

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 13-0889.01 Jery Payne x2157

SENATE BILL 13-224

SENATE SPONSORSHIP

Kerr and Baumgardner,

HOUSE SPONSORSHIP

Hamner and Wright, McLachlan

Senate Committees

Transportation
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A "PROTECT OUR RIVERS" LICENSE**
102 **PLATE FOR COLORADO TROUT UNLIMITED, AND, IN CONNECTION**
103 **THEREWITH, 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>.)

The bill creates the "Protect Our Rivers" license plate. A person becomes eligible to use the plate by donating \$25 to Colorado trout unlimited. This donation may not be used for litigation or lobbying. In addition to the normal motor vehicle fees, the plate requires 2 one-time

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
Amended 2nd Reading
April 18, 2013

fees of \$25. One of the fees is credited to the highway users tax fund and the other to the licensing services cash fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 42-3-246 as
3 follows:

4 **42-3-246. Special plates - "Protect Our Rivers".**

5 (1) BEGINNING THE EARLIER OF JANUARY 1, 2014, OR WHEN THE
6 DEPARTMENT IS ABLE TO ISSUE THE PLATES, THE DEPARTMENT SHALL
7 ISSUE SPECIAL LICENSE PLATES TO QUALIFIED APPLICANTS UNDER THIS
8 SECTION FOR MOTORCYCLES, PASSENGER CARS, TRUCKS, OR
9 NONCOMMERCIAL OR RECREATIONAL MOTOR VEHICLES THAT DO NOT
10 EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT.

11 (2) (a) THERE IS HEREBY ESTABLISHED THE "PROTECT OUR
12 RIVERS" LICENSE PLATE. THE DEPARTMENT MAY STOP ISSUING THE
13 "PROTECT OUR RIVERS" LICENSE PLATE IF THREE THOUSAND LICENSE
14 PLATES ARE NOT ISSUED BY JULY 1, 2017. A PERSON MAY CONTINUE TO
15 USE THE "PROTECT OUR RIVERS" LICENSE PLATE AFTER JULY 1, 2017.

16 (b) COLORADO TROUT UNLIMITED MAY DESIGN THE SPECIAL
17 LICENSE PLATES, BUT THE DESIGN MUST CONFORM WITH STANDARDS
18 ESTABLISHED BY THE DEPARTMENT.

19 (3) (a) A PERSON MAY APPLY FOR A "PROTECT OUR RIVERS"
20 LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED
21 UNDER THIS SECTION AND PROVIDES TO THE DEPARTMENT OR AN
22 AUTHORIZED AGENT A CERTIFICATE, ISSUED BY COLORADO TROUT
23 UNLIMITED OR ITS SUCCESSOR ORGANIZATION, CONFIRMING THAT THE
24 APPLICANT HAS DONATED TWENTY-FIVE DOLLARS TO COLORADO TROUT
25 UNLIMITED.

1 (b) COLORADO TROUT UNLIMITED SHALL FILE WITH THE
2 DEPARTMENT AN ANNUAL STATEMENT VERIFYING THAT IT IS A NONPROFIT
3 ORGANIZATION UNLESS THE DEPARTMENT STOPS ISSUING THE LICENSE
4 PLATE PURSUANT TO PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION.

5 (c) COLORADO TROUT UNLIMITED SHALL NOT USE ANY MONEYS
6 FROM A DONATION MADE UNDER PARAGRAPH (a) OF THIS SUBSECTION (3)
7 FOR LITIGATION OR LOBBYING.

8 (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE
9 PLATES UNDER THIS SECTION ARE THE SAME AS THE AMOUNT OF THE
10 TAXES AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT
11 THAT THE DEPARTMENT SHALL COLLECT A ONE-TIME FEE OF TWENTY-FIVE
12 DOLLARS FOR ISSUANCE OR REPLACEMENT OF EACH LICENSE PLATE. THE
13 DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME FEE TO THE
14 STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE HIGHWAY USERS
15 TAX FUND CREATED IN SECTION 43-4-201, C.R.S.

16 (5) AN APPLICANT MAY APPLY FOR PERSONALIZED "PROTECT OUR
17 RIVERS" LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL FEE
18 REQUIRED BY SECTION 42-3-211 (6) (a) FOR PERSONALIZED LICENSE
19 PLATES, THE DEPARTMENT MAY ISSUE THE PLATES IF THE APPLICANT
20 COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS EXISTING
21 PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT
22 MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET
23 OF "PROTECT OUR RIVERS" LICENSE PLATES FOR THE VEHICLE UPON
24 PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6) (a) AND UPON
25 TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO
26 HAS OBTAINED PERSONALIZED "PROTECT OUR RIVERS" LICENSE PLATES
27 UNDER THIS SUBSECTION (5) SHALL PAY THE ANNUAL FEE IMPOSED BY

1 SECTION 42-3-211 (6) (b) FOR RENEWAL OF THE PERSONALIZED PLATES.
2 THE FEES UNDER THIS SUBSECTION (5) ARE IN ADDITION TO ALL OTHER
3 APPLICABLE TAXES AND FEES.

4 **SECTION 2.** In Colorado Revised Statutes, **amend** 42-3-312 as
5 follows:

6 **42-3-312. Special license plate surcharge.** In addition to any
7 other fee imposed by this article, an applicant for a special license plate
8 created by rule in accordance with section 42-3-207, as the section existed
9 when the plate was created, or license plates issued pursuant to sections
10 42-3-211 to 42-3-218, sections 42-3-221 to 42-3-234, and sections
11 42-3-237 to ~~42-3-245~~ 42-3-246 shall pay an issuance fee of twenty-five
12 dollars; except that the fee is not imposed on special license plates
13 exempted from additional fees for the issuance of a military special
14 license plate by section 42-3-213 (1) (b) (II). The department shall
15 transfer the fee to the state treasurer, who shall credit it to the licensing
16 services cash fund created in section 42-2-114.5.

17 **SECTION 3. Appropriation.** (1) In addition to any other
18 appropriation, there is hereby appropriated, out of any moneys in the
19 Colorado state titling and registration account of the highway users tax
20 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
21 otherwise appropriated, to the department of revenue, for the fiscal year
22 beginning July 1, 2013, the sum of \$2,972, or so much thereof as may be
23 necessary, to be allocated to the information technology division for the
24 purchase of computer programming services related to the
25 implementation of this act.

26 (2) 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 the fiscal year beginning
3 July 1, 2013, the sum of \$5,920, or so much thereof as may be necessary,
4 for allocation to the division of motor vehicles for the purchase of special
5 license plates related to the implementation of this act.

6 (3) In addition to any other appropriation, there is hereby
7 appropriated to the governor - lieutenant governor - state planning and
8 budgeting, for the fiscal year beginning July 1, 2013, the sum of \$2,972,
9 or so much thereof as may be necessary, for allocation to the office of
10 information technology, for the provision of computer center services for
11 the department of revenue related to the implementation of this act. Said
12 sum is from reappropriated funds received from the department of
13 revenue out of the appropriation made in subsection (1) of this section.

14 **SECTION 4. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part will not take effect
21 unless approved by the people at the general election to be held in
22 November 2014 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.