

**Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**REVISED**

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

LLS NO. 14-0229.01 Jery Payne x2157

**HOUSE BILL 14-1029**

---

**HOUSE SPONSORSHIP**

**Primavera**, Kraft-Tharp, Lee, Mitsch Bush, Peniston, Tyler

**SENATE SPONSORSHIP**

**Todd**, Heath, Jones

---

**House Committees**

Transportation & Energy  
Finance  
Appropriations

**Senate Committees**

Transportation  
Finance  
Appropriations

---

**A BILL FOR AN ACT**

101 **CONCERNING A RECODIFICATION OF THE LAWS GOVERNING RESERVED**  
102 **PARKING FOR PERSONS WITH DISABILITIES, AND, IN CONNECTION**  
103 **THEREWITH, MAKING AND REDUCING APPROPRIATIONS.**

---

**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>.)*

**Transportation Legislation Review Committee.** The bill recodifies the disabled parking statutes to clarify that:

! The Colorado advisory council for persons with disabilities may implement an education program;

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  
May 5, 2014

HOUSE  
3rd Reading Unamended  
April 7, 2014

HOUSE  
Amended 2nd Reading  
April 4, 2014

- ! A person may get personalized license plates with an identifying figure;
- ! The department of revenue places a "C" on the registration of the parent of a child who is mobility-impaired and has a license plate granting reserved parking;
- ! If an entity transports mobility-impaired people, the entity must provide a driver's license or identification document of its executive director or chief executive officer;
- ! When a person uses a disabled placard, the placard must be visible through the windshield and hung on the rear-view mirror or placed on the dashboard;
- ! An applicant for a license plate or placard with the identifying figure must sign an affidavit that the person for whom it is issued is eligible;
- ! Reserved parking signs must conform to the requirements of the "Americans with Disabilities Act";
- ! The chief officer and the employee of a company that violates disabled parking law are each individually liable; and
- ! The prohibition against using reserved parking for commercial purposes does not apply when the owner of the business consents to the use.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-1-227, **amend** (1)

3 (a) as follows:

4 **42-1-227. Disabled parking education program.** (1) Subject to  
 5 the availability of funds appropriated under section 42-1-226, the  
 6 Colorado advisory council for persons with disabilities, created in section  
 7 24-45.5-103, C.R.S.:

8 (a) May make grants or develop, IMPLEMENT, or deliver education  
 9 programs for the purpose of providing peace officers, local governments,  
 10 medical providers, drivers, and persons with disabilities with education  
 11 concerning eligibility standards for RESERVED parking ~~privileges~~  
 12 available to a person with a disability affecting mobility, appropriate use  
 13 of the RESERVED parking, ~~privileges~~, the legal standards and violations

1 contained in sections 42-3-204 and 42-4-1208, and the advantages of  
2 creating a volunteer enforcement program; and

3 **SECTION 2.** In Colorado Revised Statutes, **repeal and reenact,**  
4 **with amendments,** 42-3-204 as follows:

5 **42-3-204. Reserved parking for persons with disabilities -**  
6 **applicability - definitions - rules. (1) Definitions.** AS USED IN THIS  
7 SECTION:

8 (a) "DISABILITY" OR "DISABLED" MEANS A PHYSICAL IMPAIRMENT  
9 THAT MEETS THE STANDARDS OF 23 CFR 1235.

10 (b) "EXTENDED" MEANS A CONDITION THAT IS NOT EXPECTED TO  
11 CHANGE WITHIN THIRTY MONTHS AFTER THE ISSUANCE OF AN IDENTIFYING  
12 FIGURE, GIVEN THE CURRENT STATE OF MEDICAL OR ADAPTIVE  
13 TECHNOLOGY.

14 (c) "HOLDER" MEANS A PERSON WITH A DISABILITY WHO HAS  
15 LAWFULLY OBTAINED AN IDENTIFYING PLATE OR PLACARD.

16 (d) "IDENTIFICATION NUMBER" MEANS THE NUMBER ON A  
17 COLORADO DRIVER'S LICENSE, A COLORADO IDENTIFICATION DOCUMENT,  
18 OR AN IDENTIFICATION DOCUMENT ISSUED BY THE UNITED STATES.

19 (e) "IDENTIFYING FIGURE" MEANS A FIGURE THAT PROVIDES  
20 NOTICE THAT A PERSON IS AUTHORIZED TO USE A RESERVED PARKING  
21 SPACE.

22 (f) "IDENTIFYING PLACARD" MEANS A PLACARD BEARING AN  
23 IDENTIFYING FIGURE ISSUED UNDER THIS SECTION OR A SIMILAR PROVISION  
24 IN ANOTHER STATE AND REFERS TO A NINETY-DAY, THREE-YEAR, OR  
25 PERMANENT PLACARD.

26 (g) "IDENTIFYING PLATE" MEANS A LICENSE PLATE BEARING AN  
27 IDENTIFYING FIGURE ISSUED UNDER THIS SECTION OR A SIMILAR PROVISION

1 IN ANOTHER STATE AND REFERS TO EITHER A THREE-YEAR OR PERMANENT  
2 LICENSE PLATE.

3 (h) "PERMANENT" MEANS A CONDITION THAT IS NOT EXPECTED TO  
4 CHANGE WITHIN A PERSON'S LIFETIME, GIVEN THE CURRENT STATE OF  
5 MEDICAL OR ADAPTIVE TECHNOLOGY.

6 (i) "PROFESSIONAL" MEANS A PHYSICIAN LICENSED TO PRACTICE  
7 MEDICINE OR PRACTICING MEDICINE UNDER SECTION 12-36-106 (3) (i),  
8 C.R.S., A PHYSICIAN ASSISTANT LICENSED UNDER SECTION 12-36-107.4,  
9 C.R.S., A PODIATRIST LICENSED UNDER ARTICLE 32 OF TITLE 12, C.R.S.,  
10 AN ADVANCED PRACTICE NURSE REGISTERED UNDER SECTION 12-38-111.5,  
11 C.R.S., OR A PHYSICIAN, PHYSICIAN ASSISTANT, PODIATRIST, OR  
12 ADVANCED PRACTICE NURSE AUTHORIZED TO PRACTICE PROFESSIONALLY  
13 BY ANOTHER STATE THAT SHARES A COMMON BORDER WITH COLORADO.  
14 FOR THE PURPOSES OF ISSUANCE OF A NINETY-DAY PLACARD ONLY,  
15 "PROFESSIONAL" INCLUDES A CHIROPRACTOR OR PHYSICAL THERAPIST.

16 (j) "RESERVED PARKING" MEANS A PARKING SPACE RESERVED FOR  
17 A PERSON WITH A DISABILITY AS SET FORTH IN PARAGRAPH (a) OF THIS  
18 SUBSECTION (1).

19 (k) "TEMPORARY" MEANS A CONDITION THAT IS EXPECTED TO LAST  
20 LESS THAN THIRTY MONTHS AFTER THE ISSUANCE OF AN IDENTIFYING  
21 PLATE OR PLACARD, GIVEN THE CURRENT STATE OF MEDICAL OR ADAPTIVE  
22 TECHNOLOGY.

23 (2) **Administration by the department.** (a) **Records.** THE  
24 DEPARTMENT SHALL MAINTAIN IN ITS RECORDS FOR AT LEAST THREE  
25 YEARS:

26 (I) THE REGISTRATION INFORMATION USED TO ISSUE AN  
27 IDENTIFYING PLATE OR PLACARD;

1 (II) ANY VIOLATIONS OF SECTION 42-4-1208 BY THE HOLDER OF AN  
2 IDENTIFYING PLATE OR PLACARD; AND

3 (III) THE APPLICATION FOR AN IDENTIFYING PLATE OR PLACARD OR  
4 AN ELECTRONIC OR DIGITAL REPRODUCTION OF THE APPLICATION.

5 (b) **Peace officers may access records.** UPON THE MONEYS BEING  
6 AVAILABLE AND APPROPRIATED FROM THE DISABLED PARKING EDUCATION  
7 AND ENFORCEMENT FUND CREATED IN SECTION 42-1-226, THE  
8 DEPARTMENT SHALL PROVIDE IMMEDIATE ELECTRONIC ACCESS TO THE  
9 RECORDS UNDER THIS SUBSECTION (2) TO A PEACE OFFICER WORKING  
10 WITHIN THE COURSE AND SCOPE OF THE OFFICER'S OFFICIAL DUTIES.

11 (c) **Records confidential.** IDENTIFYING INFORMATION ABOUT THE  
12 PERSON WITH THE DISABILITY FOR WHOM AN IDENTIFYING PLATE OR  
13 PLACARD IS ISSUED IS STRICTLY CONFIDENTIAL AND ONLY AVAILABLE TO:

14 (I) A PEACE OFFICER, PARKING AUTHORITY, OR TOLLING  
15 AUTHORITY ACTING WITHIN THE COURSE AND SCOPE OF THE OFFICIAL'S  
16 DUTIES; OR

17 (II) PERSONNEL WITHIN THE DEPARTMENT FOR OFFICIAL BUSINESS  
18 RELATED TO THE IDENTIFYING PLATE OR PLACARD.

