

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

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 11-0763.01 Jery Payne

HOUSE BILL 11-1216

HOUSE SPONSORSHIP

Riesberg and Gerou, Baumgardner, Court, Ferrandino, Kefalas, Looper, Miklosi, Pabon, Soper, McCann

SENATE SPONSORSHIP

Aguilar, Bacon, King S., Newell, Tochtrop, Williams S.

House Committees

Transportation
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE FUNDING OF PROGRAMS THAT HELP PERSONS WITH**
102 **DISABILITIES OBTAIN BENEFITS BY THE SALE OF UNIQUELY**
103 **VALUABLE REGISTRATION NUMBERS FOR VEHICLES, AND**
104 **MAKING AN APPROPRIATION THEREFOR.**

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>.)

A disabled-benefit support contract committee is created to contract with a private entity to help persons with disabilities obtain

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.*

HOUSE
Am ended 2nd Reading
March 7, 2011

benefits. The committee consists of the following 9 members appointed by the governor:

- ! 3 members who are disabled and currently receiving disability benefits or have received application assistance;
- ! One member of a statewide, cross-disability organization representing persons with disabilities;
- ! One member who is trained to increase access to disability benefits for persons with disabilities by an organization supported by the United States social security administration;
- ! One member who is a medical doctor;
- ! One member who is a mental health professional;
- ! One member who is an expert in nonprofit management; and
- ! One member appointed by the executive director of the department of personnel.

The members serve 3-year terms.

Standards are set for the contract to provide assistance. A fund is created to implement the assistance program.

The bill authorizes the public and private sale of unique combinations of letters and numbers imprinted on license plates (registration numbers). The license plate auction group is created within the governor's office to raise money by auctioning to a buyer the right to use a registration number and to create a market for the sale of registration numbers. The state's royalty for a private sale is 25%. The group consists of 7 members who are appointed by and serve at the pleasure of the following:

- ! The executive director of the department of revenue;
- ! The governor;
- ! The president of the senate;
- ! The Colorado advisory council for persons with disabilities;
- ! The director of the Colorado office of economic development;
- ! The chief of the Colorado state patrol; and
- ! The Colorado housing and finance authority.

Procedures are set for selling and issuing a registration number.

Purchasers of the registration numbers are authorized to use alternative sources for license plates if the alternatives comply with state standards.

The moneys raised from the program are put in a newly created fund and used to pay the expenses of implementing the program, to help persons with disabilities obtain benefits, and to augment the general fund.

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

2 **SECTION 1.** Article 2 of title 26, Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW PART to read:

4 **PART 11**
5 **DISABILITY ASSISTANCE ACT**

6 **26-2-1101. Short title.** THIS PART 11 SHALL BE KNOWN AND MAY
7 BE CITED AS THE "LAURA HERSHEY DISABILITY-BENEFIT SUPPORT ACT".

8 **26-2-1102. Definitions.** AS USED IN THIS PART 11, UNLESS THE
9 CONTEXT OTHERWISE REQUIRES:

10 (1) "COMMITTEE" MEANS THE DISABLED-BENEFIT SUPPORT
11 CONTRACT COMMITTEE CREATED IN SECTION 26-2-1103.

12 (2) "DISABILITY BENEFITS" MEANS CASH PAYMENTS FROM SOCIAL
13 SECURITY DISABILITY INSURANCE UNDER TITLE II OF THE FEDERAL
14 "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 401 ET SEQ., AS AMENDED, CASH
15 PAYMENTS MADE BY THE FEDERAL GOVERNMENT TO PERSONS WHO ARE
16 AGED, BLIND, OR DISABLED UNDER TITLE XVI OF THE FEDERAL "SOCIAL
17 SECURITY ACT", 42 U.S.C. SEC. 401 ET SEQ., AS AMENDED, AND
18 LONG-TERM CARE UNDER THE "COLORADO MEDICAL ASSISTANCE ACT",
19 ARTICLES 4 TO 6 OF TITLE 25.5, C.R.S.

20 (3) "RECIPIENT" MEANS A PERSON WHO RECEIVES DISABILITY
21 BENEFITS OR LONG-TERM CARE SERVICES.

