

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

**PREAMENDED**

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

LLS NO. 14-0229.01 Jery Payne x2157

**HOUSE BILL 14-1029**

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**HOUSE SPONSORSHIP**

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

**SENATE SPONSORSHIP**

**Todd**, Heath, Jones

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**House Committees**

Transportation & Energy  
Finance  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING A RECODIFICATION OF THE LAWS GOVERNING RESERVED**  
102 **PARKING FOR PERSONS WITH DISABILITIES.**

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**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;
- ! A person may get personalized license plates with an

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.*

- 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.

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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 A FORM THAT:

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

1       DISABILITY; AND

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

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

8               (I) A NINETY-DAY IDENTIFYING PLACARD;

9               (II) A THREE-YEAR IDENTIFYING PLACARD;

10              (III) A PERMANENT IDENTIFYING PLACARD;

11              (IV) A THREE-YEAR IDENTIFYING PLATE;

12              (V) A PERMANENT IDENTIFYING PLATE;

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

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

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

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

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

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

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

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

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

1 IN SECTION 24-45.5-103, C.R.S.

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

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

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

27 (h) **Requirements for issuance of identifying placards or**



1 **plates. (I)** TO QUALIFY FOR AN IDENTIFYING PLACARD OR PLATE, AN  
2 INDIVIDUAL MUST SUBMIT:

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

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

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

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

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

1 DEPARTMENT SHALL ALSO PLACE THE LETTER "C" AS A DESIGNATOR ON  
2 THE PLACARD.

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

8 (A) SHOW THAT IT TRANSPORTS PERSONS WITH DISABILITIES;

9 (B) PROVIDE A DRIVER'S LICENSE OR IDENTIFICATION DOCUMENT  
10 OF ITS CHIEF OPERATIONS OFFICER WITHIN COLORADO;

11 (C) PROVIDE ITS EMPLOYEE IDENTIFICATION NUMBER; AND

12 (D) PROVIDE ANY OTHER INFORMATION REQUIRED BY THE  
13 DEPARTMENT BY RULE.

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

24 (6) **Expiration and renewal.** (a) **Ninety-day placards.** A  
25 NINETY-DAY IDENTIFYING PLACARD EXPIRES ON THE LAST DAY OF THE  
26 MONTH IN WHICH THE NINETIETH DAY AFTER ISSUANCE OCCURS. THE  
27 HOLDER MAY APPLY FOR OR RENEW THE PLACARD BY MEETING THE

1 REQUIREMENTS OF PARAGRAPH (h) OF SUBSECTION (5) OF THIS SECTION TO  
2 QUALIFY FOR THE PLACARD.

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

9 (c) **Permanent placards.** (I) A PERMANENT IDENTIFYING  
10 PLACARD 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 PLACARD BY SUBMITTING:

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

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

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

25 (D) EVERY THIRD RENEWAL, A WRITTEN STATEMENT REQUIRED BY  
26 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF  
27 SUBSECTION (5) OF THIS SECTION TO QUALIFY FOR THE PLACARD.

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

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

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

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

26 (A) A CURRENT VERIFICATION FORM AS REQUIRED BY  
27 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF

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

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

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

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

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

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

21 (7) **Violations - department may revoke.** (a) (I) UPON RECEIPT  
22 OF A SWORN STATEMENT FROM A PEACE OFFICER OR AN AUTHORIZED  
23 PARKING ENFORCEMENT OFFICIAL THAT A PERSON HAS IMPROPERLY USED  
24 RESERVED PARKING IN VIOLATION OF SECTION 42-4-1208, AN IDENTIFYING  
25 PLATE OR PLACARD MAY BE REVOKED BY THE DEPARTMENT. TO BE  
26 ACCEPTED BY THE DEPARTMENT, THE PEACE OFFICER OR AUTHORIZED  
27 PARKING ENFORCEMENT OFFICIAL MUST INCLUDE WITH THE STATEMENT

1 THE NAME OF THE PERSON WHO MISUSED THE IDENTIFYING PLATE OR  
2 PLACARD AND EITHER THE IDENTIFYING PLATE OR PLACARD NUMBER OR  
3 THE LAST FOUR DIGITS OF THE DRIVER'S LICENSE OR IDENTIFICATION  
4 DOCUMENT NUMBER PRINTED ON THE PLACARD.

5 (II) THE REVOCATION IS EFFECTIVE FORTY-FIVE DAYS AFTER THE  
6 DEPARTMENT RECEIVES THE SWORN STATEMENT UNLESS A HEARING IS  
7 REQUESTED IN ACCORDANCE WITH PARAGRAPH (e) OF THIS SUBSECTION  
8 (7).

