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2001



HOUSE BILL 01-1100

BY REPRESENTATIVE(S) Swenson, Larson, Miller, Ragsdale, Bacon, Stengel, Vigil, and Young;
also SENATOR(S) May, Dyer (Durango), Fitz-Gerald, and Taylor.

CONCERNING THE ADMINISTRATION OF THE DISTRIBUTIVE DATA PROCESSING SYSTEM, AND, IN CONNECTION THEREWITH, INCREASING FEES, RENAMING THE SYSTEM, AND MAKING AN APPROPRIATION.

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

SECTION 1. 42-6-137 (1), (2), and (5), Colorado Revised Statutes, are amended to read:

42-6-137. Fees - repeal. (1) (a) Upon filing with the authorized agent any application for a certificate of title, the applicant shall pay to the agent a fee of ~~six dollars and fifty cents~~ SEVEN DOLLARS AND TWENTY CENTS, which charge shall be in addition to the fees provided by law for the registration of such motor vehicle.

(b) (I) IN ADDITION TO THE FEE PROVIDED IN PARAGRAPH (a) OF THIS SUBSECTION (1), EFFECTIVE JULY 1, 2001, UPON FILING WITH THE AUTHORIZED AGENT ANY APPLICATION FOR A CERTIFICATE OF TITLE, THE APPLICANT SHALL PAY TO THE AUTHORIZED AGENT AN ADDITIONAL FEE OF

Capital letters indicate new material added to existing statute; dashes through the words indicate deletions from existing statutes and such material not part of act.

TWO DOLLARS AND THIRTY CENTS.

(II) FEES COLLECTED PURSUANT TO THIS PARAGRAPH (b) SHALL BE USED TO ADMINISTER THE COLORADO STATE TITLING AND REGISTRATION SYSTEM, INCLUDING, BUT NOT LIMITED TO, UPGRADING SUCH SYSTEM.

(III) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2004.

(2) Upon the receipt by the director's authorized agent of any mortgage for filing under the provisions of section 42-6-121, 42-6-125, or 42-6-129, the authorized agent shall be paid such fees as are prescribed by law for the filing of like instruments in the office of the county clerk and recorder in the county or city and county wherein such mortgage is filed and shall receive, in addition thereto, a fee of ~~six~~ SEVEN dollars and ~~fifty~~ TWENTY cents for the issuance or recording of the certificate of title and the notation in the record of the director or the authorized agent of the existence of said mortgage.

(5) For the issuance of any copy of a recorded certificate of title, except as may be otherwise provided in this part 1, the director's authorized agent shall be paid a fee of ~~seven~~ EIGHT dollars and ~~fifty~~ TWENTY cents, and, in all cases wherein the department assigns a new identifying number to any motor vehicle, the fee charged for such assignment shall be three dollars and fifty cents.

SECTION 2. 42-6-138 (1), Colorado Revised Statutes, is amended to read:

42-6-138. Disposition of fees - repeal. (1) (a) All fees received by the authorized agent under the provisions of section 42-6-137 (1) or (2), upon application being made for a certificate of title, shall be disposed of as follows: Four dollars thereof shall be retained by the authorized agent and disposition thereof made as provided by law; ~~two dollars and fifty cents~~ THREE DOLLARS AND TWENTY CENTS shall be credited to the special purpose account established by section 42-1-211.

(b) (I) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (1), THE FEES RECEIVED BY THE AUTHORIZED AGENT UNDER THE PROVISIONS OF SECTION 42-6-137 (1) (b), UPON APPLICATION BEING MADE FOR A CERTIFICATE OF TITLE, SHALL BE CREDITED TO THE SPECIAL PURPOSE

ACCOUNT ESTABLISHED BY SECTION 42-1-211.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2004.

SECTION 3. The introductory portion to 42-1-211 (1), 42-1-211 (2), the introductory portion to 42-1-211 (4) (a), and 42-1-211 (4) (a) (I), (4) (a) (II), (5), and (7), Colorado Revised Statutes, are amended to read:

42-1-211. Colorado state titling and registration system. (1) The department is hereby authorized to coordinate the management of a statewide distributive data processing system, WHICH SHALL BE KNOWN AS THE COLORADO STATE TITLING AND REGISTRATION SYSTEM. This system is to provide the necessary data processing equipment, software, and support and training to:

(2) There is hereby created a special purpose account in the highway users tax fund, WHICH SHALL BE KNOWN AS THE "COLORADO STATE TITLING AND REGISTRATION ACCOUNT", for the purpose of providing funds for the operation of the ~~statewide distributive data processing~~ COLORADO STATE TITLING AND REGISTRATION system, including operations performed under article 6 of this title. Moneys received from the fees imposed by section 38-29-138 (1), (2), and (5), C.R.S., and sections 42-3-107 (21) and 42-6-137 (1), (2), and (5) shall be credited to the special purpose account in accordance with the provisions of section 38-29-139, C.R.S., and sections 42-3-107 (21) and 42-6-138. Any interest earned on moneys credited to the special purpose account shall be credited to and used for the same purpose as other moneys in said account. The general assembly shall appropriate annually the moneys in the special purpose account for the purposes of this subsection (2).