22 **26-2-1103. Disabled-benefit support contract committee.**

23 (1) THE DISABLED-BENEFIT SUPPORT CONTRACT COMMITTEE IS HEREBY
24 CREATED WITHIN THE STATE DEPARTMENT. THE COMMITTEE CONSISTS OF
25 NINE MEMBERS APPOINTED BY THE GOVERNOR AS FOLLOWS:

26 (a) THREE MEMBERS WHO ARE DISABLED AND CURRENTLY
27 RECEIVING DISABILITY BENEFITS OR HAVE RECEIVED APPLICATION

1 ASSISTANCE;

2 (b) ONE MEMBER OF A STATEWIDE, CROSS-DISABILITY
3 ORGANIZATION REPRESENTING PERSONS WITH DISABILITIES;

4 (c) ONE MEMBER WHO IS TRAINED TO INCREASE ACCESS TO
5 DISABILITY BENEFITS FOR PERSONS WITH DISABILITIES BY AN
6 ORGANIZATION SUPPORTED BY THE UNITED STATES SOCIAL SECURITY
7 ADMINISTRATION;

8 (d) ONE MEMBER WHO IS A MEDICAL DOCTOR;

9 (e) ONE MEMBER WHO IS A MENTAL HEALTH PROFESSIONAL;

10 (f) ONE MEMBER WHO IS AN EXPERT IN NONPROFIT MANAGEMENT;

11 AND

12 (g) ONE MEMBER APPOINTED BY THE EXECUTIVE DIRECTOR OF THE
13 DEPARTMENT OF PERSONNEL.

14 (2) MEMBERS OF THE COMMITTEE SERVE THREE-YEAR TERMS;
15 EXCEPT THAT MEMBERS APPOINTED UNDER PARAGRAPH (a) OF
16 SUBSECTION (1) OF THIS SECTION SERVE AN INITIAL TERM OF ONE YEAR,
17 AND MEMBERS APPOINTED UNDER PARAGRAPHS (b), (c), AND (d) OF
18 SUBSECTION (1) OF THIS SECTION SERVE AN INITIAL TERM OF TWO YEARS.

19 (3) AN ACT OF THE COMMITTEE IS VOID UNLESS A MAJORITY OF THE
20 MEMBERS HAS VOTED IN FAVOR OF THE ACT.

21 (4) THE COMMITTEE SHALL IMPLEMENT SECTION 26-2-1104 USING
22 THE DISABILITY-BENEFIT SUPPORT FUND CREATED IN SECTION 26-2-1105.

23 (5) THE COMMITTEE IS AUTHORIZED TO SEEK AND ACCEPT GRANTS
24 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF
25 THIS PART 11; EXCEPT THAT THE COMMITTEE SHALL NOT ACCEPT A GIFT,
26 GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE
27 INCONSISTENT WITH THIS PART 11 OR PART 13 OF ARTICLE 75 OF TITLE 24,

1 C.R.S., REGARDING THE STATUS OF GRANTS AND DONATIONS MADE TO
2 STATE AGENCIES. THE COMMITTEE SHALL TRANSMIT THE MONEYS TO THE
3 THE DISABILITY-BENEFIT SUPPORT FUND.

4 (6) THE COMMITTEE HAS THE FOLLOWING DUTIES AND POWERS:

5 (a) TO SUE AND BE SUED AND OTHERWISE ASSERT OR DEFEND THE
6 COMMITTEE'S LEGAL INTERESTS;

7 (b) TO PREPARE AND SIGN CONTRACTS WITH THE ASSISTANCE OF
8 A LAWYER;

9 (c) TO HAVE AND EXERCISE ALL RIGHTS AND POWERS NECESSARY
10 OR INCIDENTAL TO, OR IMPLIED FROM, THE SPECIFIC POWERS GRANTED IN
11 THIS PART 11; AND

12 (d) TO FIX THE TIME AND PLACE AT WHICH MEETINGS MAY BE
13 HELD.

