

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 12-0963.01 Jery Payne x2157

SENATE BILL 12-184

SENATE SPONSORSHIP

Cadman, Tochtrop

HOUSE SPONSORSHIP

Priola,

Senate Committees

Transportation
Finance
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE REGISTRATION OF SPECIAL MOBILE MACHINERY**
102 **FLEETS, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **APPROPRIATION.**

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 allows an owner of more than 10 pieces of special mobile machinery to register all new special mobile machinery quarterly with the county and to obtain and use special mobile machinery plates, stickers, or certificates to designate that the registration for the machinery is pending.

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.

This allows the owner to renew the registrations for all of the machinery on the same date each year. If the machinery is not intended for highway use, its plate is not required to have an annual validating tab or sticker. Fees are set to implement the bill.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-3-107, **add** (16)

3 (f) as follows:

4 **42-3-107. Taxable value of classes of property - rate of tax -**

5 **when and where payable - department duties - apportionment of tax**

6 **collections - definitions - rules.** (16) (f) (I) IF THE OWNER OF SPECIAL

7 MOBILE MACHINERY WHO IS PAYING SPECIFIC OWNERSHIP TAX UNDER THIS

8 SUBSECTION (16) REGULARLY HAS MORE THAN TEN PIECES OF SPECIAL

9 MOBILE MACHINERY IN THE STATE, THE DEPARTMENT MAY ISSUE TO THE

10 OWNER A REGISTRATION PERIOD CERTIFICATE. THE OWNER MUST PRESENT

11 THE REGISTRATION PERIOD CERTIFICATE TO THE APPROPRIATE

12 AUTHORIZED AGENT NO LATER THAN THE TENTH DAY AFTER THE MONTH

13 WHEN REGISTRATION OF ANY MOTOR VEHICLE IS REQUIRED BY THIS

14 ARTICLE. WHEN SO PRESENTED, THE TWELVE-MONTH PERIOD STATED IN

15 THE REGISTRATION PERIOD CERTIFICATE GOVERNS THE DATE WHEN

16 REGISTRATION IS REQUIRED FOR EACH FLEET VEHICLE OWNED OR LEASED

17 BY THE OWNER.

18 (II) NOTWITHSTANDING ANY PROVISION OF THIS TITLE, THE

19 DEPARTMENT MAY PROMULGATE RULES TO ESTABLISH REQUIREMENTS FOR

20 AN OWNER TO REGISTER A SPECIAL MOBILE MACHINERY FLEET THAT IS

21 IDENTIFIED BY SPECIAL LICENSE PLATES OR STICKERS. IF THE MACHINERY

22 IS NOT INTENDED FOR HIGHWAY USE, THE DEPARTMENT SHALL NOT

23 REQUIRE THE PLATES TO HAVE AN ANNUAL VALIDATING TAB OR STICKER.

1 REGISTRATION FEES PAYABLE ON THE MACHINERY UNDER A MULTI-YEAR
2 AGREEMENT ARE NOT DISCOUNTED BELOW THE OTHERWISE APPLICABLE
3 ANNUAL REGISTRATION FEES.

4 (III) SPECIAL MOBILE MACHINERY REGISTERED UNDER THIS
5 PARAGRAPH (f) OR AFTER THE ISSUANCE OF A REGISTRATION PERIOD
6 CERTIFICATE OR THE EXECUTION OF A MULTI-YEAR AGREEMENT ARE
7 SUBJECT TO SECTION 42-3-109.

8 (IV) (A) THE OWNER SHALL PAY THE ANNUAL REGISTRATION FEES
9 REQUIRED BY SECTIONS 42-3-304 TO 42-3-306 FOR SPECIAL MOBILE
10 MACHINERY, REDUCED BY TWENTY-FIVE PERCENT FOR EACH ELAPSED
11 QUARTER, BEFORE APPLYING FOR THE BALANCE OF THE REGISTRATION
12 PERIOD.

13 (B) THE FEES AND TAXES FOR SPECIAL MOBILE MACHINERY
14 REGISTERED UNDER THIS PARAGRAPH (f) PRIOR TO THE EFFECTIVE DATE OF
15 THE REGISTRATION PERIOD CERTIFICATE OR MULTI-YEAR AGREEMENT
16 MUST BE APPORTIONED IN THE MANNER REQUIRED BY SUBPARAGRAPH (III)
17 OF THIS PARAGRAPH (f).

18 (C) AN AUTHORIZED AGENT MAY ISSUE INDIVIDUAL REGISTRATION
19 NUMBER PLATES, STICKERS, OR CERTIFICATES UPON APPLICATION BY AN
20 OWNER OF SPECIAL MOBILE MACHINERY OR THE OWNER'S AGENT AND THE
21 PAYMENT OF A REGISTRATION FEE OF SEVEN DOLLARS. OF THE
22 SEVEN-DOLLAR FEE, THREE DOLLARS AND SIXTY CENTS IS TO BE RETAINED
23 BY THE AUTHORIZED AGENT OR DEPARTMENT ISSUING THE PLATES,
24 STICKERS, OR CERTIFICATES; FORTY CENTS IS TO BE REMITTED MONTHLY
25 TO THE DEPARTMENT, WHICH SHALL THEN TRANSMIT IT TO THE STATE
26 TREASURER FOR CREDIT TO THE HIGHWAY USERS TAX FUND; AND THREE
27 DOLLARS IS AVAILABLE UPON APPROPRIATION BY THE GENERAL ASSEMBLY

1 TO FUND THE ADMINISTRATION AND ENFORCEMENT OF THIS PARAGRAPH
2 (f). THE OWNER OR THE OWNER'S AGENT MAY THEN AFFIX THE PLATE,
3 STICKER, OR CERTIFICATE TO SPECIAL MOBILE MACHINERY PURCHASED OR
4 BROUGHT INTO THE STATE PENDING REGISTRATION.

