motor vehicle~~
18 ~~registered as a collector's item under the provisions of section 42-12-102.~~

19 (3) (a) (II) No verification of emissions test ~~shall~~ IS REQUIRED TO
20 be issued to or required for any motor vehicle ~~which~~ THAT is registered
21 as a collector's item pursuant to ~~the provisions of section 42-12-102~~
22 42-12-401.

23 **SECTION 13.** 42-4-401 (5), Colorado Revised Statutes, is
24 amended to read:

25 **42-4-401. Definitions.** As used in this part 4, unless the context
26 otherwise requires:

27 (5) "Diesel powered motor vehicle" or "diesel vehicle" as
28 applicable to opacity inspections, includes only a motor vehicle with four
29 wheels or more on the ground, powered by an internal combustion,
30 compression ignition, diesel fueled engine, and also includes any motor
31 vehicle having a personal property classification of A, B, or C, pursuant
32 to section 42-3-106, as specified on its vehicle registration, and for which
33 registration in this state is required for operation on the public roads and
34 highways. "Diesel vehicle" does not include: ~~the following:~~ Vehicles
35 registered pursuant to UNDER section ~~42-3-219~~ or 42-12-301; VEHICLES
36 TAXED UNDER SECTION 42-3-306 (4); or off-the-road diesel powered
37 vehicles or heavy construction equipment.

38 **SECTION 14.** 42-5-101 (11), Colorado Revised Statutes, is
39 amended to read:

40 **42-5-101. Definitions.** As used in this part 1, unless the context
41 otherwise requires:

1 (11) "Vehicle identification number" means any identifying
2 number, serial number, engine number, or other distinguishing number or
3 mark, including letters, if any, that is unique to the identity of a given
4 vehicle or component part thereof that was placed on a vehicle or engine
5 by its manufacturer or by authority of the department of revenue pursuant
6 to section ~~42-5-205~~ 42-12-202 or in accordance with the laws of another
7 state or country.

8 **SECTION 15.** 42-5-201 (13), Colorado Revised Statutes, is
9 amended to read:

10 **42-5-201. Definitions.** As used in this part 2, unless the context
11 otherwise requires:

12 (13) "Vehicle identification number" means any identifying
13 number, serial number, engine number, or other distinguishing number or
14 mark, including letters, if any, that is unique to the identity of a given
15 vehicle or commercial vehicle or component part thereof that was placed
16 on a vehicle, commercial vehicle, or engine by its manufacturer or by
17 authority of the department of revenue ~~pursuant to~~ UNDER section
18 ~~42-5-205~~ 42-12-202 or in accordance with the laws of another state or
19 country.

20 **SECTION 16.** 42-6-115 (3), Colorado Revised Statutes, is
21 amended to read:

22 **42-6-115. Furnishing bond for certificates.** (3) (a) Except as
23 provided by paragraph (b) of this subsection (3) ~~no~~ OR SECTION
24 42-12-402, THE DEPARTMENT OR AN AUTHORIZED AGENT SHALL NOT FILE
25 A certificate of title ~~shall be filed~~ under this section until the applicant
26 furnishes evidence of a savings account, deposit, or certificate of deposit
27 meeting the requirements of section 11-35-101, C.R.S., or a good and
28 sufficient bond with a corporate surety, to the state, in an amount to be
29 fixed by the director, not less than twice the reasonable value of the
30 vehicle determined as of the time of application. The applicant and the
31 applicant's surety shall hold harmless any person who suffers loss or
32 damage by reason of the filing of a certificate under this section.

33 (b) If the vehicle for which the certificate is filed is twenty-five
34 years old or older, the applicant has had a certified vehicle identification
35 number inspection performed on the vehicle, and the applicant presents
36 a notarized bill of sale within twenty-four months after ~~such~~ THE sale with
37 the title application, then the applicant ~~shall not be required to~~ NEED NOT
38 furnish surety ~~pursuant to~~ UNDER this subsection (3). To be excepted
39 from the surety requirement, an applicant shall submit an affidavit to the
40 department that is sworn to under penalty of perjury that states that the
41 required documents submitted are true and correct.

1 **SECTION 17.** 42-6-117 (2), Colorado Revised Statutes, is
2 amended to read:

3 **42-6-117. Filing of certificate.** (2) No certificate of title may be
4 filed for a vehicle required to have its vehicle identification number
5 inspected pursuant to section 42-5-202 unless a vehicle identification
6 number inspection form has been transmitted to the director or the
7 authorized agent showing the number recorded from the vehicle or the
8 number assigned to the vehicle pursuant to UNDER section ~~42-5-205~~
9 42-12-202.

10 **SECTION 18.** 42-6-145 (1), Colorado Revised Statutes, is
11 amended to read:

12 **42-6-145. Use of vehicle identification numbers in applications**
13 **- rules.** (1) A person required to apply for a certificate of title or
14 registration of a motor vehicle shall use the identification number placed
15 upon the motor vehicle by the manufacturer or the special vehicle
16 identification number assigned to the motor vehicle by the department
17 pursuant to section ~~42-5-205~~ 42-12-202. The certificate of title and
18 registration card issued by the department shall use the identification
19 number of the motor vehicle.

20 **SECTION 19.** 42-9-110, Colorado Revised Statutes, is amended
21 to read:

22 **42-9-110. Exemption - antique motor vehicles.** ~~The provisions~~
23 ~~of This article shall~~ DOES not apply to repairs of any motor vehicle
24 twenty-five or more years old or of any motor vehicle ~~which~~ THAT is a
25 collector's item as defined in section 42-12-101. ~~(2)~~.

26 **SECTION 20.** 43-4-804 (1) (a) (VI), Colorado Revised Statutes,
27 is amended to read:

28 **43-4-804. Highway safety projects - surcharges and fees -**
29 **crediting of moneys to highway users tax fund.** (1) (a) (VI) The road
30 safety surcharge shall not be imposed on any vehicle for which the
31 department of revenue has issued a horseless carriage special license plate
32 pursuant to section ~~42-3-219(1)(a)~~ 42-12-301, C.R.S.

33 **SECTION 21.** 43-4-805 (5) (g) (VII), Colorado Revised Statutes,
34 is amended to read:

35 **43-4-805. Statewide bridge enterprise - creation - board -**
36 **funds - powers and duties - reporting requirements - legislative**
37 **declaration.** (5) In addition to any other powers and duties specified in
38 this section, the bridge enterprise board has the following powers and
39 duties:

40 (g) (VII) The bridge safety surcharge ~~shall~~ IS not be imposed on
41 any vehicle for which the department of revenue has issued a horseless

1 carriage special license plate pursuant to section ~~42-3-219 (1) (a)~~
2 42-12-301, C.R.S.

3 **SECTION 22. Repeal of provisions being relocated in this act.**
4 Sections 42-6-108.5, 42-5-203, 42-5-205, 42-6-108, 42-4-215.5, and
5 42-3-219, Colorado Revised Statutes, are repealed.

6 **SECTION 23. Act subject to petition - effective date.** This act
7 shall take effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly (August
9 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
10 referendum petition is filed pursuant to section 1 (3) of article V of the
11 state constitution against this act or an item, section, or part of this act
12 within such period, then the act, item, section, or part shall not take effect
13 unless approved by the people at the general election to be held in
14 November 2012 and shall take effect on the date of the official
15 declaration of the vote thereon by the governor."

** ** ** ** **