(4) (a) There is hereby created the ~~distributive data processing~~ COLORADO STATE TITLING AND REGISTRATION SYSTEM advisory committee comprised of seven authorized agents who must be county clerk and recorders or the manager of revenue for the city and county of Denver and shall be appointed by the executive director of the department. The committee shall:

(I) Assist in the development of annual operational plans and budget proposals regarding the ~~distributive data processing~~ COLORADO STATE TITLING AND REGISTRATION system and the special purpose account;

(II) Give final approval of all plans for the development and operation of the ~~distributive data processing~~ COLORADO STATE TITLING AND REGISTRATION system and the annual budget and any supplemental budget requests funded by the special purpose account; and

(5) The department and the authorized agents' advisory committee shall develop procedures and provide a formula for the reimbursement of expenditures made by any county ~~which~~ THAT has a data processing system for the registration and titling of motor vehicles. Such reimbursement shall not commence until July 1, 1984, and shall not exceed an amount ~~which~~ THAT would be required to establish and maintain such system as if it were a component of the ~~distributive data processing~~ COLORADO STATE TITLING AND REGISTRATION system established pursuant to this section.

~~(7) On or before January 1, 1986, the department shall submit a report to the general assembly on the implementation of this section. Such report shall include a report on the credits to and expenditures from the special purpose account.~~

SECTION 4. 42-1-212 (1) and (2) (a), Colorado Revised Statutes, are amended to read:

42-1-212. Consolidated data processing system - voter registration. (1) The general assembly hereby finds and declares that there is a need for coordination between the department of revenue and the department of state regarding the consolidated use of data processing systems utilized for voter and motor vehicle registration. The general assembly finds that consolidating such systems will result in significant savings to the state and will foster improved service and efficiency. Toward that end, there shall be created a consolidated data processing system for the purpose of operating voter registration on the ~~distributive data processing~~ COLORADO STATE TITLING AND REGISTRATION system managed by the department of revenue pursuant to section 42-1-211.

(2) (a) The department of revenue shall establish, operate, and maintain such computer services within the ~~distributive data processing~~ COLORADO STATE TITLING AND REGISTRATION system as are necessary to maintain a telecommunications network ~~which~~ THAT provides access from the offices of county clerk and recorders to the master list of registered electors maintained in the manner prescribed by sections 1-2-301 and

1-2-302, C.R.S. The provision of such service shall be delivered in accordance with the standards set forth in the memorandum of understanding entered into pursuant to the provisions of paragraph (c) of this subsection (2).

SECTION 5. 42-3-103.5 (4), Colorado Revised Statutes, is amended to read:

42-3-103.5. Extended temporary motor vehicle registration - fees - violations - repeal. (4) The fee for an extended temporary motor vehicle registration permit is thirty-five dollars for the one-hundred-eighty-day registration period. Twenty-nine dollars of such fee shall be distributed in the same manner as specific ownership tax. If a motor vehicle owner obtains an extended temporary motor vehicle registration permit through an authorized agent of the department as provided in section 42-1-210, the authorized agent shall retain five dollars of such fee to defray expenses. The department shall use at least one dollar of each extended temporary motor vehicle registration permit fee to support the ~~distributive data processing~~ COLORADO STATE TITLING AND REGISTRATION system created under section 42-1-211 for purposes of maintaining the database required under section 42-3-103.7.

SECTION 6. 42-3-103.7 (1), Colorado Revised Statutes, is amended to read:

42-3-103.7. Records of application and extended temporary motor vehicle registration - repeal. (1) The department shall file each application for extended temporary motor vehicle registration received and, when satisfied as to the genuineness and regularity thereof and that the applicant is entitled thereto, shall register the motor vehicle therein described and the owner thereof in the ~~statewide distributive data processing~~ COLORADO STATE TITLING AND REGISTRATION system provided under section 42-1-211. Such record shall be entered alphabetically under the name of the owner and numerically and alphabetically under the identification number and name of the vehicle.

SECTION 7. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado state titling and registration account in the highway users tax fund, created in section 42-1-211, Colorado Revised Statutes, not otherwise

appropriated, to the department of revenue, for the fiscal year beginning July 1, 2001, the sum of four million four hundred sixty-two thousand eight hundred sixty-five dollars (\$4,462,865) and 5.4 FTE, or so much thereof as may be necessary, for the implementation of this act.

(2) The appropriation made in paragraph (1) of this section shall become available on July 1, 2001, and, if any appropriated project is initiated within the fiscal year, the appropriations for the project shall remain available until completion of the project or for a period of three years, whichever comes first.

SECTION 8. Effective date - applicability. This act shall take effect July 1, 2001, and shall apply to title and registration fees that are due on or after September 1, 2001.

SECTION 9. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Doug Dean
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Stan Matsunaka
PRESIDENT OF
THE SENATE

Judith Rodrigue
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO