

Second Regular Session  
Sixty-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 04-0093.01 Jery Payne

SENATE BILL 04-027

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SENATE SPONSORSHIP

May R.

HOUSE SPONSORSHIP

Berry, McFadyen, Stafford, Welker, and Williams S.

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Senate Committees

House Committees

Transportation

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A BILL FOR AN ACT

101 CONCERNING THE RECODIFICATION OF STATUTES THAT CONCERN  
102 VEHICLES.

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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.)*

**Transportation Legislation Review Committee.** Recodifies articles 3 and 6 of title 42 and amends provisions in articles 2 and 4 of title 42 in order to clarify such statutes. Specifically:

Clarifies that a person may transfer personalized plates to another vehicle that the person already possesses.

Authorizes the personalization of all types of special license plates that are not already authorized for personalization.

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.*

Standardizes, at 16,000 pounds empty weight, the maximum weight of a vehicle that may be issued certain types of special license plates.

Authorizes county clerks to issue national guard license plates.

Clarifies that medal of honor awardees are exempted from paying registration fees.

Rewrites several provisions to clarify the effect of such provisions and to make articles 2, 3, 4, and 6 of title 42 consistent.

Authorizes the department of revenue (department) to release records to the database contractors.

Repeals the department's authority to publish a record of driver's license suspensions and revocations.

Authorizes a motorcycle driving permit holder to extend such permit for 90 days, similar to other driving permits.

Makes the fee for a minor driver's license consistent with adult driver's licenses by changing the fee from \$25 to \$15 until July 1, 2006, and \$30 thereafter.

Clarifies that the issuance of a duplicate permit and minor driver's licenses does not change the expiration date of the person's license.

Lowers the age limit from 66 to 61 years of age when a person may no longer renew a driver's license by mail, conforming to the age when a driver's license renewal period changes from 10 years to 5 years.

Requires a driver who changes his or her name to apply for a license renewal.

Changes the term "vehicle" to the phrase "motor vehicle" where the statutes address driving under the influence and habitual offenders. Includes off-road vehicles and farm equipment in, and excludes bicycles from, these infractions.

Clarifies that Colorado's drivers' records are subject to the federal "Driver's Privacy Protection Act of 1994".

Authorizes the department to cancel a driver's license without a hearing upon determining that the person was not initially entitled to hold such a license.

Clarifies that a driver's license issued by a foreign government must be surrendered to a law enforcement officer when the person's driver's license is suspended or revoked.

Clarifies that only one temporary license is issued upon the surrender of a driver's license.

Clarifies that the department may reinstate a license after

a court dismisses the charges of substance abuse that caused the suspension or revocation.

Authorizes a person whose driving privilege has been reinstated after suspension or revocation to apply for and receive a new license.

Requires an applicant for an identification card to give a fingerprint and either produce a social security card or give a social security number under penalty of perjury.

Clarifies that the term "automated vehicle identification system" includes systems used to detect toll road violations.

Repeals the department's authority to approve vehicle lighting systems and to set standards for several vehicle components beyond those set by statute.

Clarifies the use of the terms "mortgage", "lien", "secured interest", and "secured debt" in order to conform the use of these terms with the settled legal definitions of such terms.

Deletes obsolete provisions.

Makes conforming amendments and defines relevant terms.

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

2           **SECTION 1.** 42-1-102 (36), (58), (59), and (69), Colorado  
3 Revised Statutes, are amended, and the said 42-1-102 is further amended  
4 **BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS,** to  
5 read:

6           **42-1-102. Definitions - repeal.** As used in articles 1 to 4 of this  
7 title, unless the context otherwise requires:

8           (23.5) "DECLARED GROSS VEHICLE WEIGHT" MEANS THE  
9 COMBINED WEIGHT OF THE VEHICLE AND ITS CARGO WHEN OPERATED ON  
10 THE PUBLIC HIGHWAYS OF THIS STATE, AS DECLARED BY THE VEHICLE  
11 OWNER AT THE TIME THE VEHICLE IS REGISTERED. SUCH DECLARATION  
12 MAY BE BASED UPON THE MANUFACTURER'S SPECIFICATIONS.

13           (27.5) "DRIVER'S LICENSE" INCLUDES A COMMERCIAL DRIVER'S  
14 LICENSE.

1 (36) "Fleet vehicle" means any motor vehicle, trailer, or pole  
2 trailer owned or leased by a fleet operator and registered pursuant to  
3 section ~~42-3-143~~ 42-3-125.

4 (47.5) "LICENSE" INCLUDES DRIVING PRIVILEGE, UNLESS THERE IS  
5 A CLEAR REFERENCE TO THE PHYSICAL DRIVER'S LICENSE DOCUMENT.

6 (58) "Motor vehicle" means ~~any~~ A self-propelled vehicle ~~which~~  
7 THAT is designed primarily for travel on the public highways and ~~which~~  
8 THAT is generally and commonly used to transport persons and property  
9 over the public highways; ~~but~~ EXCEPT THAT the term does not include  
10 motorized bicycles as defined in paragraph (b) of subsection (59) of this  
11 section, wheelchairs as defined by subsection (113) of this section, or  
12 vehicles moved solely by human power. "Motor vehicle" includes a  
13 neighborhood electric vehicle operated pursuant to section 42-4-111 (1)  
14 (aa). For the purposes of ~~the offenses described in~~ sections 42-2-128,  
15 42-2-138, 42-4-1301, 42-4-1301.1, 42-4-1301.2, 42-4-1301.3,  
16 42-4-1301.4, and 42-4-1401, ~~for farm tractors and off-highway vehicles,~~  
17 ~~as defined in section 33-14.5-101 (3), C.R.S., operated on streets and~~  
18 ~~highways,~~ "motor vehicle" includes a farm tractor or an off-highway  
19 vehicle, ~~which~~ AS DEFINED IN SECTION 33-14.5-101 (3), C.R.S., THAT IS  
20 OPERATED ON STREETS AND HIGHWAYS AND is not otherwise classified as  
21 a motor vehicle.

22 (59) (a) "Moterscooter" and "motorbicycle" mean every motor  
23 vehicle designed to travel on not more than three wheels, EACH OF WHICH  
24 WHEELS IS NOT MORE THAN FOURTEEN INCHES IN DIAMETER AND IS in  
25 contact with the ground, except any such vehicle as may be included  
26 within the term "farm tractor" as defined in this section and any  
27 motorized bicycle as defined in paragraph (b) of this subsection (59),

1 which motor vehicle is powered by an engine of not to exceed six  
2 brake-horsepower.

3 (b) "Motorized bicycle" means a vehicle having two or three  
4 wheels, EACH OF WHICH WHEELS IS NOT MORE THAN FOURTEEN INCHES  
5 DIAMETER AND IS IN CONTACT WITH THE GROUND, a cylinder capacity not  
6 exceeding 50 C.C., and an automatic transmission ~~which~~ THAT produces  
7 a maximum design speed of not more than thirty miles per hour on a flat  
8 surface.

9 (69) "Person" means ~~every~~ A natural person, firm, copartnership,  
10 association, ~~or~~ corporation, OR BUSINESS ENTITY.

11 (101.5) "STREET ROD VEHICLE" MEANS A VEHICLE MANUFACTURED  
12 IN 1948 OR EARLIER WITH A DESIGN THAT HAS BEEN MODIFIED FOR SAFE  
13 ROAD USE.

14 **SECTION 2.** The introductory portion to 42-1-206 (1) (b) (I) and  
15 42-1-206 (3.7) (a), Colorado Revised Statutes, are amended to read:

16 **42-1-206. Records open to inspection - furnishing of copies.**

17 (1) (b) (I) For purposes of subsections (1) to (3) and (5) of this section,  
18 "law" shall mean the federal "Driver's Privacy Protection Act of 1994",  
19 18 U.S.C. sec. 2721, et seq., the federal "Fair Credit Reporting Act", 15  
20 U.S.C. sec. 1681, et seq., part 2 of article 72 of title 24, C.R.S., and this  
21 section. The department shall prepare a requestor release form and make  
22 such form available to the department's authorized agents AND TO THE  
23 DESIGNATED ENTITY UNDER CONTRACT WITH THE DEPARTMENT PURSUANT  
24 TO SECTION 42-7-604. The form shall include the following:

25 (3.7) (a) The department shall establish a system to allow bulk  
26 electronic transfer of information to primary users and vendors who are  
27 permitted to receive such information pursuant to section 24-72-204 (7),

1 C.R.S. Bulk transfers to vendors shall be limited strictly to vendors who  
2 transfer or resell such information for purposes permitted by law. Such  
3 information shall consist of the information contained in a driver's license  
4 application under section 42-2-107, a driver's license renewal application  
5 under section 42-2-118, a duplicate driver's license application under  
6 section 42-2-117, a commercial driver's license application under section  
7 42-2-403, an identification card application under section 42-2-302, a  
8 motor vehicle title application under section 42-6-116, a motor vehicle  
9 registration application under section ~~42-3-112~~ 42-3-113, or other official  
10 record or document maintained by the department under section  
11 42-2-121.

12 **SECTION 3.** 42-1-210 (1) (a) and (1) (b), Colorado Revised  
13 Statutes, are amended to read:

14 **42-1-210. County clerk and recorders and manager of revenue**  
15 **or other appointed official as agents - legislative declaration - fee.**

16 (1) (a) The county clerk and recorder in each county in the state of  
17 Colorado, the clerk and recorder in the city and county of Broomfield,  
18 and in the city and county of Denver the manager of revenue or such  
19 other official of the city and county of Denver as may be appointed by the  
20 mayor to perform functions related to the registration of motor vehicles,  
21 is hereby designated as the authorized agent of the department for the  
22 administration of the provisions of articles 3 and 6 of this title relating to  
23 registrations of motor vehicles in such county; and for the enforcement  
24 of the provisions of section 42-6-139 relating to the registering and titling  
25 of motor vehicles in such county; and for the enforcement of the  
26 provisions of section 38-29-120, C.R.S., relating to the titling of  
27 manufactured homes; but any such authorized agent in a county has the

1 power to appoint and employ such motor vehicle registration and license  
2 clerks as are actually necessary in the issuance of motor vehicle licenses  
3 and shall retain for the purpose of defraying such expenses, including  
4 mailing, a sum equal to two dollars per paid motor vehicle registration  
5 and registration requiring a metallic plate, plates, or validation tab or  
6 sticker as provided in section ~~42-3-113~~ 42-3-201. This fee of two dollars  
7 shall apply to every registration of a motor vehicle that is designed  
8 primarily to be operated or drawn on any highway of this state, except  
9 such vehicles as are specifically exempted from payment of any  
10 registration fee by the provisions of article 3 of this title, and shall be in  
11 addition to the annual registration fee prescribed by law for such vehicle.  
12 Such fee of two dollars, when collected by the department, shall be  
13 credited to the same fund as registration fees collected by the department.  
14 The county clerk and recorders, the clerk and recorder in the city and  
15 county of Broomfield, and the manager of revenue or such other official  
16 of the city and county of Denver as may be appointed by the mayor to  
17 perform functions related to the registration of motor vehicles in the city  
18 and county of Denver so designated as the authorized agents of the  
19 department, as provided in this section, shall serve as such authorized  
20 agents under the provisions of this part 2 without additional remuneration  
21 or fees, except as otherwise provided in articles 1 to 6 of this title.

22 (b) The fee established by paragraph (a) of this subsection (1)  
23 does not apply to ~~an extended temporary motor vehicle registration~~  
24 ~~pursuant to section 42-3-103.5~~ or to a shipping and handling fee for the  
25 mailing of a license plate pursuant to section 42-3-105 (1) (a).

26 **SECTION 4.** 42-1-211 (2), Colorado Revised Statutes, is  
27 amended to read:

1           **42-1-211. Colorado state titling and registration system.**

2           (2) There is hereby created a special purpose account in the highway  
3 users tax fund, which shall be known as the "Colorado state titling and  
4 registration account", for the purpose of providing funds for the operation  
5 of the Colorado state titling and registration system, including operations  
6 performed under article 6 of this title. Moneys received from the fees  
7 imposed by section 38-29-138 (1), (2), (4), and (5), C.R.S., and sections  
8 42-1-206 (2) (a), ~~42-3-107 (21), 42-3-115.5 (1) (c)~~ 42-3-107 (22),  
9 42-3-213 (1) (b), and 42-6-137 (1), (2), (4), (5), and (6) shall be credited  
10 to the special purpose account in accordance with the provisions of  
11 section 38-29-139, C.R.S., and sections 42-1-206 (2) (a), ~~42-3-107 (21),~~  
12 ~~42-3-115.5 (1) (c)~~ 42-3-107 (22), 42-3-213 (1) (b), and 42-6-138. Any  
13 interest earned on moneys credited to the special purpose account shall  
14 be credited to and used for the same purpose as other moneys in said  
15 account. The general assembly shall appropriate annually the moneys in  
16 the special purpose account for the purposes of this subsection (2).

17           **SECTION 5. Repeal.** 42-1-218, Colorado Revised Statutes, is  
18 repealed as follows:

19           **42-1-218. Revocations and suspensions of licenses published.**

20           ~~The department, as often as practicable, but at least once a month, shall~~  
21           ~~either publish or post upon public bulletin boards in each of its offices a~~  
22           ~~record of suspensions and revocations of drivers' licenses and shall~~  
23           ~~furnish copies of such records to the police departments and sheriffs'~~  
24           ~~offices throughout the state.~~

25           **SECTION 6.** 42-2-106 (1) (c), Colorado Revised Statutes, is  
26 amended to read:

27           **42-2-106. Instruction permits and temporary licenses.**



1 (1) (c) Any person of the age of sixteen years or more who, except for  
2 such applicant's lack of instruction in operating a motorcycle or  
3 motor-driven cycle, would otherwise be qualified to obtain a driver's  
4 license under this article to drive a motorcycle or motor-driven cycle may  
5 apply for a temporary instruction permit, pursuant to sections 42-2-107  
6 and 42-2-108. The department shall issue such permit entitling the  
7 applicant, while having such permit in such applicant's immediate  
8 possession, to drive a motorcycle or motor-driven cycle upon the  
9 highways for a period of six months while under the immediate  
10 supervision of a licensed driver, twenty-one years of age or over,  
11 authorized under this article to drive a motorcycle or motor-driven cycle.  
12 SUCH INSTRUCTION PERMIT MAY BE EXTENDED FOR NINETY DAYS.

13 **SECTION 7.** 42-2-114 (5), Colorado Revised Statutes, is  
14 amended to read:

15 **42-2-114. License issued - fees - repeal.** (5) The fee for the  
16 issuance of a minor driver's license to any person who obtained an  
17 instruction permit and paid the fee required by section 42-2-107 (1) shall  
18 be: ~~twenty-five dollars.~~

19 (a) FIFTEEN DOLLARS BEFORE JULY 1, 2006; AND

20 (b) THIRTY DOLLARS ON AND AFTER JULY 1, 2006.

21 **SECTION 8.** 42-2-117 (1.5), Colorado Revised Statutes, is  
22 amended to read:

23 **42-2-117. Duplicate permits and minor licenses - replacement**  
24 **licenses.** (1.5) Upon furnishing satisfactory proof to the department that  
25 a driver's license issued under the provisions of this article has been lost,  
26 stolen, or destroyed, the person to whom the same was issued shall apply  
27 for renewal of the license pursuant to section 42-2-118. The new driver's

1 license shall expire ~~on the birthday of the person in the tenth year after~~  
2 ~~the issuance thereof~~ AS PROVIDED IN SECTION 42-2-114.

3 **SECTION 9.** 42-2-118 (1.3) (a) (I), Colorado Revised Statutes,  
4 is amended to read:

5 **42-2-118. Renewal of license in person or by mail - donations**  
6 **to organ and tissue donation awareness fund - repeal.** (1.3) (a) The  
7 department may, in its discretion, allow renewal of a driver's license  
8 issued under section 42-2-114 by mail subject to the following  
9 requirements:

10 (I) Renewal by mail shall be available only to drivers twenty-one  
11 years of age or older and under ~~sixty-six~~ SIXTY-ONE years of age;

12 **SECTION 10.** 42-2-119 (1) and (2), Colorado Revised Statutes,  
13 are amended to read:

14 **42-2-119. Notices - change of address or name.**

15 (1) (a) Whenever any person, after applying for or receiving a driver's  
16 license or motor registration number, moves from the address named in  
17 such application or in the license or registration issued to such person or  
18 when the name of the licensee is changed, ~~by marriage or otherwise,~~ such  
19 person shall within ten days ~~thereafter~~ notify the department in writing of  
20 such person's old and new address, or of such former and new name, and  
21 the number of any license or registration held by such person. A  
22 LICENSEE WHO CHANGES HIS OR HER NAME SHALL APPLY TO RENEW SUCH  
23 LICENSE PURSUANT TO SECTION 42-2-118.

24 (b) ~~If the primary body color of a motor vehicle is subsequently~~  
25 ~~changed from the primary body color that is identified in the application~~  
26 ~~for registration or in-person renewal registration for the motor vehicle, the~~  
27 ~~owner of the motor vehicle shall notify the department in writing within~~

1 ~~thirty days after the color of such motor vehicle is changed regarding the~~  
2 ~~new primary body color of the motor vehicle. The primary body color of~~  
3 ~~any motor vehicle shall be identified using the standard color descriptions~~  
4 ~~of the department that are established pursuant to section 42-3-105 (1)~~  
5 ~~(d).~~

6 (2) All notices and orders required to be given to any licensee or  
7 registered owner under the provisions of the motor vehicle laws shall be  
8 in writing; and, if mailed, postpaid by first-class mail, to him or her at the  
9 last-known address shown by the records ~~in~~ KEPT BY the department  
10 PURSUANT TO THIS ARTICLE. Such mailing shall be sufficient notice in  
11 accord with the motor vehicle laws. Any notice or order of the  
12 department mailed first-class under the provisions of this title creates a  
13 presumption for administrative purposes that such notice or order was  
14 received if the department maintains a copy of the notice or order and  
15 maintains a certification that the notice or order was deposited in the  
16 United States mail by an employee of the department. Evidence of a  
17 copy of the notice mailed to the last-known address of the licensee as  
18 shown by the records ~~of~~ KEPT BY the department PURSUANT TO THIS  
19 ARTICLE and a certification of mailing by a department employee, or  
20 evidence of delivery of notice in person to the last-known address of the  
21 licensee as shown by the records ~~of~~ KEPT BY the department PURSUANT TO  
22 THIS ARTICLE, or evidence of personal service upon the licensee or upon  
23 any attorney appearing on the licensee's behalf of the order of denial,  
24 cancellation, suspension, or revocation of the license by the executive  
25 director of the department, or by the executive director's duly authorized  
26 representative, is prima facie proof that the licensee received personal  
27 notice of said denial, cancellation, suspension, or revocation.

1           **SECTION 11.** The introductory portion to 42-2-121 (2) (c) (I)  
2 and 42-2-121 (2) (d) and (4) (a), Colorado Revised Statutes, are amended  
3 to read:

4           **42-2-121. Records to be kept by the department - admission of**  
5 **records in court.** (2) (c) (I) The following records and documents filed  
6 with, maintained by, or prepared by the department are official records  
7 and documents of the state of Colorado AND ARE SUBJECT TO THE  
8 PROVISIONS OF THE FEDERAL "DRIVER'S PRIVACY PROTECTION ACT OF  
9 1994", 18 U.S.C. SEC. 2721, ET SEQ.:

10           (d) Notwithstanding the provisions of paragraph (a) of this  
11 subsection (2) OR SECTION 42-2-408, the department shall not maintain  
12 records of convictions of traffic offenses defined in this title for which no  
13 points are assessed pursuant to section 42-2-127 (5) other than  
14 convictions pursuant to sections 42-2-134, 42-2-138, 42-2-206, and  
15 42-7-422.

16           (4) (a) The department shall place a confidentiality notice on any  
17 driver's license application form under section 42-2-107, driver's license  
18 renewal application under section 42-2-118, duplicate driver's license  
19 application under section 42-2-117, commercial driver's license  
20 application under section 42-2-404, identification card application form  
21 under section 42-2-302, motor vehicle title application form under section  
22 42-6-116, or motor vehicle registration application form under section  
23 ~~42-3-112~~ 42-3-113. The department shall indicate in such notice that,  
24 unless the person waives his or her confidentiality, the information  
25 contained in the person's motor vehicle or driver record shall not be used  
26 for any purpose other than a purpose authorized by law.

27           **SECTION 12.** 42-2-122 (4) (a), Colorado Revised Statutes, is

1 amended to read:

2 **42-2-122. Department may cancel license - limited license for**  
3 **physical or mental limitations.** (4) (a) Upon the holding of a hearing  
4 as provided in subsection (3) of this section OR UPON DETERMINATION BY  
5 THE DEPARTMENT, the license shall be returned if the licensee is able to  
6 prove that cancellation should not have been made. When the original  
7 cancellation is sustained by the department, such licensee may apply for  
8 and receive a new license whenever the licensee can show that the reason  
9 for the original cancellation no longer applies. The licensee may also  
10 appeal the decision of the department after the hearing to the district court  
11 as provided in section 42-2-135.

12 **SECTION 13.** 42-2-125 (1) (d), (2), and (6), Colorado Revised  
13 Statutes, are amended to read:

14 **42-2-125. Mandatory revocation of license and permit.**  
15 (1) The department shall immediately revoke the license or permit of any  
16 driver or minor driver upon receiving a record showing that such driver  
17 has:

18 (d) Been convicted of failing to stop and render aid as required by  
19 ~~sections~~ SECTION 42-4-1601 and ~~42-4-1602~~ in the event of a motor  
20 vehicle accident resulting in the death or injury of another;

21 (2) UNLESS OTHERWISE SPECIFIED IN THIS SECTION, the period of  
22 revocation based on ~~paragraphs (b), (c), and (k)~~ of subsection (1) of this  
23 section shall be one year; except that any violation involving a  
24 commercial motor vehicle transporting hazardous materials as defined  
25 under section 42-2-402 (7) shall result in a revocation period of three  
26 years.

27 (6) (a) ~~Any person under seventeen years of age who has a minor~~

1 driver's license revoked pursuant to paragraph (k) (II) or (m) of subsection  
2 (1) of this section shall be subject to a revocation period that shall  
3 continue for the period of time described hereafter:

4 (I) ~~After one conviction, twenty-four hours of public service if~~  
5 ~~ordered by the court, or three months;~~

6 (II) ~~After a second conviction, six months;~~

7 (III) ~~After any third or subsequent conviction, one year.~~

8 (b) ~~Any person seventeen years of age or older who has a minor~~  
9 ~~driver's license revoked pursuant to paragraph (k) (II) or (m) of subsection~~  
10 ~~(1) of this section shall be subject to a revocation period that shall~~  
11 ~~continue for the period of time described hereafter:~~

12 (I) ~~After one conviction, twenty-four hours of public service if~~  
13 ~~ordered by the court, or three months;~~

14 (II) ~~After a second conviction, six months;~~

15 (III) ~~After any third or subsequent conviction, one year.~~

16 (c) ~~Repealed.~~

17 **SECTION 14.** 42-2-126 (2) (a) (I), (2) (a) (I.5), (2) (a) (I.7), (4)  
18 (a), (5) (b), and (5) (e), the introductory portion to 42-2-126 (6) (b) (II.5),  
19 and 42-2-126 (6) (b) (IX) (A), (8) (d), and (9) (c) (I), Colorado Revised  
20 Statutes, are amended to read:

21 **42-2-126. Revocation of license based on administrative**  
22 **determination.** (2) (a) The department shall revoke the license of any  
23 person upon its determination that the person:

24 (I) Drove a MOTOR vehicle in this state when the amount of  
25 alcohol, as shown by analysis of the person's blood or breath, in such  
26 person's blood was 0.10 or more grams of alcohol per one hundred  
27 milliliters of blood or 0.10 or more grams of alcohol per two hundred ten

1     liters of breath at the time of driving or within two hours after driving.  
2     If the preponderance of the evidence establishes that such person  
3     consumed alcohol between the time that the person stopped driving and  
4     the time of testing, the preponderance of the evidence must also establish  
5     that the minimum 0.10 blood or breath alcohol content was reached as a  
6     result of alcohol consumed before the person stopped driving.

7             (I.5) Drove a MOTOR vehicle in this state when such person was  
8     under twenty-one years of age and when the amount of alcohol, as shown  
9     by analysis of the person's blood or breath, in such person's blood was in  
10    excess of 0.05 but less than 0.10 grams of alcohol per one hundred  
11    milliliters of blood or in excess of 0.05 but less than 0.10 grams of  
12    alcohol per two hundred ten liters of breath at the time of driving or  
13    within two hours after driving. If the preponderance of the evidence  
14    establishes that such person consumed alcohol between the time that the  
15    person stopped driving and the time of testing, the preponderance of the  
16    evidence must also establish that the minimum required blood or breath  
17    alcohol content was reached as a result of alcohol consumed before the  
18    person stopped driving.

19            (I.7) Drove a MOTOR vehicle in this state when such person was  
20    under twenty-one years of age and when the amount of alcohol, as shown  
21    by analysis of the person's breath, subject to section 42-4-1301.1, in such  
22    person's blood was at least 0.02 but not in excess of 0.05 grams of alcohol  
23    per one hundred milliliters of blood at the time of driving or within two  
24    hours after driving. If the preponderance of the evidence establishes that  
25    such person consumed alcohol between the time that the person stopped  
26    driving and the time of testing, the preponderance of the evidence must  
27    also establish that the minimum 0.02 breath alcohol content was reached

1 as a result of alcohol consumed before the person stopped driving.

2 (4) (a) The department shall place a confidentiality notice on any  
3 driver's license application form under section 42-2-107, driver's license  
4 renewal application under section 42-2-118, duplicate driver's license  
5 application under section 42-2-117, commercial driver's license  
6 application under section 42-2-404, identification card application form  
7 under section 42-2-302, motor vehicle title application form under section  
8 42-6-116, or motor vehicle registration application form under section  
9 ~~42-3-112~~ 42-3-113. The department shall indicate in such notice that,  
10 unless the person waives his or her confidentiality, the information  
11 contained in the person's motor vehicle or driver record shall not be used  
12 for any purpose other than a purpose authorized by law.

13 (5) (b) When the law enforcement officer serves the notice of  
14 revocation, the officer shall take possession of any driver's license issued  
15 by this state, ~~or~~ any other state, ~~which~~ OR ANY FOREIGN GOVERNMENT  
16 THAT is held by the person. When the officer takes possession of a valid  
17 driver's license issued by this state, ~~or any~~ other state, OR FOREIGN  
18 GOVERNMENT, the officer, acting on behalf of the department, shall issue  
19 a temporary permit ~~which~~ THAT is valid for seven days after its date of  
20 issuance.

21 (e) A temporary permit may not be issued to any person who is  
22 already driving with a temporary permit issued pursuant to paragraph (b)  
23 of this subsection (5). A SUBSEQUENT VIOLATION OF THIS SECTION  
24 COMMITTED WHILE DRIVING WITH A TEMPORARY PERMIT SHALL NOT  
25 RESULT IN THE ISSUANCE OF AN ADDITIONAL TEMPORARY PERMIT.

26 (6) (b) (II.5) The period of license revocation under subparagraph  
27 (I.5) OR (I.7) of paragraph (a) of subsection (2) of this section shall be:



1 (IX) (A) A person whose license is revoked for a first offense  
2 under subparagraph ~~(I.5)~~ (I.7) of paragraph (a) of subsection (2) of this  
3 section and whose blood alcohol content was not more than 0.05 grams  
4 of alcohol per one hundred milliliters of blood or not more than 0.05  
5 grams of alcohol per two hundred ten liters of breath may request that, in  
6 lieu of the three-month revocation, the person's license be revoked for a  
7 period of not less than thirty days, to be followed by a suspension period  
8 of such length that the total period of revocation and suspension equals  
9 three months. If the hearing officer approves such request, the hearing  
10 officer may grant such person a probationary license that may be used  
11 only for the reasons provided in section 42-2-127 (14) (a).

12 (8) (d) (I) At the time the request for a hearing is made, if it  
13 appears from the record that the person is the holder of a valid driver's or  
14 minor driver's license or any instruction permit issued by this state or  
15 temporary permit issued pursuant to subsection (5) of this section and that  
16 the license has been surrendered as required pursuant to subsection (5) of  
17 this section, the department shall issue a temporary permit, which ~~will~~  
18 SHALL be valid until the scheduled date for the hearing. If necessary, the  
19 department may later issue an additional temporary permit or permits in  
20 order to stay the effective date of the revocation until the final order is  
21 issued following the hearing, as required by subsection (6) of this section.

22 (II) A SUBSEQUENT VIOLATION OF THIS SECTION COMMITTED WHILE  
23 DRIVING WITH A TEMPORARY PERMIT ISSUED PURSUANT TO SUBSECTION (5)  
24 OF THIS SECTION SHALL NOT RESULT IN THE ISSUANCE OF AN ADDITIONAL  
25 TEMPORARY PERMIT.

26 (9) (c) (I) Where a license is revoked under subparagraph (I),  
27 (I.5), or (I.7) of paragraph (a) of subsection (2) of this section, the sole

1 issue at the hearing shall be whether, by a preponderance of the evidence,  
2 the person drove a MOTOR vehicle in this state when the amount of  
3 alcohol, as shown by analysis of the person's blood or breath, in such  
4 person's blood was 0.10 or more grams of alcohol per one hundred  
5 milliliters of blood or 0.10 or more grams of alcohol per two hundred ten  
6 liters of breath at the time of driving or within two hours after driving if  
7 the person was twenty-one years of age or older at the time of driving the  
8 MOTOR vehicle or, subject to section 42-4-1301.1, at least 0.02 but not in  
9 excess of 0.05 grams of alcohol per two hundred ten liters of breath at the  
10 time of driving or within two hours after driving if the person was under  
11 twenty-one years of age at the time of driving the MOTOR vehicle, or in  
12 excess of 0.05 grams of alcohol per one hundred milliliters of blood or in  
13 excess of 0.05 grams of alcohol per two hundred ten liters of breath at the  
14 time of driving or within two hours after driving if the person was under  
15 twenty-one years of age at the time of driving the MOTOR vehicle. If the  
16 preponderance of the evidence establishes that such person consumed  
17 alcohol between the time that the person stopped driving and the time that  
18 testing occurred, the preponderance of the evidence must also establish  
19 that the minimum 0.10 blood or breath alcohol content required in  
20 subparagraph (I) of paragraph (a) of subsection (2) of this section, the  
21 minimum 0.05 blood or breath alcohol content required in subparagraph  
22 (I.5) of paragraph (a) of subsection (2) of this section, or the minimum  
23 0.02 breath alcohol content required in subparagraph (I.7) of paragraph  
24 (a) of subsection (2) of this section was reached as a result of alcohol  
25 consumed before the person stopped driving; or, where a license is  
26 revoked under subparagraph (II) of paragraph (a) of subsection (2) of this  
27 section, whether the person refused to take or to complete or to cooperate

1 in the completing of any test or tests of the person's blood, breath, saliva,  
2 or urine as required by section 42-4-1301.1. If the presiding hearing  
3 officer finds the affirmative of the issue, the revocation order shall be  
4 sustained. If the presiding hearing officer finds the negative of the issue,  
5 the revocation order shall be rescinded.

6 **SECTION 15.** 42-2-127 (6) (c), Colorado Revised Statutes, is  
7 amended to read:

8 **42-2-127. Authority to suspend license - to deny license - type**  
9 **of conviction - points.** (6) (c) The provisions of paragraph (r) of  
10 subsection (5) of this section shall not be applicable to violations of the  
11 requirements of sections 42-2-115, ~~42-3-133~~ 42-3-121, and 42-4-314.

12 **SECTION 16.** 42-2-127.3 (1) (c), Colorado Revised Statutes, is  
13 amended to read:

14 **42-2-127.3. Authority to suspend license - controlled substance**  
15 **violations.** (1) (c) For purposes of this subsection (1), a person has been  
16 convicted when such person has been found guilty by a court or a jury,  
17 entered a plea of guilty or nolo contendere, or received a deferred  
18 sentence for an offense. IN THE CASE OF A DEFERRED SENTENCE, THE  
19 DEPARTMENT MAY RESCIND THE SUSPENSION AND RESTORE THE PERSON'S  
20 LICENSE IF THE CASE IS SUBSEQUENTLY DISMISSED BY THE COURT.

21 **SECTION 17.** 42-2-127.7 (5) (a), Colorado Revised Statutes, is  
22 amended to read:

23 **42-2-127.7. Authority to suspend license - uninsured motorists**  
24 **- legislative declaration.** (5) (a) Whenever a law enforcement officer  
25 determines, by checking the motorist insurance identification database  
26 created in section 42-7-604, and by any other means authorized by law,  
27 that a driver violates section 42-4-1409 by not having a complying policy

1 or certificate of self-insurance as required by sections 10-4-619 and  
2 10-4-624, C.R.S., the officer, acting on behalf of the department may  
3 serve the notice of suspension personally on such driver. If the law  
4 enforcement officer serves the notice of suspension, the officer shall take  
5 possession of any driver's license issued by this state, ~~or any other~~  
6 ANOTHER state, OR A FOREIGN GOVERNMENT that is held by the person.  
7 When the officer takes possession of a valid license, the officer, acting on  
8 behalf of the department, shall issue a temporary permit that is valid for  
9 seven days after its date of issuance.

10 **SECTION 18.** 42-2-129, Colorado Revised Statutes, is amended  
11 to read:

12 **42-2-129. Mandatory surrender of license or permit for driving**  
13 **under the influence or with excessive alcoholic content.** Upon a plea  
14 of guilty or nolo contendere, or a verdict of guilty by the court or a jury,  
15 to a violation of section 42-4-1301 (1) (a), (1) (c), or (2) (a), or, for a  
16 person under twenty-one years of age, to a violation of section 42-4-1301  
17 (1) (a), (1) (b), (1) (c), (2) (a), or (2) (a.5), the court shall require the  
18 offender to immediately surrender the offender's driver's, minor driver's,  
19 PROBATIONARY DRIVER'S, or temporary driver's license or instruction  
20 permit to the court. The court shall forward to the department a notice of  
21 plea or verdict, on the form prescribed by the department, together with  
22 the offender's license or permit, not later than ten days after the surrender  
23 of the license or permit. Any person who does not immediately surrender  
24 such license or permit to the court, except for good cause shown, commits  
25 a class 2 misdemeanor traffic offense.

26 **SECTION 19.** 42-2-132, Colorado Revised Statutes, is amended  
27 BY THE ADDITION OF A NEW SUBSECTION to read:

1           **42-2-132. Period of suspension or revocation.** (5) A PERSON  
2 WHOSE LICENSE OR OTHER PRIVILEGE TO OPERATE A MOTOR VEHICLE IN  
3 THIS STATE HAS BEEN SUSPENDED, CANCELLED, OR REVOKED PURSUANT TO  
4 SECTION 42-2-112, 42-2-125, OR 42-2-126 SHALL COMPLY WITH THE  
5 PROOF OF FINANCIAL RESPONSIBILITY REQUIREMENTS OF SECTION  
6 42-7-406 PRIOR TO THE ISSUANCE TO SUCH PERSON OF A NEW LICENSE OR  
7 THE RESTORATION OF SUCH LICENSE OR PRIVILEGE.

8           **SECTION 20.** 42-2-133, Colorado Revised Statutes, is amended  
9 to read:

10           **42-2-133. Surrender and return of license.** (1) The department,  
11 upon suspending or revoking a license, shall require that such license be  
12 surrendered to and be retained by the department. ~~except that,~~

13           (2) At the end of the period of suspension:

14           (a) Such license so surrendered shall be returned to the licensee  
15 upon written application; OR

16           (b) THE LICENSEE MAY APPLY FOR AND RECEIVE A LICENSE FOR  
17 THE REMAINING PERIOD OF ELIGIBILITY UPON PAYMENT OF A FEE OF FIVE  
18 DOLLARS AND SIXTY CENTS.

19           **SECTION 21. Repeal.** 42-2-136 (4), Colorado Revised Statutes,  
20 is repealed as follows:

21           **42-2-136. Unlawful possession or use of license.** (4) ~~No person~~  
22 ~~shall fail or refuse to surrender to the department upon its lawful demand~~  
23 ~~any driver's, minor driver's, or temporary driver's license or any~~  
24 ~~instruction or temporary permit issued to such person which has been~~  
25 ~~suspended, revoked, or cancelled by the department. The department~~  
26 ~~shall notify the district attorney's office in the county where such~~  
27 ~~violation occurred, in writing, of all violations of this subsection (4).~~

1           **SECTION 22.** 42-2-138 (1) (a) and (1) (d) (I), Colorado Revised  
2 Statutes, are amended to read:

3           **42-2-138. Driving under restraint - penalty.** (1) (a) Any person  
4 who drives a motor vehicle ~~or off-highway vehicle~~ upon any highway of  
5 this state with knowledge that such person's license or privilege to drive,  
6 either as a resident or a nonresident, is under restraint for any reason  
7 other than conviction of an alcohol-related driving offense pursuant to  
8 section 42-4-1301 (1) or (2) is guilty of a misdemeanor and, upon  
9 conviction, ~~thereof~~, shall be punished by imprisonment in the county jail  
10 for not less than five days nor more than six months, and, in the  
11 discretion of the court, a fine of not less than fifty dollars nor more than  
12 five hundred dollars may be imposed. The minimum sentence imposed  
13 by this paragraph (a) shall be mandatory, and the court shall not grant  
14 probation or a suspended sentence, in whole or in part, or reduce or  
15 suspend the fine under this paragraph (a); but, in a case where the  
16 defendant is convicted although the defendant established that he or she  
17 had to drive the motor vehicle in violation of this paragraph (a) because  
18 of an emergency, the mandatory jail sentence or the fine, if any, shall not  
19 apply, and the court may impose a sentence of imprisonment in the  
20 county jail for a period of not more than six months and a fine of not  
21 more than five hundred dollars. Such minimum sentence need not be five  
22 consecutive days but may be served during any thirty-day period.

23           (d) (I) Any person who drives a motor vehicle ~~or off-highway~~  
24 ~~vehicle~~ upon any highway of this state with knowledge that such person's  
25 license or privilege to drive, either as a resident or nonresident, is  
26 restrained under section 42-2-126 (2) (a) or is restrained solely or  
27 partially because of a conviction of a driving offense pursuant to section

1 42-4-1301 (1) or (2) is guilty of a misdemeanor and, upon conviction,  
2 ~~thereof~~, shall be punished by imprisonment in the county jail for not less  
3 than thirty days nor more than one year and, in the discretion of the court,  
4 by a fine of not less than five hundred dollars nor more than one thousand  
5 dollars. Upon a second or subsequent conviction, such person shall be  
6 punished by imprisonment in the county jail for not less than ninety days  
7 nor more than two years and, in the discretion of the court, by a fine of  
8 not less than five hundred dollars nor more than three thousand dollars.  
9 The minimum county jail sentence imposed by this subparagraph (I) shall  
10 be mandatory, and the court shall not grant probation or a suspended  
11 sentence thereof; but, in a case where the defendant is convicted although  
12 the defendant established that he or she had to drive the motor vehicle in  
13 violation of this subparagraph (I) because of an emergency, the  
14 mandatory jail sentence, if any, shall not apply, and, for a first conviction,  
15 the court may impose a sentence of imprisonment in the county jail for  
16 a period of not more than one year and, in the discretion of the court, a  
17 fine of not more than one thousand dollars, and, for a second or  
18 subsequent conviction, the court may impose a sentence of imprisonment  
19 in the county jail for a period of not more than two years and, in the  
20 discretion of the court, a fine of not more than three thousand dollars.

21 **SECTION 23.** 42-2-302 (1) (a) and (2) (a), Colorado Revised  
22 Statutes, are amended to read:

23 **42-2-302. Department may issue - limitations.** (1) (a) Any  
24 person ~~which for purposes of this part 3 means~~ WHO IS a resident of this  
25 ~~state~~ COLORADO may be issued an identification card by the department,  
26 ~~certified by the registrant and~~ attested by the APPLICANT AND department  
27 as to true name, date of birth, current address, social security number, if

1 any, and any other identifying data the department may require. Every  
2 application for an identification card shall be signed and verified by the  
3 applicant before a person authorized to administer oaths or by an  
4 employee of the department. AN APPLICATION FOR AN IDENTIFICATION  
5 CARD SHALL INCLUDE THE APPLICANT'S SOCIAL SECURITY NUMBER OR A  
6 SWORN STATEMENT MADE UNDER PENALTY OF PERJURY THAT THE  
7 APPLICANT DOES NOT HAVE A SOCIAL SECURITY NUMBER. Such  
8 identification card shall not be issued until any previously issued  
9 instruction permit or minor driver's or driver's license is surrendered or  
10 cancelled. The applicant's social security number shall remain  
11 confidential and shall not be placed on the applicant's ~~driver's or minor~~  
12 ~~driver's license~~ IDENTIFICATION CARD unless such THE applicant has  
13 waived such confidentiality. ~~except that such confidentiality shall not~~  
14 ~~extend to the state child support enforcement agency, the department, or~~  
15 ~~a court of competent jurisdiction when requesting information in the~~  
16 ~~course of activities authorized under article 13 of title 26, C.R.S., or~~  
17 ~~article 14 of title 14, C.R.S.~~

18 (2) (a) The department shall issue an identification card only upon  
19 the furnishing of a FINGERPRINT AND birth certificate or other  
20 documentary evidence of identity that the department may require. An  
21 applicant who submits a birth certificate or other documentary evidence  
22 issued by an entity other than a state or the United States shall also  
23 submit such proof as the department may require that the applicant is  
24 lawfully present in the United States. An applicant who submits as proof  
25 of identity a driver's license or identification card issued by a state that  
26 issues drivers' licenses or identification cards to persons who are not  
27 lawfully present in the United States shall also submit such proof as the



1 department may require that the applicant is lawfully present in the  
2 United States. The department may assess a fee under section 42-2-306  
3 (1) (b) if the department is required to undertake additional efforts to  
4 verify the identity of the applicant.

5 **SECTION 24.** Article 3 of title 42, Colorado Revised Statutes,  
6 is amended, WITH THE RELOCATION OF PROVISIONS, to read:

7 **ARTICLE 3**

8 **Registration, Taxation, and License Plates**

9 **PART 1**

10 **REGISTRATION AND TAXATION**

11 **42-3-101. Legislative declaration.** (1) The general assembly  
12 declares that its purpose in enacting this article ~~and amendments thereto~~  
13 is to implement by law the purpose and intent of section 6 of article X of  
14 the state constitution, ~~as adopted in the general election held on~~  
15 ~~November 8, 1966, and amended in the general election held November~~  
16 ~~2, 1976,~~ wherein it is provided ~~among other things,~~ that "The general  
17 assembly shall enact laws classifying motor vehicles and also wheeled  
18 trailers, semitrailers, trailer coaches, and mobile and self-propelled  
19 construction equipment, prescribing methods of determining the taxable  
20 value of such property, and requiring payment of a graduated annual  
21 specific ownership tax thereon, which tax shall be in lieu of all ad  
22 valorem taxes upon such property;"

23 (2) It further declares that it intends to classify in this article the  
24 personal property so specified, to prescribe methods by which the taxable  
25 value of such classified property shall be determined, to require payment  
26 of a graduated annual specific ownership tax upon each item of such  
27 classified personal property, and to provide for the administration and

1 collection of such tax, and for the apportionment and distribution of the  
2 revenue derived therefrom.

3 **42-3-102. Periodic registration.** (1) The department may  
4 establish by rule a periodic vehicle registration program whereby certain  
5 vehicles shall be registered at:

6 (a) Twelve-month intervals, ~~commencing January 1, 1978.~~ IN  
7 WHICH CASE the registration of such vehicles shall expire on the last day  
8 of the month of each twelve-month registration period.

9 (b) Five-year intervals upon payment of a five-year registration  
10 fee and a ANY five-year specific ownership tax if applicable ~~commencing~~  
11 ~~January 1, 2002~~ THAT MAY BE DUE. An owner of any of the following  
12 motor vehicles may elect a five-year registration pursuant to this  
13 paragraph (b), which registration shall expire on the last day of the last  
14 month of each five-year registration period:

15 (I) A utility trailer; or

16 (II) Mobile machinery.

17 (c) ~~(Deleted by amendment, L. 2002, p. 813, § 4, effective May~~  
18 ~~30, 2002.)~~

19 (2) (a) Except for motor vehicles of model year 1981 or older and  
20 except for motorcycles of any model year, the department may register  
21 motor vehicles at two-year intervals upon payment of a two-year  
22 registration fee and a two-year specific ownership tax. The owner of a  
23 motor vehicle that is eligible as determined by the department for  
24 two-year registration may elect a two-year registration pursuant to this  
25 subsection (2), which registration shall expire on the last day of the last  
26 month of each two-year registration period.

27 (b) This subsection (2) shall not apply to class A property that is

1 registered through the international registration plan. Such vehicles shall  
2 continue to be registered every twelve months.

3 **42-3-103. Registration required - exemptions.** (1) (a) WITHIN  
4 FORTY-FIVE DAYS AFTER PURCHASE, every owner of a motor vehicle,  
5 trailer, semitrailer, or vehicle ~~except a bicycle or other human-powered~~  
6 ~~vehicle, which~~ THAT is primarily designed to be operated or drawn upon  
7 any highway of this state or any owner of a trailer coach or of mobile  
8 machinery whether or not it is operated on the highways, ~~except such~~  
9 ~~vehicles as are specifically exempted by section 42-3-104,~~ shall within  
10 forty-five days after the purchase of any of the vehicles described in this  
11 subsection (1), ~~apply to the department and shall obtain registration~~  
12 ~~therefor except when an owner is permitted to operate a vehicle under the~~  
13 ~~special provisions of this article relating to lienholders, manufacturers,~~  
14 ~~dealers, nonresidents, and fleet owners.~~ Any REGISTER SUCH VEHICLE  
15 WITH THE DEPARTMENT. A person who violates ~~any provision of this~~  
16 subsection (1) commits a class B traffic infraction.

17 (b) THIS SUBSECTION (1) SHALL NOT APPLY TO THE FOLLOWING:  
18 (I) A BICYCLE OR OTHER HUMAN-POWERED VEHICLE;  
19 (II) VEHICLES SPECIFICALLY EXEMPTED BY SECTION 42-3-104; AND  
20 (III) ANY VEHICLE WHOSE OWNER IS PERMITTED TO OPERATE IT  
21 UNDER PROVISIONS OF THIS ARTICLE CONCERNING LIENHOLDERS,  
22 MANUFACTURERS, DEALERS, NONRESIDENTS, AND FLEET OWNERS.

23 (2) An owner of a foreign vehicle operated within this state for the  
24 transportation of persons or property for compensation or for the  
25 transportation of merchandise shall register such vehicle and pay the  
26 same fees and tax ~~therefor as are required in subsection (1) of this section~~  
27 BY THIS ARTICLE with reference to like vehicles. This provision shall not

1 be construed so as to require registration or reregistration in this state of  
2 any motor vehicle, ~~including trucks and buses, trailers, semitrailers, or~~  
3 ~~trailer coaches, where such vehicle,~~ truck, bus, trailer, semitrailer, or  
4 trailer coach THAT is used in interstate commerce, but registration or  
5 reregistration shall be required in accordance with or to the extent that  
6 reciprocity exists between the state of Colorado and ~~any~~ A foreign  
7 country or another state, a territory, or a possession of the United States.

8 (3) Every nonresident ~~including any foreign corporation, carrying~~  
9 ~~on~~ PERSON WHO OPERATES A business within this state and owning and  
10 operating in such business any motor vehicle, trailer, semitrailer, or trailer  
11 coach within this state shall be required to register each such vehicle and  
12 pay the same fees and tax therefor as are required with reference to like  
13 vehicles owned by residents of this state. This provision shall not be  
14 construed so as to require registration or reregistration in this state of any  
15 motor vehicle, ~~including trucks and buses, trailers, or trailer coaches,~~  
16 ~~where such vehicle~~ TRAILER, OR TRAILER COACH THAT is used in interstate  
17 commerce, but registration or reregistration shall be required in  
18 accordance with or to the extent that reciprocity exists between the state  
19 of Colorado and ~~any~~ A foreign country or another state, a territory, or a  
20 possession of the United States.

21 (4) (a) ~~When any owner or operator or any occupant of a vehicle,~~  
22 ~~as specified in subsection (1) of this section, which is or has been duly~~  
23 ~~registered for the current year in another state or country of which such~~  
24 ~~owner, operator, or occupant has been a resident becomes a resident of~~  
25 ~~this state as defined in section 42-1-102, the said owner shall, irrespective~~  
26 ~~of such previous registration, apply to the department and obtain~~  
27 ~~registration for such vehicle in this state within thirty days after becoming~~

1 ~~a resident of Colorado. Any~~ WITHIN THIRTY DAYS AFTER BECOMING A  
2 RESIDENT OF COLORADO, AN OWNER OF A MOTOR VEHICLE REQUIRED TO  
3 BE REGISTERED BY SUBSECTION (1) OF THIS SECTION SHALL REGISTER SUCH  
4 VEHICLE WITH THE DEPARTMENT, IRRESPECTIVE OF SUCH VEHICLE BEING  
5 REGISTERED WITHIN ANOTHER STATE OR COUNTRY. A person who violates  
6 ~~any provision of this paragraph (a)~~ is subject to the penalties provided in  
7 section 42-6-139.

8 (b) WITHIN FORTY-FIVE DAYS AFTER THE OWNER HAS RETURNED  
9 TO THE UNITED STATES, the provisions of this title relative to the  
10 registration of motor vehicles and the display of number plates shall not  
11 apply to motor vehicles ~~having registrations~~ REGISTERED WITH and  
12 displaying plates issued by the armed forces of the United States in  
13 foreign countries for vehicles owned by military ~~or naval~~ personnel. ~~but~~  
14 ~~said exemption shall be valid only for a period of forty-five days after the~~  
15 ~~owner thereof has returned to the United States.~~

16 (c) (I) Notwithstanding ~~the provisions of paragraph (a) of this~~  
17 subsection (4) and section 42-1-102 (62) and (81), ~~the following~~  
18 ~~nonresidents~~ A NONRESIDENT shall be exempt from ~~the provisions of this~~  
19 ~~title relative to the registration of~~ REGISTERING a motor vehicle owned by  
20 such person if the motor vehicle is a private passenger vehicle weighing  
21 less than sixty-five hundred pounds and the person is:

22 (A) A nonresident, gainfully employed within the boundaries of  
23 this state, who ~~is using his or her~~ USES A motor vehicle in commuting  
24 daily from such person's home in another state to and from such person's  
25 place of employment within this state; or

26 (B) A nonresident student WHO IS enrolled in a full-time course  
27 of study at an institution of higher education located within this state,

1 ~~when~~ IF the motor vehicle owned by such person displays a valid  
2 nonresident student identification tag issued by the institution where ~~he~~  
3 ~~or she~~ THE STUDENT is enrolled.

4 (II) Any person who is exempt from the provisions of this title  
5 ~~relative to~~ CONCERNING the registration of a motor vehicle pursuant to  
6 this paragraph (c) shall ~~be required to~~ comply with the applicable  
7 provisions of the motor vehicle registration laws of such person's state of  
8 residence.

9 (III) ~~The provisions of~~ This paragraph (c) shall apply only if the  
10 state in which the owner resides extends the same privileges to Colorado  
11 residents gainfully employed or enrolled in an institution of higher  
12 education within the boundaries of that state.

13 (5) The provisions of this title ~~relative to~~ CONCERNING the  
14 registration of motor vehicles and the display of number plates or of other  
15 identification shall not apply to manufactured homes.

16 **42-3-104. Exemptions - specific ownership tax - registration.**

17 (1) Only those items of classified personal property ~~which~~ THAT are  
18 owned by the United States government or ~~any~~ AN agency or  
19 instrumentality thereof or by the state of Colorado or ~~any~~ A political  
20 subdivision thereof shall be exempt from payment of the annual specific  
21 ownership tax imposed in this article.

22 (2) ~~Any~~ AN item of classified personal property ~~which~~ THAT is  
23 leased by the state of Colorado or ~~any~~ A political subdivision thereof may  
24 be exempted by the department from payment of the annual specific  
25 ownership tax imposed in this article if the agreement under which such  
26 item is leased is first submitted to the department and approved by it. ~~but~~  
27 Such item shall remain exempt only if used and operated in strict

1 conformance with the terms of such approved agreement.

2 (3) Registration shall not be required ~~under this section~~ for the  
3 following:

4 (a) Vehicles owned by the United States government or by ~~any~~ AN  
5 agency thereof;

6 (b) Fire-fighting vehicles;

7 (c) Police ambulances and patrol wagons;

8 (d) Farm tractors and implements of husbandry designed primarily  
9 ~~or exclusively~~ for use and used in agricultural operations;

10 (e) Mobile machinery and self-propelled construction equipment  
11 used solely on property owned or leased by the owner of such machinery  
12 and equipment and not operated on the public highways of the state,  
13 ~~when~~ IF such owner lists all of such machinery or equipment for  
14 assessment and taxation under ~~the provisions of~~ part 1 of article 5 of title  
15 39, C.R.S.; ~~on the owner's personal property schedule filed with the~~  
16 ~~assessor in the county in which such machinery or equipment is located;~~

17 (f) Mobile machinery and self-propelled construction equipment  
18 not operated on the highways of this state owned by a public utility and  
19 taxed under ~~the provisions of~~ article 4 of title 39, C.R.S.

20 (4) ~~In the case of~~ AT THE REQUEST OF THE APPROPRIATE  
21 AUTHORITY, motor vehicles owned and operated by the state of Colorado  
22 or any agency or institution thereof or by a town, city, county, or city and  
23 county ~~and at the request of the appropriate authority,~~ such vehicle may  
24 be assigned, in lieu of the distinct registration number specified in this  
25 article, a special registration number indicating that such vehicle is owned  
26 and operated by the state of Colorado or any agency or institution thereof  
27 or by a town, city, county, or city and county, but only one such special

1 registration number shall be assigned to ~~any one such~~ EACH vehicle. ~~Any~~  
2 AN application for the special registration provided in this section that is  
3 made by the state of Colorado or any agency or institution thereof shall  
4 be made to the department only. ~~Any~~ AN application for the special  
5 registration provided in this section that is made by any town, city,  
6 county, or city and county shall be made only to the authorized agent in  
7 the county wherein the applicant local government entity is located, and  
8 any such special registration shall be obtained directly from such  
9 authorized agent. Special registrations obtained under ~~the provisions of~~  
10 this subsection (4) shall be renewed annually pursuant to the  
11 requirements prescribed by the department.

12 (5) One Class B ~~motor vehicle weighing less than sixty-five~~  
13 ~~hundred pounds~~ or ~~one~~ Class C motor vehicle weighing less than  
14 ~~sixty-five hundred~~ SIXTEEN THOUSAND pounds EMPTY WEIGHT owned by  
15 a person who is a veteran who has established rights to benefits under the  
16 provisions of Public Law 663, 79th Congress, as amended, and Public  
17 Law 187, 82nd Congress, as amended, or that the person is a veteran of  
18 the armed forces of the United States who incurred a disability and who  
19 is receiving compensation from the veterans administration or any branch  
20 of the armed forces of the United States for a fifty percent or more,  
21 service-connected, permanent disability, or for loss ~~or permanent loss~~ of  
22 use of one or both feet or one or both hands, ~~or for loss of sight in both~~  
23 ~~eyes,~~ or for permanent impairment OR LOSS of vision in both eyes ~~to such~~  
24 ~~a degree as to constitute~~ THAT CONSTITUTES virtual blindness shall be  
25 exempt from the imposition of the annual specific ownership tax imposed  
26 by this article. Only one such Class B or Class C motor vehicle per  
27 veteran shall be exempted.



1           (6) One Class B ~~motor vehicle weighing less than sixty-five~~  
2 ~~hundred pounds~~ or one Class C motor vehicle weighing less than  
3 ~~sixty-five hundred~~ SIXTEEN THOUSAND pounds EMPTY WEIGHT owned by  
4 ~~any~~ A natural person who, while serving in the armed forces of the United  
5 States, was incarcerated by an enemy of the United States during a period  
6 of armed conflict with the United States ~~and who is authorized to use the~~  
7 ~~special license plate for former prisoners of war provided in section~~  
8 ~~42-3-115.5(3)~~ shall be exempt from the imposition of the annual specific  
9 ownership tax imposed by this article. Only one such Class B or Class  
10 C motor vehicle per former prisoner of war shall be exempted.

11           (7) Those items of classified personal property ~~which~~ THAT are  
12 owned or leased by an individual or organization that ~~are~~ IS exempt from  
13 payment of Colorado ad valorem taxes shall be exempt from imposition  
14 of the annual specific ownership tax imposed by this article.

15           (8) EITHER one Class B ~~motor vehicle weighing less than~~  
16 ~~sixty-five hundred pounds~~ or one Class C motor vehicle weighing less  
17 than ~~sixty-five hundred~~ SIXTEEN THOUSAND pounds EMPTY WEIGHT  
18 owned by ~~any~~ A natural person who ~~while serving in the armed forces of~~  
19 ~~the United States, was the recipient of~~ RECEIVED a purple heart ~~and who~~  
20 ~~is authorized to use the special license plate for purple heart recipients~~  
21 ~~pursuant to section 42-3-115.5~~ WHILE SERVING IN THE ARMED FORCES OF  
22 THE UNITED STATES shall be exempt from the imposition of the annual  
23 specific ownership tax imposed by this article. Only one such Class B or  
24 Class C motor vehicle per purple heart recipient shall be exempted.

25           **42-3-105. Application for registration - tax.** (1) (a) Application  
26 for the registration of a vehicle required to be registered under this article  
27 shall be made by the owner or the owner's agent and, if applicable,

1 simultaneously with the application for certificate of title, as required by  
2 this section. The application for registration, which shall be in writing  
3 and signed by the owner of such vehicle or the owner's duly authorized  
4 agent, shall include:

- 5 (I) The name of the applicant;
- 6 (II) The name and correct address of the owner determined  
7 pursuant to section ~~42-6-139~~ 42-6-138, designating the county, school  
8 district, and city or town within the limits of which the owner resides;
- 9 (III) A description of the motor vehicle in such form as ~~shall be~~  
10 required by the department;
- 11 (IV) The purpose for which the vehicle is used;
- 12 (V) Whether the vehicle is a commercial vehicle;
- 13 (VI) The notice described in subsection (2) of this section;
- 14 (VII) Whether the applicant requests that the department should,  
15 if it approves the application, mail to the owner the license plate required  
16 under this article; and
- 17 (VIII) Such other pertinent information as ~~may be~~ required by the  
18 department.

19 (b) ~~In addition, on or after July 1, 1999, any AN application for~~  
20 ~~new registration of a vehicle shall include the primary body color of the~~  
21 ~~motor vehicle. On and after July 1, 2003, any A MOTOR VEHICLE~~  
22 ~~REGISTRATION application submitted in person to a county clerk and~~  
23 ~~recorder, the manager of revenue or such other official of the city and~~  
24 ~~county of Denver as may be appointed by the mayor to perform functions~~  
25 ~~related to the registration of motor vehicles, AN AUTHORIZED AGENT or~~  
26 ~~department office for registration of a motor vehicle that has been A~~  
27 ~~previously registered MOTOR VEHICLE shall include the primary body~~

1 color of the motor vehicle.

2 ~~(b)~~ (c) (I) The department may require those vehicle-related  
3 entities specified by ~~regulation~~ RULE to verify information concerning any  
4 vehicle through the physical inspection of such vehicle. The information  
5 required to be verified by such a physical inspection shall include: ~~but~~  
6 ~~shall not be limited to;~~

7 (A) The vehicle identification number or numbers;

8 (B) The make of vehicle;

9 (C) The vehicle model;

10 (D) The type of vehicle;

11 (E) The year of manufacture of such vehicle;

12 (F) The primary body color of such vehicle;

13 (G) The type of fuel used by such vehicle;

14 (H) The odometer reading of such vehicle; and

15 (I) Such other information as ~~may be~~ required by the department.

16 (II) For the purposes of this paragraph ~~(b)~~ (c), "vehicle-related  
17 entity" means any county clerk and recorder or designated employee of  
18 such county clerk and recorder, ~~the clerk and recorder in the city and~~  
19 ~~county of Broomfield or the designated employee of such clerk and~~  
20 ~~recorder~~, any Colorado law enforcement officer, any licensed Colorado  
21 dealer, any licensed inspection and readjustment station, or any licensed  
22 diesel inspection station.

23 ~~(c) Repealed.~~

24 (d) The department shall establish a set of standard color  
25 descriptions for use in identifying the primary body color of a motor  
26 vehicle. ~~Any applicant applying for the new or in-person renewal~~  
27 ~~registration of a motor vehicle or providing notice of any change in the~~

1 ~~primary body color of a motor vehicle~~ AN APPLICATION THAT SPECIFIES  
2 THE PRIMARY BODY COLOR shall use the standard color descriptions of the  
3 department to identify the primary body color of the motor vehicle.

4 ~~(e) The owner of a motor vehicle that is required to be registered~~  
5 ~~under this article need not comply with subparagraph (I) of paragraph (c)~~  
6 ~~of this subsection (1) if such owner signs and submits to the department~~  
7 ~~in compliance with this paragraph (e) a written statement of nonuse.~~  
8 ~~Such written statement of nonuse shall include:~~

9 ~~(I) The name, date of birth, driver's license number, and address~~  
10 ~~of the motor vehicle's owner;~~

11 ~~(II) The make, year, and vehicle identification number of the~~  
12 ~~motor vehicle;~~

13 ~~(III) The time period during which such vehicle will not be~~  
14 ~~operated and a statement that the owner is neither operating such vehicle~~  
15 ~~nor permitting any other person to operate such vehicle during the time~~  
16 ~~period stated; and~~

17 ~~(IV) Proof that the owner currently has insurance coverage under~~  
18 ~~subparagraph (I) of paragraph (c) of this subsection (1).~~

19 (2) Upon applying for a registration, ~~card~~, the owner of a motor  
20 vehicle shall receive a written notice ~~that shall be~~ printed on the  
21 application for registration in type that is larger than the other information  
22 contained on the application for registration. Such notice shall state that  
23 motor vehicle insurance or operator's coverage is compulsory in  
24 Colorado, that noncompliance is a misdemeanor traffic offense, that the  
25 minimum penalty for such offense is a one-hundred-dollar fine, and that  
26 the maximum penalty for such offense is one year's imprisonment and a  
27 one-thousand-dollar fine, and that such owner shall be required as a

1 condition of obtaining a registration card to sign ~~the~~ AN affirmation clause  
2 that appears on ~~such card~~ THE REGISTRATION. The clause shall state, "I  
3 swear or affirm in accordance with section 24-12-102, C.R.S., under  
4 penalty of perjury that I now have in effect a complying policy of motor  
5 vehicle insurance including an operator's policy pursuant to part 6 of  
6 article 4 of title 10, C.R.S., or a certificate of self-insurance to cover the  
7 vehicle or operator of the vehicle for which this registration is issued, and  
8 I understand that such insurance must be renewed so that coverage is  
9 continuous.

10 Signature \_\_\_\_\_, Date \_\_\_\_\_."

11 (3) The owner of such vehicle or the owner's agent shall, upon  
12 filing the application for registration, pay such fees as are prescribed by  
13 ~~section 42-3-134~~ SECTIONS 42-3-304 TO 42-3-306, together with the  
14 annual specific ownership tax on the motor vehicle, trailer, semitrailer,  
15 or trailer coach for which the license is to be issued.

16 **42-3-106. Tax imposed - classification - taxable value.** (1) THE  
17 OWNER OF EACH ITEM OF CLASSIFIED PERSONAL PROPERTY SHALL PAY AN  
18 ANNUAL SPECIFIC OWNERSHIP TAX UNLESS EXEMPTED BY THIS ARTICLE.  
19 SUCH SPECIFIC OWNERSHIP TAX SHALL BE ANNUALLY COMPUTED IN  
20 ACCORDANCE WITH SECTION 42-3-107 IN LIEU OF ALL ANNUAL AD  
21 VALOREM TAXES.

22 (†) (2) For the purpose of imposing graduated annual specific  
23 ownership taxes, the personal property specified in section 6 of article X  
24 of the state constitution ~~more particularly defined in section 42-1-102,~~ is  
25 classified as follows:

26 (a) Every motor vehicle, truck, laden or unladen truck tractor,  
27 trailer, and semitrailer used in the business of transporting persons or

1 property over any public highway in this state as an interstate commercial  
2 carrier ~~whether or not such business is engaged in by contract~~, for which  
3 an application is made for apportioned registration, regardless of base  
4 jurisdiction, shall be Class A personal property.

5 (b) Every truck, laden or unladen truck tractor, trailer, and  
6 semitrailer used for the purpose of transporting property over any public  
7 highway in this state and not included in Class A shall be Class B  
8 personal property.

9 (c) Every motor vehicle not included in Class A or Class B shall  
10 be Class C personal property.

11 (d) Every utility trailer, camper trailer, and trailer coach shall be  
12 Class D personal property.

13 (e) Every item of mobile machinery and self-propelled  
14 construction equipment required to be registered under ~~the provisions of~~  
15 this article shall be Class F personal property.

16 ~~(2)~~ (3) It is unlawful for any owner of ~~any~~ A vehicle to  
17 permanently attach to such vehicle ~~any~~ mounted equipment, as defined  
18 in section 42-1-102 (60), unless, within twenty days after such  
19 attachment, the owner ~~makes application~~ APPLIES for registration of such  
20 mounted equipment to the authorized agent in the county where the  
21 equipment is required ~~by law~~ to be registered. Such application shall be  
22 ~~made~~ on forms prescribed by the department and shall describe the  
23 equipment to be mounted, including serial number, make, model, year of  
24 manufacture, weight, and cost.

25 ~~(3)~~ (4) The taxable value of every item of classified personal  
26 property shall be the value determined for the year of its manufacture or  
27 the year for which it is designated by the manufacturer ~~thereof~~ as a

1 current model, and such determined taxable value shall ~~remain unchanged~~  
2 ~~during the life of the item~~ NOT CHANGE. Regardless of the date of  
3 acquisition by an owner, the year of manufacture or the year for which  
4 designated by the manufacturer as a current model shall be considered as  
5 the first year of service. The maximum rate of specific ownership  
6 taxation shall apply to the taxable value in the first year of service, and  
7 annual downward graduations from such maximum rate shall apply to  
8 such taxable value for the number of later years of service specified for  
9 each class of personal property.

10 ~~(4) An annual specific ownership tax is imposed upon each~~  
11 ~~taxable item of classified personal property, which tax shall be annually~~  
12 ~~computed in accordance with the schedules applicable to each class of~~  
13 ~~personal property as set forth in section 42-3-107 and which tax shall be~~  
14 ~~in lieu of all annual ad valorem taxes otherwise payable upon such items~~  
15 ~~of property.~~

16 ~~(5) The annual specific ownership tax imposed by this section~~  
17 ~~shall become effective January 1, 1970, shall apply to every item of~~  
18 ~~classified personal property registered on and after said date, and shall~~  
19 ~~constitute the full tax payable on such item for the registration period in~~  
20 ~~which registered.~~

21 ~~(6) (5) Manufactured homes shall not be classified for purposes~~  
22 ~~of imposing specific ownership taxes but shall be subject to the~~  
23 ~~imposition of ad valorem taxes in the manner provided in part 2 of article~~  
24 ~~5 of title 39, C.R.S.~~

25 **42-3-107. Taxable value of classes of property - rate of tax -**  
26 **when and where payable - department duties - apportionment of tax**  
27 **collections - definitions.** (1) (a) (I) The taxable value of every item of

1 Class A or Class B personal property greater than sixteen thousand  
2 pounds declared empty vehicle weight shall be the actual purchase price  
3 of such property. Such price shall not include any applicable federal  
4 excise tax, transportation or shipping costs, or preparation and delivery  
5 costs. The taxable value of every item of Class A or Class B personal  
6 property less than or equal to sixteen thousand pounds declared empty  
7 vehicle weight shall be seventy-five percent of the manufacturer's  
8 suggested retail price.

9 (II) For the purposes of this section, the actual purchase price used  
10 to set taxable value shall be the price of the vehicle when the vehicle is  
11 initially purchased at the retail level by a person who intends to put the  
12 vehicle into initial use. The taxable value shall not change for the life of  
13 the vehicle.

14 (III) For the purposes of this section, "actual purchase price"  
15 means the gross selling price, including all property traded to the seller  
16 in exchange for credit toward the purchase of a vehicle.

17 ~~(IV) Repealed.~~

18 (b) Every licensed motor vehicle dealer in the state of Colorado  
19 shall furnish on the application for title the manufacturer's suggested  
20 retail price and the actual purchase price on each new motor vehicle sold  
21 and delivered in the state of Colorado.

22 (c) If ~~any~~ A motor vehicle purchased outside the state of Colorado  
23 is ~~being~~ registered for the first time in the state of Colorado and neither  
24 the manufacturer's suggested retail price nor the actual purchase price is  
25 available, the agent of the department shall establish the taxable value of  
26 such vehicle through the use of a compilation of values furnished by the  
27 department.



1           (d) ~~(Deleted by amendment, L. 2000, p. 1449, § 1, effective~~  
2 ~~August 2, 2000.)~~

3           (2) The annual specific ownership tax payable on every item of  
4 Class A personal property shall be computed in accordance with the  
5 following schedule:

6 <b>Year of service</b>	7 <b>Rate of tax</b>
8   First year	9   2.10% of taxable value
10   Second year	11   1.50% of taxable value
12   Third year	13   1.20% of taxable value
14   Fourth year	15   .90% of taxable value
16   Fifth, sixth, seventh, eighth, 17   and ninth years	18   .45% of taxable value or \$10, 19   whichever is greater
20   Tenth and each later year	21   \$ 3

22           (3) The owner of any Class A personal property shall file a list  
23 ~~thereof~~ with the department, describing each item owned, reciting the  
24 year of manufacture or model designation, ~~thereof~~, and stating the  
25 original sale price of any mounted equipment mounted on or attached to  
26 such item subsequent to its manufacture or first retail sale. As soon  
27 thereafter as practicable, the department shall compute the annual specific  
ownership tax payable on each item shown on such list and shall send to  
the owner a statement showing the aggregate amount of specific  
ownership tax payable by such owner.

          (4) In computing the amount of annual specific ownership tax  
payable on ~~any~~ AN item of Class A or Class B personal property, the  
department may take into account the length of time such item may be  
operated in intrastate or interstate commerce within the state of Colorado,

1 giving due consideration to any reciprocal agreements ~~relative to~~  
2 CONCERNING general property taxation of such item as may exist between  
3 Colorado and other States, and also to the number of miles traveled by  
4 such item in each state.

5 (5) The annual specific ownership tax on Class A personal  
6 property shall become due ~~and payable~~ to the department on the last day  
7 of the month at the end of each twelve-month registration period and shall  
8 be renewed, upon application by the owner and payment of ~~the~~ REQUIRED  
9 fees, ~~required by law~~, no later than thirty days after the date of expiration.

10 (6) The aggregate amount of specific ownership taxes to be  
11 collected by the department on Class A personal property during ~~any~~ A  
12 registration period shall be apportioned to each county and city and  
13 county of the state in the proportion that the mileage of the state highway  
14 system located within the boundaries of each county ~~or city and county~~  
15 bears to the total mileage of the state highway system.

16 (7) The department shall transmit all specific ownership taxes  
17 collected on items of Class A and Class F personal property to the state  
18 treasurer and shall advise the treasurer on the last day of each month of  
19 the amounts apportioned to each county ~~and city and county~~ from  
20 ~~collections made during the preceding month and~~ MONTH'S COLLECTIONS.  
21 THE STATE TREASURER shall ~~thereupon~~ pay ~~over~~ such amounts to the  
22 respective treasurers of ~~the counties and cities and counties~~ entitled  
23 ~~thereto~~ EACH COUNTY.

24 (8) The annual specific ownership tax payable on every item of  
25 Class B personal property shall be computed in accordance with the  
26 following schedule:

27 **Year of service** **Rate of tax**

1	First year	2.10% of taxable value
2	Second year	1.50% of taxable value
3	Third year	1.20% of taxable value
4	Fourth year	.90% of taxable value
5	Fifth, sixth, seventh, eighth,	
6	and ninth years	.45% of taxable value or \$10,
7		whichever is greater
8	Tenth and each later year	\$ 3

9           (9) (a) The taxable value of every item of Class C or Class D  
10 personal property shall be eighty-five percent of the manufacturer's  
11 suggested retail price, ~~said price not to include any~~ NOT INCLUDING  
12 applicable federal excise tax, transportation or shipping costs, or  
13 preparation and delivery costs.

14           (b) Every licensed motor vehicle dealer in the state of Colorado  
15 shall furnish on the application for title the manufacturer's suggested  
16 retail price of each new motor vehicle sold and delivered in the state of  
17 Colorado.

18           (c) If ~~any~~ A motor vehicle purchased outside of the state of  
19 Colorado is ~~being~~ registered for the first time in the state of Colorado and  
20 the manufacturer's suggested retail price is not available, the agent of the  
21 department shall establish the taxable value of such vehicle through the  
22 use of a compilation of values furnished by the department.

23           (d) The computation of taxable values as set forth in this  
24 subsection (9) shall ~~become effective on any~~ APPLY TO EACH motor  
25 vehicle sold on or after September 1, 1981, and shall not apply to ~~any~~ A  
26 motor vehicle sold or registered prior to that date.

27           (10) The annual specific ownership tax payable on every item of

1 Class C personal property shall be computed in accordance with the  
2 following schedule:

3 <b>Year of service</b>	<b>Rate of tax</b>
4 First year	2.10% of taxable value
5 Second year	1.50% of taxable value
6 Third year	1.20% of taxable value
7 Fourth year	.90% of taxable value
8 Fifth, sixth, seventh, eighth, 9 and ninth years	.45% of taxable value
10 Tenth and each later year	\$ 3

11 (11) (a) In lieu of payment of the annual specific ownership tax  
12 in the manner specified in subsections (8) and (10) of this section, ~~any~~ A  
13 person ~~firm, corporation, or other business entity~~ who owns vehicles  
14 ~~which~~ THAT are based in Colorado for rental purposes and whose primary  
15 business is the rental of such vehicles for periods of less than forty-five  
16 days, including renewals, to another person ~~firm, corporation, or business~~  
17 ~~entity~~ may elect to pay specific ownership tax as ~~prescribed~~ AUTHORIZED  
18 in this subsection (11).

19 (b) ~~Authorization for payment of specific ownership tax pursuant~~  
20 ~~to the provisions of this subsection (11) must be obtained from the~~  
21 ~~authorized agent in the county in which the principal place of business of~~  
22 ~~the owner of such rental vehicles in Colorado is located.~~ TO OBTAIN  
23 AUTHORIZATION TO PAY SPECIFIC OWNERSHIP TAX PURSUANT TO THIS  
24 SUBSECTION (11), an owner ~~who wishes to obtain such authorization~~ shall  
25 ~~make application~~ APPLY to ~~said~~ THE authorized agent IN THE COUNTY IN  
26 WHICH THE PRINCIPAL PLACE OF BUSINESS OF THE OWNER OF SUCH RENTAL  
27 VEHICLES IN COLORADO IS LOCATED. Such authorization shall ~~be~~

1 ~~applicable~~ APPLY to all rental vehicles of the owner ~~which~~ THAT satisfy  
2 the requirements set forth in this section.

3 (c) Upon receiving authorization as provided in paragraph (b) of  
4 this subsection (11), the owner shall collect from the user of a rental  
5 vehicle the specific ownership tax in an amount equivalent to two percent  
6 of the amount of the rental payment, or portion thereof, ~~which~~ THAT is  
7 subject to the imposition of sales tax pursuant to ~~the provisions of~~ part 1  
8 of article 26 of title 39, C.R.S. Such specific ownership tax shall be  
9 collected on ~~all vehicles owned by the owner which~~ THAT are based in  
10 Colorado for rental purposes and ~~which are~~ rented from a place of  
11 business in Colorado. No later than the twentieth day of each month, the  
12 owner shall submit a report, using forms ~~which shall be~~ furnished by the  
13 department, to the authorized agent in the county where the vehicles are  
14 rented ~~together with~~ AND the remittance for all specific ownership taxes  
15 collected for the preceding month. A copy of ~~said~~ THE report shall be  
16 submitted simultaneously by the owner to the department. The  
17 department may also require, by rule, ~~and regulation,~~ the owner to submit  
18 a copy of the owner's monthly sales tax collection form to the authorized  
19 agent ~~at the same time of the submittal of~~ WHEN the owner's monthly  
20 report ~~and remittance of specific ownership tax pursuant to the provisions~~  
21 ~~of this paragraph (c)~~ IS SUBMITTED.

22 (d) Failure to submit the report or to remit the specific ownership  
23 tax collected for the preceding month by the last day of each month shall  
24 be grounds for the termination of the right of an owner to pay specific  
25 ownership tax ~~in the manner specified in~~ UNDER this subsection (11). If  
26 ~~any~~ AN owner is ~~found to have failed~~ FAILS to remit specific ownership  
27 tax received pursuant to ~~the provisions of~~ this subsection (11), the

1 authorized agent may ~~proceed to~~ collect such delinquent taxes in the  
2 manner authorized in subsection ~~(20)~~ (21) of this section.

3 (e) ~~Any~~ A person ~~firm, corporation, or other business entity which~~  
4 WHO owns vehicles and whose primary business is the rental of such  
5 vehicles as specified in paragraph (a) of this subsection (11) shall be  
6 exempt from payment of the specific ownership tax at the time of  
7 registration if such tax is collected and remitted pursuant to ~~the provisions~~  
8 ~~of this subsection (11).~~ however, Such owner shall ~~be required to~~ pay a  
9 fee of one dollar per rental vehicle registered at the time of registration.  
10 Such fee shall be in addition to ~~any~~ other registration fees and shall be  
11 distributed pursuant to ~~the provisions of~~ subsection ~~(21)~~ (22) of this  
12 section.

13 (f) Every person ~~firm, corporation, or other business entity which~~  
14 WHO owns vehicles and whose primary business is the rental of such  
15 vehicles as specified in paragraph (a) of this subsection (11) shall register  
16 and pay all applicable taxes and fees for all vehicles rented from a place  
17 of business located in Colorado. If the owner of such vehicles fails to  
18 register or to pay such taxes and fees, the owner shall, upon conviction,  
19 be punished by a fine ~~in an amount~~ equal to two percent of the annual  
20 gross dollar volume of the primary business of such person ~~firm,~~  
21 ~~corporation, or other business entity which~~ THAT is attributable to the  
22 rental of vehicles from a place of business in Colorado.

23 (12) (a) In lieu of payment of the annual specific ownership tax  
24 in the manner specified in subsections (8) and (10) of this section, any  
25 person ~~firm, corporation, or other business entity~~ who owns vehicles  
26 ~~which~~ THAT are based in a state other than Colorado for rental purposes  
27 and whose primary business is the rental of such vehicles for periods of

1 less than forty-five days, including renewals, to another person ~~firm,~~  
2 ~~corporation, or business entity~~ shall pay specific ownership tax as  
3 prescribed in this subsection (12).

4 (b) The owner shall collect from the user of a rental vehicle the  
5 specific ownership tax in an amount equivalent to two percent of the  
6 amount of the rental payment, or portion thereof, ~~which~~ THAT is subject  
7 to the imposition of sales tax pursuant to ~~the provisions of~~ part 1 of article  
8 26 of title 39, C.R.S. Such specific ownership tax shall be collected on  
9 all vehicles based in a state other than Colorado for rental purposes ~~which~~  
10 ~~are owned by the owner and which~~ THAT are rented from a place of  
11 business in Colorado. ~~No later than~~ BY the twentieth day of each month,  
12 the owner shall submit a report, using forms ~~which shall be~~ furnished by  
13 the department, to the authorized agent in the county where the vehicles  
14 are rented, together with the remittance for all specific ownership taxes  
15 collected for the preceding month. A copy of ~~said~~ THE report shall be  
16 submitted simultaneously by the owner to the department. The  
17 department may also require, by rule, ~~and regulation,~~ the owner to submit  
18 a copy of the owner's monthly sales tax collection form to the authorized  
19 agent ~~at the same time of the submittal of~~ WHEN the owner's monthly  
20 report ~~and remittance of specific ownership tax pursuant to the provisions~~  
21 ~~of this paragraph (b)~~ IS SUBMITTED.

22 (c) If any owner ~~is found to have failed~~ FAILS to remit specific  
23 ownership tax received pursuant to ~~the provisions of~~ this subsection (12),  
24 the authorized agent may proceed to collect such delinquent taxes in the  
25 manner authorized in subsection ~~(20)~~ (21) of this section.

26 (d) Every person ~~firm, corporation, or other business entity which~~  
27 WHO owns vehicles and whose primary business is the rental of such

1 vehicles as specified in paragraph (a) of this subsection (12) shall pay all  
2 applicable taxes for all vehicles based in a state other than Colorado and  
3 rented from a place of business located in Colorado. If the owner of such  
4 vehicles fails to pay such taxes, the owner shall, upon conviction, be  
5 punished by a fine in an amount equal to two percent of the annual gross  
6 dollar volume of the primary business of such person ~~firm, corporation,~~  
7 ~~or other business entity which~~ THAT is attributable to the rental of  
8 vehicles from a place of business in Colorado.

9 (13) The annual specific ownership tax payable on every item of  
10 Class D personal property shall be computed in accordance with the  
11 following schedule:

12 <b>Year of service</b>	<b>Rate of tax</b>
13 First year	2.10% of taxable value
14 Second year	1.50% of taxable value
15 Third year	1.20% of taxable value
16 Fourth year	.90% of taxable value
17 Fifth, sixth, seventh, eighth, 18 and ninth years	.45% of taxable value
19 Tenth and each later year	.45% of taxable value or \$ 3, 20 whichever is greater

21 (14) The department shall designate suitable compilations of the  
22 manufacturer's suggested retail price or actual purchase price of all items  
23 of Class A, Class B, Class C, and Class D personal property and shall  
24 provide each authorized agent with copies. ~~thereof.~~ UNLESS THE ACTUAL  
25 PURCHASE PRICE IS USED AS THE TAXABLE VALUE, such compilation shall  
26 be uniformly used to compute the annual specific ownership tax payable  
27 on any item of such classified personal property purchased outside the



1 state of Colorado and ~~being~~ registered for the first time in the state of  
2 Colorado. ~~unless the actual purchase price is used as the taxable value.~~  
3 Such actual purchase price shall not be used unless the department  
4 receives or has received a manufacturer's statement or certificate of origin  
5 for such vehicle. The department shall ~~further~~ provide continuing  
6 supplements of such compilation to each authorized agent in order that  
7 the agent may have available current information relative to the  
8 manufacturer's suggested retail price of newly manufactured items.

9 (15) (a) The property tax administrator shall compile and have  
10 printed a comprehensive schedule of all vehicles defined and designated  
11 as Class F personal property, wherein all such vehicles shall be listed  
12 according to make, model, year of manufacture, capacity, weight, and any  
13 other terms ~~which will~~ THAT serve to describe such vehicles.

14 (b) Except as provided in paragraph ~~(b.5)~~ (c) of this subsection  
15 (15) for property acquired on or after January 1, 1997, the taxable value  
16 of Class F personal property shall be determined by the property tax  
17 administrator and shall be either:

18 (I) The factory list price ~~thereof~~ and, in case any equipment has  
19 been mounted on or attached to such vehicle subsequent to its  
20 manufacture, the factory list price plus seventy-five percent of the  
21 original price of such mounted equipment, exclusive of any state and  
22 local sales taxes; or

23 (II) When the factory list price of such vehicle is not available,  
24 then seventy-five percent of its original retail delivered price, exclusive  
25 of any state and local taxes, and, in case any equipment has been  
26 mounted on or attached to such vehicle subsequent to its first retail sale,  
27 then seventy-five percent of such original retail delivered price plus

1 seventy-five percent of the original retail delivered price of such mounted  
2 equipment, exclusive of any state and local sales taxes; or

3 (III) When neither the factory list price of such vehicle nor the  
4 original retail delivered price of ~~either~~ the vehicle or any equipment  
5 subsequently mounted thereon is ascertainable, then such value as the  
6 property tax administrator shall establish based on the best information  
7 available to the property tax administrator.

8 ~~(b.5)~~ (c) The taxable value of Class F personal property acquired  
9 on or after January 1, 1997, shall be determined by the property tax  
10 administrator and shall be either:

11 (I) Eighty-five percent of the manufacturer's suggested retail price  
12 ~~thereof~~ and, in case any equipment has been mounted on or attached to  
13 such vehicle subsequent to its manufacture, eighty-five percent of the  
14 manufacturer's suggested retail price plus eighty-five percent of the  
15 manufacturer's suggested retail price of such mounted equipment,  
16 exclusive of any state and local sales taxes; or

17 (II) When the manufacturer's suggested retail price of such vehicle  
18 is not available, then one hundred percent of its original retail delivered  
19 price to the customer, exclusive of any state and local taxes, and, in case  
20 any equipment has been mounted on or attached to such vehicle  
21 subsequent to its first retail sale, then one hundred percent of such  
22 original retail delivered price to the customer plus one hundred percent  
23 of the original retail delivered price to the customer of such mounted  
24 equipment, exclusive of any state and local taxes; or

25 (III) When neither the manufacturer's suggested retail price of  
26 such vehicle nor the original retail delivered price of either the vehicle or  
27 any equipment subsequently mounted thereon is ascertainable, then such

1 value as the property tax administrator shall establish based on  
2 eighty-five percent of the value set forth in a nationally recognized  
3 standard or reference for such figures or, if such a standard or reference  
4 for the figures is not available, then on the best information available to  
5 the property tax administrator.

6 (e) (d) By whichever of the above three methods determined, the  
7 taxable value of each item of Class F personal property shall be listed  
8 opposite its description in the schedule required by this subsection (15)  
9 to be compiled by the property tax administrator.

10 (d) (e) The annual specific ownership tax payable on each item of  
11 Class F personal property shall be computed in accordance with the  
12 following schedule:

13 <b>Year of service</b>	<b>Rate of tax</b>
14 First year	2.10% of taxable value
15 Second year	1.50% of taxable value
16 Third year	1.25% of taxable value
17 Fourth year	1.00% of taxable value
18 Fifth year	.75% of taxable value
19 Sixth and each later year	.50% of taxable value, 20 but not less than \$ 5

21 (e) (f) The county clerk and recorder shall include the value of all  
22 equipment ~~which~~ THAT has been mounted on or attached to Class F  
23 personal property in the calculation of the annual specific ownership tax.  
24 The registrations for such personal property and equipment shall be made  
25 available to the county assessor.

26 (16) (a) In lieu of payment of the annual specific ownership tax  
27 in the manner provided in subsection (15) of this section, the owner of

1 any mobile machinery or self-propelled construction equipment who is  
2 an equipment dealer regularly engaged in the sale OR rental ~~or both sale~~  
3 ~~and rental~~ of mobile machinery or self-propelled construction equipment  
4 and who rents or leases such equipment to another ~~individual or~~  
5 ~~corporation~~ PERSON in which the owner ~~does~~ HAS not ~~have any~~ HELD AN  
6 interest ~~whatsoever for one or more periods of~~ FOR at least thirty days in  
7 ~~any calendar year~~ may elect to pay specific ownership tax as prescribed  
8 in this subsection (16).

9 (b) Authorization for payment of specific ownership tax under ~~the~~  
10 ~~provisions of~~ this subsection (16) ~~must~~ SHALL be obtained from the  
11 authorized agent in the county in which the owner's principal place of  
12 business is located. The owner shall also apply for an identifying decal  
13 for each item of equipment to be rented or leased. Such identifying decal  
14 shall be affixed to the item of equipment at the time it is rented or leased.  
15 The owner shall keep records of each decal issued and a description of  
16 the item of equipment to which it is affixed. The fee for each identifying  
17 decal shall be five dollars, ~~and payment~~ WHICH shall be ~~made at the time~~  
18 ~~of application~~ PAID WHEN APPLYING to the authorized agent. Decals ~~will~~  
19 expire at the end of each calendar year, and application for new decals  
20 shall be made for each calendar year or portion thereof. The owner shall  
21 be required to remove ~~any~~ SUCH identifying decal upon the sale or change  
22 of ownership of such item of equipment. The fee of five dollars for each  
23 identifying decal as required by this section shall be distributed as  
24 follows:

25 (I) Two dollars shall be retained by the authorized agent issuing  
26 such decal; and

27 (II) Three dollars shall be available upon appropriation by the

1 general assembly to fund the administration and enforcement of this  
2 section.

3 (c) Upon receiving authorization ~~as prescribed in~~ PURSUANT TO  
4 paragraph (b) of this subsection (16), the owner shall collect from the  
5 user the specific ownership tax in the amount equivalent to two percent  
6 of the amount of the rental or lease payment. No later than the twentieth  
7 day of each month, the owner shall submit a report, using forms ~~which~~  
8 ~~shall be~~ furnished by the department, to the authorized agent in the  
9 county in which the equipment is used, together with the remittance for  
10 all taxes collected for the preceding month. A copy of each report ~~will~~  
11 SHALL be submitted simultaneously by the owner to the department.

12 (d) Such reports shall be made monthly to the department and to  
13 the authorized agent in the county where the equipment is located with  
14 a user, even if no specific ownership taxes were collected by the owner  
15 in the previous month. Failure to make such reports in a period of sixty  
16 days shall be grounds for the termination of such owner's right to pay the  
17 specific ownership taxes on the owner's Class F personal property in the  
18 manner provided under this subsection (16). ~~and, If said~~ THE owner is  
19 ~~found to have failed~~ FAILS to remit specific ownership taxes received  
20 from a renter or lessee during such sixty-day period, the authorized agent  
21 may proceed to collect such delinquent taxes in the manner authorized in  
22 subsection ~~(20)~~ (21) of this section.

23 (e) The owner of ~~any~~ AN item of mobile machinery or  
24 self-propelled construction equipment ~~which~~ THAT is required to be  
25 registered for highway use under section ~~42-3-134 (22)~~ 42-3-304 (14)  
26 shall be exempt from payment of the specific ownership tax at the time  
27 of registration if such tax is collected and remitted under this subsection

1 (16).

2 ~~(16.5)~~ (17) (a) For purposes of this subsection ~~(16.5)~~ (17), unless  
3 the context otherwise requires:

4 (I) "Owner" means an owner, as defined in section 42-1-102 (66),  
5 that owns an item of special mobile machinery. The term includes any  
6 person authorized to act on the owner's behalf.

7 (II) "Prorated specific ownership tax" means the prorated special  
8 mobile machinery specific ownership tax assessed pursuant to this  
9 subsection ~~(16.5)~~ (17).

10 (III) "Special mobile machinery" means every item of Class F  
11 personal property described in section 42-3-106 ~~(1)~~ (2) (e) that is required  
12 to be registered under ~~the provisions of~~ section 42-3-103.

13 (b) In lieu of payment of the annual specific ownership tax in the  
14 manner provided in subsection (15) of this section, an owner may apply  
15 for prorated specific ownership tax in accordance with the requirements  
16 of this subsection ~~(16.5)~~ (17).

17 (c) To be eligible for prorated specific ownership tax, an owner  
18 shall have entered into a written contract to perform a service requiring  
19 use of the special mobile machinery for which specific ownership tax  
20 under this section is required.

21 (d) (I) An owner who desires prorated specific ownership tax shall  
22 submit an application to the department. The application shall include  
23 the terms of the owner's service, which shall be evidenced by a copy of  
24 the written contract specified in paragraph (c) of this subsection ~~(16.5)~~  
25 (17) and signed by the owner. The validity of the contract shall be  
26 evidenced either by sufficient documentation to substantiate its validity  
27 or by the fact that such owner is an established business in Colorado, as

1 shown by registration with the Colorado secretary of state or department  
2 of revenue as required by law.

3 (II) An owner of special mobile machinery that is not registered  
4 in Colorado shall submit the application upon the arrival in Colorado of  
5 the special mobile machinery for which specific ownership tax under this  
6 section is required.

7 (III) An owner of special mobile machinery that is registered in  
8 Colorado shall submit the application when the owner renews the  
9 registration of the special mobile machinery for which specific ownership  
10 tax under this section is required.

11 (IV) When satisfied as to the genuineness and regularity of the  
12 application submitted, the department shall assess, and the owner shall  
13 pay, the prorated specific ownership tax in an amount equal to the annual  
14 specific ownership tax ~~which~~ THAT would otherwise be imposed pursuant  
15 to subsection (15) of this section, prorated by the number of months ~~as~~  
16 ~~indicated by the application,~~ during which the owner is expected to use  
17 the special mobile machinery in Colorado.

18 (V) (A) Prorated specific ownership taxes shall be assessed for a  
19 period of not less than two months nor more than eleven months ~~for any~~  
20 IN A twelve-month period.

21 (B) After a prorated specific ownership tax has been assessed and  
22 paid, an owner may ~~seek to~~ have the prorated specific ownership tax  
23 assessment period adjusted for between two and eleven months upon the  
24 owner's request to the department that the owner requires additional time  
25 to complete the contract referred to in paragraph (c) of this subsection  
26 ~~(16.5)~~ (17) and upon payment of any additional prorated specific  
27 ownership tax pursuant to this subsection ~~(16.5)~~ (17).

1 (e) (I) ~~Any~~ A person who, in ~~any~~ AN application made under this  
2 subsection ~~(16.5)~~ (17), uses a false or fictitious name or address,  
3 knowingly makes a false statement, knowingly conceals a material fact,  
4 or otherwise perpetrates a fraud commits a class 2 misdemeanor traffic  
5 offense. Such person continues to be liable for any unpaid specific  
6 ownership taxes.

7 (II) No owner may operate special mobile machinery in Colorado  
8 unless the owner has paid the specific ownership tax assessed pursuant  
9 to this article, nor shall any owner operate special mobile machinery in  
10 Colorado after the expiration of the period for which the specific  
11 ownership tax was assessed. ~~Any~~ A person who violates the provisions  
12 of this subparagraph (II) shall be subject to, in addition to any other  
13 applicable penalty, an administrative penalty of five hundred dollars or  
14 double the amount of the specific ownership tax, whichever is greater.  
15 Such penalty may be levied by ~~any~~ A peace officer, as described in  
16 section 16-2.5-101, C.R.S., and authorized by section 42-8-104 (2). Such  
17 violation shall be determined by, paid to, and retained by the municipality  
18 or county in which such motor vehicle is or should have been registered,  
19 subject to judicial review pursuant to rule 106 (a) (4) of the Colorado  
20 rules of civil procedure.

21 ~~(17)~~ (18) (a) The annual specific ownership tax provided in  
22 subsection (15) of this section for Class F personal property registered in  
23 Colorado shall be determined and collected by the authorized agent in the  
24 county in which the owner of such Class F personal property resides.

25 (b) The owner of any Class F personal property shall, within  
26 forty-five days after the purchase of ~~any~~ new or used Class F personal  
27 property, ~~make application~~ APPLY for registration with the ~~local county~~



1 ~~clerk and recorder or, in the city and county of Broomfield, the clerk and~~  
2 ~~recorder, or, in the city and county of Denver, the manager of revenue or~~  
3 ~~such other official of the city and county of Denver as may be appointed~~  
4 ~~by the mayor to perform functions related to the registration of motor~~  
5 ~~vehicles~~ AUTHORIZED AGENT.

6 (c) The property tax administrator shall furnish each authorized  
7 agent with a printed copy of the schedule of taxable values of Class F  
8 personal property compiled as provided in subsection (15) of this section,  
9 and such schedule shall be uniformly used ~~without exception~~, by every  
10 authorized agent in computing the amount of annual specific ownership  
11 tax payable on any Class F personal property. The property tax  
12 administrator shall also furnish continuing supplements of such schedule  
13 to each authorized agent in order that the agent may have available  
14 current information relative to the taxable value of newly manufactured  
15 Class F personal property.

16 ~~(18)~~ (19) The annual specific ownership tax on each item of Class  
17 B, Class C, Class D, and Class F personal property shall become due and  
18 payable to the authorized agent in the county ~~wherein~~ WHERE such item  
19 is to be registered, shall be paid at the time of registration of such item,  
20 and if not paid within thirty days after the date a registration expires, shall  
21 become delinquent.

22 ~~(19)~~ (20) Except as provided in subsection ~~(26)~~ (27) of this  
23 section, it is the duty of each authorized agent to collect the registration  
24 fee on every item of classified personal property located in the agent's  
25 county ~~at the time of registration~~ WHEN REGISTERED and to collect the  
26 specific ownership taxes payable on each such item registered, except  
27 those items classified as Class A upon which the specific ownership tax

1 is collected by the department and except those items classified as Class  
2 F when such tax is collected under subsection (16) of this section, at the  
3 time of registration. The failure of any authorized agent to collect the  
4 registration fee and specific ownership tax on any item of classified  
5 personal property shall not release the owner thereof from liability for the  
6 registration of such vehicle.

7 ~~(20)~~ (21) Each authorized agent shall advise the owner of any  
8 item of Class F personal property upon which the annual specific  
9 ownership tax is due, by notice mailed to such owner indicating the  
10 amount of tax due. If payment is not made, the authorized agent shall  
11 report such fact to the county treasurer, who shall thereupon proceed to  
12 collect the amount of delinquent tax by distraint, seizure, and sale of the  
13 item upon which the tax is payable, in the same manner as is provided in  
14 section 39-10-113, C.R.S., for the collection of ad valorem taxes on  
15 personal property.

16 ~~(21)~~ (22) Each authorized agent shall retain, out of the amount of  
17 annual specific ownership tax collected on each item of classified  
18 personal property, the sum of fifty cents, which sum shall constitute  
19 remuneration for the collection of such tax. The sums so retained shall  
20 be transmitted to the county treasurer and credited ~~by him or her~~ in the  
21 manner provided by law. In addition, each authorized agent shall retain,  
22 out of the amount of annual specific ownership tax collected on each item  
23 of classified personal property, the sum of fifty cents, which sum shall be  
24 transmitted to the state treasurer, who shall credit the same to the special  
25 purpose account established under section 42-1-211.

26 ~~(22)~~ (23) Each authorized agent shall transmit to the county  
27 treasurer, at least once each week, all specific ownership taxes collected

1 on items of classified personal property, reporting the aggregate amount  
2 collected ~~on~~ FOR each ~~separate~~ class.

3 ~~(23)~~ (24) (a) ~~During the month of EACH January, of each year the~~  
4 treasurer of each county shall calculate the percentages ~~which~~ THAT the  
5 dollar amount of ad valorem taxes levied in the treasurer's county during  
6 the preceding calendar year for county purposes and for the purposes of  
7 each political and governmental subdivision located within the boundaries  
8 of the treasurer's county were of the aggregate dollar amount of ad  
9 valorem taxes levied in such county during the preceding calendar year  
10 for said purposes. The percentages so calculated shall be used for the  
11 apportionment between the county itself and each political and  
12 governmental subdivision located within its boundaries of the aggregate  
13 amount of specific ownership tax revenue to be paid over to the treasurer  
14 during the current calendar year.

15 (b) On the tenth day of each month, the aggregate amount of  
16 specific ownership taxes on Class A, B, C, D, and F personal property  
17 received or collected by the county treasurer during the preceding  
18 calendar month shall be apportioned between the county and each  
19 political and governmental subdivision located within the boundaries of  
20 the county according to the percentages calculated in the manner  
21 prescribed in paragraph (a) of this subsection ~~(23)~~ (24), and the respective  
22 amounts so determined shall be credited or paid over to the county and  
23 each such subdivision.

24 (c) The fee for the collection of specific ownership taxes having  
25 been charged when collected by the authorized agent, the treasurer shall  
26 make no further charge against the amount of specific ownership taxes  
27 credited or paid over to any political or governmental subdivision located

1 in the treasurer's county.

2 (d) An insolvent taxing district, as defined in section 32-1-1402  
3 (2), C.R.S., ~~which~~ THAT has increased its mill levy for the purpose of  
4 paying for maturing bonds of the district, interest on bonds of the district,  
5 or prior deficiencies of the district shall not be entitled to receive any  
6 larger proportion of the specific ownership taxes collected in the county  
7 in which such district is located as the result of such increase in the  
8 district's mill levy. For the purpose of apportioning specific ownership  
9 tax revenues in a county, dollar amounts ~~resulting~~  
10 valorem taxes by ~~any~~ AN insolvent taxing district located in the county for  
11 the purpose of paying for maturing bonds of the district, interest on bonds  
12 of the district, or prior deficiencies of the district shall be excluded from  
13 the calculation of the percentages required by ~~the provisions of~~ paragraph  
14 (a) of this subsection ~~(23)~~ (24).

15 ~~(24)(a)~~ (25) A credit shall be allowed for taxes paid on any item  
16 of Class A, Class B, Class C, Class D, or Class F personal property if the  
17 owner disposes of the vehicle during the registration period. Such credit  
18 may apply to payments of taxes on ~~any~~ A subsequent application by such  
19 owner for registration of an item of Class A, Class B, Class C, Class D,  
20 or Class F personal property made during the said registration period or  
21 may be assigned by such owner to the transferee of the property for  
22 which taxes were paid; except that, when the transferee is a dealer in new  
23 or used vehicles, such transferee shall account to the owner for any  
24 assignment of the credit. The credit shall be prorated based on the  
25 number of months remaining in the registration period after the transfer  
26 and disposal of the vehicle. The calculation for the credit shall be  
27 determined by using the period beginning with the first day of the month

1 following the date of transfer through the last day of the month for the  
2 period for which the vehicle was registered. Specific ownership tax  
3 credit will be allowed only if the total ownership tax credit due exceeds  
4 ten dollars.

5 ~~(b) This subsection (24) shall take effect January 1, 1982.~~

6 ~~(25)~~ (26) Notwithstanding the amount specified for the fees in  
7 paragraph (e) of subsection (11) and paragraph (b) of subsection (16) of  
8 this section, the executive director of the department by rule or as  
9 otherwise provided by law may reduce the amount of one or more of the  
10 fees if necessary pursuant to section 24-75-402 (3), C.R.S., to reduce the  
11 uncommitted reserves of the fund to which all or any portion of one or  
12 more of the fees is credited. After the uncommitted reserves of the fund  
13 are sufficiently reduced, the executive director of the department by rule  
14 or as otherwise provided by law may increase the amount of one or more  
15 of the fees as provided in section 24-75-402 (4), C.R.S.

16 ~~(26)~~ (27) (a) Notwithstanding any provision in this article to the  
17 contrary, a fleet owner may process the registration renewal for any fleet  
18 vehicle, with the exception of Class A personal property, in the county in  
19 which the fleet owner's principal office or principal fleet management  
20 facility is located instead of in the county in which the fleet vehicle is  
21 located at the time of registration. ~~Any~~ A fleet vehicle for which the  
22 registration renewal is processed pursuant to this subsection ~~(26)~~ (27)  
23 shall continue to be registered in the county in which it is located at the  
24 time of registration. ~~The provisions of~~ This subsection ~~(26)~~ (27) shall not  
25 apply to ~~any~~ A fleet vehicle that was not previously registered in Colorado  
26 at the time of registration.

27 (b) If a fleet owner chooses to process the registration renewal of

1 a fleet vehicle in the county in which the owner's principal office or  
2 principal fleet management facility is located instead of in the county in  
3 which the vehicle is located, ~~it is the duty of~~ the authorized agent in the  
4 county where the owner's principal office or principal fleet management  
5 facility is located ~~to~~ SHALL collect the registration fee and specific  
6 ownership tax payable on each fleet vehicle for which the registration  
7 renewal is processed by the fleet owner in such county.

8 (c) The authorized agent in ~~any~~ A county in which a fleet vehicle  
9 registration renewal is processed pursuant to this section shall retain AND  
10 NOT DISBURSE the sum authorized pursuant to section 42-1-210 (1) (a) to  
11 defray the costs associated with vehicle registration. ~~and shall not~~  
12 ~~disburse such sum to the county in which the fleet vehicle is located at~~  
13 ~~the time of registration.~~ The authorized agent in the county in which a  
14 fleet vehicle registration renewal is processed pursuant to this section  
15 shall transmit to the department all fees and moneys collected by the  
16 agent pursuant to section 42-1-214.

17 (d) The authorized agent in ~~any~~ THE county in which a fleet  
18 vehicle registration renewal is processed pursuant to this section shall  
19 transmit the registration fees collected pursuant to section ~~42-3-139~~  
20 42-3-310 to the department. The department shall then transmit such fees  
21 to the authorized agent in the county in which the fleet vehicle is located  
22 at the time of registration, and the authorized agent shall transmit such  
23 fees to the county treasurer pursuant to section ~~42-3-139~~ 42-3-310.

24 (e) The annual specific ownership tax on each fleet vehicle for  
25 which the registration renewal is processed in the county in which the  
26 fleet owner's principal office is located shall become due and payable to  
27 the authorized agent in such county pursuant to this article. The

1 authorized agent in such county shall apportion the specific ownership  
2 taxes collected for all fleet vehicles for which the registration renewal is  
3 processed in such county pursuant to this subsection ~~(26)~~ (27) to the  
4 counties in which the fleet vehicles are located at the time of registration  
5 in proportion to the number of fleet vehicles located in each county.

6 (f) (I) ~~The provisions of~~ This subsection ~~(26)~~ (27) shall apply to  
7 registration renewal for fleet vehicles upon implementation of the  
8 Colorado state titling and registration system, established in section  
9 42-1-211, by the department.

10 (II) The department shall notify the revisor of statutes in writing  
11 on or before January 1, 2006, whether the Colorado state titling and  
12 registration system has been implemented by the department.

13 (g) Nothing in this section shall be construed to affect the  
14 allocation of highway users tax fund moneys to counties or municipalities  
15 pursuant to sections 43-4-207 and 43-4-208, C.R.S.

16 **42-3-108. Determination of year model - tax lists.** All vehicles  
17 of the current year model, as designated by the manufacturer, ~~thereof~~  
18 shall, for the payment of the specific ownership tax, ~~thereon~~ be  
19 considered in the first year of service regardless of the date of purchase,  
20 and those charged with the collection of annual specific ownership taxes  
21 on vehicles subject to specific ownership taxation shall use the year that  
22 the model was manufactured or constructed as the basis of computation  
23 of ~~said~~ THE annual specific ownership tax.

24 **42-3-109. Tax for registration period.** Except as provided in  
25 ~~sections 42-3-109.5 and 42-3-134 (13), there~~ SECTIONS 42-3-110,  
26 42-3-304 (10), AND 42-4-305 (5), THE OWNER shall ~~be paid~~ PAY upon any  
27 A PURCHASED vehicle subject to registration under this article ~~which is~~

1 ~~purchased during any registration period~~ the prescribed fee for a  
2 twelve-month registration. In no event shall the specific ownership tax  
3 collected on any classified personal property be less than one dollar and  
4 fifty cents.

5 **42-3-110. [Formerly 42-3-109.5] Payment of motor vehicle**  
6 **registration fees and specific ownership taxes in installments.** (1) An  
7 owner of a motor vehicle, other than a trailer or semitrailer, classified as  
8 class A or class B personal property under section 42-3-106 ~~(1)~~ (2) (b)  
9 may apply to the department to pay the twelve-month registration fee and  
10 specific ownership tax for the owner's fleet ~~or fleets~~ of such vehicles in  
11 installments. The department shall approve an application from a fleet  
12 owner to make payments for a fleet ~~or fleets~~ in installments if all the  
13 following requirements are met:

14 (a) The total of the twelve-month registration fee and the  
15 twelve-month specific ownership tax for the fleet ~~or fleets~~ equals one  
16 thousand dollars or more;

17 (b) The applicant pays one-third of the total amount due for  
18 registration and specific ownership tax with the application;

19 (c) The fleet owner does not owe ~~any~~ past due motor vehicle  
20 registration fees or specific ownership taxes or ~~any~~ outstanding penalties  
21 imposed for nonpayment of such fees or taxes;

22 (d) The owner is not denied the privilege of paying in installments  
23 pursuant to paragraph (b) of subsection (3) of this section; and

24 (e) The fleet owner has ~~obtained~~ a performance bond issued by a  
25 surety company authorized to do business in Colorado, a bank letter of  
26 credit, or a certificate of deposit in an amount equal to no less than the  
27 remaining amount of the annual registration fee and specific ownership



1 tax that will be paid in installments. The performance bond, letter of  
2 credit, or certificate of deposit shall be payable to the department if the  
3 owner fails to pay the required installments.

4 (2) If an applicant's application to pay in installments is approved  
5 pursuant to subsection (1) of this section, the applicant shall pay the  
6 remainder of the registration fee and specific ownership tax in two equal  
7 installments as follows:

8 (a) The first installment on or before the first day of the fifth  
9 month of the registration period; and

10 (b) The second installment on or before the first day of the ninth  
11 month of the registration period.

12 (3) (a) If a fleet owner fails to pay ~~any~~ AN installment under ~~the~~  
13 ~~provisions of~~ this section on or before the date the installment was due,  
14 the remaining amount of the UNPAID registration fee and specific  
15 ownership tax ~~that is still unpaid~~ for the fleet ~~or fleets~~ for the registration  
16 ~~period~~ is due in full immediately. Such owner ~~may~~ SHALL not operate the  
17 vehicles in such fleet ~~or fleets~~ on the highways of the state until the  
18 owner has paid such amount.

19 (b) If a fleet owner fails to pay ~~any~~ AN installment for ~~any~~ A motor  
20 vehicle under the requirements of this section within thirty days after the  
21 installment was due, the department may deny such owner the privilege  
22 of paying registration fees and specific ownership taxes in installments  
23 under this section.

24 (4) The provisions of this section do not modify the amount of the  
25 registration fee or specific ownership tax owed by an owner for a motor  
26 vehicle during a registration period.

27 (5) The department may promulgate rules to implement the

1 installment payment process established by this section.

2 **42-3-111. [Formerly 42-3-110] Tax year - disposition.** (1) ~~The~~  
3 ~~provisions relative to the collection of the annual specific ownership tax~~  
4 ~~shall first become effective upon the date when state registration licenses~~  
5 ~~are issued for the operation of a motor vehicle, trailer, semitrailer, or~~  
6 ~~trailer coach upon the highways of the state. Such~~ THE ANNUAL SPECIFIC  
7 OWNERSHIP tax shall attach and apply to ~~such personal property~~ MOTOR  
8 VEHICLES, TRAILERS, SEMITRAILERS, OR TRAILER COACHES OPERATED  
9 UPON THE HIGHWAYS OF THIS STATE for the registration period within  
10 which it is levied and collected.

11 (2) Payment of an annual specific ownership tax on a trailer coach  
12 to the ~~county clerk and recorder~~ AUTHORIZED AGENT of ~~any~~ A county of  
13 this state in which the situs of the trailer coach is established at the time  
14 of registration ~~or to the clerk and recorder in the city and county of~~  
15 ~~Broomfield if the situs is in the city and county of Broomfield at the time~~  
16 ~~of registration, or to the manager of revenue of the city and county of~~  
17 ~~Denver or such other official of the city and county of Denver as may be~~  
18 ~~appointed by the mayor to perform functions related to the registration of~~  
19 ~~motor vehicles if the situs is in Denver at the time of registration,~~ for all  
20 of a registration period shall constitute the entire tax payable on such  
21 vehicle.

22 **42-3-112. [Formerly 42-3-111] Failure to pay tax - penalty.**  
23 If a vehicle subject to taxation under this article is not registered ~~at the~~  
24 ~~time~~ WHEN required by law and the specific ownership tax paid, ~~thereon,~~  
25 a penalty of ten percent of the amount of tax or ten dollars, whichever is  
26 greater, may be collected at the time the registration is completed and the  
27 specific ownership tax paid.

1           **42-3-113. [Formerly 42-3-112 (1), (2), (3), (4), (5), (6), (7), (8),**  
2           **(9), (12), (13), and (14)] Records of application and registration.**

3           (1) The department shall file each application received and, when  
4           satisfied ~~as to the genuineness and regularity thereof~~ and that the  
5           applicant is entitled ~~thereto~~ TO REGISTER THE VEHICLE, shall register the  
6           vehicle ~~therein described~~ and the owner ~~thereof in suitable books or on~~  
7           ~~index cards~~ OF SUCH VEHICLE as follows:

8           (a) ~~Under~~ THE OWNER AND VEHICLE SHALL BE ASSIGNED a distinct  
9           registration number, ~~assigned to the vehicle and to the owner, thereof,~~  
10          referred to in this article as the "registration number". Each registration  
11          number assigned to a vehicle and ~~to the~~ ITS owner ~~thereof~~ shall be  
12          designated "urban" if the owner resides within the limits of a city or  
13          incorporated town. Each registration number assigned to a vehicle and  
14          ~~to the~~ ITS owner ~~thereof~~ shall be designated "rural" if the owner resides  
15          outside the limits of a city or incorporated town. The county clerk and  
16          recorder of each county shall certify to the department as soon as possible  
17          after the end of the calendar year, but not later than May 1 of the  
18          FOLLOWING year, ~~following the year for which said vehicles are~~  
19          ~~registered~~; the total number of vehicles classified as "urban" and the total  
20          number of vehicles classified as "rural".

21          (b) THE REGISTRATION SHALL BE FILED alphabetically under the  
22          name of the owner.

23          (c) THE REGISTRATION SHALL BE FILED numerically and  
24          alphabetically under the identification number and name of the vehicle.

25          (2) The department, upon registering a vehicle, shall issue to the  
26          owner a registration card that shall contain upon ~~the~~ ITS face ~~thereof~~ THE  
27          FOLLOWING:

- 1 (a) The date issued;
- 2 (b) The registration number assigned to the owner and ~~to the~~  
3 vehicle;
- 4 (c) The name and address of the owner;
- 5 (d) A notice, in type that is larger than the other information  
6 contained on the registration card, that motor vehicle insurance coverage  
7 is compulsory in Colorado, that noncompliance is a misdemeanor traffic  
8 offense, that the minimum penalty for such offense is a  
9 one-hundred-dollar fine and that the maximum penalty for such offense  
10 is one year's imprisonment and a one-thousand-dollar fine, and that such  
11 owner shall be required upon receipt of the registration card to sign the  
12 affirmation clause on such card that States "I swear or affirm under  
13 penalty of perjury that I now have in effect a complying policy of motor  
14 vehicle insurance pursuant to part 6 of article 4 of title 10, C.R.S., or a  
15 certificate of self-insurance to cover the vehicle for which this registration  
16 is issued, and I understand that such insurance must be renewed so that  
17 coverage is continuous. Signature \_\_\_\_\_, Date  
18 \_\_\_\_\_.";
- 19 (e) A description of the registered vehicle, including the  
20 identification number; ~~thereof, and,~~
- 21 (f) With reference to every new vehicle sold in this state after  
22 January 1, 1932, the date of sale by the manufacturer or dealer to the  
23 person first operating such vehicle; and
- 24 (g) Such other statement of facts as may be determined by the  
25 department.
- 26 (3) ~~(a) Any~~ A notice for renewal of registration shall include a  
27 notice, in type that is larger than the other information contained in the

1 notice, ~~which~~ THAT specifies that motor vehicle insurance coverage is  
2 compulsory in Colorado, that noncompliance is a misdemeanor traffic  
3 offense, that the minimum penalty for such offense is a  
4 one-hundred-dollar fine and that the maximum penalty for such offense  
5 is one year's imprisonment and a one-thousand-dollar fine.

6 ~~(b) Repealed.~~

7 ~~(4) On and after January 1, 1991,~~ The department shall notify all  
8 registered owners of the provisions and requirements of subsections (2)  
9 and (3) of this section.

10 ~~(5) The authorized agent shall have the authority upon direction~~  
11 ~~by the county, to refund any or all of the moneys collected between~~  
12 ~~January 1, 1991, and April 17, 1991, for the failure to sign the affirmation~~  
13 ~~clause on the registration application pursuant to section 42-3-105 (2) or~~  
14 ~~the failure to sign the affirmation clause on the notice for renewal of~~  
15 ~~registration pursuant to subsection (3) of this section over and above the~~  
16 ~~actual costs the county has incurred in reprocessing such registration~~  
17 ~~documents.~~

18 ~~(6) The registration card shall contain upon the reverse side a~~  
19 ~~form for endorsement of notice to the department upon transfer of the~~  
20 ~~vehicle.~~

21 ~~(7)~~ (5) The owner, upon receiving the registration card, shall sign  
22 the usual signature or name of such owner with pen and ink in the space  
23 provided upon the face of such card.

24 ~~(8)~~ (6) The registration card issued for a vehicle required to be  
25 registered under this article shall, at all times while the vehicle is being  
26 operated upon a highway, ~~within this state,~~ be in the possession of the  
27 driver ~~thereof~~ or carried in the vehicle and subject to inspection by any

1 peace officer.

2 ~~(9) (7) Whenever any~~ WITHIN TEN DAYS AFTER MOVING FROM AN  
3 ADDRESS OR CHANGING THE NAME OF THE OWNER LISTED UPON A VEHICLE  
4 REGISTRATION, A person ~~after applying for and receiving a license~~  
5 ~~registration, moves from the address named in such application or on the~~  
6 ~~license issued to the person or when the name of the licensee is changed,~~  
7 ~~by marriage or otherwise, such person shall, within ten days, thereafter,~~  
8 SHALL notify the department in writing of the person's old and new  
9 address or ~~of such former~~ OLD and new name and of the REGISTRATION  
10 number of ~~any license~~ ALL REGISTRATIONS then held by such person.

11 ~~(12) (8) (a)~~ As used in this subsection ~~(12) (8)~~:

12 (I) "Eligible vehicle" means a motor vehicle that has a valid  
13 certificate of registration issued by the department of revenue to a person  
14 whose address of record on such certificate is within the boundaries of  
15 the program area, as defined in section 42-4-304 (20). The term "eligible  
16 vehicle" shall not include motor vehicles held for lease or rental to the  
17 general public, motor vehicles held for sale by motor vehicle dealers,  
18 including demonstration vehicles, motor vehicles used for motor vehicle  
19 manufacturer product evaluations or tests, law enforcement and other  
20 emergency vehicles, or nonroad vehicles, including farm and construction  
21 vehicles.

22 (II) "Program area fleet" means a person who owns ten or more  
23 eligible vehicles. In determining the number of vehicles owned or  
24 operated by a person for purposes of this subsection ~~(12) (8)~~, all motor  
25 vehicles owned, operated, leased, or otherwise controlled by such person  
26 shall be treated as owned by such person.

27 (b) (I) Upon the registration of an eligible vehicle, the owner shall

1 report on forms provided by the department:

2 (A) The types of fuel used by such vehicle; and

3 (B) Whether such vehicle is dual-fueled or dedicated to one fuel.

4 (II) The forms provided by the department shall include spaces for  
5 the following fuels: Gasoline, diesel, propane, electricity, natural gas,  
6 methanol or M85, ethanol or E85, biodiesel, and other.

7 (c) Upon registration of a vehicle that is a part of a program area  
8 fleet, the owner shall report on forms provided by the department that  
9 such vehicle is owned by a program area fleet and shall list the owner's  
10 tax identification number.

11 (d) Within a reasonable period of time and upon the request of a  
12 political subdivision or the state of Colorado or any institution of the state  
13 or the state's political subdivisions, the department shall provide a report  
14 listing the owners of eligible vehicles that use fuels other than gasoline  
15 or diesel, listing the fuel type of each such eligible vehicle, and  
16 identifying whether or not such eligible vehicles are part of a program  
17 area fleet.

18 ~~(13)~~ (9) Except for vehicles owned by a trust created for the  
19 benefit of a person with a disability, for purposes of enforcing disabled  
20 parking privileges granted pursuant to section 42-4-1208, the department,  
21 when issuing a registration card under this section, shall clearly indicate  
22 on the card if an owner of a vehicle is a person with a disability as  
23 defined in section ~~42-3-121~~ 42-3-204. If the vehicle is owned by more  
24 than one person and the registration reflects that joint ownership, the  
25 department shall clearly indicate on the registration card which of the  
26 owners are persons with disabilities and which of the owners are not.

27 ~~(14)~~ (10) (a) Whenever a person asks the department or any other

1 state department or agency for the name or address of the owner of a  
2 motor vehicle registered under this section, the department or agency  
3 shall require the person to disclose if the purpose of the request is to  
4 determine the name or address of a person suspected of a violation of a  
5 state or municipal law detected through the use of an automated vehicle  
6 identification system as described in section 42-4-110.5. If the purpose  
7 of the request is to determine the name or address of such a suspect, the  
8 department or agency shall release such information only if the county  
9 ~~city and county~~, or municipality for which the request is made complies  
10 with section 42-4-110.5.

11 (b) No person who receives the name or address of the registered  
12 owner of a motor vehicle from the department or from a person who  
13 receives the information from the department shall release such  
14 information to a county ~~a city and county~~, or a municipality unless the  
15 county ~~a city and county~~, or a municipality complies with state laws  
16 concerning the use of automated identification devices.

17 **42-3-114. [Formerly 42-3-124 (1) (a)] Expiration.**  
18 ~~(1)(a)~~ Every vehicle registration under this article shall expire on the last  
19 day of the month at the end of each twelve-month registration period and  
20 shall be renewed, upon application by the owner, the payment of the fees  
21 required by law, and in accordance with section ~~42-3-112~~ 42-3-113 (3),  
22 not later than thirty days after the date of expiration. No license plates  
23 other than those of the registration period to which they pertain shall be  
24 displayed on a motor vehicle operated on the highways of Colorado. ~~Any~~  
25 A person who violates any provision of this ~~paragraph (a)~~ SECTION  
26 commits a class B traffic infraction.

