

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. 14-0348.01 Jery Payne x2157

HOUSE BILL 14-1066

HOUSE SPONSORSHIP

Vigil,

SENATE SPONSORSHIP

Steadman,

House Committees

Local Government  
Finance  
Appropriations

Senate Committees

Transportation  
Appropriations

A BILL FOR AN ACT

101 CONCERNING THE AMOUNT OF A DRIVER'S LICENSE FEE THAT A RURAL  
102 COUNTY CLERK AND RECORDER MAY RETAIN WHEN ISSUING A  
103 DRIVER'S LICENSE, AND, IN CONNECTION THEREWITH, MAKING  
104 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>.)*

Currently, a county clerk and recorder's office that issues a driver's license may retain \$8 of the fee. The bill allows the office to retain \$13.60

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 1, 2014

HOUSE  
3rd Reading Unamended  
April 24, 2014

HOUSE  
Amended 2nd Reading  
April 23, 2014

of the fee in counties of fewer than 100,000 people.

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

2           **SECTION 1.** In Colorado Revised Statutes, 42-2-114, **amend** (4);  
3 and **repeal and reenact, with amendments,** (2) as follows:

4           **42-2-114. License issued - fees.** (2) (a) EXCEPT AS PROVIDED IN  
5 SUBSECTION (3) OF THIS SECTION, THE FEE FOR THE ISSUANCE OF A  
6 DRIVER'S LICENSE TO A PERSON TWENTY-ONE YEARS OF AGE OR OLDER IS  
7 TWENTY DOLLARS AND FORTY CENTS. THE LICENSE EXPIRES ON THE  
8 APPLICANT'S BIRTHDAY IN THE FIFTH YEAR AFTER ISSUANCE OF THE  
9 LICENSE.

10           (b) THE DEPARTMENT SHALL TRANSFER THE FEE TO THE STATE  
11 TREASURER, WHO SHALL CREDIT FIFTEEN DOLLARS TO THE HIGHWAY  
12 USERS TAX FUND, CREATED IN SECTION 43-4-201, C.R.S., AND FIVE  
13 DOLLARS AND FORTY CENTS TO THE LICENSING SERVICES CASH FUND,  
14 CREATED IN SECTION 42-2-114.5; EXCEPT THAT, THROUGH FISCAL YEAR  
15 2014-15, THE STATE TREASURER SHALL CREDIT THE ENTIRE FEE TO THE  
16 LICENSING SERVICES CASH FUND.

17           (c) NOTWITHSTANDING PARAGRAPH (b) OF THIS SUBSECTION (2):

18           (I) IF THE DRIVER'S LICENSE IS ISSUED BY THE OFFICE OF A COUNTY  
19 CLERK AND RECORDER IN A COUNTY WITH A POPULATION OF AT LEAST ONE  
20 HUNDRED THOUSAND INDIVIDUALS, THE COUNTY CLERK AND RECORDER  
21 SHALL RETAIN THE SUM OF EIGHT DOLLARS AND FORWARD THE  
22 REMAINDER TO THE DEPARTMENT FOR TRANSMISSION TO THE STATE  
23 TREASURER, WHO SHALL CREDIT THREE DOLLARS AND FORTY CENTS TO  
24 THE LICENSING SERVICES CASH FUND AND NINE DOLLARS TO THE HIGHWAY  
25 USERS TAX FUND; EXCEPT THAT, THROUGH FISCAL YEAR 2014-15, THE

1 STATE TREASURER SHALL CREDIT THE ENTIRE FEE TO THE LICENSING  
2 SERVICES CASH FUND.

3 (II) IF THE DRIVER'S LICENSE IS ISSUED BY AN OFFICE OF A COUNTY  
4 CLERK AND RECORDER IN A COUNTY WITH A POPULATION OF FEWER THAN  
5 ONE HUNDRED THOUSANDS INDIVIDUALS, THE COUNTY CLERK AND  
6 RECORDER SHALL RETAIN THE SUM OF THIRTEEN DOLLARS AND SIXTY  
7 CENTS AND FORWARD THE REMAINDER TO THE DEPARTMENT FOR  
8 TRANSMISSION TO THE STATE TREASURER, WHO SHALL CREDIT ONE  
9 DOLLAR AND EIGHTY-SIX CENTS TO THE LICENSING SERVICES CASH FUND  
10 AND FOUR DOLLARS AND NINETY-FOUR CENTS TO THE HIGHWAY USERS  
11 TAX FUND; EXCEPT THAT, THROUGH FISCAL YEAR 2014-15, THE STATE  
12 TREASURER SHALL CREDIT THE ENTIRE FEE TO THE LICENSING SERVICES  
13 CASH FUND.

14 (d) IN ADDITION TO THE FEE ESTABLISHED IN PARAGRAPH (a) OF  
15 THIS SUBSECTION (2), A SURCHARGE OF TWO DOLLARS IS ADDED FOR  
16 ISSUANCE OF A DRIVER'S OR PROVISIONAL DRIVER'S LICENSE WITH A  
17 MOTORCYCLE ENDORSEMENT. THE DEPARTMENT SHALL TRANSFER THE  
18 SURCHARGE TO THE STATE TREASURER, WHO SHALL CREDIT IT TO THE  
19 MOTORCYCLE OPERATOR SAFETY TRAINING FUND, CREATED IN SECTION  
20 43-5-504, C.R.S.

21 (e) THE GENERAL ASSEMBLY SHALL MAKE APPROPRIATIONS FROM  
22 THE LICENSING SERVICES CASH FUND FOR THE EXPENSES OF THE  
23 ADMINISTRATION OF THIS PART 1 AND PART 2 OF THIS ARTICLE; EXCEPT  
24 THAT:

25 (I) EIGHT DOLLARS AND FIFTY CENTS OF EACH FEE IS ALLOCATED  
26 IN ACCORDANCE WITH SECTION 43-4-205 (6) (b), C.R.S.; AND

27 (II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH

1 (e), THROUGH FISCAL YEAR 2014-15, THE STATE TREASURER SHALL CREDIT  
2 THE ENTIRE AMOUNT TO THE LICENSING SERVICES CASH FUND.

3 (4) (a) (I) The fee for the issuance of a minor driver's license is  
4 twenty dollars and forty cents. ~~which~~ THE license expires twenty days  
5 after the LICENSEE'S twenty-first birthday. ~~of the licensee.~~

6 (II) The department shall transfer the fee to the state treasurer,  
7 who shall credit fifteen dollars to the highway users tax fund and five  
8 dollars and forty cents to the licensing services cash fund, created in  
9 section 42-2-114.5; except that, for fiscal years 2012-13 through 2014-15,  
10 the state treasurer shall credit the fee to the licensing services cash fund  
11 ~~created in section 42-2-114.5.~~

12 (III) In the case of the issuance of any minor driver's license by  
13 the office of ~~the~~ A county clerk and recorder, the fee for the minor driver's  
14 license is apportioned in the same manner as for the issuance of a driver's  
15 license in accordance with paragraph ~~(a)~~ (c) of subsection (2) of this  
16 section.

17 (b) (I) ~~Prior to July 1, 2006, a surcharge of one dollar shall be~~  
18 ~~added for issuance of a minor driver's license for which a motorcycle~~  
19 ~~endorsement is requested which shall be credited to the motorcycle~~  
20 ~~operator safety training fund created in section 43-5-504, C.R.S.~~

21 (II) ~~On and after July 1, 2006,~~ A surcharge of two dollars shall be  
22 added for issuance of a minor driver's license for which a motorcycle  
23 endorsement is requested. ~~which~~ THE SURCHARGE shall be credited to the  
24 motorcycle operator safety training fund, created in section 43-5-504,  
25 C.R.S.