5 (V) AN OWNER ISSUED A REGISTRATION PERIOD CERTIFICATE
6 UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH (f) MAY REGISTER AND
7 PAY REGISTRATION FEES AND OTHER LICENSE FEES DUE FOR THE SPECIAL
8 MOBILE MACHINERY NO LATER THAN THE TWENTIETH DAY OF EACH
9 QUARTER FOR ALL NEW SPECIAL MOBILE MACHINERY DELIVERED INTO THE
10 STATE DURING THE PRECEDING QUARTER. THE OWNER SHALL SUBMIT A
11 REPORT, USING FORMS FURNISHED BY THE DEPARTMENT, TO THE
12 AUTHORIZED AGENT IN THE COUNTY WHERE THE MACHINERY WAS FIRST
13 DELIVERED INTO THE STATE, TOGETHER WITH THE REMITTANCE FOR ALL
14 TAXES AND FEES DUE FOR THE PRECEDING QUARTER. THE OWNER SHALL
15 SIMULTANEOUSLY SUBMIT A COPY OF EACH REPORT TO THE DEPARTMENT.
16 THE MACHINERY IS DEEMED REGISTERED PENDING THE TIMELY FILING OF
17 THE REPORT SO LONG AS THE MACHINERY DISPLAYS THE NUMBERED
18 PLATE, STICKER, OR CERTIFICATE REQUIRED BY THE DEPARTMENT.

19 **SECTION 2. In Colorado Revised Statutes, add 42-3-241 as**
20 **follows:**

21 **42-3-241. Special plates - bobcats for kids. (1) BEGINNING**
22 **JANUARY 1, 2012, THE DEPARTMENT SHALL ISSUE LICENSE PLATES TO**
23 **QUALIFIED APPLICANTS IN ACCORDANCE WITH THIS SECTION FOR CLASS D**
24 **SPECIAL MOBILE MACHINERY.**

25 **(2) THERE IS HEREBY ESTABLISHED THE BOBCATS FOR KIDS**
26 **LICENSE PLATE.**

27 **(3) A PERSON MAY APPLY FOR A LICENSE PLATE UNDER THIS**

1 SECTION IF THE PERSON PAYS THE TAXES AND FEES REQUIRED BY THIS
2 SECTION.

3 (4) THE AMOUNT OF THE TAXES AND FEES FOR LICENSE PLATES
4 UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES AND
5 FEES SPECIFIED FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT
6 THAT THE DEPARTMENT SHALL COLLECT A ONE-TIME FEE OF TWENTY-FIVE
7 DOLLARS FOR THE ISSUANCE OR REPLACEMENT OF EACH SUCH LICENSE
8 PLATE. THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME
9 FEE TO THE STATE BOARD OF BOARD OF PARKS AND WILDLIFE FOR
10 OFF-ROAD IMPROVEMENTS.

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

26 **SECTION 3. Appropriation.** (1) In addition to any other
27 appropriation, there is hereby appropriated, out of any moneys in the

1 Colorado state titling and registration account of the highway users tax
2 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
3 otherwise appropriated, to the department of revenue, for the fiscal year
4 beginning July 1, 2012, the sum of \$126,563 and 0.8 FTE, or so much
5 thereof as may be necessary, to be allocated for the implementation of this
6 act as follows:

7 (a) \$28,426 and 0.8 FTE for personal services in the division of
8 motor vehicles, titles section;

9 (b) \$21,917 for operating expenses and postage in the central
10 department operations division and the division of motor vehicle, titles
11 section; and

12 (c) \$76,220 for the purchase of computer center services in the
13 information technology division.

14 (2) In addition to any other appropriation, there is hereby
15 appropriated to the governor - lieutenant governor - state planning and
16 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$76,220,
17 or so much thereof as may be necessary, for allocation to the office of
18 information technology, for the provision of computer center services for
19 the department of revenue related to the implementation of this act. Said
20 sum is from reappropriated funds received from the department of
21 revenue out of the appropriation made in paragraph (c) of subsection (1)
22 of this section.

23 (3) In addition to any other appropriation, there is hereby
24 appropriated, out of any moneys in the license plate cash fund created in
25 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise
26 appropriated, to the department of revenue, for the fiscal year beginning
27 July 1, 2012, the sum of \$124,492, or so much thereof as may be

1 necessary, for allocation to the division of motor vehicles for the purchase
2 of license plates related to the implementation of this act.

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

13 (2) The provisions of this act apply to acts committed on or after
14 January 1, 2013.