27 **42-3-115. [Formerly 42-3-126] Registration upon transfer.**



1 (1) Whenever the owner of a MOTOR vehicle registered under ~~the~~  
2 ~~provisions of this article transfers or assigns the owner's title or interest,~~  
3 ~~thereto,~~ the registration of such vehicle shall expire, and such owner shall  
4 remove the number plates. The owner, upon ~~application~~ APPLYING for  
5 registration in such owner's name during the same registration period of  
6 another motor vehicle, may receive credit upon the fees due for such new  
7 registration for such portion of the fees paid for the cancelled registration  
8 as the department may determine to be proper and proportionate to the  
9 unexpired part of the original term of registration. A TRANSFER fee of  
10 one dollar shall be paid in all cases. ~~as a transfer fee.~~

11 (2) The transferee, before operating or permitting the operation of  
12 such vehicle upon a highway, shall ~~apply for and obtain the registration~~  
13 ~~thereof~~ REGISTER THE MOTOR VEHICLE as upon an original registration,  
14 except as provided in this article.

15 (3) ~~In the event of a transfer~~ IF A TITLE TO OR INTEREST IN A  
16 MOTOR VEHICLE IS TRANSFERRED by operation of law, ~~of the title or~~  
17 ~~interest of an owner in and to a vehicle,~~ as upon inheritance, devise, or  
18 bequest, order in bankruptcy of insolvency, execution, sale, repossession  
19 upon default in performing the terms of a lease or executory sales  
20 contract, chattel mortgage, secured transaction, or otherwise, the  
21 registration thereof shall expire, and the vehicle shall not be operated  
22 upon the highways ~~until and unless the person entitled thereto applies for~~  
23 ~~and obtains the registration thereof~~ VEHICLE IS REGISTERED; except that  
24 ~~an administrator, executor, trustee, or other representative of the owner,~~  
25 ~~or a sheriff or other officer, or any person repossessing the vehicle under~~  
26 ~~the terms of a conditional sale contract, lease, chattel mortgage, secured~~  
27 ~~transaction, or other security agreement, or the assignee or legal~~

1 ~~representative of any such person may operate or cause to~~ THE VEHICLE  
2 MAY be operated ~~any vehicle~~ upon the highways for ~~the necessary~~  
3 ~~distance~~ from the place of repossession or place where ~~formerly kept~~  
4 STORED by the owner to ~~a garage, warehouse, or other place of keeping~~  
5 ~~or~~ THE VEHICLE'S NEW PLACE OF storage, either upon displaying upon such  
6 vehicle the number plates issued to the former owner or without  
7 DISPLAYING number plates ~~attached thereto~~ but under a written permit  
8 ~~first~~ obtained from the department or the ~~local~~ police authorities ~~having~~  
9 WITH jurisdiction over such highways and upon displaying ~~in plain sight~~  
10 upon such vehicle a placard bearing the name and address of the person  
11 authorizing and directing such movement, plainly readable from a  
12 ~~distance of~~ one hundred feet AWAY during daylight.

13 (4) The owner of a motor vehicle who has made a bona fide sale  
14 or transfer of such owner's title or interest and who has delivered  
15 possession of such vehicle and the certificate of title, ~~thereto~~ properly  
16 endorsed, to the purchaser or transferee shall not be liable for any  
17 damages thereafter resulting from negligent operation of such vehicle by  
18 another.

19 **42-3-116. [Formerly 42-3-127] Manufacturers or dealers.**

20 (1) UPON APPLICATION USING THE PROPER FORM AND PAYMENT OF THE  
21 FEES REQUIRED BY LAW, a manufacturer OF, drive-away or tow-away  
22 transporter of, or dealer in, motor vehicles, trailers, special mobile  
23 machinery, or semitrailers operating ~~any~~ such vehicle upon any highway,  
24 in lieu of registering each vehicle, may obtain from the department ~~upon~~  
25 ~~application using the proper official form and payment of the fees~~  
26 ~~required by law~~, and attach to each such vehicle one number plate, as  
27 required in this article for different classes of vehicles. ~~which~~ SUCH plate

1 shall bear a distinctive number; the name of this state, which may be  
2 abbreviated; ~~and the year for which issued; together with~~ AND a  
3 distinguishing word or symbol indicating that such plate was issued to a  
4 manufacturer, drive-away or tow-away transporter, or dealer. ~~Any~~ Such  
5 plates ~~so issued~~ may, during the registration period for which THEY WERE  
6 issued, be transferred from one such vehicle to another when owned and  
7 operated by or with the authority of such manufacturer or representative  
8 of such manufacturer or operated by such drive-away or tow-away  
9 transporter or dealer.

10 (2) No manufacturer of or dealer in motor vehicles, trailers, or  
11 semitrailers shall cause or permit ~~any such~~ A vehicle owned by such  
12 person to be operated or moved upon a public highway without ~~there~~  
13 ~~being displayed~~ DISPLAYING upon such vehicle a number plate, except as  
14 otherwise authorized in this article.

15 (3) ~~Any~~ A manufacturer of motor vehicles, trailers, or semitrailers  
16 may operate or move ~~or cause to be operated or moved~~, upon the  
17 highways any such vehicle from the factory where manufactured to a  
18 railway depot, vessel, or place of shipment or delivery, without  
19 registering the same and without ~~a~~ AN ATTACHED number plate, ~~attached~~  
20 ~~thereto~~, under a written permit first obtained from the ~~local~~ police  
21 authorities ~~having~~ WITH jurisdiction over such highways and upon  
22 displaying ~~in plain sight~~ upon each such vehicle a placard bearing the  
23 name and address of the manufacturer authorizing or directing such  
24 movement, plainly readable from ~~a distance of~~ one hundred feet AWAY  
25 during daylight.

26 (4) (a) Any dealer in motor vehicles, trailers, or semitrailers or  
27 ~~any person partnership, or corporation or~~ holder of a valid state garage

1 license doing work for such dealer involving the repairing, painting,  
2 upholstering, polishing, or the performing of similar types of work may  
3 operate, move, or transport ~~any~~ A vehicle owned by such dealer on the  
4 streets and highways of this state without registering such vehicle and  
5 without ~~a~~ AN ATTACHED numbered plate ~~attached thereto~~ if there is  
6 displayed ~~thereon~~ ON SUCH VEHICLE a depot tag issued by the department.  
7 Such tag ~~shall~~ MAY be purchased ~~by any such dealer, person, partnership,~~  
8 ~~or corporation~~ from the department for a fee of five dollars. Such tags  
9 shall only be used for moving authorized vehicles for purposes of testing,  
10 repairs, or transporting them from the point of delivery to the dealer's  
11 place of business and for similar legitimate business purposes; but  
12 nothing in this section shall be construed to allow the use of ~~any~~ such tag  
13 for ~~any~~ private purposes.

14 (b) The executive director of the department shall promulgate  
15 rules ~~and regulations~~ for the use of depot tags and dealer plates, and ~~any~~  
16 A violation of such rules ~~and regulations~~ shall subject the violator to a  
17 suspension or revocation of the violator's depot tag and dealer plates after  
18 a hearing pursuant to article 4 of title 24, C.R.S.

19 (c) ~~Repealed.~~

20 (5) ~~Every~~ A manufacturer or dealer, upon transferring a motor  
21 vehicle, trailer, or semitrailer, whether by sale, lease, or otherwise, to any  
22 person other than a manufacturer or dealer shall immediately give written  
23 notice of such transfer to the department upon the ~~official~~ form provided  
24 by the department. ~~Every~~ Such notice shall contain the date of such  
25 transfer, the names and addresses of the transferor and transferee, and  
26 such description of the vehicle as may be ~~called for in such official form~~  
27 REQUIRED BY THE DEPARTMENT.

1 (6) (a) (I) An application for a full-use dealer plate may be  
2 submitted by a motor vehicle dealer or wholesaler who:

3 (A) Has sold more than twenty-five motor vehicles in the  
4 twelve-month period preceding application;

5 (B) Purchases an existing motor vehicle dealership or wholesale  
6 business that has sold more than twenty-five vehicles during the  
7 twelve-month period preceding application; or

8 (C) Obtains a license to operate a new or used motor vehicle  
9 dealership or wholesale business with an inventory of fifty or more motor  
10 vehicles.

11 (II) Full-use dealer plates may be used in lieu of, in the same  
12 manner as, and to the same extent as number plates issued pursuant to  
13 section ~~42-3-113~~ 42-3-201.

14 (b) (I) The department shall issue full-use dealer plates upon  
15 payment of the fee specified in subparagraph (II) of this paragraph (b)  
16 and upon application of a motor vehicle dealer or wholesaler  
17 accompanied by satisfactory evidence that the applicant is entitled to the  
18 plate in accordance with the criteria established in subparagraph (I) of  
19 paragraph (a) of this subsection (6).

20 (II) The annual fee for full-use dealer plates shall be established  
21 and adjusted annually by the department based on the average of specific  
22 ownership taxes and registration fees paid for passenger vehicles and  
23 light duty trucks that are seven model years old or newer and that were  
24 registered during the one-year period preceding January 1 of each year.  
25 Such annual fee shall be prorated on a monthly basis. The annual fee for  
26 full-use dealer plates for motorcycles shall be established and adjusted  
27 annually by the department based on the average of specific ownership

1 taxes and registration fees paid for motorcycles that are seven model  
2 years old or newer and that were registered during the one-year period  
3 preceding January 1 of each year. Such annual fee for motorcycles shall  
4 be prorated on a monthly basis.

5 (III) Full-use dealer plates shall be valid for a period not to exceed  
6 one year.

7 (IV) Each full-use dealer plate shall be returned to the department  
8 within ten days after the sale or closure of a motor vehicle dealership or  
9 wholesale business listed in an application submitted pursuant to  
10 subparagraph (I) of this paragraph (b).

11 (c) Full-use dealer plates may be used only for vehicles owned  
12 and offered for sale by the dealer or wholesaler. Full-use dealer plates  
13 shall not be used on vehicles owned by dealerships or wholesalers that  
14 are commonly used by that dealer as tow trucks or vehicles commonly  
15 used by that dealer to pick up or deliver parts. At the dealer's or  
16 wholesaler's discretion, the full-use plate may be transferred from one  
17 motor vehicle to another motor vehicle. The dealer or wholesaler shall  
18 not be required to report any such transfer to the department.

19 (d) A motor vehicle dealer or wholesaler may assign a full-use  
20 dealer plate only to the following persons:

21 (I) Owners or co-owners of the licensed dealership or wholesale  
22 motor vehicle business;

23 (II) An employee of the motor vehicle dealer or wholesaler;

24 (III) To any person, including former, current, and prospective  
25 customers, in order to serve the legitimate business interest of the motor  
26 vehicle dealership or motor vehicle wholesale business; and

27 (IV) A spouse or dependent child living in the same household as

1 the licensed dealer or wholesaler.

2 (e) As used in this subsection (6), "motor vehicle dealer or  
3 wholesaler" includes motor vehicle dealers, used motor vehicle dealers,  
4 and wholesalers as those terms are defined in section 12-6-102 (13), (17),  
5 and (18), C.R.S.

6 **42-3-117. [Formerly 42-3-128] Nonresidents.** (1) A  
7 nonresident owner, except as otherwise provided in this section, owning  
8 ~~any~~ A foreign MOTOR vehicle ~~which has been duly~~ MAY OPERATE OR  
9 PERMIT SUCH VEHICLE TO OPERATE WITHIN THIS STATE WITHOUT  
10 REGISTERING SUCH VEHICLE OR PAYING FEES SO LONG AS THE VEHICLE IS  
11 CURRENTLY registered ~~for the current registration period~~ in the state,  
12 country, or other place of which the owner is a resident, and ~~which at all~~  
13 ~~times when operated in this state has displayed upon it~~ THE MOTOR  
14 VEHICLE DISPLAYS the number plate or plates issued for such vehicle in  
15 the place of residence of such owner. ~~may operate or permit the operation~~  
16 ~~of such vehicle within this state without registering such vehicle or~~  
17 ~~paying any fees to this state.~~

18 (2) An owner or operator of a foreign vehicle operated within this  
19 state for the transportation of persons or property for compensation or for  
20 the transportation of merchandise shall register such vehicle and pay the  
21 same fees ~~therefor~~ as required ~~with reference to like~~ FOR SIMILAR vehicles  
22 owned by residents of this state; ~~but the registration or reregistration in~~  
23 ~~this state of any~~ EXCEPT THAT A motor vehicle, truck, semitractor, truck  
24 tractor, bus, trailer, or semitrailer ~~or any combination thereof, shall be~~  
25 ~~required of vehicles~~ registered in a foreign state or country ~~but only~~ THAT  
26 HAS A REGISTRATION RECIPROCITY AGREEMENT WITH COLORADO SHALL  
27 BE REGISTERED in accordance with ~~a registration reciprocity that exists~~

1 ~~between the state of Colorado and the foreign state, country, territory, or~~  
2 ~~possession~~ SUCH AGREEMENT.

3 **42-3-118. [Formerly 42-3-130] Registration suspended upon**  
4 **theft - recovery.** If the owner of ~~any~~ A registered vehicle files an  
5 affidavit with the department alleging the theft of the vehicle, the  
6 department shall immediately suspend the registration of such vehicle and  
7 shall not transfer the registration of or reregister such vehicle until such  
8 time as it is notified that the owner has recovered such vehicle. The  
9 notice given by the owner under this section shall be effective only during  
10 the current registration year in which given, but, if during such year such  
11 vehicle is not recovered, a new affidavit may be filed ~~with like effect~~  
12 during the ensuing year. ~~Every~~ AN owner who has filed an affidavit of  
13 theft shall immediately notify the department of the recovery of such  
14 vehicle.

15 **42-3-119. [Formerly 42-3-131] No application for registration**  
16 **granted - when.** (1) The department shall not grant an application for  
17 the registration of a vehicle in any of the following events:

18 (a) When the applicant for registration is not entitled thereto under  
19 ~~the provisions of~~ this article;

20 (b) When the applicant has neglected or refused to furnish the  
21 department with the information required on the appropriate official form  
22 or reasonable additional information required by the department;

23 (c) When the registration fees required by law have not been paid;

24 (d) When a certification of emissions control is required pursuant  
25 to part 4 of article 4 of this title, and such certification has not been  
26 obtained.

27 **42-3-120. [Formerly 42-3-132] Department may cancel**



1 **registration.** (1) The department shall ~~rescind and~~ cancel the  
2 registration of any vehicle ~~which~~ THAT the department determines is  
3 unsafe or unfit to be operated or is not equipped as required by law.

4 (2) The department shall ~~rescind and~~ cancel the registration of a  
5 vehicle whenever the person to whom registration number plates ~~therefor~~  
6 have been issued ~~makes or permits any~~ UNLAWFULLY USES OR PERMITS  
7 THE unlawful use of the same.

8 **42-3-121. [Formerly 42-3-133] Violation of registration**  
9 **provisions - penalty.** (1) It is unlawful ~~for any person~~ to commit any of  
10 the following acts:

11 (a) To operate or ~~for the owner thereof knowingly~~ to permit the  
12 operation, ~~of,~~ upon a highway, ~~any~~ OF A MOTOR vehicle subject to  
13 registration under this article or to possess ~~or to have in custody~~ or  
14 control ~~any~~ A trailer coach ~~whether operated on the highway or not~~ THAT  
15 IS NOT REGISTERED AND DOES NOT DISPLAY THE NUMBER PLATES ISSUED  
16 FOR SUCH VEHICLE OR TRAILER COACH FOR THE CURRENT YEAR, except  
17 FOR trailer coaches owned by a licensed dealer or licensed manufacturer  
18 while being held for sale or resale ~~on such dealer's or manufacturer's sales~~  
19 ~~lot~~ or while operated on the streets or highways with dealer plates or  
20 depot tags ~~in accordance with laws applicable to such use for motor~~  
21 ~~vehicle dealers and manufacturers which is not registered or which does~~  
22 ~~not have attached thereto and displayed thereon the number plate or~~  
23 ~~plates assigned thereto by the department for the current registration year~~  
24 AUTHORIZED PURSUANT TO SECTION 42-3-116;

25 (b) To display or ~~cause or~~ permit to be displayed, to have in  
26 possession, or to offer for sale ~~any~~ A certificate of title, validation tab or  
27 sticker, or registration number plate knowing the same to be fictitious or

1 to have been stolen, cancelled, revoked, suspended, or altered;

2 (c) To lend to or knowingly permit the use by one not entitled  
3 thereto ~~any~~ A certificate of title, registration card, or registration number  
4 plate issued to the LENDING OR PERMITTING person; ~~so lending or~~  
5 ~~permitting the use thereof;~~

6 (d) To fail or refuse to surrender to the department, upon demand,  
7 ~~any~~ A certificate of title, registration card, or registration number plate  
8 ~~which~~ THAT has been suspended, cancelled, or revoked; ~~as provided in~~  
9 ~~this article;~~

10 (e) To use a false ~~or fictitious~~ name or address, TO KNOWINGLY  
11 MAKE A FALSE STATEMENT, OR TO KNOWINGLY CONCEAL A MATERIAL  
12 FACT in ~~any~~ AN application for the registration, RENEWAL REGISTRATION,  
13 OR DUPLICATE REGISTRATION of ~~any~~ A MOTOR vehicle; ~~or for any renewal~~  
14 ~~or duplicate; thereof or knowingly to make a false statement or knowingly~~  
15 ~~to conceal a material fact or otherwise commit a fraud in any such~~  
16 ~~application;~~

17 (f) To use or permit the use of ~~any~~ A noncommercial or  
18 recreational vehicle to transport cargo or passengers for profit or hire or  
19 in ~~any~~ A business or commercial enterprise;

20 (g) To use or permit the use of ~~any~~ A truck or truck tractor  
21 registered as a collector's item pursuant to section 42-12-102 (1) (c) to  
22 transport cargo or passengers for profit or hire or in ~~any~~ A business or  
23 commercial enterprise;

24 (h) To drive or permit to be driven ~~any~~ A truck or truck tractor  
25 registered as a collector's item pursuant to section 42-12-102 (1) (c) for  
26 any purpose other than those purposes allowed in section 42-12-102 (1)  
27 (c).

1           (2) (a) ~~Any~~ A person who violates paragraph (a) or (c) of  
2 subsection (1) of this section commits a class B traffic infraction.

3           (b) ~~Any~~ A person who violates paragraph (b), (d), or (e) of  
4 subsection (1) of this section commits a class 2 misdemeanor traffic  
5 offense.

6           (c) ~~Any~~ A person who violates paragraph (f) or (g) of subsection  
7 (1) of this section commits a class B traffic infraction. In addition to the  
8 penalties prescribed for a violation of paragraph (f) or (g) of subsection  
9 (1) of this section, the department shall cancel the registration of ~~any~~ A  
10 noncommercial or recreational vehicle, ~~or any~~ truck, or truck tractor  
11 registered as a collector's item pursuant to section 42-12-102 (1) (c) that  
12 has been used to transport cargo or passengers for profit or hire or in ~~any~~  
13 A business or commercial enterprise. The department shall ~~also~~ cancel  
14 the registration of ~~any~~ A truck or truck tractor registered as a collector's  
15 item pursuant to section 42-12-102 (1) (c) that has been driven for any  
16 purpose other than those purposes allowed in section 42-12-102 (1) (c).

17           **42-3-122. [Formerly 42-3-140] Perjury on a motor vehicle**  
18 **registration application.** (1) A person commits perjury on a motor  
19 vehicle registration application if such person knowingly makes a  
20 materially false statement, OTHER THAN THOSE PROHIBITED BY SECTIONS  
21 18-8-502 AND 18-8-503, C.R.S., on a motor vehicle registration  
22 application ~~other than those prohibited by sections 18-8-502 and~~  
23 ~~18-8-503, C.R.S., which~~ THAT such person does not believe to be true,  
24 under an oath required or authorized by law.

25           (2) Perjury on a motor vehicle registration application is a class  
26 1 petty offense.

27           **42-3-123. [Formerly 42-3-141] Payment by bad check -**

1 **recovery of plates.** (1) If the registration of a vehicle required to be  
2 registered under this article is procured or perfected by the owner, or by  
3 ~~some~~ A person or agent in the owner's behalf, and the registration fee and  
4 specific ownership tax ~~therefor~~ are paid by check, money order, draft, bill  
5 of exchange, or other negotiable instrument that is dishonored and not  
6 paid by the person upon whom drawn, ~~for any reason,~~ the said  
7 registration shall be revoked as soon as the dishonored or unpaid  
8 instrument is returned to the ~~county clerk and recorder, the clerk and~~  
9 ~~recorder in the city and county of Broomfield, or the manager of revenue~~  
10 AUTHORIZED AGENT. Upon the return of such check, money order, draft,  
11 bill of exchange, or other negotiable instrument to the ~~county clerk and~~  
12 ~~recorder or the manager of revenue~~ AUTHORIZED AGENT, evidencing  
13 nonpayment or dishonor of same, the ~~county clerk and recorder, the clerk~~  
14 ~~and recorder in the city and county of Broomfield, or the manager of~~  
15 ~~revenue~~ AUTHORIZED AGENT shall notify the owner in writing, at the  
16 address appearing on the person's ownership tax receipt, by registered or  
17 certified mail, of the revoked registration resulting from such nonpayment  
18 or dishonor. The notice shall request the return to the ~~county clerk and~~  
19 ~~recorder, the clerk and recorder in the city and county of Broomfield, or~~  
20 ~~the manager of revenue~~ AUTHORIZED AGENT of the tax receipt, license fee  
21 receipt, and registration number plates issued under such revoked  
22 registration within ten days ~~from~~ AFTER the date of mailing of the notice.

23 (2) If the owner fails to return the tax receipt, license fee receipt,  
24 and registration number plates to the ~~county clerk and recorder, the clerk~~  
25 ~~and recorder in the city and county of Broomfield, or the manager of~~  
26 ~~revenue~~ AUTHORIZED AGENT within ten days ~~from~~ AFTER the date of  
27 mailing of said notice, the ~~county clerk and recorder, the clerk and~~

1 ~~recorder in the city and county of Broomfield, or the manager of revenue~~  
2 AUTHORIZED AGENT shall immediately repossess such tax receipt, license  
3 fee receipt, and registration number plates as may have been issued under  
4 such revoked registration, and the COUNTY sheriff ~~of any county~~ or the  
5 DENVER manager of safety, ~~in the city and county of Denver,~~ or such AN  
6 equivalent person ~~as may be provided by charter or code~~ in the city and  
7 county of Broomfield, upon request ~~of any county clerk and recorder, the~~  
8 ~~clerk and recorder in the city and county of Broomfield, or the manager~~  
9 ~~of revenue~~ BY AN AUTHORIZED AGENT, shall ~~take such action as may be~~  
10 ~~necessary to~~ sequester or recover possession of such receipts and  
11 registration number plates within his or her jurisdiction. ~~that may have~~  
12 ~~been issued under such revoked registration.~~ All receipts and registration  
13 number plates repossessed under this section shall be returned to the  
14 issuing ~~county clerk and recorder, the clerk and recorder in the city and~~  
15 ~~county of Broomfield, or the manager of revenue for cancellation and~~  
16 ~~revocation.~~ Any AUTHORIZED AGENT. AN owner attaching and using  
17 registration number plates acquired under a revoked registration shall be  
18 subject to the penalties provided in section ~~42-3-133~~ 42-3-121.

19 (3) ~~The county clerk and recorder, the clerk and recorder in the~~  
20 ~~city and county of Broomfield, or the manager of revenue~~ AUTHORIZED  
21 AGENT, upon accounting for repossessed plates, shall receive a refund of  
22 any sum paid over to the county treasurer, or such equivalent position ~~as~~  
23 ~~may be provided by charter or code~~ in the city and county of Broomfield,  
24 or to the department, as ~~prescribed~~ PROVIDED by section ~~42-3-134~~  
25 SECTIONS 42-3-304 TO 42-3-306, in each case where an owner or the  
26 owner's agent has issued a check, money order, draft, bill of exchange, or  
27 other negotiable instrument that has been dishonored and not paid by the

1 person upon whom drawn; and, likewise, the county treasurer, or such  
2 equivalent position as ~~may be provided by charter or code~~ in the city and  
3 county of Broomfield, and the department making such refund shall  
4 further effect appropriate refunds and deductions as may be necessary to  
5 adjust and balance the books and records of the county treasurer and the  
6 department after making the initial refund to ~~the county clerk and~~  
7 ~~recorder, the clerk and recorder in the city and county of Broomfield, or~~  
8 ~~the manager of revenue~~ THE AUTHORIZED AGENT.

9 (4) ~~As used in this section, "manager of revenue" means the~~  
10 ~~manager of revenue of the city and county of Denver or such other~~  
11 ~~official of the city and county of Denver as may be appointed by the~~  
12 ~~mayor to perform functions related to the registration of motor vehicles.~~

13 **42-3-124. [Formerly 42-3-142] Violation - penalty.** Any A  
14 person who violates any A provision of this article for which no other  
15 penalty is provided in this article commits a class B traffic infraction and  
16 shall be punished as provided in section 42-4-1701 (3) (a).

17 **42-3-125. [Formerly 42-3-143] Fleet operators - registration**  
18 **period certificates - multi-year registrations.** (1) (a) The department  
19 may issue to a fleet operator, upon application of the fleet operator, a  
20 registration period certificate. Such registration period certificate shall  
21 be presented to the appropriate ~~county clerk and recorder, to the clerk and~~  
22 ~~recorder in the city and county of Broomfield, or to the manager of~~  
23 ~~revenue in the city and county of Denver or such other official of the city~~  
24 ~~and county of Denver as may be appointed by the mayor to perform~~  
25 ~~functions related to the registration of motor vehicles~~ AUTHORIZED AGENT  
26 no later than the tenth day of the month in which registration of any  
27 motor vehicle is required by this article. When so presented, the

1 twelve-month period stated in the registration period certificate shall  
2 govern the date on which registration is required for all fleet vehicles  
3 owned or leased by the fleet operator.

4 (b) Notwithstanding section ~~42-3-122~~ 42-3-207 (1) (b), the  
5 department may promulgate rules to establish requirements for a fleet  
6 operator to register the operator's fleet vehicles and have them identified  
7 by special license plates that do not require an annual validating tab or  
8 sticker. Registration fees payable on fleet vehicles under a multi-year  
9 agreement shall not be discounted below the otherwise applicable annual  
10 registration fees. ~~A multi-year agreement, or extension thereof, that~~  
11 ~~complies with the requirements of this section and that was in effect on~~  
12 ~~January 1, 2002, is hereby expressly authorized; and plates issued under~~  
13 ~~such agreement prior to its extension are hereby validated until March 1,~~  
14 ~~2003.~~

15 (2) (a) Vehicles registered by a fleet operator after the issuance of  
16 a registration period certificate or the execution of a multi-year agreement  
17 shall be subject to ~~the provisions of~~ section 42-3-109.

18 (b) The annual registration fees prescribed in ~~section 42-3-134~~  
19 SECTIONS 42-3-304 TO 42-3-306 for fleet vehicles shall be reduced by  
20 twenty-five percent at the end of each successive quarter of the  
21 registration period that has elapsed prior to making application for the  
22 balance of the registration period.

23 (3) The fees and taxes for vehicles registered prior to the effective  
24 date of the registration period certificate or multi-year agreement shall be  
25 apportioned in the manner as prescribed in subsection (2) of this section.

26 (4) ~~The provisions of~~ This section shall not apply to vehicles  
27 registered under reciprocal agreements between the state of Colorado and

1 any foreign country or another state or territory or a possession of the  
2 United States.

3 **42-3-126. Notice - primary body color.** (1) IF THE PRIMARY  
4 BODY COLOR OF A MOTOR VEHICLE IS SUBSEQUENTLY CHANGED FROM THE  
5 PRIMARY BODY COLOR THAT IS IDENTIFIED IN THE APPLICATION FOR  
6 REGISTRATION FOR THE MOTOR VEHICLE, THE OWNER OF THE MOTOR  
7 VEHICLE SHALL NOTIFY THE DEPARTMENT IN WRITING WITHIN THIRTY  
8 DAYS AFTER THE COLOR OF SUCH MOTOR VEHICLE IS CHANGED NOTIFYING  
9 THE DEPARTMENT OF THE NEW PRIMARY BODY COLOR OF THE MOTOR  
10 VEHICLE. THE PRIMARY BODY COLOR OF A MOTOR VEHICLE SHALL BE  
11 IDENTIFIED USING THE STANDARD COLOR DESCRIPTIONS OF THE  
12 DEPARTMENT THAT ARE ESTABLISHED PURSUANT TO SECTION 42-3-105 (1)  
13 (d).

14 (2) ANY PERSON WHO VIOLATES SUBSECTION (1) OF THIS SECTION  
15 COMMITS A CLASS B TRAFFIC INFRACTION.

16 PART 2

17 LICENSE PLATES

18 **42-3-201. [Formerly 42-3-113 (1), (2), (3), (4), and (5)]**  
19 **Number plates furnished - style - periodic reissuance.** (1) (a) (I) The  
20 department shall ~~also furnish~~ ISSUE to every owner whose vehicle is  
21 registered TWO NUMBER PLATES; EXCEPT THAT THE DEPARTMENT SHALL  
22 ISSUE one number plate for THE FOLLOWING:

- 23 (A) A motorcycle;
- 24 (B) A street rod vehicle;
- 25 (C) A trailer or semitrailer; ~~any other~~
- 26 (D) A vehicle drawn by a motor vehicle; or
- 27 (E) ~~any~~ AN item of mobile machinery or self-propelled



1 construction equipment.

2 (II) ~~and two number plates, or~~ At the discretion of the executive  
3 director of the department, ~~THE DEPARTMENT MAY ISSUE~~ one number plate  
4 for ~~every other~~ ANY vehicle ~~except as otherwise provided in this article~~  
5 NOT LISTED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (a).

6 (III) The department ~~has the authority to~~ MAY require the return  
7 to the department of all number plates upon termination of the lawful use  
8 ~~thereof~~ OF SUCH PLATES by the owner.

9 (H) ~~For the purposes of this paragraph (a), "street rod vehicle" has~~  
10 ~~the same meaning as provided in section 42-3-114 (3) (b).~~

11 (b) (I) The department may ~~furnish~~ ISSUE the number plates  
12 required in this section for one or more registration periods. If the  
13 number plates are issued for multi-year use, the department may issue a  
14 validating tab or sticker to indicate the year of registration of the vehicle.

15 (II) Any validating tab or sticker that evidences the receipt of  
16 taxes under this article may be obtained by the department through  
17 normal purchasing procedures and may be produced and issued by the  
18 department through ~~any of its authorized agents.~~ Any Such validation tab  
19 or sticker shall be produced in accordance with the minimum  
20 specifications of the department, and such specifications shall reflect, at  
21 a minimum, the same quality control standards employed by the  
22 department of corrections in the production of ~~any~~ such validation tab or  
23 sticker as those standards existed on January 1, 1999.

24 (c) ~~All~~ Actions taken in ~~carrying out the provisions of~~  
25 IMPLEMENTING paragraphs (a) and (b) of this subsection (1) are subject  
26 to the prior approval of the executive director of the department of  
27 personnel.

1           (2) ~~(a)~~ Every number plate shall have displayed upon it the  
2 registration number assigned to the vehicle and ~~to the owner, thereof,~~ the  
3 year number for which it is issued, the month in which it expires, and any  
4 other appropriate symbol, word, or words designated by the department.  
5 The department may adopt rules ~~and regulations~~ for the issuance of  
6 permanent number plates ~~which~~ THAT do not display the year number for  
7 which it is issued or the month in which it expires. Such plate and the  
8 required letters and numerals, ~~thereon,~~ except the year number for which  
9 issued, shall be of sufficient size to be plainly readable from a distance  
10 of one hundred feet during daylight.

11           ~~(b) If number plates issued for vehicles include the county of~~  
12 ~~vehicle registration, a vehicle owner shall have the option of obtaining a~~  
13 ~~number plate that does not include such county designation.~~

14           (3) The department shall issue for every passenger motor vehicle,  
15 rented without a driver, the same type of number plates as the type of  
16 plates issued for private passenger vehicles.

17           (4) The department shall issue, for every noncommercial or  
18 recreational vehicle registered as such pursuant to this article, numbered  
19 plates or other insignia of a color or design different from any other  
20 Colorado plates, to be determined by the department, in order that such  
21 numbered plates or other insignia may be plainly recognized at a distance  
22 of at least one hundred feet during daylight.

23           (5) (a) ~~On and after January 1, 2000, any~~ A new or replacement  
24 license plate issued by the department shall, to the extent that it is  
25 practical, have standardized coloring and identifying characters limited  
26 to no more than a total of six numbers and letters; except that such  
27 character limitation does not apply to personalized license plates issued

1 under section ~~42-3-114~~ 42-3-211.

2 (b) ~~Beginning January 1, 2002,~~ The department of revenue is  
3 ~~authorized to~~ MAY require the replacement of any license plate as  
4 necessary to ensure that license plates are legible as required by section  
5 ~~42-3-123 (2)~~ 42-3-202 (2). The department shall complete such license  
6 plate replacement on or before July 1, 2007.

7 (c) ~~Repealed.~~

8 **42-3-202. [Formerly 42-3-123] Number plates to be attached.**

9 (1) ~~(a)~~ Number plates assigned to a self-propelled vehicle other than a  
10 motorcycle or street rod vehicle shall be attached thereto, one in the front  
11 and the other in the rear. The number plate assigned to a motorcycle,  
12 street rod vehicle, trailer, ~~or~~ semitrailer, ~~any~~ other vehicle drawn by a  
13 motor vehicle, or ~~any item of~~ mobile machinery or self-propelled  
14 construction equipment shall be attached to the rear thereof. Number  
15 plates shall be so displayed during the current registration year, except as  
16 otherwise provided in this article.

17 (b) ~~Repealed.~~

18 (2) Every number plate shall at all times be securely fastened to  
19 the vehicle to which it is assigned, so as to prevent the plate from  
20 swinging, and shall be horizontal at a height not less than twelve inches  
21 from the ground, measuring from the bottom of such plate, in a place and  
22 position to be clearly visible, and shall be maintained free from foreign  
23 materials and in a condition to be clearly legible.

24 (3) ~~Any~~ A person who violates any provision of this section  
25 commits a class B traffic infraction.

26 **42-3-203. [Formerly 42-3-124 (1) (c), (2), (3), (4), and (5)]**

27 **Standardized plates.** (1) ~~(c)~~ Unless otherwise authorized by statute, all

1 class C vehicles shall be issued a single type of standardized license plate.  
2 Unless otherwise authorized by statute, all class B vehicles, except  
3 recreational trucks, ~~that weigh less than sixteen thousand pounds empty~~  
4 ~~weight~~ shall be issued a single type of standardized license plate.

5 (2) An owner who has ~~made proper application~~ APPLIED for  
6 renewal of registration of a vehicle but who has not received the number  
7 plates or plate for the ensuing registration period ~~is entitled to~~ MAY  
8 operate or permit the operation of such vehicle upon the highways, upon  
9 displaying ~~thereon~~ the number plates or plate issued for the preceding  
10 registration period, for such time ~~to be prescribed~~ AS DETERMINED by the  
11 department as it may find necessary for issuance of such new plates.

12 (3) (a) The department ~~is authorized to~~ MAY issue individual  
13 temporary registration number plates, tags, or certificates good for a  
14 period not to exceed sixty days upon ~~the filing of an~~ application by any  
15 owner or the owner's agent ~~dealer, salesman, or chauffeur~~ and the  
16 payment of a registration fee of two dollars, one dollar and sixty cents  
17 thereof to be retained by the ~~county clerk and recorder~~ AUTHORIZED  
18 AGENT OR DEPARTMENT issuing the plates, tags, or certificates and the  
19 remainder to be remitted monthly to the department to be transmitted to  
20 the state treasurer for credit to the highway users tax fund. It is unlawful  
21 for ~~any~~ A person to ~~make~~ use of such number plate, tag, or certificate  
22 after ~~the expiration of the period for which the same was issued.~~ Any IT  
23 EXPIRES. A person who violates any provision of this paragraph (a)  
24 commits a class B traffic infraction.

25 (b) The department ~~is further authorized to~~ MAY issue to licensed  
26 motor vehicle dealers temporary registration number plates, tags, or  
27 certificates in blocks of twenty-five upon payment of a fee of twelve

1 dollars and fifty cents for each block of twenty-five, fifty percent thereof  
2 to be retained by the county clerk and recorder and the remainder to be  
3 remitted monthly to the department to be transmitted to the state treasurer  
4 for credit to the highway users tax fund.

5 ~~(c) Repealed.~~

6 (4) All or part of the face of the license plates furnished pursuant  
7 to this section shall be coated with a reflective material. ~~commencing~~  
8 ~~January 1, 1971.~~

9 ~~(5) Repealed.~~

10 **42-3-204. [Formerly 42-3-121] Parking privileges for persons**  
11 **with disabilities - applicability.** (1) As used in this section:

12 (a) "License plate or placard" means any license plate or placard  
13 issued pursuant to subsection (2) of this section.

14 (b) "Person with a disability" means EITHER OF THE FOLLOWING:

15 (I) A person so severely impaired that such person is unable to  
16 move from place to place without the aid of a mechanical device. ~~or~~

17 (II) A PERSON who has a physical impairment THAT  
18 SUBSTANTIALLY LIMITS THE PERSON'S ABILITY TO MOVE FROM PLACE TO  
19 PLACE, WHICH IMPAIRMENT IS verified, in writing, by the director of the  
20 division of rehabilitation (~~which has been~~ administratively created by the  
21 department of human services) or a physician licensed to practice  
22 medicine or practicing medicine pursuant to section 12-36-106 (3) (i),  
23 C.R.S., or a podiatrist licensed under ~~the provisions of~~ article 32 of title  
24 12, C.R.S. ~~that such impairment limits substantially the person's ability~~  
25 ~~to move from place to place. Before such a verification can be made, said~~  
26 ~~TO BE VALID, SUCH VERIFICATION BY THE~~ director, physician, or podiatrist  
27 shall certify to the department of revenue that THE PERSON MEETS the

1 standards established by the executive director of the department, ~~or his~~  
2 ~~or her designee~~, in consultation with the director of the division of  
3 rehabilitation. ~~for such a determination have been met.~~

4 (2) (a) A person with a disability may apply to the department for:

5 (I) Distinguishing license plates to be supplied at the same cost as  
6 standard plates and to be displayed as provided in section ~~42-3-123~~  
7 42-3-202 on a motor vehicle owned by such person or that is owned by  
8 a trust created for the benefit of and the name of which includes the name  
9 of such person. Any plates issued by the department pursuant to this  
10 section shall be renewed once each year in a manner to be determined by  
11 the department. The issuance of a special license plate to a person with  
12 a disability pursuant to ~~the provisions of~~ this subparagraph (I) shall not  
13 preclude such person from obtaining an identifying placard pursuant to  
14 ~~the provisions of~~ subparagraph (II) of this paragraph (a). The verification  
15 requirements of subsection (1) of this section shall be met once every  
16 three years.

17 (II) An identifying placard to be prominently displayed on a motor  
18 vehicle used to transport such person. Any placard valid for more than  
19 ninety days issued by the department pursuant to this section shall have  
20 printed on the placard a number assigned to the placard that corresponds  
21 to identifying information of the person or persons with the disability.  
22 Identifying information about the person or persons with the disability  
23 shall be strictly confidential and only available to law enforcement or to  
24 personnel within the department for official business related to such  
25 placard. Such assigned number shall be legible to any law enforcement  
26 officer or authorized parking enforcement official when viewed from  
27 outside the vehicle. ~~Any~~ A placard issued by the department pursuant to

1 this section shall be renewed every three years in a manner to be  
2 determined by the department. The verification requirements of  
3 subsection (1) of this section shall be met each time the placard is  
4 renewed.

5 (III) Disabled veteran special license plates with the identifying  
6 feature for a person with a physical impairment affecting mobility, so  
7 long as the disabled person meets the eligibility criteria specified in  
8 section ~~42-3-115.5~~ 42-3-213 (5).

9 ~~(a.5)~~ (b) Notwithstanding the verification requirements of  
10 subparagraphs (I), (II), and (III) of paragraph (a) of this subsection (2), if  
11 a renewal applicant has a permanent disability that was verified in writing  
12 by a physician licensed to practice medicine in this state or practicing  
13 medicine pursuant to section 12-36-106 (3) (i), C.R.S., and provided to  
14 the department with the original application for a license plate or placard  
15 under this section, such applicant shall not be required to meet such  
16 verification requirement to renew such license plate or placard. If a  
17 person renews such license plate or placard of and on behalf of a person  
18 with a permanent disability, the person renewing such license plate or  
19 placard shall sign an affidavit, under the penalty of perjury, attesting to  
20 the fact that the person with a permanent disability is still in need of the  
21 license plate or placard and stating that such license plate or placard shall  
22 be surrendered to the department upon the death of the person with a  
23 permanent disability.

24 ~~(b)~~ (c) Such license plate or placard shall be issued to such person  
25 upon presentation to the department of a written statement, verified by a  
26 physician licensed to practice medicine in this state or practicing  
27 medicine pursuant to section 12-36-106 (3) (i), C.R.S., that such person

1 is a person with a disability. The application for such a license plate or  
2 placard shall be sent to the department each year; except that a person  
3 who has been issued a disabled veteran special license plate shall not  
4 send an application to the department every year. The application for a  
5 disabled special license plate that qualifies for parking privileges pursuant  
6 to this section shall be sent to the department upon transfer of such plate  
7 to another vehicle.

8 (c) (d) Such license plate or placard may be revoked by the  
9 department upon receipt of a sworn statement from a peace officer or an  
10 authorized parking enforcement official that the person with a disability  
11 has improperly used the privilege defined in section 42-4-1208. Upon a  
12 first violation of section 42-4-1208, the department shall deny ~~any~~  
13 reissuance of such license plate or placard for a period of one year ~~from~~  
14 FOLLOWING the date of revocation. Upon a second or subsequent  
15 violation of section 42-4-1208, the department shall deny ~~any~~ reissuance  
16 of such license plate or placard for a period of at least five years ~~from~~  
17 AFTER the date of the second or each subsequent revocation. The  
18 department shall provide written notification to the person with a  
19 disability of such revocation, which notification shall contain a demand  
20 for the return of the license plate or placard to the department and a  
21 warning that continued use by any person shall be subject to the penalty  
22 set forth in section 42-4-1208 (11). ~~This paragraph (c) shall take effect~~  
23 ~~July 1, 2000, and shall apply to any violations occurring on or after July~~  
24 ~~1, 2000.~~

25 (d) (e) The department shall establish a fee for any placard issued  
26 pursuant to paragraph (b) of this subsection (2). The fee established by  
27 the department shall not exceed the actual costs of issuing the placards,



1 and the moneys collected by the department shall be transmitted to the  
2 state treasurer, who shall credit such moneys to the highway users tax  
3 fund.

4 (3) The department shall issue temporary distinguishing license  
5 permits and a temporary identifying placard to ~~any~~ A person who is  
6 temporarily ~~a person with a disability~~ DISABLED upon ~~presentation to the~~  
7 ~~department of~~ PRESENTATION OF a written statement, verified by a  
8 physician licensed to practice medicine or practicing medicine pursuant  
9 to section 12-36-106 (3) (i), C.R.S., or a podiatric physician licensed  
10 under ~~the provisions of~~ article 32 of title 12, C.R.S. that such person  
11 temporarily meets the definition of a person with a disability. The  
12 department shall issue such permits and placards to a qualifying person  
13 who is a resident of another state who becomes disabled while in this  
14 state. Such permits and placard shall be valid for a period of ninety days  
15 ~~from~~ AFTER the date of issuance and may continually be renewed for  
16 additional ninety-day periods during the term of such disability upon  
17 resubmission of such written and verified statements. The provisions of  
18 this section ~~including provisions regarding~~ CONCERNING the privileges  
19 granted to persons with disabilities ~~revocation of license plates or~~  
20 ~~placards, and display of license plates and placards~~ shall apply ~~in the case~~  
21 ~~of~~ TO temporary license permits and temporary placards issued under this  
22 subsection (3). Further, the requirement that the placard include a printed  
23 identification number as set forth in subparagraph (II) of paragraph (a) of  
24 subsection (2) of this section shall apply to both temporary license  
25 permits and temporary placards issued under this subsection (3). The  
26 verification by a physician licensed to practice medicine or practicing  
27 medicine pursuant to section 12-36-106 (3) (i), C.R.S., or a podiatrist

1 licensed under ~~the provisions of~~ article 32 of title 12, C.R.S., shall be  
2 carried in the vehicle transporting the person or persons with a disability  
3 to whom the temporary license permit or placard has been issued and  
4 shall be presented to any law enforcement officer upon request.  
5 Temporary license permits and temporary placards issued by States other  
6 than Colorado shall be valid so long as they are currently valid in the  
7 state of issuance and valid pursuant to 23 CFR part 1235.

8 (4) Upon the filing of an application for issuance or renewal of a  
9 license plate or placard under this section, the department shall make  
10 available to the applicant an informational pamphlet or other  
11 informational source developed by the department that describes the  
12 rights and responsibilities of the holders of such license plates or placards  
13 and the parking privileges set forth in section 42-4-1208.

14 **42-3-205. [Formerly 42-3-129] Substitute plates - waiting**  
15 **period for reissuance of identical combination of numbers and letters.**

16 (1) ~~In the event that any~~ IF A number or personalized license plate issued  
17 under this article ~~is~~ BECOMES lost, stolen, ~~or~~ mutilated, or ~~becomes~~  
18 illegible, the person who is entitled thereto shall ~~make immediate~~  
19 ~~application and obtain~~ IMMEDIATELY APPLY FOR a substitute. ~~therefor~~  
20 ~~upon furnishing information of such fact~~ SUCH APPLICATION SHALL  
21 INCLUDE EVIDENCE satisfactory to the department THAT SUCH PLATE IS  
22 LOST, STOLEN, MUTILATED, OR ILLEGIBLE and ~~upon~~ payment of the  
23 required fees. If the plate to be replaced is in the possession of the ~~person~~  
24 ~~making application for a substitute plate~~ APPLICANT, the plate shall be  
25 surrendered to the department ~~at the time of such~~ ALONG WITH THE  
26 application.

27 (2) (a) If an application made pursuant to subsection (1) of this

1 section is accompanied by the personalized plate to be replaced, the  
2 department shall reissue a substitute plate bearing the identical sequential  
3 combination of letters and numbers that appears on the ORIGINAL plate.  
4 ~~to be replaced.~~

5 (b) If a number or personalized license plate is ~~lost, stolen, or~~  
6 ~~otherwise~~ not surrendered to the department ~~at the time~~ WHEN an  
7 application for a substitute plate is submitted pursuant to subsection (1)  
8 of this section, ~~there shall be a twelve-month waiting period prior to the~~  
9 ~~reissuance of a~~ SUBSTITUTE license plate bearing the identical sequential  
10 combination of letters and numbers ~~that appeared on the plate to be~~  
11 ~~replaced~~ SHALL NOT BE ISSUED UNTIL AFTER A TWELVE-MONTH WAITING  
12 PERIOD.

13 **42-3-206. [Formerly 42-3-113.5] Remanufacture of certain**  
14 **license plates.** Persons who have been approved to be issued a license  
15 plate before July 1, 2003, pursuant to this section as it existed on July 1,  
16 2003, shall be issued such plate, shall be authorized to continue using  
17 such plate, and shall not be required to pay additional fees beyond the  
18 existing taxes and fees imposed for motor vehicle registration. Such  
19 issuance of license plates that contain only two alphabetic figures and up  
20 to four numeric figures shall be issued as personalized license plates  
21 pursuant to section ~~42-3-114~~ 42-3-211, which are a flat-style license  
22 plate. If the same alphanumeric combination is issued to multiple  
23 vehicles, the department shall compare the last four numbers of the  
24 vehicle identification number of the motor vehicles to which such plates  
25 are issued and issue such alphanumeric combination only to the vehicle  
26 with the lowest last four numbers.

27 **42-3-207. [Formerly 42-3-122] Special plates - rules - new**

1 **plates - retirement.** (1) (a) Neither the department nor an authorized  
2 agent of the department shall collect any fee for the privilege of using a  
3 special plate unless such fee is expressly authorized by statute. The  
4 department or an authorized agent of the department shall not transfer  
5 money collected for the privilege of using a special plate unless such  
6 transfer is expressly authorized by statute.

7 (b) (I) A special license plate shall not be issued pursuant to this  
8 section unless such license plate was approved prior to January 1, 2001.

9 (II) Special license plates that have been approved pursuant to this  
10 section shall be retired, effective July 1, 2007, unless such plates are  
11 issued for at least three thousand vehicles. The executive director of the  
12 department shall promulgate rules to provide standards for the retirement  
13 of special license plates not issued for at least three thousand vehicles.

14 ~~(c) The department, by September 30, 2002, and on or before~~  
15 ~~September 30 each year thereafter, shall provide sufficient information~~  
16 ~~to enable the Colorado board of veterans affairs to complete the report~~  
17 ~~required by section 28-5-703 (3), C.R.S.~~

18 (2) Before a bill is introduced in the general assembly that  
19 contains, or any bill is amended to contain, a provision that establishes a  
20 new category or type of group special license plate, the person, group, or  
21 association proposing such special license plate shall submit to the  
22 department a proposal for a group special license plate and certify by  
23 March 1 of each year that at least three thousand of such special plates  
24 are to be issued within one year after the authorization of such plates.  
25 The department shall verify that any proposed group special license plates  
26 meet the three-thousand-plate requirement and shall submit a  
27 consolidated proposal, containing all proposed group special license

1 plates that meet such plate requirement, TO THE TRANSPORTATION  
2 LEGISLATION REVIEW COMMITTEE OF THE GENERAL ASSEMBLY.

3 (3) A group special license plate shall not be issued to any  
4 business entity conducted for profit.

5 (4) The amount of taxes and fees for special license plates issued  
6 pursuant to this section shall be the same as the amount of taxes and fees  
7 specified for regular motor vehicle registration plus an additional  
8 one-time fee of twenty-five dollars. Such additional fee shall be  
9 transmitted to the state treasurer, who shall credit the same to the  
10 highway users tax fund.

11 **42-3-208. [Formerly 42-3-117.5] Special plates - qualifications**  
12 **for issuance of special license plates.** (1) The following plates created  
13 by rule by the department shall be subject to the requirement so specified:

14 (a) The department or an authorized agent shall not issue a Denver  
15 firefighters' special license plate to an applicant until such applicant has  
16 provided to the department or an authorized agent sufficient evidence to  
17 demonstrate that the applicant is an active or retired Denver firefighter.

18 (b) The department or an authorized agent shall not issue a raptor  
19 education foundation special license plate to an applicant until such  
20 applicant has provided to the department or an authorized agent sufficient  
21 evidence to demonstrate that the applicant is a member in good standing  
22 of the raptor education foundation and qualified by such foundation to  
23 receive a special license plate.

24 (c) The department or an authorized agent shall not issue a Rotary  
25 club special license plate to an applicant until such applicant has provided  
26 to the department or an authorized agent sufficient evidence to  
27 demonstrate that the applicant is a member of the Rotary club.

1 (d) The department or an authorized agent shall not issue a  
2 Vietnam veteran special license plate to an applicant until such applicant  
3 has provided to the department or an authorized agent a DD214 form  
4 issued by the United States government or other evidence sufficient to  
5 demonstrate that the applicant is a veteran of the armed services who  
6 served during the Vietnam engagement.

7 (e) The department or an authorized agent shall not issue a United  
8 States army special license plate to an applicant until such applicant has  
9 provided to the department or an authorized agent a DD214 form issued  
10 by the United States government, an honorable discharge from the United  
11 States army, or sufficient evidence to demonstrate that the applicant is an  
12 active, reserve, or retired member of the United States army.

13 (f) The department or an authorized agent shall not issue an Elks  
14 special license plate to an applicant until such applicant has provided to  
15 the department or an authorized agent sufficient evidence to demonstrate  
16 that the applicant is a member of the Benevolent and Protective Order of  
17 Elks.

18 **42-3-209. Legislative license plates.** (1) [Formerly 42-3-112  
19 (11)] Upon the application of the owner of a passenger car, ~~motor~~ truck,  
20 or trailer classified as Class B or Class C personal property, as defined in  
21 section 42-3-106, or the duly authorized agent of such owner showing  
22 that such owner is a member of congress from the state of Colorado, the  
23 department ~~is authorized to~~ MAY assign to such owner ~~in addition to or in~~  
24 ~~lieu of the distinct registration number specified in paragraph (a) of~~  
25 ~~subsection (1) of this section,~~ registration plates ~~which shall contain~~  
26 BEARING a number together with appropriate words or letters indicating  
27 that such owner is a member of the congress of the United States, and a

1 separate number series shall be used to further identify such license  
2 plates. Said license plates shall not be issued by the counties but shall be  
3 issued directly by the department.

4 (2) [Formerly 42-3-124 (1) (b)] Upon application of an owner  
5 of either a passenger car or a truck not over sixteen thousand pounds  
6 empty weight showing that such owner is a member of the general  
7 assembly of the state of Colorado, the department ~~is authorized to~~ MAY  
8 assign to such owner, in lieu of the distinct registration number specified  
9 in section ~~42-3-112~~ 42-3-113 (1) (a), registration plates ~~that shall contain~~  
10 BEARING a number together with appropriate words or letters indicating  
11 that such owner is a member of the general assembly of the state of  
12 Colorado and a separate number series, based on senatorial and  
13 representative districts, ~~which shall be used~~ to further identify such  
14 license plates.

15 **42-3-210. [Formerly 42-3-112 (10)] Radio and television**  
16 **license plates.** ~~(10) (a) (1) Any~~ A person who ~~in an application for~~  
17 ~~registration shows that such person~~ is the holder of a valid renewable  
18 amateur radio, standard radio, FM, or television license issued by the  
19 federal communications commission shall, upon APPLICATION AND  
20 payment of the additional registration fee prescribed in ~~section 42-3-134~~  
21 ~~(7)~~ SUBSECTION (4) OF THIS SECTION, be entitled to have passenger cars  
22 ~~station wagons,~~ or trucks ~~having an~~ THAT DO NOT EXCEED TWELVE  
23 THOUSAND POUNDS empty weight ~~of ten thousand pounds or less~~  
24 registered under the call sign letters assigned to such station by said  
25 commission and shall be furnished license plates bearing such call sign  
26 letters in lieu of the distinct registration number specified in ~~subsection~~  
27 ~~(1) of this section~~ SECTION 42-3-113.

1           ~~(b)~~ (2) ~~No~~ A holder of an amateur radio license shall NOT be  
2 entitled to purchase more than one set of such special license plates for  
3 ~~any~~ A registration period. ~~and no~~ A holder of a standard radio, FM, or  
4 television license shall NOT be entitled to purchase more than ten sets of  
5 such special license plates for ~~any~~ A registration period.

6           ~~(c)~~ (3) ~~Any~~ Such special registration and ~~the~~ license plates  
7 ~~furnished therewith~~ shall be valid until the end of the registration period  
8 and may be renewed for the same term as any other renewal of  
9 registration upon application and payment of the prescribed registration  
10 fee so long as the holder of such radio or television license is licensed by  
11 the federal communications commission.

12           (4) AN ADDITIONAL FEE OF TWO DOLLARS SHALL BE COLLECTED  
13 FOR EACH VEHICLE ANNUALLY REGISTERED THAT IS FURNISHED AMATEUR  
14 RADIO CALL PLATES, AND AN ADDITIONAL FEE OF FIVE DOLLARS SHALL BE  
15 COLLECTED FOR EACH VEHICLE ANNUALLY REGISTERED THAT IS  
16 FURNISHED STANDARD RADIO, FM, AND TELEVISION CALL PLATES.

17           **42-3-211. [Formerly 42-3-114] Issuance of personalized plates**  
18 **authorized.** (1) The department is authorized to issue personalized  
19 license plates for motor vehicles in accordance with ~~the provisions of this~~  
20 section.

21           (2) (a) "Personalized license plates", as used in this section, means  
22 license plates that have displayed upon them the registration number  
23 assigned to the motor vehicle for which such registration number was  
24 issued in a combination of letters or numbers ~~or both~~, requested by the  
25 owner of the vehicle, subject to the limitations of this section.

26           ~~(3)~~(a) (b) "Personalized license plates", as used in this section,  
27 includes special license plates ~~which~~ THAT bear the words "street rod"



1 and ~~which~~ THAT may be issued only to a street rod vehicle.

2 (b) ~~"Street rod vehicle", as used in this section, means a vehicle~~  
3 ~~manufactured in 1948 or earlier with a body design which has been~~  
4 ~~modified for safe road use, including, but not limited to, modifications to~~  
5 ~~the drive train, suspension, and brake systems, modifications to the body~~  
6 ~~through the use of materials such as steel or fiberglass, and any other~~  
7 ~~safety or comfort features.~~

8 (4) (3) (a) ~~The~~ Personalized license plates shall be the same color  
9 and design as regular motor vehicle license plates, shall consist of ANY  
10 COMBINATION OF numbers or letters ~~or any combination thereof~~, not  
11 exceeding seven positions and not less than two positions, and shall not  
12 conflict with existing passenger, commercial, trailer, motorcycle, or other  
13 special license plates series; except that personalized license plates  
14 bearing the words "street rod" shall be of a design determined by the  
15 executive director of the department, which design shall be different from  
16 those used by the state for regular motor vehicle license plates.

17 (b) If number plates issued for vehicles include the county of  
18 vehicle registration, a vehicle owner shall have the option of obtaining a  
19 personalized license plate that does not include such county designation.

20 (5) (4) Any person who is the registered owner of a motor vehicle  
21 registered with the department or who ~~makes application for the~~  
22 ~~personalized license registration of~~ APPLIES TO REGISTER a motor vehicle  
23 or renewal personalized license registration of a motor vehicle, upon  
24 payment of the fee prescribed in subsection (7) (6) of this section, may  
25 apply to the department for personalized license plates, in the manner  
26 prescribed in this section. ~~which plates shall be affixed to the motor~~  
27 ~~vehicle for which registration is sought in lieu of the regular license~~

1 ~~plates.~~ Personalized license plates shall be issued for the annual  
2 registration period subsequent to the year in which the application is  
3 made.

4 ~~(6)~~ (5) An applicant for issuance of personalized license plates or  
5 renewal of such plates ~~in subsequent years shall make an application~~  
6 ~~therefor~~ APPLY in such form and by such date as the department may  
7 require, indicating thereon the combination of letters or numbers ~~or both,~~  
8 requested as a registration number. There shall be no duplication of  
9 registration numbers, and the department may refuse to issue any  
10 combination of letters or numbers ~~or both, which may~~ THAT carry  
11 connotations offensive to good taste and decency, ~~or which would be~~ ARE  
12 misleading, or ~~a duplication of~~ DUPLICATE the regular license plates  
13 provided for in this article.

14 ~~(7)~~ (6) (a) A fee of thirty-five dollars shall be charged in addition  
15 to the registration fee normally due upon the vehicle for the issuance of  
16 the same number of personalized license plates for a vehicle as are  
17 specified in section ~~42-3-113~~ 42-3-201 for the issuance of number plates.  
18 Upon reissuance of the same personalized license plates in subsequent  
19 years, the additional fee shall be twenty-five dollars. Such fee shall be  
20 due upon the original ~~issue~~ ISSUANCE or ~~any~~ reissuance of personalized  
21 license plates other than a renewal of registration under paragraph (b) of  
22 this subsection ~~(7)~~ (6).

23 (b) The department may provide for renewals of personalized  
24 license plates whereby such plates are retained by the applicant in  
25 SUBSEQUENT years ~~subsequent to original issuance~~ upon the payment, in  
26 addition to the normal registration fee, of an annual renewal fee of  
27 twenty-five dollars for which the department shall provide a distinctive

1 tag or insignia to be affixed to such plates to signify that such vehicle has  
2 been properly registered for the year for which such license plate was  
3 renewed.

4 ~~(c) Whenever any person, who has been issued personalized~~  
5 ~~license plates applies to the department for the transfer of such plates to~~  
6 ~~a subsequently acquired motor vehicle, a transfer fee of twelve dollars~~  
7 ~~shall be charged in addition to all other appropriate fees. THE FEE FOR~~  
8 ~~TRANSFERRING PREVIOUSLY ISSUED PERSONALIZED LICENSE PLATES TO~~  
9 ~~ANOTHER VEHICLE SHALL BE TWELVE DOLLARS IN ADDITION TO OTHER~~  
10 ~~APPLICABLE FEES.~~

11 ~~(d) Any~~ A person who has been issued personalized license plates  
12 shall FAILS TO apply for the renewal or transfer thereof OF ISSUED  
13 PERSONALIZED LICENSE PLATES according to subsection ~~(6)~~ (5) of this  
14 section or shall lose the priority right to the use of the COMBINATION OF  
15 letters or numbers or combination thereof, displayed on the personalized  
16 license plates.

17 (e) Notwithstanding paragraphs (a) to (d) of this subsection ~~(7)~~  
18 (6), in lieu of such fees, the fee for a license plate that contains only two  
19 alphabetic figures and up to four numeric figures shall be the actual cost  
20 of issuing such plate.