26 **SECTION 2. In Colorado Revised Statutes, 42-2-114, repeal (4)**  
27 **(b); and repeal and reenact, with amendments, (2) as follows:**

1           **42-2-114. License issued - fees - repeal - rules.** (2) (a) A FEE IS  
2 REQUIRED FOR THE ISSUANCE OF A DRIVER'S LICENSE TO A PERSON  
3 TWENTY-ONE YEARS OF AGE OR OLDER. THE DEPARTMENT SHALL SET THE  
4 FEE IN ACCORDANCE WITH SECTION 42-2-114.5. EXCEPT AS PROVIDED IN  
5 SUBSECTION (3) OF THIS SECTION, THE LICENSE EXPIRES ON THE  
6 APPLICANT'S BIRTHDAY IN THE FIFTH YEAR AFTER ISSUANCE OF THE  
7 LICENSE.

8           (b) THE DEPARTMENT SHALL TRANSFER THE FEE TO THE STATE  
9 TREASURER, WHO SHALL CREDIT THE FEE TO THE LICENSING SERVICES  
10 CASH FUND CREATED IN SECTION 42-2-114.5.

11           (c) NOTWITHSTANDING PARAGRAPH (b) OF THIS SUBSECTION (2):

12           (I) IF THE DRIVER'S LICENSE IS ISSUED BY THE OFFICE OF A COUNTY  
13 CLERK AND RECORDER IN A COUNTY WITH A POPULATION OF AT LEAST ONE  
14 HUNDRED THOUSAND INDIVIDUALS, THE COUNTY CLERK AND RECORDER  
15 SHALL RETAIN THE SUM OF EIGHT DOLLARS AND FORWARD THE  
16 REMAINDER TO THE DEPARTMENT FOR TRANSMISSION TO THE STATE  
17 TREASURER, WHO SHALL CREDIT THE REMAINDER OF THE FEE TO THE  
18 LICENSING SERVICES CASH FUND.

19           (II) IF THE DRIVER'S LICENSE IS ISSUED BY AN OFFICE OF A COUNTY  
20 CLERK AND RECORDER IN A COUNTY WITH A POPULATION OF FEWER THAN  
21 ONE HUNDRED THOUSANDS INDIVIDUALS, THE COUNTY CLERK AND  
22 RECORDER SHALL RETAIN THE SUM OF THIRTEEN DOLLARS AND SIXTY  
23 CENTS AND FORWARD THE REMAINDER TO THE DEPARTMENT FOR  
24 TRANSMISSION TO THE STATE TREASURER, WHO SHALL CREDIT THE  
25 REMAINDER OF THE FEE TO THE LICENSING SERVICES CASH FUND.

26           (d) IN ADDITION TO THE FEE ESTABLISHED IN PARAGRAPH (a) OF  
27 THIS SUBSECTION (2), A SURCHARGE OF TWO DOLLARS IS ADDED FOR

1 ISSUANCE OF A DRIVER'S OR MINOR DRIVER'S LICENSE WITH A  
2 MOTORCYCLE ENDORSEMENT. THE DEPARTMENT SHALL TRANSFER THE  
3 SURCHARGE TO THE STATE TREASURER, WHO SHALL CREDIT IT TO THE  
4 MOTORCYCLE OPERATOR SAFETY TRAINING FUND, CREATED IN SECTION  
5 43-5-504, C.R.S.

6 (e) IN ADDITION TO THE FEE ESTABLISHED IN PARAGRAPH (a) OF  
7 THIS SUBSECTION (2), A SURCHARGE IS ADDED FOR ISSUANCE OF A  
8 DRIVER'S OR MINOR DRIVER'S LICENSE WHEN AN APPLICANT RETAKES  
9 EITHER THE EXAMINATION OF KNOWLEDGE OF THE TRAFFIC LAWS OF THIS  
10 STATE OR THE DEMONSTRATION OF THE APPLICANT'S ABILITY TO EXERCISE  
11 ORDINARY AND REASONABLE CARE AND CONTROL IN THE OPERATION OF  
12 A MOTOR VEHICLE. THE DEPARTMENT SHALL SET THE SURCHARGE BY RULE  
13 IN AN AMOUNT TO OFFSET THE DIRECT AND INDIRECT COST OF GIVING THE  
14 EXAMINATION OR DEMONSTRATION. THE DEPARTMENT SHALL TRANSFER  
15 THE SURCHARGE TO THE STATE TREASURER, WHO SHALL CREDIT IT TO THE  
16 LICENSING SERVICES CASH FUND, CREATED IN SECTION 42-2-114.5.

