

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0963.01 Jery Payne x2157

SENATE BILL 12-184

SENATE SPONSORSHIP

Cadman, Tochtrop

HOUSE SPONSORSHIP

(None),

Senate Committees
Transportation

House Committees

A BILL FOR AN ACT

101 CONCERNING THE REGISTRATION OF SPECIAL MOBILE MACHINERY
102 FLEETS.

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. This allows the owner to renew the registrations for all of the machinery

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.

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 ALL FLEET VEHICLES 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.
24 REGISTRATION FEES PAYABLE ON THE MACHINERY UNDER A MULTI-YEAR

1 AGREEMENT ARE NOT DISCOUNTED BELOW THE OTHERWISE APPLICABLE
2 ANNUAL REGISTRATION FEES.

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

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

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

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

1 (f). THE OWNER OR THE OWNER'S AGENT MAY THEN AFFIX THE PLATE,
2 STICKER, OR CERTIFICATE TO SPECIAL MOBILE MACHINERY PURCHASED OR
3 BROUGHT INTO THE STATE PENDING REGISTRATION.

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

18 **SECTION 2. Act subject to petition - effective date -**
19 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
20 the expiration of the ninety-day period after final adjournment of the
21 general assembly (August 8, 2012, if adjournment sine die is on May 9,
22 2012); except that, if a referendum petition is filed pursuant to section 1
23 (3) of article V of the state constitution against this act or an item, section,
24 or part of this act within such period, then the act, item, section, or part
25 will not take effect unless approved by the people at the general election
26 to be held in November 2012 and, in such case, will take effect on the
27 date of the official declaration of the vote thereon by the governor.

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