

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

INTRODUCED

LLS NO. 11-0007.01 Jery Payne

HOUSE BILL 11-1004

HOUSE SPONSORSHIP

Baumgardner,

SENATE SPONSORSHIP

(None),

House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE REGISTRATION OF A VEHICLE USED FOR**
102 **AGRICULTURAL PRODUCTION.**

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.>)

Currently, a county clerk may require a person to demonstrate that his or her primary business is agriculture to register a motor vehicle as a farm truck. The bill exempts a person whose vehicle is used primarily for agriculture on a farm or ranch that is classified as agricultural land for property tax purposes. The bill also repeals the farm truck and tractor

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.*

exemption to the motorist insurance identification fee.

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

2 **SECTION 1. Repeal.** 42-3-304 (1) (b) (II), Colorado Revised
3 Statutes, is repealed as follows:

4 **42-3-304. Registration fees - passenger and passenger-mile**
5 **taxes - clean screen fund - repeal.** (1) (b) The following vehicles are
6 exempt from the motorist insurance identification fee:

7 ~~(II) Trucks and truck tractors that are owned by a farmer or~~
8 ~~rancher and whose only commercial uses are:~~

9 ~~(A) Transporting to market or place of storage raw agricultural~~
10 ~~products actually produced or livestock actually raised by such farmer or~~
11 ~~rancher; or~~

12 ~~(B) Transporting commodities and livestock purchased by such~~
13 ~~farmer or rancher for use by the farmer or rancher in farming or ranching~~
14 ~~operations.~~

15 **SECTION 2.** 42-3-306 (4), Colorado Revised Statutes, is
16 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

17 **42-3-306. Registration fees - passenger and passenger-mile**
18 **taxes - fee schedule.** (4) (e) EFFECTIVE JANUARY 1, 2012, THE
19 DEPARTMENT OR ITS AUTHORIZED AGENT SHALL NOT REQUIRE A PERSON
20 REGISTERING A FARM TRUCK OR TRUCK TRACTOR UNDER THIS SUBSECTION
21 (4) TO DEMONSTRATE THAT THE OWNER'S PRIMARY BUSINESS OR SOURCE
22 OF INCOME IS AGRICULTURE IF THE FARM TRUCK OR TRUCK TRACTOR IS
23 USED PRIMARILY FOR AGRICULTURAL PRODUCTION ON A FARM OR RANCH
24 OWNED OR LEASED BY THE OWNER OF THE TRUCK OR TRUCK TRACTOR,
25 AND THE LAND ON WHICH IT IS USED IS CLASSIFIED AS AGRICULTURAL

1 LAND FOR THE PURPOSES OF LEVYING AND COLLECTING PROPERTY TAX
2 UNDER SECTION 39-1-103, C.R.S.

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

13 (2) The provisions of this act shall apply to vehicles registered or
14 reregistered on or after the effective date of this act.