14 **26-2-1104. Program to assist persons to obtain disability**
15 **benefits - repeal.** (1) WITHIN SIX MONTHS AFTER THE FIRST TRANSFER
16 TO THE DISABILITY-BENEFIT SUPPORT FUND FROM THE REGISTRATION
17 NUMBER FUND CREATED IN SECTION 42-1-408, C.R.S., THE COMMITTEE
18 SHALL INVITE NONPROFIT ENTITIES TO SUBMIT A PROPOSAL FOR A
19 PROGRAM TO AID PERSONS WITH DISABILITIES IN ACCESSING DISABILITY
20 BENEFITS. TO QUALIFY, THE NONPROFIT ORGANIZATION MUST BE BASED
21 IN COLORADO AND GOVERNED BY A BOARD THAT:

22 (a) IS COMPOSED OF PERSONS WITH A DEMONSTRATED
23 COMMITMENT TO IMPROVING THE LIVES OF RECIPIENTS WITH DISABILITIES;

24 (b) CONTAINS MEMBERS WHO UNDERSTAND A RANGE OF
25 SIGNIFICANT DISABILITIES, INCLUDING PHYSICAL AND MENTAL; AND

26 (c) CONTAINS A MAJORITY OF EITHER:

27 (I) RECIPIENTS WITH DISABILITIES; OR

1 (II) FAMILY MEMBERS OF RECIPIENTS WITH DISABILITIES WHO
2 HAVE EXPERIENCE IN REPRESENTING THE INTERESTS OF A PERSON WITH A
3 DISABILITY.

4 (2) (a) (I) THE COMMITTEE SHALL REVIEW THE PROPOSED
5 PROGRAMS AND SHALL AWARD A CONTRACT TO THE NONPROFIT ENTITY
6 THAT BEST MEETS THE REQUIREMENTS OF THIS SECTION IN ACCORDANCE
7 WITH THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24,
8 C.R.S.

9 (II) THE TERM OF THE CONTRACT IS ONE YEAR. BEFORE THE
10 CONTRACT EXPIRES, THE COMMITTEE SHALL EVALUATE WHETHER THE
11 NONPROFIT ENTITY AND THE CONTRACT ARE REASONABLY MEETING THE
12 REQUIREMENTS OF THIS SECTION, INCLUDING OBJECTIVE AND
13 QUANTITATIVE EVALUATIONS, WHENEVER POSSIBLE, OF THE SATISFACTION
14 OF PROGRAM PARTICIPANTS, THE PROGRAM'S SUCCESS IN OBTAINING
15 DISABILITY BENEFITS FOR PROGRAM PARTICIPANTS, THE PROGRAM'S
16 EFFECTIVENESS AT HELPING PROGRAM PARTICIPANTS OBTAIN JOBS, AND
17 IMPROVEMENTS IN THE QUALITY OF LIFE OF PROGRAM PARTICIPANTS. THE
18 COMMITTEE SHALL INCLUDE THE EVALUATION CRITERIA IN THE CONTRACT.

19 (III) THE COMMITTEE MAY RENEW THE CONTRACT ANNUALLY FOR
20 UP TO FIVE YEARS. AFTER FIVE YEARS, THE COMMITTEE SHALL REOPEN
21 THE CONTRACT TO A COMPETITIVE BID PROCESS.

22 (b) THE COMMITTEE SHALL NOT AWARD THE CONTRACT UNLESS
23 THE PROPOSAL INCLUDES:

24 (I) A SYSTEM FOR EVALUATING WHETHER A PERSON WITH A
25 DISABILITY IS REASONABLY ABLE TO NAVIGATE THE APPLICATION PROCESS
26 TO OBTAIN DISABILITY BENEFITS, HEALTH CARE, AND EMPLOYMENT;

27 (II) A SYSTEM FOR PRIORITIZING THE NEED OF APPLICANTS BASED

1 UPON THE EVALUATIONS;

2 (III) A PLAN FOR ASSISTING PERSONS WITH DISABILITIES IN
3 NAVIGATING THE PROCESSES OF OBTAINING AND RETAINING DISABILITY
4 BENEFITS, HEALTH CARE, AND EMPLOYMENT;

5 (IV) A PLAN FOR ESTABLISHMENT OF WORKING RELATIONSHIPS
6 WITH STATE AGENCIES, COUNTY DEPARTMENTS OF HUMAN SERVICES,
7 HEALTH CARE PROVIDERS, THE UNITED STATES SOCIAL SECURITY
8 ADMINISTRATION, AND THE BUSINESS COMMUNITY;

9 (V) A POLICY OF PREFERENTIAL HIRING OF PERSONS WITH
10 DISABILITIES;

11 (VI) REASONABLE STANDARDS FOR ACCOUNTING CONTROL OF
12 EXPENDITURES;

13 (VII) METRICS TO EVALUATE THE PROGRAM'S QUALITY AND
14 COST-EFFECTIVENESS;

15 (VIII) EFFECTIVE JULY 1, 2016, THE ABILITY TO SERVE PERSONS
16 WITH DISABILITIES STATEWIDE; AND

17 (IX) A PLAN FOR SERVING PERSONS WITH DISABILITIES STATEWIDE
18 WITHIN FIVE YEARS. THIS SUBPARAGRAPH (IX) IS REPEALED, EFFECTIVE
19 JULY 1, 2016.

20 (c) THE COMMITTEE SHALL NOT DISCRIMINATE AGAINST A
21 CONTRACTING ENTITY FOR ADVOCACY CONCERNING PERSONS WITH
22 DISABILITIES.

23 (3) THE ENTITY AWARDED A CONTRACT UNDER THIS SECTION
24 SHALL MAKE QUARTERLY REPORTS OF EXPENDITURES TO THE STATE
25 DEPARTMENT, WHICH SHALL MAKE THE REPORTS AVAILABLE TO THE
26 COMMITTEE. THE COMMITTEE SHALL INCLUDE IN THE CONTRACT A
27 METHOD AND FORMAT FOR MAKING THE REPORTS.

1 **26-2-1105. Disability-benefit support fund.** THE
2 DISABILITY-BENEFIT SUPPORT FUND IS HEREBY CREATED IN THE STATE
3 TREASURY. THE MONEYS IN THE FUND CONSIST OF AMOUNTS
4 TRANSFERRED TO THE FUND UNDER SECTION 42-1-408, C.R.S., OR
5 TRANSFERRED TO THE FUND UNDER SECTION 26-2-1103 (5). THE
6 COMMITTEE SHALL USE THE MONEYS IN THE FUND TO IMPLEMENT THIS
7 PART 11; EXCEPT THAT THE COMMITTEE MAY DIRECT THE STATE
8 TREASURER TO TRANSFER MONEYS IN THE FUND TO THE REGISTRATION
9 NUMBER FUND CREATED IN SECTION 42-1-408, C.R.S., TO FUND THE
10 IMPLEMENTATION OF PART 4 OF ARTICLE 1 OF TITLE 42, C.R.S. THE STATE
11 TREASURER SHALL CREDIT ALL INTEREST EARNED ON THE INVESTMENT OF
12 MONEYS IN THE FUND TO THE FUND. AT THE END OF EACH FISCAL YEAR,
13 THE MONEYS IN THE FUND, INCLUDING INCOME EARNED FROM
14 INVESTMENT, REMAIN IN THE FUND. THE GENERAL ASSEMBLY SHALL
15 APPROPRIATE THE MONEYS IN THE FUND TO THE STATE DEPARTMENT OR
16 GOVERNOR'S OFFICE TO IMPLEMENT THIS PART 11.

17 **26-2-1106. Sunset - repeal.** (1) THIS PART 11 IS REPEALED,
18 EFFECTIVE SEPTEMBER 1, 2021.

19 (2) PRIOR TO SUCH REPEAL, THE DEPARTMENT OF REGULATORY
20 AGENCIES SHALL REVIEW THE ASSISTANCE PROGRAM FOR DISABILITY
21 BENEFITS AS PROVIDED FOR IN SECTION 24-34-104, C.R.S.

22 **SECTION 2.** 24-34-104, Colorado Revised Statutes, is amended
23 BY THE ADDITION OF A NEW SUBSECTION to read:

24 **24-34-104. General assembly review of regulatory agencies**
25 **and functions for termination, continuation, or reestablishment.**

26 (52.5) THE FOLLOWING AGENCIES, FUNCTIONS, OR BOTH, SHALL
27 TERMINATE ON SEPTEMBER 1, 2021:

1 (a) THE ASSISTANCE PROGRAM FOR DISABILITY BENEFITS UNDER
2 PART 11 OF ARTICLE 2 OF TITLE 26, C.R.S.

