

First Regular Session  
Sixty-fifth General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 05-0361.01 Jery Payne

**HOUSE BILL 05-1028**

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**HOUSE SPONSORSHIP**

Vigil,

**SENATE SPONSORSHIP**

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**House Committees**

State, Veterans, & Military Affairs  
Appropriations

**Senate Committees**

State, Veterans & Military Affairs

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**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.**

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**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.

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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 AND DEPLOYED  
10 TO A COMBAT ZONE.

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

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

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

1           **42-3-115.5. Special plates - military veterans - rules -**  
2 **retirement. (12) Fallen service member special license plate.** (a) THE  
3 FALLEN SERVICE MEMBER SPECIAL LICENSE PLATE SHALL BE DESIGNED TO  
4 INDICATE THAT THE OWNER OF THE MOTOR VEHICLE TO WHICH THE PLATE  
5 IS ATTACHED IS A FAMILY MEMBER OF A PERSON WHO DIED WHILE  
6 FIGHTING THE ENEMIES OF THE UNITED STATES WHILE ON ACTIVE DUTY IN  
7 THE ARMED FORCES. THE PLATE SHALL BEAR THE WORD "FALLEN" AND  
8 THE TITLE OF A PERSON WHO SERVES IN THE BRANCH OF THE ARMED  
9 FORCES IN WHICH THE DECEASED SERVED.

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

19           **SECTION 4. 42-1-102 (24.5), Colorado Revised Statutes, is**  
20 **amended to read:**

21           **42-1-102. Definitions - repeal.** As used in articles 1 to 4 of this  
22 title, unless the context otherwise requires:

23           (24.5) "Distinctive special license plate" means a special license  
24 plate that is issued to a person because such person has an immutable  
25 characteristic or special achievement honor. Such special achievement  
26 honor shall not include a common achievement such as graduating from  
27 an institution of higher education. DISTINCTIVE SPECIAL LICENSE PLATE

1 SHALL INCLUDE A LICENSE PLATE THAT IS ISSUED TO A PERSON OR THE  
2 PERSON'S FAMILY TO HONOR SUCH PERSON'S SERVICE IN THE ARMED  
3 FORCES.

4 **SECTION 5. Effective date.** This act shall take effect July 1,  
5 2005.

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