

**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. 11-0672.01 Jery Payne

**HOUSE BILL 11-1166**

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**HOUSE SPONSORSHIP**

**Murray,**

**SENATE SPONSORSHIP**

**Aguilar,**

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**House Committees**

Transportation  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE CREATION OF A TYPE 1 DIABETES SPECIAL LICENSE**  
102     **PLATE, AND MAKING AN APPROPRIATION THEREFOR.**

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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.*

HOUSE  
Amended 2nd Reading  
March 15, 2011

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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 JUVENILE DIABETES  
13 SPECIAL LICENSE PLATE. THE DEPARTMENT MAY STOP ISSUING THE  
14 JUVENILE DIABETES SPECIAL LICENSE PLATE IF THREE THOUSAND  
15 LICENSE PLATES ARE NOT ISSUED BY JULY 1, 2014. A PERSON MAY  
16 CONTINUE TO USE THE JUVENILE DIABETES SPECIAL LICENSE PLATE AFTER  
17 JULY 1, 2014.

18 (b) THE DESIGN FOR THE SPECIAL LICENSE PLATES MUST INDICATE  
19 THAT THE OWNER OF THE MOTOR VEHICLE TO WHICH THE PLATE IS  
20 ATTACHED SUPPORTS RESEARCH TO CURE JUVENILE DIABETES AND MUST  
21 CONFORM WITH STANDARDS ESTABLISHED BY THE DEPARTMENT.

22 (3) A PERSON MAY APPLY FOR A JUVENILE DIABETES SPECIAL  
23 LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED  
24 UNDER THIS SECTION.

25 (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE  
26 PLATES UNDER THIS SECTION ARE THE SAME AS THE AMOUNT OF THE

1 TAXES AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT  
2 THAT THE DEPARTMENT SHALL COLLECT A ONE-TIME FEE OF TWENTY-FIVE  
3 DOLLARS FOR ISSUANCE OR REPLACEMENT OF EACH SUCH LICENSE PLATE.  
4 THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME FEE TO  
5 THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE HIGHWAY  
6 USERS TAX FUND CREATED IN SECTION 43-4-201, C.R.S.

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

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

24 **42-3-312. Special license plate surcharge.** In addition to any  
25 other fee imposed by this article, an applicant for a special license plate  
26 created by rule in accordance with section 42-3-207, as such section  
27 existed when the plate was created, or license plates issued pursuant to

1 sections 42-3-211 to 42-3-218, ~~and~~ sections 42-3-221 to 42-3-234, AND  
2 SECTION 42-3-236 shall pay an issuance fee of twenty-five dollars; except  
3 that the fee ~~shall~~ IS not ~~be~~ imposed on special license plates exempted  
4 from additional fees for the issuance of a military special license plate by  
5 section 42-3-213 (1) (b) (II). The fee shall be transferred to the state  
6 treasurer and credited to the licensing services cash fund created in  
7 section 42-2-114.5.

8 **SECTION 3. Appropriation.** (1) In addition to any other  
9 appropriation, there is hereby appropriated, out of any moneys in the  
10 Colorado state titling and registration account of the highway users tax  
11 fund created in section 42-1-211 (2), Colorado Revised Statutes, not  
12 otherwise appropriated, to the department of revenue, for allocation to the  
13 information technology division, for the fiscal year beginning July 1,  
14 2011, the sum of two thousand nine hundred sixty dollars (\$2,960) cash  
15 funds, or so much thereof as may be necessary, for the implementation of  
16 this act.

17 (2) In addition to any other appropriation, there is hereby  
18 appropriated to the governor - lieutenant governor - state planning and  
19 budgeting, for allocation to the office of information technology, for the  
20 fiscal year beginning July 1, 2011, the sum of two thousand nine hundred  
21 sixty dollars (\$2,960), or so much thereof as may be necessary, for the  
22 programming services to be provided to the department of revenue related  
23 to the implementation of this act. Said sum shall be from reappropriated  
24 funds received from the department of revenue out of the appropriation  
25 made in subsection (1) of this section.

26 (3) In addition to any other appropriation, there is hereby  
27 appropriated, out of any moneys in the license plate cash fund created in

1 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise  
2 appropriated, to the department of revenue, for allocation to the division  
3 of motor vehicles, for the fiscal year beginning July 1, 2011, the sum of  
4 nine thousand two hundred eighty dollars (\$9,280) cash funds, or so much  
5 thereof as may be necessary, for the implementation of this act.

6 **SECTION 4. 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.