21 ~~(8) Vehicles registered under this section shall be subject to all~~  
22 ~~other provisions of this article except those relating to the type of number~~  
23 ~~license plates under section 42-3-113.~~

24 ~~(9)~~ (7) All applications for special registration of motor vehicles  
25 shall be made directly to the department, and all matters pertaining  
26 thereto shall be administered by such THE department. All fees received  
27 from special registrations shall be placed by the department in the same

1 ~~fund as its other registration fees~~ CREDITED TO THE HIGHWAY USERS TAX  
2 FUND CREATED IN SECTION 43-4-201, C.R.S.; except that two dollars of  
3 each such special registration fee COLLECTED PURSUANT TO PARAGRAPHS  
4 (a) TO (d) OF SUBSECTION (6) OF THIS SECTION shall be remitted to the  
5 county general fund. ~~and the entire fee collected pursuant to paragraph (e)~~  
6 ~~of subsection (7) of this section shall be transferred to the highway users~~  
7 ~~tax fund created in section 43-4-201, C.R.S.~~

8 ~~(10)~~ (8) The executive director of the department may prepare any  
9 special forms and issue any rules ~~and regulations~~ necessary to carry out  
10 ~~the provisions of~~ IMPLEMENT this section.

11 ~~(11) Repealed.~~

12 **42-3-212. [Formerly 42-3-115] Issuance of optional plates**  
13 **authorized - retirement.** (1) The department is authorized to issue  
14 optional license plates for ~~either a passenger car CARS or a truck TRUCKS~~  
15 not over ~~ten~~ SIXTEEN thousand pounds empty weight.

16 (2) ~~The~~ Optional license plates shall have a background consisting  
17 of a graphic design representing the state flag of Colorado and shall  
18 consist of numbers or letters ~~or any combination thereof~~ approved by IN  
19 ACCORDANCE WITH rules ~~and regulations~~ of the department. ~~If the plates~~  
20 ~~are issued for multiyear use, the department may issue a validating tab or~~  
21 ~~sticker to indicate the year of registration of the vehicle.~~

22 (3) ~~Vehicles registered under this section shall be subject to all~~  
23 ~~other provisions of this article except those relating to the type of number~~  
24 ~~license plates under section 42-3-113.~~ AN APPLICANT MAY APPLY FOR  
25 PERSONALIZED OPTIONAL LICENSE PLATES. IF THE APPLICANT COMPLIES  
26 WITH THE REQUIREMENTS OF SECTION 42-3-211, THE DEPARTMENT MAY  
27 ISSUE SUCH PLATES UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY

1 SECTION 42-3-211 (6) FOR PERSONALIZED LICENSE PLATES. IF THE  
2 APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR  
3 VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS  
4 OR NUMBERS TO A NEW SET OF OPTIONAL LICENSE PLATES FOR THE  
5 VEHICLE UPON PAYING THE FEE IMPOSED BY SECTION 42-3-211 (6) (a) AND  
6 UPON TURNING IN SUCH EXISTING PLATES TO THE DEPARTMENT AS  
7 REQUIRED BY THE DEPARTMENT. A PERSON WHO HAS OBTAINED  
8 PERSONALIZED OPTIONAL LICENSE PLATES UNDER THIS SUBSECTION (3)  
9 SHALL PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6) (b) TO  
10 RENEW SUCH PLATES. THE FEES IMPOSED BY THIS SUBSECTION (3) SHALL  
11 BE IN ADDITION TO ALL OTHER TAXES AND FEES IMPOSED FOR OPTIONAL  
12 LICENSE PLATES.

13 (4) ~~(a)~~ The amount of the taxes and fees for ~~such~~ OPTIONAL  
14 license plates shall be the same as the amount of the taxes and fees  
15 specified for regular motor vehicle plates plus an additional annual fee of  
16 twenty-five dollars. Such additional fee shall be transmitted to the state  
17 treasurer, who shall credit the same to the highway users tax fund.

18 ~~(b) Repealed.~~

19 (5) All applications for ~~special~~ OPTIONAL license plates ~~provided~~  
20 ~~by this section~~ shall be made directly to the department.

21 (6) The executive director of the department may prepare any  
22 special forms and issue any rules ~~and regulations~~ necessary to ~~carry out~~  
23 ~~the provisions of~~ IMPLEMENT this section.

24 (7) ~~Effective July 1, 2007,~~ The ~~special~~ OPTIONAL license ~~plate~~  
25 PLATES authorized by this section shall be retired unless such ~~plate is~~  
26 PLATES HAVE BEEN ISSUED for at least three thousand vehicles BY JULY 1,  
27 2007.

1           **42-3-213. [Formerly 42-3-115.5] Special plates - military**

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

- 7           (I) A recipient of the purple heart;
- 8           (II) A former prisoner of war;
- 9           (III) An honorably discharged or retired veteran of the armed  
10          forces of the United States;
- 11          (IV) A disabled veteran of the armed forces of the United States;
- 12          (V) A survivor of the attack on Pearl Harbor;
- 13          (VI) A recipient of the medal of honor;
- 14          (VII) An honorably discharged, retired, reserve, or active member  
15          of the United States marine corps;
- 16          (VIII) A veteran of the Korean war; or
- 17          (IX) A recipient of a military award for valor.

18          ~~(b) Vehicles registered pursuant to this section shall be subject to~~  
19          ~~all other provisions of this article, except those in section 42-3-113~~  
20          ~~concerning number license plates.~~

21          ~~(c)~~ (b) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS  
22          PARAGRAPH (b), the amount of taxes and fees for special license plates  
23          issued pursuant to this section shall be the same as that specified for  
24          regular motor vehicle registration ~~except that~~ PLUS an additional one-time  
25          issuance or replacement fee for each motor vehicle shall apply. ~~Such~~  
26          ~~additional one-time fee shall be in the amount~~ of twenty-five dollars. ~~and~~  
27          ~~shall be transmitted to the state treasurer, who shall credit the same to the~~

1 ~~highway users tax fund.~~

2 (II) Notwithstanding subparagraph (I) of this paragraph ~~(e)~~ (b):

3 (A) No fee shall be charged for one set of prisoner of war special  
4 license plates issued pursuant to subsection (3) of this section for ~~a truck~~  
5 ~~that does not exceed six thousand five hundred pounds empty weight,~~ a  
6 passenger car, A TRUCK, a motorcycle, or a noncommercial or recreational  
7 vehicle;

8 (B) No fee shall be charged for one set of disabled veteran special  
9 license plates issued pursuant to subsection (5) of this section for ~~a truck~~  
10 ~~that does not exceed six thousand five hundred pounds empty weight,~~ a  
11 passenger car, A TRUCK, a motorcycle, or a noncommercial or recreational  
12 vehicle;

13 ~~(C) One dollar of each additional fee collected from purchasers~~  
14 ~~of special license plates issued pursuant to subsections (4) and (5) of this~~  
15 ~~section shall be retained by the authorized agent, and one dollar and~~  
16 ~~fifteen cents of each such additional fee shall be credited to the special~~  
17 ~~purpose account established under section 42-1-211;~~

18 ~~(D)~~ (C) No fee shall be charged for one set of medal of honor  
19 special license plates issued pursuant to subsection (7) of this section for  
20 ~~a truck that does not exceed six thousand five hundred pounds empty~~  
21 ~~weight,~~ a passenger car, A TRUCK, a motorcycle, or a noncommercial or  
22 recreational vehicle;

23 ~~(E)~~ (D) No fee shall be charged for one set of purple heart special  
24 license plates issued pursuant to subsection (2) of this section.

25 ~~(F) One dollar of each additional fee collected from purchasers of~~  
26 ~~special license plates issued pursuant to subsection (8) of this section~~  
27 ~~shall be retained by the authorized agent.~~

1 (III) EXCEPT AS PROVIDED IN SUBPARAGRAPHS (IV) AND (V) OF  
2 THIS PARAGRAPH (b), THE FEES COLLECTED PURSUANT TO THIS PARAGRAPH  
3 (b) SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT  
4 THE FEES TO THE HIGHWAY USERS TAX FUND.

5 (IV) ONE DOLLAR OF EACH ADDITIONAL FEE COLLECTED FROM  
6 PURCHASERS OF SPECIAL LICENSE PLATES ISSUED PURSUANT TO  
7 SUBSECTIONS (4) AND (5) OF THIS SECTION SHALL BE RETAINED BY THE  
8 AUTHORIZED AGENT, AND ONE DOLLAR AND FIFTEEN CENTS OF EACH SUCH  
9 ADDITIONAL FEE SHALL BE CREDITED TO THE SPECIAL PURPOSE ACCOUNT  
10 ESTABLISHED UNDER SECTION 42-1-211.

11 (V) ONE DOLLAR OF EACH ADDITIONAL FEE COLLECTED FROM  
12 PURCHASERS OF SPECIAL LICENSE PLATES ISSUED PURSUANT TO  
13 SUBSECTION (8) OF THIS SECTION SHALL BE RETAINED BY THE AUTHORIZED  
14 AGENT.

15 ~~(d)~~ (c) All applications for the special license plates described in  
16 this section shall be made directly to the department and shall include  
17 such information as the department may require.

18 ~~(e)~~ (d) The executive director of the department may prepare such  
19 special forms and issue such rules as may be necessary to carry out the  
20 provisions of this section.

21 ~~(f)~~ (e) Notwithstanding the weight limitation imposed by  
22 paragraph (a) of this subsection (1), ~~any~~ A natural person eligible for a  
23 military veteran special license plate ~~as identified by paragraph (a) of this~~  
24 ~~subsection (1)~~ ISSUED PURSUANT TO THIS SECTION may apply for such a  
25 license plate for a motor home, as defined in section 42-1-102 (57), upon  
26 the payment of ~~any~~ THE fees or taxes required by this article.

27 (2) **Recipient of a purple heart.** (a) The purple heart special



1 license plate shall be designed to indicate that an owner of a motor  
2 vehicle to which such license plate is attached is a recipient of the purple  
3 heart. ~~Such design shall be different from that used by the state for~~  
4 ~~regular motor vehicle registration.~~

5 (b) ~~Any~~ A natural person who has been awarded a purple heart for  
6 wounds received in combat at the hands of an enemy of the United States  
7 ~~is authorized to~~ MAY use a purple heart special license plate. When  
8 applying for such a license plate, the applicant shall submit to the  
9 department a letter of verification from the appropriate branch of the  
10 armed forces of the United States that the applicant has been awarded a  
11 purple heart.

12 (c) ~~No fee shall be charged for one set of purple heart special~~  
13 ~~license plates.~~

14 (3) **Former prisoner of war.** (a) The former prisoner of war  
15 special license plate shall be designed to indicate that an owner of a  
16 motor vehicle to which such license plate is attached is a former prisoner  
17 of war.

18 (b) ~~Any~~ A natural person who, while serving in the armed forces  
19 of the United States, was incarcerated by an enemy of the United States  
20 during a period of conflict with the United States may use the former  
21 prisoner of war special license plate.

22 (c) If a deceased former prisoner of war was authorized under this  
23 section to use a former prisoner of war special license plate, the surviving  
24 spouse of such former prisoner of war may apply to the department to  
25 retain any set or sets of such special plates that such former prisoner of  
26 war had obtained. ~~On or after January 1, 1997,~~ Such surviving spouse  
27 shall be eligible to use such special plates upon the payment of any fees

1 or taxes required by this article.

2 ~~(d) No fee shall be charged for one set of prisoner of war special~~  
3 ~~license plates for a passenger car, a motorcycle, a noncommercial or~~  
4 ~~recreational vehicle, or a truck. that does not exceed six thousand five~~  
5 ~~hundred pounds empty weight. If an eligible person applies for any~~  
6 ~~additional such license plates, such person shall be required to pay any~~  
7 ~~fees or taxes required by subsection (1) of this section for such additional~~  
8 ~~plates.~~

9 ~~(e) Notwithstanding the weight limitation imposed by paragraph~~  
10 ~~(a) of subsection (1) of this section, any natural person eligible for a~~  
11 ~~prisoner of war special license plate may apply for such a license plate~~  
12 ~~for a motor home, as defined in section 42-1-102 (57), upon the payment~~  
13 ~~of any fees or taxes required by this article.~~

14 **(4) Honorably discharged or retired veteran of the U.S. armed**  
15 **forces.** (a) The veteran of the United States armed forces special license  
16 plate shall indicate that an owner of a motor vehicle to which such plate  
17 is attached is a veteran of the armed forces of the United States.

18 (b) ~~Any~~ A natural person who has received an honorable  
19 discharge or is retired from a branch of the armed services of the United  
20 States ~~shall be authorized to~~ MAY use a veteran of the United States  
21 armed forces special license plate. When applying for such a license  
22 plate, an applicant shall submit as proof of honorable discharge either a  
23 department of defense form 214 or an honorable discharge from an armed  
24 forces branch of the United States.

25 **(5) Disabled veterans.** (a) (I) The disabled veteran special  
26 license plate shall indicate that the owner of the motor vehicle to which  
27 such license plate is attached is a disabled veteran of the United States

1 armed forces.

2 (II) In addition to requirements of subparagraph (I) of this  
3 paragraph (a), if the applicant demonstrates that he or she has a physical  
4 impairment affecting mobility under the standards provided in section  
5 ~~42-3-121 (1)~~ 42-3-204 (1), then such special license plate shall have an  
6 additional identifying feature, as determined by the department, to  
7 indicate that the owner of the vehicle is authorized to make use of parking  
8 privileges for persons with disabilities.

9 (b) ~~Any~~ A natural person who has received an honorable  
10 discharge from a branch of the armed services of the United States and  
11 meets the requirements of section ~~42-3-134 (3) (a)~~ 42-3-304 (3) (a) ~~shall~~  
12 ~~be eligible to~~ MAY use a disabled veteran special license plate. When  
13 applying for such a license plate, the applicant shall submit proof of  
14 honorable discharge from an armed forces branch of the United States.

15 (c) ~~No fee shall be charged for one set of disabled veteran special~~  
16 ~~license plates for a passenger car, a motorcycle, a noncommercial or~~  
17 ~~recreational vehicle, or a truck that does not exceed six thousand five~~  
18 ~~hundred pounds empty weight. If an eligible person applies for any~~  
19 ~~additional such license plates, such person shall pay any fees or taxes~~  
20 ~~required by subsection (1) of this section for such additional license~~  
21 ~~plates.~~ LICENSE PLATES QUALIFYING FOR THE EXEMPTION GRANTED IN  
22 SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (II) OF PARAGRAPH (b) OF  
23 SUBSECTION (1) OF THIS SECTION SHALL BE ISSUED ONLY BY THE  
24 DEPARTMENT AND SHALL BEAR THE INSCRIPTION "D.V.", AND A SEPARATE  
25 NUMBER SERIES SHALL BE USED FOR SUCH LICENSE PLATES. ADDITIONAL  
26 LICENSE PLATES BEARING SUCH INSCRIPTION MAY BE ISSUED BY THE  
27 DEPARTMENT TO ELIGIBLE PERSONS UPON THE PAYMENT OF ANY FEES OR

1 TAXES REQUIRED BY THIS ARTICLE.

2 (d) ~~(Deleted by amendment, L. 98, p. 1166, § 2, effective June 1,~~  
3 ~~1998.)~~

4 (6) **Survivors of the attack on Pearl Harbor.** (a) The survivors  
5 of the attack on Pearl Harbor special license plates shall be designed to  
6 indicate that the owner of the motor vehicle to which such license plates  
7 are attached is a survivor of the attack on Pearl Harbor.

8 (b) Any natural person may use a survivors of the attack on Pearl  
9 Harbor special license plate if such person:

10 (I) Was a member of the United States armed forces on December  
11 7, 1941;

12 (II) Was on station on December 7, 1941, during the hours of 7:55  
13 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor, the island of Oahu, or  
14 offshore at a distance not to exceed three miles therefrom;

15 (III) Received an honorable discharge from the United States  
16 armed forces; and

17 (IV) Holds a current membership in a national organization of  
18 survivors of the attack on Pearl Harbor.

19 (7) **Recipient of a medal of honor.** (a) The department shall  
20 design the medal of honor special license plate to indicate that an owner  
21 of a motor vehicle to which such license plate is attached is a recipient of  
22 the medal of honor. ~~Such design shall be different from that used by the~~  
23 ~~state for regular motor vehicle registration. The department shall work~~  
24 ~~with interested members of the public to select an appropriate design for~~  
25 ~~the license plate.~~

26 (b) ~~Any~~ A natural person who has been awarded a medal of honor  
27 ~~is authorized to~~ MAY use a medal of honor special license plate. When

1 applying for such a license plate, the applicant shall submit to the  
2 department a letter of verification from the appropriate branch of the  
3 armed forces of the United States that the applicant has been awarded a  
4 medal of honor.

5 ~~(c) No fee shall be charged for one set of medal of honor special~~  
6 ~~license plates for a passenger car, a motorcycle, a noncommercial or~~  
7 ~~recreational vehicle, or a truck that does not exceed six thousand five~~  
8 ~~hundred pounds empty weight. If an eligible person applies for any~~  
9 ~~additional such license plates, such person shall be required to pay any~~  
10 ~~fees or taxes required by subsection (1) of this section for such additional~~  
11 ~~plates.~~

12 ~~(d) Repealed.~~

13 **(8) Honorably discharged, retired veteran, or active member**  
14 **of the U.S. marine corps.** (a) The United States marine corps special  
15 license plate shall indicate that an owner of a motor vehicle to which such  
16 plate is attached is a veteran, reserve member, or an active member of the  
17 United States marine corps.

18 (b) ~~Any~~ A natural person who has received an honorable  
19 discharge, ~~or~~ is retired, or is an active or reserve member of the United  
20 States marine corps ~~shall be authorized to~~ MAY use a United States marine  
21 corps special license plate. When applying for such a license plate, an  
22 applicant shall submit proof of an honorable discharge or proof that the  
23 applicant is currently an active or reserve member of the United States  
24 marine corps.

25 (c) ~~Effective July 1, 2007,~~ The special license ~~plate~~ PLATES  
26 authorized by this subsection (8) shall be retired unless such ~~plate is~~  
27 PLATES HAVE BEEN ISSUED for at least three thousand vehicles BY JULY 1,

1 2007.

2 (9) **Veteran of the Korean war.** (a) The veteran of the Korean  
3 war special license plate shall be designed to indicate that the owner of  
4 the motor vehicle to which such license plate is attached is a veteran of  
5 the Korean war.

6 (b) ~~Any~~ A natural person may use a veteran of the Korean war  
7 special license plate if such person was a member of the United States  
8 armed forces between June 25, 1950, and July 27, 1953.

9 (10) **Recipient of a military valor award.** (a) The military valor  
10 special license plate shall be designed to indicate that an owner of a  
11 motor vehicle bearing such license plate has received a military award for  
12 valor.

13 (b) A natural person who has been awarded a military award for  
14 valor ~~is authorized to~~ MAY use a military valor special license plate.  
15 When applying for such a license plate, the applicant shall submit to the  
16 department a copy of the military order awarding the military award for  
17 valor.

18 (c) For the purposes of this section, "military award for valor" or  
19 "military valor award" means the following awards:

- 20 (I) Navy cross;
- 21 (II) Distinguished service cross;
- 22 (III) Air force cross; or
- 23 (IV) Silver star.

24 **42-3-214. [Formerly 42-3-115.7] Special plates - alumni**  
25 **associations - retirement.** (1) The department shall issue one or more  
26 sets of special alumni license plates to applicants under the requirements  
27 of this section for passenger cars or trucks that do not exceed sixteen

1 thousand pounds empty weight. For the purposes of this section,  
2 recreational vehicles that do not exceed sixteen thousand pounds empty  
3 weight shall be classified as passenger cars.

4 (2) (a) An alumni association for ~~any~~ A private or public college  
5 or university located within Colorado may apply directly to the  
6 department for the establishment of a special license plate for the alumni  
7 association. The department shall accept applications to establish special  
8 alumni license plates annually according to the schedule established by  
9 the department. An alumni association ~~is not authorized to~~ SHALL NOT  
10 apply for a license plate until the alumni association has commitments for  
11 license plate purchases from at least five hundred persons and provides  
12 a list of the names and addresses of such persons to the department.

13 (b) An alumni association applying for the establishment of a  
14 special alumni license plate is responsible for all costs of designing such  
15 plate and shall pay such costs before the license plate is produced. Any  
16 design for a special alumni license plate shall conform with standards  
17 established by the department and shall be approved by the department.

18 (c) For the purpose of this section, "college or university" means  
19 an institution of higher education that offers at least a bachelor degree in  
20 an educational program and that is accredited by a nationally recognized  
21 accrediting agency or association.

22 (3) (a) A person may apply for a special alumni license plate for  
23 a motor vehicle if the person pays the taxes and fees required under ~~the~~  
24 ~~provisions of~~ this section and provides the department or authorized agent  
25 a certificate issued by the alumni association confirming that such person  
26 meets the qualifications for the license plate established by the alumni  
27 association pursuant to paragraph (b) of this subsection (3). The

1 department shall prepare a certificate form to be used by alumni  
2 associations when confirming that a person is eligible to obtain special  
3 alumni license plates.

4 (b) An alumni association may establish the following  
5 qualifications for persons seeking to obtain special alumni license plates:

6 (I) Membership in the alumni association;

7 (II) Specified levels of contributions to the college or university;

8 or

9 (III) Payment of specified alumni association dues, including  
10 special dues established for the special alumni license plates. If the  
11 alumni association collects special dues for special alumni license plates,  
12 the moneys may be used only for the following purposes:

13 (A) Scholarships for students attending the university or college;

14 or

15 (B) Support of academic programs at the university or college.

16 ~~(4) Vehicles registered under this section shall be subject to all~~  
17 ~~other provisions of this article except those relating to the type of number~~  
18 ~~license plates under section 42-3-113.~~

19 ~~(5)(a)~~ (4) The amount of the taxes and fees for special alumni  
20 license plates under this section is the same as the amount of the taxes  
21 and fees specified for regular motor vehicle license plates ~~except that the~~  
22 ~~department shall collect~~ PLUS a one-time fee of twenty-five dollars for  
23 each motor vehicle ~~for issuance or replacement of~~ TO ISSUE OR REPLACE  
24 such license plates. The department shall transmit the additional  
25 one-time fee to the state treasurer, who shall credit the ~~same~~ FEE to the  
26 highway users tax fund.

27 ~~(b)~~ (5) An applicant may apply for PERSONALIZED special alumni



1 license plates. ~~that are personalized~~ Upon payment of the additional fee  
2 required by section ~~42-3-114 (7) (a)~~ 42-3-211 (6) (a) for personalized  
3 license plates, ~~and conformance with all other requirements of~~ THE  
4 DEPARTMENT MAY ISSUE SUCH PLATES IF THE APPLICANT COMPLIES WITH  
5 section ~~42-3-114~~ 42-3-211. If any applicant has existing personalized  
6 license plates for a motor vehicle, the applicant may transfer the  
7 combination of letters or numbers to a new set of special alumni license  
8 plates for the vehicle upon paying the fee imposed by section ~~42-3-114~~  
9 ~~(7) (a)~~ 42-3-211 (6) (a) and upon turning such existing plates in to the  
10 department as required by the department. ~~Any~~ A person who has  
11 obtained personalized special alumni license plates under this ~~paragraph~~  
12 ~~(b) is required to~~ SUBSECTION (5) SHALL pay the annual fee imposed by  
13 section ~~42-3-114 (7) (b)~~ 42-3-211 (6) (b) for renewal of such personalized  
14 plates. The fees under this ~~paragraph (b)~~ SUBSECTION (5) are in addition  
15 to all other taxes and fees imposed for the special alumni license plates.

16 (6) ~~Any renewal of a Special alumni license plate~~ PLATES shall be  
17 ~~handled~~ RENEWED in the same manner as other license plates under ~~the~~  
18 ~~provisions of~~ section ~~42-3-112~~ 42-3-113 or, for personalized plates, under  
19 ~~the provisions of~~ section ~~42-3-114~~ 42-3-211.

20 (7) ~~Effective July 1, 2007,~~ The special license ~~plate~~ PLATES  
21 authorized by this section shall be retired unless such ~~plate is~~ PLATES  
22 HAVE BEEN issued for at least three thousand vehicles BY JULY 1, 2007.

23 **42-3-215. [Formerly 42-3-115.8.] Special plates - United States**  
24 **olympic committee - retirement.** (1) The department shall issue one or  
25 more sets of olympic committee special license plates to applicants under  
26 the requirements of this section for passenger cars or trucks that do not  
27 exceed sixteen thousand pounds empty weight.

1 (2) (a) There is hereby established the United States olympic  
2 committee special license plate. The department is authorized to begin  
3 issuance of such license plate when the United States olympic committee  
4 has commitments for license plate purchases from at least five hundred  
5 persons and provides a list of the names and addresses of such persons to  
6 the department.

7 (b) The United States olympic committee is responsible for the  
8 costs of designing the United States olympic committee special license  
9 plate and shall pay such costs before the license plate is produced. The  
10 design for the special license plate shall conform with standards  
11 established by the department and shall be approved by the department.

12 (3) (a) A person may apply for an olympic committee special  
13 license plate for a motor vehicle if the person pays the taxes and fees  
14 required under ~~the provisions of~~ this section and provides the department  
15 or authorized agent a certificate issued by the committee confirming that  
16 such person meets the qualifications for the license plate established by  
17 the committee pursuant to paragraph (b) of this subsection (3). The  
18 department shall prepare a certificate form to be used by the committee  
19 when confirming that a person is eligible to obtain olympic committee  
20 special license plates.

21 (b) The committee may establish the following qualifications for  
22 persons seeking to obtain special license plates under ~~the provisions of~~  
23 this section:

24 (I) Specified levels of contributions to the United States olympic  
25 committee; or

26 (II) Payment of specified dues, including special dues established  
27 for the special license plates. If the olympic committee collects special

1 dues for special license plates, the moneys may be expended only for  
2 support of the United States olympic committee program.

3 ~~(4) Vehicles registered under this section shall be subject to all~~  
4 ~~other provisions of this article except those relating to the type of number~~  
5 ~~license plates under section 42-3-113.~~

6 ~~(5)~~ (4) (a) The amount of the taxes and fees for olympic  
7 committee special license plates under this section is the same as the  
8 amount of the taxes and fees specified for regular motor vehicle license  
9 plates ~~except that the department shall collect~~ PLUS a one-time fee of  
10 twenty-five dollars for each motor vehicle for issuance or replacement of  
11 such license plates. The department shall transmit the additional  
12 one-time fee to the state treasurer who shall credit the ~~same~~ FEE to the  
13 highway users tax fund.

14 (b) An applicant may apply for PERSONALIZED olympic committee  
15 special license plates. ~~that are personalized~~ Upon payment of the  
16 additional fee required by section ~~42-3-114 (7) (a)~~ 42-3-211 (6) (a) for  
17 personalized license plates, ~~and conformance with all other requirements~~  
18 ~~of THE DEPARTMENT MAY ISSUE SUCH PLATES IF THE APPLICANT COMPLIES~~  
19 ~~WITH~~ section ~~42-3-114~~ 42-3-211. If ~~any~~ AN applicant has existing  
20 personalized license plates for a motor vehicle, the applicant may transfer  
21 the combination of letters or numbers to a new set of special license  
22 plates for the vehicle upon paying the fee imposed by section ~~42-3-114~~  
23 ~~(7) (a)~~ 42-3-211 (6) (a) and upon turning such existing plates in to the  
24 department as required by the department. ~~Any~~ A person who has  
25 obtained personalized olympic committee special license plates under this  
26 paragraph (b) is required to pay the annual fee imposed by section  
27 ~~42-3-114 (7) (b)~~ 42-3-211 (6) (b) for renewal of such personalized plates.

1 The fees under this paragraph (b) are in addition to all other taxes and  
2 fees imposed for the special license plates.

3 ~~(6)~~ (5) Any renewal of a Special license plate PLATES issued under  
4 this section shall be ~~handled~~ RENEWED in the same manner as other  
5 license plates under ~~the provisions of section 42-3-112~~ 42-3-113 or, for  
6 personalized plates, under ~~the provisions of section 42-3-114~~ 42-3-211.

7 ~~(7)~~ (6) For the purposes of this section, "committee" means the  
8 United States olympic committee.

9 ~~(8)~~ (7) ~~Effective July 1, 2007,~~ The special license plate PLATES  
10 authorized by this section shall be retired unless such plate is PLATES  
11 HAVE BEEN issued for at least three thousand vehicles BY JULY 1, 2007.

12 **42-3-216. [Formerly 42-3-116.5] Special plates - Colorado**  
13 **foundation for agriculture - definitions - retirement.** (1) For the  
14 purposes of this section:

15 (a) "Foundation" means the Colorado foundation for agriculture.

16 (b) "Special license plate" means the special agriculture and  
17 natural resources license plate.

18 (2) The department shall issue one or more sets of special license  
19 plates to applicants under ~~the requirements of~~ this section for passenger  
20 cars or trucks that do not exceed sixteen thousand pounds empty weight.

21 (3) (a) There is hereby established the special agriculture and  
22 natural resources license plate. The department is authorized to begin  
23 issuance of such special license plate when the foundation has  
24 commitments for special license plate purchases for at least two hundred  
25 fifty special license plates and provides a list of the names and addresses  
26 of persons purchasing such plates to the department.

27 (b) The foundation is responsible for the costs of designing the

1 special license plate and shall pay such costs before the license plate is  
2 produced. The design for the special license plate shall conform with  
3 standards established by the department and shall be approved by the  
4 department.

5 (4) (a) A person may apply for a special license plate for a motor  
6 vehicle if the person pays the taxes and fees required under ~~the provisions~~  
7 ~~of this section and provides the department or authorized agent a~~  
8 certificate, issued by the foundation, confirming that such person meets  
9 the qualifications for the license plate established by the foundation  
10 pursuant to paragraph (b) of this subsection (4). The department shall  
11 prepare a certificate form to be used by the foundation when confirming  
12 that a person is eligible to obtain a special license plate.

13 (b) The foundation may establish the following qualifications for  
14 persons seeking to obtain special license plates under ~~the provisions of~~  
15 this section:

- 16 (I) Specified levels of contributions to the foundation; or
- 17 (II) Payment of specified special dues established for the special  
18 license plates. If the foundation collects special dues for special license  
19 plates, the moneys shall be expended only for support of the foundation's  
20 programs.

21 ~~(5) Vehicles registered under this section shall be subject to all~~  
22 ~~other provisions of this article except those relating to the type of number~~  
23 ~~license plates under section 42-3-113.~~

24 ~~(6)~~ (5) (a) The amount of the taxes and fees for special license  
25 plates under this section is the same as the amount of the taxes and fees  
26 specified for regular motor vehicle license plates ~~except that the~~  
27 ~~department shall collect~~ PLUS a one-time fee of twenty-five dollars for

1 each motor vehicle for issuance or replacement of ISSUING OR REPLACING  
2 such license plates. The department shall transmit the additional  
3 one-time fee to the state treasurer, who shall credit the same to the  
4 highway users tax fund.

5 (b) An applicant may apply for PERSONALIZED special license  
6 plates. ~~that are personalized~~ Upon payment of the additional fee required  
7 by section ~~42-3-114 (7) (a)~~ 42-3-211 (6) (a) for personalized license  
8 plates, ~~and conformance with all other requirements of THE DEPARTMENT~~  
9 MAY ISSUE SUCH PLATES IF THE APPLICANT COMPLIES WITH section  
10 ~~42-3-114~~ 42-3-211. If any applicant has existing personalized license  
11 plates for a motor vehicle, the applicant may transfer the combination of  
12 letters or numbers to a new set of special license plates for the vehicle  
13 upon paying the fee imposed by section ~~42-3-114 (7) (a)~~ 42-3-211 (6) (a)  
14 and upon turning such existing plates in to the department as required by  
15 the department. Any person who has obtained personalized special  
16 license plates under this paragraph (b) is required to pay the annual fee  
17 imposed by section ~~42-3-114 (7) (b)~~ 42-3-211 (6) (b) for renewal of such  
18 personalized plates. The fees under this paragraph (b) are in addition to  
19 all other taxes and fees imposed for the special license plates.

20 ~~(7) (6) Any renewal of a Special license plate~~ PLATES issued under  
21 this section shall be ~~handled~~ RENEWED in the same manner as other  
22 license plates under ~~the provisions of section 42-3-112~~ 42-3-113 or, for  
23 personalized plates, under ~~the provisions of section 42-3-114~~ 42-3-211.

24 ~~(8) (7) Effective July 1, 2007,~~ The special license ~~plate~~ PLATES  
25 authorized by this section shall be retired unless such ~~plate is~~ PLATES  
26 HAVE BEEN issued for at least three thousand vehicles BY JULY 1, 2007.

27 **42-3-217. [Formerly 42-3-116.7] Special plates - Colorado**

1 **commission of Indian affairs.** (1) The department shall issue one or  
2 more sets of special license plates to applicants under ~~the requirements~~  
3 ~~of~~ this section for passenger cars or trucks that do not exceed sixteen  
4 thousand pounds empty weight.

5 (2) (a) There is hereby established the American Indian special  
6 license plate. The department is authorized to begin issuance of such  
7 special license plate when the Rocky Mountain Indian chamber of  
8 commerce has commitments for special license plate purchases for at  
9 least two thousand special license plates and provides a list of the names  
10 and addresses of persons purchasing such plates to the department.

11 (b) The Rocky Mountain Indian chamber of commerce is  
12 responsible for the costs of designing the special license plate and shall  
13 pay such costs before the license plate is produced. The design for the  
14 special license plate shall conform with standards established by the  
15 department.

16 (3) (a) A person may apply for an American Indian special license  
17 plate for a motor vehicle if the person pays the taxes and fees required  
18 under ~~the provisions of~~ this section and provides ~~the department or an~~  
19 ~~authorized agent~~ a certificate issued by the Rocky Mountain Indian  
20 chamber of commerce confirming that such person meets the  
21 qualifications for the license plate established pursuant to this subsection  
22 (3).

23 (b) The Colorado commission of Indian affairs shall establish a  
24 specific level of contribution to a scholarship fund that qualifies a person  
25 to obtain special license plates under ~~the provisions of~~ this section and  
26 shall set appropriate qualifications in order for an applicant to receive a  
27 scholarship. The scholarship fund shall be administered by a nonprofit

1 organization, association, or corporation selected and supervised by the  
2 Colorado commission of Indian affairs. Such scholarship shall not be  
3 awarded to an applicant unless the applicant can demonstrate that he or  
4 she is a Colorado resident and such scholarship will be used to attend an  
5 institution of higher education within Colorado. Such nonprofit  
6 organization shall issue a report to the Colorado commission of Indian  
7 affairs accounting for revenues and expenditures at least every other year.

8 ~~(4) Vehicles registered under this section shall be subject to all~~  
9 ~~other provisions of this article.~~

10 (5) (4) The amount of the taxes and fees for special license plates  
11 under this section is the same as the amount of the taxes and fees  
12 specified for regular motor vehicle license plates ~~except that the~~  
13 ~~department shall collect~~ PLUS a one-time fee of twenty-five dollars for  
14 each motor vehicle for ~~issuance or replacement of~~ ISSUING OR REPLACING  
15 such license plates. The department shall transmit the additional  
16 one-time fee to the state treasurer, who shall credit the same to the  
17 highway users tax fund, created in section 43-4-201, C.R.S.

18 (5) AN APPLICANT MAY APPLY FOR PERSONALIZED AMERICAN  
19 INDIAN SPECIAL LICENSE PLATES. IF THE APPLICANT COMPLIES WITH THE  
20 REQUIREMENTS OF SECTION 42-3-211, THE DEPARTMENT MAY ISSUE SUCH  
21 PLATES UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION  
22 42-3-211 (6) FOR PERSONALIZED LICENSE PLATES. IF THE APPLICANT HAS  
23 EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE  
24 APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO  
25 A NEW SET OF AMERICAN INDIAN SPECIAL LICENSE PLATES FOR THE  
26 VEHICLE UPON PAYING THE FEE IMPOSED BY SECTION 42-3-211 (6) (a) AND  
27 UPON TURNING SUCH EXISTING PLATES IN TO THE DEPARTMENT AS



1 REQUIRED BY THE DEPARTMENT. A PERSON WHO HAS OBTAINED  
2 PERSONALIZED LICENSE PLATES UNDER THIS SUBSECTION (5) SHALL PAY  
3 THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6) (b) TO RENEW SUCH  
4 PLATES. THE FEES IMPOSED BY THIS SUBSECTION (5) SHALL BE IN  
5 ADDITION TO ALL OTHER TAXES AND FEES IMPOSED FOR LICENSE PLATES  
6 ISSUED PURSUANT TO THIS SECTION.

7 (6) ~~Any renewal of a Special license plate~~ PLATES issued under  
8 this section shall be ~~handled~~ RENEWED in the same manner as other  
9 license plates under ~~the provisions of section 42-3-112~~ 42-3-113 or, for  
10 personalized plates, under ~~the provisions of section 42-3-114~~ 42-3-211.

11 **42-3-218. [Formerly 42-3-117] Special plates - active and**  
12 **retired members of the Colorado national guard - retirement.** (1) The  
13 department ~~is directed to~~ SHALL issue one set of special license plates for  
14 ~~either~~ a passenger car or a truck that does not exceed ~~six~~ SIXTEEN  
15 thousand ~~five hundred~~ pounds empty weight owned by ~~any~~ AN active or  
16 retired member of the Colorado national guard, as defined in section  
17 28-3-101 (12), C.R.S. ~~in accordance with the provisions of this section~~  
18 ~~for the year 1988 and for each year thereafter.~~

19 (2) The special license plates shall have a white background with  
20 blue lettering and shall be of a design determined by the executive  
21 director of the department. ~~but they~~ SUCH PLATES shall ~~be designed so as~~  
22 ~~to~~ indicate that an owner of a motor vehicle is a member of the Colorado  
23 national guard.

24 (3) ~~Any~~ A natural person who is an active or retired member of  
25 the Colorado national guard ~~shall be authorized to~~ MAY use the special  
26 license plates provided for by this section.

27 (4) ~~Vehicles registered pursuant to the provisions of this section~~

1 ~~shall be subject to all other provisions of this article except those relating~~  
2 ~~to the type of number license plates contained in section 42-3-113.~~

3 (5)(a) (4) The amount of taxes and fees for such special license  
4 plates shall be the same as the amount of taxes and fees specified for  
5 regular motor vehicle registration plus an additional one-time fee of  
6 twenty-five dollars. Such additional fee shall be transmitted to the state  
7 treasurer, who shall credit the ~~same~~ FEE to the highway users tax fund.

8 (b) ~~Repealed.~~

9 (6) (5) ~~All Applications for special license plates provided for in~~  
10 ~~this section shall be made directly to the department upon expiration of~~  
11 ~~any current vehicle registration and shall include such information as the~~  
12 ~~department may require. At the time of making such application, the~~  
13 ~~applicant shall submit to the department a proof of eligibility form~~  
14 ~~prepared by the department of military and veterans affairs verifying~~  
15 ~~active or retired status. If the owner of a vehicle registered pursuant to~~  
16 ~~the provisions of this section ceases to be an active member of the~~  
17 ~~Colorado national guard and has not qualified for retirement from the~~  
18 ~~Colorado national guard, such person shall return the special license~~  
19 ~~plates to the department upon expiration of the registration. Upon retiring~~  
20 ~~from the Colorado national guard, any A person wishing to retain the~~  
21 ~~SUCH special license plates issued to the person pursuant to the provisions~~  
22 ~~of this section shall submit to the department a verification of retired~~  
23 ~~status that is issued by the department of military and veterans affairs to~~  
24 ~~establish eligibility for retention of the plates. A retired member of the~~  
25 ~~Colorado national guard is required to verify retired status ONLY once~~  
26 ~~under this section. and, upon providing such verification, is not required~~  
27 ~~to provide additional verification when renewing plates issued pursuant~~

1 to this section.

2 (7) (6) The executive director of the department may prepare any  
3 special forms and issue such rules ~~and regulations~~ as may be necessary  
4 to carry out the provisions of IMPLEMENT this section.

5 (8) (7) ~~Effective July 1, 2007,~~ The special license ~~plate~~ PLATES  
6 authorized by this section shall be retired unless such ~~plate is~~ PLATES  
7 HAVE BEEN issued for at least three thousand vehicles BY JULY 1, 2007.

8 **42-3-219. [Formerly 42-3-138] Special registration of**  
9 **collectors' items.** (1) (a) The department is authorized to specially  
10 register and issue a special registration plate for motor vehicles valued  
11 principally because of ~~their~~ THE VEHICLES' early date of manufacture,  
12 design, or historical interest or VALUED as collectors' items.

13 (b) Exclusively or in addition to any other registration, the  
14 department ~~is authorized to~~ MAY approve use of original plates for motor  
15 vehicles valued principally because of ~~their~~ THE VEHICLES' early date of  
16 manufacture, design, or historical interest or VALUED as collectors' items.  
17 The use of a vehicle bearing such original plates shall be limited to the  
18 uses authorized in subsection (5) of this section when using the ~~used~~  
19 original plates authorized in this section. A used original plate shall meet  
20 the following criteria in order to qualify for use under this paragraph (b):

21 (I) The plates were made before 1943;

22 (II) The plates are embossed with the year of original issue;

23 (III) The plates are legible;

24 (IV) The plates were issued contemporaneously with the year of  
25 manufacture of the vehicle upon which they are displayed, as determined  
26 by the department; and

27 (V) The plates ~~shall~~ DO not exceed seven characters.

1           (2) The ~~registration~~ plates issued under paragraph (a) of  
2 subsection (1) of this section shall be of a design determined by the  
3 executive director of the department. ~~which~~ SUCH DESIGN shall be  
4 different from that used by the state for regular motor vehicle registration.

5           (3) (a) The executive director of the department may register such  
6 vehicles and issue such plates for a period not exceeding five years, but  
7 all such registrations and plates shall expire on the same date regardless  
8 of the date of issue.

9           (b) Upon the expiration of the five-year period ending with the  
10 year 1959, and each five years thereafter, the registration plate originally  
11 issued for each vehicle shall remain with ~~said~~ THE vehicle. The executive  
12 director of the department shall issue a tab to be securely fastened to ~~said~~  
13 ~~registration~~ THE plate showing the five years for which ~~said~~ THE motor  
14 vehicle is registered.

15           (c) ~~Application for renewal of~~ A registration ~~must~~ ISSUED  
16 PURSUANT TO THIS SECTION SHALL be ~~made~~ RENEWED within thirty days  
17 prior to the expiration date of ~~said~~ THE registration. If ~~said~~ THE  
18 application for renewal, together with the fees, is not received by the  
19 executive director prior to the expiration date, the executive director shall  
20 ~~on said expiration date,~~ notify the registered owner, at the address shown  
21 by the department's records, by regular mail, to reregister said vehicle or  
22 surrender the registration plate within ten days ~~from~~ AFTER the  
23 REGISTRATION expiration date. ~~of said registration.~~ If the notice is not  
24 complied with, the executive director shall ~~take such action as may be~~  
25 ~~necessary to~~ secure the return of ~~said registration~~ THE plate.

26           (4) ~~(a)~~ The fee for issuing such registration and special  
27 registration plate or tab shall be five dollars for each five-year period or

1 ~~fractional part~~ FRACTION thereof. In addition to ~~said~~ THE five-dollar  
2 registration fee, the executive director of the department shall collect the  
3 one dollar and fifty cent annual specific ownership fee provided by law  
4 for each year of registration. This fee shall be collected for the number  
5 of years remaining at the time of registration and issuance or renewal of  
6 ~~said~~ THE registration.

7 ~~(b) Repealed.~~

8 (5) Motor vehicles having such special registration plates may be  
9 used on the streets and highways for driving such vehicle to and from  
10 assemblies, conventions, or other meetings where such vehicles and their  
11 ownership are the primary interest. Vehicles so registered may also be  
12 used or driven on special occasions, for demonstrations and parades, and  
13 on occasions when their operation on the streets and highways will not  
14 constitute a traffic hazard. They may also be used for traveling to and  
15 from and while on local, state, or national tours held primarily for the  
16 exhibition and enjoyment of such vehicles. ~~by their owners.~~

17 (6) Upon the sale or transfer of a motor vehicle bearing a special  
18 registration plate, the plate shall remain with the vehicle and be  
19 transferred to the new owner. The new owner shall title such motor  
20 vehicle as provided by law, and notice of the transfer of ownership shall  
21 be given to the department.

22 (7) All applications for special registration of motor vehicles shall  
23 be made ~~direct~~ DIRECTLY to the department of revenue. ~~as well as~~ All  
24 matters ~~pertaining thereto that are~~ CONCERNING SUCH REGISTRATION  
25 SHALL BE administered by ~~it~~ THE DEPARTMENT. All fees received from  
26 special registrations shall be ~~placed by the department in the same fund~~  
27 ~~as are its other registration fees. No part of this fee shall be payable to~~

1 ~~the counties~~ TRANSFERRED TO THE STATE TREASURER AND CREDITED TO  
2 THE HIGHWAY USERS TAX FUND.

3 (8) The executive director may prepare any special forms and  
4 issue any rules ~~and regulations~~ necessary to ~~carry out the provisions of~~  
5 IMPLEMENT this section.

6 (9) When application is made to the executive director for a title  
7 to a vehicle described in subsection (1) of this section, the executive  
8 director shall accept the original motor or serial number on such vehicle  
9 and shall not require or issue a special identification number for such  
10 vehicle.

11 (10) AN APPLICANT MAY APPLY FOR PERSONALIZED LICENSE  
12 PLATES ISSUED WITH A SPECIALIZED REGISTRATION ISSUED PURSUANT TO  
13 THIS SECTION. IF THE APPLICANT COMPLIES WITH THE REQUIREMENTS OF  
14 SECTION 42-3-211, THE DEPARTMENT MAY ISSUE SUCH PLATES UPON  
15 PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6) FOR  
16 PERSONALIZED LICENSE PLATES. IF THE APPLICANT HAS EXISTING  
17 PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT  
18 MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET  
19 OF LICENSE PLATES FOR THE VEHICLE UPON PAYING THE FEE IMPOSED BY  
20 SECTION 42-3-211 (6) (a) AND UPON TURNING IN SUCH EXISTING PLATES TO  
21 THE DEPARTMENT AS REQUIRED BY THE DEPARTMENT. A PERSON WHO HAS  
22 OBTAINED PERSONALIZED COLLECTOR LICENSE PLATES UNDER THIS  
23 SUBSECTION (10) SHALL PAY THE ANNUAL FEE IMPOSED BY SECTION  
24 42-3-211 (6) (b) TO RENEW SUCH PLATES. THE FEES IMPOSED BY THIS  
25 SUBSECTION (10) SHALL BE IN ADDITION TO ALL OTHER TAXES AND FEES  
26 IMPOSED FOR COLLECTOR LICENSE PLATES.

27 **42-3-220. [Formerly 42-3-117.7] Temporary special event**

1 **license plates.** (1) The department is authorized to issue a temporary  
2 special event license plate to a person or group of people in connection  
3 with a special event for a passenger vehicle or a truck that does not  
4 exceed sixteen thousand pounds empty weight.

5 (2) An applicant for a special event license plate shall submit to  
6 the department the name, date or dates, and location of the special event  
7 to which the request for the license plate is connected; the dates the  
8 license plate is needed; the quantity of license plates requested; a list of  
9 vehicle information including the vehicle identification number, make,  
10 model, and year of each vehicle; a certified letter stating that insurance  
11 coverage will be in place for each vehicle during its use for the period for  
12 which the temporary plate is issued; and any other information as  
13 required by the department.

14 (3) (a) The department shall have the authority to determine the  
15 amount of an application fee for special event license plates and to  
16 determine the fee, not to exceed twenty-five dollars, for the issuance of  
17 each temporary special event license plate, and such fee shall be  
18 transmitted to the state treasurer, who shall credit the same to the license  
19 plate cash fund, created in section ~~42-3-113 (6)~~ 42-3-301 (1).

20 (b) Sales or use tax due in connection with a special event license  
21 plate or vehicle that will be issued such plate shall be paid before the  
22 special event license plate is issued.

23 (4) The executive director of the department may prepare any  
24 special forms and issue any rules necessary to carry out the provisions of  
25 this section.

26 **PART 3**  
27 **FEES AND CASH FUNDS**

1           **42-3-301. [Formerly 42-3-113 (6) and (7)] License plate cash**  
2 **fund - license plate fees.** ~~(6)~~ (1) (a) In addition to the payment of any  
3 fees for motor vehicle registration or for the issuance of license plates,  
4 decals, or validating tabs, each owner of a motor vehicle issued ~~any~~ A  
5 license plate, decal, or validating tab for a motor vehicle pursuant to this  
6 article shall also pay a fee to cover the direct costs of such plates, decals,  
7 or tabs. The amount of the fee imposed pursuant to this ~~subsection (6)~~  
8 SECTION shall be as specified in paragraph (b) of subsection ~~(7)~~ (2) of this  
9 section.

10           (b) Fees collected pursuant to ~~the requirements of this subsection~~  
11 ~~(6)~~ SECTION shall be transmitted to the state treasurer, who shall credit the  
12 same to the license plate cash fund, which fund is hereby created. The  
13 fund shall be administered by the department of revenue. Moneys in the  
14 fund shall be appropriated by the general assembly for the direct costs  
15 incurred by the department in issuing license plates pursuant to this  
16 article. At the end of each fiscal year, any unexpended and  
17 unencumbered moneys remaining in the fund shall revert to the highway  
18 users tax fund created in section 43-4-201 (1) (a), C.R.S.

19           ~~(7)~~ (2) (a) The fees imposed pursuant to subsection ~~(6)~~ (1) of this  
20 section shall be set in an amount necessary to recover only the costs of  
21 the production and distribution of any license plates, decals, or validating  
22 tabs issued pursuant to this article and shall be:

23           (I) One dollar and sixty-three cents per standard embossed license  
24 plate issued pursuant to this section;

25           (II) Two dollars and fifty-four cents per special license plate  
26 issued pursuant to ~~sections 42-3-114 to 42-3-122, 42-3-134 (7), or~~  
27 ~~42-3-138~~ SECTION 42-3-207 OR SECTIONS 42-3-209 TO 42-3-219;



1 (III) Seventeen cents per year tab that is stuffed and mail ready  
2 issued pursuant to ~~this section or section 42-3-115~~ SECTION 42-3-201;

3 (IV) Two dollars and twenty cents for the issuance of a  
4 replacement registration, the proceeds of which fee shall be allocated as  
5 if collected pursuant to section 42-1-206 (2) (a), and eleven cents for  
6 either a year tab that is not stuffed and mail ready or a month tab, which  
7 tabs are issued pursuant to ~~this section or section 42-3-115~~ SECTION  
8 42-3-201;

9 (V) Two dollars and twenty cents for the issuance of a  
10 replacement registration, the proceeds of which fee shall be allocated as  
11 if collected pursuant to section 42-1-206 (2) (a), and twenty-two cents for  
12 a year tab that is not stuffed and mail ready and a month tab, which tabs  
13 are issued pursuant to ~~this section or section 42-3-115~~ SECTION 42-3-201;

14 (VI) Twenty-five cents per special mobile machinery ownership  
15 and rental tab issued pursuant to this section;

16 (VII) Twenty-five cents per collector specific ownership tax tab  
17 issued pursuant to section 42-12-102;

18 (VIII) Twenty-five cents per moped tab issued pursuant to this  
19 section;

20 (IX) Twenty-five cents per emergency vehicle decal issued  
21 pursuant to section ~~42-3-112~~ 42-3-113;

22 (X) Twenty-five cents per horseless carriage tab issued pursuant  
23 to section ~~42-3-138~~ 42-3-219;

24 (XI) Twenty-two cents per temporary permit issued pursuant to  
25 section ~~42-3-124~~ 42-3-203.

26 (b) Notwithstanding any other provision of this article, with the  
27 exception of special license plates issued pursuant to section ~~42-3-115.5~~

1 42-3-213 for purple heart recipients, former prisoners of war, disabled  
2 veterans, or recipients of a medal of honor, the fees imposed by this  
3 subsection ~~(7)~~ (2) shall apply to all other special license plates issued in  
4 accordance with ~~the requirements of~~ this article.

5 **42-3-302. [Formerly 42-3-122.5] Special plate fees.** (1) The  
6 fees collected pursuant to sections ~~42-3-115.5 and 42-3-116.7~~ 42-3-213  
7 AND 42-3-217 for the issuance of a license plate pursuant to sections  
8 ~~42-3-115.5 (9) and 42-3-116.7~~ 42-3-213 (9) AND 42-3-217 shall be  
9 transmitted to the state treasurer, who shall credit the same to the license  
10 plate cash fund created in section ~~42-3-113 (6)~~ 42-3-301.

11 (2) The executive director of the department shall make an annual  
12 report by March 1 of each year to the general assembly. Such report shall  
13 be open for public inspection and shall include:

- 14 (a) A summary of the department's activities for the previous year;
- 15 (b) A statement of plate revenues;
- 16 (c) Information regarding special plate purchases;
- 17 (d) Expenses of the department;
- 18 (e) Allocation of remaining revenues; and
- 19 (f) Any recommendations for changes in statutes that the  
20 executive director deems necessary or desirable.

21 **42-3-303. [Formerly 42-3-130.5] Persistent drunk driver cash**  
22 **fund - programs to deter persistent drunk drivers.** (1) There is hereby  
23 created in the state treasury the persistent drunk driver cash fund, which  
24 shall be composed of moneys collected for penalty surcharges under  
25 section 42-4-1301 (7) (d) (II). The moneys in such fund are subject to  
26 annual appropriation by the general assembly to pay the costs incurred by  
27 the department ~~regarding~~ CONCERNING persistent drunk drivers under ~~the~~

1 ~~provisions of~~ sections 42-2-126 (2.5) and 42-7-406 (1.5), to pay for costs  
2 incurred by the department for computer programing changes related to  
3 treatment compliance for persistent drunk drivers pursuant to section  
4 42-2-144, and to support programs that are intended to deter persistent  
5 drunk driving or intended to educate the public, with particular emphasis  
6 on the education of young drivers, regarding the dangers of persistent  
7 drunk driving. The departments of transportation, revenue, and human  
8 services shall coordinate programs intended to accomplish such goals.

9 (2) (a) Notwithstanding ~~any provision of~~ subsection (1) of this  
10 section, ~~to the contrary~~, on March 27, 2002, the state treasurer shall  
11 deduct five hundred thousand dollars from the persistent drunk driver  
12 cash fund and transfer such sum to the general fund.

13 (b) In order to restore the amount transferred from the persistent  
14 drunk driver cash fund pursuant to paragraph (a) of this subsection (2),  
15 moneys from the general fund shall be transferred to the persistent drunk  
16 driver cash fund in accordance with section 24-75-217, C.R.S.

17 **42-3-304. [Formerly 42-3-134 (1), (1.5), (2), (3), (5), (7), (8), (9),**  
18 **(10), (11), (12) (e), (13) (f), (13) (g), (13) (h), (13) (i), (13) (j), (13) (k),**  
19 **(13) (l), (16), (20), (21) (a), (22) (a) (I), (22) (a) (II), (22) (b), (23), (24),**  
20 **(26), (26.5), (27), (28), (29), (29.5), (30), (31), and (32)] Registration**  
21 **fees - passenger and passenger-mile taxes - clean screen fund - repeal.**

22 (1) (a) ~~Not later than September 1, 1997~~, In addition to other fees  
23 specified in this section, an applicant shall pay a motorist insurance  
24 identification fee in an amount determined by paragraph (d) of subsection  
25 ~~(26)~~ (18) of this section when ~~application is made~~ APPLYING for  
26 registration or renewal of registration of a motor vehicle under this  
27 article.

1 (b) The following vehicles are exempt from the motorist insurance  
2 identification fee:

3 (I) Vehicles that are exempt from registration fees under this  
4 section or are owned by persons who have qualified as self-insured  
5 pursuant to section ~~10-4-716~~ 10-4-624, C.R.S.;

6 (II) Trucks and truck tractors that are owned by a farmer or  
7 rancher and whose only commercial uses are:

8 (A) Transporting to market or place of storage raw agricultural  
9 products actually produced or livestock actually raised by such farmer or  
10 rancher; or

11 (B) Transporting commodities and livestock purchased by such  
12 farmer or rancher for use by the farmer or rancher in farming or ranching  
13 operations.

14 (c) This subsection (1) is repealed, effective July 1, 2008, unless  
15 the motorist insurance identification database program created in section  
16 42-7-604 is extended by the general assembly beyond such date.

17 ~~(1.5) Not later than September 1, 1997, For the purposes of this~~  
18 ~~section, "declared gross vehicle weight" means the combined weight of~~  
19 ~~the vehicle and its cargo when operated on the public highways of this~~  
20 ~~state. Such weight shall be declared by the vehicle owner at the time the~~  
21 ~~vehicle is registered. Accurate records shall be kept of all miles operated~~  
22 ~~by each vehicle over the public highways of this state by the owner of~~  
23 ~~each vehicle.~~

24 (2) With respect to passenger-carrying motor vehicles, the weight  
25 used in computing annual registration fees shall be that weight published  
26 by the manufacturer in approved manuals, and, in case of a dispute over  
27 the weight of any such vehicle, the actual weight determined by weighing

1 such vehicle on a certified scale, as provided in section 35-14-122 (6),  
2 C.R.S., shall be conclusive. With respect to all other vehicles, the weight  
3 used in computing annual registration fees shall be the empty weight,  
4 ~~thereof~~, determined by weighing such vehicle on a certified scale, or in  
5 the case of registration fees imposed pursuant to ~~paragraph (b) of~~  
6 ~~subsection (13) of this section~~ SECTION 42-3-305 (5), the declared gross  
7 vehicle weight of the vehicle declared by the owner ~~of the vehicle~~ at the  
8 time of registration.

9 (3) No fee shall be payable for the annual registration of a vehicle  
10 when:

11 (a) The owner of such vehicle is a veteran who in an application  
12 for registration shows that the owner has established such owner's rights  
13 to benefits under the provisions of Public Law 663, 79th Congress, as  
14 amended, and Public Law 187, 82nd Congress, as amended, or is a  
15 veteran of the armed forces of the United States who incurred a disability  
16 and who is, at the date of such application, receiving compensation from  
17 the veterans administration or any branch of the armed forces of the  
18 United States for a fifty percent or more, service-connected, permanent  
19 disability, or for loss ~~or permanent loss~~ of use of one or both feet or one  
20 or both hands, ~~or for the loss of sight in both eyes~~, or for permanent  
21 impairment OR LOSS of vision in both eyes ~~to such a degree as to~~  
22 ~~constitute~~ THAT CONSTITUTES virtual OR ACTUAL blindness. The  
23 exemption provided in this paragraph (a) shall ~~be applicable~~ APPLY to the  
24 original QUALIFYING vehicle ~~qualifying for the same~~ and to any vehicle  
25 subsequently purchased and owned by the same veteran but shall not  
26 apply to more than one vehicle at a time. ~~License plates for the vehicles~~  
27 ~~qualifying for the exemption granted in this paragraph (a) shall be issued~~

1 only by the department and shall bear the inscription "D.V.", and a  
2 separate number series shall be used for such license plates. Additional  
3 license plates bearing such inscription may be issued by the department  
4 to any person eligible under this paragraph (a) upon the payment of any  
5 fees or taxes required by this article. Such license plate may also be  
6 issued to any person eligible under this paragraph (a) for a motor home,  
7 as defined in section 42-1-102 (57), upon the payment of any fees or  
8 taxes required by this article.

9 (b) The application for registration shows that the owner of such  
10 vehicle is a foreign government or a consul or other official representative  
11 of a foreign government duly recognized by the department of state of the  
12 United States government. License plates for the vehicles qualifying for  
13 the exemption granted in this paragraph (b) shall be issued only by the  
14 department and shall bear such inscription as may be required to indicate  
15 their status.

16 (c) The owner of such vehicle is the state or ~~any~~ A political or  
17 governmental subdivision thereof; but any such vehicle ~~which~~ THAT is  
18 leased, either by the state or any political or governmental subdivision  
19 thereof, shall be exempt from payment of an annual registration fee only  
20 if the agreement under which it is leased has been first submitted to the  
21 department and approved, ~~by it~~, and such vehicle shall remain exempt  
22 from payment of an annual registration fee only so long as it is used and  
23 operated in strict conformity with such approved agreement.

24 (d) The owner of such vehicle is a former prisoner of war being  
25 issued special plates pursuant to section ~~42-3-115.5~~ 42-3-213 (3) or is the  
26 surviving spouse of a former prisoner of war retaining the special plates  
27 that were issued to such former prisoner of war pursuant to section

1 ~~42-3-115.5~~ 42-3-213 (3).

2 (e) The owner of such vehicle is the recipient of a purple heart  
3 being issued special plates pursuant to section ~~42-3-115.5~~ 42-3-213 (2).

4 (f) THE OWNER OF SUCH VEHICLE IS A RECIPIENT OF A MEDAL OF  
5 HONOR ISSUED SPECIAL PLATES PURSUANT TO SECTION 42-3-213 (7).

6 ~~(5)~~ (a) (4) ~~At the time of~~ UPON registration, the owner of each  
7 motorcycle or motorscooter shall pay a surcharge of ~~two~~ FOUR dollars,  
8 which shall be credited to the motorcycle operator safety training fund  
9 created in section 43-5-504, C.R.S.

