

**First Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO**

REENGROSSED

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

LLS NO. 05-0361.01 Jery Payne

HOUSE BILL 05-1028

HOUSE SPONSORSHIP

Vigil,

SENATE SPONSORSHIP

Isgar,

House Committees

State, Veterans, & Military Affairs
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZATION OF CERTAIN FAMILY MEMBERS OF A**
102 **PERSON WHO HAS DIED SERVING IN THE UNITED STATES ARMED**
103 **FORCES TO BE ISSUED MILITARY LICENSE PLATES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Authorizes the spouse, child, or parent of a person who has died serving in the armed forces to be issued any military special license plate for which the deceased would have qualified.

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

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
3rd Reading Unamended
March 2, 2005

HOUSE
Amended 2nd Reading
February 25, 2005

1 **SECTION 1.** 42-3-115.5 (1) (a), Colorado Revised Statutes, is
2 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

3 **42-3-115.5. Special plates - military veterans - rules -**
4 **retirement.** (1) (a) The department is directed to issue one or more sets
5 of special license plates to the following persons who own a truck that
6 does not exceed twelve thousand pounds empty weight, a passenger car,
7 a motorcycle, or a noncommercial or recreational vehicle:

8 (XI) THE SPOUSE, CHILD, OR PARENT OF A PERSON WHO DIED IN
9 THE LINE OF DUTY WHILE SERVING IN THE ARMED FORCES.

10 **SECTION 2.** 42-3-115.5 (1), Colorado Revised Statutes, is
11 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

12 **42-3-115.5. Special plates - military veterans - rules -**
13 **retirement.** (1) (g) THE SPOUSE, CHILD, OR PARENT OF A PERSON WHO
14 DIED IN THE LINE OF DUTY WHILE SERVING IN THE ARMED FORCES IS
15 AUTHORIZED TO BE ISSUED A MILITARY SPECIAL LICENSE PLATE SIGNIFYING
16 SERVICE IN A BRANCH OF THE ARMED FORCES IF THE DECEASED WOULD
17 HAVE QUALIFIED FOR SUCH PLATE. THIS PARAGRAPH (g) SHALL NOT BE
18 CONSTRUED TO AUTHORIZE THE SPOUSE, CHILD, OR PARENT TO RECEIVE A
19 LICENSE PLATE WITHOUT PAYING THE APPLICABLE FEES UNDER
20 SUBPARAGRAPH (I) OF PARAGRAPH (c) OF THIS SUBSECTION (1).

21 **SECTION 3.** 42-3-115.5, Colorado Revised Statutes, is amended
22 BY THE ADDITION OF A NEW SUBSECTION to read:

23 **42-3-115.5. Special plates - military veterans - rules -**
24 **retirement.** (12) **Fallen service member special license plate.** (a) THE
25 FALLEN SERVICE MEMBER SPECIAL LICENSE PLATE SHALL BE DESIGNED TO
26 INDICATE THAT THE OWNER OF THE MOTOR VEHICLE TO WHICH THE PLATE
27 IS ATTACHED IS A FAMILY MEMBER OF A PERSON WHO DIED WHILE

1 FIGHTING THE ENEMIES OF THE UNITED STATES WHILE ON ACTIVE DUTY IN
2 THE ARMED FORCES. THE PLATE SHALL BEAR THE WORD "FALLEN" AND
3 THE TITLE OF A PERSON WHO SERVES IN THE BRANCH OF THE ARMED
4 FORCES IN WHICH THE DECEASED SERVED.

5 (b) A NATURAL PERSON MAY USE A FALLEN SERVICE MEMBER
6 SPECIAL LICENSE PLATE IF THE PERSON IS A SPOUSE, CHILD, OR PARENT OF
7 A PERSON WHO DIED WHILE FIGHTING THE ENEMIES OF THE UNITED STATES
8 WHILE ON ACTIVE DUTY IN THE ARMED FORCES. THE DEPARTMENT OR AN
9 AUTHORIZED AGENT SHALL NOT ISSUE A FALLEN SERVICE MEMBER SPECIAL
10 LICENSE PLATE TO AN APPLICANT UNTIL THE APPLICANT PROVIDES A
11 DD214 FORM ISSUED BY THE UNITED STATES GOVERNMENT OR OTHER
12 EVIDENCE SUFFICIENT TO DEMONSTRATE THAT THE APPLICANT IS
13 QUALIFIED TO BE ISSUED THE PLATE.

14 **SECTION 4. Effective date.** This act shall take effect July 1,
15 2005.

16 **SECTION 5. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, and safety.