

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

**INTRODUCED**

LLS NO. 11-0672.01 Jery Payne

**HOUSE BILL 11-1166**

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**HOUSE SPONSORSHIP**

**Murray,**

**SENATE SPONSORSHIP**

**Aguilar,**

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**House Committees**  
Transportation

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE CREATION OF A TYPE 1 DIABETES SPECIAL LICENSE**  
102     **PLATE.**

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**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 type 1 diabetes special license plate. 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.*

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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 - type 1 diabetes.** (1) BEGINNING THE  
6 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 TYPE 1 DIABETES  
13 SPECIAL LICENSE PLATE. THE DEPARTMENT MAY STOP ISSUING THE TYPE  
14 1 DIABETES SPECIAL LICENSE PLATE IF THREE THOUSAND LICENSE PLATES  
15 ARE NOT ISSUED BY JULY 1, 2014. A PERSON MAY CONTINUE TO USE THE  
16 TYPE 1 DIABETES SPECIAL LICENSE PLATE AFTER JULY 1, 2014.

17             (b) THE TYPE 1 DIABETES FOUNDATION OF COLORADO MAY DESIGN  
18 THE SPECIAL LICENSE PLATES, BUT THE DESIGN MUST CONFORM WITH  
19 STANDARDS ESTABLISHED BY THE DEPARTMENT.

20             (3) A PERSON MAY APPLY FOR A TYPE 1 DIABETES SPECIAL LICENSE  
21 PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THIS  
22 SECTION.

23             (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE  
24 PLATES UNDER THIS SECTION ARE THE SAME AS THE AMOUNT OF THE  
25 TAXES AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT  
26 THAT THE DEPARTMENT SHALL COLLECT A ONE-TIME FEE OF TWENTY-FIVE

1 DOLLARS FOR ISSUANCE OR REPLACEMENT OF EACH SUCH LICENSE PLATE.  
2 THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME FEE TO  
3 THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE HIGHWAY  
4 USERS TAX FUND CREATED IN SECTION 43-4-201, C.R.S.

5 (5) AN APPLICANT MAY APPLY FOR PERSONALIZED TYPE 1  
6 DIABETES SPECIAL LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL  
7 FEE REQUIRED BY SECTION 42-3-211 (6) (a) FOR PERSONALIZED LICENSE  
8 PLATES, THE DEPARTMENT MAY ISSUE SUCH PLATES IF THE APPLICANT  
9 COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS EXISTING  
10 PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT  
11 MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET  
12 OF TYPE 1 DIABETES SPECIAL LICENSE PLATES FOR THE VEHICLE UPON  
13 PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6) (a) AND UPON  
14 TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO  
15 HAS OBTAINED PERSONALIZED TYPE 1 DIABETES SPECIAL LICENSE PLATES  
16 UNDER THIS SUBSECTION (5) SHALL PAY THE ANNUAL FEE IMPOSED BY  
17 SECTION 42-3-211 (6) (b) FOR RENEWAL OF SUCH PERSONALIZED PLATES.  
18 THE FEES UNDER THIS SUBSECTION (5) ARE IN ADDITION TO ALL OTHER  
19 APPLICABLE TAXES AND FEES.

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

22 **42-3-312. Special license plate surcharge.** In addition to any  
23 other fee imposed by this article, an applicant for a special license plate  
24 created by rule in accordance with section 42-3-207, as such section  
25 existed when the plate was created, or license plates issued pursuant to  
26 sections 42-3-211 to 42-3-218, ~~and~~ sections 42-3-221 to 42-3-234, AND  
27 SECTION 42-3-236 shall pay an issuance fee of twenty-five dollars; except

1     that the fee ~~shall~~ IS not ~~be~~ imposed on special license plates exempted  
2     from additional fees for the issuance of a military special license plate by  
3     section 42-3-213 (1) (b) (II). The fee shall be transferred to the state  
4     treasurer and credited to the licensing services cash fund created in  
5     section 42-2-114.5.

6             **SECTION 3. 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.