

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REREVISED

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

LLS NO. 13-0063.01 Jery Payne x2157

HOUSE BILL 13-1071

HOUSE SPONSORSHIP

Holbert,

SENATE SPONSORSHIP

Tochtrop,

House Committees

Transportation & Energy
Finance
Appropriations

Senate Committees

Transportation
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE TYPE OF VEHICLE THAT QUALIFIES TO REGISTER AS**
102 **A COLLECTOR VEHICLE, AND, IN CONNECTION THEREWITH,**
103 **MAKING AN 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>.)

Currently, a motor vehicle qualifies to be registered as a collector's item if it is of model year 1975 or older or has been grandfathered in. The bill includes vehicles that are 32 years old, but if the vehicle is being registered where an emissions test is required, then the vehicle must pass

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
3rd Reading Unamended
April 19, 2013

SENATE
Amended 2nd Reading
April 18, 2013

HOUSE
3rd Reading Unamended
March 11, 2013

HOUSE
Amended 2nd Reading
March 8, 2013

an emissions test.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-12-101, **amend**
3 (2) as follows:

4 **42-12-101. Definitions.** As used in this article, unless the context
5 otherwise requires:

6 (2) "Collector's item" means a motor vehicle, including a truck or
7 truck tractor, that is of:

8 (a) Model year 1975 or earlier; ~~or~~

9 (b) Model year 1976 or later that was registered as a collector's
10 item prior to September 1, 2009; except that a vehicle so registered is not
11 eligible for registration as a collector's item upon sale or transfer to a new
12 owner; OR

13 (c) A MODEL YEAR AT LEAST THIRTY-TWO YEARS OLD; EXCEPT
14 THAT, IF THE VEHICLE IS BEING REGISTERED IN THE PROGRAM AREA, AS
15 DEFINED IN SECTION 42-4-304:

16 (I) THE VEHICLE MUST HAVE PASSED AN EMISSIONS TEST MEETING
17 THE STANDARDS OF PART 3 OF ARTICLE 4 OF THIS TITLE WITHIN THE LAST
18 TWELVE MONTHS BEFORE BEING INITIALLY REGISTERED BY THE OWNER AS
19 A COLLECTOR'S ITEM; AND

20 (II) THE OWNER MUST SIGN AN AFFIDAVIT THAT THE VEHICLE WILL
21 NOT BE DRIVEN ON ROADWAYS FOR MORE THAN FOUR THOUSAND FIVE
22 HUNDRED MILES PER YEAR.

23 **SECTION 2.** In Colorado Revised Statutes, 42-12-404, **amend**
24 (1); and **add** (3) as follows:

25 **42-12-404. Emissions.** (1) EXCEPT AS PROVIDED IN SUBSECTION

1 (3) OF THIS SECTION, a motor vehicle of historic or special interest
2 manufactured prior to the date emission controls were standard equipment
3 on that particular make or model of vehicle is exempted from statutes
4 requiring the inspection and use of such emission controls. A motor
5 vehicle using emission controls as standard equipment at the time of
6 manufacture must have such equipment in proper operating condition at
7 all times when the vehicle is operated on or for highway purposes.

8 (3) TO REGISTER OR RE-REGISTER A COLLECTOR'S ITEM THAT IS
9 MODEL YEAR 1976 OR LATER, THE OWNER MUST HAVE A CERTIFICATE OF
10 EMISSION CONTROL ISSUED UNDER PART 3 OF ARTICLE 4 OF THIS TITLE.

11 **SECTION 3.** In Colorado Revised Statutes, 42-4-304, **amend** (3)
12 **(b) (II) as follows:**

13 **42-4-304. Definitions relating to automobile inspection and**
14 **readjustment program.** As used in sections 42-4-301 to 42-4-316,
15 **unless the context otherwise requires:**

16 **(3) (b) (II) Except as provided in paragraph (c) of this subsection**
17 **(3) and in section 42-4-309, THE EXECUTIVE DIRECTOR SHALL ESTABLISH**
18 **a biennial inspection schedule shall be established for 1982 and newer**
19 **model vehicles, and an annual INSPECTION schedule shall be established**
20 **for 1981 and older model vehicles, AND A FIVE-YEAR INSPECTION**
21 **SCHEDULE FOR A 1976 OR NEWER MOTOR VEHICLE REGISTERED AS A**
22 **COLLECTOR'S ITEM.**

23 **SECTION 4.** In Colorado Revised Statutes, 42-4-310, **add** (1) (a)
24 **(II) (D) as follows:**

25 **42-4-310. Periodic emissions control inspection required.**
26 **(1) (a) (II) (D) TO BE SOLD OR TRANSFERRED OR TO RENEW THE**
27 **REGISTRATION, 1976 AND NEWER MODEL MOTOR VEHICLES REGISTERED AS**

1 A COLLECTOR'S ITEM UNDER ARTICLE 12 OF THIS TITLE MUST BE INSPECTED
2 AND HAVE A CERTIFICATION OF EMISSIONS CONTROL. THE CERTIFICATION
3 OF EMISSIONS CONTROL IS VALID FOR SIXTY MONTHS.

4 **SECTION 5.** In Colorado Revised Statutes, 42-4-311, amend (3)
5 (a) (II) as follows:

6 **42-4-311. Operation of inspection and readjustment stations**
7 **- inspection-only facilities - fleet inspection stations - motor vehicle**
8 **dealer test facilities - enhanced inspection centers.** (3) (a) (II) EXCEPT
9 AS REQUIRED BY SECTION 42-12-404, no verification of emissions test is
10 required to be issued to or required for any motor vehicle that is registered
11 as a collector's item pursuant to UNDER section 42-12-401.

12 **SECTION 6. Appropriation.** (1) In addition to any other
13 appropriation, there is hereby appropriated, to the department of revenue,
14 for the fiscal year beginning July 1, 2013, the sum of \$193,489 cash
15 funds, or so much thereof as may be necessary, to be allocated for the
16 implementation of this act as follows:

17 (a) \$604 from the Colorado state titling and registration account
18 in the highway users tax fund created in section 42-1-211 (2), Colorado
19 Revised Statutes to the information technology division for the purchase
20 of computer center services; and

21 (b) \$192,885 from the license plate cash fund created in section
22 42-3-301 (1) (b), Colorado Revised Statutes, to the division of motor
23 vehicles for the purchase of license plates.

24 (2) In addition to any other appropriation, there is hereby
25 appropriated to the governor - lieutenant governor - state planning and
26 budgeting, for the fiscal year beginning July 1, 2013, the sum of \$604, or
27 so much thereof as may be necessary, for allocation to the office of

1 information technology, for the provision of computer center services for
2 the department of revenue related to the implementation of this act. Said
3 sum is from reappropriated funds received from the department of
4 revenue out of the appropriation made in paragraph (a) of subsection (1)
5 of this section.

6 **SECTION 7. Act subject to petition - effective date.** This act
7 takes 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 7, 2013, if adjournment sine die is on May 8, 2013); 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 will not take effect
13 unless approved by the people at the general election to be held in
14 November 2014 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.