First Regular Session
Seventieth General Assembly
STATE OF COLORADO

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

LLS NO. 15-0387.01 Jery Payne x2157 **SENATE BILL 15-090**

SENATE SPONSORSHIP

Todd, Hodge, Kerr

HOUSE SPONSORSHIP

Tyler,

Senate Committees
Transportation
Finance
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE ADOPTION OF STANDARDS GOVERNING TEMPORARY**
102 **PERMITS ON MOTOR VEHICLES FOR EFFECTIVE READABILITY,**
103 **AND, IN CONNECTION THEREWITH, 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 directs the department of revenue to ensure that temporary motor vehicle registration number plates, tags, or certificates meet the existing statutory requirements for attachment, visibility, and readability that apply to permanent plates. The department may promulgate rules and accept gifts, grants, or donations for implementation.

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
March 18, 2015

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

SECTION 1. In Colorado Revised Statutes, 42-3-203, **amend** (3) as follows:

42-3-203. Standardized plates - notice of funding through gifts, grants, and donations - rules - repeal. (3) (a) (I) The department may issue individual temporary registration number plates ~~tags, or~~ AND certificates good for a period not to exceed sixty days upon application by an owner of a motor vehicle or the owner's agent and the payment of a registration fee of two dollars, one dollar and sixty cents to be retained by the authorized agent or department issuing the plates, tags, or certificates and the remainder to be remitted monthly to the department to be transmitted to the state treasurer for credit to the highway users tax fund.

(II) The authorized agent may issue individual temporary registration number plates ~~tags, or~~ AND certificates good for a period not to exceed sixty days upon application by an owner of special mobile machinery or the owner's agent and the payment of a registration fee of two dollars, one dollar and sixty cents to be retained by the authorized agent or department issuing the plates, tags, or certificates and the remainder to be remitted monthly to the department to be transmitted to the state treasurer for credit to the highway users tax fund.

(III) It is unlawful for a person to use ~~such~~ A number plate ~~tag, or~~ AND certificate after it expires. A person who violates any provision of this paragraph (a) commits a class B traffic infraction.

(b) The department may issue to licensed motor vehicle dealers temporary registration number plates ~~tags, or~~ AND certificates in blocks of twenty-five upon payment of a fee of ~~twelve dollars and fifty~~ SIX

DOLLARS AND TWENTY-FIVE cents for each block of twenty-five. ~~fifty percent thereof to be retained by the county clerk and recorder and the remainder to be remitted monthly to the department. to be transmitted~~ THE DEPARTMENT SHALL TRANSMIT ANY MONEY IT RECEIVES FROM THIS SALE to the state treasurer for credit to the highway users tax fund and allocation and expenditure as specified in section 43-4-205 (5.5) (b), C.R.S. THE DEPARTMENT MAY PROMULGATE RULES CREATING A SYSTEM FOR THE DEALER TO:

(I) PRINT ON THE TEMPORARY PLATES THE TEMPORARY REGISTRATION NUMBER, VEHICLE IDENTIFICATION NUMBER, AND OTHER INFORMATION REQUIRED BY THE DEPARTMENT; AND

(II) PRINT TEMPORARY REGISTRATION CERTIFICATES WITH THE INFORMATION REQUIRED BY THE DEPARTMENT.

(c) (I) Subject to subparagraph (III) of this paragraph (c), the department shall not issue more than two temporary registration number plates ~~tags, or~~ AND certificates per year to a Class A or Class B motor vehicle.

(II) Beginning July 1, 2008, the department shall track by vehicle identification number the number of temporary registration number plates ~~tags, or~~ AND certificates issued to a motor vehicle.

(III) The department may promulgate rules authorizing the issuance of more than two temporary registration number plates ~~tags, or~~ AND certificates per year if the motor vehicle title work or lien perfection has caused the need for such issuance.

(d) (I) BY JULY 1, 2016, THE DEPARTMENT SHALL MAKE TEMPORARY REGISTRATION NUMBER PLATES OR CERTIFICATES SO THAT EACH COMPLIES WITH THE REQUIREMENTS OF SECTION 42-3-202,

INCLUDING BEING FASTENED, VISIBLE, AND READABLE; EXCEPT THAT A TEMPORARY PLATE IS AFFIXED ONLY TO THE REAR OF THE VEHICLE. THE DEPARTMENT SHALL IMPLEMENT AN ELECTRONIC ISSUANCE SYSTEM FOR TEMPORARY LICENSE PLATES. THE DEPARTMENT MAY PROMULGATE RULES TO IMPLEMENT THIS SYSTEM.

(II) (A) THE DEPARTMENT MAY SEEK AND ACCEPT GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES TO IMPLEMENT THIS PARAGRAPH (d); EXCEPT THAT THE DEPARTMENT MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH ANY LAW OF THE STATE. THE DEPARTMENT SHALL TRANSMIT GIFTS, GRANTS, AND DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THEM, DEPENDING ON THE PURPOSE FOR WHICH THEY WERE RECEIVED, TO THE COLORADO STATE TITLING AND REGISTRATION ACCOUNT CREATED IN SECTION 42-1-211 (2) OR TO THE LICENSE PLATE CASH FUND CREATED IN SECTION 42-3-301.