10 (b) ~~(I) Beginning July 1, 1997, The surcharge imposed by~~  
11 ~~paragraph (a) of this subsection (5) is increased to four dollars. No more~~  
12 ~~than twenty cents of the additional two-dollar surcharge established by~~  
13 ~~this paragraph (b) shall be expended for the promotion of the motorcycle~~  
14 ~~operator safety training program, created in part 5 of article 5 of title 43,~~  
15 ~~C.R.S., and for motorist awareness.~~

16 ~~(H) (Deleted by amendment, L. 2002, p. 225, § 2, effective April~~  
17 ~~5, 2002.)~~

18 ~~(7) An additional fee of two dollars shall be collected for each~~  
19 ~~vehicle annually registered which is furnished amateur radio call plates,~~  
20 ~~and an additional fee of five dollars for each vehicle annually registered~~  
21 ~~which is furnished standard radio, FM, and television call plates issued~~  
22 ~~pursuant to the provisions of section 42-3-112 (10).~~

23 ~~(8)~~ (5) In lieu of registering each vehicle separately, a dealer in  
24 motorcycles, motorscooters, or motorbicycles shall pay to the department  
25 an annual registration fee of twenty-five dollars for the first license plate  
26 issued pursuant to ~~the provisions of~~ section ~~42-3-127~~ 42-3-116 (1), a fee  
27 of seven dollars and fifty cents for each additional license plate so issued

1 up to and including five such plates, and a fee of ten dollars for each  
2 license plate so issued in excess of five.

3 ~~(9)~~ (6) In lieu of registering each vehicle separately:

4 (a) Every A dealer in ~~and of~~ motor vehicles, trailers, and  
5 semitrailers, except dealers in motorcycles, motorscooters, and  
6 motorbicycles, shall pay to the department an annual fee of thirty dollars  
7 for the first license plate issued pursuant to ~~the provisions of~~ section  
8 ~~42-3-127~~ 42-3-116 (1), and a fee of seven dollars and fifty cents for each  
9 additional license plate so issued up to and including five, and a fee of ten  
10 dollars for each license plate so issued in excess of five; and

11 (b) Every A manufacturer of motor vehicles shall pay to the  
12 department an annual fee of thirty dollars for the first license plate issued  
13 pursuant to ~~the provisions of~~ section ~~42-3-127~~ 42-3-116 (1), and a fee of  
14 seven dollars and fifty cents for each additional license plate so issued up  
15 to and including five, and a fee of ten dollars for each additional license  
16 plate issued.

17 ~~(10)~~ (7) (a) Every drive-away or tow-away transporter shall apply  
18 to the department for the issuance of license plates ~~which~~ THAT may be  
19 transferred from one vehicle or combination to another vehicle or  
20 combination for delivery without further registration. The annual fee  
21 payable for the issuance of such plates shall be thirty dollars for the first  
22 set and ten dollars for each additional set. No transporter shall permit  
23 such license plates to be used upon ~~any~~ A vehicle ~~which~~ THAT is not in  
24 transit, or upon ~~any~~ A work or service vehicle, including a service vehicle  
25 utilized regularly to haul vehicles, or by any other person.

26 (b) Each such transporter shall keep a written record of all  
27 vehicles transported, including the description thereof and the names and



1 addresses of the consignors and consignees, and a copy of such record  
2 shall be carried in every driven vehicle; except that, when a number of  
3 vehicles are being transported in convoy, such copy, listing all the  
4 vehicles in the convoy, may be carried in only the lead vehicle in the  
5 convoy.

6 (c) ~~The provisions of~~ This subsection ~~(10)~~ (7) shall not apply to  
7 a nonresident engaged in interstate or foreign commerce if such  
8 nonresident is in compliance with the in-transit laws of the state of his or  
9 her residence and if such state grants reciprocal exemption to Colorado  
10 residents. The department may enter into reciprocal agreements with  
11 ~~another~~ ANY OTHER state or States containing such reciprocal exemptions  
12 or may issue written declarations as to the existence of any such  
13 reciprocal agreements.

14 ~~(11)~~ (8) (a) ~~The provisions of Subsections (8), (9) (a), and (10)~~  
15 (5), (6) (a), AND (7) of this section shall not apply to ~~any~~ A motor vehicle,  
16 trailer, or semitrailer operated by a dealer or transporter for such dealer's  
17 or transporter's private use or to ~~any~~ A motor vehicle bearing full-use  
18 dealer plates ~~as described in~~ ISSUED PURSUANT TO section ~~42-3-127~~  
19 42-3-116 (6) (d).

20 (b) ~~The provisions of~~ Paragraph (b) of subsection ~~(9)~~ (6) of this  
21 section shall only apply to a motor vehicle if owned and operated by a  
22 manufacturer, a representative of a manufacturer, or a person so  
23 authorized by the manufacturer. ~~Any~~ A motor vehicle bearing  
24 manufacturer plates shall be of a make and model of the current or a  
25 future year and shall have been manufactured by or for the manufacturer  
26 to which such plates were issued.

27 ~~(12)~~ (e) (9) In addition to the registration fees imposed by

1 ~~paragraph (a) of this subsection (12), an~~ SECTION 42-3-305 (4) (a), THE  
2 FOLLOWING additional registration fee shall be imposed on ~~the~~ SUCH  
3 vehicles: ~~described in said paragraph (a) of this subsection (12), which~~  
4 ~~additional registration fee shall be based on the age of the motor vehicle,~~  
5 as follows:

6           ~~(F)~~ (a) For farm trucks less than seven years old, twelve dollars;

7           ~~(H)~~ (b) For farm trucks seven years old but less than ten years old,  
8 ten dollars;

9           ~~(HH)~~ (c) For farm trucks ten years old or older, seven dollars.

10           ~~(13)~~ (f) (10) (a) In addition to the registration fees imposed by  
11 ~~paragraph (a) of this subsection (13) and by subsection (25) of this~~  
12 ~~section,~~ SECTION 42-3-305 (5) (a) AND (13), for motor vehicles described  
13 in said ~~paragraph (a) of this subsection (13) and in said subsection (25),~~an  
14 SECTION 42-3-305 (5) (a) AND (13), THE FOLLOWING additional  
15 registration fee shall be imposed: ~~and based on the age of the vehicle, as~~  
16 follows:

17           (I) For light trucks and recreational vehicles less than seven years  
18 old, twelve dollars;

19           (II) For light trucks and recreational vehicles seven years old but  
20 less than ten years old, ten dollars;

21           (III) For light trucks and recreational vehicles ten years old or  
22 older, seven dollars.

23           ~~(g)~~ (b) ~~Effective January 1, 1990,~~ In addition to the registration  
24 fees imposed by ~~paragraphs (b) and (d) of this subsection (13) and by~~  
25 ~~subparagraph (IV) of paragraph (a) of subsection (22) of this section~~  
26 SECTION 42-3-305 (5) (a) AND (12) (d) OR SUBPARAGRAPH (IV) OF  
27 PARAGRAPH (a) OF SUBSECTION (14) OF THIS SECTION, an additional

1 registration fee of ten dollars shall be assessed.

2 ~~(h) to (k) (Deleted by amendment, L. 94, p. 1385, § 3, effective~~  
3 ~~January 1, 1995.)~~

4 ~~(h)~~(c) The department shall adopt rules that allow a vehicle owner  
5 or a vehicle owner's agent to apply for apportioned registration for a  
6 vehicle that is used in interstate commerce and that qualifies for the  
7 registration fees provided in ~~this subsection (13)~~ SECTION 42-3-305 (5).  
8 In establishing the amount of such apportioned registration, such rules  
9 shall take into account the length of time such item may be operated in  
10 Colorado or the number of miles such item may be driven in Colorado.  
11 The apportioned registration, if based upon the length of time such item  
12 may be operated in Colorado, shall be valid for a period of between two  
13 and eleven months. Such rules shall also allow for extensions of  
14 apportioned registration periods. During such rule-making, the  
15 department shall confer with its authorized agents regarding enhanced  
16 communications with the authorized agents and the coordination of  
17 enforcement efforts.

18 ~~(16)~~ (11) The additional fees collected pursuant to ~~subparagraph~~  
19 ~~(H) of paragraph (b) of subsection (4), paragraph (e) of subsection (12),~~  
20 ~~and paragraphs (f) and (g) of subsection (13) of this section 42-3-305 (2)~~  
21 (b) (II) AND SUBSECTION (9) OF THIS SECTION AND PARAGRAPHS (a) AND  
22 (b) OF SUBSECTION (10) OF THIS SECTION shall be transmitted to the state  
23 treasurer, who shall credit the same to the highway users tax fund to be  
24 allocated pursuant to section 43-4-205 (6) (b), C.R.S.

25 ~~(20)~~ (12) ~~The~~ AN owner or operator ~~of any~~ THAT DESIRES TO  
26 MAKE AN OCCASIONAL TRIP INTO THIS STATE WITH A truck, truck tractor,  
27 trailer, or semitrailer ~~or any combination thereof, which vehicles are~~ THAT

1 IS registered in another state and which owner or operator desires to make  
2 an occasional trip into this state, shall obtain a permit from the public  
3 utilities commission as provided in sections 40-10-104 and 40-11-103,  
4 C.R.S. but the requirement of This subsection ~~(20)~~ (12) shall not apply  
5 to the vehicles of any A public utility which THAT are temporarily in this  
6 state to assist in the construction, installation, or ~~restoral~~ RESTORATION of  
7 utility facilities used in serving the public.

8 ~~(21)(a)~~ (13) In addition to the annual registration fees prescribed  
9 in this section for vehicles with a seating capacity of more than fourteen  
10 and operated for the transportation of passengers for compensation, ~~there~~  
11 ~~is assessed and shall be paid by~~ the owner or operator of every such  
12 vehicle operated over the public highways of this state SHALL PAY a  
13 passenger-mile tax equal to one mill for each passenger transported for  
14 a distance of one mile. The tax assessed by this subsection ~~(21)~~ (13) shall  
15 not apply to passenger service rendered within the boundaries of a city,  
16 city and county, or incorporated town by a company engaged in the mass  
17 transportation of persons by buses or trolley coaches.

18 ~~(22)(a)(I)~~ (14) (a) The owner or operator of any mobile  
19 machinery and self-propelled construction equipment having an empty  
20 weight not in excess of sixteen thousand pounds which THAT the owner  
21 or operator desires to operate over the public highways of this state shall  
22 register such vehicle under the provisions of paragraph (a) of subsection  
23 ~~(13) of this section~~ SECTION 42-3-305 (5) (a).

24 ~~(II)~~ (b) The owner or operator of any mobile machinery and  
25 self-propelled construction equipment with an empty weight exceeding  
26 sixteen thousand pounds which THAT such owner or operator desires to  
27 operate over the public highways of this state shall register such vehicle

1 under the provisions of paragraph (b) of subsection (13) of this section  
2 42-3-205 (5) (b).

3 (b) (15) The owner of any mobile machinery, except that  
4 mentioned in sections 42-1-102 (44) and 42-3-104 (3), and self-propelled  
5 construction equipment ~~which~~ THAT is not registered for operation on the  
6 highway shall pay a fee of one dollar and fifty cents, which ~~fee~~ shall not  
7 be subject to any quarterly reduction.

8 (23) (16) Nothing in this section shall be construed to prevent a  
9 farmer or rancher from occasionally exchanging transportation with  
10 another farmer or rancher when the sole consideration involved is the  
11 exchange of personal services and the use of vehicles.

12 (24) (17) (a) AT THE TIME OF REGISTRATION OF SUCH VEHICLE, the  
13 owner of any A truck subject to registration under ~~subsection (13) of this~~  
14 ~~section and~~ 42-3-305 (5) having a weight in excess of four thousand five  
15 hundred pounds, but not in excess of ten thousand pounds, including  
16 mounted equipment other than that of a recreational type, shall present to  
17 the ~~county clerk and recorder at the time of registration of such vehicle~~  
18 AUTHORIZED AGENT a copy of the manufacturer's statement or certificate  
19 of origin ~~which~~ THAT specifies the shipping weight of such vehicle, or if  
20 such documentation is not available, a certified scale ticket showing the  
21 weight of such vehicle.

22 (b) The department shall furnish appropriate identification, by  
23 means of tags or otherwise, to indicate that a vehicle registered under this  
24 section is not subject to clearance by a port of entry weigh station.

25 (26) (a) (1) (18) (a) ~~Effective July 1, 1986,~~ In addition to any other  
26 fee imposed by this section, ~~there shall be collected~~ THE OWNER SHALL  
27 PAY, at the time of registration, a fee of fifty cents on every item of class

1 A, B, or C personal property required to be registered pursuant to this  
2 article. Such fee shall be transmitted to the state treasurer, who shall  
3 credit the same to a special account within the highway users tax fund, to  
4 be known as the AIR account, and such moneys shall be used, subject to  
5 appropriation by the general assembly, to cover the direct costs of the  
6 motor vehicle emissions activities of the department of public health and  
7 environment in the presently defined nonattainment area, and to pay for  
8 the costs of the commission in performing its duties under section  
9 25-7-106.3, C.R.S. In the program areas within counties affected by this  
10 article, the ~~county clerk and recorder~~ AUTHORIZED AGENT shall impose  
11 and retain an additional fee of up to seventy cents on every such  
12 registration to cover reasonable costs of administration of the emissions  
13 compliance aspect of vehicle registration. The department of public  
14 health and environment is hereby authorized to accept and expend grants,  
15 gifts, and moneys from any source for the purpose of implementing its  
16 duties and functions under this section or section 25-7-106.3, C.R.S.

17 ~~(H) Notwithstanding any provision of subparagraph (I) of this~~  
18 ~~paragraph (a) to the contrary, on July 1, 1998, the state treasurer shall~~  
19 ~~deduct five hundred thousand dollars from the AIR account and transfer~~  
20 ~~such sum to the environmental leadership pollution prevention revolving~~  
21 ~~fund, created in section 25-6.7-109 (2), C.R.S.~~

22 (b) ~~Effective July 1, 1987,~~ In addition to any other fee imposed by  
23 this section, ~~there shall be collected~~ at the time of registration of any  
24 motor vehicle in the program area subject to inspection and not exempt  
25 from registration, THE OWNER SHALL PAY a fee of one dollar and fifty  
26 cents. Such fee shall be transmitted to the state treasurer, who shall credit  
27 the same to the AIR account within the highway users tax fund, and such

1 moneys shall be expended only to cover the costs of administration and  
2 enforcement of the automobile inspection and readjustment program by  
3 the department of revenue and the department of public health and  
4 environment, upon appropriation by the general assembly. For such  
5 purposes, the revenues attributable to one dollar of such fee shall be  
6 available for appropriation to the department of revenue, and the revenues  
7 attributable to the remaining fifty cents of such fee shall be available for  
8 appropriation to the department of public health and environment.

9 (c) There shall be established two separate subaccounts within the  
10 AIR account, one for the revenues available for appropriation to the  
11 department of public health and environment pursuant to paragraphs (a)  
12 and (b) of this subsection ~~(26)~~ (18) and one for the revenues available for  
13 appropriation to the department of revenue pursuant to paragraph (b) of  
14 this subsection ~~(26)~~ (18) and section 42-4-305. Any moneys remaining  
15 unexpended and unencumbered in either subaccount at the end of any  
16 fiscal year shall be appropriated by the general assembly for other  
17 purposes, subject to ~~any~~ THE limitations imposed by section 18 of article  
18 X of the state constitution.

19 (d) (I) ~~Effective September 1, 1997,~~ In addition to any other fee  
20 imposed by this section, ~~there shall be collected~~ THE OWNER SHALL PAY,  
21 at the time of registration of any motor vehicle in the state, a motorist  
22 insurance identification fee. Such fee shall be adjusted annually by the  
23 department of revenue, based upon moneys appropriated by the general  
24 assembly for the operation of the motorist insurance identification  
25 database program. In no event shall such fee exceed fifty cents. Such fee  
26 shall be transmitted to the state treasurer, who shall credit the same to a  
27 special account within the highway users tax fund, to be known as the

1 motorist insurance identification account, which is hereby created.  
2 Moneys in the motorist insurance identification account shall be used,  
3 subject to appropriation by the general assembly, to cover the costs of  
4 administration and enforcement of the motorist insurance identification  
5 database program, created in section 42-7-604.

6 (II) This paragraph (d) is repealed, effective July 1, 2006, unless  
7 the motorist insurance identification database program created in section  
8 42-7-604 is extended by the general assembly beyond such date.

9 ~~(26.5)~~ (19) (a) If the air quality control commission determines  
10 pursuant to section 42-4-306 (23) (b) to implement an expanded clean  
11 screen program in the enhanced emissions program area, on and after the  
12 specific dates determined by the commission for each of the following  
13 subparagraphs:

14 (I) In addition to any other fee imposed by this section, county  
15 clerks and recorders, acting as agents for the clean screen authority, shall  
16 collect at the time of registration an emissions inspection fee in an  
17 amount determined by section 42-4-311 (6) (a) on every motor vehicle  
18 that the department of revenue has determined from data provided by its  
19 contractor to have been clean screened; except that the motorist shall not  
20 be required to pay such emissions inspection fee if the county clerk and  
21 recorder determines that a valid certification of emissions compliance has  
22 already been issued for the vehicle being registered indicating that the  
23 vehicle passed the applicable emissions test at an enhanced inspection  
24 center, inspection and readjustment station, motor vehicle dealer test  
25 facility, or fleet inspection station.

26 (II) County clerks and recorders shall be entitled to retain three  
27 and one-third percent of the fee so collected to cover the clerks' expenses



1 in the collection and remittance of such fee. County treasurers shall, no  
2 later than ten days after the last business day of each month, remit the  
3 remainder of such fee to the clean screen authority created in section  
4 42-4-307.5. The clean screen authority shall transmit such fee to the state  
5 treasurer, who shall deposit the same in the clean screen fund, which fund  
6 is hereby created. The clean screen fund shall be a pass-through trust  
7 account to be held in trust solely for the purposes and the beneficiaries  
8 specified in this subsection ~~(26.5)~~ (19). Moneys in the clean screen fund  
9 shall not constitute fiscal year spending of the state for purposes of  
10 section 20 of article X of the state constitution, and such moneys shall be  
11 deemed custodial funds that are not subject to appropriation by the  
12 general assembly. Interest earned from the deposit and investment of  
13 moneys in the clean screen fund shall be credited to the clean screen  
14 fund, and the clean screen authority may also expend interest earned on  
15 the deposit and investment of the clean screen fund to pay for its costs  
16 associated with the implementation of House Bill 01-1402, enacted at the  
17 first regular session of the sixty-third general assembly.

18 (III) The clean screen authority shall transmit moneys from the  
19 clean screen fund monthly to the contractor in accordance with the fees  
20 determined by section 42-4-311 (6) (a) within one week after receipt by  
21 the authority from the department of revenue of a notification of the  
22 number of registrations of clean-screened vehicles during the previous  
23 month.

24 (b) In specifying dates for the implementation of the clean screen  
25 program pursuant to paragraph (a) of this subsection ~~(26.5)~~ (19), the  
26 commission may specify different dates for the enhanced and basic  
27 emissions program areas.

1           ~~(e) (Deleted by amendment, L. 2002, p. 964, § 1, effective June~~  
2 ~~1, 2002.)~~

3           ~~(d)~~ (c) This subsection ~~(26.5)~~ (19) shall not apply to El Paso  
4 county if the commission has excluded such county from the clean screen  
5 program pursuant to section 42-4-306 (23) (a).

6           ~~(e)~~ (d) This subsection ~~(26.5)~~ (19) is repealed, effective December  
7 31, 2007. Any moneys remaining in the clean screen fund on December  
8 31, 2007, shall revert to the AIR account established in ~~subparagraph (f)~~  
9 ~~of~~ paragraph (a) of subsection ~~(26)~~ (18) of this section.

10           ~~(27)~~ (20) ~~Effective July 1, 1986,~~ In addition to any other fee  
11 imposed by this section, there shall be collected, at the time of  
12 registration, a fee of ten dollars on every light and heavy duty  
13 diesel-powered motor vehicle in the program area registered pursuant to  
14 this article in the state of Colorado. ~~except that, in the program area in~~  
15 ~~Weld county designated in section 42-4-304 (20), said fee shall not be~~  
16 ~~collected until January 1, 1988.~~ Such fee shall be transmitted to the state  
17 treasurer, who shall credit the same to the AIR account in the highway  
18 users tax fund, and such moneys shall be used, subject to appropriation  
19 by the general assembly, to cover the costs of the diesel-powered motor  
20 vehicle emissions control activities of the departments of public health  
21 and environment and revenue.

22           ~~(28)~~ (21) In order to promote an effective emergency medical  
23 network and thus the maintenance and supervision of the highways  
24 throughout the state, ~~effective January 1, 1990,~~ in addition to any other  
25 fees imposed by this section, there shall be assessed an additional fee of  
26 one dollar at the time of registration of any motor vehicle. Such fee shall  
27 be transmitted to the state treasurer who shall credit the same to the

1 emergency medical services account created by section 25-3.5-603,  
2 C.R.S., within the highway users tax fund.

3 ~~(29) Repealed.~~

4 ~~(29.5) (22) In addition to any other fees imposed by this section,~~  
5 ~~the authorized agent designated under section 42-1-210 (1) (a) is~~  
6 ~~authorized to~~ MAY collect and retain, and an applicant for registration  
7 shall pay at the time of registration, a reasonable fee, as determined from  
8 time to time by the authorized agent, that approximates the direct and  
9 indirect costs incurred, not to exceed five dollars, by the authorized agent  
10 in shipping and handling those license plates that the applicant has,  
11 pursuant to section 42-3-105 (1) (a), requested that the department mail  
12 to the owner.

13 ~~(30) Repealed.~~

14 ~~(31)(a) (23) On or before the last day of February, 2001, and on~~  
15 ~~or before the last day of each month, thereafter,~~ the executive director of  
16 the department shall submit a written report to the state controller  
17 containing the amount by which registration fees collected pursuant to  
18 this section during the immediately preceding month were or would have  
19 been reduced by the application of the fee reductions enacted by House  
20 Bill 00-1227, enacted at the second regular session of the sixty-second  
21 general assembly.

22 ~~(b) For purposes of the monthly reports required by paragraph (a)~~  
23 ~~of this subsection (31) (23) and for consultation with the state controller~~  
24 ~~pursuant to section 24-75-216 (2), C.R.S., the executive director of the~~  
25 ~~department shall compare the amount of registration fees collected during~~  
26 ~~each month of fiscal year 2000-01 with the amount of such fees collected~~  
27 ~~during the same month of fiscal year 2001-02 and, using the total number~~

1 of vehicles by weight and class, determined each month, shall calculate,  
2 as nearly as is practicable using such data, the net reduction in  
3 registration fees resulting from the application of the fee reductions  
4 enacted by House Bill 00-1227, enacted at the second regular session of  
5 the sixty-second general assembly.

6 (32) (24) Effective July 1, 2003, In addition to any other fee  
7 imposed by this section, there shall be collected, at the time of  
8 registration, THE OWNER SHALL PAY a fee of twenty-five cents on every  
9 item of class A, B, or C personal property required to be registered  
10 pursuant to this article. Notwithstanding the requirements of section  
11 43-4-203, C.R.S., such fee shall be transmitted to the state treasurer, who  
12 shall credit the same to the peace officers standards and training board  
13 cash fund, created in section 24-31-303 (2) (b), C.R.S.; except that,  
14 county clerks and recorders shall be entitled to retain five percent of the  
15 fee collected to cover the clerks' expenses in the collection and remittance  
16 of such fee. All of the moneys in the fund that are collected pursuant to  
17 this subsection (32) (24) shall be used by the peace officers standards and  
18 training board for the purposes specified in section 24-31-310, C.R.S.

19 **42-3-305. [Formerly 42-3-134 (3.5), (4), (6), (12) (a), (12) (b),**  
20 **(12) (c), (12) (d), (13) (a), (13) (b), (13) (c), (13) (d), (13) (e), (14), (15),**  
21 **(17), (18), (19), (21) (b), (21) (c), (22) (a) (III), (22) (a) (IV), and (25)]**  
22 **Registration fees - passenger and passenger-mile taxes - fee schedule**  
23 **for years of TABOR surplus revenue. (3.5) (1) Subsections (4), (6),**  
24 **(12) (a), (13) (a), (13) (b) (I), (13) (b) (II), (13) (b) (III) (A), (13) (d),**  
25 **(14), (15), (17) (b), (19), (21) (b), (21) (c), (22) (a) (III), (22) (a) (IV), and**  
26 **(25) of This section shall apply in fiscal year 2001-02 and any subsequent**  
27 **fiscal year in which the legislative council certifies to the executive**

1 director of the department that, based on the annual March revenue  
2 forecast from the legislative council, there will be sufficient excess state  
3 revenue to fund the fee reductions enacted by House Bill 00-1227,  
4 enacted at the second regular session of the sixty-second general  
5 assembly. In all other years, ~~said subsections shall not be effective and,~~  
6 ~~instead, the provisions of section 42-3-134.5 42-3-306 shall govern the~~  
7 ~~fees to be collected on the vehicles described in said subsections~~ IN LIEU  
8 OF THIS SECTION.

9 (4) (2) Fees for the annual registration of passenger-carrying  
10 motor vehicles shall be as follows:

11 (a) Motorcycles, motorscooters, and motorbicycles, two dollars  
12 and twenty-five cents;

13 (b) (I) Passenger cars, station wagons, taxicabs, ambulances,  
14 motor homes, and hearses, two dollars and fifty cents plus an additional  
15 registration fee based on the age of the motor vehicle, as follows:

16 (A) For motor vehicles less than seven years old, twelve dollars;

17 (B) For motor vehicles seven years old but less than ten years old,  
18 ten dollars;

19 (C) For motor vehicles ten years old or older, seven dollars.

20 (II) In the event that a regional transportation plan is implemented  
21 within the regional transportation district, residents of the E-470 highway  
22 authority area shall be ~~exempted~~ EXEMPT from the first ten dollars of any  
23 motor vehicle registration fee increase in such plan.

24 (c) Passenger buses:

25 (I) All such vehicles used for the transportation of passengers for  
26 compensation having a seating capacity of fourteen or less passengers,  
27 eighteen dollars and seventy-five cents plus one dollar and twenty-five

1 cents for each seat capacity; and all such vehicles having a seating  
2 capacity of more than fourteen passengers, eighteen dollars and  
3 seventy-five cents plus ninety-five cents for each seat capacity in excess  
4 of fourteen;

5 (II) All such vehicles owned by a private owner and used for the  
6 transportation of school pupils having a juvenile seating capacity  
7 (meaning fourteen lineal inches of seat space) of twenty-five or less,  
8 eleven dollars and twenty-five cents; and for all such vehicles having a  
9 juvenile seating capacity of more than twenty-five, eleven dollars and  
10 twenty-five cents plus forty cents for each juvenile seat capacity in excess  
11 of twenty-five.

12 ~~(6)~~ (3) Fees for the annual registration of the following vehicles  
13 shall be:

14 (a) Trailer coaches, two dollars and twenty-five cents;

15 (b) Trailers, utility trailers, and camper trailers having an empty  
16 weight of two thousand pounds or less, two dollars and twenty-five cents;

17 (c) Trailers, utility trailers, and camper trailers having an empty  
18 weight exceeding two thousand pounds, five dollars and sixty-five cents;

19 (d) Semitrailers, five dollars and sixty-five cents.

20 ~~(12)~~ (4) (a) The annual registration fee for trucks and truck  
21 tractors owned by a farmer or rancher ~~which vehicles~~ THAT are operated  
22 over the public highways and ~~whose ARE only commercial uses are~~  
23 ~~transporting~~ COMMERCIALY USED TO TRANSPORT to market or place of  
24 storage raw agricultural products actually produced or livestock actually  
25 raised by such farmer or rancher or ~~transporting~~ TO TRANSPORT  
26 commodities and livestock purchased by such farmer or rancher for  
27 personal use and used in such person's farming or ranching operations,

1 shall be as follows:

2 (I) Each such vehicle having an empty weight of five thousand  
3 pounds or less, an amount computed to the nearest pound of the empty  
4 weight of such vehicle, according to the following schedule:

5	<b>Empty Weight</b>		6	<b>Registration</b>
6	<b>(Pounds)</b>		<b>Range</b>	<b>Fee</b>
7	2,000	and	under	\$ 4.65
8	2,001	but not more than	2,100	4.80
9	2,101	but not more than	2,200	4.95
10	2,201	but not more than	2,300	5.10
11	2,301	but not more than	2,400	5.25
12	2,401	but not more than	2,500	5.40
13	2,501	but not more than	2,600	5.55
14	2,601	but not more than	2,700	5.70
15	2,701	but not more than	2,800	5.85
16	2,801	but not more than	2,900	6.00
17	2,901	but not more than	3,000	6.15
18	3,001	but not more than	3,100	6.30
19	3,101	but not more than	3,200	6.45
20	3,201	but not more than	3,300	6.60
21	3,301	but not more than	3,400	6.75
22	3,401	but not more than	3,500	6.90
23	3,501	but not more than	3,600	7.05
24	3,601	but not more than	3,700	7.20
25	3,701	but not more than	3,800	7.35
26	3,801	but not more than	3,900	7.50
27	3,901	but not more than	4,000	7.65

1	4,001	but not more than	4,100	7.80
2	4,101	but not more than	4,200	7.95
3	4,201	but not more than	4,300	8.10
4	4,301	but not more than	4,400	8.25
5	4,401	but not more than	4,500	8.40
6	4,501	but not more than	4,600	9.85
7	4,601	but not more than	4,700	10.30
8	4,701	but not more than	4,800	10.75
9	4,801	but not more than	4,900	11.20
10	4,901	but not more than	5,000	11.65

11           (II) Each such vehicle having an empty weight of ten thousand  
12 pounds or less but more than five thousand pounds, eleven dollars and  
13 sixty-five cents plus thirty-five cents per one hundred pounds, or fraction  
14 thereof, of empty weight over five thousand pounds;

15           (III) Each such vehicle having an empty weight of more than ten  
16 thousand pounds but not more than sixteen thousand pounds,  
17 twenty-eight dollars and fifty cents plus ninety-five cents per one hundred  
18 pounds, or fraction thereof, of empty weight exceeding ten thousand  
19 pounds;

20           (IV) Each such vehicle having an empty weight of more than  
21 sixteen thousand pounds, eighty-two dollars, plus one dollar and fifteen  
22 cents per one hundred pounds, or fraction thereof, of empty weight  
23 exceeding sixteen thousand pounds.

24           (b) Nothing in this subsection ~~(12)~~ (4) shall be construed to  
25 prevent a farmer or rancher from occasionally exchanging transportation  
26 with another farmer or rancher, but only if the sole consideration involved  
27 is the exchange of personal services or the use of equipment.



1           (c) ~~Any person making application~~ A PERSON APPLYING for  
 2 registration under this subsection ~~(12)~~ (4) shall certify to the licensing  
 3 authority on forms ~~prescribed and~~ furnished by the department that ~~the~~  
 4 ~~use of the vehicle for which the registration application is made~~ will be  
 5 USED in conformity with ~~the requirements of~~ paragraph (a) of this  
 6 subsection ~~(12)~~ (4).

7           (d) No vehicle carrying mounted equipment other than a camper  
 8 or other purely recreational equipment shall be registered under this  
 9 subsection ~~(12)~~ (4), and ~~any~~ A vehicle registered under this subsection  
 10 ~~(12)~~ (4) shall be ~~subject to reregistration~~ REREGISTERED under the proper  
 11 classification upon ~~any mounted~~ equipment designed for commercial use  
 12 other than agricultural being ~~placed~~ MOUNTED upon such vehicle.

13           ~~(13)~~ (5) The annual registration fee for those trucks and truck  
 14 tractors operated over the public highways of this state, except trucks that  
 15 are registered under ~~the provisions of~~ subsections ~~(12)~~ (4) and ~~(25)~~ (13)  
 16 of this section and section 42-12-102 (1) (c), shall be as follows:

17           (a) For each such vehicle having an empty weight of up to and  
 18 including sixteen thousand pounds, such registration fee shall be based  
 19 upon the empty weight of such vehicle, computed to the nearest pound,  
 20 according to the following schedule:

<b>Empty Weight</b>			<b>Registration</b>
<b>(Pounds)</b>		<b>Range</b>	<b>Fee</b>
2,000	and	under	\$ 5.70
2,001	but not more than	2,100	5.85
2,101	but not more than	2,200	6.00
2,201	but not more than	2,300	6.15
2,301	but not more than	2,400	6.30

1	2,401	but not more than	2,500	6.45
2	2,501	but not more than	2,600	6.60
3	2,601	but not more than	2,700	6.75
4	2,701	but not more than	2,800	6.90
5	2,801	but not more than	2,900	7.05
6	2,901	but not more than	3,000	7.20
7	3,001	but not more than	3,100	7.65
8	3,101	but not more than	3,200	7.80
9	3,201	but not more than	3,300	7.95
10	3,301	but not more than	3,400	8.10
11	3,401	but not more than	3,500	8.25
12	3,501	but not more than	3,600	12.10
13	3,601	but not more than	3,700	12.50
14	3,701	but not more than	3,800	13.00
15	3,801	but not more than	3,900	13.45
16	3,901	but not more than	4,000	13.90
17	4,001	but not more than	4,100	14.35
18	4,101	but not more than	4,200	14.80
19	4,201	but not more than	4,300	15.25
20	4,301	but not more than	4,400	15.70
21	4,401	but not more than	4,500	16.15
22	4,501	but not more than	4,600	26.25
23	4,601	but not more than	4,700	27.75
24	4,701	but not more than	4,800	29.25
25	4,801	but not more than	4,900	30.75
26	4,901	but not more than	5,000	32.25
27	5,001	but not more than	5,100	33.75

1	5,101	but not more than	5,200	35.25
2	5,201	but not more than	5,300	36.75
3	5,301	but not more than	5,400	38.25
4	5,401	but not more than	5,500	39.75
5	5,501	but not more than	5,600	41.25
6	5,601	but not more than	5,700	42.75
7	5,701	but not more than	5,800	44.25
8	5,801	but not more than	5,900	45.75
9	5,901	but not more than	6,000	47.25
10	6,001	but not more than	6,100	48.75
11	6,101	but not more than	6,200	50.25
12	6,201	but not more than	6,300	51.75
13	6,301	but not more than	6,400	53.25
14	6,401	but not more than	6,500	54.75
15	6,501	but not more than	6,600	56.25
16	6,601	but not more than	6,700	57.75
17	6,701	but not more than	6,800	59.25
18	6,801	but not more than	6,900	60.75
19	6,901	but not more than	7,000	62.25
20	7,001	but not more than	7,100	63.75
21	7,101	but not more than	7,200	65.25
22	7,201	but not more than	7,300	66.75
23	7,301	but not more than	7,400	68.25
24	7,401	but not more than	7,500	69.75
25	7,501	but not more than	7,600	71.25
26	7,601	but not more than	7,700	72.75
27	7,701	but not more than	7,800	74.25

1	7,801	but not more than	7,900	75.75
2	7,901	but not more than	8,000	77.25
3	8,001	but not more than	8,100	78.75
4	8,101	but not more than	8,200	80.25
5	8,201	but not more than	8,300	81.75
6	8,301	but not more than	8,400	83.25
7	8,401	but not more than	8,500	84.75
8	8,501	but not more than	8,600	86.25
9	8,601	but not more than	8,700	87.75
10	8,701	but not more than	8,800	89.25
11	8,801	but not more than	8,900	90.75
12	8,901	but not more than	9,000	92.25
13	9,001	but not more than	9,100	93.75
14	9,101	but not more than	9,200	95.25
15	9,201	but not more than	9,300	96.75
16	9,301	but not more than	9,400	98.25
17	9,401	but not more than	9,500	99.75
18	9,501	but not more than	9,600	101.25
19	9,601	but not more than	9,700	102.75
20	9,701	but not more than	9,800	104.25
21	9,801	but not more than	9,900	105.75
22	9,901	but not more than	10,000	107.25
23	10,001	but not more than	10,100	108.40
24	10,101	but not more than	10,200	109.50
25	10,201	but not more than	10,300	110.65
26	10,301	but not more than	10,400	111.75
27	10,401	but not more than	10,500	112.90

1	10,501	but not more than	10,600	114.00
2	10,601	but not more than	10,700	114.75
3	10,701	but not more than	10,800	116.25
4	10,801	but not more than	10,900	117.40
5	10,901	but not more than	11,000	118.50
6	11,001	but not more than	11,100	119.65
7	11,101	but not more than	11,200	120.75
8	11,201	but not more than	11,300	121.90
9	11,301	but not more than	11,400	123.00
10	11,401	but not more than	11,500	124.15
11	11,501	but not more than	11,600	125.25
12	11,601	but not more than	11,700	126.40
13	11,701	but not more than	11,800	127.50
14	11,801	but not more than	11,900	128.65
15	11,901	but not more than	12,000	129.75
16	12,001	but not more than	12,100	130.90
17	12,101	but not more than	12,200	132.00
18	12,201	but not more than	12,300	133.15
19	12,301	but not more than	12,400	134.25
20	12,401	but not more than	12,500	135.00
21	12,501	but not more than	12,600	136.50
22	12,601	but not more than	12,700	137.65
23	12,701	but not more than	12,800	138.75
24	12,801	but not more than	12,900	139.90
25	12,901	but not more than	13,000	141.00
26	13,001	but not more than	13,100	142.15
27	13,101	but not more than	13,200	143.25

1	13,201	but not more than	13,300	144.40
2	13,301	but not more than	13,400	145.50
3	13,401	but not more than	13,500	146.65
4	13,501	but not more than	13,600	147.75
5	13,601	but not more than	13,700	148.90
6	13,701	but not more than	13,800	150.00
7	13,801	but not more than	13,900	151.15
8	13,901	but not more than	14,000	152.25
9	14,001	but not more than	14,100	153.40
10	14,101	but not more than	14,200	154.50
11	14,201	but not more than	14,300	155.65
12	14,301	but not more than	14,400	156.75
13	14,401	but not more than	14,500	157.90
14	14,501	but not more than	14,600	159.00
15	14,601	but not more than	14,700	160.15
16	14,701	but not more than	14,800	161.25
17	14,801	but not more than	14,900	162.40
18	14,901	but not more than	15,000	163.50
19	15,001	but not more than	15,100	164.65
20	15,101	but not more than	15,200	165.75
21	15,201	but not more than	15,300	166.90
22	15,301	but not more than	15,400	168.00
23	15,401	but not more than	15,500	169.15
24	15,501	but not more than	15,600	170.25
25	15,601	but not more than	15,700	171.40
26	15,701	but not more than	15,800	172.50
27	15,801	but not more than	15,900	173.25

1     15,901                     but not more than     16,000                     174.75

2             (b) (I) Except as provided in subparagraphs (II) and (III) of this  
3 paragraph (b), for each vehicle registered under this subsection ~~(13)~~ (5)  
4 having an empty weight exceeding sixteen thousand pounds, the  
5 registration fee shall be based upon the declared gross vehicle weight of  
6 the vehicle registered, according to the following schedule:

7                     **Declared Gross Vehicle**

8 <b>Weight (Pounds)</b>	9 <b>Registration Fee</b>
10                    16,001 but not more than 20,000	11                    \$ 247.50
12                    20,001 but not more than 24,000	13                    307.50
14                    24,001 but not more than 30,000	15                    367.50
16                    30,001 but not more than 36,000	17                    472.50
18                    36,001 but not more than 42,000	19                    577.50
20                    42,001 but not more than 48,000	21                    705.00
22                    48,001 but not more than 54,000	23                    862.50
24                    54,001 but not more than 60,000	25                    1,027.50
26                    60,001 but not more than 66,000	27                    1,177.50
28                    66,001 but not more than 74,000	29                    1,387.50
30                    Over 74,000	31                    1,481.25

32             (II) For each vehicle registered under this subsection ~~(13)~~ (5) that  
33 has an empty weight exceeding sixteen thousand pounds and that is used  
34 in the operations of a common or contract carrier for hire, such  
35 registration fee shall be based upon the declared gross vehicle weight of  
36 the vehicle registered, according to the following schedule:

37                     **Declared Gross Vehicle**

38 <b>Weight (Pounds)</b>	39 <b>Registration Fee</b>
40                    16,001 but not more than 20,000	41                    \$ 330.00

1	20,001 but not more than 24,000	412.50
2	24,001 but not more than 30,000	495.00
3	30,001 but not more than 36,000	577.50
4	36,001 but not more than 42,000	697.50
5	42,001 but not more than 48,000	847.50
6	48,001 but not more than 54,000	1,072.50
7	54,001 but not more than 60,000	1,275.00
8	60,001 but not more than 66,000	1,485.00
9	66,001 but not more than 74,000	1,695.00
10	Over 74,000	1,762.50

11 (III) (A) For each vehicle registered under this subsection ~~(13)~~ (5)  
12 that has an empty weight exceeding sixteen thousand pounds and that is  
13 operated less than ten thousand miles in all jurisdictions during each year,  
14 such registration fee shall be based upon the declared gross vehicle  
15 weight of the vehicle registered, according to the following schedule:

16	<b>Declared Gross Vehicle</b>	
17	<b>Weight (Pounds)</b>	<b>Registration Fee</b>
18	16,001 but not more than 20,000	\$ 247.50
19	20,001 but not more than 24,000	270.00
20	24,001 but not more than 30,000	285.00
21	30,001 but not more than 36,000	330.00
22	36,001 but not more than 42,000	375.00
23	42,001 but not more than 48,000	435.00
24	48,001 but not more than 54,000	450.00
25	54,001 but not more than 60,000	480.00
26	60,001 but not more than 66,000	495.00
27	66,001 but not more than 74,000	517.50



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Over 74,000

532.50

(B) If a vehicle qualifies for both a registration fee provided in this subparagraph (III) and a registration fee provided in subparagraph (I) or (II) of this paragraph (b), the lesser registration fee for the vehicle shall apply.

~~(C) Repealed.~~

~~(D)~~ (C) If a person replaces a registered vehicle with another vehicle, the mileage history of the vehicle being replaced may be used to qualify the new vehicle for the fees assessed under this subparagraph (III).

~~(E)~~ (D) If a person purchases an established business that is located in this state and the purchase of the business includes the purchase of vehicles, the mileage history of ~~any such~~ A vehicle so purchased may be used to qualify for the fees assessed under this subparagraph (III) if the business operations remain the same after the purchase and if, during the twelve-month period prior to the date of purchase, the vehicle has been registered in Colorado and has been in operation in the business. A person purchasing a business shall present a copy of the current vehicle registration of the previous owner for each vehicle to be registered pursuant to the requirements of this sub-subparagraph ~~(E)~~ (D).

~~(F)~~ (E) If a truck or truck tractor having an empty weight exceeding sixteen thousand pounds is purchased by a person owning one or more other such vehicles and the other such vehicles owned by the purchaser all qualify for the fees assessed under this subparagraph (III), the purchased truck or truck tractor also qualifies for the fees assessed under this subparagraph (III). A person seeking to register a truck or

1 truck tractor pursuant to the requirements of this sub-subparagraph ~~(F)~~  
2 (E) shall present a copy of the current vehicle registration for each of the  
3 other trucks and truck tractors with empty weights exceeding sixteen  
4 thousand pounds that are owned by such person.

5 ~~(c) (Deleted by amendment, L. 94, p. 1385, § 3, effective January~~  
6 ~~1, 1995.)~~

7 ~~(d)~~ (c) For each vehicle registered under this subsection ~~(13)~~  
8 ~~which~~ (5) AND THAT is exempt from the registration fees assessed by ~~the~~  
9 ~~provisions of~~ paragraph (b) of this subsection ~~(13)~~ (5) under ~~the~~  
10 ~~provisions of~~ paragraph (d), (f), (g), or (h) of subsection ~~(18)~~ (9) of this  
11 section and ~~which~~ THAT weighs more than sixteen thousand pounds, the  
12 registration fee shall be one hundred seventy-five dollars plus one dollar  
13 and fifteen cents for each one hundred pounds, or fraction thereof, in  
14 excess of sixteen thousand pounds.

15 ~~(e)~~ (d) Each vehicle registered under this subsection ~~(13)~~ (5)  
16 having an empty weight not in excess of sixteen thousand pounds ~~but~~  
17 ~~which~~ AND THAT is operated in combination with a trailer or semitrailer,  
18 which is commonly referred to as a tractor-trailer, shall be assessed  
19 according to ~~the provisions of~~ paragraph (b) of this subsection ~~(13)~~ (5).

20 ~~(14)~~ (6) In lieu of the payment of registration fees specified in  
21 subsections ~~(6)~~ (3) and ~~(13)~~ (5) of this section, the owner of a truck, truck  
22 tractor, trailer, or semitrailer operating in interstate commerce may apply  
23 to the department for a special unladen weight registration. Such  
24 registration shall be valid for a period of thirty days ~~from~~ AFTER issuance  
25 and shall ~~give authority to operate~~ AUTHORIZE THE OPERATION OF the  
26 vehicle only when empty. The fee for registration of a truck or truck  
27 tractor shall be three dollars and seventy-five cents. The fee for

1 registration of a trailer or semitrailer shall be two dollars and twenty-five  
2 cents. The moneys from such fees shall be transmitted to the state  
3 treasurer, who shall credit the same to the highway users tax fund.

4 ~~(15)~~ (7) In lieu of the payment of registration fees specified in  
5 subsections ~~(6)~~ (3) and ~~(13)~~ (5) of this section, the owner of a truck or  
6 truck tractor operating in interstate commerce shall apply to the  
7 department for a special laden weight registration. Such registration shall  
8 be valid for seventy-two hours after issuance and shall ~~give authority to~~  
9 ~~operate~~ AUTHORIZE THE OPERATION OF the vehicle when loaded. The  
10 moneys collected by the department from such fees shall be transmitted  
11 to the state treasurer, who shall credit the same to the highway users tax  
12 fund. The fee for such special registration of a truck or a truck tractor  
13 shall be based on the actual gross vehicle weight of the vehicle and its  
14 cargo, computed to the nearest pound, according to the following  
15 schedule:

<b>Declared Gross Vehicle</b>	
<b>Weight (Pounds)</b>	<b>Registration Fee</b>
10,001 but not more than 30,000	\$ 45
30,001 but not more than 60,000	53
Over 60,000	60

21 ~~(17)~~ (8) (a) The owner or operator of any motor vehicle ~~which~~  
22 THAT is exempt from the registration fees assessed by the provisions of  
23 ~~paragraph (b) of subsection (13) of this section~~ under the provisions of  
24 paragraph (b) or (c) of subsection ~~(18)~~ (9) of this section may apply to the  
25 department for a temporary commercial registration permit for such motor  
26 vehicle. Such temporary commercial registration permit shall authorize  
27 the operation of such motor vehicle in commerce; except that ~~any~~ such

1 motor vehicle ~~which~~ THAT is exempt from such registration fees under ~~the~~  
2 ~~provisions of~~ paragraph (b) or (c) of subsection ~~(18)~~ (9) of this section  
3 ~~may~~ SHALL ONLY be operated ~~solely~~ in agricultural harvest operations  
4 within Colorado.

5 (b) A temporary commercial registration permit issued pursuant  
6 to ~~the provisions of~~ this subsection ~~(17)~~ (8) shall be valid for a period not  
7 to exceed sixty days. A maximum of two such temporary commercial  
8 registration permits may be issued for ~~any~~ A motor vehicle in ~~any~~ A  
9 twelve-month period. The fee for issuance of a temporary commercial  
10 registration permit for a motor vehicle shall be based upon the  
11 configuration and number of axles of such motor vehicle according to the  
12 following schedule:

13 <b>Configuration</b>	<b>Registration permit</b>
14 Single unit (two axles)	\$ 60.00
15 Single unit (three or more axles)	90.00
16 Combination unit (any number of axles)	150.00

17 (c) The moneys collected by the department from the fees for  
18 temporary commercial registration permits shall be transmitted to the  
19 state treasurer, who shall credit the same to the highway users tax fund.

20 (d) ~~The provisions of~~ This subsection ~~(17)~~ (8) shall not be  
21 interpreted to affect the authority of a dealer in motor vehicles to use a  
22 dealer plate obtained under ~~the provisions of~~ section ~~42-3-127~~ 42-3-116  
23 to demonstrate a truck or truck tractor by allowing a prospective buyer to  
24 operate such truck or truck tractor when loaded.

25 ~~(18)~~ (9) The registration fees ~~assessed by the provisions of~~  
26 IMPOSED BY paragraph (b) of subsection ~~(13)~~ (5) of this section shall not  
27 apply:

1 (a) To ~~any~~ A motor vehicle operated by a manufacturer, dealer, or  
2 transporter ISSUED LICENSE PLATES pursuant to ~~the provisions of~~  
3 ~~subsections (9) and (10) of this section~~ 42-3-304 (6) AND (7);

4 (b) To ~~any~~ A farm truck or truck tractor registered under ~~the~~  
5 ~~provisions of subsection (12)~~ (4) of this section;

6 (c) To ~~any~~ A farm tractor or to any farm tractor and trailer or  
7 wagon combination;

8 (d) To ~~any~~ A vehicle specially constructed for towing, wrecking,  
9 and repairing ~~which~~ THAT is not otherwise used for transporting cargo;

10 (e) To ~~any~~ A vehicle owned by the state or any political or  
11 governmental subdivision thereof;

12 (f) To ~~any~~ AN operator-owned vehicle transporting racehorses,  
13 operator-owned, to and from the stud or to and from ~~any~~ A racing meet  
14 in the state of Colorado;

15 (g) To ~~any~~ A veterinary mobile truck unit;

16 (h) To ~~any~~ A mobile mixing concrete truck or trash compacting  
17 truck or to trucks designated by the executive director of the department  
18 as special use trucks;

19 (i) To ~~any~~ A noncommercial or recreational vehicle registered  
20 under subsection ~~(25)~~ (13) of this section.

21 ~~(19)~~ (10) ~~Any~~ A truck, truck tractor, trailer, or semitrailer ~~or any~~  
22 ~~combination thereof~~, operating over the public highways of this state and  
23 rendering service pursuant to a temporary certificate of public  
24 convenience and necessity issued by the public utilities commission shall  
25 pay for the issuance OR RENEWAL of such temporary certificate ~~and for~~  
26 ~~any renewal thereof~~, a fee of seven dollars and fifty cents.

27 ~~(21)~~ ~~(b)~~ (11) (a) ~~Any~~ A passenger bus operating over the public

1 highways of this state and rendering service pursuant to a temporary  
2 certificate of public convenience and necessity issued by the public  
3 utilities commission shall pay for the issuance OR RENEWAL of such  
4 temporary certificate ~~and for any renewal thereof~~, a fee of seven dollars  
5 and fifty cents, which fee shall be in lieu of the tax assessed ~~by the~~  
6 ~~provisions of this subsection (21)~~ UNDER SECTION 42-3-304 (13).

7 (e) (b) The owner or operator of ~~any~~ A passenger bus ~~which is~~  
8 registered in another state and ~~which owner or operator~~ WHO desires to  
9 make an occasional trip into this state need not obtain a permit from the  
10 public utilities commission as provided in sections 40-10-104 and  
11 40-11-103, C.R.S., but may instead apply to the department for the  
12 issuance of a trip permit and shall pay to the department for the issuance  
13 of such trip permit a fee of eighteen dollars and seventy-five cents or the  
14 amount of passenger-mile tax becoming due and payable under ~~the~~  
15 ~~provisions of paragraph (a) of this subsection (21)~~ SECTION 42-3-304 (13)  
16 by reason of such trip, whichever amount is greater.

17 ~~(22) (a) (III)~~ (12) (a) In lieu of registration under ~~the provisions~~  
18 ~~of subparagraph (I) or (II) of this paragraph (a)~~ SECTION 42-3-304 (14)  
19 (a), the owner or operator of ~~any~~ mobile machinery and self-propelled  
20 construction equipment ~~which~~ THAT such owner or operator desires to  
21 operate over the public highways of this state may elect to pay an annual  
22 fee to the department computed at the rate of one dollar and ninety cents  
23 per ton of vehicle weight or two dollars and twenty-five cents, whichever  
24 is greater, for operation not to exceed a distance of two thousand five  
25 hundred miles in any registration period.

26 ~~(IV)~~ (b) In lieu of registration under ~~the provisions of~~  
27 ~~subparagraph (I) or (II) of this paragraph (a), any~~ SECTION 42-3-304 (14)

1 (a), A public utility, as defined by section 40-1-103, C.R.S., owning or  
2 operating a utility truck having an empty weight in excess of ten thousand  
3 pounds ~~which~~ THAT it desires to operate over the public highways of this  
4 state may elect to pay an annual registration fee for such a vehicle to the  
5 department computed at the rate of seven dollars and fifty cents per ton  
6 of vehicle weight.

7 ~~(25)~~ (13) The annual registration fee for a noncommercial or  
8 recreational vehicle, except a motor home, operated on the public  
9 highways of this state with an empty weight of ~~four~~ TEN thousand ~~five~~  
10 ~~hundred~~ pounds or less shall be computed according to the schedule  
11 provided in subsection ~~(13)~~ (5) of this section, and, for a noncommercial  
12 or recreational vehicle exceeding ~~four~~ TEN thousand ~~five hundred~~ pounds,  
13 the fee shall be eighteen dollars and forty cents plus forty-five cents for  
14 each one hundred pounds in excess of four thousand five hundred  
15 pounds.

16 **42-3-306. [Formerly 42-3-134.5] Registration fees - passenger**  
17 **and passenger-mile taxes - fee schedule for years in which TABOR**  
18 **surplus revenue is insufficient.** (1) This section shall apply in any fiscal  
19 year in which the legislative council does not certify to the executive  
20 director of the department that, based on the annual March revenue  
21 forecast from the legislative council, there will be sufficient excess state  
22 revenue to fund the fee reductions enacted by House Bill 00-1227,  
23 enacted at the second regular session of the sixty-second general  
24 assembly. ~~as reflected in amendments to section 42-3-134 (4), (6), (12)~~  
25 ~~(a), (13) (a), (13) (b) (I), (13) (b) (II), (13) (b) (III) (A), (13) (d), (14),~~  
26 ~~(15), (17) (b), (19), (21) (b), (21) (c), (22) (a) (III), (22) (a) (IV), and (25).~~

27 ~~(2) (Reserved)~~

1           (3) ~~(Reserved)~~

2           (4) (2) Fees for the annual registration of passenger-carrying

3 motor vehicles shall be as follows:

4           (a) Motorcycles, motorscooters, and motorbicycles, three dollars;

5           (b) (I) Passenger cars, station wagons, taxicabs, ambulances,

6 motor homes, and hearses:

7           (A) Weighing two thousand pounds or less, six dollars;

8           (B) Weighing forty-five hundred pounds or less, six dollars plus

9 twenty cents per one hundred pounds, or fraction thereof, of weight over

10 two thousand pounds;

11           (C) Weighing more than forty-five hundred pounds, twelve dollars

12 and fifty cents plus sixty cents per one hundred pounds, or fraction

13 thereof, of weight over forty-five hundred pounds; except that, for motor

14 homes weighing more than sixty-five hundred pounds, such fees shall be

15 twenty-four dollars and fifty cents plus thirty cents per one hundred

16 pounds, or fraction thereof, of weight over sixty-five hundred pounds.

17           (II) In addition to the registration fees imposed by subparagraph

18 (I) of this paragraph (b), an additional registration fee shall be imposed

19 on the motor vehicles described in the introductory portion to this

20 paragraph (b), ~~which additional registration fee shall be~~ based on the age

21 of the motor vehicle, as follows:

22           (A) For motor vehicles less than seven years old, twelve dollars;

23           (B) For motor vehicles seven years old but less than ten years old,

24 ten dollars;

25           (C) For motor vehicles ten years old or older, seven dollars.

26           (III) THE ADDITIONAL FEES COLLECTED PURSUANT TO

27 SUBPARAGRAPH (II) OF THIS PARAGRAPH (b) SHALL BE TRANSMITTED TO



1 THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE HIGHWAY  
2 USERS TAX FUND TO BE ALLOCATED PURSUANT TO SECTION 43-4-205 (6)  
3 (b), C.R.S.

4 ~~(HH)~~ (IV) In the event that a regional transportation plan is  
5 implemented within the regional transportation district, residents of the  
6 E-470 highway authority area shall be ~~exempted~~ EXEMPT from the first  
7 ten dollars of any motor vehicle registration fee increase in such plan.

8 (c) Passenger buses:

9 (I) All such vehicles used for the transportation of passengers for  
10 compensation having a seating capacity of fourteen or less passengers,  
11 twenty-five dollars plus one dollar and seventy cents for each seat  
12 capacity; and all such vehicles having a seating capacity of more than  
13 fourteen passengers, twenty-five dollars plus one dollar and twenty-five  
14 cents for each seat capacity in excess of fourteen;

15 (II) All such vehicles owned by a private owner and used for the  
16 transportation of school pupils having a juvenile seating capacity  
17 (meaning fourteen lineal inches of seat space) of twenty-five or less,  
18 fifteen dollars; and for all such vehicles having a juvenile seating capacity  
19 of more than twenty-five, fifteen dollars plus fifty cents for each juvenile  
20 seat capacity in excess of twenty-five.

21 ~~(5) (Reserved)~~

22 ~~(6)~~ (3) Fees for the annual registration of the following vehicles  
23 shall be:

24 (a) Trailer coaches, three dollars;

25 (b) Trailers, utility trailers, and camper trailers having an empty  
26 weight of two thousand pounds or less, three dollars;

27 (c) Trailers, utility trailers, and camper trailers having an empty

1 weight exceeding two thousand pounds, seven dollars and fifty cents;

2 (d) Semitrailers, seven dollars and fifty cents.

3 ~~(7) (Reserved)~~

4 ~~(8) (Reserved)~~

5 ~~(9) (Reserved)~~

6 ~~(10) (Reserved)~~

7 ~~(11) (Reserved)~~

8 ~~(12)~~ (4) (a) The annual registration fee for trucks and truck  
9 tractors owned by a farmer or rancher ~~which vehicles~~ THAT are operated  
10 over the public highways and ~~whose ARE only commercial uses are~~  
11 ~~transporting~~ COMMERCIALY USED TO TRANSPORT to market or place of  
12 storage raw agricultural products actually produced or livestock actually  
13 raised by such farmer or rancher or ~~transporting~~ TO TRANSPORT  
14 commodities and livestock purchased by such farmer or rancher for  
15 personal use and used in such person's farming or ranching operations,  
16 shall be as follows:

17 (I) Each such vehicle having an empty weight of five thousand  
18 pounds or less, an amount computed to the nearest pound of the empty  
19 weight of such vehicle, according to the following schedule:

<b>Empty Weight</b>	<b>Registration</b>		
<b>(Pounds)</b>	<b>Range</b>	<b>Fee</b>	
2,000	and	under	\$ 6.20
2,001	but not more than	2,100	6.40
2,101	but not more than	2,200	6.60
2,201	but not more than	2,300	6.80
2,301	but not more than	2,400	7.00
2,401	but not more than	2,500	7.20

1	2,501	but not more than	2,600	7.40
2	2,601	but not more than	2,700	7.60
3	2,701	but not more than	2,800	7.80
4	2,801	but not more than	2,900	8.00
5	2,901	but not more than	3,000	8.20
6	3,001	but not more than	3,100	8.40
7	3,101	but not more than	3,200	8.60
8	3,201	but not more than	3,300	8.80
9	3,301	but not more than	3,400	9.00
10	3,401	but not more than	3,500	9.20
11	3,501	but not more than	3,600	9.40
12	3,601	but not more than	3,700	9.60
13	3,701	but not more than	3,800	9.80
14	3,801	but not more than	3,900	10.00
15	3,901	but not more than	4,000	10.20
16	4,001	but not more than	4,100	10.40
17	4,101	but not more than	4,200	10.60
18	4,201	but not more than	4,300	10.80
19	4,301	but not more than	4,400	11.00
20	4,401	but not more than	4,500	11.20
21	4,501	but not more than	4,600	13.10
22	4,601	but not more than	4,700	13.70
23	4,701	but not more than	4,800	14.30
24	4,801	but not more than	4,900	14.90
25	4,901	but not more than	5,000	15.50

26           (II) Each such vehicle having an empty weight of ten thousand  
27 pounds or less but more than five thousand pounds, fifteen dollars and

1 fifty cents plus forty-five cents per one hundred pounds, or fraction  
2 thereof, of empty weight over five thousand pounds;

3 (III) Each such vehicle having an empty weight of more than ten  
4 thousand pounds but not more than sixteen thousand pounds, thirty-eight  
5 dollars plus one dollar and twenty cents per one hundred pounds, or  
6 fraction thereof, of empty weight exceeding ten thousand pounds;

7 (IV) Each such vehicle having an empty weight of more than  
8 sixteen thousand pounds, one hundred ten dollars, plus one dollar and  
9 fifty cents per one hundred pounds, or fraction thereof, of empty weight  
10 exceeding sixteen thousand pounds.

11 (b) NOTHING IN THIS SUBSECTION (4) SHALL BE CONSTRUED TO  
12 PREVENT A FARMER OR RANCHER FROM OCCASIONALLY EXCHANGING  
13 TRANSPORTATION WITH ANOTHER FARMER OR RANCHER, BUT ONLY IF THE  
14 SOLE CONSIDERATION INVOLVED IS THE EXCHANGE OF PERSONAL SERVICES  
15 OR THE USE OF EQUIPMENT.