19 (d) **Department to establish forms - rules.** THE DEPARTMENT, IN  
20 CONSULTATION WITH THE COLORADO ADVISORY COUNCIL FOR PERSONS  
21 WITH DISABILITIES, CREATED IN SECTION 24-45.5-103, C.R.S., SHALL  
22 PROMULGATE A RULE CREATING AN APPLICATION AND RENEWAL FORM  
23 THAT:

24 (I) IS SIGNED BY A PROFESSIONAL, UNDER PENALTY OF PERJURY,  
25 TO AFFIRM THAT AN APPLICANT MEETS THE ELIGIBILITY REQUIREMENTS  
26 FOR AN IDENTIFYING PLATE OR PLACARD AND SETTING OUT THE PENALTIES  
27 FOR AUTHORIZING AN IDENTIFYING PLATE OR PLACARD WHEN AN

1 APPLICANT IS INELIGIBLE OR BEFORE VERIFYING THAT A PERSON HAS A  
2 DISABILITY; AND

3 (II) CONTAINS A NOTICE OF THE ELIGIBILITY REQUIREMENTS TO  
4 OBTAIN AN IDENTIFYING PLATE OR PLACARD.

5 (3) **Types of plates or placards.** (a) **Authorization.** THE  
6 DEPARTMENT MAY ISSUE THE FOLLOWING REGISTRATION TYPE FOR  
7 ISSUING DISABLED PLATES AND PLACARDS THAT NOTIFY THE PUBLIC THAT  
8 THE VEHICLE TRANSPORTS A PERSON WHO MAY USE RESERVED PARKING:

9 (I) A NINETY-DAY IDENTIFYING PLACARD;

10 (II) A THREE-YEAR IDENTIFYING PLACARD;

11 (III) A PERMANENT IDENTIFYING PLACARD;

12 (IV) A THREE-YEAR IDENTIFYING PLATE;

13 (V) A PERMANENT IDENTIFYING PLATE;

14 (VI) A DISABLED VETERAN LICENSE PLATE WITH AN ADDITIONAL  
15 IDENTIFYING FIGURE, AS DETERMINED BY THE DEPARTMENT, TO INDICATE  
16 THAT THE OWNER OF THE VEHICLE IS AUTHORIZED TO MAKE USE OF  
17 RESERVED PARKING FOR PERSONS WITH DISABILITIES.

18 (b) **Number of placards and license plates allowed.** (I) THE  
19 DEPARTMENT MAY ISSUE TWO IDENTIFYING PLACARDS, TWO IDENTIFYING  
20 PLATES, OR ONE PLATE AND ONE PLACARD TO AN ELIGIBLE INDIVIDUAL.

21 (II) THE DEPARTMENT MAY ISSUE A DISABLED VETERAN LICENSE  
22 PLATE WITH AN ADDITIONAL IDENTIFYING FIGURE AND ONE PLACARD TO  
23 AN INDIVIDUAL.

24 (III) THE DEPARTMENT MAY ISSUE ONE IDENTIFYING PLATE OR  
25 PLACARD TO EACH PARENT OR GUARDIAN OF A CHILD WITH A DISABILITY  
26 WHO IS UNDER SIXTEEN YEARS OF AGE, BUT THE DEPARTMENT SHALL NOT  
27 ISSUE MORE THAN TWO IDENTIFYING PLACARDS, TWO IDENTIFYING PLATES,

1 OR ONE PLATE AND ONE PLACARD FOR THE CHILD.

2 (4) **Cost.** THE COST FOR ISSUANCE OF AN IDENTIFYING PLATE IS  
3 THE SAME AS FOR A STANDARD PLATE. THERE IS NO FEE FOR AN  
4 IDENTIFYING PLACARD.

5 (5) **Issuance of plate or placard - rules.** (a) **Department to**  
6 **issue.** THE DEPARTMENT SHALL ISSUE AN IDENTIFYING PLATE OR PLACARD  
7 TO AN APPLICANT THAT PAYS ANY REQUIRED FEES AND IS QUALIFIED FOR  
8 THE PLATE OR PLACARD UNDER PARAGRAPH (h) OF THIS SUBSECTION (5).

9 (b) **Identification number on placard.** THE DEPARTMENT SHALL  
10 PLACE THE LAST FOUR DIGITS OF THE HOLDER'S IDENTIFICATION NUMBER  
11 ON THE FACE OF AN IDENTIFYING PLACARD. IF AN ENTITY THAT  
12 TRANSPORTS PERSONS WITH DISABILITIES OBTAINS A PLACARD, THE  
13 PLACARD SHALL BEAR THE TRUE NAME OF THE ENTITY PROVIDING THE  
14 SERVICE RATHER THAN THE IDENTIFICATION NUMBER.

15 (c) **Expiration date on placard.** THE DEPARTMENT SHALL PLACE  
16 THE EXPIRATION DATE ON AN IDENTIFYING PLACARD USING A DATE  
17 SYSTEM THAT REMOVES A PORTION OF THE PLACARD TO INDICATE THE  
18 EXPIRATION DATE. THE DEPARTMENT SHALL AFFIX TO AN IDENTIFYING  
19 PLACARD A VALIDATING STICKER INDICATING THE EXPIRATION DATE.

20 (d) **Department to give notice of rights and responsibilities.**  
21 WHEN A PERSON FILES AN APPLICATION FOR ISSUANCE OR RENEWAL OF AN  
22 IDENTIFYING PLATE OR PLACARD UNDER THIS SECTION, THE DEPARTMENT  
23 SHALL PROVIDE TO THE APPLICANT AN INFORMATIONAL PAMPHLET OR  
24 OTHER INFORMATIONAL SOURCE THAT DESCRIBES RESERVED PARKING AND  
25 THE RIGHTS AND RESPONSIBILITIES OF THE HOLDERS OF IDENTIFYING  
26 PLATES OR PLACARDS. THE PAMPHLET OR OTHER INFORMATIONAL SOURCE  
27 SHALL BE DEVELOPED BY THE DEPARTMENT IN CONSULTATION WITH THE

1 COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES, CREATED  
2 IN SECTION 24-45.5-103, C.R.S.

3 (e) **Personalized and other specialty plates authorized.** AN  
4 APPLICANT MAY APPLY FOR A PERSONALIZED IDENTIFYING PLATE. UPON  
5 PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6) (a)  
6 FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE SUCH  
7 PLATES IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN  
8 APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR  
9 VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS  
10 OR NUMBERS TO A NEW SET OF IDENTIFYING PLATES FOR THE VEHICLE  
11 UPON PAYMENT OF THE FEE IMPOSED BY SECTION 42-3-211 (6) AND UPON  
12 TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO  
13 HAS OBTAINED PERSONALIZED IDENTIFYING PLATES UNDER THIS  
14 PARAGRAPH (e) SHALL PAY THE ANNUAL FEE IMPOSED BY SECTION  
15 42-3-211 (6) (b) FOR RENEWAL OF PERSONALIZED PLATES. THE FEES  
16 UNDER THIS PARAGRAPH (e) ARE IN ADDITION TO ALL OTHER TAXES AND  
17 FEES IMPOSED FOR PERSONALIZED IDENTIFYING PLATES.

18 (f) **Trusts may use.** A PERSON MAY USE AN IDENTIFYING PLATE OR  
19 PLACARD ON A MOTOR VEHICLE THAT IS OWNED BY A TRUST CREATED FOR  
20 THE BENEFIT OF AND IN THE NAME OF A PERSON WHO IS ELIGIBLE FOR  
21 RESERVED PARKING.

22 (g) **Placards issued by other states.** AN IDENTIFYING  
23 PLACARD ISSUED IN ANOTHER STATE OR COUNTRY IS NOT VALID FOR MORE  
24 THAN NINETY DAYS AFTER THE HOLDER BECOMES A RESIDENT OF  
25 COLORADO. A PERSON MUST SURRENDER ANY CURRENTLY HELD  
26 IDENTIFYING PLACARD ISSUED IN ANOTHER STATE OR COUNTRY TO BE  
27 ISSUED AN IDENTIFYING PLACARD IN COLORADO.

1           (h) **Requirements for issuance of identifying placards or**  
2 **plates.** (I) TO QUALIFY FOR AN IDENTIFYING PLACARD OR PLATE, AN  
3 INDIVIDUAL MUST SUBMIT:

4           (A) A WRITTEN STATEMENT, MADE BY A PROFESSIONAL ON A FORM  
5 PUBLISHED BY THE DEPARTMENT, THAT THE PERSON HAS A PHYSICAL  
6 IMPAIRMENT MEETING THE STANDARDS OF 23 CFR 1235 AND THAT THE  
7 IMPAIRMENT IS EXPECTED TO BE TEMPORARY, LAST THIRTY MONTHS, OR  
8 BE PERMANENT, AS THE CASE MAY BE;

9           (B) A SIGNED AFFIDAVIT AFFIRMING: KNOWLEDGE OF THE  
10 ELIGIBILITY REQUIREMENTS; THAT THE PERSON TO WHOM THE PLACARD OR  
11 PLATE IS ISSUED IS AND REMAINS ELIGIBLE TO USE THE PLACARD OR PLATE;  
12 AND KNOWLEDGE OF THE PENALTIES FOR OBTAINING A PLATE OR PLACARD  
13 WHEN INELIGIBLE; AND

14           (C) A COLORADO DRIVER'S LICENSE OR IDENTIFICATION  
15 DOCUMENT, OR AN IDENTIFICATION DOCUMENT ISSUED BY THE UNITED  
16 STATES GOVERNMENT, FOR THE PERSON WHO IS ENTITLED TO USE  
17 RESERVED PARKING.

18           (II) TO QUALIFY FOR A NINETY-DAY IDENTIFYING PLACARD, A  
19 RESIDENT OF ANOTHER STATE WHO BECOMES DISABLED WHILE IN THIS  
20 STATE MUST SUBMIT A DRIVER'S LICENSE OR IDENTIFICATION DOCUMENT  
21 ISSUED BY THE STATE OF RESIDENCE OR THE UNITED STATES  
22 GOVERNMENT ALONG WITH THE DOCUMENTS REQUIRED BY  
23 SUB-SUBPARAGRAPHS (A) AND (B) OF SUBPARAGRAPH (I) OF THIS  
24 PARAGRAPH (h).

25           (III) A PLACARD ISSUED FOR A PERSON UNDER SIXTEEN YEARS OF  
26 AGE MAY BEAR THE PARENT'S OR GUARDIAN'S IDENTIFICATION NUMBER IN  
27 LIEU OF THE HOLDER'S NUMBER. IF THE PLACARD BEARS THE LAST FOUR

1 DIGITS OF A PARENT'S OR GUARDIAN'S IDENTIFICATION NUMBER, THE  
2 DEPARTMENT SHALL ALSO PLACE THE LETTER "C" AS A DESIGNATOR ON  
3 THE PLACARD.

4 (IV) A STATE AGENCY OR BUSINESS ENTITY THAT TRANSPORTS  
5 PERSONS WITH DISABILITIES MAY OBTAIN A PERMANENT IDENTIFYING  
6 PLATE OR PLACARD FOR RESERVED PARKING. TO QUALIFY FOR A  
7 THREE-YEAR OR PERMANENT IDENTIFYING PLATE OR PLACARD, THE  
8 AGENCY OR BUSINESS ENTITY MUST:

- 9 (A) SHOW THAT IT TRANSPORTS PERSONS WITH DISABILITIES;
- 10 (B) PROVIDE A DRIVER'S LICENSE OR IDENTIFICATION DOCUMENT  
11 OF ITS CHIEF OPERATIONS OFFICER WITHIN COLORADO;
- 12 (C) PROVIDE ITS EMPLOYEE IDENTIFICATION NUMBER; AND
- 13 (D) PROVIDE ANY OTHER INFORMATION REQUIRED BY THE  
14 DEPARTMENT BY RULE.

15 (i) **Requirements for identifying figure on disabled veteran**  
16 **license plate.** TO QUALIFY FOR A DISABLED VETERAN LICENSE PLATE WITH  
17 AN IDENTIFYING FIGURE, THE APPLICANT MUST QUALIFY FOR A  
18 PERMANENT IDENTIFYING PLATE UNDER SUBPARAGRAPH (I) OF  
19 PARAGRAPH (h) OF THIS SUBSECTION (5) AND MEET THE ELIGIBILITY  
20 CRITERIA IN SECTION 42-3-213 (5) FOR A DISABLED VETERAN LICENSE  
21 PLATE. A DISABLED VETERAN LICENSE PLATE WITH AN IDENTIFYING  
22 FIGURE EXPIRES IN ACCORDANCE WITH THE SCHEDULE ESTABLISHED BY  
23 THE DEPARTMENT FOR PERIODIC REGISTRATION UNDER SECTION 42-3-102  
24 (1) (a).

25 (6) **Expiration and renewal.** (a) **Ninety-day placards.** A  
26 NINETY-DAY IDENTIFYING PLACARD EXPIRES ON THE LAST DAY OF THE  
27 MONTH IN WHICH THE NINETIETH DAY AFTER ISSUANCE OCCURS. THE

1 HOLDER MAY APPLY FOR OR RENEW THE PLACARD BY MEETING THE  
2 REQUIREMENTS OF PARAGRAPH (h) OF SUBSECTION (5) OF THIS SECTION TO  
3 QUALIFY FOR THE PLACARD.

4 (b) **Three-year placards.** A THREE-YEAR IDENTIFYING PLACARD  
5 EXPIRES ON THE LAST DAY OF THE THIRTY-SIXTH FULL MONTH AFTER THE  
6 DATE OF ISSUANCE OR RENEWAL. THE HOLDER MAY APPLY FOR OR RENEW  
7 THE PLACARD BY MEETING THE REQUIREMENTS OF SUBPARAGRAPH (I) OF  
8 PARAGRAPH (h) OF SUBSECTION (5) OF THIS SECTION TO QUALIFY FOR THE  
9 PLACARD.

10 (c) **Permanent placards.** (I) A PERMANENT IDENTIFYING  
11 PLACARD EXPIRES ON THE LAST DAY OF THE THIRTY-SIXTH FULL MONTH  
12 AFTER THE DATE OF ISSUANCE OR RENEWAL. THE HOLDER MAY RENEW THE  
13 PLACARD BY SUBMITTING:

14 (A) A WRITTEN STATEMENT REQUIRED BY SUB-SUBPARAGRAPH (A)  
15 OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF SUBSECTION (5) OF THIS  
16 SECTION TO QUALIFY FOR THE PLACARD BY MAIL OR A COLORADO  
17 DRIVER'S LICENSE, A COLORADO IDENTIFICATION DOCUMENT, OR AN  
18 IDENTIFICATION DOCUMENT ISSUED BY THE UNITED STATES IN PERSON IN  
19 THE OFFICE OF THE DEPARTMENT;

20 (B) AN AFFIDAVIT, MADE UNDER PENALTY OF PERJURY, THAT THE  
21 PERSON TO WHOM THE PLACARD IS ISSUED REMAINS ELIGIBLE TO USE THE  
22 PLACARD;

23 (C) THE DATE OF BIRTH AND COLORADO DRIVER'S LICENSE OR  
24 IDENTIFICATION CARD NUMBER OF THE PERSON WHO MAY USE RESERVED  
25 PARKING; AND

26 (D) EVERY THIRD RENEWAL, A WRITTEN STATEMENT REQUIRED BY  
27 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF

1 SUBSECTION (5) OF THIS SECTION TO QUALIFY FOR THE PLACARD.

2 (II) IF THE HOLDER IS AN ENTITY, THE HOLDER MAY RENEW THE  
3 PLACARD UPON RESUBMITTING AND UPDATING THE INFORMATION  
4 NECESSARY TO BE ISSUED THE PLACARD UNDER SUBPARAGRAPH (IV) OF  
5 PARAGRAPH (h) OF SUBSECTION (5) OF THIS SECTION.

6 (d) **Three-year identifying plates.** (I) A THREE-YEAR  
7 IDENTIFYING PLATE EXPIRES IN ACCORDANCE WITH THE SCHEDULE  
8 ESTABLISHED BY THE DEPARTMENT FOR PERIODIC REGISTRATION UNDER  
9 SECTION 42-3-102 (1) (a). ELIGIBILITY FOR A THREE-YEAR IDENTIFYING  
10 PLATE EXPIRES ON THE LAST DAY OF THE THIRTY-SIXTH FULL MONTH  
11 AFTER THE DATE OF ISSUANCE OR RENEWAL. THE HOLDER MAY RENEW THE  
12 PLATE BY MEETING THE REQUIREMENTS OF SUBPARAGRAPH (I) OF  
13 PARAGRAPH (h) OF SUBSECTION (5) OF THIS SECTION TO QUALIFY FOR THE  
14 PLATE.

15 (II) IF A THREE-YEAR IDENTIFYING PLATE IS ISSUED FOR A PERSON  
16 UNDER SIXTEEN YEARS OF AGE USING A PARENT'S OR GUARDIAN'S  
17 IDENTIFICATION DOCUMENT, THE DEPARTMENT SHALL PLACE A "C" ON THE  
18 REGISTRATION CARD ISSUED UNDER SECTION 42-3-113 (2).

19 (e) **Permanent identifying plates.** (I) A PERMANENT  
20 IDENTIFYING PLATE OR DISABLED VETERAN LICENSE PLATE EXPIRES IN  
21 ACCORDANCE WITH THE SCHEDULE ESTABLISHED BY THE DEPARTMENT  
22 FOR PERIODIC REGISTRATION UNDER SECTION 42-3-102 (1) (a).  
23 ELIGIBILITY FOR A PERMANENT IDENTIFYING PLATE OR IDENTIFYING  
24 FIGURE FOR A DISABLED VETERAN LICENSE PLATE EXPIRES ON THE LAST  
25 DAY OF THE THIRTY-SIXTH FULL MONTH AFTER THE DATE OF ISSUANCE OR  
26 RENEWAL. THE HOLDER MAY RENEW THE PLATE BY SUBMITTING:

27 (A) A CURRENT VERIFICATION FORM AS REQUIRED BY

1 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF  
2 SUBSECTION (5) BY MAIL OR A COLORADO DRIVER'S LICENSE, COLORADO  
3 IDENTIFICATION DOCUMENT, OR IDENTIFICATION DOCUMENT ISSUED BY  
4 THE UNITED STATES IN PERSON IN THE OFFICE OF AN AUTHORIZED AGENT;

5 (B) AN AFFIDAVIT, MADE UNDER PENALTY OF PERJURY, THAT THE  
6 PERSON TO WHOM THE PLATE IS ISSUED REMAINS ELIGIBLE TO USE THE  
7 PLATE;

8 (C) THE DATE OF BIRTH AND COLORADO DRIVER'S LICENSE OR  
9 IDENTIFICATION CARD NUMBER OF THE PERSON WHO MAY USE RESERVED  
10 PARKING; AND

11 (D) EVERY THIRD RENEWAL, A WRITTEN STATEMENT REQUIRED BY  
12 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF  
13 SUBSECTION (5) OF THIS SECTION TO QUALIFY FOR THE PLATE.

14 (II) IF THE PLATE IS ISSUED FOR A PERSON UNDER SIXTEEN YEARS  
15 OF AGE USING A PARENT'S OR GUARDIAN'S IDENTIFICATION DOCUMENT,  
16 THE DEPARTMENT SHALL PLACE A "C" ON THE REGISTRATION CARD ISSUED  
17 UNDER SECTION 42-3-113 (2).

18 (III) IF THE HOLDER IS AN ENTITY, THE HOLDER MAY RENEW THE  
19 PLATE UPON RESUBMITTING AND UPDATING THE INFORMATION NECESSARY  
20 TO BE ISSUED THE PLATE UNDER SUBPARAGRAPH (IV) OF PARAGRAPH (h)  
21 OF SUBSECTION (5) OF THIS SECTION.

22 (f) Placards issued before January 1, 2005. ANY IDENTIFYING  
23 PLACARD ISSUED BEFORE JANUARY 1, 2005, EXPIRES ON THE EFFECTIVE  
24 DATE OF THIS PARAGRAPH (f).

25 (7) **Violations - department may revoke.** (a) (I) UPON RECEIPT  
26 OF A SWORN STATEMENT FROM A PEACE OFFICER OR AN AUTHORIZED  
27 PARKING ENFORCEMENT OFFICIAL THAT A PERSON HAS IMPROPERLY USED

1 RESERVED PARKING IN VIOLATION OF SECTION 42-4-1208, AN IDENTIFYING  
2 PLATE OR PLACARD MAY BE REVOKED BY THE DEPARTMENT. TO BE  
3 ACCEPTED BY THE DEPARTMENT, THE PEACE OFFICER OR AUTHORIZED  
4 PARKING ENFORCEMENT OFFICIAL MUST INCLUDE WITH THE STATEMENT  
5 THE NAME OF THE PERSON WHO MISUSED THE IDENTIFYING PLATE OR  
6 PLACARD AND EITHER THE IDENTIFYING PLATE OR PLACARD NUMBER OR  
7 THE LAST FOUR DIGITS OF THE DRIVER'S LICENSE OR IDENTIFICATION  
8 DOCUMENT NUMBER PRINTED ON THE PLACARD.

9 (II) THE REVOCATION IS EFFECTIVE FORTY-FIVE DAYS AFTER THE  
10 DEPARTMENT RECEIVES THE SWORN STATEMENT UNLESS A HEARING IS  
11 REQUESTED IN ACCORDANCE WITH PARAGRAPH (e) OF THIS SUBSECTION  
12 (7).

13 (b) UPON RECEIPT OF A NOTICE THAT THE HOLDER OF AN  
14 IDENTIFYING PLATE OR PLACARD WAS CONVICTED OF, OR PLED NOLO  
15 CONTENDERE TO, A VIOLATION OF SECTION 42-4-1208, THE DEPARTMENT  
16 SHALL REVOKE EACH IDENTIFYING PLACARD OR PLATE HELD BY THE  
17 PERSON.

18 (c) **Revocation period.** (I) UPON A FIRST VIOLATION OF SECTION  
19 42-4-1208, THE DEPARTMENT SHALL DENY REISSUANCE OF THE  
20 IDENTIFYING PLATE OR PLACARD FOR TWELVE MONTHS AFTER THE DATE  
21 OF REVOCATION.

22 (II) UPON A SECOND OR SUBSEQUENT VIOLATION OF SECTION  
23 42-4-1208, THE DEPARTMENT SHALL DENY REISSUANCE OF THE  
24 IDENTIFYING PLATE OR PLACARD FOR A PERIOD OF AT LEAST FIVE YEARS  
25 AFTER THE DATE OF THE SECOND OR MOST RECENT SUBSEQUENT  
26 REVOCATION.

27 (d) **Written notice of revocation.** THE DEPARTMENT SHALL

1 NOTIFY IN WRITING THE PERSON ISSUED THE IDENTIFYING PLATE OR  
2 PLACARD OF THE REVOCATION. THE DEPARTMENT SHALL INCLUDE IN THE  
3 NOTICE:

4 (I) A DEMAND FOR THE RETURN OF THE IDENTIFYING PLATE OR  
5 PLACARD;

6 (II) A WARNING THAT CONTINUED USE OF THE IDENTIFYING PLATE  
7 OR PLACARD BY ANY PERSON IS SUBJECT TO THE PENALTY SET FORTH IN  
8 SECTION 42-4-1701; AND

9 (III) A STATEMENT THAT THE PERSON MAY APPEAL THE  
10 REVOCATION BY FILING A WRITTEN REQUEST WITH THE DEPARTMENT  
11 WITHIN THIRTY DAYS AFTER THE DEPARTMENT ISSUED THE NOTICE.

12 (e) **Request for hearing.** IF A PERSON REQUESTS A HEARING ON  
13 THE REVOCATION OF AN IDENTIFYING PLATE OR PLACARD WITHIN THIRTY  
14 DAYS AFTER THE DEPARTMENT ISSUED THE NOTICE, THE DEPARTMENT  
15 SHALL HOLD A HEARING BEFORE REVOKING THE PLATE OR PLACARD. IF A  
16 HEARING IS HELD AND THE HEARING OFFICER UPHOLDS THE REVOCATION,  
17 THE REVOCATION TAKES EFFECT IMMEDIATELY.

18 (f) **Penalties.** (I) A PERSON WHO FAILS TO RETURN A REVOKED  
19 IDENTIFYING PLACARD OR PLATE COMMITS A CLASS B TRAFFIC  
20 INFRACTION.

21 (II) A PERSON WHO ATTEMPTS TO OBTAIN AN IDENTIFYING PLATE  
22 OR PLACARD WHEN UNDER REVOCATION IN ACCORDANCE WITH THIS  
23 SUBSECTION (7) IS SUBJECT TO THE PENALTIES IN SECTION 42-4-1701 (4)

24 (a) (VIII).

25 **SECTION 3.** In Colorado Revised Statutes, **repeal and reenact,**  
26 **with amendments,** 42-4-1208 as follows:

27 **42-4-1208. Reserved parking for persons with disabilities -**

1     **applicability - rules. (1) Definitions.** AS USED IN THIS SECTION:

2             (a) "DISABILITY" OR "DISABLED" HAS THE SAME MEANING AS SET  
3 FORTH IN SECTION 42-3-204.

4             (b) "HOLDER" MEANS A PERSON WITH A DISABILITY WHO HAS  
5 LAWFULLY OBTAINED AN IDENTIFYING PLATE OR PLACARD.

6             (c) "IDENTIFYING FIGURE" HAS THE SAME MEANING AS SET FORTH  
7 IN SECTION 42-3-204.

8             (d) "IDENTIFYING PLACARD" HAS THE SAME MEANING AS SET  
9 FORTH IN SECTION 42-3-204.

10            (e) "IDENTIFYING PLATE" HAS THE SAME MEANING AS SET FORTH  
11 IN SECTION 42-3-204.

12            (f) "PROFESSIONAL" HAS THE SAME MEANING AS SET FORTH IN  
13 SECTION 42-3-204.

14            (g) "RESERVED PARKING" MEANS A PARKING SPACE RESERVED FOR  
15 A PERSON WITH A DISABILITY.

16            (2) **Use of plate or placard.** (a) A PERSON WITH A DISABILITY  
17 MAY USE RESERVED PARKING ON PUBLIC PROPERTY OR PRIVATE PROPERTY  
18 ■ IF THE PERSON DISPLAYS AN IDENTIFYING PLATE OR PLACARD WHILE  
19 USING RESERVED PARKING.

20            (b) WHEN AN IDENTIFYING PLACARD IS USED FOR RESERVED  
21 PARKING, THE DRIVER OF THE PARKED MOTOR VEHICLE SHALL ENSURE  
22 THAT THE FRONT OF THE IDENTIFYING PLACARD IS LEGIBLE AND VISIBLE  
23 THROUGH THE WINDSHIELD WHEN VIEWED FROM OUTSIDE THE VEHICLE.  
24 THE DRIVER SHALL HANG THE PLACARD FROM THE REAR-VIEW MIRROR  
25 UNLESS A REAR-VIEW MIRROR IS NOT AVAILABLE OR THE INDIVIDUAL IS  
26 PHYSICALLY UNABLE TO HANG THE PLACARD FROM THE REAR-VIEW  
27 MIRROR. IF THE TAG IS NOT HUNG FROM THE REAR-VIEW MIRROR, THE

1 DRIVER SHALL DISPLAY IT ON THE DASHBOARD.

2 (c) A PERSON WITH A DISABILITY WHO IS A RESIDENT OF A STATE  
3 OTHER THAN COLORADO MAY USE RESERVED PARKING IN COLORADO IF  
4 THE MOTOR VEHICLE DISPLAYS AN IDENTIFYING PLATE OR PLACARD ISSUED  
5 BY A STATE OTHER THAN COLORADO, AND IF:

6 (I) THE IDENTIFYING PLATE OR PLACARD IS CURRENTLY VALID IN  
7 THE STATE OF ISSUANCE AND MEETS THE REQUIREMENTS OF 23 CFR 1235;  
8 AND

9 (II) THE HOLDER HAS NOT BEEN A RESIDENT IN COLORADO FOR  
10 MORE THAN NINETY DAYS.

11 (d) A MOTOR VEHICLE WITH AN IDENTIFYING PLATE OR A PLACARD  
12 MAY BE PARKED IN PUBLIC PARKING AREAS ALONG PUBLIC STREETS OR IN  
13 PRIVATE PARKING LOTS REGARDLESS OF ANY TIME LIMITATION IMPOSED  
14 UPON PARKING IN THE AREA; EXCEPT THAT A JURISDICTION MAY  
15 SPECIFICALLY LIMIT RESERVED PARKING ON ANY PUBLIC STREET TO NO  
16 LESS THAN FOUR HOURS. TO LIMIT RESERVED PARKING, THE JURISDICTION  
17 MUST CLEARLY POST THE APPROPRIATE TIME LIMITS IN THE AREA. THE  
18 ABILITY TO PARK NOTWITHSTANDING PARKING LIMITATIONS DOES NOT  
19 APPLY TO AREAS IN WHICH:

20 (I) STOPPING, STANDING, OR PARKING OF ALL VEHICLES IS  
21 PROHIBITED;

22 (II) ONLY SPECIAL VEHICLES MAY BE PARKED; OR

23 (III) PARKING IS NOT ALLOWED DURING SPECIFIC PERIODS OF THE  
24 DAY IN ORDER TO ACCOMMODATE HEAVY TRAFFIC.

25 (e) (I) THE OWNER OF PUBLIC OR PRIVATE PROPERTY MAY REQUEST  
26 THE INSTALLATION OF OFFICIAL SIGNS OR PAVEMENT MARKINGS  
27 IDENTIFYING RESERVED PARKING SPACES. THE REQUEST OPERATES AS A

1 WAIVER OF ANY OBJECTION THE OWNER MAY ASSERT CONCERNING  
2 ENFORCEMENT OF THIS SECTION BY A PEACE OFFICER. AN OFFICER MAY  
3 ENFORCE THIS SECTION ON PRIVATE PROPERTY NOTWITHSTANDING ANY  
4 PROVISION OF LAW TO THE CONTRARY.

5 (II) (A) THE NUMBER AND PLACEMENT OF ACCESSIBLE PARKING  
6 SPACES SHOULD MEET OR EXCEED SECTION 1106 OF CHAPTER 11 OF THE  
7 2012 (SECOND PRINTING) VERSION OF THE INTERNATIONAL BUILDING  
8 CODE, OR ANY SUCCEEDING STANDARD, PUBLISHED BY THE  
9 INTERNATIONAL CODE COUNCIL.

10 (B) THE TECHNICAL STANDARDS FOR ACCESSIBLE PARKING SPACES  
11 SHOULD MEET OR EXCEED SECTION 502 OF THE 2009 VERSION OF ANSI  
12 A117.1, OR ANY SUCCEEDING STANDARD, PUBLISHED BY THE  
13 INTERNATIONAL CODE COUNCIL.

14 (C) ACCESS AISLES SHOULD POST "WHEELCHAIR ACCESS AISLE  
15 ABSOLUTELY NO PARKING" SIGN, WHICH BLOCKS NEITHER THE ACCESS  
16 AISLE NOR ACCESSIBLE ROUTES.

17 (D) THE TECHNICAL STANDARDS FOR POST- OR WALL-MOUNTED  
18 SIGNS INDICATING ACCESSIBLE PARKING SPACES AND VAN-ACCESSIBLE  
19 PARKING SPACES SHOULD MEET OR EXCEED SECTION 2B.46 CONCERNING  
20 PARKING, STANDING, AND STOPPING SIGNS AND SECTION 2B.47  
21 CONCERNING DESIGN OF PARKING, STANDING, AND STOPPING OF THE 2009  
22 VERSION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, OR  
23 ANY SUCCEEDING STANDARD, PUBLISHED BY THE UNITED STATES FEDERAL  
24 HIGHWAY ADMINISTRATION.

25 (III) THE OWNER OF REAL PROPERTY WITH MULTIPLE-FAMILY  
26 DWELLINGS AFFIXED AND WITH RESERVED PARKING SHALL RETAIN THE  
27 RESERVED PARKING AS COMMONLY OWNED FOR THE TENANTS, OWNERS,

1 OR VISITORS OF THE INDIVIDUAL UNITS WITHIN THE DWELLINGS. THIS  
2 SUBPARAGRAPH (III) DOES NOT PROHIBIT THE SALE OF ALL COMMONLY  
3 OWNED PROPERTY SO LONG AS THE RESERVED PARKING IS NOT SEVERED  
4 FROM THE OTHER ELEMENTS.

5 (IV) A PERSON SHALL NOT IMPOSE RESTRICTIONS ON THE USE OF  
6 DISABLED PARKING UNLESS SPECIFICALLY AUTHORIZED BY A STATUTE OF  
7 COLORADO AND A RESOLUTION OF OR ORDINANCE OF A POLITICAL  
8 SUBDIVISION OF COLORADO AND NOTICE OF THE RESTRICTION IS  
9 PROMINENTLY POSTED BY A SIGN CLEARLY VISIBLE AT THE PARKING  
10 SPACE.

11 (3) **Misuse of reserved parking.** (a) A PERSON WITHOUT A  
12 DISABILITY SHALL NOT PARK IN A PARKING SPACE ON PUBLIC OR PRIVATE  
13 PROPERTY THAT IS CLEARLY IDENTIFIED BY AN OFFICIAL SIGN OR BY  
14 VISIBLE PAVEMENT MARKINGS AS BEING RESERVED PARKING OR AS BEING  
15 A PASSENGER LOADING ZONE UNLESS:

16 (I) THE PERSON IS PARKING THE VEHICLE FOR THE DIRECT BENEFIT  
17 OF A PERSON WITH A DISABILITY TO ENTER OR EXIT THE VEHICLE WHILE IT  
18 IS PARKED IN THE RESERVED PARKING SPACE; AND

19 (II) AN IDENTIFYING PLATE OR PLACARD OBTAINED UNDER OR  
20 AUTHORIZED BY SECTION 42-3-204 IS DISPLAYED IN OR ON THE VEHICLE  
21 IF THE LICENSE PLATE OR PLACARD IS CURRENTLY VALID OR HAS EXPIRED  
22 LESS THAN ONE MONTH BEFORE THE DAY THE PERSON USED THE RESERVED  
23 PARKING.

24 (b) (I) A PERSON, AFTER USING A RESERVED PARKING SPACE THAT  
25 HAS A TIME LIMIT, SHALL NOT SWITCH MOTOR VEHICLES OR MOVE THE  
26 MOTOR VEHICLE TO ANOTHER RESERVED PARKING SPACE WITHIN ONE  
27 HUNDRED YARDS OF THE ORIGINAL PARKING SPACE WITHIN THE SAME

1 EIGHT HOURS IN ORDER TO EXCEED THE TIME LIMIT.

2 (II) (A) PARKING IN A TIME-LIMITED RESERVED PARKING SPACE  
3 FOR MORE THAN THREE HOURS FOR AT LEAST THREE DAYS A WEEK FOR AT  
4 LEAST TWO WEEKS CREATES A REBUTTABLE PRESUMPTION THAT THE  
5 PERSON IS VIOLATING THIS PARAGRAPH (b).

6 (B) THIS SUBPARAGRAPH (II) DOES NOT APPLY TO PRIVATELY  
7 OWNED PARKING SPACES.

8 (c) A PERSON SHALL NOT USE RESERVED PARKING FOR A  
9 COMMERCIAL PURPOSE UNLESS:

10 (I) THE PURPOSE RELATES TO TRANSACTING BUSINESS WITH A  
11 BUSINESS THE RESERVED PARKING IS INTENDED TO SERVE; OR

12 (II) THE OWNER OF PRIVATE PROPERTY CONSENTS TO ALLOW THE  
13 USE.

14 (d) (I) AN EMPLOYEE OF AN ENTITY SHALL NOT USE AN  
15 IDENTIFYING PLACARD ISSUED TO THE ENTITY UNLESS THE EMPLOYEE IS  
16 TRANSPORTING PERSONS WITH DISABILITIES.

17 (II) FOR A VIOLATION OF THIS PARAGRAPH (d), THE CHIEF  
18 OPERATIONS OFFICER WITHIN COLORADO OF THE ENTITY TO WHOM THE  
19 PLACARD OR PLATE WAS ISSUED AND THE OFFENDING EMPLOYEE ARE EACH  
20 SUBJECT TO THE PENALTIES IN SECTION 42-4-1701 (4) (a) (I) (M).

21 (III) (A) IT IS AN AFFIRMATIVE DEFENSE TO A VIOLATION OF THIS  
22 PARAGRAPH (d) FOR THE CHIEF OPERATIONS OFFICER WITHIN COLORADO  
23 THAT THE ENTITY ENFORCES AN INTERNAL POLICY CONTROLLING ACCESS  
24 TO AND USE OF IDENTIFYING PLACARDS ISSUED TO THE ENTITY.

25 (B) IF THE PLACARD USED IS EXPIRED BY OPERATION OF SECTION  
26 42-3-204 (6) (f), IT IS AN AFFIRMATIVE DEFENSE TO A VIOLATION OF THIS  
27 PARAGRAPH (d) THAT THE PERSON DID NOT KNOW THE PLACARD WAS

1 EXPIRED IF THE PERSON WHO USED THE PLACARD WAS THE PERSON TO  
2 WHOM IT WAS ISSUED.

3 (e) (I) A PERSON WHO VIOLATES PARAGRAPH (a) OF THIS  
4 SUBSECTION (3) IS SUBJECT TO THE PENALTIES IN SECTION 42-4-1701 (4)  
5 (a) (VIII) AND (IX).

6 (II) A PERSON WHO VIOLATES PARAGRAPHS (b) TO (d) OF THIS  
7 SUBSECTION (3) IS SUBJECT TO THE PENALTIES IN SECTION 42-4-1701 (4)  
8 (a) (I) (M).

9 (4) **Blocking access.** (a) REGARDLESS OF WHETHER A PERSON  
10 DISPLAYS AN IDENTIFYING PLATE OR PLACARD, A PERSON SHALL NOT PARK  
11 A VEHICLE SO AS TO BLOCK REASONABLE ACCESS TO CURB RAMPS,  
12 PASSENGER LOADING ZONES, OR ACCESSIBLE ROUTES, AS IDENTIFIED IN 28  
13 CFR PART 36 APPENDIX A, THAT ARE CLEARLY IDENTIFIED UNLESS THE  
14 PERSON IS ACTIVELY LOADING OR UNLOADING A PERSON WITH A  
15 DISABILITY.

16 (b) A PERSON WHO VIOLATES THIS SUBSECTION (4) IS SUBJECT TO  
17 THE PENALTIES IN SECTION 42-4-1701 (4) (a) (VIII)

18 (5) **Fraud and trafficking.** A PERSON IS SUBJECT TO THE  
19 PENALTIES IN SECTION 42-4-1701 (4) (a) (X) IF THE PERSON:

20 (a) KNOWINGLY AND FRAUDULENTLY OBTAINS, POSSESSES, USES,  
21 OR TRANSFERS AN IDENTIFYING PLACARD ISSUED TO A PERSON WITH A  
22 DISABILITY;

23 (b) KNOWINGLY MAKES, POSSESSES, USES, ALTERS, OR TRANSFERS  
24 WHAT PURPORTS TO BE, BUT IS NOT, AN IDENTIFYING PLACARD; OR

25 (c) KNOWINGLY CREATES OR USES A DEVICE INTENDED TO GIVE  
26 THE IMPRESSION THAT IT IS AN IDENTIFYING PLACARD WHEN VIEWED FROM  
27 OUTSIDE THE VEHICLE.

1           (6) **Enforcement of reserved parking.** (a) A PEACE OFFICER OR  
2 AUTHORIZED AND UNIFORMED PARKING ENFORCEMENT OFFICIAL MAY  
3 CHECK THE IDENTIFICATION OF A PERSON USING AN IDENTIFYING PLATE OR  
4 PLACARD IN ORDER TO DETERMINE WHETHER THE USE IS AUTHORIZED.

5           (b) (I) A PEACE OFFICER OR AUTHORIZED AND UNIFORMED  
6 PARKING ENFORCEMENT OFFICIAL MAY CONFISCATE AN IDENTIFYING  
7 PLACARD THAT IS BEING USED IN VIOLATION OF THIS SECTION.

8           (II) THE PEACE OFFICER OR PARKING ENFORCEMENT OFFICIAL  
9 SHALL SEND A CONFISCATED PLACARD TO THE DEPARTMENT UNLESS IT IS  
10 BEING HELD AS EVIDENCE FOR PROSECUTION OF A VIOLATION OF THIS  
11 SECTION. IF THE TAG IS BEING HELD AS EVIDENCE, THE PEACE OFFICER OR  
12 PARKING ENFORCEMENT OFFICIAL SHALL NOTIFY THE DEPARTMENT OF THE  
13 CONFISCATION AND PENDING CHARGES.

14           (III) THE DEPARTMENT SHALL HOLD A CONFISCATED PLACARD FOR  
15 THIRTY DAYS AND MAY DISPOSE OF THE PLACARD AFTER THIRTY DAYS.  
16 THE DEPARTMENT SHALL RELEASE THE PLACARD TO THE PERSON WITH A  
17 DISABILITY TO WHOM IT WAS ISSUED WHEN THE PERSON SIGNS A  
18 STATEMENT UNDER PENALTY OF PERJURY THAT HE OR SHE WAS UNAWARE  
19 THAT THE VIOLATOR USED, OR INTENDED TO USE, THE PLACARD IN  
20 VIOLATION OF THIS SECTION.

21           (c) A PEACE OFFICER AND THE DEPARTMENT MAY INVESTIGATE AN  
22 ALLEGATION THAT A PERSON IS VIOLATING THIS SECTION.

23           (d) A PERSON WHO OBSERVES A VIOLATION OF THIS SECTION MAY  
24 SUBMIT EVIDENCE, INCLUDING A SWORN STATEMENT, CONCERNING THE  
25 VIOLATION TO ANY LAW ENFORCEMENT AGENCY.

26           (e) (I) A PEACE OFFICER MAY ISSUE A PENALTY ASSESSMENT  
27 NOTICE FOR A VIOLATION OF PARAGRAPH (b), (c), OR (d) OF SUBSECTION

1 (3) OF THIS SECTION BY SENDING IT BY CERTIFIED MAIL TO THE  
2 REGISTERED OWNER OF THE MOTOR VEHICLE. THE PEACE OFFICER SHALL  
3 INCLUDE IN THE PENALTY ASSESSMENT NOTICE THE OFFENSE OR  
4 INFRACTION, THE TIME AND PLACE WHERE IT OCCURRED, AND A  
5 STATEMENT THAT THE PAYMENT OF THE PENALTY ASSESSMENT AND A  
6 SURCHARGE IS DUE WITHIN TWENTY DAYS AFTER THE ISSUANCE OF THE  
7 NOTICE. THE DEPARTMENT RECEIVES PAYMENT OF THE PENALTY  
8 ASSESSMENT BY THE DUE DATE IF THE PAYMENT IS RECEIVED OR  
9 POSTMARKED BY THE TWENTIETH DAY AFTER THE VEHICLE OWNER  
10 RECEIVED THE PENALTY ASSESSMENT NOTICE.

11 (II) IF THE PENALTY ASSESSMENT AND SURCHARGE ARE NOT PAID  
12 WITHIN TWENTY DAYS AFTER THE DATE THE VEHICLE OWNER RECEIVES  
13 THE ASSESSMENT NOTICE SPECIFIED IN SUBPARAGRAPH (I) OF THIS  
14 PARAGRAPH (e), THE PEACE OFFICER WHO ISSUED THE ORIGINAL PENALTY  
15 ASSESSMENT NOTICE SHALL FILE A COMPLAINT WITH A COURT HAVING  
16 JURISDICTION AND ISSUE AND SERVE UPON THE REGISTERED OWNER OF THE  
17 VEHICLE A SUMMONS TO APPEAR IN COURT AT THE TIME AND PLACE  
18 SPECIFIED.

19 (f) (I) THE ENTERING COURT SHALL SEND CERTIFICATION OF THE  
20 ENTRY OF JUDGMENT FOR EACH VIOLATION OF PARAGRAPH (b), (c), OR (d)  
21 OF SUBSECTION (3) OF THIS SECTION TO THE DEPARTMENT.

22 (II) UPON RECEIPT OF CERTIFICATION OF AN ENTRY OF JUDGMENT  
23 FOR A VIOLATION OF PARAGRAPH (b), (c), OR (d) OF SUBSECTION (3) OF  
24 THIS SECTION, THE DEPARTMENT SHALL NOT REGISTER THE PERSON'S  
25 VEHICLE UNTIL ALL FINES IMPOSED FOR THE VIOLATIONS HAVE BEEN PAID.

26 (III) UPON RECEIPT OF CERTIFICATION OR INDEPENDENT  
27 VERIFICATION OF AN ENTRY OF JUDGMENT, THE DEPARTMENT SHALL

1 REVOKE AN IDENTIFYING PLATE OR PLACARD AS PROVIDED IN SECTION  
2 42-3-204 (7) (d).

3 (g) (I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION  
4 TO THE CONTRARY, A HOLDER IS LIABLE FOR ANY PENALTY OR FINE AS SET  
5 FORTH IN THIS SECTION OR SECTION 42-3-204 OR FOR ANY MISUSE OF AN  
6 IDENTIFYING PLATE OR PLACARD, INCLUDING THE USE OF SUCH PLATE OR  
7 PLACARD BY ANY PERSON OTHER THAN A HOLDER, UNLESS THE HOLDER  
8 FURNISHES SUFFICIENT EVIDENCE THAT THE IDENTIFYING PLATE OR  
9 PLACARD WAS, AT THE TIME OF THE VIOLATION, IN THE CARE, CUSTODY,  
10 OR CONTROL OF ANOTHER PERSON WITHOUT THE HOLDER'S KNOWLEDGE  
11 OR CONSENT.

12 (II) A HOLDER MAY AVOID THE LIABILITY DESCRIBED IN  
13 SUBPARAGRAPH (I) OF THIS PARAGRAPH (g) IF, WITHIN A REASONABLE  
14 TIME AFTER NOTIFICATION OF THE VIOLATION, THE HOLDER FURNISHES TO  
15 THE PROSECUTORIAL DIVISION OF THE APPROPRIATE JURISDICTION THE  
16 NAME AND ADDRESS OF THE PERSON WHO HAD THE CARE, CUSTODY, OR  
17 CONTROL OF THE IDENTIFYING PLATE OR PLACARD AT THE TIME OF THE  
18 VIOLATION OR THE HOLDER REPORTS THE LICENSE PLATE OR PLACARD  
19 LOST OR STOLEN TO BOTH THE APPROPRIATE LOCAL LAW ENFORCEMENT  
20 AGENCY AND THE DEPARTMENT.

21 (h) AN EMPLOYER SHALL NOT FORBID AN EMPLOYEE FROM  
22 REPORTING VIOLATIONS OF THIS SECTION. A PERSON SHALL NOT INITIATE  
23 OR ADMINISTER ANY DISCIPLINARY ACTION AGAINST AN EMPLOYEE  
24 BECAUSE THE EMPLOYEE NOTIFIED THE AUTHORITIES OF A POSSIBLE  
25 VIOLATION OF THIS SECTION IF THE EMPLOYEE HAS A GOOD-FAITH BELIEF  
26 THAT A VIOLATION HAS OCCURRED.

27 (i) A LANDLORD SHALL NOT RETALIATE AGAINST A TENANT

1 BECAUSE THE TENANT NOTIFIED THE AUTHORITIES OF A POSSIBLE  
2 VIOLATION OF THIS SECTION IF THE TENANT HAS A GOOD-FAITH BELIEF  
3 THAT A VIOLATION HAS OCCURRED.

4 (j) IN ORDER TO STOP A VEHICLE FROM BLOCKING ACCESS OR  
5 ILLEGALLY USING RESERVED PARKING, A PEACE OFFICER MAY ORDER A  
6 VEHICLE THAT IS USED TO VIOLATE THIS SUBSECTION (4) TO BE TOWED TO  
7 AN IMPOUND LOT OR A VEHICLE STORAGE LOCATION. THE PEACE OFFICER  
8 SHALL VERIFY THAT THE VEHICLE HAS NOT BEEN STOLEN AND REPORT THE  
9 FACT OF THE TOW TO THE DEPARTMENT OF REVENUE IN ACCORDANCE WITH  
10 SECTION 42-4-1804.

11 [REDACTED] [REDACTED]  
12 (k) THE STATE OR LOCAL AUTHORITY ISSUING A CITATION UNDER  
13 THIS SECTION, OR UNDER ANY LOCAL ORDINANCE DEFINING A  
14 SUBSTANTIALLY EQUIVALENT OFFENSE, SHALL TRANSFER ONE-HALF OF  
15 THE FINE TO THE STATE TREASURER, WHO SHALL CREDIT THE FINE TO THE  
16 DISABLED PARKING EDUCATION AND ENFORCEMENT FUND CREATED IN  
17 SECTION 42-1-226.

18 (7) **Statewide concern.** (a) THE GENERAL ASSEMBLY FINDS THAT  
19 ACCESS TO RESERVED PARKING BY PERSONS WITH DISABILITIES ENSURES  
20 THAT THOSE PERSONS HAVE EQUAL ACCESS TO GOODS AND SERVICES  
21 ESSENTIAL FOR DAILY LIFE.

22 (b) THE GENERAL ASSEMBLY DETERMINES THAT:

23 (I) RESERVED PARKING FOR PERSONS WITH DISABILITIES IS A  
24 STATE-ADMINISTERED PROGRAM AND THAT IDENTIFYING LICENSE PLATES  
25 AND PLACARDS ARE ISSUED UNDER STATE LAW;

26 (II) BECAUSE LOCAL REGULATIONS REGARDING RESERVED  
27 PARKING FOR PERSONS WITH DISABILITIES VARY SIGNIFICANTLY ACROSS

1 JURISDICTIONS, THEY ARE INCONSISTENT AND CONFUSING FOR PERSONS  
2 WITH DISABILITIES, MEDICAL PROFESSIONALS, PEACE OFFICERS, AND  
3 MEMBERS OF THE GENERAL PUBLIC:

4 (III) MODERN LIFE REQUIRES TRAVEL ACROSS MULTIPLE LOCAL  
5 JURISDICTIONS. INCONSISTENT LOCAL MARKING AND ENFORCEMENT OF  
6 RESERVED PARKING FOR PERSONS WITH DISABILITIES CONFUSES PEOPLE,  
7 WHICH PREVENTS THEM FROM FULLY OBEYING DISABLED PARKING  
8 REGULATIONS:

9 (IV) A MESSAGE DISSEMINATED BY ONE POLITICAL SUBDIVISION OF  
10 THE STATE USING MODERN COMMUNICATION METHODS WILL BE RECEIVED  
11 BY INDIVIDUALS FROM MULTIPLE POLITICAL SUBDIVISIONS. ANY ATTEMPT  
12 TO USE MODERN COMMUNICATION METHODS TO EDUCATE THE PUBLIC ON  
13 LOCAL REGULATIONS GOVERNING RESERVED PARKING FOR PERSONS WITH  
14 DISABILITIES WILL RESULT IN PUBLIC EXPOSURE TO MULTIPLE  
15 INCONSISTENT, CONFUSING REGULATIONS, SO EDUCATION REQUIRES  
16 UNIFORM REGULATION ACROSS THE STATE, AND A STATEWIDE EFFORT IS  
17 NEEDED TO EDUCATE THE PUBLIC ABOUT DISABLED PARKING. THIS EFFORT  
18 IS FUNDED BY FINES THAT ARE TYPICALLY ISSUED BY LOCAL AUTHORITIES.

19 (c) THE GENERAL ASSEMBLY THEREFORE DECLARES THAT ACCESS  
20 TO RESERVED PARKING BY PERSONS WITH DISABILITIES IS A MATTER OF  
21 STATEWIDE CONCERN AND THAT THE PROVISIONS SET FORTH IN THIS  
22 SECTION PREEMPT ANY ACTION CONTRARY TO THIS SECTION IF THE ACTION  
23 IS ADOPTED BY A POLITICAL SUBDIVISION OF THE STATE.

24 **SECTION 4.** In Colorado Revised Statutes, 42-3-213, **amend** (1)  
25 (a) introductory portion, (1) (b) (I), (1) (b) (II) (B), (1) (b) (IV), (1) (b)  
26 (V), (1) (c), (1) (g), (5) (a), and (5) (b) as follows:

27 **42-3-213. License plates - military veterans - rules -**

1 **retirement.** (1) (a) The department shall issue one or more sets of ~~special~~  
2 license plates to the following persons who own a truck that does not  
3 exceed sixteen thousand pounds empty weight, a passenger car, a  
4 motorcycle, or a noncommercial or recreational vehicle:

5 (b) (I) Except as provided in subparagraph (II) of this paragraph  
6 (b), the amount of taxes and fees for ~~special~~ license plates issued ~~pursuant~~  
7 ~~to~~ UNDER this section ~~shall be~~ ARE the same as that specified for regular  
8 motor vehicle registration plus an additional one-time issuance or  
9 replacement fee. The additional one-time fee ~~shall be~~ IS twenty-five  
10 dollars and shall be transmitted to the state treasurer, who shall credit ~~the~~  
11 ~~same~~ IT to the highway users tax fund for allocation and expenditure as  
12 specified in section 43-4-205 (5.5) (b), C.R.S.

13 (II) Notwithstanding subparagraph (I) of this paragraph (b):

14 (B) No fee shall be charged for one set of disabled veteran ~~special~~  
15 license plates issued ~~pursuant to~~ UNDER subsection (5) of this section for  
16 a passenger car, a truck, a motorcycle, or a noncommercial or recreational  
17 vehicle.

18 (IV) One dollar of each additional fee collected from purchasers  
19 of ~~special~~ license plates issued ~~pursuant to~~ UNDER subsections (4) and (5)  
20 of this section shall be retained by the authorized agent, and one dollar  
21 and fifteen cents of each ~~such~~ additional fee shall be credited to the  
22 special purpose account established under section 42-1-211.

23 (V) One dollar of each additional fee collected from purchasers  
24 of ~~special~~ license plates issued ~~pursuant to~~ UNDER subsection (8) of this  
25 section shall be retained by the authorized agent.

26 (c) All applications for the ~~special~~ license plates described in this  
27 section shall be made directly to the department and shall include such

1 information as the department may require.

2 (g) The department shall issue a ~~special~~ license plate authorized  
3 ~~pursuant to~~ UNDER this section for a motor vehicle owned by a trust if:

4 (I) The trust is created for the benefit of a natural person who is  
5 qualified to receive the ~~special~~ license plate under paragraph (a) of this  
6 subsection (1); and

7 (II) The trust name includes a natural person who is qualified to  
8 receive the ~~special~~ license plate under paragraph (a) of this subsection (1).

9 (5) **Disabled veterans.** (a) (I) The disabled veteran ~~special~~  
10 license plate shall indicate that the owner of the motor vehicle to which  
11 ~~such~~ THE license plate is attached is a disabled veteran of the United  
12 States armed forces.

13 (II) In addition to the requirements of subparagraph (I) of this  
14 paragraph (a), if the applicant demonstrates that he or she has a physical  
15 impairment affecting mobility under the standards provided in section  
16 42-3-204 (1), then ~~such special~~ THE license plate shall have an additional  
17 identifying figure, as ~~determined by the department~~ DEFINED IN SECTION  
18 42-3-204 (1) (c), to indicate that the ~~owner of the vehicle~~ is authorized to  
19 ~~make use of parking privileges for persons with disabilities~~ TO  
20 TRANSPORT A PERSON WHO IS ELIGIBLE TO USE RESERVED PARKING UNDER  
21 SECTION 42-4-1208.

22 (b) A natural person who has received an honorable discharge  
23 from a branch of the armed services of the United States and meets the  
24 requirements of section 42-3-304 (3) (a) may use a disabled veteran  
25 ~~special~~ license plate. When applying for such a license plate, the applicant  
26 shall submit proof of honorable discharge from an armed forces branch  
27 of the United States.

1           **SECTION 5.** In Colorado Revised Statutes, 42-4-1701, **amend**  
2 (4) (a) (I) (M); and **add** (4) (a) (VIII), (4) (a) (IX), and (4) (a) (X) as  
3 follows:

4           **42-4-1701. Traffic offenses and infractions classified -**  
5 **penalties - penalty and surcharge schedule - repeal.** (4) (a) (I) Except  
6 as provided in paragraph (c) of subsection (5) of this section, every  
7 person who is convicted of, who admits liability for, or against whom a  
8 judgment is entered for a violation of any provision of this title to which  
9 paragraph (a) or (b) of subsection (5) of this section apply shall be fined  
10 or penalized, and have a surcharge levied ~~thereon pursuant to~~ IN  
11 ACCORDANCE WITH sections 24-4.1-119 (1) (f) and 24-4.2-104 (1) (b) (I),  
12 C.R.S., in accordance with the penalty and surcharge schedule set forth  
13 in sub-subparagraphs (A) to (P) of this subparagraph (I); or, if no penalty  
14 or surcharge is specified in the schedule, the penalty for class A and class  
15 B traffic infractions shall be fifteen dollars, and the surcharge shall be  
16 four dollars. These penalties and surcharges shall apply whether the  
17 defendant acknowledges the defendant's guilt or liability in accordance  
18 with the procedure set forth by paragraph (a) of subsection (5) of this  
19 section or is found guilty by a court of competent jurisdiction or has  
20 judgment entered against the defendant by a county court magistrate.  
21 Penalties and surcharges for violating specific sections shall be as  
22 follows:

23	<b>Section Violated</b>	<b>Penalty</b>	<b>Surcharge</b>
24	<b>(M) Parking violations:</b>		
25	42-4-1201	\$ 30.00	\$ 6.00
26	42-4-1202	30.00	6.00
27	42-4-1204	15.00	6.00

1	42-4-1205	15.00	6.00
2	42-4-1206	15.00	6.00
3	42-4-1207	15.00	6.00
4	42-4-1208 <del>(9), (15), or (16)</del> (3) (b), (3)		
5	(c), AND (3) (d)	150.00	32.00

6 (VIII) A PERSON WHO VIOLATES SECTION 42-3-204 (7) (f) (II) OR  
7 SECTION 42-4-1208 (3) (a) OR (4) COMMITS A MISDEMEANOR AND, UPON  
8 CONVICTION, SHALL BE PUNISHED BY A SURCHARGE OF THIRTY-TWO  
9 DOLLARS UNDER SECTIONS 24-4.1-119 (1) (f) AND 24-4.2-104 (1) (b) (I),  
10 C.R.S., AND:

11 (A) A FINE OF NOT LESS THAN THREE HUNDRED FIFTY DOLLARS  
12 BUT NOT MORE THAN ONE THOUSAND DOLLARS FOR THE FIRST OFFENSE;

13 (B) A FINE OF NOT LESS THAN SIX HUNDRED DOLLARS BUT NOT  
14 MORE THAN ONE THOUSAND DOLLARS FOR A SECOND OFFENSE; AND

15 (C) A FINE OF NOT LESS THAN ONE THOUSAND DOLLARS BUT NOT  
16 MORE THAN FIVE THOUSAND DOLLARS, IN ADDITION TO NOT MORE THAN  
17 TEN HOURS OF COMMUNITY SERVICE, FOR A THIRD OR SUBSEQUENT  
18 OFFENSE.

19 (IX) A PERSON WHO VIOLATES SECTION 42-4-1208 (3) BY PARKING  
20 A VEHICLE OWNED BY A COMMERCIAL CARRIER IS GUILTY OF A  
21 MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED BY THE  
22 SURCHARGE AND A FINE OF UP TO TWICE THE PENALTY IMPOSED IN  
23 SUBPARAGRAPH (VIII) OF THIS PARAGRAPH (a).

24 (X) (A) A PERSON WHO VIOLATES SECTION 42-4-1208 (5) OF THIS  
25 SECTION IS GUILTY OF A CLASS 1 MISDEMEANOR AND, UPON CONVICTION,  
26 SHALL BE PUNISHED BY AS PROVIDED IN SECTION 18-1.3-501, C.R.S.

27 (B) A PERSON WHO WILLFULLY RECEIVES REMUNERATION FOR

1 VIOLATING SECTION 42-3-1208 (5) IS GUILTY OF A CLASS 1 MISDEMEANOR  
2 AND, UPON CONVICTION, SHALL BE PUNISHED BY TWICE THE CIVIL AND  
3 CRIMINAL PENALTIES THAT WOULD BE IMPOSED UNDER SECTION  
4 18-1.3-501, C.R.S.

5 **SECTION 6. Appropriation.** (1) In addition to any other  
6 appropriation, there is hereby appropriated, to the department of revenue,  
7 for the fiscal year beginning July 1, 2014, the sum of \$84,147, or so much  
8 thereof as may be necessary, to be allocated for the implementation of this  
9 act as follows:

10 (a) \$80,027, comprised of \$66,689 from general fund and \$13,338  
11 from the license plate cash fund created in section 42-3-301 (1) (b),  
12 Colorado Revised Statutes, for license plate ordering; and

13 (b) \$4,120 from the Colorado state titling and registration account  
14 of the highway users tax fund created in section 42-1-211 (2), Colorado  
15 Revised Statutes, for the purchase of computer center services.

16 (2) In addition to any other appropriation, there is hereby  
17 appropriated to the governor - lieutenant governor - state planning and  
18 budgeting, for the fiscal year beginning July 1, 2014, the sum of \$4,120,  
19 or so much thereof as may be necessary, for allocation to the office of  
20 information technology, for the provision of computer center services for  
21 the department of revenue related to the implementation of this act. Said  
22 sum is from reappropriated funds received from the department of  
23 revenue out of the appropriation made in paragraph (b) of subsection (1)  
24 of this section.

25 **SECTION 7. Appropriation - adjustments to 2014 long bill.**  
26 For the implementation of this act, the general fund appropriation made  
27 in the annual general appropriation act to the controlled maintenance trust

1 fund created in section 24-75-302.5 (2) (a), Colorado Revised Statutes,  
2 for the fiscal year beginning July 1, 2014, is decreased by \$66,689.

3 **SECTION 8. Effective date - applicability.** This act takes effect  
4 July 1, 2014, and applies to applications for identifying plates or placards  
5 submitted and offenses committed on or after January 1, 2015.

6 **SECTION 9. Safety clause.** The general assembly hereby finds,  
7 determines, and declares that this act is necessary for the immediate  
8 preservation of the public peace, health, and safety.