(B) THE DEPARTMENT SHALL NOTIFY THE LEGISLATIVE COUNCIL STAFF WHEN IT HAS RECEIVED ADEQUATE FUNDING THROUGH GIFTS, GRANTS, OR DONATIONS TO IMPLEMENT THIS PARAGRAPH (d) AND SHALL INCLUDE IN THE NOTIFICATION THE INFORMATION SPECIFIED IN SECTION 24-75-1303 (3), C.R.S.

(III) (A) THIS PARAGRAPH (d) APPLIES TO TEMPORARY REGISTRATION DOCUMENTS ISSUED ON OR AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH (d). A PEACE OFFICER SHALL NOT ISSUE A CITATION FOR A TEMPORARY REGISTRATION DOCUMENT USED IN VIOLATION OF SECTION 42-3-202 UNLESS THE DOCUMENT IS ISSUED ON OR AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH (d).

(B) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE JULY 1,

2017.

SECTION 2. In Colorado Revised Statutes, 42-3-202, **amend** (2) (a) as follows:

42-3-202. Number plates to be attached. (2) (a) (I) ~~Every number plate shall at all times be~~ THE OWNER OR DRIVER OF A MOTOR VEHICLE SHALL securely ~~fastened~~ FASTEN THE LICENSE PLATE to the vehicle to which it is assigned so as to prevent the plate from swinging. ~~and shall~~

(II) EXCEPT WHEN AUTHORIZED BY THIS ARTICLE OR RULE OF THE DEPARTMENT, EACH LICENSE PLATE MUST be:

(A) Horizontal at a height not less than twelve inches from the ground, measuring from the bottom of ~~such~~ THE plate;

(B) In a place and position to be clearly visible; ~~and shall be~~

(C) Maintained free from foreign materials and ~~in a condition to be~~ clearly legible; AND

(D) AT THE APPROXIMATE CENTER OF THE VEHICLE MEASURED HORIZONTALLY.

(III) EXCEPT WHEN AUTHORIZED BY THIS ARTICLE OR RULE OF THE DEPARTMENT, THE REAR LICENSE PLATE MUST BE MOUNTED ON OR WITHIN EIGHTEEN INCHES OF THE REAR BUMPER.

SECTION 3. In Colorado Revised Statutes, 42-3-301, **add** (2) (c) as follows:

42-3-301. License plate cash fund - license plate fees. (2) (c) THE DEPARTMENT MAY SEEK AND ACCEPT GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION; EXCEPT THAT THE DEPARTMENT MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE

INCONSISTENT WITH THIS SECTION OR ANY OTHER LAW OF THE STATE.

SECTION 4. In Colorado Revised Statutes, **amend** 17-24-109.5 as follows:

17-24-109.5. License plates - highway signs. (1) The division is ~~authorized to~~ MAY purchase such equipment, machinery, and other materials as may be necessary to manufacture and deliver motor vehicle license plates, TEMPORARY REGISTRATION PLATES AND CERTIFICATES, validating tabs or decals, road signs, markers, and metal badges used by any department and manufactured under the authority of this article. Each year the executive director of the department of revenue shall estimate the number of license plates, TEMPORARY REGISTRATION PLATES AND CERTIFICATES, and validating tabs or decals that will be required and the cost of manufacturing thereof for the year such estimate is made and shall certify such estimates to the joint budget committee of the general assembly.

(2) During the year ~~such~~ THE estimate REQUIRED BY SUBSECTION (1) OF THIS SECTION is ~~so~~ made and certified by the executive director of the department of revenue from the sale of motor vehicle license plates, TEMPORARY REGISTRATION PLATES AND CERTIFICATES, and validating tabs or decals, the joint budget committee shall consider ~~such~~ THE estimate in making its budget recommendation for the division of correctional industries to the general assembly. Any amounts appropriated by the general assembly for the purposes of this section shall be used and expended by the division of correctional industries to purchase such equipment and machinery, including repairs thereof, sheet steel or aluminum, paints, enamels, and other materials and support services as may be necessary to manufacture and deliver as a finished product motor

vehicle license plates required by the executive director of the department of revenue to be furnished under the motor vehicle laws of this state.

SECTION 5. Appropriation. For the 2015-16 state fiscal year, $355,595 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation is from the license plate cash fund created in section 42-3-301 (1) (b), C.R.S. To implement this act, the division may use this appropriation for license plate ordering. The moneys appropriated by this section become available upon the receipt of gifts, grants, and donations of at least $355,595.

SECTION 6. Act subject to petition - effective date - applicability. (1) This act takes effect January 1, 2016; except that:

(a) If a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(b) This act takes effect only if the department of revenue receives enough gifts, grants, and donations for materials, start-up costs, and computer programming necessary to implement this act.

(2) Upon receiving enough gifts, grants, and donations for materials, start-up costs, and computer programming necessary to implement this act, the department of revenue shall notify the revisor of statutes.

(3) This act applies to temporary registrations issued on or after July 1, 2016. __