16 (c) A PERSON APPLYING FOR REGISTRATION UNDER THIS  
17 SUBSECTION (4) SHALL CERTIFY TO THE LICENSING AUTHORITY ON FORMS  
18 FURNISHED BY THE DEPARTMENT THAT THE VEHICLE WILL BE USED IN  
19 CONFORMITY WITH PARAGRAPH (a) OF THIS SUBSECTION (4).

20 (d) NO VEHICLE CARRYING MOUNTED EQUIPMENT OTHER THAN A  
21 CAMPER OR OTHER PURELY RECREATIONAL EQUIPMENT SHALL BE  
22 REGISTERED UNDER THIS SUBSECTION (4), AND A VEHICLE REGISTERED  
23 UNDER THIS SUBSECTION (4) SHALL BE REREGISTERED UNDER THE PROPER  
24 CLASSIFICATION UPON MOUNTING EQUIPMENT DESIGNED FOR COMMERCIAL  
25 USE UPON SUCH VEHICLE.

26 ~~(13)~~ (5) The annual registration fee for those trucks and truck  
27 tractors operated over the public highways of this state, except trucks that

1 are registered under ~~the provisions of subsections (12) (4) and (25) (13)~~  
2 of this section and section 42-12-102 (1) (c), shall be as follows:

3 (a) For each such vehicle having an empty weight of up to and  
4 including sixteen thousand pounds, such registration fee shall be based  
5 upon the empty weight of such vehicle, computed to the nearest pound,  
6 according to the following schedule:

7	<b>Empty Weight</b>			<b>Registration</b>
8	<b>(Pounds)</b>		<b>Range</b>	<b>Fee</b>
9	2,000	and	under	\$ 7.60
10	2,001	but not more than	2,100	7.80
11	2,101	but not more than	2,200	8.00
12	2,201	but not more than	2,300	8.20
13	2,301	but not more than	2,400	8.40
14	2,401	but not more than	2,500	8.60
15	2,501	but not more than	2,600	8.80
16	2,601	but not more than	2,700	9.00
17	2,701	but not more than	2,800	9.20
18	2,801	but not more than	2,900	9.40
19	2,901	but not more than	3,000	9.60
20	3,001	but not more than	3,100	10.20
21	3,101	but not more than	3,200	10.40
22	3,201	but not more than	3,300	10.60
23	3,301	but not more than	3,400	10.80
24	3,401	but not more than	3,500	11.00
25	3,501	but not more than	3,600	16.10
26	3,601	but not more than	3,700	16.70
27	3,701	but not more than	3,800	17.30

1	3,801	but not more than	3,900	17.90
2	3,901	but not more than	4,000	18.50
3	4,001	but not more than	4,100	19.10
4	4,101	but not more than	4,200	19.70
5	4,201	but not more than	4,300	20.30
6	4,301	but not more than	4,400	20.90
7	4,401	but not more than	4,500	21.50
8	4,501	but not more than	4,600	35.00
9	4,601	but not more than	4,700	37.00
10	4,701	but not more than	4,800	39.00
11	4,801	but not more than	4,900	41.00
12	4,901	but not more than	5,000	43.00
13	5,001	but not more than	5,100	45.00
14	5,101	but not more than	5,200	47.00
15	5,201	but not more than	5,300	49.00
16	5,301	but not more than	5,400	51.00
17	5,401	but not more than	5,500	53.00
18	5,501	but not more than	5,600	55.00
19	5,601	but not more than	5,700	57.00
20	5,701	but not more than	5,800	59.00
21	5,801	but not more than	5,900	61.00
22	5,901	but not more than	6,000	63.00
23	6,001	but not more than	6,100	65.00
24	6,101	but not more than	6,200	67.00
25	6,201	but not more than	6,300	69.00
26	6,301	but not more than	6,400	71.00
27	6,401	but not more than	6,500	73.00

1	6,501	but not more than	6,600	75.00
2	6,601	but not more than	6,700	77.00
3	6,701	but not more than	6,800	79.00
4	6,801	but not more than	6,900	81.00
5	6,901	but not more than	7,000	83.00
6	7,001	but not more than	7,100	85.00
7	7,101	but not more than	7,200	87.00
8	7,201	but not more than	7,300	89.00
9	7,301	but not more than	7,400	91.00
10	7,401	but not more than	7,500	93.00
11	7,501	but not more than	7,600	95.00
12	7,601	but not more than	7,700	97.00
13	7,701	but not more than	7,800	99.00
14	7,801	but not more than	7,900	101.00
15	7,901	but not more than	8,000	103.00
16	8,001	but not more than	8,100	105.00
17	8,101	but not more than	8,200	107.00
18	8,201	but not more than	8,300	109.00
19	8,301	but not more than	8,400	111.00
20	8,401	but not more than	8,500	113.00
21	8,501	but not more than	8,600	115.00
22	8,601	but not more than	8,700	117.00
23	8,701	but not more than	8,800	119.00
24	8,801	but not more than	8,900	121.00
25	8,901	but not more than	9,000	123.00
26	9,001	but not more than	9,100	125.00
27	9,101	but not more than	9,200	127.00

1	9,201	but not more than	9,300	129.00
2	9,301	but not more than	9,400	131.00
3	9,401	but not more than	9,500	133.00
4	9,501	but not more than	9,600	135.00
5	9,601	but not more than	9,700	137.00
6	9,701	but not more than	9,800	139.00
7	9,801	but not more than	9,900	141.00
8	9,901	but not more than	10,000	143.00
9	10,001	but not more than	10,100	144.50
10	10,101	but not more than	10,200	146.00
11	10,201	but not more than	10,300	147.50
12	10,301	but not more than	10,400	149.00
13	10,401	but not more than	10,500	150.50
14	10,501	but not more than	10,600	152.00
15	10,601	but not more than	10,700	153.50
16	10,701	but not more than	10,800	155.00
17	10,801	but not more than	10,900	156.50
18	10,901	but not more than	11,000	158.00
19	11,001	but not more than	11,100	159.50
20	11,101	but not more than	11,200	161.00
21	11,201	but not more than	11,300	162.50
22	11,301	but not more than	11,400	164.00
23	11,401	but not more than	11,500	165.50
24	11,501	but not more than	11,600	167.00
25	11,601	but not more than	11,700	168.50
26	11,701	but not more than	11,800	170.00
27	11,801	but not more than	11,900	171.50



1	11,901	but not more than	12,000	173.00
2	12,001	but not more than	12,100	174.50
3	12,101	but not more than	12,200	176.00
4	12,201	but not more than	12,300	177.50
5	12,301	but not more than	12,400	179.00
6	12,401	but not more than	12,500	180.50
7	12,501	but not more than	12,600	182.00
8	12,601	but not more than	12,700	183.50
9	12,701	but not more than	12,800	185.00
10	12,801	but not more than	12,900	186.50
11	12,901	but not more than	13,000	188.00
12	13,001	but not more than	13,100	189.50
13	13,101	but not more than	13,200	191.00
14	13,201	but not more than	13,300	192.50
15	13,301	but not more than	13,400	194.00
16	13,401	but not more than	13,500	195.50
17	13,501	but not more than	13,600	197.00
18	13,601	but not more than	13,700	198.50
19	13,701	but not more than	13,800	200.00
20	13,801	but not more than	13,900	201.50
21	13,901	but not more than	14,000	203.00
22	14,001	but not more than	14,100	204.50
23	14,101	but not more than	14,200	206.00
24	14,201	but not more than	14,300	207.50
25	14,301	but not more than	14,400	209.00
26	14,401	but not more than	14,500	210.50
27	14,501	but not more than	14,600	212.00

1	14,601	but not more than	14,700	213.50
2	14,701	but not more than	14,800	215.00
3	14,801	but not more than	14,900	216.50
4	14,901	but not more than	15,000	218.00
5	15,001	but not more than	15,100	219.50
6	15,101	but not more than	15,200	221.00
7	15,201	but not more than	15,300	222.50
8	15,301	but not more than	15,400	224.00
9	15,401	but not more than	15,500	225.50
10	15,501	but not more than	15,600	227.00
11	15,601	but not more than	15,700	228.50
12	15,701	but not more than	15,800	230.00
13	15,801	but not more than	15,900	231.50
14	15,901	but not more than	16,000	233.00

15           (b) (I) Except as provided in subparagraphs (II) and (III) of this  
16 paragraph (b), for each vehicle registered under this subsection ~~(43)~~ (5)  
17 having an empty weight exceeding sixteen thousand pounds, the  
18 registration fee shall be based upon the declared gross vehicle weight of  
19 the vehicle registered, according to the following schedule:

20	<b>Declared Gross Vehicle</b>	
21	<b>Weight (Pounds)</b>	<b>Registration Fee</b>
22	16,001 but not more than 20,000	\$ 330
23	20,001 but not more than 24,000	410
24	24,001 but not more than 30,000	490
25	30,001 but not more than 36,000	630
26	36,001 but not more than 42,000	770
27	42,001 but not more than 48,000	940

1	48,001 but not more than 54,000	1,150
2	54,001 but not more than 60,000	1,370
3	60,001 but not more than 66,000	1,570
4	66,001 but not more than 74,000	1,850
5	Over 74,000	1,975

6 (II) For each vehicle registered under this subsection ~~(13)~~ (5) that  
7 has an empty weight exceeding sixteen thousand pounds and that is used  
8 in the operations of a common or contract carrier for hire, such  
9 registration fee shall be based upon the declared gross vehicle weight of  
10 the vehicle registered, according to the following schedule:

11	<b>Declared Gross Vehicle</b>	
12	<b>Weight (Pounds)</b>	<b>Registration Fee</b>
13	16,001 but not more than 20,000	\$ 440
14	20,001 but not more than 24,000	550
15	24,001 but not more than 30,000	660
16	30,001 but not more than 36,000	770
17	36,001 but not more than 42,000	930
18	42,001 but not more than 48,000	1,130
19	48,001 but not more than 54,000	1,430
20	54,001 but not more than 60,000	1,700
21	60,001 but not more than 66,000	1,980
22	66,001 but not more than 74,000	2,260
23	Over 74,000	2,350

24 (III) (A) For each vehicle registered under this subsection ~~(13)~~ (5)  
25 that has an empty weight exceeding sixteen thousand pounds and that is  
26 operated less than ten thousand miles in all jurisdictions during each year,  
27 such registration fee shall be based upon the declared gross vehicle

1 weight of the vehicle registered, according to the following schedule:

2 **Declared Gross Vehicle**

3	<b>Weight (Pounds)</b>	<b>Registration Fee</b>
4	16,001 but not more than 20,000	\$ 330
5	20,001 but not more than 24,000	360
6	24,001 but not more than 30,000	380
7	30,001 but not more than 36,000	440
8	36,001 but not more than 42,000	500
9	42,001 but not more than 48,000	580
10	48,001 but not more than 54,000	600
11	54,001 but not more than 60,000	640
12	60,001 but not more than 66,000	660
13	66,001 but not more than 74,000	690
14	Over 74,000	710

15 (B) IF A VEHICLE QUALIFIES FOR BOTH A REGISTRATION FEE  
16 PROVIDED IN THIS SUBPARAGRAPH (III) AND A REGISTRATION FEE  
17 PROVIDED IN SUBPARAGRAPH (I) OR (II) OF THIS PARAGRAPH (b), THE  
18 LESSER REGISTRATION FEE FOR THE VEHICLE SHALL APPLY.

19 (C) IF A PERSON REPLACES A REGISTERED VEHICLE WITH ANOTHER  
20 VEHICLE, THE MILEAGE HISTORY OF THE VEHICLE BEING REPLACED MAY BE  
21 USED TO QUALIFY THE NEW VEHICLE FOR THE FEES ASSESSED UNDER THIS  
22 SUBPARAGRAPH (III).

23 (D) IF A PERSON PURCHASES AN ESTABLISHED BUSINESS THAT IS  
24 LOCATED IN THIS STATE AND THE PURCHASE OF THE BUSINESS INCLUDES  
25 THE PURCHASE OF VEHICLES, THE MILEAGE HISTORY OF A VEHICLE SO  
26 PURCHASED MAY BE USED TO QUALIFY FOR THE FEES ASSESSED UNDER THIS  
27 SUBPARAGRAPH (III) IF THE BUSINESS OPERATIONS REMAIN THE SAME

1 AFTER THE PURCHASE AND IF, DURING THE TWELVE-MONTH PERIOD PRIOR  
2 TO THE DATE OF PURCHASE, THE VEHICLE HAS BEEN REGISTERED IN  
3 COLORADO AND HAS BEEN IN OPERATION IN THE BUSINESS. A PERSON  
4 PURCHASING A BUSINESS SHALL PRESENT A COPY OF THE CURRENT VEHICLE  
5 REGISTRATION OF THE PREVIOUS OWNER FOR EACH VEHICLE TO BE  
6 REGISTERED PURSUANT TO THE REQUIREMENTS OF THIS  
7 SUB-SUBPARAGRAPH (D).

8 (E) IF A TRUCK OR TRUCK TRACTOR HAVING AN EMPTY WEIGHT  
9 EXCEEDING SIXTEEN THOUSAND POUNDS IS PURCHASED BY A PERSON  
10 OWNING ONE OR MORE OTHER SUCH VEHICLES AND THE OTHER SUCH  
11 VEHICLES OWNED BY THE PURCHASER ALL QUALIFY FOR THE FEES  
12 ASSESSED UNDER THIS SUBPARAGRAPH (III), THE PURCHASED TRUCK OR  
13 TRUCK TRACTOR ALSO QUALIFIES FOR THE FEES ASSESSED UNDER THIS  
14 SUBPARAGRAPH (III). A PERSON SEEKING TO REGISTER A TRUCK OR TRUCK  
15 TRACTOR PURSUANT TO THE REQUIREMENTS OF THIS SUB-SUBPARAGRAPH  
16 (E) SHALL PRESENT A COPY OF THE CURRENT VEHICLE REGISTRATION FOR  
17 EACH OF THE OTHER TRUCKS AND TRUCK TRACTORS WITH EMPTY WEIGHTS  
18 EXCEEDING SIXTEEN THOUSAND POUNDS THAT ARE OWNED BY SUCH  
19 PERSON.

20 (c) FOR EACH VEHICLE REGISTERED UNDER THIS SUBSECTION (5)  
21 THAT IS EXEMPT FROM THE REGISTRATION FEES ASSESSED UNDER  
22 PARAGRAPH (b) OF THIS SUBSECTION (5) UNDER PARAGRAPH (d), (f), (g),  
23 OR (h) OF SUBSECTION (9) OF THIS SECTION AND THAT WEIGHS MORE THAN  
24 SIXTEEN THOUSAND POUNDS EMPTY WEIGHT, THE REGISTRATION FEE  
25 SHALL BE ONE HUNDRED SEVENTY-FIVE DOLLARS PLUS ONE DOLLAR AND  
26 FIFTEEN CENTS FOR EACH ONE HUNDRED POUNDS, OR FRACTION THEREOF,  
27 IN EXCESS OF SIXTEEN THOUSAND POUNDS.

1 (d) For each vehicle registered under this subsection ~~(13)~~ which  
2 (5) THAT is exempt from the registration fees assessed by the provisions  
3 of UNDER paragraph (b) of this subsection ~~(13)~~ (5) under the provisions  
4 of section ~~42-3-134~~ (18) (d), (18) (f), (18) (g), or (18) (h) PARAGRAPHS  
5 (d), (f), AND (g) OF SUBSECTION (9) OF THIS SECTION and which THAT  
6 weighs more than sixteen thousand pounds EMPTY WEIGHT, the  
7 registration fee shall be two hundred thirty-three dollars plus one dollar  
8 and fifty cents for each one hundred pounds, or fraction thereof, in excess  
9 of sixteen thousand pounds.

10 (e) EACH VEHICLE REGISTERED UNDER THIS SUBSECTION (5)  
11 HAVING AN EMPTY WEIGHT NOT IN EXCESS OF SIXTEEN THOUSAND POUNDS  
12 THAT IS OPERATED IN COMBINATION WITH A TRAILER OR SEMITRAILER,  
13 WHICH IS COMMONLY REFERRED TO AS A TRACTOR-TRAILER, SHALL BE  
14 ASSESSED ACCORDING TO PARAGRAPH (b) OF THIS SUBSECTION (5).

15 ~~(f) to (l)~~ (Reserved)

16 ~~(14)~~ (6) In lieu of the payment of registration fees specified in  
17 subsections ~~(6)~~ (3) and ~~(13)~~ (5) of this section, the owner of a truck, truck  
18 tractor, trailer, or semitrailer operating in interstate commerce may apply  
19 to the department for a special unladen weight registration. Such  
20 registration shall be valid for a period of thirty days from issuance and  
21 shall ~~give authority to operate~~ AUTHORIZE THE OPERATION OF the vehicle  
22 only when empty. The fee for registration of a truck or truck tractor shall  
23 be five dollars. The fee for registration of a trailer or semitrailer shall be  
24 three dollars. The moneys from such fees shall be transmitted to the state  
25 treasurer, who shall credit the same to the highway users tax fund.

26 ~~(15)~~ (7) In lieu of the payment of registration fees specified in  
27 subsections ~~(6)~~ (3) and ~~(13)~~ (5) of this section, the owner of a truck or

1 truck tractor operating in interstate commerce shall apply to the  
 2 department for a special laden weight registration. Such registration shall  
 3 be valid for seventy-two hours after issuance and shall ~~give authority to~~  
 4 ~~operate~~ AUTHORIZE THE OPERATION OF the vehicle when loaded. The  
 5 moneys collected by the department from such fees shall be transmitted  
 6 to the state treasurer, who shall credit the same to the highway users tax  
 7 fund. The fee for such special registration of a truck or a truck tractor  
 8 shall be based on the actual gross vehicle weight of the vehicle and its  
 9 cargo, computed to the nearest pound, according to the following  
 10 schedule:

11 **Declared Gross Vehicle**

12	<b>Weight (Pounds)</b>	<b>Registration Fee</b>
13	10,001 but not more than 30,000	\$ 60
14	30,001 but not more than 60,000	70
15	Over 60,000	80

16 ~~(16) (Reserved)~~

17 ~~(17)~~ (8) (a) THE OWNER OR OPERATOR OF A MOTOR VEHICLE THAT  
 18 IS EXEMPT FROM THE REGISTRATION FEES ASSESSED UNDER PARAGRAPH (b)  
 19 OR (c) OF SUBSECTION (9) OF THIS SECTION MAY APPLY TO THE  
 20 DEPARTMENT FOR A TEMPORARY COMMERCIAL REGISTRATION PERMIT FOR  
 21 SUCH MOTOR VEHICLE. SUCH TEMPORARY COMMERCIAL REGISTRATION  
 22 PERMIT SHALL AUTHORIZE THE OPERATION OF SUCH MOTOR VEHICLE IN  
 23 COMMERCE; EXCEPT THAT SUCH MOTOR VEHICLE THAT IS EXEMPT FROM  
 24 SUCH REGISTRATION FEES UNDER PARAGRAPH (b) OR (c) OF SUBSECTION  
 25 (9) OF THIS SECTION SHALL BE OPERATED SOLELY IN AGRICULTURAL  
 26 HARVEST OPERATIONS WITHIN COLORADO.

27 (b) A temporary commercial registration permit issued pursuant

1 to the provisions of this subsection ~~(17)~~ (8) shall be valid for a period not  
2 to exceed sixty days. A maximum of two such temporary commercial  
3 registration permits may be issued for ~~any~~ A motor vehicle in ~~any~~ A  
4 twelve-month period. The fee for issuance of a temporary commercial  
5 registration permit for a motor vehicle shall be based upon the  
6 configuration and number of axles of such motor vehicle according to the  
7 following schedule:

8	<b>Configuration</b>	<b>Registration permit</b>
9	Single unit (two axles)	\$ 80.00
10	Single unit (three or more axles)	120.00
11	Combination unit (any number of axles)	200.00

12 (c) THE MONEYS COLLECTED BY THE DEPARTMENT FROM THE FEES  
13 FOR TEMPORARY COMMERCIAL REGISTRATION PERMITS SHALL BE  
14 TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO  
15 THE HIGHWAY USERS TAX FUND.

16 (d) THIS SUBSECTION (8) SHALL NOT BE INTERPRETED TO AFFECT  
17 THE AUTHORITY OF A DEALER IN MOTOR VEHICLES TO USE A DEALER PLATE  
18 OBTAINED UNDER SECTION 42-3-116 TO DEMONSTRATE A TRUCK OR TRUCK  
19 TRACTOR BY ALLOWING A PROSPECTIVE BUYER TO OPERATE SUCH TRUCK  
20 OR TRUCK TRACTOR WHEN LOADED.

21 (9) THE REGISTRATION FEES IMPOSED BY PARAGRAPH (b) OF  
22 SUBSECTION (5) OF THIS SECTION SHALL NOT APPLY:

23 (a) TO A MOTOR VEHICLE OPERATED BY A MANUFACTURER,  
24 DEALER, OR TRANSPORTER ISSUED PLATES PURSUANT TO SECTION 42-3-304  
25 (6) AND (7);

26 (b) TO A FARM TRUCK OR TRUCK TRACTOR REGISTERED UNDER  
27 SUBSECTION (4) OF THIS SECTION;



1 (c) TO A FARM TRACTOR OR TO A FARM TRACTOR AND TRAILER OR  
2 WAGON COMBINATION;

3 (d) TO A VEHICLE SPECIALLY CONSTRUCTED FOR TOWING,  
4 WRECKING, AND REPAIRING THAT IS NOT OTHERWISE USED FOR  
5 TRANSPORTING CARGO;

6 (e) TO A VEHICLE OWNED BY THE STATE OR ANY POLITICAL OR  
7 GOVERNMENTAL SUBDIVISION THEREOF;

8 (f) TO AN OPERATOR-OWNED VEHICLE TRANSPORTING RACEHORSES  
9 TO AND FROM THE STUD OR TO AND FROM A RACING MEET IN THE STATE OF  
10 COLORADO;

11 (g) TO A VETERINARY MOBILE TRUCK UNIT;

12 (h) TO A MOBILE MIXING CONCRETE TRUCK OR TRASH COMPACTING  
13 TRUCK OR TO TRUCKS DESIGNATED BY THE EXECUTIVE DIRECTOR OF THE  
14 DEPARTMENT AS SPECIAL USE TRUCKS;

15 (i) TO A NONCOMMERCIAL OR RECREATIONAL VEHICLE REGISTERED  
16 UNDER SUBSECTION (13) OF THIS SECTION.

17 ~~(18) (Reserved)~~

18 ~~(19)~~ (10) ~~Any~~ THE OWNER OR OPERATOR OF A truck, truck tractor,  
19 trailer, or semitrailer ~~or any combination thereof~~, operating over the  
20 public highways of this state and rendering service pursuant to a  
21 temporary certificate of public convenience and necessity issued by the  
22 public utilities commission shall pay for the issuance OR RENEWAL of  
23 such temporary certificate ~~and for any renewal thereof~~, a fee of ten  
24 dollars.

25 ~~(20) (Reserved)~~

26 ~~(21) (a) (Reserved)~~

27 ~~(b)~~ (11) (a) ~~Any~~ THE OWNER OR OPERATOR OF A passenger bus

1 operating over the public highways of this state and rendering service  
2 pursuant to a temporary certificate of public convenience and necessity  
3 issued by the public utilities commission shall pay for the issuance OR  
4 RENEWAL of such temporary certificate ~~and for any renewal thereof~~, a fee  
5 of ten dollars, which fee shall be in lieu of the tax assessed ~~by the~~  
6 ~~provisions of~~ UNDER this subsection ~~(21)~~ (11).

7 (e) (b) The owner or operator of ~~any~~ A passenger bus ~~which~~ THAT  
8 is registered in another state and ~~which owner or operator desires~~ THAT  
9 IS USED to make an occasional trip into this state need not obtain a permit  
10 from the public utilities commission as provided in sections 40-10-104  
11 and 40-11-103, C.R.S., but may instead apply to the department for the  
12 issuance of a trip permit and shall pay to the department for the issuance  
13 of such trip permit a fee of twenty-five dollars or the amount of  
14 passenger-mile tax becoming due and payable under ~~the provisions of~~  
15 paragraph (a) of this subsection ~~(21)~~ (11) by reason of such trip,  
16 whichever amount is greater.

17 ~~(22) (a) (I) (Reserved)~~

18 ~~(II) (Reserved)~~

19 ~~(III)~~ (12) (a) In lieu of registration under ~~the provisions of section~~  
20 ~~42-3-134 (22) (a) (I) or (22) (a) (II)~~ SECTION 42-3-304 (14), the owner or  
21 operator of ~~any~~ mobile machinery and self-propelled construction  
22 equipment ~~which~~ THAT such owner or operator desires to operate over the  
23 public highways of this state may elect to pay an annual fee to the  
24 department computed at the rate of two dollars and fifty cents per ton of  
25 vehicle weight for operation not to exceed a distance of two thousand five  
26 hundred miles in any registration period.

27 ~~(IV)~~ (b) In lieu of registration under ~~the provisions of section~~

1 ~~42-3-134 (22) (a) (I) or (22) (a) (H), any~~ SECTION 42-3-304 (14), A public  
2 utility, as defined by section 40-1-103, C.R.S., owning or operating a  
3 utility truck having an empty weight in excess of ten thousand pounds  
4 ~~which~~ THAT it desires to operate over the public highways of this state  
5 may elect to pay an annual registration fee for such a vehicle to the  
6 department computed at the rate of ten dollars per ton of vehicle weight.

7 (b) ~~(Reserved)~~

8 (23) ~~(Reserved)~~

9 (24) ~~(Reserved)~~

10 (25) (13) The annual registration fee for a noncommercial or  
11 recreational vehicle, except a motor home, operated on the public  
12 highways of this state with an empty weight of ~~four~~ TEN thousand ~~five~~  
13 ~~hundred~~ pounds or less shall be computed according to the schedule  
14 provided in subsection ~~(13)~~ (5) of this section, and, for a noncommercial  
15 or recreational vehicle exceeding ~~four~~ TEN thousand ~~five hundred~~ pounds,  
16 the fee shall be twenty-four dollars and fifty cents plus sixty cents for  
17 each one hundred pounds in excess of four thousand five hundred  
18 pounds.

19 **42-3-307. [Formerly 42-3-135] Enforcement powers of**  
20 **department.** (1) The department is authorized to administer and enforce  
21 ~~the provisions of section 42-3-134~~ SECTIONS 42-3-304, 42-3-305, AND  
22 42-3-306, including the right to inspect and audit the books, records, and  
23 documents of ~~any~~ AN owner or operator of a vehicle operated upon the  
24 public highways who is required to pay any registration fee or tax  
25 imposed, and the executive director of the department ~~has authority to~~  
26 ~~prescribe~~ MAY PROMULGATE such reasonable rules and regulations as the  
27 director deems necessary or suitable for such administration and

1 enforcement.

2 (2) The powers granted in this section shall be separate, apart, and  
3 distinct from any powers or duties conferred prior to January 1, 1955,  
4 upon the public utilities commission with respect to the issuance of  
5 certificates of public convenience and necessity, contract carrier permits,  
6 and the regulation and supervision of motor carriers.

7 **42-3-308. [Formerly 42-3-136] Taxpayer statements - payment**  
8 **of tax - estimates - penalties - deposits - delinquency proceedings.**

9 (1) (a) Every owner or operator of a motor vehicle operated ~~over any~~ ON  
10 A public highway of this state and required to pay the passenger-mile tax  
11 imposed by ~~the provisions of section 42-3-134~~ SECTIONS 42-3-304,  
12 42-3-305, AND 42-3-306 shall, on or before the twenty-fifth day of each  
13 month, file with the department, on forms prescribed by ~~said~~ THE  
14 department and the public utilities commission, a statement, subject to the  
15 penalties for perjury in the second degree, showing the name and address  
16 of the owner of the motor ~~vehicles so operated~~ VEHICLE, total miles  
17 traveled, and total number of passengers carried in this state during the  
18 preceding month and such other information as required by the  
19 department and the commission and shall compute and pay such tax;  
20 except that the executive director of the department may ~~in the director's~~  
21 ~~discretion,~~ authorize the filing of statements and the payment of tax  
22 ~~computed thereon~~ for periods in excess of one month but not to exceed  
23 a period of twelve months.

24 (b) If payment of the tax so computed is not made on or before the  
25 due date, there shall be added a penalty of three percent ~~a~~ PER month until  
26 such time as the full amount has been paid; but the executive director of  
27 the department may waive all or any portion of the penalty ~~upon~~ FOR

1 good cause. ~~shown.~~

2 (2) If the owner or operator of a motor vehicle, required to file a  
3 statement as provided in subsection (1) of this section, fails, neglects, or  
4 refuses to file ~~said~~ THE statement and to pay the tax due, the department  
5 may ~~upon such information as may be available to it,~~ estimate the amount  
6 of tax due for the period for which no statement was filed, add ~~thereto~~ a  
7 penalty of ten percent plus one-half of one percent per month ~~from~~ AFTER  
8 the date when due, not to exceed eighteen percent in the aggregate, and  
9 mail ~~said~~ THE estimate to the last-known address of such owner or  
10 operator. The amount so estimated, together with the penalty, shall  
11 become fixed, due, and payable ten days after the date of mailing, unless  
12 such owner or operator, within the ~~said~~ ten days, files AND PAYS a true  
13 and correct statement of the tax due for the period. ~~and pays the same.~~

14 (3) (a) If ~~any~~ AN owner or operator of a vehicle knowingly makes  
15 and files with the department a false or fraudulent statement with intent  
16 to evade payment of any passenger-mile tax due, the department shall, as  
17 soon as it discovers the false or fraudulent nature of such statement, make  
18 an investigation and determine the correct amount of tax due, add ~~thereto~~  
19 a penalty of one hundred percent, and proceed to collect the total amount  
20 by distraint and sale as provided in section 39-21-114, C.R.S. If ~~any such~~  
21 AN owner or operator disputes the amount asserted to be due and payable,  
22 that owner or operator shall be entitled to a hearing before the executive  
23 director of the department, and the decision of the executive director shall  
24 be subject to judicial review. ~~in the manner provided by law.~~

25 (b) ~~Any~~ A person who willfully fails or refuses to make the report  
26 required by this section, or who makes a false or fraudulent return, or  
27 who willfully fails to pay any tax ~~owing~~ OWED by such person, shall be

1 punished as provided by section 39-21-118, C.R.S.

2 (4) All passenger-mile taxes and penalties determined to be due  
3 from ~~any~~ AN owner or operator of a motor vehicle and not paid on the  
4 date when the same are due and payable shall become and remain a prior  
5 and perpetual lien upon all the personal property of such owner or  
6 operator until ~~such time as~~ the full amount of the tax determined ~~and~~  
7 ~~found~~ to be due, together with all penalties, has been paid. Nothing in  
8 this section shall be construed to abrogate or diminish the rights of bona  
9 fide purchasers, lienors, or pledgees for value and without notice.

10 **42-3-309. [Formerly 42-3-137] Permit to be secured - records**

11 **kept - penalties.** (1) Every owner or operator of a motor vehicle  
12 operated over any public highway of this state who is required to pay the  
13 passenger-mile tax imposed by ~~the provisions of section 42-3-134~~  
14 SECTIONS 42-3-304, 42-3-305, AND 42-3-306 shall apply to the department  
15 and secure a passenger-mile tax permit and shall keep and maintain true  
16 and correct records of the operations of such motor vehicles, including  
17 the number of miles operated and the number of passengers carried, in  
18 such form ~~and manner~~ as to reflect the actual activity of all such motor  
19 vehicles and as may be prescribed by the department and the public  
20 utilities commission. ~~and~~ SUCH OWNER OR OPERATOR shall preserve all  
21 such records for a period of four years. The passenger-mile tax permit  
22 shall remain effective until the owner ~~thereof~~ advises the department of  
23 a change in ownership or a discontinuance of business or until such  
24 owner has failed to file tax reports and pay ~~the~~ ANY APPLICABLE  
25 passenger-mile tax ~~if any is due~~, for four successive tax periods.

26 (2) For failure to apply for and secure a permit, the executive  
27 director of the department may impose a penalty in an amount equal to

1 twenty-five percent of any tax found to be due and payable or twenty-five  
2 dollars, whichever is greater.

3 (3) Failure or refusal of an owner or operator to keep and maintain  
4 such records shall, upon certification by the department to the public  
5 utilities commission, be cause for suspension or revocation of a certificate  
6 of public convenience and necessity or a contract carrier permit. ~~as the~~  
7 ~~case may be.~~

8 (4) (a) If an examination of the financial responsibility of an  
9 owner or operator of a motor vehicle subject to the payment of the  
10 passenger-mile tax indicates that a financial guarantee in the form of  
11 cash, a certified check, a bank money order, a bond, or a negotiable  
12 certificate of deposit issued by a commercial bank doing business in this  
13 state and acceptable to the executive director is necessary to guarantee  
14 payment of the tax, the owner or operator may be required to deposit such  
15 guarantee with the department in an amount no greater than twice the  
16 amount of tax estimated by the executive director to become due and  
17 payable each tax period. If the deposit is in cash or a negotiable  
18 certificate of deposit, it shall be subject to forfeiture upon failure of the  
19 owner or operator to comply with ~~the provisions of sections 42-3-134 to~~  
20 ~~42-3-136~~ SECTIONS 42-3-304 TO 42-3-308, this section, ~~and~~ articles 10  
21 and 11 of title 40, C.R.S., or the rules ~~and regulations~~ of the department  
22 or the public utilities commission; if it is a surety bond, it shall be  
23 conditioned upon the insured's faithful compliance with ~~said provisions~~  
24 ~~or said~~ ALL APPLICABLE STATUTES AND rules. ~~and regulations.~~

25 (b) Failure or refusal of an owner or operator to provide or to  
26 continue in effect the guarantee when required in paragraph (a) of this  
27 subsection (4) shall, upon certification by the department to the public

1 utilities commission, be cause for denial, suspension, or revocation of a  
2 certificate of public convenience and necessity or a contract carrier  
3 permit. ~~as the case may be.~~

4 (c) All cash, certified checks, bank money orders, negotiable  
5 certificates of deposit, and surety bonds deposited in compliance with ~~the~~  
6 ~~provisions of~~ this section shall be delivered into the custody of the state  
7 treasurer and held by the state treasurer subject to further order of the  
8 department. ~~In the event that~~ IF an owner or operator ceases operations,  
9 ~~voluntarily or otherwise, said~~ THE deposit or any balance thereof shall be  
10 returned to the owner or operator after all taxes, penalties, fees, and  
11 charges ~~owing~~ OWED by such owner or operator pursuant to this article  
12 have been paid.

13 (5) ~~Any deficiency assessed pursuant to an error in keeping~~  
14 ~~records required by subsection (1) of this section contained on a~~  
15 ~~previously filed statement under section 42-3-136, which was due to~~  
16 ~~negligence or disregard of the law shall have added thereto:~~ THE  
17 FOLLOWING PENALTIES SHALL BE IMPOSED IF A PERSON NEGLIGENTLY OR  
18 KNOWINGLY INCLUDES AN ERROR IN RECORDS REQUIRED BY SUBSECTION  
19 (1) OF THIS SECTION AND SUCH ERROR IS CONTAINED IN A PREVIOUSLY  
20 FILED STATEMENT UNDER SECTION 42-3-308:

21 (a) ~~A penalty of~~ Twenty-five percent of the deficiency assessed;  
22 and

23 (b) ~~Penalty~~ Interest of one-half of one percent per month on the  
24 deficiency assessed, which shall be in addition to the interest due under  
25 section 39-21-109, C.R.S.

26 **42-3-310. [Formerly 42-3-139] Additional registration fees -**  
27 **apportionment of fees.** (1) Every owner of a motor vehicle, trailer, or



1 semitrailer ~~which~~ THAT is primarily designed to be operated or drawn  
2 upon ~~any~~ A highway, ~~of this state~~, except ~~such~~ THE vehicles ~~as are~~  
3 specifically exempted from payment of ~~any~~ registration fee FEES by ~~the~~  
4 ~~provisions of~~ this article, shall, within the registration period prescribed  
5 by law or within ten days after the date of purchase of any such vehicle,  
6 pay ~~to the authorized agent in the county wherein such vehicle is to be~~  
7 ~~registered or to the department, as the case may be~~, an annual registration  
8 fee of one dollar and fifty cents, which annual fee shall be in addition to  
9 the annual registration fee prescribed by law for such vehicle.

10 (2) The additional registration fee provided for in this section  
11 shall not be transmitted to the department, but the aggregate amount of all  
12 such fees paid over by the authorized agent to the county treasurer shall  
13 be retained by the treasurer and allocated by the treasurer to the county  
14 and to the cities and incorporated towns located within the boundaries of  
15 the county on the basis of the record of rural and urban registrations ~~kept~~  
16 ~~by the authorized agent to indicate~~ THAT INDICATES the place of residence  
17 of each vehicle owner paying registration fees.

18 (3) The owner of ~~any~~ A vehicle specified in subsection (1) of this  
19 section who is required to pay an annual registration fee for such vehicle  
20 to the department shall also pay the additional annual registration fee  
21 provided for in this section to the department, and the department shall  
22 transmit such additional fee to the proper county treasurer, as indicated  
23 by the place of residence of such owner, and such county treasurer shall  
24 allocate such fee in the manner prescribed in subsection (2) of this  
25 section.

26 (4) Two dollars and fifty cents of each annual vehicle registration  
27 fee ~~prescribed in section 42-3-134~~ IMPOSED BY SECTIONS 42-3-304 TO

1 42-3-306, exclusive of the annual registration fees prescribed ~~in said~~  
2 ~~section~~ for motorcycles, motorscooters, motorbicycles, trailer coaches,  
3 mobile machinery and self-propelled construction equipment, and trailers  
4 having an empty weight of two thousand pounds or less and exclusive of  
5 ~~any~~ A registration fee paid for a fractional part of a year, shall not be  
6 transmitted to the department but shall be paid over by the authorized  
7 agent, as collected, to the county treasurer, who shall credit the same to  
8 an account entitled "apportioned vehicle registration fees". On the tenth  
9 day of each month, the county treasurer shall apportion the balance in  
10 such account existing on the last day of the IMMEDIATELY preceding  
11 month between the county and the cities and incorporated towns located  
12 within the boundaries of the county on the basis of the record of rural and  
13 urban registrations ~~kept by the authorized agent to indicate~~ THAT  
14 INDICATES the place of residence of each vehicle owner.

15 (5) All amounts allocated to the county shall be credited to the  
16 county road and bridge fund, and all amounts allocated to a city or  
17 incorporated town shall be credited to an appropriate fund and expended  
18 by such city or incorporated town only for the construction and  
19 maintenance of highways, roads, and streets located within its  
20 boundaries.

21 **42-3-311. [Formerly 42-3-144] Motorized bicycle registration**  
22 **- fee.** (1) Every motorized bicycle sold in this state shall have an  
23 identification number stamped on its frame, which NUMBER shall be  
24 recorded upon registration. Motorized bicycles shall be registered with  
25 the department, and such registration shall be evidenced by a decal which  
26 NUMBER is securely affixed to the motorized bicycle frame in a  
27 conspicuous place. Registration shall be valid for a period of three years,

1 and the fee for such registration shall be five dollars. Retail sellers of  
2 motorized bicycles shall retain one dollar from each such fee, and four  
3 dollars of each such fee shall be forwarded monthly to the department for  
4 deposit in the state treasury to the credit of the highway users tax fund.

5 (2) The general assembly shall make appropriations from the  
6 highway users tax fund for the expenses of the administration of this  
7 section. The department shall promulgate ~~regulations providing that~~  
8 RULES AUTHORIZING retail sellers of motorized bicycles ~~may~~ TO be agents  
9 of the department for such registration.

10 ~~(2) Repealed.~~

11 **SECTION 25. Repeal.** 42-4-110 (4) (b), Colorado Revised  
12 Statutes, is repealed as follows:

13 **42-4-110. Provisions uniform throughout state.** (4) (b) ~~An~~  
14 ~~officer coming upon an unattended vehicle in the program area which is~~  
15 ~~in apparent violation of an ordinance or resolution adopted as authorized~~  
16 ~~in paragraph (a) of this subsection (4) may place upon such vehicle a~~  
17 ~~penalty assessment notice indicating the offense and directing the owner~~  
18 ~~or operator of such vehicle to remit the penalty assessment as set forth in~~  
19 ~~such ordinance to the local jurisdiction in whose name the penalty~~  
20 ~~assessment notice was issued.~~

21 **SECTION 26.** 42-4-110.5 (6) (a), Colorado Revised Statutes, is  
22 amended to read:

23 **42-4-110.5. Automated vehicle identification systems.** (6) As  
24 used in this section, the term "automated vehicle identification system"  
25 means a system whereby:

26 (a) A machine is used to automatically detect a violation of a  
27 traffic regulation OR TOLL ROAD and simultaneously record a photograph

1 of the vehicle, the operator of the vehicle, and the license plate of the  
2 vehicle; and

3 **SECTION 27. Repeal.** 42-4-215.5 (1) (b), Colorado Revised  
4 Statutes, is repealed as follows:

5 **42-4-215.5. Signal lamps and devices - street rod vehicles and**  
6 **custom motor vehicles.** (1) As used in this section, unless the context  
7 otherwise requires:

8 (b) ~~"Street rod vehicle" has the same meaning as provided in~~  
9 ~~section 42-3-114 (3) (b).~~

10 **SECTION 28. Repeal.** 42-4-220 (7), (8), (9), (10), (11), (12),  
11 and (13), Colorado Revised Statutes, are repealed as follows:

12 **42-4-220. Motorized bicycles - motor-driven cycles - lighting**  
13 **equipment - department control - use and operation.** (7) ~~The~~  
14 ~~department is authorized to approve or disapprove lighting standards and~~  
15 ~~specifications for the approval of such lighting devices and their~~  
16 ~~installation, adjustment, and aiming and their adjustment when in use on~~  
17 ~~motor vehicles.~~

18 (8) ~~The department is required to approve or disapprove any~~  
19 ~~lighting device, of a type on which approval is specifically required in~~  
20 ~~this article, within a reasonable time after such device has been~~  
21 ~~submitted.~~

22 (9) ~~The department is authorized to provide the procedure which~~  
23 ~~shall be followed when any device is submitted for approval.~~

24 (10) ~~The department upon approving any such lamp or device~~  
25 ~~shall issue to the applicant a certificate of approval, together with any~~  
26 ~~instructions determined by the department to be reasonably necessary.~~

27 (11) ~~The department shall provide lists of all lamps and devices~~

1 by name and type which have been approved by it.

2 (12) ~~When the department has reason to believe that an approved~~  
3 ~~device as being sold commercially does not comply with the requirements~~  
4 ~~of this article, the executive director of the department or the director's~~  
5 ~~designated representatives may, after giving thirty days' previous notice~~  
6 ~~to the person holding the certificate of approval for such device in the~~  
7 ~~state, conduct a hearing upon the question of compliance of said approved~~  
8 ~~device. After said hearing, said executive director shall determine~~  
9 ~~whether said approved device meets the requirements of this article. If~~  
10 ~~said device does not meet the requirements of this article, the director~~  
11 ~~shall give notice to the person holding the certificate of approval for such~~  
12 ~~device in this state.~~

13 (13) ~~If, at the expiration of ninety days after such notice, the~~  
14 ~~person holding the certificate of approval for such device has failed to~~  
15 ~~establish to the satisfaction of the executive director of the department~~  
16 ~~that said approved device as thereafter to be sold meets the requirements~~  
17 ~~of this article, said executive director shall suspend or revoke the~~  
18 ~~approval issued therefor and may require that all said devices sold since~~  
19 ~~the notification following the hearing be replaced with devices that do~~  
20 ~~comply with the requirements of this article, until or unless such device,~~  
21 ~~at the sole expense of the applicant, shall be resubmitted to and retested~~  
22 ~~by an authorized testing agency and is found to meet the requirements of~~  
23 ~~this article. The department may, at the time of the retest, purchase in the~~  
24 ~~open market and submit to the testing agency one or more sets of such~~  
25 ~~approved devices, and, if such device upon such retest fails to meet the~~  
26 ~~requirements of this article, the department may refuse to renew the~~  
27 ~~certificate of approval of such device.~~

1           **SECTION 29.** 42-4-228 (5) (a), Colorado Revised Statutes, is  
2 amended to read:

3           **42-4-228. Restrictions on tire equipment.** (5) (a) No person  
4 shall drive or move a motor vehicle on any highway unless such vehicle  
5 is equipped with tires in safe operating condition in accordance with this  
6 subsection (5). ~~and any supplemental rules and regulations promulgated~~  
7 ~~by the executive director of the department.~~

8           **SECTION 30.** 42-4-229 (1), (3), and (4), Colorado Revised  
9 Statutes, are amended to read:

10           **42-4-229. Safety glazing material in motor vehicles.** (1) No  
11 person shall sell any new motor vehicle, nor shall any new motor vehicle  
12 be registered, unless such vehicle is equipped with safety glazing material  
13 ~~of a type approved by the department~~ for any required front windshield  
14 and wherever glazing material is used in doors and windows of said  
15 motor vehicle. This section shall apply to all passenger-type motor  
16 vehicles, including passenger buses and school buses, but, in respect to  
17 camper coaches and trucks, including truck tractors, the requirements as  
18 to safety glazing material shall apply only to all glazing material used in  
19 required front windshields and that used in doors and windows in the  
20 drivers' compartments and such other compartments as are lawfully  
21 occupied by passengers in said vehicles.

22           (3) ~~The department shall compile and publish a list of types of~~  
23 ~~glazing material by name approved by it as meeting the requirements of~~  
24 ~~this section, and the department shall not, after January 1, 1958, register~~  
25 ~~any motor vehicle which is subject to the provisions of this section unless~~  
26 ~~it is equipped with an approved type of safety glazing material, and the~~  
27 ~~department shall suspend the registration of any motor vehicle subject to~~

1 ~~this section which is found to be not so equipped until it is made to~~  
2 ~~conform to the requirements of this section.~~

3 (4) No person shall operate a motor vehicle on any highway  
4 within this state unless such vehicle is equipped with a front windshield  
5 ~~of an approved type~~ as provided in this section, except as provided in  
6 section 42-4-232 (1) and except for motor vehicles registered as  
7 collectors' items under section ~~42-3-138~~ 42-3-219.

8 **SECTION 31. Repeal.** 42-4-232 (2), Colorado Revised Statutes,  
9 is repealed as follows:

10 **42-4-232. Minimum safety standards for motorcycles and**  
11 **motor-driven cycles.** (2) ~~The department shall adopt standards and~~  
12 ~~specifications for the design of goggles and eyeglasses.~~

13 **SECTION 32. Repeal.** 42-4-233, Colorado Revised Statutes, is  
14 repealed as follows:

15 **42-4-233. Alteration of suspension system.** (1) ~~No person shall~~  
16 ~~operate a motor vehicle of a type required to be registered under the laws~~  
17 ~~of this state upon a public highway with either the rear or front~~  
18 ~~suspension system altered or changed from the manufacturer's original~~  
19 ~~design except in accordance with specifications permitting such alteration~~  
20 ~~established by the department. Nothing contained in this section shall~~  
21 ~~prevent the installation of manufactured heavy duty equipment to include~~  
22 ~~shock absorbers and overload springs, nor shall anything contained in this~~  
23 ~~section prevent a person from operating a motor vehicle on a public~~  
24 ~~highway with normal wear of the suspension system if normal wear shall~~  
25 ~~not affect the control of the vehicle.~~

26 (2) ~~This section shall not apply to motor vehicles designed or~~  
27 ~~modified primarily for off-highway racing purposes, and such motor~~

1 ~~vehicles may be lawfully towed on the highways of this state.~~

2 ~~(3) Any person who violates any provision of this section commits~~  
3 ~~a class 2 misdemeanor traffic offense.~~

4 **SECTION 33.** 42-4-304 (3) (b) (I) and (18), Colorado Revised  
5 Statutes, are amended to read:

6 **42-4-304. Definitions relating to automobile inspection and**  
7 **readjustment program.** As used in sections 42-4-301 to 42-4-316,  
8 unless the context otherwise requires:

9 (3) (b) (I) The certification of emissions control will be issued to  
10 the vehicle owner at the time of sale or transfer except as provided in  
11 section 42-4-310 (1) (a) (I). The certification of emissions control will  
12 be in effect for twenty-four months for 1982 and newer model vehicles  
13 as defined in section 42-3-106 ~~(3)~~ (4). Except as provided in paragraph  
14 (c) of this subsection (3), 1981 and older model vehicles and all vehicles  
15 inspected by the fleet-only air inspection stations shall be issued  
16 certifications of emissions control valid for twelve months.

17 (18) "Motor vehicle", as applicable to the AIR program, includes  
18 only a motor vehicle ~~which~~ THAT is operated with four wheels or more on  
19 the ground, self-propelled by a spark ignited engine burning gasoline,  
20 gasoline blends, gaseous fuel, blends of liquid gasoline and gaseous fuels,  
21 alcohol, alcohol blends, or other similar fuels, having a personal property  
22 classification of A, B, or C pursuant to section 42-3-106, and for which  
23 registration in this state is required for operation on the public roads and  
24 highways or which motor vehicle is owned or operated or both by a  
25 nonresident who meets the requirements set forth in section 42-4-310 (1)  
26 (c). "Motor vehicle" does not include vehicles registered pursuant to  
27 section ~~42-3-134 (12) or 42-3-138~~ 42-3-219, 42-3-305 (4), or 42-3-306



1 (4); vehicles registered pursuant to section 42-12-102 ~~which~~ THAT are of  
2 model year 1959 or earlier or ~~which~~ THAT have two-stroke cycle engines  
3 manufactured prior to 1980; or vehicles registered as street rods pursuant  
4 to section ~~42-3-114~~ 42-3-211.

5 **SECTION 34.** The introductory portion to 42-4-307 (10.5) (a),  
6 Colorado Revised Statutes, is amended to read:

7 **42-4-307. Powers and duties of the department of public health**  
8 **and environment - division of administration - automobile inspection**  
9 **and readjustment program - basic emissions program - enhanced**  
10 **emissions program - clean screen program.** (10.5) (a) For the clean  
11 screen program and the Denver clean screening pilot study, the  
12 department of public health and environment and the department of  
13 revenue may, pursuant to the "Procurement Code", articles 101 to 112 of  
14 title 24, C.R.S., enter into a contract with a contractor for the purchase of  
15 equipment, the collection of remote sensing and other data and operation  
16 of remote sensing and support equipment, data processing and vehicle  
17 ownership matching in cooperation with the executive director, AND  
18 collection of remote sensing and other data for the Denver clean  
19 screening pilot study, including analysis of the results of such study and  
20 report preparation. Under any such contract the department of public  
21 health and environment and the department of revenue may purchase  
22 approved remote sensing and support equipment or authorize the use of  
23 a qualified contractor or contractors to purchase approved remote sensing  
24 and support equipment for use in the clean screen program.  
25 Notwithstanding any contrary provision in the "Procurement Code",  
26 articles 101 to 112 of title 24, C.R.S., the clean screen contract may be  
27 incorporated into any contract or renewed contract pursuant to subsection

1 (10) of this section. The contractor RETAINED pursuant to this subsection  
2 (10.5) shall be the same as the contractor RETAINED pursuant to  
3 subsection (10) of this section. The contractor shall make one-time  
4 transfers into the clean screen fund created in section ~~42-3-134 (26.5)~~  
5 42-3-304 (19) in a total amount necessary to cover computer  
6 programming costs associated with implementation of House Bill  
7 01-1402, enacted at the first regular session of the sixty-third general  
8 assembly, in the following order:

9 **SECTION 35.** 42-4-307.5 (9) and (10), Colorado Revised  
10 Statutes, are amended to read:

11 **42-4-307.5. Clean screen authority - enterprise - revenue**  
12 **bonds.** (9) The clean screen authority shall be a government-owned  
13 business that provides financial services to all entities providing  
14 inspection services, the department, and the department of public health  
15 and environment with regard to the revenues subject to section ~~42-3-134~~  
16 ~~(26.5)~~ 42-3-304 (19).

17 (10) The clean screen authority may accept grants from any  
18 source and shall deposit such moneys in the clean screen fund created in  
19 section ~~42-3-134 (26.5)~~ 42-3-304 (19).

20 **SECTION 36.** 42-4-310 (5) (b) (I), Colorado Revised Statutes,  
21 is amended to read:

22 **42-4-310. Periodic emissions control inspection required.**  
23 (5) (b) (I) If the commission does not specify a date for the county clerks  
24 and recorders in the basic emissions program area to begin collecting  
25 emissions inspection fees at the time of registration pursuant to section  
26 ~~42-3-134 (26.5) (a)~~ 42-3-304 (19) (a), OR if the contractor determines that  
27 the motor vehicle required to be registered in the basic program area has

1 complied with the inspection requirements pursuant to this subsection (5),  
2 a notice shall be sent to the owner of the vehicle identifying the owner of  
3 the vehicle, the license plate number, and ~~any~~ other pertinent registration  
4 information, AND stating that the vehicle has successfully complied with  
5 the applicable emission requirements. Such notice shall also include a  
6 notification that the registered owner of the vehicle may return the notice  
7 to the contractor with the payment as set forth on the notice to pay for the  
8 clean screen program. Upon receipt of the payment from the motor  
9 vehicle owner, the county clerk shall be notified that the motor vehicle  
10 has complied with the inspection requirements pursuant to this subsection  
11 (5).

12 **SECTION 37.** 42-4-401 (5), Colorado Revised Statutes, is  
13 amended to read:

14 **42-4-401. Definitions.** As used in this part 4, unless the context  
15 otherwise requires:

16 (5) "Diesel powered motor vehicle" or "diesel vehicle" as  
17 applicable to opacity inspections, includes only a motor vehicle with four  
18 wheels or more on the ground, powered by an internal combustion,  
19 compression ignition, diesel fueled engine, and also includes any motor  
20 vehicle having a personal property classification of A, B, or C, pursuant  
21 to section 42-3-106, as specified on its vehicle registration, and for which  
22 registration in this state is required for operation on the public roads and  
23 highways. "Diesel vehicle" does not include the following: Vehicles  
24 registered pursuant to section ~~42-3-134 (12) or 42-3-138~~ 42-3-219,  
25 42-3-305 (4), OR 42-3-306 (4), or off-the-road diesel powered vehicles or  
26 heavy construction equipment.

27 **SECTION 38.** 42-4-1208 (1) (a) and (1) (b), the introductory

1 portion to 42-4-1208 (2), and 42-4-1208 (3) (a), (5) (b), (7), (11), (12)  
2 (b), (12) (d), (13) (a), and (13) (b), Colorado Revised Statutes, are  
3 amended to read:

4 **42-4-1208. Parking privileges for persons with disabilities -**  
5 **applicability.** (1) As used in this section:

6 (a) "License plate or placard" means a license plate or placard  
7 issued pursuant to section ~~42-3-121 (2)~~ 42-3-204 (2).

8 (b) "Person with a disability" has the meaning provided for such  
9 term in section ~~42-3-121 (1)~~ 42-3-204 (1).

10 (2) In a jurisdiction recognizing the privilege defined by this  
11 subsection (2), a vehicle with a license plate or a placard obtained  
12 pursuant to section ~~42-3-121~~ 42-3-204 or as otherwise authorized by  
13 subsection (4) of this section may be parked in public parking areas along  
14 public streets regardless of any time limitation imposed upon parking in  
15 such area; except that a jurisdiction shall not limit such a privilege to park  
16 on any public street to less than four hours. The respective jurisdiction  
17 shall clearly post the appropriate time limits in such area. Such privilege  
18 need not apply to zones in which:

19 (3) (a) A person with a disability may park in a parking space  
20 identified as being reserved for use by persons with disabilities whether  
21 on public property or private property available for public use. A license  
22 plate or placard obtained pursuant to section ~~42-3-121~~ 42-3-204 or as  
23 otherwise authorized by subsection (4) of this section shall be displayed  
24 at all times on the vehicle while parked in such space.

25 (5) It is unlawful for any person other than a person with a  
26 disability to park in a parking space on public or private property that is  
27 clearly identified by an official sign as being reserved for use by persons

1 with disabilities unless:

2 (b) A license plate or placard obtained pursuant to section  
3 ~~42-3-121~~ 42-3-204 or as otherwise authorized by subsection (4) of this  
4 section is displayed in such vehicle.

5 (7) Any person who is not a person with a disability and who uses  
6 a license plate or placard issued pursuant to section ~~42-3-121~~ 42-3-204  
7 in order to receive the benefits or privileges available to a person with a  
8 disability under this section commits a class B traffic infraction and shall  
9 be subject to a fine of up to twice the maximum penalty identified for a  
10 class B traffic infraction in section 42-4-1701 (3) (a) (I).

11 (11) Any person who knowingly and fraudulently obtains,  
12 possesses, uses, or transfers a placard issued to a person with a disability  
13 pursuant to section ~~42-3-121~~ 42-3-204 or knowingly makes, possesses,  
14 uses, or transfers what purports to be, but is not, a placard issued to a  
15 person with a disability pursuant to section ~~42-3-121~~ 42-3-204 is guilty  
16 of a misdemeanor and is subject to the criminal and civil penalties  
17 provided under section 42-6-139 (3) and (4). Any person who knowingly  
18 and willfully receives remuneration for committing a misdemeanor  
19 pursuant to this subsection (11) shall be subject to twice the civil and  
20 criminal fine that would otherwise be imposed.

21 (12) (b) Upon receipt of certification of a first or second entry of  
22 judgment for a violation of subsection (6), (7), or (11) of this section or  
23 upon independent verification of such a violation by the department, the  
24 department shall notify the person with a disability to whom the license  
25 plate or placard was issued that such license plate or placard will be  
26 revoked as provided in section ~~42-3-121 (2) (c)~~ 42-3-204 (2) (d) upon  
27 certification or independent verification of the third such entry of

1 judgment.

2 (d) Upon receipt of certification or independent verification of  
3 such third entry of judgment, the department shall revoke said license  
4 plate or placard as provided in section ~~42-3-121 (2) (c)~~ 42-3-204 (2) (d).

5 (13) (a) For purposes of this subsection (13), "holder" means a  
6 person with a disability as defined in section ~~42-3-121 (1) (b)~~ 42-3-204  
7 (1) (b) who has lawfully obtained a license plate or placard issued  
8 pursuant to section ~~42-3-121 (2)~~ 42-3-204 (2) or as otherwise authorized  
9 by subsection (4) of this section.

10 (b) Notwithstanding any other provision of this section to the  
11 contrary, a holder is liable for any penalty or fine as set forth in this  
12 section or section ~~42-3-121~~ 42-3-204 or for any misuse of a disabled  
13 license plate or placard, including the use of such plate or placard by any  
14 person other than a holder, unless the holder can furnish sufficient  
15 evidence that the license plate or placard was, at the time of the violation,  
16 in the care, custody, or control of another person without the holder's  
17 knowledge or consent.

18 **SECTION 39.** 42-4-1301 (1) (a), (1) (b), (1) (c), (1) (f), (1) (g),  
19 (1) (h), (1) (i), (2) (a), (2) (a.5), and (2) (c), the introductory portion to  
20 42-4-1301 (6) (a), and 42-4-1301 (6) (a) (I), (6) (a) (II), (6) (b), (6) (i)  
21 (I), (6) (i) (II), and (7) (d) (II), Colorado Revised Statutes, are amended  
22 to read:

23 **42-4-1301. Driving under the influence - driving while**  
24 **impaired - driving with excessive alcoholic content - penalties.**

25 (1) (a) It is a misdemeanor for ~~any~~ A person who is under the influence  
26 of alcohol or one or more drugs, or a combination of both alcohol and one  
27 or more drugs, to drive ~~any~~ A MOTOR vehicle in this state.

1 (b) It is a misdemeanor for ~~any~~ A person who is impaired by  
2 alcohol or by one or more drugs, or by a combination of alcohol and one  
3 or more drugs, to drive ~~any~~ A MOTOR vehicle in this state.

4 (c) It is a misdemeanor for ~~any~~ A person who is an habitual user  
5 of ~~any~~ A controlled substance defined in section 12-22-303 (7), C.R.S.,  
6 to drive ~~any~~ A MOTOR vehicle in this state.

7 (f) "Driving under the influence" means driving a MOTOR vehicle  
8 when a person has consumed alcohol or one or more drugs, or a  
9 combination of alcohol and one or more drugs, which alcohol alone, or  
10 one or more drugs alone, or alcohol combined with one or more drugs  
11 affects the person to a degree that the person is substantially incapable,  
12 either mentally or physically, or both mentally and physically, to exercise  
13 clear judgment, sufficient physical control, or due care in the safe  
14 operation of a MOTOR vehicle.

15 (g) "Driving while ability impaired" means driving a MOTOR  
16 vehicle when a person has consumed alcohol or one or more drugs, or a  
17 combination of both alcohol and one or more drugs, which alcohol alone,  
18 or one or more drugs alone, or alcohol combined with one or more drugs,  
19 affects the person to the slightest degree so that the person is less able  
20 than the person ordinarily would have been, either mentally or physically,  
21 or both mentally and physically, to exercise clear judgment, sufficient  
22 physical control, or due care in the safe operation of a MOTOR vehicle.

23 (h) Pursuant to section 16-2-106, C.R.S., in charging the offense  
24 of DUI, it shall be sufficient to describe the offense charged as "drove a  
25 MOTOR vehicle under the influence of alcohol or drugs or both".

26 (i) Pursuant to section 16-2-106, C.R.S., in charging the offense  
27 of DWAI, it shall be sufficient to describe the offense charged as "drove

1 a MOTOR vehicle while impaired by alcohol or drugs or both".

2 (2) (a) It is a misdemeanor for ~~any~~ A person to drive ~~any~~ A MOTOR  
3 vehicle in this state when the person's BAC is 0.10 or more at the time of  
4 driving or within two hours after driving. During a trial, if the state's  
5 evidence raises the issue, or if a defendant presents some credible  
6 evidence, that the defendant consumed alcohol between the time that the  
7 defendant stopped driving and the time that testing occurred, such issue  
8 shall be an affirmative defense, and the prosecution must establish  
9 beyond a reasonable doubt that the minimum 0.10 blood or breath alcohol  
10 content required in this paragraph (a) was reached as a result of alcohol  
11 consumed by the defendant before the defendant stopped driving.

12 (a.5) It is a class A traffic infraction for ~~any~~ A person under  
13 twenty-one years of age to drive ~~any~~ A MOTOR vehicle in this state when  
14 the person's BAC, as shown by analysis of the person's breath, is at least  
15 0.02 but not more than 0.05 at the time of driving or within two hours  
16 after driving.

17 (c) Pursuant to section 16-2-106, C.R.S., in charging the offense  
18 of DUI per se, it shall be sufficient to describe the offense charged as  
19 "drove a MOTOR vehicle with excessive alcohol content".

20 (6) (a) In ~~any~~ A prosecution for DUI or DWAI, the defendant's  
21 BAC at the time of the commission of the alleged offense or within a  
22 reasonable time thereafter gives rise to the following presumptions or  
23 inferences:

24 (I) If at such time the defendant's BAC was 0.05 or less, it shall  
25 be presumed that the defendant was not under the influence of alcohol  
26 and that the defendant's ability to operate a MOTOR vehicle was not  
27 impaired by the consumption of alcohol.



1           (II) If at such time the defendant's BAC was in excess of 0.05 but  
2 less than 0.10, such fact gives rise to the permissible inference that the  
3 defendant's ability to operate a MOTOR vehicle was impaired by the  
4 consumption of alcohol, and such fact may also be considered with other  
5 competent evidence in determining whether or not the defendant was  
6 under the influence of alcohol.

7           (b) The limitations of this subsection (6) shall not be construed as  
8 limiting the introduction, reception, or consideration of any other  
9 competent evidence bearing upon the question of whether or not the  
10 defendant was under the influence of alcohol or whether or not the  
11 defendant's ability to operate a MOTOR vehicle was impaired by the  
12 consumption of alcohol.

13           (i) (I) Following the lawful contact with a person who has been  
14 driving a MOTOR vehicle, and when a law enforcement officer reasonably  
15 suspects that a person was driving a MOTOR vehicle while under the  
16 influence of or while impaired by alcohol, the law enforcement officer  
17 may conduct a preliminary screening test using a device approved by the  
18 executive director of the department of public health and environment  
19 after first advising the driver that the driver may either refuse or agree to  
20 provide a sample of the driver's breath for such preliminary test; except  
21 that, if the driver is under twenty-one years of age, the law enforcement  
22 officer may, after providing such advisement to the person, conduct such  
23 preliminary screening test if the officer reasonably suspects that the  
24 person has consumed ~~any~~ alcohol.

25           (II) The results of this preliminary screening test may be used by  
26 a law enforcement officer in determining whether probable cause exists  
27 to believe such person was driving a MOTOR vehicle in violation of this

1 section and whether to administer a test pursuant to section 42-4-1301.1  
2 (2).

3 (7) **Penalties.** (d) In addition to the penalties prescribed in this  
4 subsection (7):

5 (II) Persons convicted of DUI, DUI per se, DWAI, and habitual  
6 user are subject to an additional penalty surcharge of not less than  
7 twenty-five dollars and not more than five hundred dollars for programs  
8 to address persistent drunk drivers. Any moneys collected for such  
9 surcharge shall be transmitted to the state treasurer, who shall credit the  
10 same to the persistent drunk driver cash fund created by section  
11 ~~42-3-130.5~~ 42-3-303.

12 **SECTION 40.** 42-4-1409 (7), Colorado Revised Statutes, is  
13 amended to read:

14 **42-4-1409. Compulsory insurance - penalty.** (7) The owner of  
15 a motor vehicle, upon receipt of an affirmation of insurance as described  
16 in section ~~42-3-112 (2) and (3)~~ 42-3-113 (2) AND (3), shall sign and date  
17 such affirmation in the space provided.

18 **SECTION 41.** The introductory portion to 42-4-1701 (4) (a) (I)  
19 and 42-4-1701 (4) (a) (I) (B), (4) (a) (IV), (5) (c) (I) (C), (5) (c) (II), and  
20 (6), Colorado Revised Statutes, are amended to read:

21 **42-4-1701. Traffic offenses and infractions classified - penalties**  
22 **- penalty and surcharge schedule - repeal.** (4) (a) (I) Except as  
23 provided in paragraph (c) of subsection (5) of this section, every person  
24 who is convicted of, who admits liability for, or against whom a judgment  
25 is entered for a violation of any provision of this title to which the  
26 provisions of paragraph (a) or (b) of subsection (5) of this section apply  
27 shall be fined or penalized, and have a surcharge levied thereon pursuant

1 to section 24-4.2-104 (1) (b) (I), C.R.S., in accordance with the penalty  
 2 and surcharge schedule set forth in sub-subparagraphs (A) to (P) of this  
 3 subparagraph (I); or, if no penalty or surcharge is specified in the  
 4 schedule, the penalty for class A and class B traffic infractions shall be  
 5 fifteen dollars, and the surcharge shall be two dollars AND SIXTY CENTS.  
 6 These penalties and surcharges shall apply whether the defendant  
 7 acknowledges the defendant's guilt or liability in accordance with the  
 8 procedure set forth by paragraph (a) of subsection (5) of this section or  
 9 is found guilty by a court of competent jurisdiction or has judgment  
 10 entered against the defendant by a county court magistrate. Penalties and  
 11 surcharges for violating specific sections shall be as follows:

12	<b>Section Violated</b>	<b>Penalty</b>	<b>Surcharge</b>
13	<b>(B) Registration and taxation violations:</b>		
14	42-3-103	\$ 50.00	\$ 7.80
15	<del>42-3-112</del> 42-3-113	15.00	2.60
16	<del>42-3-123</del> 42-3-202	15.00	2.60
17	<del>42-3-127</del> 42-3-116	50.00	7.80
18	<del>42-3-133 (1)(a)</del> 42-3-121 (1)(a)	75.00	11.70
19	<del>42-3-133 (1)(c)</del> 42-3-121 (1)(c)	35.00	5.20
20	<del>42-3-133 (1)(f), (1)(g),</del>		
21	<del>and (1)(h)</del> 42-3-121 (1)(f), (1)(g)		
22	AND (1)(h)	75.00	11.70
23	<del>42-3-134</del> 42-3-304 TO 42-3-306	50.00	7.80

24 (IV) (A) Any person convicted of violating section ~~42-3-124~~  
 25 42-3-114 who has not been convicted of a violation of section ~~42-3-124~~  
 26 42-3-114 in the twelve months preceding such conviction shall be fined  
 27 as follows, whether the defendant acknowledges the defendant's guilt

1 pursuant to the procedure set forth in paragraph (a) of subsection (5) of  
2 this section or is found guilty by a court of competent jurisdiction:

3 **Number of days beyond renewal**

4 **period that registration has**

5 <b>been expired</b>	<b>Penalty</b>	<b>Surcharge</b>
6 1 - 29	\$ 35.00	\$ 4.00
7 30 - 59	50.00	6.00
8 60 and over	75.00	9.00

9 (B) Any person convicted of violating section ~~42-3-124~~ 42-3-114  
10 who has been convicted of violating said section within the twelve  
11 months preceding such conviction shall be fined pursuant to subparagraph  
12 (I) of paragraph (a) of subsection (3) of this section.

13 (5) (c) (I) The penalty and surcharge schedules of subsection (4)  
14 of this section and the penalty assessment notice provisions of paragraphs  
15 (a) and (b) of this subsection (5) shall not apply to violations constituting  
16 misdemeanors, petty offenses, or misdemeanor traffic offenses not  
17 specified in said subsection (4) of this section, nor shall they apply to the  
18 violations constituting misdemeanors, petty offenses, misdemeanor traffic  
19 offenses, or traffic infractions specified in said subsection (4) of this  
20 section when it appears that:

21 (C) The alleged violation has caused, or contributed to the cause  
22 of, an accident; ~~resulting in appreciable damage to property of another or~~  
23 ~~in injury or death to any person;~~

24 (II) In all cases where this paragraph (c) prohibits the issuance of  
25 a penalty assessment notice, the penalty and surcharge schedule contained  
26 in subparagraph (I) of paragraph (a) of subsection (4) of this section shall  
27 be inapplicable; except that the penalty and surcharge provided in the

1 schedule contained in sub-subparagraph (B) of subparagraph (I) of  
2 paragraph (a) of subsection (4) of this section for any violation of section  
3 ~~42-3-133 (1) (a)~~ 42-3-121 (1) (a) shall always apply to such a violation.

4 In all cases where the penalty and surcharge schedule contained in  
5 subparagraph (I) of paragraph (a) of subsection (4) of this section is  
6 inapplicable, the provisions of subsection (3) of this section shall apply.

7 (6) ~~An officer coming upon an unattended vehicle that is in  
8 apparent violation of any provision of the state motor vehicle law may  
9 place upon the vehicle a penalty assessment notice indicating the offense  
10 or infraction and directing the owner or operator of the vehicle to remit  
11 the penalty assessment provided for by subsection (4) of this section and  
12 the surcharge thereon pursuant to section 24-4.2-104 (1), C.R.S., to the  
13 Colorado department of revenue within ten days. If the penalty  
14 assessment and surcharge thereon is not paid within ten days of the  
15 issuance of such notice, the department shall mail a notice to the  
16 registered owner of the vehicle, setting forth the offense or infraction and  
17 the time and place where it occurred and directing the payment of the  
18 penalty assessment and surcharge thereon within twenty days from the  
19 issuance of the notice. If the penalty assessment and surcharge thereon  
20 is not paid within such twenty days from the date of mailing of such  
21 notice, the department shall request the police officer who issued the  
22 original penalty assessment notice to file a complaint with a court having  
23 jurisdiction and issue and serve upon the registered owner of the vehicle  
24 a summons to appear in court at a time and place specified therein as in  
25 the case of other offenses or infractions.~~

26 **SECTION 42.** Part 1 of article 6 of title 42, Colorado Revised  
27 Statutes, is amended to read:

1 PART 1

2 CERTIFICATES OF TITLE

3 **42-6-101. Short title.** This part 1 shall be known and may be  
4 cited as the "Certificate of Title Act".

5 **42-6-102. Definitions.** As used in this part 1, unless the context  
6 otherwise requires:

7 (1) "Authorized agents" means the county clerk and recorder in  
8 each of the counties of the state, including the city and county of  
9 Broomfield, ~~except in the city and county of Denver, and therein~~ AND the  
10 manager of revenue or such other official of the city and county of  
11 Denver as may be appointed by the mayor to perform functions related  
12 to the registration of motor vehicles. ~~is the authorized agent.~~

13 (2) "Dealer" means any person, firm, partnership, corporation, or  
14 association licensed under the laws of this state to engage in the business  
15 of buying, selling, exchanging, or otherwise trading in motor vehicles.

16 (3) "Department" means the department of revenue.

17 (4) "Director" means the executive director of the department of  
18 revenue.

19 ~~(4.2) (5) (a) "Electronic record" has the same meaning as defined~~  
20 ~~in section 24-71.1-103 (3), C.R.S., and shall have the same effect as set~~  
21 ~~forth in section 24-71.1-105, C.R.S.~~ MEANS A RECORD GENERATED,  
22 COMMUNICATED, RECEIVED, OR STORED BY ELECTRONIC MEANS.

23 (b) A RECORD COVERED BY THIS ARTICLE MAY NOT BE DENIED  
24 LEGAL EFFECT, VALIDITY, OR ENFORCEABILITY SOLELY BECAUSE IT IS IN  
25 THE FORM OF AN ELECTRONIC RECORD. EXCEPT AS OTHERWISE PROVIDED  
26 IN THIS ARTICLE, IF A RULE OF LAW REQUIRES A RECORD TO BE IN WRITING  
27 OR PROVIDES CONSEQUENCES IF IT IS NOT, AN ELECTRONIC RECORD

1 SATISFIES THAT RULE OF LAW.

2 (4.4) (6) "File" means the creation of or addition to an electronic  
3 record maintained for a certificate of title by the director or an authorized  
4 agent of the director, as defined in section 42-6-105.

5 (7) "LIEN" MEANS A SECURED INTEREST IN A MOTOR VEHICLE.

6 (5) (8) "Manufacturer" means a person, firm, partnership,  
7 corporation, or association engaged in the manufacture of new motor  
8 vehicles, trailers, or semitrailers.

9 (6) (9) ~~"Mortgages" or "Mortgage" or "chattel mortgage"~~ means  
10 ~~chattel mortgages, conditional sales contracts~~ A CONDITIONAL SALES  
11 CONTRACT or any other like instrument intended to operate as a mortgage  
12 or to create a lien on a motor vehicle as security for an undertaking of the  
13 owner thereof or some other person SECURED INTEREST IN A MOTOR  
14 VEHICLE HELD BY POSSESSION OF THE TITLE.

15 (7) (10) "Motor vehicle" means any self-propelled vehicle which  
16 THAT is designed primarily for travel on the public highways and which  
17 is generally and commonly used to transport persons and property over  
18 the public highways, WHICH PROPERTY INCLUDES trailers, semitrailers,  
19 and trailer coaches without motive power. ~~except:~~ "MOTOR VEHICLE"  
20 DOES NOT INCLUDE motorized bicycles, as defined in section 42-1-102  
21 (59) (b); vehicles which THAT operate only upon rails or tracks laid in  
22 place on the ground or that travel through the air or that derive their  
23 motive power from overhead electric lines; farm tractors, farm trailers,  
24 and other machines and tools used in the production, harvesting, and care  
25 of farm products; and mobile machinery, self-propelled construction  
26 equipment, or industrial machinery not designed primarily for highway  
27 transportation.

1           ~~(8)~~ (11) "New vehicle" means ~~any~~ A motor vehicle being  
2 transferred for the first time from a manufacturer or importer, or dealer  
3 or agent of a manufacturer or importer ~~and which motor vehicle had~~  
4 ~~previously not been used and is what is commonly known as a new motor~~  
5 ~~vehicle~~ TO THE END USER OR CUSTOMER. A motor vehicle that has been  
6 used by a dealer solely for the purpose of demonstration to prospective  
7 customers shall be considered a "new vehicle" unless such demonstration  
8 use has been for more than one thousand five hundred miles. Motor  
9 vehicles having a gross vehicle weight rating of sixteen thousand pounds  
10 or more shall be exempt from this definition.

11           ~~(9)~~ (12) "Owner" means ~~any~~ A person ~~association of persons,~~  
12 ~~firm, or corporation~~ in whose name the title to a motor vehicle is  
13 registered.

14           ~~(10)~~ (13) "Person" means natural persons, associations of persons,  
15 firms, LIMITED LIABILITY COMPANIES, partnerships, and corporations.

16           ~~(10.5)~~ (14) "Record" ~~has the same meaning as defined in section~~  
17 ~~24-71.1-103 (9), C.R.S.~~ MEANS INFORMATION THAT IS INSCRIBED ON A  
18 TANGIBLE MEDIUM OR THAT IS STORED IN AN ELECTRONIC OR OTHER  
19 MEDIUM AND IS RETRIEVABLE IN A PERCEIVABLE FORM.

20           ~~(11)~~ (15) "Roadworthy" means a condition in which a motor  
21 vehicle has sufficient power and is fit to operate on the roads and  
22 highways of this state after visual inspection by appropriate law  
23 enforcement authorities. In order to be roadworthy, such vehicle, in  
24 accord with its design and use, shall have all major parts and systems  
25 permanently attached and functioning and shall not ~~appear to have been~~  
26 ~~BE~~ repaired in such a manner as to make the vehicle unsafe. For purposes  
27 of this subsection ~~(11)~~ (15), "major parts and systems" shall include, but



1 not be limited to, the body of a motor vehicle with related component  
2 parts, engine, transmission, tires, wheels, seats, exhaust, and all other  
3 equipment required by Colorado law for the particular vehicle.

4 ~~(12)~~ (16) "Salvage certificate of title" means a document issued  
5 under the authority of the director to indicate ownership of a salvage  
6 vehicle.

7 ~~(13)~~ (17) (a) "Salvage vehicle" means ~~any vehicle which~~ A  
8 VEHICLE THAT is damaged by collision, fire, flood, accident, trespass, or  
9 other occurrence, excluding hail damage, to the extent that the cost of  
10 repairing the vehicle for legal operation on the highways exceeds the  
11 vehicle's retail fair market value immediately prior to such damage, as  
12 determined by the person who owns the vehicle at the time of such  
13 occurrence or by the insurer or other person acting on behalf of such  
14 owner.

15 (b) In assessing whether a vehicle is a "salvage vehicle" under this  
16 section, the retail fair market value shall be determined by reference to  
17 sources generally accepted within the insurance industry including price  
18 guide books, dealer quotations, computerized valuation services,  
19 newspaper advertisements, and certified appraisals, taking into account  
20 the condition of the vehicle prior to the damage.

21 (c) This ~~section~~ SUBSECTION (17) shall not apply to a vehicle  
22 whose model year of manufacture is eight years or older at the time of  
23 damage.

24 ~~(13.5)~~ (18) "Signature" means either a written signature or an  
25 electronic signature. ~~as described in section 24-71.1-106, C.R.S.~~

26 ~~(14)~~ (19) "State" includes the territories and the federal districts  
27 of the United States.

1           ~~(15)~~ (20) "Street rod vehicle" means a vehicle manufactured in  
2           1948 or earlier with a body design ~~which~~ THAT has been modified for safe  
3           road use, including, but not limited to, modifications of the drive train,  
4           suspension, and brake systems, modifications to the body through the use  
5           of materials such as steel or fiberglass, and MODIFICATIONS TO any other  
6           safety or comfort features.

7           (21) "TRANSFER BY INHERITANCE" MEANS THE TRANSFER OF  
8           OWNERSHIP AFTER THE DEATH OF AN OWNER BY MEANS OF A WILL, A  
9           WRITTEN STATEMENT, A LIST AS DESCRIBED IN SECTION 15-11-513, C.R.S.,  
10          OR UPON LAWFUL DESCENT AND DISTRIBUTION UPON THE DEATH  
11          INTESTATE OF THE OWNER OF THE VEHICLE.

12          ~~(16)~~ (22) "Used vehicle" means ~~any~~ A motor vehicle that has been  
13          sold, bargained, exchanged, or given away, or HAS HAD the title ~~thereto~~  
14          transferred from the person who first took title ~~thereto~~ from the  
15          manufacturer or importer, dealer, or agent of the manufacturer or  
16          importer, or HAS BEEN so used as to have become what is commonly  
17          known as a secondhand motor vehicle. A motor vehicle that has been  
18          used by a dealer for the purpose of demonstration to prospective  
19          customers shall be considered a "used vehicle" if such demonstration use  
20          has been for more than one thousand five hundred miles.

21          ~~(17)~~ (23) "Vehicle" means any motor vehicle as defined in  
22          subsection ~~(7)~~ (10) of this section.

23          **42-6-103. Application.** The provisions of this part 1 shall apply  
24          to motor vehicles as defined in section 42-6-102.

25          **42-6-104. Administration.** The director is charged with the duty  
26          of administering this part 1. For that purpose the director is vested with  
27          the power to make such reasonable rules ~~and regulations, prepare,~~

1 ~~prescribe~~, and require the use of such forms and ~~provide such~~ procedures  
2 as ~~may be~~ ARE reasonably necessary ~~or essential to~~ FOR the efficient  
3 administration of this part 1.

4 **42-6-105. Authorized agents.** The county clerk and recorder in  
5 each of the counties of the state, including the city and county of  
6 Broomfield, ~~except in the city and county of Denver~~ AND the manager of  
7 revenue or such other official of the city and county of Denver as may be  
8 appointed by the mayor to perform functions related to the registration of  
9 motor vehicles, is designated to be the authorized agent of the director  
10 and, under the direction of the director, is charged with the administration  
11 ~~of the terms and provisions~~ of this part 1 and the rules that may ~~from time~~  
12 ~~to time~~ be adopted for the administration ~~thereof~~ OF THIS PART 1 in the  
13 county ~~or city and county in which such~~ WHERE THE authorized agent  
14 holds office.

15 **42-6-106. Certificates of registration - plates.** (1) No certificate  
16 of the registration of ~~any~~ OR LICENSE PLATES SHALL BE ISSUED FOR A  
17 motor vehicle ~~required by law or license plates therefor shall be issued by~~  
18 the director or ~~any of the director's~~ AN authorized ~~agents~~ AGENT except in  
19 the following cases:

20 (a) The applicant ~~therefor has procured and~~ exhibits to the  
21 director or the ~~director's~~ authorized agent, or the director or the ~~director's~~  
22 authorized agent has on file, an official Colorado certificate of title for  
23 such vehicle ~~issued pursuant to the provisions of this part 1, or to a law~~  
24 ~~in force and effect in this state prior to August 1, 1949,~~ in which it  
25 appears that the applicant is the owner of the vehicle sought to be  
26 registered and licensed.

27 (b) The applicant submits SATISFACTORY evidence to the director

1 or the ~~director's~~ authorized agent ~~that satisfies such officer or agent~~ that  
2 an official Colorado certificate of title to such motor vehicle has been  
3 issued or is on file ~~pursuant to the provisions of this part 1 or to a law in~~  
4 ~~force and effect prior to August 1, 1949,~~ OR from which it OTHERWISE  
5 appears that the applicant is the owner of the vehicle sought to be  
6 registered and licensed. Any evidence submitted to the director or the  
7 ~~director's~~ authorized agent may be maintained in a paper or electronic  
8 version.

9 (c) The applicant applies for an official certificate of title for such  
10 motor vehicle ~~in the manner provided in~~ PURSUANT TO section 42-6-116.

11 (d) A member of the armed forces of the United States has  
12 purchased a vehicle in a foreign country and registered such vehicle in  
13 accordance with ~~applicable~~ THE directives of the department of defense  
14 of the United States government and is unable to supply proof of  
15 ownership in the form customarily required by this state and evidence of  
16 ownership is supplied by submitting an executed document prescribed by  
17 the secretary of defense concerning the vehicle and authenticated by an  
18 officer of the armed forces who has authority to administer oaths under  
19 10 U.S.C. sec. 936.

20 (e) (I) The vehicle is a commercial vehicle that is registered as  
21 part of a fleet based in Colorado and is leased from the owner of such  
22 vehicle;

23 (II) The owner of the commercial vehicle is not a resident of  
24 Colorado; and

25 (III) The applicant applies for apportioned registration pursuant  
26 to article 3 of this title and provides the following to the director or  
27 authorized agent:

1 (A) A copy of a current registration or a copy of a current title for  
2 such vehicle from a foreign jurisdiction; and

3 (B) A copy of a lease agreement between the owner and the  
4 applicant.

5 **42-6-107. Certificates of title - contents.** (1) (a) All certificates  
6 of title to motor vehicles issued under ~~the provisions of~~ this part 1 shall  
7 be mailed to the applicant, except as provided in section 42-6-124, and  
8 information ~~of the facts therein~~ appearing and concerning the issuance  
9 thereof shall be retained by the director and appropriately indexed and  
10 filed in the director's office. Such certificates may be electronic records  
11 pursuant to rules adopted by the director and, in addition to other  
12 information that the director may by rule ~~from time to time~~ require, shall  
13 contain the make and model of the motor vehicle for which the certificate  
14 is issued, or the record is created, where such information is available,  
15 together with the motor and ANY serial number of the vehicle ~~if any~~, and  
16 a description of such other marks or symbols as may be placed upon the  
17 vehicle by the vehicle manufacturer for identification purposes.

18 (b) The department may require those vehicle-related entities  
19 specified by regulation to verify information concerning ~~any~~ A vehicle  
20 through the physical inspection of such vehicle. The information  
21 required to be verified by such a physical inspection shall include ~~but~~  
22 ~~shall not be limited to~~, the vehicle identification number or numbers, the  
23 make of vehicle, the vehicle model, the type of vehicle, the year of  
24 manufacture of such vehicle, the type of fuel used by such vehicle, the  
25 odometer reading of such vehicle, and such other information as may be  
26 required by the department. For the purposes of this paragraph (b),  
27 "vehicle-related entity" means ~~any county clerk and recorder~~ AN

1 AUTHORIZED AGENT or designated employee of such ~~county clerk and~~  
2 ~~recorder, any~~ AGENT, a Colorado law enforcement officer, ~~any~~ A licensed  
3 Colorado dealer, ~~any~~ A licensed inspection and readjustment station, or  
4 ~~any~~ A licensed diesel inspection station.

5 (2) The electronic record of the certificate or the paper version of  
6 the certificate shall ~~also have noted, in a place to be provided therefor,~~  
7 CONTAIN a description of every lien ~~and encumbrance~~ to which the motor  
8 vehicle is subject, as appears in the application for the certificate of title  
9 or as is noted and shown to be unreleased upon ~~any~~ A certificate of title  
10 issued after August 1, 1949, for such vehicle, including the date of such  
11 lien, ~~or encumbrance,~~ the original amount secured by the vehicle, the  
12 ~~person~~ named as lienee, ~~or encumbrancee in the lien or encumbrance,~~ and  
13 the county in which the lien ~~or encumbrance~~ appears of record, if it is of  
14 public record. The certificates and electronic records shall be numbered  
15 consecutively by counties, beginning with number one. The certificate  
16 of title filed with the ~~director's~~ authorized agent shall be prima facie  
17 evidence of ~~all of the matters contained in~~ OF THE CONTENTS OF the record  
18 and that the person in whose name ~~said~~ THE certificate is registered is the  
19 lawful owner of the vehicle. ~~described in the record.~~ Except as provided  
20 in section 42-6-118, said certificate shall ~~remain in force and effect from~~  
21 ~~and~~ BE EFFECTIVE after the filing thereof until ~~such time as~~ the vehicle  
22 described in the record is sold or ~~the title to the vehicle~~ OWNERSHIP is  
23 otherwise transferred.

24 **42-6-108. Identification number - title - street rod vehicles.**

25 (1) When ~~application is made to the state~~ A PERSON APPLIES for a  
26 certificate of title for a street rod vehicle, the department shall accept the  
27 serial number of such street rod vehicle as its vehicle identification

1 number or the special vehicle identification number assigned to such  
2 vehicle by the department pursuant to section 42-5-205.

3 (2) ~~Any applicant~~ A PERSON who applies for a certificate of title  
4 for a street rod vehicle having frame and body identification numbers that  
5 do not match the manufacturer's numbering system as being originally  
6 mated or that is reconstructed from salvage parts or other motor vehicles  
7 or reproduction parts ~~must~~ SHALL furnish evidence of ownership,  
8 acceptable to the director, of such salvage parts, other motor vehicles, or  
9 reproduction components used in the reconstruction of such vehicle. In  
10 addition, the applicant ~~must~~ SHALL also furnish an affidavit stating the  
11 facts concerning the reconstruction and an affidavit of physical inspection  
12 that includes a computer check of the state and national compilations of  
13 wanted and stolen vehicles. Such vehicle reconstructed from salvage  
14 parts, other motor vehicles, or reproduction parts may then be issued a  
15 special vehicle identification number from the department. The street rod  
16 vehicle will then be titled as a rebuilt vehicle. The model year and the  
17 year of manufacture that are listed on the certificate of title of a street rod  
18 vehicle shall be the model year and the year of manufacture that the body  
19 of such vehicle resembles.

20 **42-6-109. Sale or transfer of vehicle.** (1) Except as provided in  
21 section 42-6-113, no person shall sell or otherwise transfer a motor  
22 vehicle to a purchaser or transferee without delivering to such purchaser  
23 or transferee a certificate of title, WHICH MAY BE ELECTRONIC, to such  
24 vehicle ~~which certificate may be electronic~~, duly transferred in the  
25 manner prescribed in section 42-6-110. ~~and~~ No purchaser or transferee  
26 shall acquire any right, title, or interest in and to a motor vehicle  
27 purchased by such purchaser or transferee unless and until he or she

1 obtains from the transferor the certificate of title ~~thereto~~, duly transferred  
2 ~~to him or to her~~ in accordance with ~~the provisions~~ of this part 1. A  
3 lienholder may request either a paper or electronic version of a certificate  
4 of title.

5 (2) A paper copy of a certificate of title shall be necessary for any  
6 transaction in which:

7 (a) Either party to the transaction is located outside Colorado; or

8 (b) The purchaser pays for ~~any~~ A motor vehicle ENTIRELY with  
9 cash. ~~only~~.

10 **42-6-110. Certificate of title - transfer.** (1) Upon the sale or  
11 transfer of a motor vehicle for which a certificate of title has been issued  
12 or filed, the person in whose name ~~said~~ THE certificate of title is  
13 registered, if such person is other than a dealer, shall ~~in person or by such~~  
14 ~~person's authorized agent or attorney~~, execute a formal transfer of the  
15 vehicle described in the certificate. ~~which~~ SUCH transfer shall be affirmed  
16 by a statement signed by the person in whose name ~~said~~ THE certificate  
17 of title is registered or by such person's authorized agent or attorney and  
18 shall contain or be accompanied by a written declaration that it is made  
19 under the penalties of perjury in the second degree, as defined in section  
20 18-8-503, C.R.S. The purchaser or transferee, within forty-five days  
21 thereafter, shall present such certificate, together with an application for  
22 a new certificate of title, to the director or one of the ~~director's~~ authorized  
23 agents, accompanied by the fee required in section 42-6-137 to be paid  
24 for the filing of a new certificate of title. ~~whereupon, a new certificate of~~  
25 ~~title shall be filed and disposition thereof made as required in this part 1.~~

26 (2) ~~Any~~ A person who violates ~~any of the provisions~~ of subsection  
27 (1) of this section is guilty of a misdemeanor and, upon conviction,



1 ~~thereof~~, shall be punished by a fine of not less than ten dollars nor more  
2 than five hundred dollars, or by imprisonment in the county jail for not  
3 less than ten days nor more than six months, or by both such fine and  
4 imprisonment.

5 **42-6-111. Sale to dealers - certificate need not issue.** (1) Upon  
6 the sale or transfer to a dealer of a motor vehicle for which a Colorado  
7 certificate of title has been issued, ~~formal transfer and filing of the~~  
8 certificate of title to the motor vehicle shall be ~~made as in other cases~~  
9 TRANSFERRED AND FILED; except that, so long as the vehicle so sold or  
10 transferred remains in the dealer's possession and at the dealer's place of  
11 business for sale and for no other purpose, such dealer shall not be  
12 required to procure ~~the issuance or filing of~~ OR FILE a new certificate of  
13 title ~~thereto~~ as is otherwise required in this part 1.

14 (2) ~~In the event~~ IF a motor vehicle dealer wishes to obtain a new  
15 certificate of title to a motor vehicle, such dealer may present the old  
16 certificate of title to the director with a THE fee as ~~prescribed in~~  
17 ~~accordance with~~ IMPOSED BY section 42-6-137 (6) whereupon ~~said~~ THE  
18 director shall issue a new certificate of title to such dealer within one  
19 working day ~~of~~ AFTER application. This subsection (2) shall not apply to  
20 ~~any~~ A motor vehicle subject to ~~any~~ A lien.

21 (3) (a) A wholesale motor vehicle auction dealer who does not  
22 buy, sell, or own the motor vehicles transferred at auction shall disclose  
23 the identity of the wholesale motor vehicle auction dealer, the date of the  
24 auction, and the license number of the auction on a form and in a manner  
25 ~~provided~~ PRESCRIBED by the executive director. A wholesale motor  
26 vehicle auction dealer does not become an owner by reason of such  
27 disclosure nor as a result solely of the guarantee of title, guarantee of

1 payment, or reservation of a security interest.

2 (b) A wholesale motor vehicle auction dealer ~~is not prohibited~~  
3 ~~from buying or selling~~ MAY BUY OR SELL motor vehicles at wholesale in  
4 such dealer's own name and in such instances shall ~~be required to comply~~  
5 with the provisions of this part 1 applicable to dealers, including  
6 licensing.

7 **42-6-112. Initial registration of a motor vehicle - dealer**  
8 **responsibility to timely forward certificate of title to purchaser or**  
9 **holder of a chattel mortgage.** In order to facilitate initial registration of  
10 a vehicle, ~~any~~ A dealer of motor vehicles shall have not more than thirty  
11 days ~~from~~ AFTER the date of sale of such vehicle to deliver ~~or facilitate~~  
12 ~~the delivery~~ of the certificate of title to a purchaser or the holder of a  
13 chattel mortgage on such motor vehicle, subject to ~~the provisions of~~  
14 section 42-6-109.

15 **42-6-113. New vehicles - bill of sale - certificate of title.** Upon  
16 the sale or transfer by a dealer of a new motor vehicle, such dealer shall,  
17 upon ~~the delivery, thereof,~~ make, execute, and deliver to the purchaser or  
18 transferee a ~~good and sufficient bill of sale therefor, together with~~ AND  
19 the manufacturer's certificate of origin. ~~Said~~ THE bill of sale shall be  
20 affirmed by a statement signed by such dealer, shall contain or be  
21 accompanied by a written declaration that it is made under the penalties  
22 of perjury in the second degree, as defined in section 18-8-503, C.R.S.,  
23 shall be in such form as the director may ~~prescribe~~ REQUIRE, and shall  
24 contain, in addition to other information that the director may by rule  
25 ~~from time to time~~ require, the make and model of the motor vehicle so  
26 sold or transferred, the identification number placed upon the vehicle by  
27 the manufacturer for identification purposes, the manufacturer's suggested

1 retail price, and the date of the sale or transfer, ~~thereof~~, together with a  
2 description of any mortgage OR LIEN on the vehicle ~~given to secure~~ THAT  
3 SECURES ANY PART OF the purchase price. ~~or any part thereof~~. Upon  
4 presentation of such a bill of sale to the director or ~~one of the director's~~  
5 ~~authorized agents~~ AN AUTHORIZED AGENT, a new certificate of title for the  
6 vehicle described in the bill of sale shall be filed. ~~and disposition thereof~~  
7 ~~made as in other cases~~. The transfer of A NEW motor vehicle that has  
8 ~~been~~ IS used by a dealer for the ~~purpose of~~ demonstration to prospective  
9 customers, if such motor vehicle is a new vehicle, as defined in section  
10 ~~42-6-102 (8)~~, shall be ~~made~~ TRANSFERRED in accordance with the  
11 ~~provisions of~~ this section.

12 **42-6-114. Transfers by bequest, descent, law.** Upon the transfer  
13 of ownership of a motor vehicle by a ~~bequest contained in the will, or a~~  
14 ~~written statement, or a list as described in section 15-11-513, C.R.S., of~~  
15 ~~the person in whose name the certificate of title is registered, or upon the~~  
16 ~~descent and distribution upon the death intestate of the owner of such~~  
17 ~~vehicle, or upon the transfer~~ INHERITANCE OR by operation of law, as in  
18 proceedings in bankruptcy, insolvency, replevin, attachment, execution,  
19 or other judicial sale, or whenever such vehicle is sold to satisfy storage  
20 or repair charges or ~~repossession is had upon default in the performance~~  
21 ~~of the terms of any mortgage~~ REPOSSESSED TO SATISFY A SECURED DEBT,  
22 the director or the ~~director's~~ authorized agent, upon the surrender of the  
23 ANY AVAILABLE certificate of title if ~~the same is available, upon~~ AND  
24 presentation of such proof of ownership of such vehicle as the director  
25 may reasonably require or ~~upon presentation of an applicable~~ A court  
26 order, ~~and upon presentation of an application for a certificate of title~~, as  
27 required in section 42-6-116, a new certificate of title may be filed on

1 behalf of the ~~person shown by such evidence to be entitled thereto~~ NEW  
2 OWNER, and disposition shall be made as in other cases.

3 **42-6-115. Furnishing bond for certificates.** (1) ~~In cases where~~  
4 IF the applicant for a certificate of title to a motor vehicle is unable to  
5 provide the director or the ~~director's~~ authorized agent with a certificate of  
6 title ~~thereto~~, duly transferred to such applicant, a bill of sale, ~~therefor~~, or  
7 other evidence of ~~the~~ ownership ~~thereof~~ that satisfies the director ~~of the~~  
8 ~~right of the applicant to have a certificate of title filed on behalf of the~~  
9 ~~applicant, as provided in section 42-6-107~~ THAT THE APPLICANT OWNS  
10 THE VEHICLE, a certificate of title for such vehicle may ~~nevertheless~~ be  
11 filed by the director or the ~~director's~~ authorized agent upon the applicant  
12 ~~for the certificate of title~~ furnishing the director or the ~~director's~~  
13 authorized agent with a statement, in such form as REQUIRED BY the  
14 director. ~~may prescribe. There shall appear~~ THE STATEMENT SHALL  
15 CONTAIN a recital of the facts and circumstances by which the applicant  
16 acquired the ownership and possession of such vehicle, the source of the  
17 title to the vehicle, and such other information as the director may require  
18 to ~~enable the director or the director's authorized agent to determine what~~  
19 ~~WHETHER ANY liens or encumbrances are outstanding against~~ ATTACHED  
20 TO such motor vehicle, ~~if any~~, the date of the liens, ~~or encumbrances~~, the  
21 amount secured by the vehicle, where ~~said~~ SUCH liens ~~or encumbrances~~  
22 are of public record, ~~if they are of public record~~, and the right of the  
23 applicant to have a certificate of title filed on behalf of the applicant. The  
24 statement shall contain or be accompanied by a written declaration that  
25 it is made under the penalties of perjury in the second degree, as defined  
26 in section 18-8-503, C.R.S., and shall accompany the ~~formal~~ application  
27 for the certificate as required in section 42-6-116. Any evidence

1 submitted to and maintained by the director or the ~~director's~~ authorized  
2 agent may be maintained in a paper or electronic version.

3 (2) ~~If from the affidavit of the applicant and such other evidence~~  
4 ~~as may be submitted to the director or the director's authorized agent he~~  
5 ~~or she~~ finds that the applicant is the same person to whom a certificate of  
6 title for ~~said~~ THE vehicle has previously been issued or filed and to whom  
7 a license was issued for the year during which the application for such  
8 certificate of title is made and that a certificate of title should be filed on  
9 behalf of the applicant, such certificate may be filed ~~in which event~~ AND  
10 disposition of such certificate shall be made as in other cases.

11 (3) (a) EXCEPT AS PROVIDED BY PARAGRAPH (b) OF THIS  
12 SUBSECTION (3), no certificate of title shall be filed ~~as provided in~~ UNDER  
13 this section ~~unless and~~ until the applicant furnishes evidence of a savings  
14 account, deposit, or certificate of deposit meeting the requirements of  
15 section 11-35-101, C.R.S., or a good and sufficient bond with a corporate  
16 surety, to ~~the people of the state,~~ in an amount to be fixed by the director,  
17 not less than twice the reasonable value of the vehicle, ~~for which the~~  
18 ~~certificate is filed,~~ determined as of the time OF application. ~~for the~~  
19 ~~certificate is made, conditioned that~~ The applicant and the applicant's  
20 surety shall hold harmless any person who suffers ~~any~~ loss or damage by  
21 reason of the filing ~~thereof~~ OF A CERTIFICATE UNDER THIS SECTION. ~~except~~  
22 ~~that,~~

23 (b) If the vehicle for which the certificate is filed is twenty-five  
24 years old or older, the applicant has had a certified vehicle identification  
25 number inspection performed on the vehicle, and the applicant presents  
26 a notarized bill of sale within forty-five days ~~of~~ AFTER such sale with the  
27 title application, then the applicant shall not be required to furnish such

1 ~~a savings account, deposit, certificate of deposit, or bond.~~ In order  
2 SURETY PURSUANT TO THIS SUBSECTION (3). To be excepted from the  
3 ~~savings account, deposit, certificate of deposit, or bond~~ SURETY  
4 requirement, an applicant shall submit an affidavit to the department that  
5 is sworn to under penalty of perjury that states such required documents  
6 submitted are true and correct.

7 (4) If any person suffers ~~any~~ loss or damage by reason of the  
8 filing of the certificate of title as provided in this section, such person  
9 shall have a right of action against the applicant and the surety on the  
10 applicant's bond against either of whom the person damaged may proceed  
11 independently of the other.

12 **42-6-116. Applications for filing of certificates of title.** ~~In any~~  
13 ~~case under the provisions of this part 1 wherein~~ IF a person who desires  
14 or who is entitled to a filing of a certificate of title to a motor vehicle is  
15 required to ~~make formal application~~ APPLY to the director or the director's  
16 authorized agent, ~~therefor,~~ such applicant shall ~~make application~~ APPLY  
17 upon a form provided by the director in which appears a description of  
18 the motor vehicle including the make and model, the manufacturer's  
19 number, the date ~~on which said~~ THAT THE motor vehicle was first sold by  
20 the dealer or manufacturer ~~of the motor vehicle~~ to the initial user of the  
21 motor vehicle, and a description of any other distinguishing mark,  
22 number, or symbol placed on said vehicle by the vehicle manufacturer for  
23 identification purposes. ~~as may by rule be required by the director.~~ Such  
24 application shall also show the name and correct address of the owner  
25 determined pursuant to section 42-6-139 and the applicant's source of title  
26 and shall include a description of all known mortgages and liens upon  
27 ~~said~~ THE motor vehicle, ~~each including the name of the legal holder~~

1 ~~thereof~~ OF THE LIEN, the amount originally secured, the amount  
2 outstanding on the obligation secured ~~at the time such~~ WHEN THE  
3 application is made, and the name of the county, city and county, and  
4 state in which such mortgage or lien ~~instrument~~ is recorded or filed. Such  
5 application shall be verified by a statement signed by the applicant and  
6 shall contain or be accompanied by a written declaration that it is made  
7 under the penalties of perjury in the second degree, as defined in section  
8 18-8-503, C.R.S.

9 **42-6-117. Filing of certificate.** (1) The director or the ~~director's~~  
10 authorized agent shall use reasonable diligence ~~in ascertaining~~ TO  
11 ASCERTAIN whether the facts stated in ~~any~~ AN application and ~~the facts~~  
12 ~~contained in~~ other documents submitted to the director or the ~~director's~~  
13 authorized agent ~~with said application~~ are true. ~~and~~. In appropriate cases,  
14 THE DIRECTOR OR AUTHORIZED AGENT may require the applicant to  
15 furnish ~~other and~~ additional information regarding ownership of the  
16 vehicle and the right to ~~have filed~~ FILE on behalf of the applicant a  
17 certificate of title for the vehicle. The director or the ~~director's~~ authorized  
18 agent may refuse to file a certificate of title to such vehicle if ~~from an~~  
19 ~~investigation~~ the director or the ~~director's~~ authorized agent determines  
20 that the applicant is not entitled ~~thereto~~ TO SUCH CERTIFICATE.

21 (2) No certificate of title may be filed for a vehicle required to  
22 have its vehicle identification number inspected pursuant to section  
23 42-5-202 unless a vehicle identification number inspection form has been  
24 transmitted to the director or the ~~director's~~ authorized agent showing the  
25 number recorded from the vehicle or the number assigned to the vehicle  
26 pursuant to section 42-5-205.

27 (3) At the request of the title owner or lienholder, or mortgagee,

1 a paper copy of a filed certificate of title may be issued by the director or  
2 the ~~director's~~ authorized agent.

3 **42-6-118. Amended certificate.** If the owner of ~~any~~ A motor  
4 vehicle for which a Colorado certificate of title has been issued or filed  
5 replaces any part of ~~said~~ THE motor vehicle on which appears the  
6 identification number or symbol described in the certificate of title and  
7 ~~by which said vehicle is known and identified, by reason whereof~~ such  
8 identification number or symbol no longer appears on the motor vehicle,  
9 or incorporates the part containing the identification number or symbol  
10 into a ANOTHER motor vehicle, ~~other than the motor vehicle for which the~~  
11 ~~original certificate of title was issued or filed, immediately thereafter,~~  
12 such owner shall ~~make application~~ IMMEDIATELY APPLY to the director or  
13 ~~one of the director's~~ AN authorized ~~agents~~ AGENT for an assigned  
14 identification number and an amended filing of a certificate of title to  
15 such vehicle.

16 **42-6-119. Certificates for vehicles registered in other states.**  
17 (1) ~~Whenever any~~ WHEN A resident of the state acquires the ownership  
18 of ~~any~~ A motor vehicle ~~by purchase, gift, or otherwise,~~ for which a  
19 certificate of title has been issued ~~under the laws of~~ BY a state other than  
20 ~~the state of Colorado,~~ the person ~~so~~ acquiring such vehicle ~~upon acquiring~~  
21 ~~the same shall make application~~ SHALL APPLY to the director or ~~the~~  
22 ~~director's~~ AN authorized agent for the filing of a certificate of title as in  
23 other cases.

24 (2) If ~~any~~ A dealer acquires the ownership OF A MOTOR VEHICLE  
25 by ~~any~~ lawful means ~~whatsoever of a motor vehicle, the title to which~~  
26 AND THE MOTOR VEHICLE is ~~registered~~ TITLED under the laws of ~~and in~~  
27 state other than ~~the state of~~ Colorado, such dealer shall not be required to



1 file a Colorado certificate of title therefor so long as such vehicle remains  
2 in the dealer's possession and at the dealer's place of business SOLELY for  
3 THE PURPOSE OF sale. ~~and for no other purpose.~~

4 (3) Upon the sale by a dealer of ~~any~~ A motor vehicle, the  
5 certificate of title to which was issued in a state other than Colorado, the  
6 dealer shall, within thirty days after the date of sale, ~~of the vehicle,~~  
7 ~~deliver or facilitate the delivery~~ to the purchaser ~~or transferee~~ such  
8 certificate of title from a state other than Colorado duly and properly  
9 endorsed or assigned to the purchaser ~~or transferee,~~ together with a  
10 statement by the dealer ~~which~~ THAT shall contain or be accompanied by  
11 a written declaration that it is made under the penalties of perjury in the  
12 second degree, as defined in section 18-8-503, C.R.S., and ~~which~~ THAT  
13 shall set forth the following:

14 (a) That such dealer has warranted and, by the execution of such  
15 affidavit, does warrant to the purchaser ~~or transferee~~ and all persons  
16 ~~claiming or~~ who shall claim ~~under, by, or~~ through the purchaser ~~or~~  
17 ~~transferee~~ named that, at the time of the sale, transfer, and delivery  
18 ~~thereof~~ by the dealer, the vehicle ~~therein~~ described was free and clear of  
19 all liens and mortgages ~~whatsoever, save and~~ except as might therein  
20 ~~otherwise~~ appear;

21 (b) That the vehicle ~~therein described~~ is not a stolen vehicle; and

22 (c) That such dealer had good, sure, and adequate title ~~thereto~~ TO,  
23 and full right and authority to sell and transfer, the ~~same~~ VEHICLE.

24 (4) If the purchaser ~~or transferee~~ of ~~said~~ THE vehicle completes  
25 and includes the vehicle identification number inspection form as part of  
26 the application for filing of a Colorado certificate of title to such vehicle  
27 and accompanies the application with the affidavit required by subsection

1 (3) of this section and the duly endorsed or assigned certificate of title  
2 from a state other than Colorado, a Colorado certificate of title ~~therefor~~  
3 may be filed in the same manner as upon the sale or transfer of a motor  
4 vehicle for which a Colorado certificate of title has been issued or filed.  
5 Upon the filing by the director or the ~~director's~~ authorized agent of such  
6 certificate of title, the director or the ~~director's~~ authorized agent may  
7 dispose of such certificate of title, and ~~said~~ SHALL RECORD SUCH  
8 certificate of title ~~shall be recorded~~ as provided in section 42-6-124.

9 (5) ~~(Deleted by amendment, L. 95, p. 158, § 1, effective July 1,~~  
10 ~~1995.)~~

11 **42-6-120. Security interests upon motor vehicles.** (1) Except  
12 as provided in this section, the provisions of the "Uniform Commercial  
13 Code", title 4, C.R.S., relating to the filing, recording, releasing, renewal,  
14 and extension of chattel mortgages ~~as the term is defined in section~~  
15 ~~42-6-102 (6)~~, shall not be applicable to motor vehicles. Any ~~mortgage or~~  
16 ~~refinancing of a mortgage~~ INSTRUMENT OR TRANSACTION intended by the  
17 parties ~~to the mortgage or refinancing to encumber or create~~ TO ATTACH  
18 a lien ~~on~~ OR MORTGAGE TO a motor vehicle ~~to be effective as a valid lien~~  
19 against the rights of third persons, purchasers for value without notice,  
20 ~~mortgagees~~ SUBSEQUENT LIEN HOLDERS OR MORTGAGEES, or creditors of  
21 the owner shall be filed for public record and the fact of filing noted on  
22 the owner's certificate of title or bill of sale substantially in the manner  
23 provided in section 42-6-121. ~~and~~ The filing of such mortgage OR LIEN  
24 with the ~~director's~~ authorized agent and the notation by the agent ~~of that~~  
25 ~~fact~~ in the filing of the certificate of title or bill of sale substantially in the  
26 manner provided in section 42-6-121 shall constitute notice ~~to the world~~  
27 of each and every right of the person secured by such mortgage OR LIEN.

1           (2) The provisions of this section and section 42-6-121 shall not  
2 apply to any ~~mortgage~~ or security interest upon any A vehicle or motor  
3 vehicle held for sale or lease ~~which~~ THAT constitutes inventory as defined  
4 in section 4-9-102, C.R.S. As to such ~~mortgages~~ or security interests, ~~the~~  
5 ~~provisions of article 9 of title 4, C.R.S., shall apply and~~ TO THE CREATION,  
6 ATTACHMENT, perfection, AND FORECLOSURE of such ~~mortgages~~ or  
7 security interests. ~~shall be made pursuant thereto, and the rights of the~~  
8 ~~parties shall be governed and determined thereby.~~

9           (3) Notwithstanding any provision of law to the contrary, in the  
10 case of motor vehicles or trailers, a lease transaction does not create a  
11 sale or security interest solely because it permits or requires the rental  
12 price to be adjusted either upward or downward under the agreement by  
13 reference to the amount realized upon sale or other disposition of the  
14 motor vehicle or trailer.

15           **42-6-121. Filing of lien.** (1) The holder of ~~any chattel mortgage~~  
16 ALIEN on a motor vehicle desiring to secure the rights provided for in this  
17 part 1 and to have the existence ~~of the mortgage and the fact of the filing~~  
18 ~~of the mortgage for public record~~ LIEN noted in the filing of the certificate  
19 of title to the encumbered motor vehicle shall present TO THE AUTHORIZED  
20 AGENT the signed original, ~~or signed duplicate original, of said mortgage~~  
21 ~~or CERTIFIED copy thereof certified by the holder of the mortgage or the~~  
22 ~~holder's agent to be a true copy of the signed original mortgage~~ OF THE  
23 LIEN and the certificate of title or application for certificate of title to the  
24 motor vehicle. ~~encumbered to the authorized agent of the director~~ THE  
25 LIEN OR MORTGAGE SHALL BE FILED in the county ~~or city and county in~~  
26 ~~which~~ WHERE the ~~mortgagor~~ OWNER of such motor vehicle resides or  
27 ~~where the property~~ MOTOR VEHICLE is located. The filings may be either

1 with paper documents or electronically. ~~Said mortgage or refinancing of~~  
2 ~~a mortgage~~ THE MORTGAGE OR LIEN shall state the name and address of  
3 the debtor, the name of the secured party or name of the secured party's  
4 assignee, a complete description of the vehicle, including vehicle  
5 identification number and color, and the amount of the mortgage OR LIEN.

6 (2) Upon the receipt of ~~said~~ SUCH electronic or original or  
7 duplicate mortgage or certified copy ~~thereof~~ OF THE MORTGAGE and  
8 certificate of title or application for certificate of title, the authorized  
9 agent, if satisfied that the vehicle described in the mortgage is the same  
10 as that described in the certificate of title or filed title, shall file within the  
11 ~~director's~~ authorized agent's motor vehicle database notice of such  
12 mortgage or lien in which shall appear the day and hour ~~on which said~~  
13 THE mortgage OR LIEN was received for filing, the name and address of  
14 the ~~mortgagee named and the name and address of the holder of such~~  
15 ~~mortgage, if such person is other than the mortgagee named~~ ORIGINAL  
16 AND CURRENT MORTGAGEE OR LIEN HOLDER, the amount secured by the  
17 vehicle, the date of the mortgage OR LIEN, the day and year ~~on which said~~  
18 ~~mortgage~~ THAT THE MORTGAGE OR LIEN was filed for public record, and  
19 such other information regarding the filing ~~of the mortgage in the office~~  
20 ~~of the director's authorized agent~~ as may be required by the director by  
21 rule. The ~~director's~~ authorized agent shall electronically transmit, when  
22 the ~~director's~~ authorized agent uses an electronic filing system, the  
23 certificate of title, application for certificate of title, and mortgage OR  
24 LIEN information to the database of the director for maintenance of a  
25 central registry of motor vehicle title information pursuant to section  
26 42-6-147.

27 (3) (a) A mortgage is ~~deemed to be~~ a signed original or a signed

1 duplicate original if the signature appearing on a certificate of title or  
2 application for certificate of title was affixed personally by the mortgagor  
3 OR LIEN HOLDER or the mortgagor's OR LIEN HOLDER'S attorney-in-fact. ~~in~~  
4 ~~ink, in carbon, or by any other means.~~ For purposes of liens created  
5 pursuant to section 14-10-122 (1.5), C.R.S., the lien shall contain the  
6 information set forth in this section as well as any such additional  
7 information required in section 14-10-122 (1.5) (f), C.R.S.

8 (b) FOR THE PURPOSES OF THIS SECTION, A CERTIFIED COPY OF A  
9 LIEN IS A COPY OF THE LIEN THAT IS CERTIFIED BY THE LIEN HOLDER TO BE  
10 A TRUE COPY OF THE SIGNED ORIGINAL LIEN.

11 **42-6-122. Disposition of secured interests by agent.** (1) The  
12 authorized agent, upon receipt of the mortgage OR LIEN, shall file the  
13 mortgage OR LIEN in the agent's office. Such mortgage OR LIEN shall be  
14 appropriately indexed and cross-indexed:

15 (a) Under one or more of the following headings in accordance  
16 with such rules ~~and regulations relating thereto~~ as may be adopted by the  
17 director:

18 (I) Make, motor number, manufacturer's number, or serial number  
19 of MORTGAGED OR LIEN-ENCUMBERED motor vehicles; ~~mortgaged;~~

20 (II) Names of owners of mortgaged OR LIEN-ENCUMBERED motor  
21 vehicles as the same appear on the certificates of title; ~~thereto;~~

22 (III) The numbers of the certificates of title for MORTGAGED OR  
23 LIEN-ENCUMBERED motor vehicles; ~~mortgaged;~~

24 (IV) The numbers or other identification marks assigned to  
25 registration certificates issued upon the licensing of mortgaged OR  
26 LIEN-ENCUMBERED vehicles;

27 (b) Under the name of the mortgagee OR LIEN HOLDER, the holder

1 of such mortgage OR LIEN, or the owner of such vehicle; or

2 (c) Under such other system as the director may devise and  
3 determine to be necessary for the efficient administration of this part 1.

4 (2) All records of mortgages OR LIENS affecting motor vehicles  
5 shall be public and may be inspected and copies thereof made, as is  
6 provided by law respecting public records affecting real property.

7 **42-6-123. Disposition of secured interest.** After a mortgage OR  
8 LIEN on a motor vehicle has been filed in the authorized agent's office, the  
9 authorized agent shall mail or electronically transfer to the director the  
10 certificate of title or bill of sale ~~which~~ THAT the authorized agent has filed  
11 in the record. Upon the receipt thereof, the director shall maintain  
12 completed electronic records transferred by the authorized agent. The  
13 director shall issue a new certificate of title containing ~~in addition to the~~  
14 ~~other matters and things required to be set forth in certificates of title,~~ a  
15 description of the mortgage OR LIEN and all information ~~respecting said~~  
16 ~~mortgage and the filing thereof as may appear in the certificate of the~~  
17 ~~authorized agent~~ CONCERNING THE EXISTENCE OR FILING OF THE  
18 MORTGAGE OR LIEN, and the director or the ~~director's~~ authorized agent  
19 shall ~~thereafter~~ dispose of ~~said~~ THE new certificate of title containing ~~said~~  
20 THE notation as provided in section 42-6-124.

21 **42-6-124. Disposition of certificates of title.** (1) All certificates  
22 of title issued by the director or the ~~director's~~ authorized agent shall be  
23 disposed of by the director in the following manner:

24 (a) If the certificate of title that is filed by the ~~director's~~ authorized  
25 agent is maintained in an electronic format within the director's and the  
26 ~~director's~~ authorized agent's motor vehicle databases as required by the  
27 standards established pursuant to article 71.3 of title 24, C.R.S., the

1 certificate of title shall be disposed of in accordance with paragraphs (b)  
2 and (c) of this subsection (1).

3 (b) ~~If it appears from the records in the director's or the director's~~  
4 ~~authorized agent's office and from an examination of the certificate of~~  
5 ~~title INDICATE that the motor vehicle therein described IN THE~~  
6 ~~CERTIFICATE OF TITLE is not subject to a mortgage OR LIEN filed~~  
7 ~~subsequent to~~ AFTER August 1, 1949, or if such vehicle is encumbered by  
8 a mortgage OR LIEN filed in ~~any county of a state other than the state of~~  
9 Colorado, the certificate of title shall be delivered to the person who  
10 ~~therein~~ appears to be the owner of the vehicle described or ~~such~~  
11 ~~certificate~~ shall be mailed to the owner ~~thereof~~ at ~~his or her~~ THE address  
12 ~~as the same may appear~~ in the application, the certificate of title, or other  
13 records in the director's or the ~~director's~~ authorized agent's office.

14 (c) ~~If it appears from the records in the office of the director or the~~  
15 ~~director's~~ authorized agent and ~~from the certificate of title INDICATE that~~  
16 ~~the motor vehicle therein described is subject to one or more mortgages~~  
17 ~~OR LIENS filed subsequent to~~ AFTER August 1, 1949, the director or the  
18 ~~director's~~ authorized agent shall electronically maintain or deliver the  
19 certificate of title issued by the director to the ~~mortgagee~~ named ~~therein~~  
20 MORTGAGEE OR LIEN HOLDER or the LIEN holder ~~thereof~~ whose mortgage  
21 OR LIEN was first filed in the office of an authorized agent.

22 **42-6-125. Release of secured interests.** (1) Upon the payment  
23 or discharge of ~~the undertaking secured by any mortgage on~~ THE DEBT  
24 SECURED BY a motor vehicle ~~which~~ THAT has been filed for record ~~in the~~  
25 ~~manner prescribed in~~ PURSUANT TO section 42-6-121, the legal holder,  
26 ~~thereof~~, on a form approved by the director, shall ~~make and execute such~~  
27 ~~notice~~ NOTIFY THE DIRECTOR OR AUTHORIZED AGENT of the ~~discharge of~~

1 ~~the obligation and~~ release of the mortgage OR LIEN securing the obligation  
2 and ~~set forth in the notice~~ such OTHER facts concerning the right of the  
3 holder to so release ~~said mortgage~~ THE MORTGAGE OR LIEN as the director  
4 ~~by appropriate rule from time to time~~ may require ~~which~~ BY RULE. SUCH  
5 satisfaction and release shall be affirmed by a statement signed by the  
6 legal lienholder noted in the certificate of title on file with the director or  
7 the ~~director's~~ authorized agent and ~~which~~ shall contain or be accompanied  
8 by a written declaration that it is made under the penalties of perjury in  
9 the second degree, as defined in section 18-8-503, C.R.S. ~~Thereupon,~~  
10 The holder of ~~the~~ A mortgage OR LIEN so released shall dispose of the  
11 certificate of title as follows:

12 (a) ~~If it appears that~~ the motor vehicle ~~therein~~ described is  
13 encumbered by a mortgage filed ~~in the manner prescribed in~~ PURSUANT  
14 TO section 42-6-121 ~~subsequent to~~ AFTER August 1, 1949, and ~~subsequent~~  
15 ~~to~~ AFTER the date on which ~~the mortgage so~~ THE released MORTGAGE OR  
16 LIEN was filed for record, the holder of such certificate of title shall  
17 deliver the ~~same~~ CERTIFICATE to ~~the person so shown to be~~ the holder of  
18 the mortgage AS noted thereon WHO filed earliest ~~in point of time~~ after the  
19 filing of the ~~mortgage released~~ MORTGAGE OR LIEN RELEASE, or to the  
20 person or agent of the person shown to be the assignee or other legal  
21 holder of the ~~undertaking~~ secured ~~thereby~~ DEBT or shall mail the same to  
22 such mortgagee or LIEN holder ~~thereof at his or her~~ AT THE address as ~~the~~  
23 ~~same thereon~~ IT appears ON THE FILING. If such certificate is returned  
24 unclaimed, it shall be sent by mail to the director.

25 (b) ~~If it appears from~~ an examination of the certificate of title  
26 INDICATES that there are no other outstanding mortgages OR LIENS against  
27 the motor vehicle ~~therein described~~ THAT HAVE BEEN filed for record



1 ~~subsequent to~~ AFTER August 1, 1949, upon the release of such mortgage  
2 OR LIEN as provided in this section, the holder ~~thereof~~ shall deliver the  
3 certificate of title to the owner of the vehicle ~~therein described~~ or shall  
4 mail ~~the same~~ IT to the owner at ~~his or her~~ THE address as ~~the same may~~  
5 ~~therein appear and~~; IT APPEARS ON THE CERTIFICATE. If for any reason said  
6 THE certificate of title is not delivered to the owner of the vehicle ~~therein~~  
7 ~~described~~ or is returned unclaimed ~~upon the mailing thereof~~ AFTER BEING  
8 MAILED, it shall immediately be mailed to the director.

9 (c) The ~~director's~~ authorized agent shall note in the electronic  
10 record of the lien such satisfaction or release of such lien or mortgage and  
11 shall file such satisfaction or release of such lien as required in section  
12 42-6-122.

13 **42-6-126. New certificate upon release of secured interest.**

14 (1) Upon the release of ~~any~~ A mortgage OR LIEN on a motor vehicle filed  
15 for record ~~in the manner prescribed in~~ PURSUANT TO section 42-6-121, the  
16 owner of the vehicle, ~~encumbered by such mortgage, the~~ ANY purchaser  
17 from or transferee of the owner ~~thereof~~ as appears on the certificate of  
18 title, or ~~the~~ ANY holder of ~~any mortgage the~~ A JUNIOR lien, ~~of which was~~  
19 ~~junior to the lien of the mortgage released, whichever the case may be,~~  
20 upon the receipt of the certificate of title, as provided in section 42-6-125,  
21 shall deliver the ~~same~~ CERTIFICATE to the authorized agent, who shall  
22 transmit ~~the same~~ IT to the director. ~~as in other cases.~~ Upon the receipt  
23 by the director of the certificate of title bearing ~~thereon~~ the LIEN release  
24 ~~and satisfaction of mortgage~~ referred to in section 42-6-125, the director  
25 shall ~~make such notation~~ NOTE on the records ~~in the director's office as~~  
26 ~~shall show~~ the release of the lien of ~~such mortgage,~~ AND shall issue a new  
27 certificate of title to the motor vehicle, ~~therein described,~~ omitting

1 ~~therefrom all reference to the mortgage so released~~ WITHOUT ANY  
2 REFERENCE TO SUCH LIEN, and shall dispose of the new certificate of title.  
3 ~~in the manner prescribed in other cases unless directed otherwise.~~

4 (2) For certificates of title that are maintained in an electronic  
5 format, any LIEN release ~~of lien, mortgage, or encumbrance~~ shall be filed  
6 prior to the issuance of a new certificate of title. ~~In the event~~ IF the LIEN  
7 holder ~~of the lien, mortgage, or other encumbrance~~ has filed bankruptcy  
8 or is no longer in business, the person seeking issuance of a new  
9 certificate of title reflecting the release of the lien ~~mortgage, or other~~  
10 ~~encumbrance, which~~ THAT has been maintained electronically shall either  
11 post a bond with the director in a reasonable amount, determined by the  
12 director, or shall wait until ~~the period of the lien mortgage, or other~~  
13 ~~encumbrance~~ expires.

14 **42-6-127. Duration of lien or mortgage - extensions.** (1) ~~The~~  
15 EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, A lien ~~of any~~  
16 OR mortgage ~~or refinancing of a mortgage~~ filed ~~in the manner prescribed~~  
17 ~~in~~ PURSUANT TO section 42-6-121 or 42-6-129 shall remain valid and  
18 enforceable for ~~a period of~~ THE EARLIER OF eight years ~~from and~~ after the  
19 filing of the certificate ~~in the office of the director's~~ WITH THE authorized  
20 agent or ~~until~~ the discharge of the mortgage OR LIEN on the vehicle. ~~if the~~  
21 ~~discharge occurs sooner, except in the case of trailer coaches, truck~~  
22 ~~tractors, and motor homes, which are subject to the provisions of~~  
23 ~~subsection (3) of this section. During the eight-year period or any~~  
24 ~~extension of such period, the~~ IF IT IS VALID, A lien ~~of the~~ OR mortgage  
25 may be extended for successive three-year periods upon the LIEN holder  
26 ~~of the mortgage~~ presenting to the ~~director's~~ authorized agent of the county  
27 ~~wherein said mortgage~~ WHERE THE LIEN OR MORTGAGE is filed or in the

1 county where the owner resides a certification of extension of chattel  
2 mortgage, subscribed by the LIEN holder ~~of the mortgage~~ OR MORTGAGEE  
3 and acknowledged ~~by the holder~~ before an officer authorized to  
4 acknowledge deeds to real property. ~~in which~~ THE CERTIFICATE OF  
5 EXTENSION shall ~~appear~~ CONTAIN a description of the ~~mortgage~~ DEBT on  
6 the vehicle, to what extent it has been discharged, ~~or remains~~  
7 ~~unperformed~~, and such other information respecting the mortgage OR LIEN  
8 as may be required by ~~appropriate~~ rule ~~of~~ BY the director. SUCH RULE  
9 SHALL BE PROMULGATED to enable the ~~director's~~ authorized agent to  
10 properly record such extension. ~~upon his or her records.~~

11 (2) Upon receipt of a mortgage OR LIEN extension, the ~~director's~~  
12 authorized agent shall make and complete such electronic record of such  
13 extension as the director by rule may require within the director's or the  
14 ~~director's~~ authorized agent's motor vehicle database, and shall note the  
15 fact of the extension of the mortgage OR LIEN on the certificate of title,  
16 which may be filed electronically. Thereafter the certificate of title shall  
17 be returned to the person shown on the certificate to be entitled to the  
18 certificate. ~~the same as in other cases.~~ If ~~any mortgage~~ A MORTGAGE OR  
19 LIEN other than one on a trailer coach, truck tractor, or motor home ~~which~~  
20 THAT has been filed for record and noted on the certificate of title has not  
21 been released or extended within eight years after the date ~~on which~~ THAT  
22 such mortgage OR LIEN was filed, ~~in the office of the director's authorized~~  
23 ~~agent~~, the person shown by the records in the director's office to be the  
24 owner of the motor vehicle ~~described in said certificate of title, upon~~  
25 ~~making an appropriate application therefor~~, may request that THE  
26 AUTHORIZED AGENT REMOVE any references to the mortgage OR LIEN  
27 shown on the records. ~~of the director's authorized agent be removed by~~

1 ~~the authorized agent.~~ The director's authorized agent shall remove all  
2 reference to ~~mortgage~~ SUCH MORTGAGE OR LIEN shown in the director's  
3 authorized agent's records to have been of record ~~in the office of the~~  
4 ~~authorized agent~~ for more than eight years ~~which mortgages have been~~  
5 THAT ARE neither released nor extended. ~~as provided in this section.~~

6 (3) The duration of the lien ~~of any~~ OR mortgage on a trailer coach,  
7 as defined in section 42-1-102 (106) (a), a truck tractor, as defined in  
8 section 42-1-102 (109), or a motor home, as defined in section 42-1-102  
9 (57), shall be for the full term of the ~~mortgage~~ SECURED DEBT, but the lien  
10 ~~of the~~ OR mortgage may be extended beyond the original term ~~thereof~~ for  
11 successive three-year periods by following the procedure prescribed in  
12 subsection (1) of this section during the term of the mortgage or any  
13 extension thereof.

14 **42-6-128. Validity of secured interest between parties.** Nothing  
15 in this part 1 shall be construed to impair the validity of a ~~mortgage~~  
16 SECURED DEBT on a motor vehicle ~~between the parties thereto~~ as long as  
17 no purchaser for value, mortgagee, LIEN HOLDER, or creditor without  
18 actual notice of ~~the existence thereof~~ A MORTGAGE OR LIEN has acquired  
19 an interest in the motor vehicle, ~~described therein, notwithstanding that~~  
20 ~~EVEN IF the parties to said mortgage have failed to comply with the~~  
21 ~~provisions of~~ THE SECURED DEBT HAVE NOT COMPLIED WITH this part 1.

22 **42-6-129. Second or other junior liens.** (1) ~~On and after July~~  
23 ~~1, 1977, any~~ A person who takes a second or other junior ~~mortgage~~ LIEN  
24 on a motor vehicle for which a Colorado certificate of title has been  
25 issued or filed may file ~~said mortgage~~ SUCH LIEN for public record and  
26 have the LIEN'S existence ~~thereof~~ noted or filed on the certificate of title  
27 with like effect as in other cases, in the manner prescribed in this section.

1           (2) ~~Such second or junior mortgagee or~~ The holder thereof OF  
2 SUCH SECOND OR JUNIOR LIEN shall file ~~said mortgage~~ THE LIEN pursuant  
3 to ~~the requirements of~~ section 42-6-121 with the ~~director's~~ authorized  
4 agent of the county ~~wherein~~ WHERE the ~~mortgagor of said motor vehicle~~  
5 DEBTOR resides or where the motor vehicle is ~~located~~ STORED BETWEEN  
6 USES and shall accompany ~~said~~ THE mortgage with a written request to  
7 ~~have the existence thereof noted or filed~~ NOTE OR FILE THE LIEN on the  
8 certificate of title records of the ~~director's~~ authorized agent. ~~pertaining to~~  
9 ~~the motor vehicle covered by the junior or second mortgage.~~ Upon the  
10 filing of such ~~mortgage~~ LIEN, the ~~director's~~ authorized agent shall note in  
11 the record of the subject vehicle the day and hour on which such  
12 mortgage was received by the agent and shall make and deliver a receipt  
13 ~~for the mortgage~~ OF THE LIEN to the person filing the ~~mortgage~~ LIEN, and  
14 shall file the second or junior ~~mortgage~~ LIEN as required under section  
15 42-6-122.

16           (3) (a) ~~The director's authorized agent, by registered mail, return~~  
17 ~~receipt requested, shall make a written demand on the holder of the~~  
18 ~~certificate of title addressed to such person at the person's address as the~~  
19 ~~same may appear in said written request, that such certificate be delivered~~  
20 ~~to the authorized agent for the purpose of having noted on the certificate~~  
21 ~~such second or junior mortgage.~~ UPON THE FILING OF A JUNIOR LIEN, THE  
22 AUTHORIZED AGENT SHALL DEMAND IN WRITING, BY REGISTERED MAIL  
23 RETURN RECEIPT REQUESTED, THAT THE HOLDER OF THE CERTIFICATE OF  
24 TITLE DELIVER SUCH CERTIFICATE TO THE AUTHORIZED AGENT. SUCH  
25 DEMAND SHALL BE MAILED TO THE ADDRESS AS IT APPEARS IN THE  
26 CERTIFICATE. Within fifteen days after the receipt of such demand, the  
27 person holding such certificate shall either:

1 (I) IF THE PERSON POSSESSES THE CERTIFICATE, mail or deliver ~~the~~  
2 ~~same to such director's~~ THE CERTIFICATE TO THE authorized agent; or

3 (II) (A) If the person ~~no longer has possession of~~ DOES NOT  
4 POSSESS the certificate, ~~shall so~~ notify the agent; and

5 (B) If the person knows, ~~shall likewise~~ inform the agent where  
6 and from whom such certificate may be procured.

7 (b) Upon the receipt of such certificate, the ~~director's~~ authorized  
8 agent shall complete an application for a new title and record the number  
9 ~~thereof on the mortgage as in the case of a first mortgage,~~ LIEN and shall  
10 ~~as in the case of a first mortgage,~~ issue and file a new certificate of title  
11 on which record the existence of all mortgages AND LIENS on the motor  
12 vehicle ~~including such second or junior mortgage,~~ have been noted.

13 (4) If ~~any~~ A person lawfully in possession of a certificate of title  
14 to ~~any~~ A motor vehicle ~~upon whom demand is made for the~~ FROM WHOM  
15 THE AUTHORIZED AGENT DEMANDS delivery ~~thereof to the authorized~~  
16 ~~agent omits, for any reason whatsoever,~~ FAILS to deliver or mail ~~the same~~  
17 IT to the authorized agent, such person shall be liable to the holder of  
18 ~~such~~ A second or junior ~~mortgage~~ LIEN for all damage sustained ~~by reason~~  
19 ~~of such omission~~ DUE TO THE FAILURE.

20 **42-6-130. Priority of secured interests.** The liens ~~of~~ OR  
21 mortgages filed for record or noted on a certificate of title to a motor  
22 vehicle, as provided in section 42-6-121, shall take priority in the same  
23 order that ~~the mortgages creating such liens~~ THEY were filed in the office  
24 of the ~~director's~~ authorized agent.

25 **42-6-131. Mechanics', warehouse, and other liens.** Nothing in  
26 this part 1 shall be construed to impair the rights of lien claimants arising  
27 under any mechanics' lien law ~~in force and effect in this state~~ or the lien

1 of ~~any warehouseman~~ A WAREHOUSE or ~~any~~ other person claimed for  
2 repairs on or storage of any motor vehicle, when a mechanic's lien or  
3 storage lien ~~has~~ originated prior to ~~the time any~~ A mortgage OR LIEN on  
4 ~~said~~ THE motor vehicle ~~has been~~ BEING filed for record as ~~provided in~~  
5 ~~section 42-6-120~~, and such motor vehicle has remained continuously in  
6 the possession of the person claiming such mechanic's lien or lien for  
7 storage. ~~notwithstanding that no notation of such lien is made upon the~~  
8 ~~certificate of title to the vehicle in respect of which it is claimed.~~

9 **42-6-132. Existing mortgages not affected.** ~~Nothing in this part~~  
10 ~~1 shall be construed to impair the rights of the holder of any lien on a~~  
11 ~~motor vehicle created by mortgage or otherwise prior to August 1, 1949,~~  
12 ~~which remains unreleased and the undertaking which the lien thereof~~  
13 ~~secures remains undischarged. Nothing in this part 1 shall be construed~~  
14 ~~to relieve the holders of such liens of the duty to file such instruments~~  
15 ~~respecting the undertakings secured thereby as may be required by law to~~  
16 ~~preserve the liens of such mortgages unimpaired.~~

17 **42-6-133. Foreign mortgages and liens.** No mortgage OR LIEN  
18 on a motor vehicle filed for record in ~~any~~ A state other than ~~the state of~~  
19 Colorado shall be valid and enforceable against the rights of subsequent  
20 purchasers for value, creditors, LIEN HOLDERS, or mortgagees having no  
21 actual notice of the existence of ~~said~~ SUCH mortgage OR LIEN. If the  
22 certificate of title for such vehicle ~~whether issued under the laws of this~~  
23 ~~state or any other state~~, bears any notation adequate to apprise a  
24 purchaser, creditor, LIEN HOLDER, or mortgagee of the existence of ~~such~~  
25 ~~mortgage~~ A MORTGAGE OR LIEN at the time ~~any~~ A third party acquires a  
26 right in the motor vehicle, ~~covered by such mortgage~~, such mortgage OR  
27 LIEN and the rights of the holder of the mortgage OR LIEN shall be

1 enforceable in this state ~~the same and with like effect~~ as though such  
2 mortgage were filed in ~~the state of~~ Colorado and noted on the certificate  
3 of title or noted in the record of the ~~director's~~ authorized agent pertaining  
4 to that vehicle ~~in the manner prescribed in~~ PURSUANT TO section  
5 42-6-121.

6 **42-6-134. Where application for certificates of title made.**  
7 Except as otherwise provided in this part 1, all applications for recording  
8 of certificates of title upon the sale or transfer of ~~any~~ A motor vehicle  
9 described in the certificate of title shall be directed to and filed with the  
10 ~~director's~~ authorized agent of the county ~~or city and county in which~~  
11 WHERE such vehicle will be registered and licensed for operation. ~~upon~~  
12 ~~the highways of this state.~~

13 **42-6-135. Lost certificates of title.** (1) ~~In the event of any loss~~  
14 ~~of data transmission of any~~ IF DATA IS LOST TRANSMITTING AN application  
15 for a certificate of title ~~to a motor vehicle~~ and accompanying ~~papers or~~  
16 ~~files that~~ DOCUMENTATION, WHICH may be ~~sent or~~ transmitted by the  
17 ~~director's~~ authorized agent to the director and upon an appropriate  
18 application of the owner or other person entitled to such certificate of  
19 title, ~~directed to the director's authorized agent therefor,~~ such certificate  
20 of title may be reissued or recorded bearing such notations respecting  
21 existing UNRELEASED mortgages OR LIENS on the vehicle ~~therein~~  
22 ~~described as the records of the director's authorized agent and of the~~  
23 ~~director may indicate are unreleased and constitute an encumbrance upon~~  
24 ~~the vehicle which~~ AS INDICATED BY THE DIRECTOR'S OR AUTHORIZED  
25 AGENT'S RECORDS. SUCH certificate of title shall be issued without  
26 charge.

27 (2) If the title owner, lienholder, or mortgagee of ~~any~~ A certificate



1 of title loses, misplaces, or accidentally destroys ~~any~~ A certificate of title  
2 to a motor vehicle ~~which~~ THAT such person holds ~~whether as the holder~~  
3 ~~of a mortgage or as the owner of the vehicle~~ AS described in the  
4 certificate of title, upon application, ~~therefor to the director or the~~  
5 ~~director's authorized agent~~, the director or the ~~director's~~ authorized agent  
6 may issue a duplicate copy of the recorded certificate of title as in other  
7 cases.

8 (3) Upon the issuance of ~~any~~ A copy of the recorded certificate of  
9 title as provided in this section, the director or the ~~director's~~ authorized  
10 agent shall note on the copy every mortgage shown to be unreleased and  
11 the lien ~~of which~~ THAT is in force ~~and~~ effect as ~~may be~~ disclosed by the  
12 records ~~in~~ OF the ~~director's or the director's authorized agent's office~~  
13 DIRECTOR OR AUTHORIZED AGENT and shall dispose of such certificate as  
14 in other cases.

15 **42-6-136. Surrender and cancellation of certificate - penalty**  
16 **for violation.** (1) The owner of ~~any~~ A motor vehicle for which a  
17 Colorado certificate of title has been issued, upon the destruction or  
18 dismantling of said motor vehicle, upon its being changed ~~in such manner~~  
19 SO that it is no longer a motor vehicle, or upon its being sold or otherwise  
20 disposed of as salvage, shall surrender the certificate of title to the motor  
21 vehicle to the director or the ~~director's~~ authorized agent to be canceled or  
22 notify the director or the ~~director's~~ authorized agent on director-approved  
23 forms indicating the loss, destruction or dismantling, or sale for salvage.  
24 ~~and~~, Upon ~~said~~ THE owner's procuring the consent of the holders of any  
25 ~~mortgages~~ UNRELEASED MORTGAGES OR LIENS noted on or recorded as  
26 part of the certificate of title, ~~and shown to be unreleased in the office of~~  
27 ~~the director~~, such certificate shall be canceled. ~~Any~~ A person who

1 violates ~~any of the provisions of~~ this section commits a class 1 petty  
2 offense and shall be punished as provided in section 18-1.3-503, C.R.S.

3 (2) Upon the sale or transfer of ~~any~~ A motor vehicle for which a  
4 current Colorado certificate of title has been issued or filed ~~which motor~~  
5 ~~vehicle~~ AND THAT has become a salvage vehicle, ~~as defined in section~~  
6 ~~42-6-102 (13)~~, the purchaser or transferee shall ~~make application~~ APPLY  
7 for a salvage certificate of title. The owner of ~~any~~ such A motor vehicle  
8 may ~~make application~~ APPLY for a salvage certificate of title before the  
9 sale or transfer of such vehicle. ~~Any~~ AN owner ~~making application~~  
10 APPLYING for a salvage certificate of title shall provide the director  
11 evidence of ownership that satisfies the director of the right of the  
12 applicant to have a salvage certificate of title filed in favor of the owner.

13 (3) ~~Any~~ AN owner of a salvage vehicle ~~which~~ THAT has been  
14 made roadworthy who ~~makes application~~ APPLIES for a certificate of title  
15 as provided in section 42-6-116 shall include such information regarding  
16 the vehicle as the director may require by rule. The owner shall provide  
17 to the director evidence of ownership ~~which~~ THAT satisfies the director  
18 that the applicant is entitled to filing of a certificate of title. The director  
19 or the ~~director's~~ authorized agent shall designate in a conspicuous place  
20 in the record for a vehicle that is a salvage vehicle that has been made  
21 roadworthy. Such designation shall include the words "REBUILT FROM  
22 SALVAGE" and shall become a permanent part of the certificate of title  
23 for such vehicle and shall appear on all subsequent certificates of title for  
24 such vehicle.

25 **42-6-137. Fees - repeal.** (1) (a) Upon filing with the authorized  
26 agent ~~any~~ AN application for a certificate of title, the applicant shall pay  
27 to the agent a fee of seven dollars and twenty cents, which ~~charge~~ shall

1 be in addition to the fees ~~provided by law~~ for the registration of such  
2 motor vehicle.

3 (b) (I) In addition to the fee ~~provided~~ IMPOSED in paragraph (a) of  
4 this subsection (1), ~~effective July 1, 2001~~, upon filing with the authorized  
5 agent any application for a certificate of title, the applicant shall pay to  
6 the authorized agent an additional fee of two dollars and thirty cents.

7 (II) Fees collected pursuant to this paragraph (b) shall be used to  
8 administer the Colorado state titling and registration system, including,  
9 but not limited to, upgrading such system.

10 (III) This paragraph (b) is repealed, effective September 1, 2006.

11 (2) Upon the receipt ~~by the director's authorized agent of any~~ OF  
12 A mortgage OR LIEN for filing under ~~the provisions of~~ section 42-6-121,  
13 42-6-125, or 42-6-129, the authorized agent shall be paid such fees as are  
14 ~~prescribed~~ IMPOSED by law for the filing of like instruments in the office  
15 of the county clerk and recorder in the county ~~or city and county wherein~~  
16 WHERE such mortgage is filed and shall ALSO receive ~~in addition thereto~~,  
17 a fee of seven dollars and twenty cents for the issuance or recording of  
18 the certificate of title and the notation in the record of the director or the  
19 authorized agent of the existence of ~~said~~ SUCH mortgage OR LIEN.

20 (3) Upon application to the ~~director's~~ authorized agent to have  
21 noted or recorded on a certificate of title the extension of ~~any~~ A mortgage  
22 OR LIEN described in the certificate of title and noted or recorded on ~~said~~  
23 THE certificate, such authorized agent shall receive a fee of one dollar and  
24 fifty cents.

25 (4) Upon the release and satisfaction of a mortgage OR LIEN and  
26 upon application to the authorized agent for the notation on the certificate  
27 of title ~~in the manner prescribed in~~ PURSUANT TO section 42-6-125, such

1 authorized agent shall be paid a fee of seven dollars and twenty cents.

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

8 (6) Upon filing with the director ~~any~~ AN application for a  
9 certificate of title, a motor vehicle dealer who applies to receive a  
10 certificate of title within one working day ~~of~~ AFTER application shall pay  
11 to ~~said~~ SUCH director a fee of twenty-five dollars.

12 (7) ~~Using the increases in title issuance fees that became effective~~  
13 ~~on July 1, 1998, A~~ director's AN authorized agent shall, if possible,  
14 provide the following recording of titles on the same day as the date of  
15 request by an applicant:

16 (a) ~~On and after July 1, 1998, any~~ A title issued pursuant to a  
17 transfer of a motor vehicle currently titled in Colorado;

18 (b) ~~On and after January 1, 1999, any~~ A title issued for a new  
19 motor vehicle upon filing of a manufacturer's statement of origin without  
20 any liens; and

21 (c) ~~After the department of revenue and the county clerks have~~  
22 ~~reviewed and agreed upon a plan for the issuance or recording of other~~  
23 ~~titles, but no later than July 1, 2001,~~ Any other title issued or recorded by  
24 the director or the ~~director's~~ authorized agent. The ~~plan~~ DIRECTOR AND  
25 AUTHORIZED AGENTS shall take into account ~~the provision of~~ the best  
26 service for citizens in the most cost-effective manner, the use of  
27 electronic issuance of titles, and consideration of the business plan for

1 issuing titles at county offices.

2 (8) Notwithstanding the amount specified for any fee in this  
3 section, the director by rule or as otherwise provided by law may reduce  
4 the amount of one or more of the fees if necessary pursuant to section  
5 24-75-402 (3), C.R.S., to reduce the uncommitted reserves of the fund to  
6 which all or any portion of one or more of the fees is credited. After the  
7 uncommitted reserves of the fund are sufficiently reduced, the director by  
8 rule or as otherwise provided by law may increase the amount of one or  
9 more of the fees as provided in section 24-75-402 (4), C.R.S.

10 **42-6-138. Disposition of fees - repeal.** (1) (a) All fees received  
11 by the authorized agent under ~~the provisions of~~ section 42-6-137 (1) (a),  
12 (2), or (4) or 38-29-138 (1) (a), (2), or (4), C.R.S., upon application ~~being~~  
13 ~~made~~ for a certificate of title, shall be disposed of as follows: Four  
14 dollars shall be retained by the authorized agent and disposition made as  
15 provided by law; three dollars and twenty cents shall be credited to the  
16 special purpose account established by section 42-1-211.

17 (b) (I) Notwithstanding paragraph (a) of this subsection (1), the  
18 fees received by the authorized agent under ~~the provisions of~~ section  
19 42-6-137 (1) (b), upon application ~~being made~~ for a certificate of title,  
20 shall be credited to the special purpose account established by section  
21 42-1-211.

22 (II) This paragraph (b) is repealed, effective September 1, 2006.

23 (2) All fees collected by the ~~director's~~ authorized agent under ~~the~~  
24 ~~provisions of~~ section 42-6-137 (5) or 38-29-138 (5), C.R.S., shall be  
25 disposed of as follows:

26 (a) For a copy of a recorded certificate of title, six dollars and  
27 fifty cents shall be retained by the authorized agent and disposition made

1 as provided by law; and one dollar and seventy cents shall be credited to  
2 the special purpose account established by section 42-1-211; and

3 (b) For assignment of a new identifying number to a motor vehicle  
4 or manufactured home, two dollars and fifty cents shall be retained by the  
5 authorized agent and disposition made as provided by law; and one dollar  
6 shall be credited to the special purpose account established by section  
7 42-1-211. All fees collected by the department under the provisions of  
8 section 42-6-137 (1) (a), (4), or (5) or 38-29-138 (1) (a), (4), or (5),  
9 C.R.S., shall be credited to such special purpose account.

10 (3) All fees paid to the ~~director's~~ authorized agent under section  
11 42-6-137 (3) for the extension of ~~any~~ A mortgage OR LIEN on a motor  
12 vehicle filed in the authorized agent's office shall be ~~kept and~~ retained by  
13 ~~said~~ THE authorized agent to defray the cost of such extension or release  
14 and shall be disposed of by the authorized agent as provided by law;  
15 except that fees for this service ~~which may be~~ THAT ARE paid to the  
16 authorized agent in the city and county of Denver shall, by such agent, be  
17 disposed of in the same manner as fees retained by the agent ~~which~~ THAT  
18 were paid upon application being made for a certificate of title.

19 (4) The fee paid by a motor vehicle dealer to the director pursuant  
20 to section 42-6-137 (6) for a certificate of title issued within one working  
21 day of application shall be credited to the special purpose account  
22 established by section 42-1-211 (2). ~~and shall be appropriated in~~  
23 ~~accordance therewith.~~

24 **42-6-139. Registration - where made.** (1) For purposes of this  
25 section, a person's residence shall be the person's principal or primary  
26 home or place of abode, to be determined in the same manner as  
27 residency for voter registration purposes as provided in sections 1-2-102

1 and 31-10-201, C.R.S.; except that "voter registration" shall be  
2 substituted for "motor vehicle registration" as a circumstance to be taken  
3 into account in determining such principal or primary home or place of  
4 abode.

5 (2) Except as may be otherwise provided by rule ~~or regulation~~ of  
6 the director, it is unlawful for any person who is a resident of the state to  
7 register, ~~any motor vehicle owned by that person~~ or to obtain a license  
8 ~~therefor~~ FOR, or to procure a certificate of title ~~thereto~~ TO, A MOTOR  
9 VEHICLE at any address other than:

10 (a) For a motor vehicle ~~which~~ THAT is owned by a business and  
11 operated primarily for business purposes, the address ~~from which~~ WHERE  
12 such vehicle is principally operated and maintained; or

13 (b) For any motor vehicle for which the provisions of paragraph  
14 (a) of this subsection (2) do not apply, the address of the owner's  
15 residence; except that, if a motor vehicle is permanently ~~operated and~~  
16 maintained at an address other than the address of the owner's residence,  
17 such motor vehicle shall be registered at the address ~~from which~~ WHERE  
18 such motor vehicle is permanently ~~operated and~~ maintained.

19 (3) ~~Any~~ A person who knowingly violates any of the provisions  
20 of subsection (2) of this section, section 42-3-103 (4) (a), ~~section~~  
21 ~~42-3-105 (1) (c) (II)~~, section 42-6-140, or any rule ~~or regulation~~ of the  
22 director ~~relating thereto made pursuant to the authority conferred upon~~  
23 ~~the director in~~ PROMULGATED PURSUANT TO this part 1 is guilty of a  
24 misdemeanor and, upon conviction, ~~thereof~~, shall be punished by a fine  
25 of five hundred dollars.

26 (4) In addition to any other applicable penalty, a person who  
27 registers a motor vehicle in violation of the provisions of subsection (2)

1 of this section, section 42-3-103 (4) (a), ~~section 42-3-105 (1) (c) (H)~~, or  
2 section 42-6-140 shall be subject to a civil penalty of five hundred  
3 dollars. Such violation shall be determined by, ~~and such penalty shall be~~  
4 assessed by, and paid to the municipality or county ~~in which such~~ WHERE  
5 THE motor vehicle is or should have been registered, subject to judicial  
6 review pursuant to rule 106 (a) (4) of the Colorado rules of civil  
7 procedure.

8 (5) ~~Any~~ A person subject to the penalties ~~provided~~ IMPOSED by  
9 this section continues to be liable for ~~any~~ unpaid registration fees,  
10 specific ownership taxes, or other taxes and fees ~~connected with~~  
11 CONCERNING the registration of a vehicle ~~that are~~ owed by such person.

12 **42-6-140. Registration upon becoming resident.** ~~If any person~~  
13 ~~who is a resident of a state other than Colorado is the owner of a motor~~  
14 ~~vehicle for which a certificate of title has been issued by a state other than~~  
15 ~~Colorado or if such vehicle is registered under the laws of and licensed~~  
16 ~~for operation in a state other than Colorado, such person Upon changing~~  
17 ~~his or her place of residence to Colorado, within thirty days thereafter,~~  
18 ~~shall make application~~ WITHIN THIRTY DAYS AFTER BECOMING A  
19 RESIDENT OF COLORADO, THE OWNER OF A MOTOR VEHICLE SHALL APPLY  
20 for a Colorado certificate of title, ~~to such~~ A LICENSE, AND REGISTRATION  
21 FOR THE vehicle ~~in the manner prescribed in this article and shall register~~  
22 ~~the same and procure a Colorado license therefor as is provided by law~~  
23 THAT IS REGISTERED, THAT IS LICENSED, OR FOR WHICH A CERTIFICATE OF  
24 TITLE IS ISSUED IN ANOTHER STATE. Any person who violates the  
25 provisions of this section is subject to the penalties provided in section  
26 42-6-139.

27 **42-6-141. Director's records to be public.** All records in the



1 director's office pertaining to the title to ~~any~~ A motor vehicle shall be  
2 public records and shall be subject to the provisions of section 42-1-206.  
3 This shall include any records regarding ownership of and mortgages OR  
4 LIENS on ~~any~~ A vehicle for which a Colorado certificate of title has been  
5 issued.

6 **42-6-142. Penalties.** (1) No person may sell, transfer, or in any  
7 manner dispose of a motor vehicle in this state without complying with  
8 ~~the requirements of this part 1.~~

9 (2) ~~Any~~ A person who violates ~~any of the provisions of~~ subsection  
10 (1) of this section for which no other penalty is expressly provided is  
11 guilty of a misdemeanor and, upon conviction, ~~thereof~~, shall be punished  
12 by a fine of not less than one hundred dollars nor more than five hundred  
13 dollars, or by imprisonment in the county jail for not less than ten days  
14 nor more than six months, or by both such fine and imprisonment.

15 **42-6-143. Altering or using altered certificate.** ~~Any~~ A person  
16 who ~~alters or forges or~~ causes to be altered or forged ~~any~~ A certificate of  
17 title issued by the director pursuant to ~~the provisions of this part 1, or any~~  
18 A written transfer ~~thereof~~ OF A TITLE, or any other notation placed ~~thereon~~  
19 ON THE TITLE by the director or under the director's authority ~~respecting~~  
20 ~~the mortgaging~~ CONCERNING A MORTGAGE OR LIEN ~~of the motor vehicle~~  
21 ~~therein described~~ or who uses or attempts to use any such certificate ~~for~~  
22 ~~the~~ TO transfer ~~thereof~~ THE VEHICLE, knowing ~~the same~~ IT to ~~have been~~  
23 BE altered or forged, commits a class 6 felony and shall be punished as  
24 provided in section 18-1.3-401, C.R.S.

25 **42-6-144. False oath.** ~~Any~~ A person who ~~makes any application~~  
26 APPLIES for a certificate of title, written transfer ~~thereof~~ OF A TITLE,  
27 satisfaction and release, oath, affirmation, affidavit, statement, report, or

1 deposition required to be made or taken under any of the provisions of  
2 this article, and who, upon such application, transfer, satisfaction and  
3 release, oath, affirmation, affidavit, statement, report, or deposition,  
4 swears or affirms willfully and falsely in a matter material to any issue,  
5 point, or subject matter in question, in addition to any other penalties  
6 provided in this article, is guilty of perjury in the second degree, as  
7 defined in section 18-8-503, C.R.S.

8 **42-6-145. Use of vehicle identification numbers in applications.**

9 (1) ~~Any~~ A person required to ~~make an application~~ APPLY for a certificate  
10 of title or registration of ~~any~~ A motor vehicle shall use the identification  
11 number placed upon the motor vehicle by the manufacturer ~~thereof~~ or the  
12 special vehicle identification number assigned to the motor vehicle by the  
13 department pursuant to section 42-5-205. The certificate of title and  
14 registration card issued by the department shall use the identification  
15 number of the motor vehicle.

16 (2) ~~On and after February 25, 1954,~~ The identification number  
17 provided for in this section shall be accepted in lieu of any motor number  
18 or serial number provided for in this title prior to said date.

19 **42-6-146. Repossession of motor vehicle - owner must notify**  
20 **law enforcement agency - penalty.** (1) If ~~any~~ A mortgagee, LIEN

21 HOLDER, or the mortgagee's OR LIEN HOLDER'S assignee or the agent of  
22 either repossesses a motor vehicle because of default in the terms of a  
23 ~~mortgage~~ SECURED DEBT, the reposessor shall notify, either verbally or  
24 in writing, a law enforcement agency, as provided in this section, of the  
25 fact of such repossession, the name of the owner, the name of the  
26 reposessor, and the name of the mortgagee, LIEN HOLDER, or assignee.  
27 Such notification shall be made at least one hour before or no later than

1 one hour after the repossession occurs. If such repossession takes place  
2 in an incorporated city or town, the ~~notification~~ PERSON shall ~~be made to~~  
3 NOTIFY the police department, town marshal, or other local law  
4 enforcement agency of such city or town. ~~and~~; If such repossession takes  
5 place in the unincorporated area of a county, the ~~notification~~ COUNTY  
6 SHERIFF shall be ~~made to the county sheriff~~ NOTIFIED.

7 (2) A reposessor who violates subsection (1) of this section is  
8 guilty of a class 2 misdemeanor and, upon conviction, ~~thereof~~, shall be  
9 punished as provided in section 18-1.3-501, C.R.S.

10 (3) If ~~any such~~ A motor vehicle being repossessed is subject to the  
11 "Uniform Commercial Code - Secured Transactions", article 9 of title 4,  
12 C.R.S., ~~such~~ THE repossession shall be governed by the provisions of  
13 section 4-9-629, C.R.S.

14 (4) As used in this section, the term "reposessor" means the party  
15 who physically takes possession of the motor vehicle and drives, tows, or  
16 transports the motor vehicle for delivery to the mortgagee, LIEN HOLDER,  
17 or assignee, or the agent of ~~either~~ SUCH MORTGAGEE, LIEN HOLDER, OR  
18 ASSIGNEE.

19 **42-6-147. Central registry - rules.** (1) The director shall  
20 maintain a central registry of electronic files for all certificates of title,  
21 mortgages, liens, releases of liens or mortgages, and extensions. ~~thereto~~.  
22 The ~~director's~~ authorized agents shall transmit all electronic filing  
23 information to the director for maintenance of ~~such~~ THE registry. The  
24 director shall promulgate rules:

25 (a) To determine when an electronic signature is acceptable for  
26 the purposes of filing certificate of title documents; and

27 (b) As may be necessary for the administration of electronic filing

1 of certificates of title and all related documents.

2 (2) The director shall develop a plan to implement electronic  
3 filing on a statewide basis. The director shall encourage participation by  
4 the counties in an electronic filing system. The director shall begin the  
5 implementation of the electronic filing system no later than July 1, 2001,  
6 and shall complete the statewide implementation of electronic filing no  
7 later than July 1, 2006. The director may grant an exclusion from  
8 participation in the electronic filing system upon application by an  
9 individual county that demonstrates reasonable cause why electronic  
10 filing would be burdensome to the county.

11 **SECTION 43.** 42-7-408 (3), Colorado Revised Statutes, is  
12 amended to read:

13 **42-7-408. Proof of financial responsibility - methods of giving**  
14 **proof - duration - exception.** (3) If an insured's driver's license is  
15 cancelled pursuant to section 42-2-125 ~~(4)~~(1), and after such cancellation  
16 neither a court of competent jurisdiction nor an administrative hearing  
17 officer determines that the charges have been proved, the insured shall  
18 not be required to comply with the proof of financial responsibility  
19 requirements stated in this section.

20 **SECTION 44.** 42-7-510 (1), Colorado Revised Statutes, is  
21 amended to read:

22 **42-7-510. Insurance or bond required.** (1) Every owner of a  
23 truck ~~which~~ THAT is subject to the registration fee imposed pursuant to  
24 section ~~42-3-134 (13) (b) or (15)~~ 42-3-305 (5) (b) OR (7) OR 42-3-306  
25 (5)(b) OR (7) and ~~which~~ THAT is not subject to regulation by the public  
26 utilities commission under article 10, 11, 13, or 16 of title 40, C.R.S.,  
27 before operating or permitting the operation of such vehicle upon any

1 public highway in this state shall have in each such vehicle a motor  
2 vehicle liability insurance policy or a certificate evidencing such policy  
3 issued by an insurance carrier or insurer authorized to do business in the  
4 state of Colorado, or a copy of a valid certificate of self-insurance issued  
5 pursuant to section 10-4-716, C.R.S., or a surety bond issued by a  
6 company authorized to do a surety business in the state of Colorado in the  
7 sum of fifty thousand dollars for damages to property of others; the sum  
8 of one hundred thousand dollars for damages for or on account of bodily  
9 injury or death of one person as a result of any one accident; and, subject  
10 to such limit as to one person, the sum of three hundred thousand dollars  
11 for or on account of bodily injury to or death of all persons as a result of  
12 any one accident.

13 **SECTION 45.** The introductory portion to 42-7-605 (1),  
14 Colorado Revised Statutes, is amended to read:

15 **42-7-605. Notice of lack of financial responsibility.** (1) If the  
16 comparison made pursuant to section 42-7-604 (6) (b) shows that a motor  
17 vehicle that has not been exempted under section ~~42-3-134 (1) (b)~~  
18 42-3-304 (1) (b) has not been insured for three consecutive months, the  
19 department of revenue shall direct the designated agent to notify the  
20 owner of the motor vehicle that said owner has forty-five days to provide  
21 the designated agent with one of the following, or said owner's  
22 registration will be subject to immediate administrative suspension after  
23 the expiration of said forty-five-day period:

24 **SECTION 46.** 42-8-105 (1) and (5), Colorado Revised Statutes,  
25 are amended to read:

26 **42-8-105. Clearance of motor vehicles at port of entry weigh**  
27 **stations.** (1) Every owner or operator of a motor vehicle that is subject

1 to payment of registration fees under the provisions of section ~~42-3-134~~  
2 ~~(13)(b)~~ 42-3-305 (5) (b) OR 42-3-306 (5) (b) and every owner or operator  
3 of a motor vehicle or combination of vehicles having a manufacturer's  
4 gross vehicle weight rating or gross combination weight rating of  
5 twenty-six thousand one pounds or more shall secure a valid clearance  
6 from an office of the department of revenue, from an officer of the  
7 Colorado state patrol, or from a port of entry weigh station before  
8 operating such vehicle or combination of vehicles or causing such vehicle  
9 or combination of vehicles to be operated on the public highways of this  
10 state, but an owner or operator shall be deemed to have complied with the  
11 provisions of this subsection (1) if the owner or operator secures a valid  
12 clearance from the first port of entry weigh station located within five  
13 road miles of the route that the owner or operator would normally follow  
14 from the point of departure to the point of destination. An owner or  
15 operator shall not be required to seek out a port of entry weigh station not  
16 located on the route such owner or operator is following if the owner or  
17 operator secures a special revocable permit from the department of  
18 revenue in accordance with the provisions of subsection (4) of this  
19 section. A vehicle ~~of~~ WITH a seating capacity of fourteen or more  
20 passengers registered under the provisions of section ~~42-3-134 (4) (c) (F)~~  
21 ~~or (21)(a)~~ 42-3-304 (13), 42-3-305 (4) (c) (I), OR 42-3-306 (4) (c) (I) shall  
22 not be required to secure a valid clearance pursuant to this section.

23 (5) Any owner or operator of a motor vehicle ~~which~~ THAT is  
24 subject to the provisions of ~~section 42-3-134~~ SECTIONS 42-3-304 TO  
25 42-3-306, who is found guilty of violating the provisions and  
26 requirements of this section, shall be subject to the fines and penalties  
27 prescribed in section 42-8-109.

1           **SECTION 47.** The introductory portion to 42-12-102 (1) and  
2 42-12-102 (2) (a), Colorado Revised Statutes, are amended to read:

3           **42-12-102. Registration of collectors' items.** (1) Except for  
4 those motor vehicles ~~which~~ THAT are entitled to registration under the  
5 provisions of section ~~42-3-138~~ 42-3-219, collectors' items shall be titled,  
6 registered, and a specific ownership tax shall be paid thereon in the same  
7 manner as provided in this title for other motor vehicles, with the  
8 following exceptions:

9           (2) (a) An owner of a collector's item ~~which~~ THAT is not operated  
10 upon the highways of this state and ~~which~~ THAT is kept on private  
11 property for the purpose of maintenance, repair, restoration, rebuilding,  
12 or any other similar purpose shall pay an annual specific ownership tax  
13 as provided in section 42-3-106 on any such motor vehicle owned by  
14 such owner, except owners of parts cars as defined in section 42-12-101  
15 (3), or licensed garages or licensed automobile dealers. The payment of  
16 the specific ownership tax shall be made in the manner provided in  
17 section ~~42-3-138~~ 42-3-219.

18           **SECTION 48.** 42-20-202 (3) (a), Colorado Revised Statutes, is  
19 amended to read:

20           **42-20-202. Transportation permit - application fee.** (3) No  
21 single trip permit application shall be approved unless the applicant:

22           (a) Supplies proof of having liability insurance as required by the  
23 United States department of transportation pursuant to 49 CFR 387 or  
24 signs a verification under the penalty of perjury as provided in section  
25 ~~42-3-140~~ 42-3-122 that the applicant has the liability insurance as  
26 required by the United States department of transportation pursuant to 49  
27 CFR 387;

1           **SECTION 49.** 12-6-102 (17) (f), Colorado Revised Statutes, is  
2 amended to read:

3           **12-6-102. Definitions.** As used in this part 1, unless the context  
4 otherwise requires:

5           (17) "Used motor vehicle dealer" means any person who, for  
6 commission or with intent to make a profit or gain of money or other  
7 thing of value, sells, exchanges, leases, or offers an interest in used motor  
8 vehicles, or attempts to negotiate a sale, exchange, or lease of used and  
9 new motor vehicles or who is engaged wholly or in part in the business  
10 of selling used motor vehicles, whether or not such motor vehicles are  
11 owned by such person. The sale of three or more used motor vehicles or  
12 the offering for sale of more than three used motor vehicles at the same  
13 address or telephone number in any one calendar year shall be prima  
14 facie evidence that a person is engaged in the business of selling used  
15 motor vehicles. "Used motor vehicle dealer" includes any owner of real  
16 property who allows more than three used motor vehicles to be offered  
17 for sale on such property during one calendar year unless said property  
18 is leased to a licensed used motor vehicle dealer. "Used motor vehicle  
19 dealer" does not include:

20           (f) Any person who only sells or exchanges no more than four  
21 motor vehicles ~~which~~ THAT are collectors' items pursuant to section  
22 ~~42-3-138~~ 42-3-219, C.R.S., or pursuant to article 12 of title 42, C.R.S.;

23           **SECTION 50.** 12-6-117 (2) (b), Colorado Revised Statutes, is  
24 amended to read:

25           **12-6-117. Principal place of business - requirements.** (2) (b) A  
26 motor vehicle dealer who operates such motor vehicle dealer's business  
27 from his or her primary residence and who has been a resident of



1 Colorado for the immediately preceding twelve-month period and is a  
2 motor vehicle dealer only because such dealer sells custom trailers for  
3 one or more manufacturers and maintains an inventory of fewer than four  
4 vehicles at all times shall be exempt from the requirements of paragraph  
5 (a) of this subsection (2). Any motor vehicle dealer who is issued dealer  
6 plates in accordance with this paragraph (b) pursuant to section ~~42-3-127~~  
7 42-3-116, C.R.S., shall only use such plates on trailers.

8 **SECTION 51.** 22-54-103 (11), Colorado Revised Statutes, is  
9 amended to read:

10 **22-54-103. Definitions - repeal.** As used in this article, unless  
11 the context otherwise requires:

12 (11) "Specific ownership tax revenue paid to the district" means  
13 the amount of specific ownership tax revenue received by the district  
14 pursuant to section ~~42-3-107 (23)~~ 42-3-107 (24), C.R.S., for the prior  
15 budget year that is attributable to all property tax levies made by the  
16 district except those property tax levies made for the purpose of satisfying  
17 bonded indebtedness obligations, both principal and interest, and those  
18 property tax levies authorized at elections held under the provisions of  
19 former section 22-53-117 or section 22-54-108.

20 **SECTION 52.** 24-72-204 (3) (a) (XII) and (7) (a), Colorado  
21 Revised Statutes, are amended to read:

22 **24-72-204. Allowance or denial of inspection - grounds -**  
23 **procedure - appeal.** (3) (a) The custodian shall deny the right of  
24 inspection of the following records, unless otherwise provided by law;  
25 except that any of the following records, other than letters of reference  
26 concerning employment, licensing, or issuance of permits, shall be  
27 available to the person in interest under this subsection (3):

1 (XII) Any record indicating that a person has obtained  
2 distinguishing license plates or an identifying placard for persons with  
3 disabilities under section ~~42-3-121~~ 42-3-204, C.R.S., or any other motor  
4 vehicle record that would reveal the presence of a disability.

5 (7) (a) Except as permitted in paragraph (b) of this subsection (7),  
6 the department of revenue or an authorized agent of the department shall  
7 not allow ~~inspection of~~ A PERSON, OTHER THAN THE PERSON IN INTEREST,  
8 TO INSPECT information contained in a driver's license application under  
9 section 42-2-107, C.R.S., a driver's license renewal application under  
10 section 42-2-118, C.R.S., a duplicate driver's license application under  
11 section 42-2-117, C.R.S., a commercial driver's license application under  
12 section 42-2-403, C.R.S., an identification card application under section  
13 42-2-302, C.R.S., a motor vehicle title application under section  
14 42-6-116, C.R.S., a motor vehicle registration application under section  
15 ~~42-3-112~~ 42-3-113, C.R.S., or other official record or document  
16 maintained by the department under section 42-2-121, C.R.S. ~~to a~~  
17 ~~requestor, other than the person in interest.~~

18 **SECTION 53.** 24-75-216 (1) (b), Colorado Revised Statutes, is  
19 amended to read:

20 **24-75-216. Transfers to highway users tax fund.** (1) (b) For  
21 each month, ~~commencing in March 2001~~, the state controller shall adjust  
22 the allocation of moneys between the highway users tax fund and the  
23 general fund required by section 39-26-123 (2) (a) (I) (A), C.R.S., so that  
24 the allocations to the highway users tax fund are increased, and the  
25 allocations to the general fund correspondingly decreased, in an amount  
26 equal to the reduction in receipts from vehicle registration fees as  
27 reported by the executive director of the department of revenue pursuant

1 to section ~~42-3-134 (31)~~ 42-3-304 (23), C.R.S., during the immediately  
2 preceding month. As soon as possible after receiving the report of the  
3 amount of registration fees not collected due to said fee reductions, the  
4 state controller shall adjust the allocation for the previous month to reflect  
5 such amount. Such adjustment shall be based upon the written reports  
6 from the executive director of the department of revenue submitted  
7 pursuant to section ~~42-3-134 (31)~~ 42-3-304 (23), C.R.S.

8 **SECTION 54.** 24-75-217 (3) (e), Colorado Revised Statutes, is  
9 amended to read:

10 **24-75-217. Restoration of funds transferred to augment the**  
11 **general fund for the 2001-02 fiscal year.** (3) The funds that shall be  
12 restored pursuant to subsection (1) of this section include:

13 (e) The persistent drunk driver cash fund created in section  
14 ~~42-3-130.5 (1)~~ 42-3-303, C.R.S.;

15 **SECTION 55.** 24-75-402 (5) (h), Colorado Revised Statutes, is  
16 amended to read:

17 **24-75-402. Cash funds - limit on uncommitted reserves -**  
18 **reduction in amount of fees - exclusions - repeal.** (5) Notwithstanding  
19 any provision of this section to the contrary, the following cash funds are  
20 excluded from the limitations specified in this section:

21 (h) The highway users tax fund and the state highway fund;  
22 except that the emergency medical services account created in section  
23 25-3.5-603, C.R.S., the distributed data processing system special  
24 purpose account created in section 42-1-211 (2), C.R.S., and the AIR  
25 account created in section ~~42-3-134 (26)~~ 42-3-304 (18) (a), C.R.S.,  
26 included in the highway users tax fund shall be subject to the provisions  
27 of this section;

1           **SECTION 56.** 25-3.5-603 (1) (a), (2), and (3) (c) (II), Colorado  
2 Revised Statutes, are amended to read:

3           **25-3.5-603. Emergency medical services account - creation -**  
4 **allocation of funds.** (1) (a) There is hereby created a special account  
5 within the highway users tax fund established pursuant to section  
6 43-4-201, C.R.S., to be known as the emergency medical services  
7 account, which shall consist of all moneys transferred thereto in  
8 accordance with section ~~42-3-134 (28)~~ 42-3-304 (21), C.R.S.

9           (2) ~~From July 1, 2000, to June 30, 2002, moneys in the emergency~~  
10 ~~medical services account shall be appropriated as follows:~~

11           ~~(a) (I) At least sixty percent of the moneys appropriated shall be~~  
12 ~~appropriated to the department for distribution as grants to local~~  
13 ~~emergency medical and trauma service providers pursuant to the~~  
14 ~~emergency medical services (EMTS) grant program set forth in section~~  
15 ~~25-3.5-604.~~

16           ~~(II) Of the sixty percent which is appropriated for grants:~~

17           ~~(A) One hundred thousand dollars shall remain in the account for~~  
18 ~~unexpected emergencies that arise after the deadline for grant applications~~  
19 ~~has passed. The department and the council shall promulgate any rules~~  
20 ~~necessary to define the expenditures of such emergency funds.~~

21           ~~(B) A minimum of one hundred fifty thousand dollars shall be~~  
22 ~~awarded to offset the training costs of emergency medical technicians,~~  
23 ~~emergency medical dispatchers, emergency medical services instructors,~~  
24 ~~emergency medical services coordinators, and other personnel who~~  
25 ~~provide emergency medical services. No less than eighty percent of the~~  
26 ~~one hundred fifty thousand dollars appropriated to offset training costs~~  
27 ~~shall be used in the training of emergency medical technicians.~~

1           ~~(b) At least twenty percent of the moneys appropriated shall be~~  
2 ~~appropriated to the department for distribution to counties in accordance~~  
3 ~~with the provisions of section 25-3.5-605 for planning and, to the extent~~  
4 ~~possible, coordination of emergency medical and trauma services in the~~  
5 ~~county and between counties, when it would provide for better service~~  
6 ~~geographically.~~

7           ~~(c) The remaining moneys appropriated from the emergency~~  
8 ~~medical services account shall be appropriated for the direct and indirect~~  
9 ~~costs of planning, developing, implementing, maintaining, and improving~~  
10 ~~the statewide emergency medical and trauma services system. Such costs~~  
11 ~~shall include:~~

12           ~~(I) The actual direct and indirect costs incurred by the department~~  
13 ~~in issuing emergency medical technician certificates and renewals~~  
14 ~~pursuant to section 25-3.5-203 (1) and certificates of successful~~  
15 ~~completion of a training program as provided for in section 25-3.5-201~~  
16 ~~(2);~~

17           ~~(H) Providing technical assistance and support to local~~  
18 ~~governments and local emergency medical and trauma service providers,~~  
19 ~~operating a statewide data collection system, coordinating local and state~~  
20 ~~programs, providing assistance in selection and purchasing of medical~~  
21 ~~and communication equipment, and administering the EMTS grant~~  
22 ~~program; and~~

23           ~~(HH) The costs of the department of revenue in collecting the~~  
24 ~~additional motor vehicle registration fee pursuant to section 42-3-134~~  
25 ~~(28), C.R.S.~~

26           (3) On and after July 1, 2002, moneys in the emergency medical  
27 services account shall be appropriated:

1 (c) To the direct and indirect costs of planning, developing,  
2 implementing, maintaining, and improving the statewide emergency  
3 medical and trauma services system. Such costs shall include:

4 (II) The costs of the department of revenue in collecting the  
5 additional motor vehicle registration fee pursuant to section ~~42-3-134 (28)~~  
6 42-3-304 (21), C.R.S.

7 **SECTION 57.** 33-12-106 (1), Colorado Revised Statutes, is  
8 amended to read:

9 **33-12-106. Park entrance privileges - identified veterans.**

10 (1) Any resident who displays on the resident's vehicle a Colorado  
11 disabled veteran's license plate pursuant to section ~~42-3-134 (3) (a)~~  
12 42-3-304 (3) (a), C.R.S., shall be allowed free entrance to any state park  
13 or recreation area, not to include campgrounds, on any day of the year  
14 such park or area is open. For the purpose of this section, display of such  
15 license plates shall entitle the disabled veteran and passengers in such  
16 veteran's vehicle to enter such park or recreation area free of charge.

17 **SECTION 58.** 39-5-132 (7), Colorado Revised Statutes, is  
18 amended to read:

19 **39-5-132. Assessment and taxation of new construction.**

20 (7) Nothing in this section shall be construed to affect tax increment  
21 financing as said financing is implemented pursuant to sections  
22 31-25-107 (9) and 31-25-807 (3), C.R.S., nor the distribution of specific  
23 ownership taxes pursuant to section ~~42-3-107 (23)~~ (24), C.R.S.

24 **SECTION 59.** 39-27-105 (4) (a), (4) (b), and (4) (c), Colorado  
25 Revised Statutes, are amended to read:

26 **39-27-105. Collection of tax on gasoline and special fuel.**

27 (4) (a) Every person who has obtained a passenger-mile tax permit

1 pursuant to section ~~42-3-137~~ 42-3-309, C.R.S., where such permit relates  
2 to a motor vehicle that is powered by special fuel, shall, on or before the  
3 last day of the month following the end of the quarter, file with the  
4 executive director of the department of revenue a report stating the  
5 amount of special fuel subject to the tax imposed by this part 1 consumed  
6 by such person during the prior quarter and such other information  
7 relating to the use of special fuel for the propulsion of a motor vehicle on  
8 the highways of this state as the executive director may require. The  
9 executive director, under rules and procedures established by said  
10 executive director, may exempt from the reporting requirement of this  
11 subsection (4) any motor vehicle used exclusively within this state.  
12 Failure to receive the authorized report form does not relieve such person  
13 from the obligation of submitting a report to the executive director setting  
14 forth all information required on the prescribed report form. The report  
15 shall contain or be accompanied by a written declaration that it is made  
16 under the penalties of perjury in the second degree, as defined in section  
17 18-8-503, C.R.S.

18 (b) From the tax due, an authorized user may claim credit for tax  
19 paid on purchases of special fuel from vendors within this state. Any  
20 credit in excess of the tax due from a user under this part 1 may be  
21 claimed on a consolidated report authorized under paragraph (c) of this  
22 subsection (4) as a credit against the taxes imposed under ~~section~~  
23 ~~42-3-134~~ SECTIONS 42-3-304 TO 42-3-306, C.R.S. Otherwise, such credit  
24 is refundable under the provisions of section 39-27-103 and such rules  
25 and procedures as the executive director of the department of revenue  
26 may adopt.

27 (c) The executive director of the department of revenue may

1 authorize, under rules and procedures established by said executive  
2 director, the consolidation of the report required by this subsection (4)  
3 and the report required by section ~~42-3-136~~ 42-3-308, C.R.S., into a  
4 single report.

5 **SECTION 60.** 40-2-109, Colorado Revised Statutes, is amended  
6 to read:

7 **40-2-109. Report to executive director of the department of**  
8 **revenue.** On March 1 of each year, the public utilities commission shall  
9 furnish the executive director of the department of revenue with a list of  
10 those public utilities subject to its jurisdiction, supervision, and regulation  
11 on January 1 of each year, excepting those motor vehicle carriers subject  
12 to the passenger-mile tax imposed by the provisions of ~~section 42-3-134~~  
13 SECTIONS 42-3-304 TO 42-3-306, C.R.S., (but only so long as the cost of  
14 regulation of such motor vehicle carriers shall be defrayed from the  
15 proceeds of such passenger-mile tax).

16 **SECTION 61.** 43-4-201 (3) (a) (II) (K), Colorado Revised  
17 Statutes, is amended to read:

18 **43-4-201. Funds created - repeal.** (3) (a) (II) The general  
19 assembly shall not make any annual appropriation or statutory  
20 distribution from the highway users tax fund except as follows:

21 (K) To the department of revenue for completion of the license  
22 plate replacement pursuant to section ~~42-3-113(5)(b)~~ 42-3-201 (5) (b),  
23 C.R.S. This sub-subparagraph (K) is repealed, effective July 1, 2004.

24 **SECTION 62.** 43-4-203 (1) (b), Colorado Revised Statutes, is  
25 amended to read:

26 **43-4-203. Sources of revenue.** (1) All net revenue from the  
27 following sources shall be paid into and credited to the highway users tax



1 fund as soon as received:

2 (b) From the imposition of annual registration fees on drivers,  
3 motor vehicles, trailers, and semitrailers, except as provided in section  
4 ~~42-3-134 (26.5)~~ 42-3-304 (19), C.R.S.;

5 **SECTION 63.** 43-5-504, Colorado Revised Statutes, is amended  
6 to read:

7 **43-5-504. Motorcycle operator safety training fund.** There is  
8 hereby created in the state treasury a motorcycle operator safety training  
9 fund which shall consist of moneys collected pursuant to sections  
10 42-2-114 (2) (b) and (4) (b), 42-2-118 (1) (b) (II), and ~~42-3-134 (5)~~  
11 42-3-304 (4), C.R.S. The moneys in the fund shall be available  
12 immediately, without further appropriation, for allocation by the  
13 transportation commission to the office of transportation safety to be used  
14 for the implementation and administration of the program. Moneys  
15 credited to the fund shall remain therein at the end of each fiscal year and  
16 shall not be transferred to any other fund.

17 **SECTION 64. Repeal of provisions not being relocated in this**  
18 **act.** Section 42-3-125, Colorado Revised Statutes, is repealed.

19 **SECTION 65. Safety clause.** The general assembly hereby  
20 finds, determines, and declares that this act is necessary for the immediate  
21 preservation of the public peace, health, and safety.