

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 14-0442.01 Jery Payne x2157

HOUSE BILL 14-1046

HOUSE SPONSORSHIP

Scott,

SENATE SPONSORSHIP

Kerr and Johnston,

House Committees

Transportation & Energy
Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A SCOTTISH AMERICAN LICENSE**
102 **PLATE FOR MOTOR VEHICLES, AND, IN CONNECTION THEREWITH,**
103 **MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill creates the "Scottish American" license plate. A person becomes eligible to use the plate by providing a certificate confirming that the person made an appropriate donation to the St. Andrew Society of Colorado. In addition to the standard motor vehicle fees, the plate

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.

HOUSE
Amended 2nd Reading
March 10, 2014

requires 2 one-time fees of \$25. One of the fees is credited to the highway users tax fund and the other to the licensing services cash fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 42-3-247 as
3 follows:

4 **42-3-247. Special plates - Scottish Americans.** (1) BEGINNING
5 THE EARLIER OF JANUARY 1, 2015, OR WHEN THE DEPARTMENT IS ABLE TO
6 ISSUE THE PLATES, THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE
7 PLATES TO QUALIFIED APPLICANTS IN ACCORDANCE WITH THIS SECTION
8 FOR MOTORCYCLES, PASSENGER CARS, TRUCKS, OR NONCOMMERCIAL OR
9 RECREATIONAL MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN
10 THOUSAND POUNDS EMPTY WEIGHT.

11 (2) (a) THERE IS HEREBY ESTABLISHED THE "SCOTTISH AMERICAN"
12 LICENSE PLATE. THE DEPARTMENT MAY STOP ISSUING THE "SCOTTISH
13 AMERICAN" LICENSE PLATE IF THREE THOUSAND LICENSE PLATES ARE NOT
14 ISSUED BY JULY 1, 2019. A PERSON WHO WAS ISSUED A "SCOTTISH
15 AMERICAN" LICENSE PLATE ON OR BEFORE JULY 1, 2019, MAY CONTINUE
16 TO USE THE LICENSE PLATE AFTER JULY 1, 2019, REGARDLESS OF WHETHER
17 THE DEPARTMENT STOPS ISSUING THE SPECIAL LICENSE PLATE.

18 (b) THE SAINT ANDREW SOCIETY OF COLORADO MAY DESIGN THE
19 SPECIAL LICENSE PLATE, BUT THE PLATE MUST CONFORM WITH STANDARDS
20 ESTABLISHED BY THE DEPARTMENT.

21 (3) (a) A PERSON MAY APPLY FOR A "SCOTTISH AMERICAN"
22 LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED
23 UNDER THIS SECTION AND PROVIDES TO THE DEPARTMENT OR AN
24 AUTHORIZED AGENT A CERTIFICATE ISSUED BY THE SAINT ANDREW
25 SOCIETY OF COLORADO, OR ITS SUCCESSOR ORGANIZATION, CONFIRMING

1 THAT THE APPLICANT HAS DONATED AN APPROPRIATE AMOUNT, NOT LESS
2 THAN FIFTEEN DOLLARS, TO THE SAINT ANDREW SOCIETY OF COLORADO.

3 (b) THE SAINT ANDREW SOCIETY OF COLORADO, OR ITS
4 SUCCESSOR ORGANIZATION, SHALL FILE WITH THE DEPARTMENT AN
5 ANNUAL STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION
6 UNLESS THE DEPARTMENT STOPS ISSUING THE LICENSE PLATE.

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

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

1 THE FEES UNDER THIS SUBSECTION (5) ARE IN ADDITION TO ALL OTHER
2 APPLICABLE TAXES AND FEES.

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

5 **42-3-312. Special license plate surcharge.** In addition to any
6 other fee imposed by this article, an applicant for a special license plate
7 created by rule in accordance with section 42-3-207, as the section existed
8 when the plate was created, or license plates issued pursuant to sections
9 42-3-211 to 42-3-218, sections 42-3-221 to 42-3-234, and sections
10 42-3-237 to ~~42-3-246~~ 42-3-247 shall pay an issuance fee of twenty-five
11 dollars; except that the fee is not imposed on special license plates
12 exempted from additional fees for the issuance of a military special
13 license plate by section 42-3-213 (1) (b) (II). The department shall
14 transfer the fee to the state treasurer, who shall credit it to the licensing
15 services cash fund created in section 42-2-114.5.

16 **SECTION 3. Appropriation.** (1) In addition to any other
17 appropriation, there is hereby appropriated, out of any moneys in the
18 Colorado state titling and registration account of the highway users tax
19 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
20 otherwise appropriated, to the department of revenue, for the fiscal year
21 beginning July 1, 2014, the sum of \$4,120, or so much thereof as may be
22 necessary, for the purchase of computer programming services related to
23 the implementation of this act.

24 (2) In addition to any other appropriation, there is hereby
25 appropriated, out of any moneys in the license plate cash fund created in
26 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise
27 appropriated, to the department of revenue, for the fiscal year beginning

1 July 1, 2014, the sum of \$5,920, or so much thereof as may be necessary,
2 for allocation to the division of motor vehicles for the purchase of special
3 license plates related to the implementation of this act.

4 (3) In addition to any other appropriation, there is hereby
5 appropriated to the governor - lieutenant governor - state planning and
6 budgeting, for the fiscal year beginning July 1, 2014, the sum of \$4,120,
7 or so much thereof as may be necessary, for allocation to the office of
8 information technology, for the provision of computer center services for
9 the department of revenue related to the implementation of this act. Said
10 sum is from reappropriated funds received from the department of
11 revenue out of the appropriation made in subsection (1) of this section.

12 **SECTION 4. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly (August
15 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a
16 referendum petition is filed pursuant to section 1 (3) of article V of the
17 state constitution against this act or an item, section, or part of this act
18 within such period, then the act, item, section, or part will not take effect
19 unless approved by the people at the general election to be held in
20 November 2014 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.