

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0036.01 Jery Payne x2157

SENATE BILL 14-075

SENATE SPONSORSHIP

Baumgardner,

HOUSE SPONSORSHIP

Sonnenberg,

Senate Committees
Transportation

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE REGISTRATION OF MOTOR VEHICLES FOR MEMBERS**
102 **OF THE UNITED STATES ARMED FORCES WHO ARE DEPLOYED**
103 **OUTSIDE THE UNITED STATES.**

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 act exempts a member of the United States armed forces from paying the basic motor vehicle registration fees and authorizes payment of an alternate specific ownership tax of \$1 if the person is deployed outside the United States for a full year. The vehicle may not be driven

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.

during this time. If the person is not deployed for a whole year, the basic fees and taxes are prorated. If the person has already paid the fees at the time of deployment, the department credits the fees towards succeeding years.

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

SECTION 1. In Colorado Revised Statutes, 42-3-107, **amend** (8) and (10) as follows:

42-3-107. Taxable value of classes of property - rate of tax - when and where payable - department duties - apportionment of tax collections - definitions - rules. (8) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (8), the annual specific ownership tax payable on every item of Class B personal property ~~shall be computed in accordance with the following schedule~~ IS:

Year of service	Rate of tax
First year	2.10% of taxable value
Second year	1.50% of taxable value
Third year	1.20% of taxable value
Fourth year	.90% of taxable value
Fifth, sixth, seventh, eighth, and ninth years	.45% of taxable value or \$10, whichever is greater
Tenth and each later year	\$ 3

(b) (I) IN LIEU OF PAYING THE SPECIFIC OWNERSHIP TAX REQUIRED IN PARAGRAPH (a) OF THIS SUBSECTION (8), AN OWNER WHO QUALIFIES MAY PAY OWNERSHIP TAX UNDER THIS PARAGRAPH (b). THE SPECIFIC OWNERSHIP TAX PAYABLE ON CLASS B PERSONAL PROPERTY UNDER SIXTEEN THOUSAND POUNDS EMPTY WEIGHT IS ONE DOLLAR FOR EACH

1 FULL YEAR WHILE THE OWNER IS A MEMBER OF THE UNITED STATES
2 ARMED FORCES AND HAS ORDERS TO SERVE OUTSIDE THE UNITED STATES.
3 IF THE OWNER SERVES LESS THAN A FULL YEAR OUTSIDE THE UNITED
4 STATES, THE TAX IS THE AMOUNT ESTABLISHED BY PARAGRAPH (a) OF THIS
5 SUBSECTION (8), PRORATED ACCORDING TO THE NUMBER OF CALENDAR
6 DAYS THE OWNER WAS IN THE UNITED STATES.

7 (II) IN ORDER TO QUALIFY FOR THE TAX RATE IMPOSED BY THIS
8 PARAGRAPH (b), THE OWNER MUST:

9 (A) SHOW THE DEPARTMENT MILITARY ORDERS TO SERVE OUTSIDE
10 THE UNITED STATES OR ANY EVIDENCE ACCEPTABLE TO THE DEPARTMENT
11 THAT THE OWNER SERVED OUTSIDE THE UNITED STATES; AND

12 (B) FILE A SIGNED AFFIDAVIT THAT THE MOTOR VEHICLE WILL NOT
13 BE OPERATED ON A HIGHWAY WHEN THE TAX RATE APPLIES.

14 (III) IF A PERSON HAS ALREADY PAID TAXES AT THE RATE
15 REQUIRED IN PARAGRAPH (a) OF THIS SUBSECTION (8) BUT IS ELIGIBLE TO
16 PAY TAXES UNDER THIS PARAGRAPH (b), THE DEPARTMENT SHALL CREDIT
17 THE PERSON THE DIFFERENCE BETWEEN THE RATE IN PARAGRAPH (a) OF
18 THIS SUBSECTION (8) AND THE PRORATED RATE IMPOSED IN THIS
19 PARAGRAPH (b) TOWARDS THE PERSON'S SPECIFIC OWNERSHIP TAXES FOR
20 SUCCEEDING YEARS.

21 (IV) THIS PARAGRAPH (b) ONLY APPLIES TO A MOTOR VEHICLE
22 THAT IS LESS THAN TEN MODEL-YEARS OLD AND LESS THAN SIXTEEN
23 THOUSAND POUNDS EMPTY WEIGHT.

24 (10) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS
25 SUBSECTION (10), the annual specific ownership tax payable on every item
26 of Class C personal property ~~shall be computed in accordance with the~~
27 ~~following schedule~~ IS:

1 Year of service	Rate of tax
2 First year	2.10% of taxable value
3 Second year	1.50% of taxable value
4 Third year	1.20% of taxable value
5 Fourth year	.90% of taxable value
6 Fifth, sixth, seventh, eighth,	
7 and ninth years	.45% of taxable value
8 Tenth and each later year	\$ 3

9 (b) (I) IN LIEU OF PAYING THE SPECIFIC OWNERSHIP TAX REQUIRED
10 IN PARAGRAPH (a) OF THIS SUBSECTION (10), AN OWNER WHO QUALIFIES
11 MAY PAY OWNERSHIP TAX UNDER THIS PARAGRAPH (b). THE SPECIFIC
12 OWNERSHIP TAX PAYABLE ON CLASS C PERSONAL PROPERTY IS ONE
13 DOLLAR FOR EACH FULL YEAR WHILE THE OWNER IS A MEMBER OF THE
14 UNITED STATES ARMED FORCES AND HAS ORDERS TO SERVE OUTSIDE THE
15 UNITED STATES. IF THE OWNER SERVES LESS THAN A FULL YEAR OUTSIDE
16 THE UNITED STATES, THE TAX IS THE AMOUNT ESTABLISHED BY
17 PARAGRAPH (a) OF THIS SUBSECTION (10), PRORATED ACCORDING TO THE
18 NUMBER OF CALENDAR DAYS THE OWNER WAS IN THE UNITED STATES.

19 (II) IN ORDER TO QUALIFY FOR THE TAX RATE IMPOSED BY THIS
20 PARAGRAPH (b), THE OWNER MUST:

21 (A) SHOW THE DEPARTMENT MILITARY ORDERS TO SERVE OUTSIDE
22 THE UNITED STATES OR ANY EVIDENCE ACCEPTABLE TO THE DEPARTMENT
23 THAT THE OWNER SERVED OUTSIDE THE UNITED STATES; AND

24 (B) FILE A SIGNED AFFIDAVIT THAT THE MOTOR VEHICLE WILL NOT
25 BE OPERATED ON A HIGHWAY WHEN THE TAX RATE APPLIES.

26 (III) IF A PERSON HAS ALREADY PAID TAXES AT THE RATE
27 REQUIRED IN PARAGRAPH (a) OF THIS SUBSECTION (10) BUT IS ELIGIBLE TO

1 PAY TAXES UNDER THIS PARAGRAPH (b), THE DEPARTMENT SHALL CREDIT
2 THE PERSON THE DIFFERENCE BETWEEN THE RATE IN PARAGRAPH (a) OF
3 THIS SUBSECTION (10) AND THE PRORATED RATE IMPOSED IN THIS
4 PARAGRAPH (b) TOWARDS THE PERSON'S SPECIFIC OWNERSHIP TAXES FOR
5 SUCCEEDING YEARS.

6 (IV) THIS PARAGRAPH (b) ONLY APPLIES TO A MOTOR VEHICLE
7 THAT IS LESS THAN TEN MODEL-YEARS OLD.

8 **SECTION 2.** In Colorado Revised Statutes, **add** 42-3-314 as
9 follows:

10 **42-3-314. Military deployment.** (1) **Motor vehicle fees**
11 **exempted.** IF THE OWNER IS A MEMBER OF THE UNITED STATES ARMED
12 FORCES AND HAS ORDERS TO SERVE OUTSIDE THE UNITED STATES, THE
13 OWNER MAY EXEMPT THE CLASS C PERSONAL PROPERTY OR CLASS B
14 PERSONAL PROPERTY UNDER SIXTEEN THOUSAND POUNDS EMPTY WEIGHT
15 FROM THE REGISTRATION FEES IMPOSED UNDER THIS PART 3 DURING THE
16 TIME THE OWNER IS SERVING. IF THE OWNER SERVES LESS THAN ONE YEAR
17 OUTSIDE THE UNITED STATES, THE FEES ARE EXEMPT FOR THE PORTION OF
18 THE YEAR THAT THE OWNER SERVED OUTSIDE THE UNITED STATES,
19 PRORATED ACCORDING TO THE NUMBER OF CALENDAR DAYS THE OWNER
20 WAS IN THE UNITED STATES.

21 (2) **Qualifications.** IN ORDER FOR A MOTOR VEHICLE TO QUALIFY
22 FOR THE EXEMPTION FROM REGISTRATION FEES UNDER THIS SECTION, THE
23 OWNER MUST:

24 (a) SHOW THE DEPARTMENT MILITARY ORDERS TO SERVE OUTSIDE
25 THE UNITED STATES OR ANY EVIDENCE ACCEPTABLE TO THE DEPARTMENT
26 THAT THE OWNER SERVED OUTSIDE THE UNITED STATES; AND

27 (b) FILE A SIGNED AFFIDAVIT THAT THE MOTOR VEHICLE WILL NOT

1 BE OPERATED ON A HIGHWAY DURING THE EXEMPTION PERIOD.

2 (3) IF A PERSON HAS ALREADY PAID THE NORMAL FEES UNDER THIS
3 PART 3 FOR A MOTOR VEHICLE THAT IS ELIGIBLE FOR AN EXEMPTION
4 UNDER THIS SECTION, THE DEPARTMENT SHALL CREDIT THE PERSON THE
5 EXEMPTED PORTION OF THE FEE AMOUNT TOWARDS THE PERSON'S FEES
6 FOR SUCCEEDING YEARS.

7 (4) **Violations.** A PERSON SHALL NOT OPERATE THE MOTOR
8 VEHICLE DURING THE TIME COVERED BY THE AFFIDAVIT FILED UNDER
9 SUBSECTION (2) OF THIS SECTION. A VIOLATION OF THIS SECTION IS A
10 CLASS B TRAFFIC INFRACTION.

11 **SECTION 3.** In Colorado Revised Statutes, **add** 43-4-814 as
12 follows:

13 **43-4-814. Military deployment.** (1) **Motor vehicle fees**
14 **exempted.** IF THE OWNER IS A MEMBER OF THE UNITED STATES ARMED
15 FORCES AND HAS ORDERS TO SERVE OUTSIDE THE UNITED STATES, THE
16 OWNER MAY EXEMPT THE CLASS C PERSONAL PROPERTY OR CLASS B
17 PERSONAL PROPERTY UNDER SIXTEEN THOUSAND POUNDS EMPTY WEIGHT
18 FROM THE REGISTRATION FEES IMPOSED UNDER THIS PART 8 DURING THE
19 TIME THE OWNER IS SERVING. IF THE OWNER SERVES LESS THAN ONE YEAR
20 OUTSIDE THE UNITED STATES, THE FEES ARE EXEMPT FOR THE PORTION OF
21 THE YEAR THAT THE OWNER SERVED OUTSIDE THE UNITED STATES,
22 PRORATED ACCORDING TO THE NUMBER OF CALENDAR DAYS THE OWNER
23 WAS IN THE UNITED STATES.

24 (2) **Qualifications.** IN ORDER TO QUALIFY FOR THE EXEMPTION
25 FROM REGISTRATION FEES UNDER THIS SECTION, THE OWNER MUST:

26 (a) SHOW THE DEPARTMENT MILITARY ORDERS TO SERVE OUTSIDE
27 THE UNITED STATES OR ANY EVIDENCE ACCEPTABLE TO THE DEPARTMENT

1 THAT THE OWNER SERVED OUTSIDE THE UNITED STATES; AND

2 (b) FILE A SIGNED AFFIDAVIT THAT THE CLASS C PERSONAL
3 PROPERTY WILL NOT BE OPERATED ON A HIGHWAY DURING THE EXEMPTION
4 PERIOD.

5 (3) IF A PERSON HAS ALREADY PAID THE NORMAL FEES UNDER THIS
6 PART 8 FOR A MOTOR VEHICLE THAT IS ELIGIBLE FOR AN EXEMPTION
7 UNDER THIS SECTION, THE DEPARTMENT SHALL CREDIT THE PERSON THE
8 EXEMPTED PORTION OF THE FEE AMOUNT TOWARDS THE PERSON'S FEES
9 FOR SUCCEEDING YEARS.

10 (4) **Violations.** A PERSON SHALL NOT OPERATE THE CLASS C
11 PERSONAL PROPERTY DURING THE TIME COVERED BY THE AFFIDAVIT FILED
12 UNDER SUBSECTION (2) OF THIS SECTION. A VIOLATION OF THIS SECTION
13 IS A CLASS B TRAFFIC INFRACTION.

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