

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 11-0672.01 Jery Payne

**HOUSE BILL 11-1166**

---

**HOUSE SPONSORSHIP**

**Murray,**

**SENATE SPONSORSHIP**

**Aguilar,**

---

**House Committees**

Transportation  
Appropriations

**Senate Committees**

---

**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.*

---

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 DESIGN FOR THE SPECIAL LICENSE PLATES MUST INDICATE  
18 THAT THE OWNER OF THE MOTOR VEHICLE TO WHICH THE PLATE IS  
19 ATTACHED SUPPORTS RESEARCH TO CURE TYPE 1 DIABETES AND MUST  
20 CONFORM WITH STANDARDS ESTABLISHED BY THE DEPARTMENT.

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

24             (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE  
25 PLATES UNDER THIS SECTION ARE THE SAME AS THE AMOUNT OF THE  
26 TAXES AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT

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

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

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

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

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

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

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

25 (3) In addition to any other appropriation, there is hereby  
26 appropriated, out of any moneys in the license plate cash fund created in  
27 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise

1 appropriated, to the department of revenue, for allocation to the division  
2 of motor vehicles, for the fiscal year beginning July 1, 2011, the sum of  
3 nine thousand two hundred eighty dollars (\$9,280) cash funds, or so much  
4 thereof as may be necessary, for the implementation of this act.

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