

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

REVISED

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

LLS NO. 11-0672.01 Jery Payne

HOUSE BILL 11-1166

HOUSE SPONSORSHIP

Murray,

SENATE SPONSORSHIP

Aguilar,

House Committees

Transportation
Appropriations

Senate Committees

Transportation
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A TYPE 1 DIABETES SPECIAL LICENSE**
102 **PLATE, AND 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.>)

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.*

SENATE
Am ended 2nd Reading
May 3, 2011

HOUSE
3rd Reading Unam ended
March 18, 2011

HOUSE
Am ended 2nd Reading
March 15, 2011

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 JUVENILE DIABETES RESEARCH FOUNDATION MAY DESIGN
19 THE SPECIAL LICENSE PLATE. THE DESIGN FOR THE SPECIAL LICENSE PLATE
20 MUST CONFORM WITH STANDARDS ESTABLISHED BY THE DEPARTMENT AND
21 IS SUBJECT TO THE DEPARTMENT'S APPROVAL.

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 seventeen thousand seven hundred sixty dollars (\$17,760) cash funds, or
5 so much 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.