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

5 PART 4

6 LICENSE PLATE AUCTIONS

7 **42-1-401. Definitions.** AS USED IN THIS PART 4, UNLESS THE
8 CONTEXT OTHERWISE REQUIRES:

9 (1) "GROUP" MEANS THE LICENSE PLATE AUCTION GROUP CREATED
10 IN SECTION 42-1-403.

11 (2) "REGISTRATION NUMBER" MEANS THE UNIQUE COMBINATION
12 OF LETTERS AND NUMBERS ASSIGNED TO A VEHICLE BY THE DEPARTMENT
13 UNDER SECTION 42-3-201 AND REQUIRED TO BE DISPLAYED ON THE
14 LICENSE PLATE BY SECTION 42-3-202.

15 (3) "VEHICLE" MEANS A VEHICLE REQUIRED TO BE REGISTERED
16 PURSUANT TO PART 1 OF ARTICLE 3 OF THIS TITLE.

17 **42-1-402. License to buy and sell selected registration numbers**
18 **for license plates.** (1) THE STATE OR A PERSON MAY SELL, AND THE
19 STATE OR A PERSON MAY PURCHASE, THE EXCLUSIVE RIGHT TO USE A
20 REGISTRATION NUMBER SELECTED BY THE GROUP UNDER SECTION
21 42-1-404 FOR THE PURPOSE OF REGISTERING A VEHICLE UNDER ARTICLE 3
22 OF THIS TITLE.

23 (2) THE RIGHT TO USE A REGISTRATION NUMBER IS A LICENSE, THE
24 USE OF WHICH IS SUBJECT TO COMPLIANCE WITH THIS PART 4.

25 **42-1-403. License plate auction group.** (1) THE LICENSE PLATE
26 AUCTION GROUP IS HEREBY CREATED WITHIN THE OFFICE OF THE
27 GOVERNOR.

1 (2) THE GROUP CONSISTS OF SEVEN MEMBERS, APPOINTED AS
2 FOLLOWS:

3 (a) ONE MEMBER WHO IS APPOINTED BY THE EXECUTIVE DIRECTOR
4 OF THE DEPARTMENT OF REVENUE AND WHO IS NOT A MEMBER OF THE
5 COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES CREATED
6 IN SECTION 24-45.5-103, C.R.S.;

7 (b) ONE MEMBER WHO IS APPOINTED BY THE GOVERNOR TO
8 REPRESENT PERSONS WITH DISABILITIES AND WHO IS NOT A MEMBER OF
9 THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES;

10 (c) ONE MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE TO
11 REPRESENT PERSONS WITH DISABILITIES;

12 (d) ONE MEMBER APPOINTED BY THE COLORADO ADVISORY
13 COUNCIL FOR PERSONS WITH DISABILITIES;

14 (e) ONE MEMBER APPOINTED BY THE DIRECTOR OF THE COLORADO
15 OFFICE OF ECONOMIC DEVELOPMENT;

16 (f) ONE MEMBER APPOINTED BY THE CHIEF OF THE COLORADO
17 STATE PATROL; AND

18 (g) ONE MEMBER APPOINTED BY THE CHIEF INFORMATION OFFICER
19 APPOINTED UNDER SECTION 24-37.5-103, C.R.S.

20 (3) AN ACT OF THE GROUP IS VOID UNLESS A MAJORITY OF THE
21 GOVERNING BODY VOTES FOR THE ACT.

22 (4) THE MEMBERS OF THE GROUP SERVE AT THE PLEASURE OF THE
23 APPOINTING ENTITY.

24 (5) THE GROUP HAS THE FOLLOWING DUTIES AND POWERS:

25 (a) TO ADOPT AND USE A SEAL AND TO ALTER THE SAME AT ITS
26 PLEASURE;

27 (b) TO SUE AND BE SUED AND OTHERWISE ASSERT OR DEFEND THE

1 GROUP'S LEGAL INTERESTS;

2 (c) TO ACQUIRE OFFICE SPACE, EQUIPMENT, SERVICES, SUPPLIES,
3 AND INSURANCE NECESSARY TO CARRY OUT THE PURPOSES OF THIS PART
4 4;

5 (d) TO ACCEPT ANY GIFTS, GRANTS, AND LOANS OF MONEY,
6 PROPERTY, OR OTHER AID FROM THE FEDERAL GOVERNMENT, THE STATE,
7 ANY STATE AGENCY, OR ANY OTHER SOURCE IF THE GROUP COMPLIES WITH
8 THIS PART 4 AND PART 13 OF ARTICLE 75 OF THIS TITLE;

9 (e) TO HAVE AND EXERCISE ALL RIGHTS AND POWERS NECESSARY
10 OR INCIDENTAL TO, OR IMPLIED FROM, THE SPECIFIC POWERS GRANTED IN
11 THIS PART 4;

12 (f) TO FIX THE TIME AND PLACE AT WHICH MEETINGS MAY BE
13 HELD;

14 (g) TO ELECT A MEMBER AS EXECUTIVE DIRECTOR OF THE GROUP
15 AND OTHER OFFICERS; AND

16 (h) TO HIRE EMPLOYEES AND PROFESSIONAL ADVISERS AS NEEDED.

17 **42-1-404. Sale of registration numbers by group.** (1) THE
18 GROUP SHALL RAISE MONEY BY AUCTIONING TO A BUYER THE RIGHT TO
19 USE VALUABLE LETTER AND NUMBER COMBINATIONS FOR A REGISTRATION
20 NUMBER.

21 (2) (a) THE GROUP SHALL STUDY THE MARKET AND DETERMINE
22 WHICH REGISTRATION NUMBERS ARE THE MOST VALUABLE, INCLUDING
23 BOTH THE TYPES OF PLATES CURRENTLY ISSUED AND ANY TYPE OF PLATE
24 THAT HAS BEEN HISTORICALLY ISSUED. BASED ON THE STUDY, THE GROUP
25 SHALL SELECT THE MOST VALUABLE REGISTRATION NUMBERS AND
26 REQUEST THE DEPARTMENT TO VERIFY WHETHER PLATES WITH THE
27 REGISTRATION NUMBERS ARE CURRENTLY ISSUED. THE GROUP SHALL NOT

1 SEND THE REQUEST TO THE DEPARTMENT MORE THAN ONCE EVERY SIX
2 MONTHS.

3 (b) UPON RECEIVING THE GROUP'S REQUEST, THE DEPARTMENT
4 SHALL VERIFY WHETHER THE PLATES ARE CURRENTLY ISSUED. IF THE
5 PLATE IS NOT CURRENTLY ISSUED, THE DEPARTMENT SHALL RESERVE THE
6 REGISTRATION NUMBER UNTIL THE GROUP NOTIFIES THE DEPARTMENT TO
7 RELEASE THE REGISTRATION NUMBER.

8 (c) IF A REGISTRATION NUMBER IS NOT CURRENTLY ISSUED, THE
9 GROUP MAY AUCTION THE RIGHT TO USE THE REGISTRATION NUMBER IN A
10 MANNER CALCULATED TO BRING THE HIGHEST PRICE; EXCEPT THAT THE
11 DEPARTMENT MAY DENY THE SALE OR USE OF A REGISTRATION NUMBER
12 THAT IS OFFENSIVE OR INAPPROPRIATE.

13 **42-1-405. Creation of a private market for registration**

14 **numbers - fee.** (1) THE GROUP SHALL RAISE MONEY BY CREATING A
15 MARKET, WHICH MAY INCLUDE AN ON-LINE AUCTION SITE, FOR
16 REGISTRATION NUMBERS USING METHODS THAT ARE COMMERCIALY
17 REASONABLE, ACCOUNT FOR EXPENDITURES, AND ENSURE THE
18 COLLECTION OF THE STATE'S APPROVAL AND TRANSFER ROYALTY.

19 (2) THE ROYALTY FOR THE STATE'S APPROVAL AND TRANSFER OF
20 THE RIGHT TO USE A REGISTRATION NUMBER IS TWENTY-FIVE PERCENT OF
21 THE SALE PRICE OF THE TRANSFER. AT THE TIME OF SALE, THE PURCHASER
22 SHALL PAY THE ROYALTY TO THE GROUP. THIS PAYMENT IS NOT IN LIEU OF
23 THE NORMAL REGISTRATION FEES OR SPECIFIC OWNERSHIP TAX.

24 (3) A PERSON SHALL NOT SELL A REGISTRATION NUMBER AND THE
25 DEPARTMENT SHALL NOT ASSIGN A REGISTRATION NUMBER TO A VEHICLE
26 UNLESS THE REGISTRATION NUMBER WAS SOLD USING THE MARKET
27 CREATED BY THE GROUP.

1 **42-1-406. Alternate license plate sources authorized.** (1) THE
2 OWNER OF A REGISTRATION NUMBER UNDER THIS PART 4 MAY USE THE
3 REGISTRATION NUMBER ON PRIVATELY OBTAINED REPLICA PLATES IN LIEU
4 OF THE PLATES ISSUED UNDER PART 2 OF ARTICLE 3 OF THIS TITLE.

5 (2) TO QUALIFY FOR USE ON A VEHICLE, THE REPLICA PLATES MUST
6 COMPLY WITH THE STANDARDS OF THE DEPARTMENT FOR THE
7 MANUFACTURE AND DESIGN OF LICENSE PLATES; EXCEPT THAT THE PLATES
8 MAY BE MADE OUT OF ALTERNATE MATERIALS.

9 (3) THE OWNER OF THE REGISTRATION NUMBER USING REPLICA
10 PLATES ON A VEHICLE SHALL RETURN ANY OTHER PLATES ISSUED TO THE
11 VEHICLE TO THE DEPARTMENT. UPON RECEIVING THE ISSUED PLATES, THE
12 DEPARTMENT SHALL ISSUE NEW VALIDATING DECALS OR TABS TO THE
13 OWNER OF THE VEHICLE IF THE DEPARTMENT ISSUES VALIDATING DECALS
14 OR TABS FOR SUCH A VEHICLE.

15 **42-1-407. Administration.** (1) THE GROUP SHALL NOTIFY THE
16 DEPARTMENT WHEN THE RIGHT TO USE A REGISTRATION NUMBER HAS
17 BEEN SOLD AND THE GROUP HAS COLLECTED THE STATE'S SALE PROCEEDS
18 OR APPROVAL AND TRANSFER ROYALTY. UPON RECEIVING THE NOTICE,
19 THE DEPARTMENT SHALL CREATE A RECORD IN THE COLORADO STATE
20 TITLING AND REGISTRATION SYSTEM, CREATED IN SECTION 42-1-211,
21 CONTAINING THE NAME OF THE BUYER, THE VEHICLE IDENTIFICATION
22 NUMBER, IF APPLICABLE, AND THE CORRESPONDING REGISTRATION
23 NUMBER.

24 (2) IF THE REGISTRATION NUMBER CONSISTS OF A COMBINATION OF
25 LETTERS AND NUMBERS THAT IS NOT WITHIN THE NORMAL FORMAT OF
26 LICENSE PLATE CURRENTLY PRODUCED FOR THE DEPARTMENT, THE
27 DEPARTMENT SHALL ISSUE THE PLATES AS PERSONALIZED PLATES UNDER

1 SECTION 42-3-211.

2 (3) THE GROUP SHALL TRANSFER THE MONEYS COLLECTED UNDER
3 THIS PART 4 TO THE STATE TREASURER, WHO SHALL CREDIT THEM TO THE
4 REGISTRATION NUMBER FUND CREATED IN SECTION 42-1-408. ■

5 (4) THE GROUP MAY CONTRACT WITH ONE OR MORE PUBLIC OR
6 PRIVATE ENTITIES TO IMPLEMENT THIS PART 4.

7 (5) ANY MONEYS RECEIVED BY THE GROUP SHALL BE DEPOSITED
8 IN THE REGISTRATION NUMBER FUND.

9 **42-1-408. Registration number fund.** (1) THE REGISTRATION
10 NUMBER FUND IS HEREBY CREATED IN THE STATE TREASURY. THE
11 MONEYS IN THE FUND CONSIST OF THE PROCEEDS FROM THE SALE OF
12 REGISTRATION NUMBERS UNDER SECTION 42-1-404 AND THE ROYALTY
13 FROM PRIVATE SALES OF REGISTRATION NUMBERS UNDER SECTION
14 42-1-405.