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

14 (c) **Revocation period.** (I) UPON A FIRST VIOLATION OF SECTION  
15 42-4-1208, THE DEPARTMENT SHALL DENY REISSUANCE OF THE  
16 IDENTIFYING PLATE OR PLACARD FOR TWELVE MONTHS AFTER THE DATE  
17 OF REVOCATION.

18 (II) UPON A SECOND OR SUBSEQUENT VIOLATION OF SECTION  
19 42-4-1208, THE DEPARTMENT SHALL DENY REISSUANCE OF THE  
20 IDENTIFYING PLATE OR PLACARD FOR A PERIOD OF AT LEAST FIVE YEARS  
21 AFTER THE DATE OF THE SECOND OR MOST RECENT SUBSEQUENT  
22 REVOCATION.

23 (d) **Written notice of revocation.** THE DEPARTMENT SHALL  
24 NOTIFY IN WRITING THE PERSON ISSUED THE IDENTIFYING PLATE OR  
25 PLACARD OF THE REVOCATION. THE DEPARTMENT SHALL INCLUDE IN THE  
26 NOTICE:

27 (I) A DEMAND FOR THE RETURN OF THE IDENTIFYING PLATE OR

1 PLACARD;

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

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

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

14 (f) **Penalties.** (I) A PERSON WHO FAILS TO RETURN A REVOKED  
15 IDENTIFYING PLACARD OR PLATE COMMITS A CLASS B TRAFFIC  
16 INFRACTION.

17 (II) A PERSON WHO ATTEMPTS TO OBTAIN AN IDENTIFYING PLATE  
18 OR PLACARD WHEN UNDER REVOCATION IN ACCORDANCE WITH THIS  
19 SUBSECTION (7) IS SUBJECT TO THE PENALTIES IN SECTION 42-4-1701 (4)  
20 (a) (VIII).

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

23 **42-4-1208. Reserved parking for persons with disabilities -**  
24 **applicability - rules.** (1) **Definitions.** AS USED IN THIS SECTION:

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

27 (b) "HOLDER" MEANS A PERSON WITH A DISABILITY WHO HAS

1       LAWFULLY OBTAINED AN IDENTIFYING PLATE OR PLACARD.

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

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

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

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

10          (g) "RESERVED PARKING" MEANS A PARKING SPACE RESERVED FOR  
11       A PERSON WITH A DISABILITY.

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

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

25          (c) A PERSON WITH A DISABILITY WHO IS A RESIDENT OF A STATE  
26       OTHER THAN COLORADO MAY USE RESERVED PARKING IN COLORADO IF  
27       THE MOTOR VEHICLE DISPLAYS AN IDENTIFYING PLATE OR PLACARD ISSUED



1 BY A STATE OTHER THAN COLORADO, AND IF:

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

4 AND

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

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

16 (I) STOPPING, STANDING, OR PARKING OF ALL VEHICLES IS  
17 PROHIBITED;

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

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

21 (e) (I) THE OWNER OF PRIVATE PROPERTY MAY REQUEST THE  
22 INSTALLATION OF OFFICIAL SIGNS IDENTIFYING RESERVED PARKING  
23 SPACES. THE REQUEST OPERATES AS A WAIVER OF ANY OBJECTION THE  
24 OWNER MAY ASSERT CONCERNING ENFORCEMENT OF THIS SECTION BY A  
25 PEACE OFFICER. AN OFFICER MAY ENFORCE THIS SECTION ON PRIVATE  
26 PROPERTY NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY.

27 (II) A PERSON SHALL NOT IMPOSE RESTRICTIONS ON THE USE OF

1 DISABLED PARKING UNLESS SPECIFICALLY AUTHORIZED BY A STATUTE OF  
2 COLORADO OR A RESOLUTION OF OR ORDINANCE OF A POLITICAL  
3 SUBDIVISION OF COLORADO AND NOTICE OF THE RESTRICTION IS  
4 PROMINENTLY POSTED BY A SIGN CLEARLY VISIBLE AT THE PARKING  
5 SPACE.

6 (3) **Misuse of reserved parking.** (a) A PERSON WITHOUT A  
7 DISABILITY SHALL NOT PARK IN A PARKING SPACE ON PUBLIC OR PRIVATE  
8 PROPERTY THAT IS CLEARLY IDENTIFIED BY AN OFFICIAL SIGN AS BEING  
9 RESERVED PARKING UNLESS:

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

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

18 (b) (I) A PERSON, AFTER USING A RESERVED PARKING SPACE THAT  
19 HAS A TIME LIMIT, SHALL NOT SWITCH MOTOR VEHICLES OR MOVE THE  
20 MOTOR VEHICLE TO ANOTHER RESERVED PARKING SPACE WITHIN ONE  
21 HUNDRED YARDS OF THE ORIGINAL PARKING SPACE WITHIN THE SAME  
22 EIGHT HOURS IN ORDER TO EXCEED THE TIME LIMIT.

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

27 (B) THIS SUBPARAGRAPH (II) DOES NOT APPLY TO PRIVATELY

1 OWNED PARKING SPACES.

2 (c) A PERSON SHALL NOT USE RESERVED PARKING FOR A  
3 COMMERCIAL PURPOSE UNLESS:

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

6 (II) THE OWNER OF PRIVATE PROPERTY CONSENTS TO ALLOW THE  
7 USE.

8 (d) (I) AN EMPLOYEE OF AN ENTITY SHALL NOT USE AN  
9 IDENTIFYING PLACARD ISSUED TO THE ENTITY UNLESS THE EMPLOYEE IS  
10 TRANSPORTING PERSONS WITH DISABILITIES.

11 (II) FOR A VIOLATION OF THIS PARAGRAPH (d), THE EXECUTIVE  
12 DIRECTOR OR OFFICER OF THE ENTITY TO WHOM THE PLACARD OR PLATE  
13 WAS ISSUED AND THE OFFENDING EMPLOYEE ARE EACH SUBJECT TO THE  
14 PENALTIES IN SECTION 42-4-1701 (4) (a) (I) (M).

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

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

21 (4) **Blocking access.** (a) REGARDLESS OF WHETHER A PERSON  
22 DISPLAYS AN IDENTIFYING PLATE OR PLACARD, A PERSON SHALL NOT PARK  
23 A VEHICLE SO AS TO BLOCK REASONABLE ACCESS TO CURB RAMPS,  
24 PASSENGER LOADING ZONES, OR ACCESSIBLE ROUTES, AS IDENTIFIED IN 28  
25 CFR PART 36 APPENDIX A, THAT ARE CLEARLY IDENTIFIED UNLESS THE  
26 PERSON IS ACTIVELY LOADING OR UNLOADING A PERSON WITH A  
27 DISABILITY.

1 (b) A PERSON WHO VIOLATES THIS SUBSECTION (4) IS SUBJECT TO  
2 THE PENALTIES IN SECTION 42-4-1701 (4) (a) (VII).

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

5 (a) KNOWINGLY AND FRAUDULENTLY OBTAINS, POSSESSES, USES,  
6 OR TRANSFERS AN IDENTIFYING PLACARD ISSUED TO A PERSON WITH A  
7 DISABILITY;

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

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

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

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

20 (II) THE PEACE OFFICER OR PARKING ENFORCEMENT OFFICIAL  
21 SHALL SEND A CONFISCATED PLACARD TO THE DEPARTMENT UNLESS IT IS  
22 BEING HELD AS EVIDENCE FOR PROSECUTION OF A VIOLATION OF THIS  
23 SECTION. IF THE TAG IS BEING HELD AS EVIDENCE, THE PEACE OFFICER OR  
24 PARKING ENFORCEMENT OFFICIAL SHALL NOTIFY THE DEPARTMENT OF THE  
25 CONFISCATION AND PENDING CHARGES.

26 (III) THE DEPARTMENT SHALL HOLD A CONFISCATED PLACARD FOR  
27 THIRTY DAYS AND MAY DISPOSE OF THE PLACARD AFTER THIRTY DAYS.

1 THE DEPARTMENT SHALL RELEASE THE PLACARD TO THE PERSON WITH A  
2 DISABILITY TO WHOM IT WAS ISSUED WHEN THE PERSON SIGNS A  
3 STATEMENT UNDER PENALTY OF PERJURY THAT HE OR SHE WAS UNAWARE  
4 THAT THE VIOLATOR USED, OR INTENDED TO USE, THE PLACARD IN  
5 VIOLATION OF THIS SECTION.

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

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

11 (e) (I) A PEACE OFFICER MAY ISSUE A PENALTY ASSESSMENT  
12 NOTICE FOR A VIOLATION OF PARAGRAPH (b), (c), OR (d) OF SUBSECTION  
13 (3) OF THIS SECTION BY SENDING IT BY CERTIFIED MAIL TO THE  
14 REGISTERED OWNER OF THE MOTOR VEHICLE. THE PEACE OFFICER SHALL  
15 INCLUDE IN THE PENALTY ASSESSMENT NOTICE THE OFFENSE OR  
16 INFRACTION, THE TIME AND PLACE WHERE IT OCCURRED, AND A  
17 STATEMENT THAT THE PAYMENT OF THE PENALTY ASSESSMENT AND A  
18 SURCHARGE IS DUE WITHIN TWENTY DAYS AFTER THE ISSUANCE OF THE  
19 NOTICE. THE DEPARTMENT RECEIVES PAYMENT OF THE PENALTY  
20 ASSESSMENT BY THE DUE DATE IF THE PAYMENT IS RECEIVED OR  
21 POSTMARKED BY THE TWENTIETH DAY AFTER THE VEHICLE OWNER  
22 RECEIVED THE PENALTY ASSESSMENT NOTICE.

23 (II) IF THE PENALTY ASSESSMENT AND SURCHARGE ARE NOT PAID  
24 WITHIN TWENTY DAYS AFTER THE DATE THE VEHICLE OWNER RECEIVES  
25 THE ASSESSMENT NOTICE SPECIFIED IN SUBPARAGRAPH (I) OF THIS  
26 PARAGRAPH (e), THE PEACE OFFICER WHO ISSUED THE ORIGINAL PENALTY  
27 ASSESSMENT NOTICE SHALL FILE A COMPLAINT WITH A COURT HAVING

1 JURISDICTION AND ISSUE AND SERVE UPON THE REGISTERED OWNER OF THE  
2 VEHICLE A SUMMONS TO APPEAR IN COURT AT THE TIME AND PLACE  
3 SPECIFIED.

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

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

11 (III) UPON RECEIPT OF CERTIFICATION OR INDEPENDENT  
12 VERIFICATION OF AN ENTRY OF JUDGMENT, THE DEPARTMENT SHALL  
13 REVOKE AN IDENTIFYING PLATE OR PLACARD AS PROVIDED IN SECTION  
14 42-3-204 (7) (d).

15 (g) (I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION  
16 TO THE CONTRARY, A HOLDER IS LIABLE FOR ANY PENALTY OR FINE AS SET  
17 FORTH IN THIS SECTION OR SECTION 42-3-204 OR FOR ANY MISUSE OF AN  
18 IDENTIFYING PLATE OR PLACARD, INCLUDING THE USE OF SUCH PLATE OR  
19 PLACARD BY ANY PERSON OTHER THAN A HOLDER, UNLESS THE HOLDER  
20 FURNISHES SUFFICIENT EVIDENCE THAT THE IDENTIFYING PLATE OR  
21 PLACARD WAS, AT THE TIME OF THE VIOLATION, IN THE CARE, CUSTODY,  
22 OR CONTROL OF ANOTHER PERSON WITHOUT THE HOLDER'S KNOWLEDGE  
23 OR CONSENT.


24 (II) A HOLDER MAY AVOID THE LIABILITY DESCRIBED IN  
25 SUBPARAGRAPH (I) OF THIS PARAGRAPH (g) IF, WITHIN A REASONABLE  
26 TIME AFTER NOTIFICATION OF THE VIOLATION, THE HOLDER FURNISHES TO  
27 THE PROSECUTORIAL DIVISION OF THE APPROPRIATE JURISDICTION THE

1 NAME AND ADDRESS OF THE PERSON WHO HAD THE CARE, CUSTODY, OR  
2 CONTROL OF THE IDENTIFYING PLATE OR PLACARD AT THE TIME OF THE  
3 VIOLATION OR THE HOLDER REPORTS THE LICENSE PLATE OR PLACARD  
4 LOST OR STOLEN TO BOTH THE APPROPRIATE LOCAL LAW ENFORCEMENT  
5 AGENCY AND THE DEPARTMENT.

6 (h) AN EMPLOYER SHALL NOT FORBID AN EMPLOYEE FROM  
7 REPORTING VIOLATIONS OF THIS SECTION. A PERSON SHALL NOT INITIATE  
8 OR ADMINISTER ANY DISCIPLINARY ACTION AGAINST AN EMPLOYEE  
9 BECAUSE THE EMPLOYEE NOTIFIED THE AUTHORITIES OF A POSSIBLE  
10 VIOLATION OF THIS SECTION IF THE EMPLOYEE HAS A GOOD-FAITH BELIEF  
11 THAT A VIOLATION HAS OCCURRED.

12 (i) A LANDLORD SHALL NOT RETALIATE AGAINST A TENANT  
13 BECAUSE THE TENANT NOTIFIED THE AUTHORITIES OF A POSSIBLE  
14 VIOLATION OF THIS SECTION IF THE TENANT HAS A GOOD-FAITH BELIEF  
15 THAT A VIOLATION HAS OCCURRED.

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

23   
24 (k) THE STATE OR LOCAL AUTHORITY ISSUING A CITATION UNDER  
25 THIS SECTION, OR UNDER ANY LOCAL ORDINANCE DEFINING A  
26 SUBSTANTIALLY EQUIVALENT OFFENSE, SHALL TRANSFER ONE-HALF OF  
27 THE FINE TO THE STATE TREASURER, WHO SHALL CREDIT THE FINE TO THE

1 DISABLED PARKING EDUCATION AND ENFORCEMENT FUND CREATED IN  
2 SECTION 42-1-226.

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

6 **42-3-213. License plates - military veterans - rules -**  
7 **retirement.** (1) (a) The department shall issue one or more sets of ~~special~~  
8 license plates to the following persons who own a truck that does not  
9 exceed sixteen thousand pounds empty weight, a passenger car, a  
10 motorcycle, or a noncommercial or recreational vehicle:

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

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

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

24 (IV) One dollar of each additional fee collected from purchasers  
25 of ~~special~~ license plates issued ~~pursuant to~~ UNDER subsections (4) and (5)  
26 of this section shall be retained by the authorized agent, and one dollar  
27 and fifteen cents of each ~~such~~ additional fee shall be credited to the



1 special purpose account established under section 42-1-211.

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

5 (c) All applications for the ~~special~~ license plates described in this  
6 section shall be made directly to the department and shall include such  
7 information as the department may require.

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

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

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

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

19 (II) In addition to the requirements of subparagraph (I) of this  
20 paragraph (a), if the applicant demonstrates that he or she has a physical  
21 impairment affecting mobility under the standards provided in section  
22 42-3-204 (1), then ~~such special~~ THE license plate shall have an additional  
23 identifying figure, as ~~determined by the department~~ DEFINED IN SECTION  
24 42-3-204 (1) (c), to indicate that the ~~owner of the vehicle is authorized to~~  
25 ~~make use of parking privileges for persons with disabilities~~ TO  
26 TRANSPORT A PERSON WHO IS ELIGIBLE TO USE RESERVED PARKING UNDER  
27 SECTION 42-4-1208.

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

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

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

1 follows:

2	Section Violated	Penalty	Surcharge
3	(M) <b>Parking violations:</b>		
4	42-4-1201	\$ 30.00	\$ 6.00
5	42-4-1202	30.00	6.00
6	42-4-1204	15.00	6.00
7	42-4-1205	15.00	6.00
8	42-4-1206	15.00	6.00
9	42-4-1207	15.00	6.00

10 42-4-1208 ~~(9), (15), or (16)~~ (3) (b), (3)

11 (c), AND (3) (d) 150.00 32.00

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

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

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

21 (C) A FINE OF NOT LESS THAN ONE THOUSAND DOLLARS BUT NOT  
22 MORE THAN FIVE THOUSAND DOLLARS, IN ADDITION TO NOT MORE THAN  
23 TEN HOURS OF COMMUNITY SERVICE, FOR A THIRD OR SUBSEQUENT  
24 OFFENSE.

25 (IX) A PERSON WHO VIOLATES SECTION 42-4-1208 (3) BY PARKING  
26 A VEHICLE OWNED BY A COMMERCIAL CARRIER IS GUILTY OF A  
27 MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED BY THE

1 SURCHARGE AND A FINE OF UP TO TWICE THE PENALTY IMPOSED IN  
2 SUBPARAGRAPH (VIII) OF THIS PARAGRAPH (a).

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

6 (B) A PERSON WHO WILLFULLY RECEIVES REMUNERATION FOR  
7 VIOLATING SECTION 42-3-1208 (5) IS GUILTY OF A CLASS 1 MISDEMEANOR  
8 AND, UPON CONVICTION, SHALL BE PUNISHED BY TWICE THE CIVIL AND  
9 CRIMINAL PENALTIES THAT WOULD BE IMPOSED UNDER SECTION  
10 18-1.3-501, C.R.S.

11 **SECTION 6. Effective date - applicability.** This act takes effect  
12 July 1, 2014, and applies to applications for identifying plates or placards  
13 submitted and offenses committed on or after January 1, 2015.

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