17 (4) (b) (I) Prior to July 1, 2006, a surcharge of one dollar shall be  
18 added for issuance of a minor driver's license for which a motorcycle  
19 endorsement is requested which shall be credited to the motorcycle  
20 operator safety training fund created in section 43-5-504, C.R.S.

21 (II) On and after July 1, 2006, a surcharge of two dollars shall be  
22 added for issuance of a minor driver's license for which a motorcycle  
23 endorsement is requested which shall be credited to the motorcycle  
24 operator safety training fund created in section 43-5-504, C.R.S.

25 **SECTION 3.** In Colorado Revised Statutes, 43-5-504, **amend** (1)  
26 as follows:

27 **43-5-504. Motorcycle operator safety training fund.** (1) The

1 motorcycle operator safety training fund is hereby created in the state  
2 treasury. The fund consists of moneys collected under sections 42-2-114  
3 (2) ~~(b)~~ (d) and (4) (b), 42-2-118 (1) (b) (II), and 42-3-304 (4), C.R.S. The  
4 moneys in the fund are available immediately, without further  
5 appropriation, for allocation by the transportation commission to the  
6 office to be used for the implementation and administration of the  
7 program. Moneys credited to the fund remain ~~therein~~ IN THE FUND at the  
8 end of each fiscal year and are not transferred to any other fund.

9 **SECTION 4. Appropriation - adjustments to 2014 long bill.**

10 (1) For the implementation of this act, the general fund appropriation  
11 made in the annual general appropriation act to the controlled  
12 maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado  
13 Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased  
14 by \$61,264.

15 (2) In addition to any other appropriation, there is hereby  
16 appropriated, out of any moneys in the general fund, not otherwise  
17 appropriated, to the department of revenue, for the fiscal year beginning  
18 July 1, 2014, the sum of \$61,264, or so much thereof as may be necessary,  
19 to be allocated to the division of motor vehicles, driver services, for  
20 personal services related to the implementation of this act.

21 (3) In addition to any other appropriation, there is hereby  
22 appropriated, out of any moneys in the Colorado state titling and  
23 registration account of the highway users tax fund created in section  
24 42-1-211 (2), Colorado Revised Statutes, not otherwise appropriated, to  
25 the department of revenue, for the fiscal year beginning July 1, 2014, the  
26 sum of \$6,592, or so much thereof as may be necessary, to be allocated  
27 for the purchase of computer center services for the implementation of

1 this act.

2 (4) In addition to any other appropriation, there is hereby  
3 appropriated to the governor - lieutenant governor - state planning and  
4 budgeting, for the fiscal year beginning July 1, 2014, the sum of \$6,592,  
5 or so much thereof as may be necessary, for allocation to the office of  
6 information technology, for the provision of computer center services for  
7 the department of revenue related to the implementation of this act. Said  
8 sum is from reappropriated funds received from the department of  
9 revenue out of the appropriation made in subsection (3) of this section.

10 **SECTION 5. Effective date - applicability.** (1) (a) Except as  
11 otherwise provided in this section, this act takes effect July 1, 2014.

12 (b) Section 1 of this act takes effect only if Senate Bill 14-194  
13 does not become law.

14 (c) Section 2 of this act takes effect only if Senate Bill 14-194  
15 becomes law.

16 (2) This act applies to driver's licenses issued on or after the  
17 applicable effective date of this act.

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