15 (2) THE GENERAL ASSEMBLY SHALL APPROPRIATE THE AMOUNTS
16 NECESSARY, NOT TO EXCEED FIVE PERCENT OF THE FUND, TO IMPLEMENT
17 THIS PART 4 FROM THE REGISTRATION NUMBER FUND TO THE DEPARTMENT,
18 GOVERNOR'S OFFICE, AND THE GROUP.

19 (3) (a) (I) EXCEPT AS SPECIFIED IN PARAGRAPH (b) OF THIS
20 SUBSECTION (3), AT THE END OF EACH FISCAL YEAR, THE STATE
21 TREASURER SHALL TRANSFER ONE MILLION FIVE HUNDRED THOUSAND
22 DOLLARS, OR THE BALANCE OF THE REGISTRATION NUMBER FUND IF THE
23 BALANCE IS A LESSER AMOUNT, FROM THE REGISTRATION NUMBER FUND
24 TO THE DISABILITY-BENEFIT SUPPORT FUND CREATED IN SECTION
25 26-2-1105, C.R.S.

26 (II) IF ANY MONEYS REMAIN IN THE REGISTRATION NUMBER FUND
27 AFTER THE TRANSFER REQUIRED BY SUBPARAGRAPH (I) OF THIS

1 PARAGRAPH (a), THE STATE TREASURER SHALL TRANSFER TWO MILLION
2 FIVE HUNDRED THOUSAND DOLLARS, OR THE BALANCE OF THE FUND IF THE
3 BALANCE IS A LESSER AMOUNT, FROM THE REGISTRATION NUMBER FUND
4 TO THE GENERAL FUND.

5 (III) IF ANY MONEYS REMAIN IN THE REGISTRATION NUMBER FUND
6 AFTER THE TRANSFERS REQUIRED BY SUBPARAGRAPHS (I) AND (II) OF THIS
7 PARAGRAPH (a), THE STATE TREASURER SHALL TRANSFER THE BALANCE
8 FROM THE REGISTRATION NUMBER FUND TO THE DISABILITY-BENEFIT
9 SUPPORT FUND CREATED BY SECTION 26-2-1105, C.R.S.

10 (b) THE TREASURER SHALL ADJUST THE TRANSFERS REQUIRED BY
11 PARAGRAPH (a) OF THIS SUBSECTION (3) ON JULY 1 OF EACH YEAR IN
12 PROPORTION TO THE AGGREGATE CHANGE IN THE UNITED STATES
13 DEPARTMENT OF LABOR BUREAU OF LABOR STATISTICS CONSUMER PRICE
14 INDEX FOR ALL URBAN CONSUMERS FOR THE DENVER-BOULDER-GREELEY
15 CONSOLIDATED METROPOLITAN STATISTICAL AREA. THE TREASURER MAY
16 ROUND THE DOLLAR AMOUNT OF THE ADJUSTMENT TO THE NEAREST TEN
17 DOLLARS.

18 **SECTION 4. Appropriation.** (1) In addition to any other
19 appropriation, there is hereby appropriated, out of any moneys in the
20 Colorado state titling and registration account of the highway users tax
21 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
22 otherwise appropriated, to the department of revenue, for allocation to the
23 information technology division, for the fiscal year beginning July 1,
24 2011, the sum of two thousand nine hundred sixty dollars (\$2,960) cash
25 funds, or so much thereof as may be necessary, for the implementation of
26 this act.

27 (2) In addition to any other appropriation, there is hereby

1 appropriated to the governor - lieutenant governor - state planning and
2 budgeting, for allocation to the office of information technology, for the
3 fiscal year beginning July 1, 2011, the sum of two thousand nine hundred
4 sixty dollars (\$2,960), or so much thereof as may be necessary, for the
5 programming services to be provided to the department of revenue related
6 to the implementation of this act. Said sum shall be from reappropriated
7 funds received from the department of revenue out of the appropriation
8 made in subsection (1) of this section.

9 **SECTION 5. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety.