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An Act

HOUSE BILL 05-1107

BY REPRESENTATIVE(S) Larson, Berens, and Ragsdale;
also SENATOR(S) Williams and Evans.

CONCERNING THE RECODIFICATION OF STATUTES GOVERNING THE
REGISTRATION OF MOTOR VEHICLES, AND, IN CONNECTION
THEREWITH, CLARIFYING, HARMONIZING, MODERNIZING, AND
SUBSTANTIVELY AMENDING SUCH STATUTES.

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

SECTION 1. 42-1-102 (36), Colorado Revised Statutes, is amended, and the said 42-1-102 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

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

(23.5) "DECLARED GROSS VEHICLE WEIGHT" MEANS THE COMBINED WEIGHT OF THE VEHICLE OR COMBINATION VEHICLE AND ITS CARGO WHEN OPERATED ON THE PUBLIC HIGHWAYS OF THIS STATE. SUCH WEIGHT SHALL BE DECLARED BY THE VEHICLE OWNER AT THE TIME THE VEHICLE IS REGISTERED. ACCURATE RECORDS SHALL BE KEPT OF ALL MILES OPERATED BY EACH VEHICLE OVER THE PUBLIC HIGHWAYS OF THIS STATE BY THE

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

OWNER OF EACH VEHICLE.

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

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

SECTION 2. Article 3 of title 42, Colorado Revised Statutes, is amended, WITH THE RELOCATION OF PROVISIONS, to read:

ARTICLE 3
Registration, Taxation, and License Plates

PART 1
REGISTRATION AND TAXATION

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

(2) ~~It~~ THE GENERAL ASSEMBLY further declares that it intends to classify in this article the personal property so specified, to prescribe methods by which the taxable value of such classified property shall be determined, to require payment of a graduated annual specific ownership tax upon each item of such classified personal property, and to provide for the administration and collection of such tax, and for the apportionment and distribution of the revenue derived therefrom.

42-3-102. Periodic registration. (1) The department may establish by rule a periodic vehicle registration program whereby certain vehicles

shall be registered at:

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

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

(I) A utility trailer; or

(II) Mobile machinery.

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

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

(b) This subsection (2) shall not apply to class A property that is registered through the international registration plan. Such vehicles shall continue to be registered every twelve months.

42-3-103. Registration required - exemptions. (1) (a) WITHIN SIXTY DAYS AFTER PURCHASE, every owner of a motor vehicle, trailer, semitrailer, or vehicle ~~except a bicycle or other human-powered vehicle, which~~ THAT is primarily designed to be operated or drawn upon any highway of this state or any owner of a trailer coach or of mobile machinery whether or not it is operated on the highways, ~~except such vehicles as are specifically exempted by section 42-3-104,~~ shall ~~within forty-five days after the purchase of any of the vehicles described in this subsection (1),~~ apply

~~to the department and shall obtain registration therefor, except when an owner is permitted to operate a vehicle under the special provisions of this article relating to lienholders, manufacturers, dealers, nonresidents, and fleet owners.~~ Any REGISTER SUCH VEHICLE WITH THE DEPARTMENT. A person who violates ~~any provision of~~ this subsection (1) commits a class B traffic infraction.

(b) THIS SUBSECTION (1) SHALL NOT APPLY TO THE FOLLOWING:

(I) A BICYCLE OR OTHER HUMAN-POWERED VEHICLE;

(II) VEHICLES SPECIFICALLY EXEMPTED BY SECTION 42-3-104; AND

(III) ANY VEHICLE WHOSE OWNER IS PERMITTED TO OPERATE IT UNDER PROVISIONS OF THIS ARTICLE CONCERNING LIENHOLDERS, MANUFACTURERS, DEALERS, NONRESIDENTS, AND FLEET OWNERS.

(2) An owner of a foreign vehicle operated within this state for the transportation of persons or property for compensation or for the transportation of merchandise shall register such vehicle and pay the same fees and tax ~~therefor as are required in subsection (1) of this section~~ BY THIS ARTICLE with reference to like vehicles. This provision shall not be construed ~~so as to require registration or reregistration in this state of any motor vehicle, including trucks and buses, trailers, semitrailers, or trailer coaches, where such vehicle,~~ truck, bus, trailer, semitrailer, or trailer coach THAT is used in interstate commerce, but registration or reregistration shall be required in accordance with or to the extent that reciprocity exists between the state of Colorado and ~~any~~ A foreign country or another state, a territory, or a possession of the United States.

(3) Every nonresident ~~including any foreign corporation, carrying on~~ PERSON WHO OPERATES A business within this state and ~~owning~~ OWNS and ~~operating~~ OPERATES in such business any motor vehicle, trailer, semitrailer, or trailer coach within this state shall be required to register each such vehicle and pay the same fees and tax therefor as are required with reference to like vehicles owned by residents of this state. This provision shall not be construed ~~so as to require registration or reregistration in this state of any motor vehicle, including trucks and buses, trailers, or trailer coaches, where such vehicle~~ TRAILER, OR TRAILER COACH THAT is used in interstate commerce, but registration or reregistration shall be required in accordance with or to the extent that reciprocity exists

between the state of Colorado and ~~any~~ A foreign country or another state, a territory, or a possession of the United States.

~~(4) (a) When any owner or operator or any occupant of a vehicle, as specified in subsection (1) of this section, which is or has been duly registered for the current year in another state or country of which such owner, operator, or occupant has been a resident becomes a resident of this state as defined in section 42-1-102, the said owner shall, irrespective of such previous registration, apply to the department and obtain registration for such vehicle in this state within thirty days after becoming a resident of Colorado. Any~~ WITHIN THIRTY DAYS AFTER BECOMING A RESIDENT OF COLORADO, AN OWNER OF A MOTOR VEHICLE REQUIRED TO BE REGISTERED BY SUBSECTION (1) OF THIS SECTION SHALL REGISTER SUCH VEHICLE WITH THE DEPARTMENT, IRRESPECTIVE OF SUCH VEHICLE BEING REGISTERED WITHIN ANOTHER STATE OR COUNTRY. A person who violates ~~any provision~~ of this paragraph (a) is subject to the penalties provided in section 42-6-139.

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) Fire-fighting vehicles;

(c) Police ambulances and patrol wagons;

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

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

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

(4) ~~In the case of~~ AT THE REQUEST OF THE APPROPRIATE AUTHORITY, motor vehicles owned and operated by the state of Colorado or any agency or institution thereof or by a town, city, county, or city and county ~~and at the request of the appropriate authority, such vehicle~~ may be assigned, in lieu of the distinct registration number specified in this article, a special registration number indicating that such vehicle is owned and operated by the state of Colorado or any agency or institution thereof or by a town, city, county, or city and county, but only one such special registration number shall be assigned to ~~any one such~~ EACH vehicle. ~~Any~~ AN application for the special registration provided in this section that is made by the state of Colorado or any agency or institution thereof shall be made to the department only. ~~Any~~ AN application for the special registration provided in this section that is made by any town, city, county, or city and county shall be made only to the authorized agent in the county wherein the applicant local government entity is located, and any such special registration shall be obtained directly from such authorized agent. Special registrations obtained under ~~the provisions of~~ this subsection (4) shall be renewed annually pursuant to the requirements prescribed by the department.

(5) One Class B ~~motor vehicle weighing less than sixty-five hundred pounds~~ or one Class C motor vehicle weighing less than ~~sixty-five hundred~~ SIXTEEN THOUSAND pounds EMPTY WEIGHT owned by a person who is a veteran ~~who~~ AND has established rights to benefits under the provisions of

Public Law 663, 79th Congress, as amended, and Public Law 187, 82nd Congress, as amended, or ~~that the person~~ is a veteran of the armed forces of the United States who incurred a disability and ~~who~~ is receiving compensation from the veterans administration or any branch of the armed forces of the United States for a fifty percent or more, service-connected, permanent disability, or for loss ~~or permanent loss~~ of use of one or both feet or one or both hands, ~~or for loss of sight in both eyes~~; or for permanent impairment OR LOSS of vision in both eyes ~~to such a degree as to constitute~~ THAT CONSTITUTES virtual blindness shall be exempt from the imposition of the annual specific ownership tax imposed by this article. Only one such Class B or Class C motor vehicle per veteran shall be exempted.

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

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

(8) EITHER one Class B ~~motor vehicle weighing less than twelve thousand pounds empty weight~~ or one Class C motor vehicle weighing less than ~~twelve~~ SIXTEEN thousand pounds empty weight owned by ~~any~~ A natural person who ~~while serving in the armed forces of the United States; was the recipient of~~ RECEIVED a purple heart and who is authorized to use the special license plate for purple heart recipients pursuant to section 42-3-115.5 shall be exempt from the imposition of the annual specific ownership tax imposed by this article. Only one such Class B or Class C motor vehicle per purple heart recipient shall be exempted.

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

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

(I) The name of the applicant;

(II) The name and correct address of the owner determined pursuant to section ~~42-6-139~~ 42-6-138, designating the county, school district, and city or town within the limits of which the owner resides;

(III) A description of the motor vehicle in such form as ~~shall be~~ required by the department;

(IV) The purpose for which the vehicle is used;

(V) Whether the vehicle is a commercial vehicle;

(VI) The notice described in subsection (2) of this section;

(VII) Whether the applicant requests that the department should, if it approves the application, mail to the owner the license plate required under this article; and

(VIII) Such other pertinent information as ~~may be~~ required by the department.

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

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

~~limited to,~~

- (A) The vehicle identification number or numbers;
- (B) The make of vehicle;
- (C) The vehicle model;
- (D) The type of vehicle;
- (E) The year of manufacture of such vehicle;
- (F) The primary body color of such vehicle;
- (G) The type of fuel used by such vehicle;
- (H) The odometer reading of such vehicle; and
- (I) Such other information as ~~may be~~ required by the department.

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

~~(e)~~ (d) (I) The department or its designated agents shall not register a motor vehicle unless the applicant has a complying motor vehicle insurance policy pursuant to part 6 of article 4 of title 10, C.R.S., or a certificate of self-insurance in full force and effect as required by sections 10-4-619 and 10-4-624, C.R.S. The requirements of this paragraph ~~(e)~~ (d) apply only to motor vehicles classified as Class C personal property under section 42-3-106 (1) (c), to light trucks that do not exceed sixteen thousand pounds empty weight and that are not insured through a commercial line of insurance, and to sports utility vehicles that are classified as Class B personal property under section 42-3-106 (1) (b). The applicant shall provide the department or its designated agents with the proof of insurance certificate or insurance identification card provided to the applicant by the applicant's insurer pursuant to section 10-4-604.5, C.R.S., or provide proof

of insurance in such other media as is authorized by the department. Nothing in this paragraph ~~(c)~~ (d) shall be interpreted to preclude the department from electronically transmitting insurance information to designated agents pursuant to section 42-7-604 for the purpose of ensuring compliance with mandatory insurance requirements.

(II) Any person who knowingly provides fraudulent information or documents under subparagraph (I) of this paragraph ~~(c)~~ (d) to obtain registration of a motor vehicle is guilty of a misdemeanor and is subject to the criminal and civil penalties provided under section 42-6-139 (3) and (4).

~~(d)~~ (e) The department shall establish a set of standard color descriptions for use in identifying the primary body color of a motor vehicle. ~~Any applicant applying for the new or in-person renewal registration of a motor vehicle or providing notice of any change in the primary body color of a motor vehicle~~ AN APPLICATION THAT SPECIFIES THE PRIMARY BODY COLOR shall use the standard color descriptions of the department to identify the primary body color of the motor vehicle.

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

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

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

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

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

(2) Upon applying for a registration, ~~and~~, the owner of a motor vehicle shall receive a written notice ~~that shall be~~ printed on the application

for registration in type that is larger than the other information contained on the application for registration. Such notice shall state that motor vehicle insurance or operator's coverage is compulsory in Colorado, that noncompliance is a misdemeanor traffic offense, that the minimum penalty for such offense is a one-hundred-dollar fine, and that the maximum penalty for such offense is one year's imprisonment and a one-thousand-dollar fine, and that such owner shall be required as a condition of obtaining a registration card to sign ~~the~~ AN affirmation clause that appears on ~~such card~~ THE REGISTRATION. The clause shall state, "I swear or affirm in accordance with section 24-12-102, C.R.S., under penalty of perjury that I now have in effect a complying policy of motor vehicle insurance including an operator's policy pursuant to part 6 of article 4 of title 10, C.R.S., or a certificate of self-insurance to cover the vehicle or operator of the vehicle for which this registration is issued, and I understand that such insurance must be renewed so that coverage is continuous.

Signature _____, Date _____."

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

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

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

(a) Every motor vehicle, truck, laden or unladen truck tractor, trailer, and semitrailer used in the business of transporting persons or property over any public highway in this state as an interstate commercial carrier ~~whether or not such business is engaged in by contract~~, for which an application is made for apportioned registration, regardless of base jurisdiction, shall be Class A personal property.

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

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

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

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

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

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

~~(4)~~ An annual specific ownership tax is imposed upon each taxable item of classified personal property, which tax shall be annually computed in accordance with the schedules applicable to each class of personal property as set forth in section 42-3-107 and which tax shall be in lieu of

~~all annual ad valorem taxes otherwise payable upon such items of property.~~

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

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

42-3-107. Taxable value of classes of property - rate of tax - when and where payable - department duties - apportionment of tax collections - definitions. (1) (a) (I) The taxable value of every item of Class A or Class B personal property greater than sixteen thousand pounds declared empty vehicle weight shall be the actual purchase price of such property. Such price shall not include any applicable federal excise tax, transportation or shipping costs, or preparation and delivery costs. The taxable value of every item of Class A or Class B personal property less than or equal to sixteen thousand pounds declared empty vehicle weight shall be seventy-five percent of the manufacturer's suggested retail price.

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

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

~~(IV) Repealed.~~

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

(c) If ~~any~~ A motor vehicle purchased outside ~~the state of~~ Colorado

is being registered for the first time in ~~the state of~~ Colorado and neither the manufacturer's suggested retail price nor the actual purchase price is available, the agent of the department shall establish the taxable value of such vehicle through the use of a compilation of values furnished by the department.

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

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

Year of service	Rate of tax
First year	2.10% of taxable value
Second year	1.50% of taxable value
Third year	1.20% of taxable value
Fourth year	.90% of taxable value
Fifth, sixth, seventh, eighth, and ninth years	.45% of taxable value or \$10, whichever is greater
Tenth and each later year	\$ 3

(3) The owner of any Class A personal property shall file a list ~~thereof~~ with the department describing each item owned, reciting the year of manufacture or model designation, ~~thereof~~, and stating the original sale price of any mounted equipment mounted on or attached to such item ~~subsequent to~~ AFTER its manufacture or first retail sale. As soon 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, giving due consideration to any reciprocal agreements ~~relative to~~ CONCERNING general property taxation of such item as may exist between Colorado and other states, and also to the number of miles traveled by such item in each state.

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

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

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

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

Year of service	Rate of tax
First year	2.10% of taxable value
Second year	1.50% of taxable value
Third year	1.20% of taxable value
Fourth year	.90% of taxable value
Fifth, sixth, seventh, eighth, and ninth years	.45% of taxable value or \$10, whichever is greater
Tenth and each later year	\$ 3

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

preparation and delivery costs.

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

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

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

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

Year of service	Rate of tax
First year	2.10% of taxable value
Second year	1.50% of taxable value
Third year	1.20% of taxable value
Fourth year	.90% of taxable value
Fifth, sixth, seventh, eighth, and ninth years	.45% of taxable value
Tenth and each later year	\$ 3

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

(b) ~~Authorization for payment of specific ownership tax pursuant to the provisions of this subsection (11) must be obtained from the authorized~~

~~agent in the county in which the principal place of business of the owner of such rental vehicles in Colorado is located.~~ TO OBTAIN AUTHORIZATION TO PAY SPECIFIC OWNERSHIP TAX PURSUANT TO THIS SUBSECTION (11), an owner ~~who wishes to obtain such authorization shall make application~~ APPLY to ~~said~~ THE AUTHORIZED AGENT IN THE COUNTY IN WHICH THE PRINCIPAL PLACE OF BUSINESS OF THE OWNER OF SUCH RENTAL VEHICLES IN COLORADO IS LOCATED. Such authorization shall ~~be applicable~~ APPLY to all rental vehicles of the owner ~~which~~ THAT satisfy the requirements set forth in this section.

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

(d) Failure to submit the report or to remit the specific ownership tax collected for the preceding month by the last day of each month shall be grounds for the termination of the right of an owner to pay specific ownership tax ~~in the manner specified in~~ UNDER this subsection (11). If ~~any~~ AN owner is ~~found to have failed~~ FAILS to remit specific ownership tax received pursuant to ~~the provisions of~~ this subsection (11), the authorized agent may ~~proceed to~~ collect such delinquent taxes in the manner authorized in subsection ~~(20)~~ (21) of this section.

(e) ~~Any~~ A person ~~firm, corporation, or other business entity which~~ WHO owns vehicles and whose primary business is the rental of such vehicles as specified in paragraph (a) of this subsection (11) shall be

exempt from payment of the specific ownership tax at the time of registration if such tax is collected and remitted pursuant to ~~the provisions~~ of this subsection (11). ~~however,~~ Such owner shall ~~be required to~~ pay a fee of one dollar per rental vehicle registered at the time of registration. Such fee shall be in addition to ~~any~~ other registration fees and shall be distributed pursuant to ~~the provisions of~~ subsection ~~(21)~~ (22) of this section.

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

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

(b) The owner shall collect from the user of a rental vehicle the specific ownership tax in an amount equivalent to two percent of the amount of the rental payment, or portion thereof, ~~which~~ THAT is subject to the imposition of sales tax pursuant to ~~the provisions of~~ part 1 of article 26 of title 39, C.R.S. Such specific ownership tax shall be collected on all vehicles based in a state other than Colorado for rental purposes ~~which are owned by the owner and which~~ THAT are rented from a place of business in Colorado. ~~No later than~~ BY the twentieth day of each month, the owner shall submit a report, using forms ~~which shall be~~ furnished by the department, to the authorized agent in the county where the vehicles are rented, together with the remittance for all specific ownership taxes collected for the preceding month. A copy of ~~said~~ THE report shall be submitted simultaneously by the owner to the department. The department may also require, by rule, ~~and regulation,~~ the owner to submit a copy of the

owner's monthly sales tax collection form to the authorized agent ~~at the same time of the submittal of~~ WHEN the owner's monthly report and remittance of specific ownership tax pursuant to the provisions of this paragraph ~~(b)~~ IS SUBMITTED.

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

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

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

Year of service	Rate of tax
First year	2.10% of taxable value
Second year	1.50% of taxable value
Third year	1.20% of taxable value
Fourth year	.90% of taxable value
Fifth, sixth, seventh, eighth, and ninth years	.45% of taxable value
Tenth and each later year	.45% of taxable value or \$ 3, whichever is greater

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

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

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

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

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

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

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

~~(b.5)~~ (c) The taxable value of Class F personal property acquired on

or after January 1, 1997, shall be determined by the property tax administrator and shall be either:

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

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

(III) When neither the manufacturer's suggested retail price of such vehicle nor the original retail delivered price of either the vehicle or any equipment subsequently mounted thereon is ascertainable, then such value as the property tax administrator shall establish based on eighty-five percent of the value set forth in a nationally recognized standard or reference for such figures or, if such a standard or reference for the figures is not available, then on the best information available to the property tax administrator.

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

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

Year of service	Rate of tax
First year	2.10% of taxable value
Second year	1.50% of taxable value
Third year	1.25% of taxable value

Fourth year	1.00% of taxable value
Fifth year	.75% of taxable value
Sixth and each later year	.50% of taxable value, but not less than \$ 5

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

(16) (a) In lieu of payment of the annual specific ownership tax in the manner provided in subsection (15) of this section, the owner of any mobile machinery or self-propelled construction equipment who is an equipment dealer regularly engaged in the sale OR rental ~~or both sale and rental~~ of mobile machinery or self-propelled construction equipment and who rents or leases such equipment to another ~~individual or corporation~~ PERSON in which the owner ~~does~~ HAS not ~~have any~~ HELD AN interest ~~whatsoever for one or more periods of~~ FOR at least thirty days ~~in any calendar year~~ may elect to pay specific ownership tax as prescribed in this subsection (16).

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

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

(II) Three dollars shall be available upon appropriation by the general assembly to fund the administration and enforcement of this section.

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

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

(e) The owner of ~~any~~ AN item of mobile machinery or self-propelled construction equipment ~~which~~ THAT is required to be registered for highway use under section ~~42-3-134 (22)~~ 42-3-304 (14) shall be exempt from payment of the specific ownership tax at the time of registration if such tax is collected and remitted under this subsection (16).

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

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

(II) "Prorated specific ownership tax" means the prorated special mobile machinery specific ownership tax assessed pursuant to this

subsection ~~(16.5)~~ (17).

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

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

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

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

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

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

(IV) When satisfied as to the genuineness and regularity of the application submitted, the department shall assess, and the owner shall pay, the prorated specific ownership tax in an amount equal to the annual specific ownership tax ~~which~~ THAT would otherwise be imposed pursuant to subsection (15) of this section, prorated by the number of months as

~~indicated by the application~~, during which the owner is expected to use the special mobile machinery in Colorado.

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

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

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

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

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

(b) The owner of any Class F personal property shall, within

~~forty-five~~ SIXTY days after the purchase of any new or used Class F personal property, ~~make application~~ APPLY for registration with the local county clerk and recorder or, in the city and county of Broomfield, the clerk and recorder, or, in the city and county of Denver, the manager of revenue or such other official of the city and county of Denver as may be appointed by the mayor to perform functions related to the registration of motor vehicles AUTHORIZED AGENT.

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

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

~~(19)~~ (20) Except as provided in subsection ~~(26)~~ (27) of this section, it is the duty of each authorized agent to collect the registration fee on every item of classified personal property located in the agent's county ~~at the time of registration~~ WHEN REGISTERED and to collect the specific ownership taxes payable on each such item registered, except those items classified as Class A upon which the specific ownership tax is collected by the department and except those items classified as Class F when such tax is collected under subsection (16) of this section, at the time of registration. The failure of any authorized agent to collect the registration fee and specific ownership tax on any item of classified personal property shall not release the owner thereof from liability for the registration of such vehicle.

~~(20)~~ (21) Each authorized agent shall advise the owner of any item of Class F personal property upon which the annual specific ownership tax is due, by notice mailed to such owner indicating the amount of tax due.

If payment is not made, the authorized agent shall report such fact to the county treasurer, who shall thereupon proceed to collect the amount of delinquent tax by distraint, seizure, and sale of the item upon which the tax is payable, in the same manner as is provided in section 39-10-113, C.R.S., for the collection of ad valorem taxes on personal property.

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

~~(22)~~ (23) Each authorized agent shall transmit to the county treasurer, at least once each week, all specific ownership taxes collected on items of classified personal property, reporting the aggregate amount collected ~~on~~ FOR each ~~separate~~ class.

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

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

determined shall be credited or paid over to the county and each such subdivision.

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

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

~~(24)(a)~~ (25) A credit shall be allowed for taxes paid on any item of Class A, Class B, Class C, Class D, or Class F personal property if the owner disposes of the vehicle during the registration period. Such credit may apply to payments of taxes on ~~any~~ A subsequent application by such owner for registration of an item of Class A, Class B, Class C, Class D, or Class F personal property made during the said registration period or may be assigned by such owner to the transferee of the property for which taxes were paid; except that, when the transferee is a dealer in new or used vehicles, such transferee shall account to the owner for any assignment of the credit. The credit shall be prorated based on the number of months remaining in the registration period after the transfer and disposal of the vehicle. The calculation for the credit shall be determined by using the period beginning with the first day of the month following the date of transfer through the last day of the month for the period for which the vehicle was registered. Specific ownership tax credit will be allowed only if the total ownership tax credit due exceeds ten dollars.

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

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

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

(b) If a fleet owner chooses to process the registration renewal of a fleet vehicle in the county in which the owner's principal office or principal fleet management facility is located instead of in the county in which the vehicle is located, ~~it is the duty of~~ the authorized agent in the county where the owner's principal office or principal fleet management facility is located ~~to~~ SHALL collect the registration fee and specific ownership tax payable on each fleet vehicle for which the registration renewal is processed by the fleet owner in such county.

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

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

(e) The annual specific ownership tax on each fleet vehicle for which the registration renewal is processed in the county in which the fleet owner's principal office or principal fleet management facility is located shall become due and payable to the authorized agent in such county pursuant to this article. The authorized agent in such county shall apportion the specific ownership taxes collected for all fleet vehicles for which the registration renewal is processed in such county pursuant to this subsection ~~(26)~~ (27) to the counties in which the fleet vehicles are located at the time of registration in proportion to the number of fleet vehicles located in each county.

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

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

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

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

42-3-109. Tax for registration period. Except as provided in sections ~~42-3-109.5 and 42-3-134 (13)~~, there SECTIONS 42-3-110, 42-3-304 (10), AND 42-4-305 (5), THE OWNER shall ~~be paid~~ PAY upon ~~any~~ A PURCHASED vehicle subject to registration under this article ~~which is purchased during any registration period~~ the prescribed fee for a twelve-month registration. In no event shall the specific ownership tax collected on any classified personal property be less than one dollar and fifty cents.

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

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

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

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

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

(e) The fleet owner has ~~obtained~~ a performance bond issued by a surety company authorized to do business in Colorado, a bank letter of credit, or a certificate of deposit in an amount equal to no less than the remaining amount of the annual registration fee and specific ownership tax that will be paid in installments. The performance bond, letter of credit, or certificate of deposit shall be payable to the department if the owner fails to pay the required installments.

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

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

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

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

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

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

(5) The department may promulgate rules to implement the installment payment process established by this section.

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

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

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

42-3-113. [Formerly 42-3-112 (1), (2), (3), (4), (5), (6), (7), (8), (9), (12), (13), and (14)] Records of application and registration. (1) The department shall file each application received and, when satisfied as to the genuineness and regularity thereof and that the applicant is entitled ~~thereto~~ TO REGISTER THE VEHICLE, shall register the vehicle ~~therein~~ described and the owner thereof in suitable books or on index cards OF SUCH VEHICLE as follows:

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

(b) THE REGISTRATION SHALL BE FILED alphabetically under the

name of the owner.

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

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

(a) The date issued;

(b) The registration number assigned to the owner and ~~to the~~ vehicle;

(c) The name and address of the owner;

(d) A notice, in type that is larger than the other information contained on the registration card, that motor vehicle insurance coverage is compulsory in Colorado, that noncompliance is a misdemeanor traffic offense, that the minimum penalty for such offense is a one-hundred-dollar fine and that the maximum penalty for such offense is one year's imprisonment and a one-thousand-dollar fine, and that such owner shall be required upon receipt of the registration card to sign the affirmation clause on such card that states "I swear or affirm under penalty of perjury that I now have in effect a complying policy of motor vehicle insurance pursuant to part 6 of article 4 of title 10, C.R.S., or a certificate of self-insurance to cover the vehicle for which this registration is issued, and I understand that such insurance must be renewed so that coverage is continuous. Signature _____, Date _____.";

(e) A description of the registered vehicle, including the identification number; ~~thereof, and;~~

(f) With reference to every new vehicle sold in this state after January 1, 1932, the date of sale by the manufacturer or dealer to the person first operating such vehicle; and

(g) Such other statement of facts as may be determined by the department.

(3) ~~(a) Any~~ A notice for renewal of registration shall include a

notice, in type that is larger than the other information contained in the notice, ~~which~~ THAT specifies that motor vehicle insurance coverage is compulsory in Colorado, that noncompliance is a misdemeanor traffic offense, that the minimum penalty for such offense is a one-hundred-dollar fine, and that the maximum penalty for such offense is one year's imprisonment and a one-thousand-dollar fine.

~~(b) Repealed.~~

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

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

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

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

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

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

or of such former OLD and new name and of the REGISTRATION number of any license ALL REGISTRATIONS then held by such person.

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

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

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

(b) (I) Upon the registration of an eligible vehicle, the owner shall report on forms provided by the department:

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

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

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

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

(d) Within a reasonable period of time and upon the request of a political subdivision or the state of Colorado or any institution of the state or the state's political subdivisions, the department shall provide a report

listing the owners of eligible vehicles that use fuels other than gasoline or diesel, listing the fuel type of each such eligible vehicle, and identifying whether or not such eligible vehicles are part of a program area fleet.

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

~~(14)~~ (10) (a) Whenever a person asks the department or any other state department or agency for the name or address of the owner of a motor vehicle registered under this section, the department or agency shall require the person to disclose if the purpose of the request is to determine the name or address of a person suspected of a violation of a state or municipal law detected through the use of an automated vehicle identification system as described in section 42-4-110.5. If the purpose of the request is to determine the name or address of such a suspect, the department or agency shall release such information only if the county ~~city and county~~, or municipality for which the request is made complies with section 42-4-110.5.

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

42-3-114. [Formerly 42-3-124 (1) (a)] Expiration. ~~(1)~~(a) Every vehicle registration under this article shall expire on the last day of the month at the end of each twelve-month registration period and shall be renewed, upon application by the owner, the payment of the fees required by law, and in accordance with section ~~42-3-112~~ 42-3-113 (3), not later than ~~thirty days after~~ THE LAST DAY OF THE MONTH FOLLOWING the date of expiration. No license plates other than those of the registration period to which they pertain shall be displayed on a motor vehicle operated on the

highways of Colorado. ~~Any~~ A person who violates any provision of this paragraph (a) SECTION commits a class B traffic infraction.

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

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

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

(3) ~~In the event of a transfer~~ IF A TITLE TO OR INTEREST IN A MOTOR VEHICLE IS TRANSFERRED by operation of law, ~~of the title or interest of an owner in and to a vehicle~~, as upon inheritance, devise, or bequest, order in bankruptcy of insolvency, execution, sale, repossession upon default in performing the terms of a lease or executory sales contract, chattel mortgage, secured transaction, or otherwise, the registration thereof shall expire, and the vehicle shall not be operated upon the highways ~~until and unless the person entitled thereto applies for and obtains the registration thereof~~ VEHICLE IS REGISTERED; except that ~~an administrator, executor, trustee, or other representative of the owner, or a sheriff or other officer, or any~~ A person repossessing the vehicle ~~under the terms of a conditional sale contract, lease, chattel mortgage, secured transaction, or other security agreement, or the assignee or legal representative of any such person may operate or cause to be operated any~~ PURSUANT TO RIGHTS GRANTED BY A MORTGAGE OR APPLICABLE LAW MAY OPERATE THE vehicle upon the highways ~~for the necessary distance from the place of repossession or place where formerly kept by the owner to a garage, warehouse, or other place of keeping or~~ THE VEHICLE'S NEW PLACE OF storage, either upon displaying upon such vehicle the number plates issued to the former owner or without DISPLAYING number plates ~~attached thereto~~ but under a written permit first obtained from the department or the ~~local~~ police authorities ~~having~~ WITH

jurisdiction over such highways and upon displaying ~~in plain sight~~ upon such vehicle a placard bearing the name and address of the person authorizing and directing such movement, plainly readable from a distance of one hundred feet during daylight.

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

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

(1) UPON APPLICATION USING THE PROPER FORM AND PAYMENT OF THE FEES REQUIRED BY LAW, a manufacturer OF, drive-away or tow-away transporter of, or dealer in, motor vehicles, trailers, special mobile machinery, or semitrailers operating ~~any~~ such vehicle upon any highway, in lieu of registering each vehicle, may obtain from the department ~~upon application using the proper official form and payment of the fees required by law,~~ and attach to each such vehicle one number plate, as required in this article for different classes of vehicles. ~~which~~ SUCH plate shall bear a distinctive number; the name of this state, which may be abbreviated; ~~and the year for which issued; together with~~ AND a distinguishing word or symbol indicating that such plate was issued to a manufacturer, drive-away or tow-away transporter, or dealer. ~~Any~~ Such plates ~~so issued~~ may, during the registration period for which THEY WERE issued, be transferred from one such vehicle to another when owned and operated by or with the authority of such manufacturer or representative of such manufacturer or operated by such drive-away or tow-away transporter or dealer.

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

(3) ~~Any~~ A manufacturer of motor vehicles, trailers, or semitrailers may operate or move ~~or cause to be operated or moved,~~ upon the highways any such vehicle from the factory where manufactured to a railway depot, vessel, or place of shipment or delivery, without registering the same and without a AN ATTACHED number plate, ~~attached thereto,~~ under a written permit first obtained from the ~~local~~ police authorities ~~having~~ WITH

jurisdiction over such highways and upon displaying ~~in plain sight~~ upon each such vehicle a placard bearing the name and address of the manufacturer authorizing or directing such movement, plainly readable from a ~~distance of~~ one hundred feet AWAY during daylight.

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

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

~~(c) Repealed.~~

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

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

(A) Has sold more than twenty-five motor vehicles in the

twelve-month period preceding application;

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

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

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

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

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

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

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

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

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

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

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

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

(IV) A spouse or dependent child living in the same household as the licensed dealer or wholesaler.

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

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

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

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

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

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

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

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

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

42-3-120. [Formerly 42-3-132] Department may cancel registration. (1) The department shall ~~rescind and~~ cancel the registration of any vehicle ~~which~~ THAT the department determines is unsafe or unfit to be operated or is not equipped as required by law.

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

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

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

(b) To display or ~~cause or~~ permit to be displayed, to have in possession, or to offer for sale ~~any~~ A certificate of title, validation tab or sticker, or registration number plate knowing the same to be fictitious or to have been stolen, cancelled, revoked, suspended, or altered;

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

(d) To fail or refuse to surrender to the department, upon demand, ~~any~~ A certificate of title, registration card, or registration number plate

which THAT has been suspended, cancelled, or revoked; ~~as provided in this article;~~

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

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

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

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

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

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

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

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

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

42-3-123. [Formerly 42-3-141] Payment by bad check - recovery of plates. (1) If the registration of a vehicle required to be registered under this article is procured or perfected by the owner, or by ~~some~~ A person or agent in the owner's behalf, and the registration fee and specific ownership tax ~~therefor~~ are paid by check, money order, draft, bill of exchange, or other negotiable instrument that is dishonored and not paid by the person upon whom drawn, ~~for any reason,~~ the ~~said~~ registration shall be revoked as soon as the dishonored or unpaid instrument is returned to the ~~county clerk and recorder, the clerk and recorder in the city and county of Broomfield, or the manager of revenue~~ AUTHORIZED AGENT. Upon the return of such check, money order, draft, bill of exchange, or other negotiable instrument to the ~~county clerk and recorder or the manager of revenue~~ AUTHORIZED AGENT, evidencing nonpayment or dishonor of same, the ~~county clerk and recorder, the clerk and recorder in the city and county of Broomfield, or the manager of revenue~~ AUTHORIZED AGENT shall notify the owner in writing, at the address appearing on the person's ownership tax receipt, by registered or certified mail, of the revoked registration resulting from such nonpayment or dishonor. The notice shall request the return to the ~~county clerk and recorder, the clerk and recorder in the city and county of Broomfield, or the manager of revenue~~ AUTHORIZED AGENT of the tax receipt, license fee receipt, and registration number plates issued under such revoked registration within ten days ~~from~~ AFTER the date of mailing of the notice.

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

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

(3) ~~The county clerk and recorder, the clerk and recorder in the city and county of Broomfield, or the manager of revenue~~ AUTHORIZED AGENT, upon accounting for repossessed plates, shall receive a refund of any sum paid over to the county treasurer, or such equivalent position ~~as may be provided by charter or code~~ in the city and county of Broomfield, or to the department, as ~~prescribed~~ PROVIDED by ~~section 42-3-134~~ SECTIONS 42-3-304 TO 42-3-306, in each case where an owner or the owner's agent has issued a check, money order, draft, bill of exchange, or other negotiable instrument that has been dishonored and not paid by the person upon whom drawn; and, likewise, the county treasurer, or such equivalent position ~~as may be provided by charter or code~~ in the city and county of Broomfield, and the department making such refund shall further effect appropriate refunds and deductions as may be necessary to adjust and balance the books and records of the county treasurer and the department after making the initial refund to ~~the county clerk and recorder, the clerk and recorder in the city and county of Broomfield, or the manager of revenue~~ THE AUTHORIZED AGENT.

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

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

42-3-125. [Formerly 42-3-143] Fleet operators - registration period certificates - multi-year registrations. (1) (a) The department may issue to a fleet operator, upon application of the fleet operator, a registration period certificate. Such registration period certificate shall be presented to the appropriate ~~county clerk and recorder, to the clerk and recorder in the city and county of Broomfield, or to the manager of revenue in the city and county of Denver or such other official of the city and county of Denver as may be appointed by the mayor to perform functions related to the registration of motor vehicles~~ AUTHORIZED AGENT no later than the tenth day of the month in which registration of any motor vehicle is required by this article. When so presented, the twelve-month period stated in the registration period certificate shall govern the date on which registration is required for all fleet vehicles owned or leased by the fleet operator.

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

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

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

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

(4) ~~The provisions of~~ This section shall not apply to vehicles registered under reciprocal agreements between the state of Colorado and any foreign country or another state or territory or a possession of the United States.

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

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

PART 2 LICENSE PLATES

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

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

equipment.

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

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

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

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

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

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

(2) ~~(a)~~ Every number plate shall have displayed upon it the registration number assigned to the vehicle and ~~to the owner, thereof,~~ the year number for which it is issued, the month in which it expires, and any other appropriate symbol, word, or words designated by the department. The department may adopt rules ~~and regulations~~ for the issuance of permanent number plates ~~which~~ THAT do not display the year number for which it is issued or the month in which it expires. Such plate and the required letters and numerals, ~~thereon,~~ except the year number for which

issued, shall be of sufficient size to be plainly readable from a distance of one hundred feet during daylight.

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

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

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

~~(5) (a) On and after January 1, 2000, any~~ A new or replacement license plate issued by the department shall, to the extent that it is practical, have standardized coloring and identifying characters limited to no more than a total of six numbers and letters; except that such character limitation does not apply to personalized license plates issued under section ~~42-3-114~~ 42-3-211.

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

~~(c) Repealed.~~

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

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

in this article.

~~(b) Repealed.~~

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

(b) A person shall not operate a motor vehicle with an affixed device or a substance that causes all or a portion of a license plate to be unreadable by a system used to automatically identify a motor vehicle. Such a device includes, without limitation, a cover that distorts angular visibility; alters the color of the plate; or is smoked, tinted, scratched, or dirty so as to impair the legibility of the license plate.

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

(b) A person who violates paragraph (b) of subsection (2) of this section commits a class A traffic infraction and shall be punished by a fine of one hundred dollars.

42-3-203. [Formerly 42-3-124 (1) (c), (2), (3), (4), and (5)] Standardized plates. (1) ~~(c)~~ Unless otherwise authorized by statute, all class C vehicles shall be issued a single type of standardized license plate. Unless otherwise authorized by statute, all class B vehicles, except recreational trucks, ~~that weigh less than sixteen thousand pounds empty weight~~ shall be issued a single type of standardized license plate.

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

(3) (a) The department ~~is authorized to~~ MAY issue individual

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

(b) The department ~~is further authorized to~~ MAY issue to licensed motor vehicle dealers temporary registration number plates, tags, or certificates in blocks of twenty-five upon payment of a fee of twelve dollars and fifty cents for each block of twenty-five, fifty percent thereof to be retained by the county clerk and recorder and the remainder to be remitted monthly to the department to be transmitted to the state treasurer for credit to the highway users tax fund.

~~(c) Repealed.~~

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

~~(5) Repealed.~~

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

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

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

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

(II) A PERSON who has a physical impairment THAT SUBSTANTIALLY

LIMITS THE PERSON'S ABILITY TO MOVE FROM PLACE TO PLACE, WHICH IMPAIRMENT IS verified, in writing, by the director of the division of rehabilitation (~~which has been~~ administratively created by the department of human services) or a physician licensed to practice medicine or practicing medicine pursuant to section 12-36-106 (3) (i), C.R.S., or a podiatrist licensed under ~~the provisions of~~ article 32 of title 12, C.R.S. ~~that such impairment limits substantially the person's ability to move from place to place. Before such a verification can be made, said~~ TO BE VALID, SUCH VERIFICATION BY THE director, physician, or podiatrist shall certify to the department of revenue that THE PERSON MEETS the standards established by the executive director of the department, ~~or his or her designee,~~ in consultation with the director of the division of rehabilitation. ~~for such a determination have been met.~~

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

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

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

by the department. The verification requirements of subsection (1) of this section shall be met each time the placard is renewed.

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

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

~~(b)~~ (c) Such license plate or placard shall be issued to such person upon presentation to the department of a written statement, verified by a physician licensed to practice medicine in this state or practicing medicine pursuant to section 12-36-106 (3) (i), C.R.S., that such person is a person with a disability. The application for such a license plate or placard shall be sent to the department each year; except that a person who has been issued a disabled veteran special license plate shall not send an application to the department every year. The application for a disabled special license plate that qualifies for parking privileges pursuant to this section shall be sent to the department upon transfer of such plate to another vehicle.

~~(c)~~ (d) Such license plate or placard may be revoked by the department upon receipt of a sworn statement from a peace officer or an authorized parking enforcement official that the person with a disability has improperly used the privilege defined in section 42-4-1208. Upon a first violation of section 42-4-1208, the department shall deny ~~any~~ reissuance of such license plate or placard for a period of one year ~~from~~ FOLLOWING the date of revocation. Upon a second or subsequent violation of section

42-4-1208, the department shall deny ~~any~~ reissuance of such license plate or placard for a period of at least five years ~~from~~ AFTER the date of the second or each subsequent revocation. The department shall provide written notification to the person with a disability of such revocation, which notification shall contain a demand for the return of the license plate or placard to the department and a warning that continued use by any person shall be subject to the penalty set forth in section 42-4-1208 (11). ~~This paragraph (c) shall take effect July 1, 2000, and shall apply to any violations occurring on or after July 1, 2000.~~

~~(d)~~ (e) The department shall establish a fee for any placard issued pursuant to paragraph ~~(b)~~ (c) of this subsection (2). The fee established by the department shall not exceed the actual costs of issuing the placards, and the moneys collected by the department shall be transmitted to the state treasurer, who shall credit such moneys to the highway users tax fund.

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

with a disability to whom the temporary license permit or placard has been issued and shall be presented to any law enforcement officer upon request. Temporary license permits and temporary placards issued by states other than Colorado shall be valid so long as they are currently valid in the state of issuance and valid pursuant to 23 CFR part 1235.

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

42-3-205. [Formerly 42-3-129] Substitute plates - waiting period for reissuance of identical combination of numbers and letters. (1) ~~In the event that any~~ IF A number or personalized license plate issued under this article ~~is~~ BECOMES lost, stolen, ~~or~~ mutilated, or ~~becomes~~ illegible, the person who is entitled thereto shall ~~make immediate application and obtain~~ IMMEDIATELY APPLY FOR a substitute. ~~therefor upon furnishing information of such fact~~ SUCH APPLICATION SHALL INCLUDE EVIDENCE satisfactory to the department THAT SUCH PLATE IS LOST, STOLEN, MUTILATED, OR ILLEGIBLE and ~~upon~~ payment of the required fees. If the plate to be replaced is in the possession of the ~~person making application for a substitute plate~~ APPLICANT, the plate shall be surrendered to the department ~~at the time of such~~ ALONG WITH THE application.

(2) ~~(a)~~ If an application made pursuant to subsection (1) of this section is accompanied by the personalized plate to be replaced, the department shall reissue a substitute plate bearing the identical sequential combination of letters and numbers that appears on the ORIGINAL plate. ~~to be replaced.~~

~~(b) If a number or personalized license plate is lost, stolen, or otherwise not surrendered to the department at the time an application for a substitute plate is submitted pursuant to subsection (1) of this section, there shall be a twelve-month waiting period prior to the reissuance of a license plate bearing the identical sequential combination of letters and numbers that appeared on the plate to be replaced.~~

42-3-206. [Formerly 42-3-113.5] Remanufacture of certain license plates. Persons who have been approved to be issued a license

plate before July 1, 2003, pursuant to this section as it existed on July 1, 2003, shall be issued such plate, shall be authorized to continue using such plate, and shall not be required to pay additional fees beyond the existing taxes and fees imposed for motor vehicle registration. Such issuance of license plates that contain only two alphabetic figures and up to four numeric figures shall be issued as personalized license plates pursuant to section ~~42-3-114~~ 42-3-211, which are a flat-style license plate. If the same alphanumeric combination is issued to multiple vehicles, the department shall compare the last four numbers of the vehicle identification number of the motor vehicles to which such plates are issued and issue such alphanumeric combination only to the vehicle with the lowest last four numbers.

42-3-207. [Formerly 42-3-122] Special plates - rules - new plates - retirement. (1) (a) Neither the department nor an authorized agent of the department shall collect any fee for the privilege of using a special plate unless such fee is expressly authorized by statute. The department or an authorized agent of the department shall not transfer money collected for the privilege of using a special plate unless such transfer is expressly authorized by statute.

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

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

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

(2) Before a bill is introduced in the general assembly that contains, or any bill is amended to contain, a provision that establishes a new category or type of group special license plate, the person, group, or association proposing such special license plate shall submit to the department a proposal for a group special license plate and certify by March 1 of each year that at least three thousand of such special plates are to be

issued within one year after the authorization of such plates. The department shall verify that any proposed group special license plates meet the three-thousand-plate requirement and shall submit a consolidated proposal, containing all proposed group special license plates that meet such plate requirement.

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

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

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

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

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

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

~~(d) (Deleted by amendment, L. 2004, p. 1900, § 2, effective August 4, 2004.)~~

~~(e) The department or an authorized agent shall not issue a United States army special license plate to an applicant until such applicant has~~

~~provided to the department or an authorized agent a DD214 form issued by the United States government, an honorable discharge from the United States army, or sufficient evidence to demonstrate that the applicant is an active, reserve, or retired member of the United States army.~~

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

(2) (a) The Vietnam veteran special license plate shall be retired and replaced with the special license plate issued pursuant to section ~~42-3-115.5~~ 42-3-213 (1) (a) (X) and (11).

(b) THE UNITED STATES ARMY SPECIAL LICENSE PLATE SHALL BE RETIRED AND REPLACED WITH THE SPECIAL LICENSE PLATE ISSUED PURSUANT TO SECTION 42-3-213 (1) (a) (XI) AND (12).

42-3-209. Legislative license plates. (1) [Formerly 42-3-112 (11)] Upon the application of the owner of a passenger car, ~~motor~~ truck, or trailer classified as Class B or Class C personal property, as defined in section 42-3-106, or the duly authorized agent of such owner showing that such owner is a member of congress from the state of Colorado, the department ~~is authorized to~~ MAY assign to such owner ~~in addition to or in lieu of the distinct registration number specified in paragraph (a) of subsection (1) of this section,~~ registration plates which shall contain BEARING a number together with appropriate words or letters indicating that such owner is a member of the congress of the United States, and a separate number series shall be used to further identify such license plates. Said license plates shall not be issued by the counties but shall be issued directly by the department.

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

~~which shall be used~~ to further identify such license plates.

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

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

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

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

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

(2) (a) "Personalized license plates", as used in this section, means license plates that have displayed upon them the registration number

assigned to the motor vehicle for which such registration number was issued in a combination of letters or numbers ~~or both~~, requested by the owner of the vehicle, subject to the limitations of this section.

~~(3)~~ (a) (b) "Personalized license plates", as used in this section, includes special license plates ~~which~~ THAT bear the words "street rod" and ~~which~~ THAT may be issued only to a street rod vehicle.

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

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

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

~~(5)~~ (4) Any person who is the registered owner of a motor vehicle registered with the department or who ~~makes application for the personalized license registration of~~ APPLIES TO REGISTER a motor vehicle or renewal personalized license registration of a motor vehicle, upon payment of the fee prescribed in subsection ~~(7)~~ (6) of this section, may apply to the department for personalized license plates in the manner prescribed in this section. ~~which plates shall be affixed to the motor vehicle for which registration is sought in lieu of the regular license plates.~~ Personalized license plates shall be issued for the annual registration period ~~subsequent to~~ IMMEDIATELY FOLLOWING the year in which the application is made.

~~(6)~~ (5) An applicant for issuance of personalized license plates or

renewal of such plates ~~in subsequent years shall make an application therefor~~ APPLY in such form and by such date as the department may require, indicating thereon the combination of letters or numbers ~~or both,~~ requested as a registration number. There shall be no duplication of registration numbers, and the department may refuse to issue any combination of letters or numbers ~~or both, which may~~ THAT carry connotations offensive to good taste and decency, ~~or which would be~~ ARE misleading, or ~~a duplication of the regular~~ DUPLICATE ANY OTHER license plates provided for in this article.

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

(b) The department may provide for renewals of personalized license plates whereby such plates are retained by the applicant in ~~SUBSEQUENT~~ years ~~subsequent to original issuance~~ upon the payment, in addition to the normal registration fee, of an annual renewal fee of twenty-five dollars for which the department shall provide a distinctive tag or insignia to be affixed to such plates to signify that such vehicle has been properly registered for the year for which such license plate was renewed.

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

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

license plates.

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

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

~~(9) (7) All applications for special registration of motor vehicles shall be made directly to the department, and all matters pertaining thereto shall be administered by such THE department. All fees received from special registrations shall be placed by the department in the same fund as its other registration fees CREDITED TO THE HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201, C.R.S.; except that two dollars of each such special registration fee COLLECTED PURSUANT TO PARAGRAPHS (a) TO (d) OF SUBSECTION (6) OF THIS SECTION shall be remitted to the county general fund. and the entire fee collected pursuant to paragraph (c) of subsection (7) of this section shall be transferred to the highway users tax fund created in section 43-4-201, C.R.S.~~

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

~~(11) Repealed.~~

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

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

~~(3) Vehicles registered under this section shall be subject to all other provisions of this article except those relating to the type of number license plates under section 42-3-113.~~ AN APPLICANT MAY APPLY FOR PERSONALIZED OPTIONAL LICENSE PLATES. IF THE APPLICANT COMPLIES WITH SECTION 42-3-211, THE DEPARTMENT MAY ISSUE SUCH PLATES UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6) FOR PERSONALIZED LICENSE PLATES. IF THE APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET OF OPTIONAL LICENSE PLATES FOR THE VEHICLE UPON PAYING THE FEE IMPOSED BY SECTION 42-3-211 (6) (a) AND UPON TURNING IN SUCH EXISTING PLATES TO THE DEPARTMENT AS REQUIRED BY THE DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED OPTIONAL LICENSE PLATES UNDER THIS SUBSECTION (3) SHALL PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6) (b) TO RENEW SUCH PLATES. THE FEES IMPOSED BY THIS SUBSECTION (3) SHALL BE IN ADDITION TO ALL OTHER TAXES AND FEES IMPOSED FOR OPTIONAL LICENSE PLATES.

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

~~(b) Repealed.~~

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

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

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

42-3-213. [Formerly 42-3-115.5] Special plates - military veterans - rules - retirement. (1) (a) The department ~~is directed to~~ SHALL issue one or more sets of special license plates to the following persons who

own a truck that does not exceed ~~twelve~~ SIXTEEN thousand pounds empty weight, a passenger car, a motorcycle, or a noncommercial or recreational vehicle:

- (I) A recipient of the purple heart;
- (II) A former prisoner of war;
- (III) An honorably discharged or retired veteran of the armed forces of the United States;
- (IV) A disabled veteran of the armed forces of the United States;
- (V) A survivor of the attack on Pearl Harbor;
- (VI) A recipient of the medal of honor;
- (VII) An honorably discharged, retired, reserve, or active member of the United States marine corps;
- (VIII) A veteran of the Korean war;
- (IX) A recipient of a military award for valor; ~~or~~
- (X) A veteran of the Vietnam war; OR
- (XI) AN HONORABLY DISCHARGED, RETIRED, RESERVE, OR ACTIVE MEMBER OF THE UNITED STATES ARMY.

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

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

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

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

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

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

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

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

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

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

(IV) ONE DOLLAR OF EACH ADDITIONAL FEE COLLECTED FROM PURCHASERS OF SPECIAL LICENSE PLATES ISSUED PURSUANT TO SUBSECTIONS (4) AND (5) OF THIS SECTION SHALL BE RETAINED BY THE AUTHORIZED AGENT, AND ONE DOLLAR AND FIFTEEN CENTS OF EACH SUCH ADDITIONAL FEE SHALL BE CREDITED TO THE SPECIAL PURPOSE ACCOUNT ESTABLISHED

UNDER SECTION 42-1-211.

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

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

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

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

(2) **Recipient of a purple heart.** (a) The purple heart special license plate shall be designed to indicate that an owner of a motor vehicle to which such license plate is attached is a recipient of the purple heart. ~~Such design shall be different from that used by the state for regular motor vehicle registration.~~

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

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

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

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

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

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

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

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

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

(5) Disabled veterans. (a) (I) The disabled veteran special license plate shall indicate that the owner of the motor vehicle to which such

license plate is attached is a disabled veteran of the United States armed forces.

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

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

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

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

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

(b) Any natural person may use a survivors of the attack on Pearl

Harbor special license plate if such person:

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

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

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

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

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

(b) ~~Any~~ A natural person who has been awarded a medal of honor ~~is authorized to~~ MAY use a medal of honor special license plate. When applying for such a license plate, the applicant shall submit to the department a letter of verification from the appropriate branch of the armed forces of the United States that the applicant has been awarded a medal of honor.

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

(d) ~~Repealed.~~

(8) **Honorably discharged, retired veteran, or active member of the U.S. marine corps.** (a) The United States marine corps special license

plate shall indicate that an owner of a motor vehicle to which such plate is attached is a veteran, reserve member, or an active member of the United States marine corps.

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

~~(c) Effective July 1, 2007, The special license plate authorized by this subsection (8) shall be retired, unless such plate is issued for at least three thousand vehicles.~~

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

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

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

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

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

(I) Navy cross;

(II) Distinguished service cross;

(III) Air force cross; or

(IV) Silver star.

(11) **Veteran of the Vietnam war.** (a) The veteran of the Vietnam war special license plate shall be designed to indicate that the owner of the motor vehicle to which such license plate is attached is a veteran of the Vietnam war.

(b) A natural person may use a veteran of the Vietnam war special license plate if such person was a member of the United States armed forces SERVICES between August 7, 1964, and January 27, 1973.

(c) The department or an authorized agent shall not issue a veteran of the Vietnam war special license plate to an applicant until the applicant provides a DD214 form issued by the United States government or other evidence sufficient to demonstrate that the applicant is a veteran of the armed services who served between August 7, 1964, and January 27, 1973.

(12) **Honorably discharged, retired veteran, or active member of the U.S. army - repeal.** (a) THE UNITED STATES ARMY SPECIAL LICENSE PLATE SHALL BE DESIGNED TO INDICATE THAT THE OWNER OF THE MOTOR VEHICLE TO WHICH SUCH LICENSE PLATE IS ATTACHED IS AN HONORABLY DISCHARGED, RETIRED, RESERVE, OR ACTIVE MEMBER OF THE UNITED STATES ARMY.

(b) A NATURAL PERSON MAY USE A UNITED STATES ARMY SPECIAL LICENSE PLATE IF SUCH PERSON IS AN HONORABLY DISCHARGED, RETIRED, RESERVE, OR ACTIVE MEMBER OF THE UNITED STATES ARMY.

(c) THE DEPARTMENT OR AN AUTHORIZED AGENT SHALL NOT ISSUE AN UNITED STATES ARMY SPECIAL LICENSE PLATE TO AN APPLICANT UNTIL THE APPLICANT PROVIDES A DD214 FORM ISSUED BY THE UNITED STATES GOVERNMENT OR OTHER EVIDENCE SUFFICIENT TO DEMONSTRATE THAT THE APPLICANT IS AN HONORABLY DISCHARGED, RETIRED, RESERVE, OR ACTIVE MEMBER OF THE UNITED STATES ARMY.

(d) (I) THIS SUBSECTION (12) IS EFFECTIVE JANUARY 1, 2007.

(II) THIS PARAGRAPH (d) IS REPEALED, EFFECTIVE JULY 1, 2007.

42-3-214. [Formerly 42-3-115.7] Special plates - alumni associations - retirement. (1) The department shall issue one or more sets of special alumni license plates to applicants under ~~the requirements of this section~~ for passenger cars or trucks that do not exceed sixteen thousand pounds empty weight. For the purposes of this section, recreational vehicles that do not exceed sixteen thousand pounds empty weight shall be classified as passenger cars.

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

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

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

(3) (a) A person may apply for a special alumni license plate for a motor vehicle if the person pays the taxes and fees required under ~~the provisions of this section~~ and provides the department or authorized agent a certificate issued by the alumni association confirming that such person meets the qualifications for the license plate established by the alumni association pursuant to paragraph (b) of this subsection (3). The department shall prepare a certificate form to be used by alumni associations when confirming that a person is eligible to obtain special alumni license plates.

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

(I) Membership in the alumni association;

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

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

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

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

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

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

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

taxes and fees imposed for the special alumni license plates.

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

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

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

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

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

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

(b) The committee may establish the following qualifications for

persons seeking to obtain special license plates under ~~the provisions of this section:~~

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

(II) Payment of specified dues, including special dues established for the special license plates. If the olympic committee collects special dues for special license plates, the moneys may be expended only for support of the United States olympic committee program.

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

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

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

~~(6)~~ (5) ~~Any renewal of a~~ Special license ~~plate~~ PLATES issued under

this section shall be ~~handled~~ RENEWED in the same manner as other license plates under ~~the provisions of section 42-3-112~~ 42-3-113 or, for personalized plates, under ~~the provisions of section 42-3-114~~ 42-3-211.

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

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

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

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

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

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

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

(b) The foundation is responsible for the costs of designing the special license plate and shall pay such costs before the license plate is produced. The design for the special license plate shall conform with standards established by the department and shall be approved by the department.

(4) (a) A person may apply for a special license plate for a motor vehicle if the person pays the taxes and fees required under ~~the provisions of~~ this section and provides ~~the department or authorized agent~~ a certificate, issued by the foundation, confirming that such person meets the

qualifications for the license plate established by the foundation pursuant to paragraph (b) of this subsection (4). The department shall prepare a certificate form to be used by the foundation when confirming that a person is eligible to obtain a special license plate.

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

(I) Specified levels of contributions to the foundation; or

(II) Payment of specified special dues established for the special license plates. If the foundation collects special dues for special license plates, the moneys shall be expended only for support of the foundation's programs.

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

~~(6)~~ (5) (a) The amount of the taxes and fees for special license plates under this section is the same as the amount of the taxes and fees specified for regular motor vehicle license plates ~~except that the department shall collect~~ PLUS a one-time fee of twenty-five dollars for each motor vehicle for ~~issuance or replacement of~~ ISSUING OR REPLACING such license plates. The department shall transmit the additional one-time fee to the state treasurer, who shall credit the same to the highway users tax fund.

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

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

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

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

42-3-217. [Formerly 42-3-116.7] Special plates - Colorado commission of Indian affairs. (1) The department shall issue one or more sets of special license plates to applicants under ~~the requirements of~~ this section for passenger cars, MOTORCYCLES, or trucks that do not exceed sixteen thousand pounds empty weight. THE AMERICAN INDIAN SPECIAL LICENSE PLATE SHALL NOT BE ISSUED FOR MOTORCYCLES UNTIL JANUARY 1, 2007.

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

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

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

(b) The Colorado commission of Indian affairs shall establish a specific level of contribution to a scholarship fund that qualifies a person

to obtain special license plates under ~~the provisions of this section~~ and shall set appropriate qualifications in order for an applicant to receive a scholarship. The scholarship fund shall be administered by a nonprofit organization, association, or corporation selected and supervised by the Colorado commission of Indian affairs. Such scholarship shall not be awarded to an applicant unless the applicant can demonstrate that he or she is a Colorado resident and such scholarship will be used to attend an institution of higher education within Colorado. Such nonprofit organization shall issue a report to the Colorado commission of Indian affairs accounting for revenues and expenditures at least every other year.

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

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

(5) ON OR AFTER JANUARY 1, 2007, AN APPLICANT MAY APPLY FOR PERSONALIZED AMERICAN INDIAN SPECIAL LICENSE PLATES. IF THE APPLICANT COMPLIES WITH SECTION 42-3-211, THE DEPARTMENT MAY ISSUE SUCH PLATES UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6) FOR PERSONALIZED LICENSE PLATES. IF THE APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET OF AMERICAN INDIAN SPECIAL LICENSE PLATES FOR THE VEHICLE UPON PAYING THE FEE IMPOSED BY SECTION 42-3-211 (6) (a) AND UPON TURNING SUCH EXISTING PLATES IN TO THE DEPARTMENT AS REQUIRED BY THE DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED LICENSE PLATES UNDER THIS SUBSECTION (5) SHALL PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6) (b) TO RENEW SUCH PLATES. THE FEES IMPOSED BY THIS SUBSECTION (5) SHALL BE IN ADDITION TO ALL OTHER TAXES AND FEES IMPOSED FOR LICENSE PLATES ISSUED PURSUANT TO THIS SECTION.

(6) ~~Any renewal of a Special license plate~~ PLATES issued under this section shall be ~~handled~~ RENEWED in the same manner as other license

plates under ~~the provisions of section 42-3-112~~ 42-3-113 or, for personalized plates, under ~~the provisions of section 42-3-114~~ 42-3-211.

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

(2) The special license plates shall have a white background with blue lettering and shall be of a design determined by the executive director of the department. ~~but they~~ SUCH PLATES shall be designed so as to indicate that ~~an~~ THE owner of a THE motor vehicle is a member of the Colorado national guard. ~~Such design shall be different from the design used by the state for regular motor vehicle registration.~~

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

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

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

~~(b) Repealed.~~

~~(6)~~ (5) All Applications for special license plates provided for in this section ~~shall be made directly to the department upon expiration of any current vehicle registration and~~ shall include such information as the department may require. At the time of ~~making such~~ application, the applicant shall submit to the department a proof of eligibility form prepared by the department of military and veterans affairs verifying active or retired

status. If the owner of a vehicle registered pursuant to ~~the provisions of~~ this section ceases to be an active member of the Colorado national guard and has not qualified for retirement from the Colorado national guard, such person shall return the special license plates to the department upon expiration of the registration. Upon retiring from the Colorado national guard, ~~any~~ A person wishing to retain ~~the SUCH~~ special license plates issued to the person pursuant to ~~the provisions of this section~~ shall submit to ~~the department~~ a verification of retired status that is issued by the department of military and veterans affairs to establish eligibility for retention of the plates. A retired member of the Colorado national guard is required to verify retired status ONLY once under this section. ~~and, upon providing such verification, is not required to provide additional verification when renewing plates issued pursuant to this section.~~

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

~~(8)~~ Effective July 1, 2007, the special license plate authorized by this section shall be retired, unless such plate is issued for at least three thousand vehicles.

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

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

(I) The plates were made before 1943;

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

(III) The plates are legible;

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

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

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

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

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

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

(4) (a) The fee for issuing such registration and special registration plate or tab shall be five dollars for each five-year period or ~~fractional part~~ FRACTION thereof. In addition to ~~said~~ THE five-dollar registration fee, the executive director of the department shall collect the one dollar and fifty

cent annual specific ownership fee provided by law for each year of registration, ~~This~~ WHICH ADDITIONAL fee shall be collected for the number of years remaining at the time of registration and issuance or renewal of ~~said~~ THE registration.

~~(b) Repealed.~~

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

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

(7) All applications for special registration of motor vehicles shall be made ~~direct~~ DIRECTLY to the department of revenue. ~~as well as~~ All matters ~~pertaining thereto that are~~ CONCERNING SUCH REGISTRATION SHALL BE administered by ~~it~~ THE DEPARTMENT. All fees received from special registrations shall be ~~placed by the department in the same fund as are its other registration fees.~~ No part of this fee shall be payable to the counties TRANSFERRED TO THE STATE TREASURER AND CREDITED TO THE HIGHWAY USERS TAX FUND.

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

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

(10) ON OR AFTER JANUARY 1, 2007, AN APPLICANT MAY APPLY FOR PERSONALIZED LICENSE PLATES ISSUED WITH A SPECIALIZED REGISTRATION ISSUED PURSUANT TO THIS SECTION. IF THE APPLICANT COMPLIES WITH SECTION 42-3-211, THE DEPARTMENT MAY ISSUE SUCH PLATES UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6) FOR PERSONALIZED LICENSE PLATES. IF THE APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET OF LICENSE PLATES FOR THE VEHICLE UPON PAYING THE FEE IMPOSED BY SECTION 42-3-211 (6) (a) AND UPON TURNING IN SUCH EXISTING PLATES TO THE DEPARTMENT AS REQUIRED BY THE DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED COLLECTOR LICENSE PLATES UNDER THIS SUBSECTION (10) SHALL PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6) (b) TO RENEW SUCH PLATES. THE FEES IMPOSED BY THIS SUBSECTION (10) SHALL BE IN ADDITION TO ALL OTHER TAXES AND FEES IMPOSED FOR COLLECTOR LICENSE PLATES.

42-3-220. [Formerly 42-3-117.7] Temporary special event license plates. (1) The department ~~is authorized to~~ MAY issue a temporary special event license plate to a person or group of people in connection with a special event for a passenger vehicle or a truck that does not exceed sixteen thousand pounds empty weight.

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

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

~~(b) Repealed.~~

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

PART 3
FEES AND CASH FUNDS

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

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

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

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

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

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

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

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

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

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

(VIII) Twenty-five cents per ~~moped tab~~ MOTORIZED BICYCLE DECAL issued pursuant to this section;

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

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

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

(b) Notwithstanding any other provision of this article, with the exception of special license plates issued pursuant to section ~~42-3-115.5~~ 42-3-213 for purple heart recipients, former prisoners of war, disabled veterans, or recipients of a medal of honor, the fees imposed by this subsection ~~(7)~~ (2) shall apply to all other special license plates issued in accordance with ~~the requirements~~ of this article.

42-3-302. [Formerly 42-3-122.5] Special plate fees. (1) The fees collected pursuant to sections ~~42-3-115.5 and 42-3-116.7~~ 42-3-213 AND 42-3-217 for the issuance of a license plate pursuant to sections ~~42-3-115.5 (9) and 42-3-116.7~~ 42-3-213 (9) AND 42-3-217 shall be transmitted to the

state treasurer, who shall credit the same to the license plate cash fund created in section ~~42-3-113 (6)~~ 42-3-301.

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

- (a) A summary of the department's activities for the previous year;
- (b) A statement of plate revenues;
- (c) Information regarding special plate purchases;
- (d) Expenses of the department;
- (e) Allocation of remaining revenues; and

(f) Any recommendations for changes in statutes that the executive director deems necessary or desirable.

42-3-303. [Formerly 42-3-130.5] Persistent drunk driver cash fund - programs to deter persistent drunk drivers. (†) There is hereby created in the state treasury the persistent drunk driver cash fund, which shall be composed of moneys collected for penalty surcharges under section 42-4-1301 (7) (d) (II). The moneys in such fund are subject to annual appropriation by the general assembly to pay the costs incurred by the department ~~regarding~~ CONCERNING persistent drunk drivers under ~~the provisions of~~ sections 42-2-126 (2.5) and 42-7-406 (1.5), to pay for costs incurred by the department for computer programing changes related to treatment compliance for persistent drunk drivers pursuant to section 42-2-144, and to support programs that are intended to deter persistent drunk driving or intended to educate the public, with particular emphasis on the education of young drivers, regarding the dangers of persistent drunk driving. The departments of transportation, revenue, and human services shall coordinate programs intended to accomplish such goals.

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

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

42-3-304. [Formerly 42-3-134 (1), (2), (3), (5), (8), (9), (10), (11), (12) (e), (13) (f), (13) (g), (13) (l), (16), (20), (21) (a), (22) (a) (I), (22) (a) (II), (22) (b), (23), (24), (26), (26.5), (27), (28), (29.5), (31), and (32)] Registration fees - passenger and passenger-mile taxes - clean screen fund - repeal. (1) (a) ~~Not later than September 1, 1997,~~ In addition to other fees specified in this section, an applicant shall pay a motorist insurance identification fee in an amount determined by paragraph (d) of subsection ~~(26)~~ (18) of this section when ~~application is made~~ APPLYING for registration or renewal of registration of a motor vehicle under this article.

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

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

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

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

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

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

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

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

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

(a) The owner of such vehicle is a veteran who in an application for registration shows that the owner has established such owner's rights to benefits under the provisions of Public Law 663, 79th Congress, as amended, and Public Law 187, 82nd Congress, as amended, or is a veteran of the armed forces of the United States who incurred a disability and who is, at the date of such application, receiving compensation from the veterans administration or any branch of the armed forces of the United States for a fifty percent or more, service-connected, permanent disability, or for loss ~~or permanent loss~~ of use of one or both feet or one or both hands, ~~or for the loss of sight in both eyes~~; or for permanent impairment OR LOSS of vision in both eyes ~~to such a degree as to constitute~~ THAT CONSTITUTES virtual OR ACTUAL blindness. The exemption provided in this paragraph (a) shall ~~be applicable~~ APPLY to the original QUALIFYING vehicle ~~qualifying for the same~~ and to any vehicle subsequently purchased and owned by the same veteran but shall not apply to more than one vehicle at a time. ~~License plates for the vehicles qualifying for the exemption granted in this paragraph (a) shall be issued only by the department and shall bear the inscription "D.V.", and a separate number series shall be used for such license plates. Additional license plates bearing such inscription may be issued by the department to any person eligible under this paragraph (a) upon the payment of any fees or taxes required by this article. Such license plate may also be issued to any person eligible under this paragraph (a) for a motor home, as defined in section 42-1-102 (57), upon the payment of any fees or taxes required by this article.~~

(b) The application for registration shows that the owner of such vehicle is a foreign government or a consul or other official representative of a foreign government duly recognized by the department of state of the United States government. License plates for the vehicles qualifying for the exemption granted in this paragraph (b) shall be issued only by the

department and shall bear such inscription as may be required to indicate their status.

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

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

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

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

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

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

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

~~(8) (5) In lieu of registering each vehicle separately, a dealer in motorcycles, motorscooters, or motorbicycles shall pay to the department~~

an annual registration fee of twenty-five dollars for the first license plate issued pursuant to ~~the provisions of section 42-3-127~~ 42-3-116 (1), a fee of seven dollars and fifty cents for each additional license plate so issued up to and including five such plates, and a fee of ten dollars for each license plate so issued in excess of five.

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

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

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

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

(b) Each such transporter shall keep a written record of all vehicles transported, including the description thereof and the names and addresses of the consignors and consignees, and a copy of such record shall be carried in every driven vehicle; except that, when a number of vehicles are being transported in convoy, such copy, listing all the vehicles in the convoy, may be carried in only the lead vehicle in the convoy.

(c) ~~The provisions of~~ This subsection ~~(10)~~ (7) shall not apply to a

nonresident engaged in interstate or foreign commerce if such nonresident is in compliance with the in-transit laws of the state of his or her residence and if such state grants reciprocal exemption to Colorado residents. The department may enter into reciprocal agreements with ~~another~~ ANY OTHER state or states containing such reciprocal exemptions or may issue written declarations as to the existence of any such reciprocal agreements.

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

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

~~(I2)(e)~~ (9) In addition to the registration fees imposed by ~~paragraph (a) of this subsection (12), an~~ SECTION 42-3-305 (4) (a), THE FOLLOWING additional registration fee shall be imposed on ~~the~~ SUCH vehicles: ~~described in said paragraph (a) of this subsection (12), which additional registration fee shall be based on the age of the motor vehicle, as follows:~~

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

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

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

~~(I3)(f)~~ (10) (a) In addition to the registration fees imposed by ~~paragraph (a) of this subsection (13) and by subsection (25) of this section, SECTION 42-3-305 (5) (a) AND (13), for motor vehicles described in said paragraph (a) of this subsection (13) and in said subsection (25), an~~ SECTION 42-3-305 (5) (a) AND (13), THE FOLLOWING additional registration fee shall be imposed: ~~and based on the age of the vehicle, as follows:~~

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

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

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

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

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

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

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

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

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

~~(22)~~(a) ~~(1)~~ (14) (a) The owner or operator of any mobile machinery and OR self-propelled construction equipment having an empty weight not in excess of sixteen thousand pounds which THAT the owner or operator desires to operate over the public highways of this state shall register such vehicle under the provisions of paragraph (a) of subsection ~~(13)~~ of this section 42-3-305 (5) (a).

~~(1)~~ (b) The owner or operator of any mobile machinery and OR self-propelled construction equipment with an empty weight exceeding sixteen thousand pounds which THAT such owner or operator desires to operate over the public highways of this state shall register such vehicle under the provisions of paragraph (b) of subsection ~~(13)~~ of this section 42-3-305 (5) (b).

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

~~(23)~~ (16) Nothing in this section shall be construed to prevent a farmer or rancher from occasionally exchanging transportation with another

farmer or rancher when the sole consideration involved is the exchange of personal services and the use of vehicles.

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

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

~~(26)~~ (a) ~~(F)~~ (18) (a) ~~Effective July 1, 1986,~~ In addition to any other fee imposed by this section, ~~there shall be collected~~ THE OWNER SHALL PAY, at the time of registration, a fee of fifty cents on every item of class A, B, or C personal property required to be registered pursuant to this article. Such fee shall be transmitted to the state treasurer, who shall credit the same to a special account within the highway users tax fund, to be known as the AIR account, and such moneys shall be used, subject to appropriation by the general assembly, to cover the direct costs of the motor vehicle emissions activities of the department of public health and environment in the presently defined nonattainment area, and to pay for the costs of the commission in performing its duties under section 25-7-106.3, C.R.S. In the program areas within counties affected by this article, the ~~county clerk and recorder~~ AUTHORIZED AGENT shall impose and retain an additional fee of up to seventy cents on every such registration to cover reasonable costs of administration of the emissions compliance aspect of vehicle registration. The department of public health and environment ~~is hereby authorized to~~ MAY accept and expend grants, gifts, and moneys from any source for the purpose of implementing its duties and functions under this section or section 25-7-106.3, C.R.S.

~~(H)~~ Notwithstanding any provision of subparagraph (I) of this paragraph (a) to the contrary, on July 1, 1998, the state treasurer shall deduct five hundred thousand dollars from the AIR account and transfer

~~such sum to the environmental leadership pollution prevention revolving fund, created in section 25-6.7-109 (2), C.R.S.~~

(b) ~~Effective July 1, 1987,~~ In addition to any other fee imposed by this section, ~~there shall be collected~~ at the time of registration of any motor vehicle in the program area subject to inspection and not exempt from registration, THE OWNER SHALL PAY a fee of one dollar and fifty cents. Such fee shall be transmitted to the state treasurer, who shall credit the same to the AIR account within the highway users tax fund, and such moneys shall be expended only to cover the costs of administration and enforcement of the automobile inspection and readjustment program by the department of revenue and the department of public health and environment, upon appropriation by the general assembly. For such purposes, the revenues attributable to one dollar of such fee shall be available for appropriation to the department of revenue, and the revenues attributable to the remaining fifty cents of such fee shall be available for appropriation to the department of public health and environment.

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

(d) (I) ~~Effective September 1, 1997,~~ In addition to any other fee imposed by this section, ~~there shall be collected~~ THE OWNER SHALL PAY, at the time of registration of any motor vehicle in the state, a motorist insurance identification fee. Such fee shall be adjusted annually by the department of revenue, based upon moneys appropriated by the general assembly for the operation of the motorist insurance identification database program. In no event shall such fee exceed fifty cents. Such fee shall be transmitted to the state treasurer, who shall credit the same to a special account within the highway users tax fund, to be known as the motorist insurance identification account, which is hereby created. Moneys in the motorist insurance identification account shall be used, subject to appropriation by the general assembly, to cover the costs of administration

and enforcement of the motorist insurance identification database program, created in section 42-7-604.

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

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

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

(II) County clerks and recorders shall be entitled to retain three and one-third percent of the fee so collected to cover the clerks' expenses in the collection and remittance of such fee. County treasurers shall, no later than ten days after the last business day of each month, remit the remainder of such fee to the clean screen authority created in section 42-4-307.5. The clean screen authority shall transmit such fee to the state treasurer, who shall deposit the same in the clean screen fund, which fund is hereby created. The clean screen fund shall be a pass-through trust account to be held in trust solely for the purposes and the beneficiaries specified in this subsection ~~(26.5)~~ (19). Moneys in the clean screen fund shall not constitute fiscal year spending of the state for purposes of section 20 of article X of the state constitution, and such moneys shall be deemed custodial funds that are not subject to appropriation by the general assembly. Interest earned from the deposit and investment of moneys in the clean screen fund shall be credited to the clean screen fund, and the clean screen authority may also

expend interest earned on the deposit and investment of the clean screen fund to pay for its costs associated with the implementation of House Bill 01-1402, enacted at the first regular session of the sixty-third general assembly.

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

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

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

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

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

~~(27)~~ (20) ~~Effective July 1, 1986,~~ In addition to any other fee imposed by this section, there shall be collected, at the time of registration, a fee of ten dollars on every light and heavy duty diesel-powered motor vehicle in the program area registered pursuant to this article in ~~the state of Colorado.~~ ~~except that, in the program area in Weld county designated in section 42-4-304 (20), said fee shall not be collected until January 1, 1988.~~ Such fee shall be transmitted to the state treasurer, who shall credit the same to the AIR account in the highway users tax fund, and such moneys shall be used, subject to appropriation by the general assembly, to cover the costs of the diesel-powered motor vehicle emissions control activities of the departments of public health and environment and revenue.

~~(28)~~ (21) In order to promote an effective emergency medical

network and thus the maintenance and supervision of the highways throughout the state, ~~effective January 1, 1990~~; in addition to any other fees imposed by this section, there shall be assessed an additional fee of one dollar at the time of registration of any motor vehicle. Such fee shall be transmitted to the state treasurer who shall credit the same to the emergency medical services account created by section 25-3.5-603, C.R.S., within the highway users tax fund.

~~(29.5)~~ (22) In addition to any other fees imposed by this section, the authorized agent ~~designated under section 42-1-210 (1) (a) is authorized to~~ MAY collect and retain, and an applicant for registration shall pay at the time of registration, a reasonable fee, as determined from time to time by the authorized agent, that approximates the direct and indirect costs incurred, not to exceed five dollars, by the authorized agent in shipping and handling those license plates that the applicant has, pursuant to section 42-3-105 (1) (a), requested that the department mail to the owner.

~~(31) (a)~~ (23) ~~On or before the last day of February, 2001, and on or~~ before the last day of each month, ~~thereafter~~, the executive director of the department shall submit a written report to the state controller containing the amount by which registration fees collected pursuant to this section during the immediately preceding month were or would have been reduced by the application of the fee reductions enacted by House Bill 00-1227, enacted at the second regular session of the sixty-second general assembly.

~~(b) For purposes of the monthly reports required by paragraph (a) of this subsection (31) and for consultation with the state controller pursuant to section 24-75-216 (2), C.R.S., the executive director of the department shall compare the amount of registration fees collected during each month of fiscal year 2000-01 with the amount of such fees collected during the same month of fiscal year 2001-02 and, using the total number of vehicles by weight and class, determined each month, shall calculate, as nearly as is practicable using such data, the net reduction in registration fees resulting from the application of the fee reductions enacted by House Bill 00-1227, enacted at the second regular session of the sixty-second general assembly.~~

~~(32)~~ (24) ~~Effective July 1, 2003~~; In addition to any other fee imposed by this section, ~~there shall be collected~~, at the time of registration, THE OWNER SHALL PAY a fee of twenty-five cents on every item of class A, B, or C personal property required to be registered pursuant to this article.

Notwithstanding the requirements of section 43-4-203, C.R.S., such fee shall be transmitted to the state treasurer, who shall credit the same to the peace officers standards and training board cash fund, created in section 24-31-303 (2) (b), C.R.S.; except that county clerks and recorders shall be entitled to retain five percent of the fee collected to cover the clerks' expenses in the collection and remittance of such fee. All of the moneys in the fund that are collected pursuant to this subsection ~~(32)~~ (24) shall be used by the peace officers standards and training board for the purposes specified in section 24-31-310, C.R.S.

42-3-305. [Formerly 42-3-134 (3.5), (4), (6), (12) (a), (12) (b), (12) (c), (12) (d), IP (13), (13) (a), (13) (b), (13) (d), (13) (e), (14), (15), (17), (18), (19), (21) (b), (21) (c), (22) (a) (III), (22) (a) (IV), and (25)] Registration fees - passenger and passenger-mile taxes - fee schedule for years of TABOR surplus revenue. ~~(3.5) (1) Subsections (4), (6), (12) (a), (13) (a), (13) (b) (I), (13) (b) (II), (13) (b) (III) (A), (13) (d), (14), (15), (17) (b), (19), (21) (b), (21) (c), (22) (a) (III), (22) (a) (IV), and (25) of This section shall apply in fiscal year 2001-02 and any subsequent fiscal year in which the legislative council certifies to the executive director of the department that, based on the annual March revenue forecast from the legislative council, there will be sufficient excess state revenue to fund the fee reductions enacted by House Bill 00-1227, enacted at the second regular session of the sixty-second general assembly. In all other years, said subsections shall not be effective and, instead, the provisions of section 42-3-134.5 42-3-306 shall govern the fees to be collected on the vehicles described in said subsections~~ IN LIEU OF THIS SECTION.

~~(4)~~ (2) Fees for the annual registration of passenger-carrying motor vehicles shall be as follows:

(a) Motorcycles, motorscooters, and motorbicycles, two dollars and twenty-five cents;

(b) (I) Passenger cars, station wagons, taxicabs, ambulances, motor homes, and hearses, two dollars and fifty cents plus an additional registration fee based on the age of the motor vehicle, as follows:

(A) For motor vehicles less than seven years old, twelve dollars;

(B) For motor vehicles seven years old but less than ten years old, ten dollars;

(C) For motor vehicles ten years old or older, seven dollars.

(II) In the event that a regional transportation plan is implemented within the regional transportation district, residents of the E-470 highway authority area shall be ~~exempted~~ EXEMPT from the first ten dollars of any motor vehicle registration fee increase in such plan.

(c) Passenger buses:

(I) All such vehicles used for the transportation of passengers for compensation having a seating capacity of fourteen or less passengers, eighteen dollars and seventy-five cents plus one dollar and twenty-five cents for each seat capacity; and all such vehicles having a seating capacity of more than fourteen passengers, eighteen dollars and seventy-five cents plus ninety-five cents for each seat capacity in excess of fourteen;

(II) All such vehicles owned by a private owner and used for the transportation of school pupils having a juvenile seating capacity (meaning fourteen lineal inches of seat space) of twenty-five or less, eleven dollars and twenty-five cents; and for all such vehicles having a juvenile seating capacity of more than twenty-five, eleven dollars and twenty-five cents plus forty cents for each juvenile seat capacity in excess of twenty-five.

~~(6)~~ (3) Fees for the annual registration of the following vehicles shall be:

(a) Trailer coaches, two dollars and twenty-five cents;

(b) Trailers, utility trailers, and camper trailers having an empty weight of two thousand pounds or less, two dollars and twenty-five cents;

(c) Trailers, utility trailers, and camper trailers having an empty weight exceeding two thousand pounds, five dollars and sixty-five cents;

(d) Semitrailers, five dollars and sixty-five cents.

~~(12)~~ (4) (a) The annual registration fee for trucks and truck tractors owned by a farmer or rancher ~~which vehicles~~ THAT are operated over the public highways and ~~whose~~ ARE only ~~commercial uses are transporting~~ COMMERCIALY USED TO TRANSPORT to market or place of storage raw agricultural products actually produced or livestock actually raised by such

farmer or rancher or ~~transporting~~ TO TRANSPORT commodities and livestock purchased by such farmer or rancher for personal use and used in such person's farming or ranching operations, shall be as follows:

(I) Each such vehicle having an empty weight of five thousand pounds or less, an amount computed to the nearest pound of the empty weight of such vehicle, according to the following schedule:

Empty Weight (Pounds)		Range	Registration Fee
2,000	and	under	\$ 4.65
2,001	but not more than	2,100	4.80
2,101	but not more than	2,200	4.95
2,201	but not more than	2,300	5.10
2,301	but not more than	2,400	5.25
2,401	but not more than	2,500	5.40
2,501	but not more than	2,600	5.55
2,601	but not more than	2,700	5.70
2,701	but not more than	2,800	5.85
2,801	but not more than	2,900	6.00
2,901	but not more than	3,000	6.15
3,001	but not more than	3,100	6.30
3,101	but not more than	3,200	6.45
3,201	but not more than	3,300	6.60
3,301	but not more than	3,400	6.75
3,401	but not more than	3,500	6.90
3,501	but not more than	3,600	7.05
3,601	but not more than	3,700	7.20
3,701	but not more than	3,800	7.35
3,801	but not more than	3,900	7.50
3,901	but not more than	4,000	7.65
4,001	but not more than	4,100	7.80
4,101	but not more than	4,200	7.95
4,201	but not more than	4,300	8.10
4,301	but not more than	4,400	8.25
4,401	but not more than	4,500	8.40
4,501	but not more than	4,600	9.85
4,601	but not more than	4,700	10.30
4,701	but not more than	4,800	10.75
4,801	but not more than	4,900	11.20

4,901

but not more than

5,000

11.65

(II) Each such vehicle having an empty weight of ten thousand pounds or less but more than five thousand pounds, eleven dollars and sixty-five cents plus thirty-five cents per one hundred pounds, or fraction thereof, of empty weight over five thousand pounds;

(III) Each such vehicle having an empty weight of more than ten thousand pounds but not more than sixteen thousand pounds, twenty-eight dollars and fifty cents plus ninety-five cents per one hundred pounds, or fraction thereof, of empty weight exceeding ten thousand pounds;

(IV) Each such vehicle having an empty weight of more than sixteen thousand pounds, eighty-two dollars, plus one dollar and fifteen cents per one hundred pounds, or fraction thereof, of empty weight exceeding sixteen thousand pounds.

(b) Nothing in this subsection ~~(12)~~ (4) shall be construed to prevent a farmer or rancher from occasionally exchanging transportation with another farmer or rancher, but only if the sole consideration involved is the exchange of personal services or the use of equipment.

(c) ~~Any person making application~~ A PERSON APPLYING for registration under this subsection ~~(12)~~ (4) shall certify to the licensing authority on forms prescribed and furnished by the department that ~~the use of the vehicle for which the registration application is made~~ will be USED in conformity with ~~the requirements of paragraph (a) of this subsection~~ ~~(12)~~ (4).

(d) No vehicle carrying mounted equipment other than a camper or other purely recreational equipment shall be registered under this subsection ~~(12)~~ (4), and ~~any~~ A vehicle registered under this subsection ~~(12)~~ (4) shall be ~~subject to reregistration~~ REREGISTERED under the proper classification ~~upon any mounted~~ WHENEVER equipment designed for commercial use other than agricultural ~~being placed~~ IS MOUNTED upon such vehicle.

~~(13)~~ (5) The annual registration fee for those trucks and truck tractors operated over the public highways of this state, except trucks that are registered under ~~the provisions of~~ subsections ~~(12)~~ (4) and ~~(25)~~ (13) of this section and section 42-12-102 (1) (c), shall be as follows:

(a) For each such vehicle having an empty weight of up to and including sixteen thousand pounds, such registration fee shall be based upon the empty weight of such vehicle, computed to the nearest pound, according to the following schedule:

Empty Weight (Pounds)		Range	Registration Fee
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
2,401	but not more than	2,500	6.45
2,501	but not more than	2,600	6.60
2,601	but not more than	2,700	6.75
2,701	but not more than	2,800	6.90
2,801	but not more than	2,900	7.05
2,901	but not more than	3,000	7.20
3,001	but not more than	3,100	7.65
3,101	but not more than	3,200	7.80
3,201	but not more than	3,300	7.95
3,301	but not more than	3,400	8.10
3,401	but not more than	3,500	8.25
3,501	but not more than	3,600	12.10
3,601	but not more than	3,700	12.50
3,701	but not more than	3,800	13.00
3,801	but not more than	3,900	13.45
3,901	but not more than	4,000	13.90
4,001	but not more than	4,100	14.35
4,101	but not more than	4,200	14.80
4,201	but not more than	4,300	15.25
4,301	but not more than	4,400	15.70
4,401	but not more than	4,500	16.15
4,501	but not more than	4,600	26.25
4,601	but not more than	4,700	27.75
4,701	but not more than	4,800	29.25
4,801	but not more than	4,900	30.75
4,901	but not more than	5,000	32.25
5,001	but not more than	5,100	33.75
5,101	but not more than	5,200	35.25

5,201	but not more than	5,300	36.75
5,301	but not more than	5,400	38.25
5,401	but not more than	5,500	39.75
5,501	but not more than	5,600	41.25
5,601	but not more than	5,700	42.75
5,701	but not more than	5,800	44.25
5,801	but not more than	5,900	45.75
5,901	but not more than	6,000	47.25
6,001	but not more than	6,100	48.75
6,101	but not more than	6,200	50.25
6,201	but not more than	6,300	51.75
6,301	but not more than	6,400	53.25
6,401	but not more than	6,500	54.75
6,501	but not more than	6,600	56.25
6,601	but not more than	6,700	57.75
6,701	but not more than	6,800	59.25
6,801	but not more than	6,900	60.75
6,901	but not more than	7,000	62.25
7,001	but not more than	7,100	63.75
7,101	but not more than	7,200	65.25
7,201	but not more than	7,300	66.75
7,301	but not more than	7,400	68.25
7,401	but not more than	7,500	69.75
7,501	but not more than	7,600	71.25
7,601	but not more than	7,700	72.75
7,701	but not more than	7,800	74.25
7,801	but not more than	7,900	75.75
7,901	but not more than	8,000	77.25
8,001	but not more than	8,100	78.75
8,101	but not more than	8,200	80.25
8,201	but not more than	8,300	81.75
8,301	but not more than	8,400	83.25
8,401	but not more than	8,500	84.75
8,501	but not more than	8,600	86.25
8,601	but not more than	8,700	87.75
8,701	but not more than	8,800	89.25
8,801	but not more than	8,900	90.75
8,901	but not more than	9,000	92.25
9,001	but not more than	9,100	93.75
9,101	but not more than	9,200	95.25
9,201	but not more than	9,300	96.75

9,301	but not more than	9,400	98.25
9,401	but not more than	9,500	99.75
9,501	but not more than	9,600	101.25
9,601	but not more than	9,700	102.75
9,701	but not more than	9,800	104.25
9,801	but not more than	9,900	105.75
9,901	but not more than	10,000	107.25
10,001	but not more than	10,100	108.40
10,101	but not more than	10,200	109.50
10,201	but not more than	10,300	110.65
10,301	but not more than	10,400	111.75
10,401	but not more than	10,500	112.90
10,501	but not more than	10,600	114.00
10,601	but not more than	10,700	114.75
10,701	but not more than	10,800	116.25
10,801	but not more than	10,900	117.40
10,901	but not more than	11,000	118.50
11,001	but not more than	11,100	119.65
11,101	but not more than	11,200	120.75
11,201	but not more than	11,300	121.90
11,301	but not more than	11,400	123.00
11,401	but not more than	11,500	124.15
11,501	but not more than	11,600	125.25
11,601	but not more than	11,700	126.40
11,701	but not more than	11,800	127.50
11,801	but not more than	11,900	128.65
11,901	but not more than	12,000	129.75
12,001	but not more than	12,100	130.90
12,101	but not more than	12,200	132.00
12,201	but not more than	12,300	133.15
12,301	but not more than	12,400	134.25
12,401	but not more than	12,500	135.00
12,501	but not more than	12,600	136.50
12,601	but not more than	12,700	137.65
12,701	but not more than	12,800	138.75
12,801	but not more than	12,900	139.90
12,901	but not more than	13,000	141.00
13,001	but not more than	13,100	142.15
13,101	but not more than	13,200	143.25
13,201	but not more than	13,300	144.40
13,301	but not more than	13,400	145.50

13,401	but not more than	13,500	146.65
13,501	but not more than	13,600	147.75
13,601	but not more than	13,700	148.90
13,701	but not more than	13,800	150.00
13,801	but not more than	13,900	151.15
13,901	but not more than	14,000	152.25
14,001	but not more than	14,100	153.40
14,101	but not more than	14,200	154.50
14,201	but not more than	14,300	155.65
14,301	but not more than	14,400	156.75
14,401	but not more than	14,500	157.90
14,501	but not more than	14,600	159.00
14,601	but not more than	14,700	160.15
14,701	but not more than	14,800	161.25
14,801	but not more than	14,900	162.40
14,901	but not more than	15,000	163.50
15,001	but not more than	15,100	164.65
15,101	but not more than	15,200	165.75
15,201	but not more than	15,300	166.90
15,301	but not more than	15,400	168.00
15,401	but not more than	15,500	169.15
15,501	but not more than	15,600	170.25
15,601	but not more than	15,700	171.40
15,701	but not more than	15,800	172.50
15,801	but not more than	15,900	173.25
15,901	but not more than	16,000	174.75

(b) (I) Except as provided in subparagraphs (II) and (III) of this paragraph (b), for each vehicle registered under this subsection ~~(43)~~ (5) having an empty weight exceeding sixteen thousand pounds, the registration fee shall be based upon the declared gross vehicle weight of the vehicle registered, according to the following schedule:

Declared Gross Vehicle Weight (Pounds)	Registration Fee
16,001 but not more than 20,000	\$ 247.50
20,001 but not more than 24,000	307.50
24,001 but not more than 30,000	367.50
30,001 but not more than 36,000	472.50
36,001 but not more than 42,000	577.50

42,001 but not more than 48,000	705.00
48,001 but not more than 54,000	862.50
54,001 but not more than 60,000	1,027.50
60,001 but not more than 66,000	1,177.50
66,001 but not more than 74,000	1,387.50
Over 74,000	1,481.25

(II) For each vehicle registered under this subsection (~~(13)~~ (5) that has an empty weight exceeding sixteen thousand pounds and that is used in the operations of a common or contract carrier for hire, such registration fee shall be based upon the declared gross vehicle weight of the vehicle registered, according to the following schedule:

Declared Gross Vehicle Weight (Pounds)	Registration Fee
16,001 but not more than 20,000	\$ 330.00
20,001 but not more than 24,000	412.50
24,001 but not more than 30,000	495.00
30,001 but not more than 36,000	577.50
36,001 but not more than 42,000	697.50
42,001 but not more than 48,000	847.50
48,001 but not more than 54,000	1,072.50
54,001 but not more than 60,000	1,275.00
60,001 but not more than 66,000	1,485.00
66,001 but not more than 74,000	1,695.00
Over 74,000	1,762.50

(III) (A) For each vehicle registered under this subsection (~~(13)~~ (5) that has an empty weight exceeding sixteen thousand pounds and that is operated less than ten thousand miles in all jurisdictions during each year, such registration fee shall be based upon the declared gross vehicle weight of the vehicle registered, according to the following schedule:

Declared Gross Vehicle Weight (Pounds)	Registration Fee
16,001 but not more than 20,000	\$ 247.50
20,001 but not more than 24,000	270.00
24,001 but not more than 30,000	285.00
30,001 but not more than 36,000	330.00

36,001 but not more than 42,000	375.00
42,001 but not more than 48,000	435.00
48,001 but not more than 54,000	450.00
54,001 but not more than 60,000	480.00
60,001 but not more than 66,000	495.00
66,001 but not more than 74,000	517.50
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 truck tractor pursuant to ~~the requirements of this sub-subparagraph~~ ~~(F)~~ (E) shall present a copy of the current vehicle registration for each of the other trucks and truck tractors with empty weights exceeding sixteen thousand pounds that are owned by such person.

~~(d)~~ (c) For each vehicle THAT IS registered under this subsection ~~(13)~~

~~which~~ (5) AND THAT is exempt from the registration fees assessed by ~~the provisions of paragraph (b) of this subsection (13) (5) under the provisions of paragraph (d), (f), (g), or (h) of subsection (18) (9) of this section and~~ ~~which~~ THAT weighs more than sixteen thousand pounds, the registration fee shall be one hundred seventy-five dollars plus one dollar and fifteen cents for each one hundred pounds, or fraction thereof, in excess of sixteen thousand pounds.

~~(e)~~ (d) Each vehicle registered under this subsection ~~(13) (5)~~ having an empty weight not in excess of sixteen thousand pounds ~~but which~~ AND THAT is operated in combination with a trailer or semitrailer, which is commonly referred to as a tractor-trailer, shall be assessed according to ~~the provisions of paragraph (b) of this subsection (13) (5)~~.

~~(14)~~ (6) In lieu of the payment of registration fees specified in subsections ~~(6) (3) and (13) (5)~~ of this section, the owner of a truck, truck tractor, trailer, or semitrailer operating in interstate commerce may apply to the department for a special unladen weight registration. Such registration shall be valid for a period of thirty days ~~from~~ AFTER issuance and shall ~~give authority to operate~~ AUTHORIZE THE OPERATION OF the vehicle only when empty. The fee for registration of a truck or truck tractor shall be three dollars and seventy-five cents. The fee for registration of a trailer or semitrailer shall be two dollars and twenty-five cents. The moneys from such fees shall be transmitted to the state treasurer, who shall credit the same to the highway users tax fund.

~~(15)~~ (7) In lieu of the payment of registration fees specified in subsections ~~(6) (3) and (13) (5)~~ of this section, the owner of a truck or truck tractor operating in interstate commerce shall apply to the department for a special laden weight registration. Such registration shall be valid for seventy-two hours after issuance and shall ~~give authority to operate~~ AUTHORIZE THE OPERATION OF the vehicle when loaded. The moneys collected by the department from such fees shall be transmitted to the state treasurer, who shall credit the same to the highway users tax fund. The fee for such special registration of a truck or a truck tractor shall be based on the actual gross vehicle weight of the vehicle and its cargo, computed to the nearest pound, according to the following schedule:

Declared Gross Vehicle Weight (Pounds)	Registration Fee
---	-------------------------

10,001 but not more than 30,000	\$ 45
30,001 but not more than 60,000	53
Over 60,000	60

~~(17)~~ (8) (a) The owner or operator of any motor vehicle ~~which~~ THAT is exempt from the registration fees assessed ~~by the provisions of paragraph (b) of subsection (13) of this section under the provisions of paragraph (b) or (c) of subsection (18) (9) of this section~~ may apply to the department for a temporary commercial registration permit for such motor vehicle. Such temporary commercial registration permit shall authorize the operation of such motor vehicle in commerce; except that ~~any such~~ A motor vehicle ~~which~~ THAT is exempt from such registration fees under ~~the provisions of paragraph (b) or (c) of subsection (18) (9) of this section~~ ~~may~~ SHALL ONLY be operated ~~solely~~ in agricultural harvest operations within Colorado.

(b) A temporary commercial registration permit issued pursuant to ~~the provisions of this subsection (17) (8)~~ shall be valid for a period not to exceed sixty days. A maximum of two such temporary commercial registration permits may be issued for ~~any~~ A motor vehicle in ~~any~~ A twelve-month period. The fee for issuance of a temporary commercial registration permit for a motor vehicle shall be based upon the configuration and number of axles of such motor vehicle according to the following schedule:

Configuration	Registration permit
Single unit (two axles)	\$ 60.00
Single unit (three or more axles)	90.00
Combination unit (any number of axles)	150.00

(c) The moneys collected by the department from the fees for temporary commercial registration permits shall be transmitted to the state treasurer, who shall credit the same to the highway users tax fund.

(d) ~~The provisions of~~ This subsection ~~(17) (8)~~ shall not be interpreted to affect the authority of a dealer in motor vehicles to use a dealer plate obtained under ~~the provisions of section 42-3-127 42-3-116~~ to demonstrate a truck or truck tractor by allowing a prospective buyer to operate such truck or truck tractor when loaded.

~~(18) (9)~~ The registration fees ~~assessed by the provisions of~~ IMPOSED

BY paragraph (b) of subsection ~~(13)~~ (5) of this section shall not apply:

(a) To ~~any~~ A motor vehicle operated by a manufacturer, dealer, or transporter ISSUED LICENSE PLATES pursuant to ~~the provisions of subsections (9) and (10) of this section~~ 42-3-304 (6) AND (7);

(b) To ~~any~~ A farm truck or truck tractor registered under ~~the provisions of subsection (12)~~ (4) of this section;

(c) To ~~any~~ A farm tractor or to any farm tractor and trailer or wagon combination;

(d) To ~~any~~ A vehicle specially constructed for towing, wrecking, and repairing ~~which~~ THAT is not otherwise used for transporting cargo;

(e) To ~~any~~ A vehicle owned by the state or any political or governmental subdivision thereof;

(f) To ~~any~~ AN operator-owned vehicle transporting racehorses, operator-owned, to and from the stud or to and from ~~any~~ A racing meet in ~~the state of~~ Colorado;

(g) To ~~any~~ A veterinary mobile truck unit;

(h) To ~~any~~ A mobile mixing concrete truck or trash compacting truck or to trucks designated by the executive director of the department as special use trucks;

(i) To ~~any~~ A noncommercial or recreational vehicle registered under subsection ~~(25)~~ (13) of this section.

~~(19)~~ (10) ~~Any~~ THE OWNER OR OPERATOR OF A truck, truck tractor, trailer, or semitrailer ~~or any combination thereof~~, operating over the public highways of this state and rendering service pursuant to a temporary certificate of public convenience and necessity issued by the public utilities commission shall pay for the issuance OR RENEWAL of such temporary certificate ~~and for any renewal thereof~~, a fee of seven dollars and fifty cents.

~~(21)(b)~~ (11) (a) ~~Any~~ THE OWNER OR OPERATOR OF A passenger bus operating over the public highways of this state and rendering service

pursuant to a temporary certificate of public convenience and necessity issued by the public utilities commission shall pay for the issuance OR RENEWAL of such temporary certificate ~~and for any renewal thereof~~; a fee of seven dollars and fifty cents, which fee shall be in lieu of the tax assessed ~~by the provisions of this subsection (21)~~ UNDER SECTION 42-3-304 (13).

~~(c)~~ (b) The owner or operator of ~~any~~ A passenger bus ~~which is~~ registered in another state and ~~which owner or operator~~ WHO desires to make an occasional trip into this state need not obtain a permit from the public utilities commission as provided in sections 40-10-104 and 40-11-103, C.R.S., but may instead apply to the department for the issuance of a trip permit and shall pay to the department for the issuance of such trip permit a fee of eighteen dollars and seventy-five cents or the amount of passenger-mile tax becoming due and payable under ~~the provisions of paragraph (a) of this subsection (21)~~ SECTION 42-3-304 (13) by reason of such trip, whichever amount is greater.

~~(22)~~ ~~(a)~~ ~~(III)~~ (12) (a) In lieu of registration under ~~the provisions of subparagraph (I) or (II) of this paragraph (a)~~ SECTION 42-3-304 (14) (a), the owner or operator of ~~any~~ mobile machinery ~~and~~ OR self-propelled construction equipment ~~which~~ THAT such owner or operator desires to operate over the public highways of this state may elect to pay an annual fee to the department computed at the rate of one dollar and ninety cents per ton of vehicle weight or two dollars and twenty-five cents, whichever is greater, for operation not to exceed a distance of two thousand five hundred miles in any registration period.

~~(IV)~~ (b) In lieu of registration under ~~the provisions of subparagraph (I) or (II) of this paragraph (a)~~, any SECTION 42-3-304 (14) (a), A public utility, as defined by section 40-1-103, C.R.S., owning or operating a utility truck having an empty weight in excess of ten thousand pounds ~~which~~ THAT it desires to operate over the public highways of this state may elect to pay an annual registration fee for such a vehicle to the department computed at the rate of seven dollars and fifty cents per ton of vehicle weight.

~~(25)~~ (13) The annual registration fee for a noncommercial or recreational vehicle, except a motor home, operated on the public highways of this state with an empty weight of ~~four~~ TEN thousand ~~five hundred~~ pounds or less shall be computed according to the schedule provided in subsection ~~(13)~~ (5) of this section, and, for a noncommercial or recreational

vehicle exceeding ~~four~~ TEN thousand ~~five hundred~~ pounds, the fee shall be eighteen dollars and forty cents plus forty-five cents for each one hundred pounds in excess of four thousand five hundred pounds.

42-3-306. [Formerly 42-3-134.5] Registration fees - passenger and passenger-mile taxes - fee schedule for years in which TABOR surplus revenue is insufficient. (1) This section shall apply in any fiscal year in which the legislative council does not certify to the executive director of the department that, based on the annual March revenue forecast from the legislative council, there will be sufficient excess state revenue to fund the fee reductions enacted by House Bill 00-1227, enacted at the second regular session of the sixty-second general assembly. ~~as reflected in amendments to section 42-3-134 (4), (6), (12) (a), (13) (a), (13) (b) (I), (13) (b) (II), (13) (b) (III) (A), (13) (d), (14), (15), (17) (b), (19), (21) (b), (21) (c), (22) (a) (III), (22) (a) (IV), and (25).~~

~~(2) (Reserved)~~

~~(3) (Reserved)~~

~~(4)~~ (2) Fees for the annual registration of passenger-carrying motor vehicles shall be as follows:

(a) Motorcycles, motorscooters, and motorbicycles, three dollars;

(b) (I) Passenger cars, station wagons, taxicabs, ambulances, motor homes, and hearses:

(A) Weighing two thousand pounds or less, six dollars;

(B) Weighing forty-five hundred pounds or less, six dollars plus twenty cents per one hundred pounds, or fraction thereof, of weight over two thousand pounds;

(C) Weighing more than forty-five hundred pounds, twelve dollars and fifty cents plus sixty cents per one hundred pounds, or fraction thereof, of weight over forty-five hundred pounds; except that, for motor homes weighing more than sixty-five hundred pounds, such fees shall be twenty-four dollars and fifty cents plus thirty cents per one hundred pounds, or fraction thereof, of weight over sixty-five hundred pounds.

(II) In addition to the registration fees imposed by subparagraph (I) of this paragraph (b), an additional registration fee shall be imposed on the motor vehicles described in the introductory portion to this paragraph (b), ~~which additional registration fee shall be~~ based on the age of the motor vehicle, as follows:

(A) For motor vehicles less than seven years old, twelve dollars;

(B) For motor vehicles seven years old but less than ten years old, ten dollars;

(C) For motor vehicles ten years old or older, seven dollars.

(III) THE ADDITIONAL FEES COLLECTED PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH (b) SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE HIGHWAY USERS TAX FUND TO BE ALLOCATED PURSUANT TO SECTION 43-4-205 (6) (b), C.R.S.

~~(HH)~~ (IV) ~~In the event that~~ IF a regional transportation plan is implemented within the regional transportation district, residents of the E-470 highway authority area shall be ~~exempted~~ EXEMPT from the first ten dollars of any motor vehicle registration fee increase in such plan.

(c) Passenger buses:

(I) All such vehicles used for the transportation of passengers for compensation having a seating capacity of fourteen or less passengers, twenty-five dollars plus one dollar and seventy cents for each seat capacity; and all such vehicles having a seating capacity of more than fourteen passengers, twenty-five dollars plus one dollar and twenty-five cents for each seat capacity in excess of fourteen;

(II) All such vehicles owned by a private owner and used for the transportation of school pupils having a juvenile seating capacity (meaning fourteen lineal inches of seat space) of twenty-five or less, fifteen dollars; and for all such vehicles having a juvenile seating capacity of more than twenty-five, fifteen dollars plus fifty cents for each juvenile seat capacity in excess of twenty-five.

~~(5) (Reserved)~~

~~(6)~~ (3) Fees for the annual registration of the following vehicles shall be:

(a) Trailer coaches, three dollars;

(b) Trailers, utility trailers, and camper trailers having an empty weight of two thousand pounds or less, three dollars;

(c) Trailers, utility trailers, and camper trailers having an empty weight exceeding two thousand pounds, seven dollars and fifty cents;

(d) Semitrailers, seven dollars and fifty cents.

~~(7) (Reserved)~~

~~(8) (Reserved)~~

~~(9) (Reserved)~~

~~(10) (Reserved)~~

~~(11) (Reserved)~~

~~(12)~~ (4) (a) The annual registration fee for trucks and truck tractors owned by a farmer or rancher ~~which vehicles~~ THAT are operated over the public highways and ~~whose ARE only commercial uses are transporting~~ COMMERCIALY USED TO TRANSPORT to market or place of storage raw agricultural products actually produced or livestock actually raised by such farmer or rancher or ~~transporting~~ TO TRANSPORT commodities and livestock purchased by such farmer or rancher for personal use and used in such person's farming or ranching operations, shall be as follows:

(I) Each such vehicle having an empty weight of five thousand pounds or less, an amount computed to the nearest pound of the empty weight of such vehicle, according to the following schedule:

Empty Weight (Pounds)	Range	Registration Fee
2,000	and	\$ 6.20
2,001	but not more than	6.40
	under	
	2,100	

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
2,501	but not more than	2,600	7.40
2,601	but not more than	2,700	7.60
2,701	but not more than	2,800	7.80
2,801	but not more than	2,900	8.00
2,901	but not more than	3,000	8.20
3,001	but not more than	3,100	8.40
3,101	but not more than	3,200	8.60
3,201	but not more than	3,300	8.80
3,301	but not more than	3,400	9.00
3,401	but not more than	3,500	9.20
3,501	but not more than	3,600	9.40
3,601	but not more than	3,700	9.60
3,701	but not more than	3,800	9.80
3,801	but not more than	3,900	10.00
3,901	but not more than	4,000	10.20
4,001	but not more than	4,100	10.40
4,101	but not more than	4,200	10.60
4,201	but not more than	4,300	10.80
4,301	but not more than	4,400	11.00
4,401	but not more than	4,500	11.20
4,501	but not more than	4,600	13.10
4,601	but not more than	4,700	13.70
4,701	but not more than	4,800	14.30
4,801	but not more than	4,900	14.90
4,901	but not more than	5,000	15.50

(II) Each such vehicle having an empty weight of ten thousand pounds or less but more than five thousand pounds, fifteen dollars and fifty cents plus forty-five cents per one hundred pounds, or fraction thereof, of empty weight over five thousand pounds;

(III) Each such vehicle having an empty weight of more than ten thousand pounds but not more than sixteen thousand pounds, thirty-eight dollars plus one dollar and twenty cents per one hundred pounds, or fraction thereof, of empty weight exceeding ten thousand pounds;

(IV) Each such vehicle having an empty weight of more than sixteen

thousand pounds, one hundred ten dollars, plus one dollar and fifty cents per one hundred pounds, or fraction thereof, of empty weight exceeding sixteen thousand pounds.

(b) NOTHING IN THIS SUBSECTION (4) SHALL BE CONSTRUED TO PREVENT A FARMER OR RANCHER FROM OCCASIONALLY EXCHANGING TRANSPORTATION WITH ANOTHER FARMER OR RANCHER, BUT ONLY IF THE SOLE CONSIDERATION INVOLVED IS THE EXCHANGE OF PERSONAL SERVICES OR THE USE OF EQUIPMENT.

(c) A PERSON APPLYING FOR REGISTRATION UNDER THIS SUBSECTION (4) SHALL CERTIFY TO THE LICENSING AUTHORITY ON FORMS FURNISHED BY THE DEPARTMENT THAT THE VEHICLE WILL BE USED IN CONFORMITY WITH PARAGRAPH (a) OF THIS SUBSECTION (4).

(d) NO VEHICLE CARRYING MOUNTED EQUIPMENT OTHER THAN A CAMPER OR OTHER PURELY RECREATIONAL EQUIPMENT SHALL BE REGISTERED UNDER THIS SUBSECTION (4), AND A VEHICLE REGISTERED UNDER THIS SUBSECTION (4) SHALL BE REREGISTERED UNDER THE PROPER CLASSIFICATION WHENEVER EQUIPMENT DESIGNED FOR COMMERCIAL USE IS MOUNTED UPON SUCH VEHICLE.

~~(13)~~ (5) The annual registration fee for those trucks and truck tractors operated over the public highways of this state, except trucks that are registered under the provisions of subsections ~~(12)~~ (4) and ~~(25)~~ (13) of this section and section 42-12-102 (1) (c), shall be as follows:

(a) For each such vehicle having an empty weight of up to and including sixteen thousand pounds, such registration fee shall be based upon the empty weight of such vehicle, computed to the nearest pound, according to the following schedule:

Empty Weight (Pounds)	Range	Registration Fee
2,000	and	\$ 7.60
2,001	but not more than	7.80
2,101	but not more than	8.00
2,201	but not more than	8.20
2,301	but not more than	8.40
2,401	but not more than	8.60

2,501	but not more than	2,600	8.80
2,601	but not more than	2,700	9.00
2,701	but not more than	2,800	9.20
2,801	but not more than	2,900	9.40
2,901	but not more than	3,000	9.60
3,001	but not more than	3,100	10.20
3,101	but not more than	3,200	10.40
3,201	but not more than	3,300	10.60
3,301	but not more than	3,400	10.80
3,401	but not more than	3,500	11.00
3,501	but not more than	3,600	16.10
3,601	but not more than	3,700	16.70
3,701	but not more than	3,800	17.30
3,801	but not more than	3,900	17.90
3,901	but not more than	4,000	18.50
4,001	but not more than	4,100	19.10
4,101	but not more than	4,200	19.70
4,201	but not more than	4,300	20.30
4,301	but not more than	4,400	20.90
4,401	but not more than	4,500	21.50
4,501	but not more than	4,600	35.00
4,601	but not more than	4,700	37.00
4,701	but not more than	4,800	39.00
4,801	but not more than	4,900	41.00
4,901	but not more than	5,000	43.00
5,001	but not more than	5,100	45.00
5,101	but not more than	5,200	47.00
5,201	but not more than	5,300	49.00
5,301	but not more than	5,400	51.00
5,401	but not more than	5,500	53.00
5,501	but not more than	5,600	55.00
5,601	but not more than	5,700	57.00
5,701	but not more than	5,800	59.00
5,801	but not more than	5,900	61.00
5,901	but not more than	6,000	63.00
6,001	but not more than	6,100	65.00
6,101	but not more than	6,200	67.00
6,201	but not more than	6,300	69.00
6,301	but not more than	6,400	71.00
6,401	but not more than	6,500	73.00
6,501	but not more than	6,600	75.00

6,601	but not more than	6,700	77.00
6,701	but not more than	6,800	79.00
6,801	but not more than	6,900	81.00
6,901	but not more than	7,000	83.00
7,001	but not more than	7,100	85.00
7,101	but not more than	7,200	87.00
7,201	but not more than	7,300	89.00
7,301	but not more than	7,400	91.00
7,401	but not more than	7,500	93.00
7,501	but not more than	7,600	95.00
7,601	but not more than	7,700	97.00
7,701	but not more than	7,800	99.00
7,801	but not more than	7,900	101.00
7,901	but not more than	8,000	103.00
8,001	but not more than	8,100	105.00
8,101	but not more than	8,200	107.00
8,201	but not more than	8,300	109.00
8,301	but not more than	8,400	111.00
8,401	but not more than	8,500	113.00
8,501	but not more than	8,600	115.00
8,601	but not more than	8,700	117.00
8,701	but not more than	8,800	119.00
8,801	but not more than	8,900	121.00
8,901	but not more than	9,000	123.00
9,001	but not more than	9,100	125.00
9,101	but not more than	9,200	127.00
9,201	but not more than	9,300	129.00
9,301	but not more than	9,400	131.00
9,401	but not more than	9,500	133.00
9,501	but not more than	9,600	135.00
9,601	but not more than	9,700	137.00
9,701	but not more than	9,800	139.00
9,801	but not more than	9,900	141.00
9,901	but not more than	10,000	143.00
10,001	but not more than	10,100	144.50
10,101	but not more than	10,200	146.00
10,201	but not more than	10,300	147.50
10,301	but not more than	10,400	149.00
10,401	but not more than	10,500	150.50
10,501	but not more than	10,600	152.00
10,601	but not more than	10,700	153.50

10,701	but not more than	10,800	155.00
10,801	but not more than	10,900	156.50
10,901	but not more than	11,000	158.00
11,001	but not more than	11,100	159.50
11,101	but not more than	11,200	161.00
11,201	but not more than	11,300	162.50
11,301	but not more than	11,400	164.00
11,401	but not more than	11,500	165.50
11,501	but not more than	11,600	167.00
11,601	but not more than	11,700	168.50
11,701	but not more than	11,800	170.00
11,801	but not more than	11,900	171.50
11,901	but not more than	12,000	173.00
12,001	but not more than	12,100	174.50
12,101	but not more than	12,200	176.00
12,201	but not more than	12,300	177.50
12,301	but not more than	12,400	179.00
12,401	but not more than	12,500	180.50
12,501	but not more than	12,600	182.00
12,601	but not more than	12,700	183.50
12,701	but not more than	12,800	185.00
12,801	but not more than	12,900	186.50
12,901	but not more than	13,000	188.00
13,001	but not more than	13,100	189.50
13,101	but not more than	13,200	191.00
13,201	but not more than	13,300	192.50
13,301	but not more than	13,400	194.00
13,401	but not more than	13,500	195.50
13,501	but not more than	13,600	197.00
13,601	but not more than	13,700	198.50
13,701	but not more than	13,800	200.00
13,801	but not more than	13,900	201.50
13,901	but not more than	14,000	203.00
14,001	but not more than	14,100	204.50
14,101	but not more than	14,200	206.00
14,201	but not more than	14,300	207.50
14,301	but not more than	14,400	209.00
14,401	but not more than	14,500	210.50
14,501	but not more than	14,600	212.00
14,601	but not more than	14,700	213.50
14,701	but not more than	14,800	215.00

14,801	but not more than	14,900	216.50
14,901	but not more than	15,000	218.00
15,001	but not more than	15,100	219.50
15,101	but not more than	15,200	221.00
15,201	but not more than	15,300	222.50
15,301	but not more than	15,400	224.00
15,401	but not more than	15,500	225.50
15,501	but not more than	15,600	227.00
15,601	but not more than	15,700	228.50
15,701	but not more than	15,800	230.00
15,801	but not more than	15,900	231.50
15,901	but not more than	16,000	233.00

(b) (I) Except as provided in subparagraphs (II) and (III) of this paragraph (b), for each vehicle registered under this subsection (~~(43)~~ (5) having an empty weight exceeding sixteen thousand pounds, the registration fee shall be based upon the declared gross vehicle weight of the vehicle registered, according to the following schedule:

Declared Gross Vehicle Weight (Pounds)	Registration Fee
16,001 but not more than 20,000	\$ 330
20,001 but not more than 24,000	410
24,001 but not more than 30,000	490
30,001 but not more than 36,000	630
36,001 but not more than 42,000	770
42,001 but not more than 48,000	940
48,001 but not more than 54,000	1,150
54,001 but not more than 60,000	1,370
60,001 but not more than 66,000	1,570
66,001 but not more than 74,000	1,850
Over 74,000	1,975

(II) For each vehicle registered under this subsection (~~(43)~~ (5) that has an empty weight exceeding sixteen thousand pounds and that is used in the operations of a common or contract carrier for hire, such registration fee shall be based upon the declared gross vehicle weight of the vehicle registered, according to the following schedule:

Declared Gross Vehicle

Weight (Pounds)	Registration Fee
16,001 but not more than 20,000	\$ 440
20,001 but not more than 24,000	550
24,001 but not more than 30,000	660
30,001 but not more than 36,000	770
36,001 but not more than 42,000	930
42,001 but not more than 48,000	1,130
48,001 but not more than 54,000	1,430
54,001 but not more than 60,000	1,700
60,001 but not more than 66,000	1,980
66,001 but not more than 74,000	2,260
Over 74,000	2,350

(III) (A) For each vehicle registered under this subsection ~~(13)~~ (5) that has an empty weight exceeding sixteen thousand pounds and that is operated less than ten thousand miles in all jurisdictions during each year, such registration fee shall be based upon the declared gross vehicle weight of the vehicle registered, according to the following schedule:

Declared Gross Vehicle Weight (Pounds)	Registration Fee
16,001 but not more than 20,000	\$ 330
20,001 but not more than 24,000	360
24,001 but not more than 30,000	380
30,001 but not more than 36,000	440
36,001 but not more than 42,000	500
42,001 but not more than 48,000	580
48,001 but not more than 54,000	600
54,001 but not more than 60,000	640
60,001 but not more than 66,000	660
66,001 but not more than 74,000	690
Over 74,000	710

(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 SHALL APPLY.

(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).

(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 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 IMMEDIATELY PRECEDING 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 THIS SUB-SUBPARAGRAPH (D).

(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 TRUCK TRACTOR PURSUANT TO THIS SUB-SUBPARAGRAPH (E) SHALL PRESENT A COPY OF THE CURRENT VEHICLE REGISTRATION FOR EACH OF THE OTHER TRUCKS AND TRUCK TRACTORS WITH EMPTY WEIGHTS EXCEEDING SIXTEEN THOUSAND POUNDS THAT ARE OWNED BY SUCH PERSON.

(c) FOR EACH VEHICLE REGISTERED UNDER THIS SUBSECTION (5) THAT IS EXEMPT FROM THE REGISTRATION FEES ASSESSED UNDER PARAGRAPH (b) OF THIS SUBSECTION (5) UNDER PARAGRAPH (d), (f), (g), OR (h) OF SUBSECTION (9) OF THIS SECTION AND THAT WEIGHS MORE THAN SIXTEEN THOUSAND POUNDS EMPTY WEIGHT, THE REGISTRATION FEE SHALL BE ONE HUNDRED SEVENTY-FIVE DOLLARS PLUS ONE DOLLAR AND FIFTEEN CENTS FOR EACH ONE HUNDRED POUNDS, OR FRACTION THEREOF, IN EXCESS OF SIXTEEN THOUSAND POUNDS.

(d) For each vehicle registered under this subsection ~~(13) which~~ (5) THAT is exempt from the registration fees assessed ~~by the provisions of~~ UNDER paragraph (b) of this subsection ~~(13) under the provisions of section 42-3-134 (18) (d), (18) (f), (18) (g), or (18) (h)~~ (5) PURSUANT TO

PARAGRAPH (d), (f), OR (g) OF SUBSECTION (9) OF THIS SECTION and ~~which~~ THAT weighs more than sixteen thousand pounds EMPTY WEIGHT, the registration fee shall be two hundred thirty-three dollars plus one dollar and fifty cents for each one hundred pounds, or fraction thereof, in excess of sixteen thousand pounds.

(e) EACH VEHICLE REGISTERED UNDER THIS SUBSECTION (5) HAVING AN EMPTY WEIGHT NOT IN EXCESS OF SIXTEEN THOUSAND POUNDS THAT IS OPERATED IN COMBINATION WITH A TRAILER OR SEMITRAILER, WHICH IS COMMONLY REFERRED TO AS A TRACTOR-TRAILER, SHALL BE ASSESSED ACCORDING TO PARAGRAPH (b) OF THIS SUBSECTION (5).

~~(f) to (l) (Reserved)~~

~~(14)~~ (6) In lieu of the payment of registration fees specified in subsections ~~(6)~~ (3) and ~~(13)~~ (5) of this section, the owner of a truck, truck tractor, trailer, or semitrailer operating in interstate commerce may apply to the department for a special unladen weight registration. Such registration shall be valid for a period of thirty days from issuance and shall ~~give authority to operate~~ AUTHORIZE THE OPERATION OF the vehicle only when empty. The fee for registration of a truck or truck tractor shall be five dollars. The fee for registration of a trailer or semitrailer shall be three dollars. The moneys from such fees shall be transmitted to the state treasurer, who shall credit the same to the highway users tax fund.

~~(15)~~ (7) In lieu of the payment of registration fees specified in subsections ~~(6)~~ (3) and ~~(13)~~ (5) of this section, the owner of a truck or truck tractor operating in interstate commerce shall apply to the department for a special laden weight registration. Such registration shall be valid for seventy-two hours after issuance and shall ~~give authority to operate~~ AUTHORIZE THE OPERATION OF the vehicle when loaded. The moneys collected by the department from such fees shall be transmitted to the state treasurer, who shall credit the same to the highway users tax fund. The fee for such special registration of a truck or a truck tractor shall be based on the actual gross vehicle weight of the vehicle and its cargo, computed to the nearest pound, according to the following schedule:

Declared Gross Vehicle Weight (Pounds)	Registration Fee
10,001 but not more than 30,000	\$ 60

30,001 but not more than 60,000	70
Over 60,000	80

~~(16)~~ (Reserved)

~~(17)~~ (8) (a) THE OWNER OR OPERATOR OF A MOTOR VEHICLE THAT IS EXEMPT FROM THE REGISTRATION FEES ASSESSED UNDER PARAGRAPH (b) OR (c) OF SUBSECTION (9) OF THIS SECTION MAY APPLY TO THE DEPARTMENT FOR A TEMPORARY COMMERCIAL REGISTRATION PERMIT FOR SUCH MOTOR VEHICLE. SUCH TEMPORARY COMMERCIAL REGISTRATION PERMIT SHALL AUTHORIZE THE OPERATION OF SUCH MOTOR VEHICLE IN COMMERCE SO LONG AS THE MOTOR VEHICLE IS OPERATED SOLELY IN AGRICULTURAL HARVEST OPERATIONS WITHIN COLORADO.

(b) A temporary commercial registration permit issued pursuant to ~~the provisions of this subsection~~ ~~(17)~~ (8) shall be valid for a period not to exceed sixty days. A maximum of two such temporary commercial registration permits may be issued for ~~any~~ A motor vehicle in ~~any~~ A twelve-month period. The fee for issuance of a temporary commercial registration permit for a motor vehicle shall be based upon the configuration and number of axles of such motor vehicle according to the following schedule:

Configuration	Registration permit
Single unit (two axles)	\$ 80.00
Single unit (three or more axles)	120.00
Combination unit (any number of axles)	200.00

(c) THE MONEYS COLLECTED BY THE DEPARTMENT FROM THE FEES FOR TEMPORARY COMMERCIAL REGISTRATION PERMITS SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE HIGHWAY USERS TAX FUND.

(d) THIS SUBSECTION (8) SHALL NOT BE INTERPRETED TO AFFECT THE AUTHORITY OF A DEALER IN MOTOR VEHICLES TO USE A DEALER PLATE OBTAINED UNDER SECTION 42-3-116 TO DEMONSTRATE A TRUCK OR TRUCK TRACTOR BY ALLOWING A PROSPECTIVE BUYER TO OPERATE SUCH TRUCK OR TRUCK TRACTOR WHEN LOADED.

(9) THE REGISTRATION FEES IMPOSED BY PARAGRAPH (b) OF

SUBSECTION (5) OF THIS SECTION SHALL NOT APPLY:

(a) TO A MOTOR VEHICLE OPERATED BY A MANUFACTURER, DEALER, OR TRANSPORTER ISSUED PLATES PURSUANT TO SECTION 42-3-304 (6) AND (7);

(b) TO A FARM TRUCK OR TRUCK TRACTOR REGISTERED UNDER SUBSECTION (4) OF THIS SECTION;

(c) TO A FARM TRACTOR OR TO A FARM TRACTOR AND TRAILER OR WAGON COMBINATION;

(d) TO A VEHICLE SPECIALLY CONSTRUCTED FOR TOWING, WRECKING, AND REPAIRING THAT IS NOT OTHERWISE USED FOR TRANSPORTING CARGO;

(e) TO A VEHICLE OWNED BY THE STATE OR ANY POLITICAL OR GOVERNMENTAL SUBDIVISION THEREOF;

(f) TO AN OPERATOR-OWNED VEHICLE TRANSPORTING RACEHORSES TO AND FROM THE STUD OR TO AND FROM A RACING MEET IN COLORADO;

(g) TO A VETERINARY MOBILE TRUCK UNIT;

(h) TO A MOBILE MIXING CONCRETE TRUCK OR TRASH COMPACTING TRUCK OR TO TRUCKS DESIGNATED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT AS SPECIAL USE TRUCKS;

(i) TO A NONCOMMERCIAL OR RECREATIONAL VEHICLE REGISTERED UNDER SUBSECTION (13) OF THIS SECTION.

~~(18) (Reserved)~~

~~(19)~~ (10) ~~Any~~ THE OWNER OR OPERATOR OF A truck, truck tractor, trailer, or semitrailer ~~or any combination thereof~~, operating over the public highways of this state and rendering service pursuant to a temporary certificate of public convenience and necessity issued by the public utilities commission shall pay for the issuance OR RENEWAL of such temporary certificate ~~and for any renewal thereof~~, a fee of ten dollars.

~~(20) (Reserved)~~

~~(21) (a) (Reserved)~~

~~(b) (11) (a) Any~~ THE OWNER OR OPERATOR OF A passenger bus operating over the public highways of this state and rendering service pursuant to a temporary certificate of public convenience and necessity issued by the public utilities commission shall pay for the issuance OR RENEWAL of such temporary certificate ~~and for any renewal thereof~~; a fee of ten dollars, which fee shall be in lieu of the tax assessed ~~by the provisions of~~ UNDER this subsection ~~(21) (11)~~.

~~(c) (b)~~ The owner or operator of ~~any~~ A passenger bus ~~which~~ THAT is registered in another state and ~~which owner or operator desires~~ THAT IS USED to make an occasional trip into this state need not obtain a permit from the public utilities commission as provided in sections 40-10-104 and 40-11-103, C.R.S., but may instead apply to the department for the issuance of a trip permit and shall pay to the department for the issuance of such trip permit a fee of twenty-five dollars or the amount of passenger-mile tax becoming due and payable under ~~the provisions of~~ paragraph (a) of this subsection ~~(21) (11)~~ by reason of such trip, whichever amount is greater.

~~(22) (a) (I) (Reserved)~~

~~(II) (Reserved)~~

~~(III) (12) (a)~~ In lieu of registration under ~~the provisions of section 42-3-134 (22) (a) (I) or (22) (a) (II)~~ SECTION 42-3-304 (14), the owner or operator of ~~any~~ mobile machinery ~~and~~ OR self-propelled construction equipment ~~which~~ THAT such owner or operator desires to operate over the public highways of this state may elect to pay an annual fee ~~to the department~~ computed at the rate of two dollars and fifty cents per ton of vehicle weight for operation not to exceed a distance of two thousand five hundred miles in any registration period.

~~(IV) (b)~~ In lieu of registration under ~~the provisions of section 42-3-134 (22) (a) (I) or (22) (a) (II)~~, ~~any~~ SECTION 42-3-304 (14), A public utility, as defined by section 40-1-103, C.R.S., owning or operating a utility truck having an empty weight in excess of ten thousand pounds ~~which~~ THAT it desires to operate over the public highways of this state may elect to pay an annual registration fee for such a vehicle ~~to the department~~ computed at the rate of ten dollars per ton of vehicle weight.

~~(b) (Reserved)~~

~~(23) (Reserved)~~

~~(24) (Reserved)~~

~~(25)~~ (13) The annual registration fee for a noncommercial or recreational vehicle, except a motor home, operated on the public highways of this state with an empty weight of ~~four~~ TEN thousand ~~five hundred~~ pounds or less shall be computed according to the schedule provided in subsection ~~(13)~~ (5) of this section, and, for a noncommercial or recreational vehicle exceeding ~~four~~ TEN thousand ~~five hundred~~ pounds, the fee shall be twenty-four dollars and fifty cents plus sixty cents for each one hundred pounds in excess of four thousand five hundred pounds.

42-3-307. [Formerly 42-3-135] Enforcement powers of department. (1) The department ~~is authorized to~~ MAY administer and enforce ~~the provisions of section 42-3-134~~ SECTIONS 42-3-304, 42-3-305, AND 42-3-306, including the right to inspect and audit the books, records, and documents of ~~any~~ AN owner or operator of a vehicle operated upon the public highways who is required to pay any registration fee or tax imposed, and the executive director of the department ~~has authority to prescribe~~ MAY PROMULGATE such reasonable rules ~~and regulations~~ as the director deems necessary or suitable for such administration and enforcement.

(2) The powers granted in this section shall be separate, apart, and distinct from any powers or duties conferred prior to January 1, 1955, upon the public utilities commission with respect to the issuance of certificates of public convenience and necessity, contract carrier permits, and the regulation and supervision of motor carriers.

42-3-308. [Formerly 42-3-136] Taxpayer statements - payment of tax - estimates - penalties - deposits - delinquency proceedings. (1) (a) Every owner or operator of a motor vehicle operated ~~over any~~ ON A public highway of this state and required to pay the passenger-mile tax imposed by ~~the provisions of section 42-3-134~~ SECTIONS 42-3-304, 42-3-305, AND 42-3-306 shall, on or before the twenty-fifth day of each month, file with the department, on forms prescribed by ~~said~~ THE department and the public utilities commission, a statement, subject to the penalties for perjury in the second degree, showing the name and address of the owner of the motor ~~vehicles so operated~~ VEHICLE, total miles

traveled, and total number of passengers carried in this state during the preceding month and such other information as required by the department and the commission and shall compute and pay such tax; except that the executive director of the department may ~~in the director's discretion~~, authorize the filing of statements and the payment of tax ~~computed thereon~~ for periods in excess of one month but not to exceed a period of twelve months.

(b) If payment of the tax so computed is not made on or before the due date, there shall be added a penalty of three percent ~~a~~ PER month until such time as the full amount has been paid; but the executive director of the department may waive all or any portion of the penalty ~~upon~~ FOR good cause. ~~shown.~~

(2) If the owner or operator of a motor vehicle, required to file a statement as provided in subsection (1) of this section, fails, neglects, or refuses to file ~~said~~ THE statement and to pay the tax due, the department may ~~upon such information as may be available to it~~, estimate the amount of tax due for the period for which no statement was filed, add ~~thereto~~ a penalty of ten percent plus one-half of one percent per month ~~from~~ AFTER the date when due, not to exceed eighteen percent in the aggregate, and mail ~~said~~ THE estimate to the last-known address of such owner or operator. The amount so estimated, together with the penalty, shall become fixed, due, and payable ten days after the date of mailing, unless such owner or operator, within the ~~said~~ ten days, files AND PAYS a true and correct statement of the tax due for the period. ~~and pays the same.~~

(3) (a) If ~~any~~ AN owner or operator of a vehicle knowingly makes and files with the department a false or fraudulent statement with intent to evade payment of any passenger-mile tax due, the department shall, as soon as it discovers the false or fraudulent nature of such statement, make an investigation and determine the correct amount of tax due, add ~~thereto~~ a penalty of one hundred percent, and proceed to collect the total amount by distraint and sale as provided in section 39-21-114, C.R.S. If ~~any such~~ AN owner or operator disputes the amount asserted to be due and payable, that owner or operator shall be entitled to a hearing before the executive director of the department, and the decision of the executive director shall be subject to judicial review. ~~in the manner provided by law.~~

(b) ~~Any~~ A person who willfully fails or refuses to make the report required by this section, or who makes a false or fraudulent return, or who

willfully fails to pay any tax ~~owing~~ OWED by such person, shall be punished as provided by section 39-21-118, C.R.S.

(4) All passenger-mile taxes and penalties determined to be due from ~~any~~ AN owner or operator of a motor vehicle and not paid on the date when the same are due and payable shall become and remain a prior and perpetual lien upon all the personal property of such owner or operator until ~~such time~~ as the full amount of the tax determined ~~and found~~ to be due, together with all penalties, has been paid. Nothing in this section shall be construed to abrogate or diminish the rights of bona fide purchasers, lienors, or pledgees for value and without notice.

42-3-309. [Formerly 42-3-137] Permit to be secured - records kept - penalties. (1) Every owner or operator of a motor vehicle operated over any public highway of this state who is required to pay the passenger-mile tax imposed by ~~the provisions of section 42-3-134~~ SECTIONS 42-3-304, 42-3-305, AND 42-3-306 shall apply to the department and secure a passenger-mile tax permit and shall keep and maintain true and correct records of the operations of such motor vehicles, including the number of miles operated and the number of passengers carried, in such form ~~and manner~~ as to reflect the actual activity of all such motor vehicles and as may be prescribed by the department and the public utilities commission. ~~and~~ SUCH OWNER OR OPERATOR shall preserve all such records for a period of four years. The passenger-mile tax permit shall remain effective until the owner ~~thereof~~ advises the department of a change in ownership or a discontinuance of business or until such owner has failed to file tax reports and pay ~~the~~ ANY APPLICABLE passenger-mile tax ~~if any is due~~, for four successive tax periods.

(2) For failure to apply for and secure a permit, the executive director of the department may impose a penalty in an amount equal to twenty-five percent of any tax found to be due and payable or twenty-five dollars, whichever is greater.

(3) Failure or refusal of an owner or operator to keep and maintain such records shall, upon certification by the department to the public utilities commission, be cause for suspension or revocation of a certificate of public convenience and necessity or a contract carrier permit. ~~as the case may be.~~

(4) (a) If an examination of the financial responsibility of an owner

or operator of a motor vehicle subject to the payment of the passenger-mile tax indicates that a financial guarantee in the form of cash, a certified check, a bank money order, a bond, or a negotiable certificate of deposit issued by a commercial bank doing business in this state and acceptable to the executive director is necessary to guarantee payment of the tax, the owner or operator may be required to deposit such guarantee with the department in an amount no greater than twice the amount of tax estimated by the executive director to become due and payable each tax period. If the deposit is in cash or a negotiable certificate of deposit, it shall be subject to forfeiture upon failure of the owner or operator to comply with ~~the provisions of sections 42-3-134 to 42-3-136~~ SECTIONS 42-3-304 TO 42-3-308, this section, ~~and~~ articles 10 and 11 of title 40, C.R.S., or the rules ~~and regulations~~ of the department or the public utilities commission; if it is a surety bond, it shall be conditioned upon the insured's faithful compliance with ~~said provisions or said~~ ALL APPLICABLE STATUTES AND rules. ~~and regulations.~~

(b) Failure or refusal of an owner or operator to provide or to continue in effect the guarantee when required in paragraph (a) of this subsection (4) shall, upon certification by the department to the public utilities commission, be cause for denial, suspension, or revocation of a certificate of public convenience and necessity or a contract carrier permit. ~~as the case may be.~~

(c) All cash, certified checks, bank money orders, negotiable certificates of deposit, and surety bonds deposited in compliance with ~~the provisions of this section~~ shall be delivered into the custody of the state treasurer and held by the state treasurer subject to further order of the department. ~~In the event that~~ IF an owner or operator ceases operations, ~~voluntarily or otherwise, said~~ THE deposit or any balance thereof shall be returned to the owner or operator after all taxes, penalties, fees, and charges ~~owing~~ OWED by such owner or operator pursuant to this article have been paid.

(5) ~~Any deficiency assessed pursuant to an error in keeping records required by subsection (1) of this section, contained on a previously filed statement under section 42-3-136, which was due to negligence or disregard of the law shall have added thereto:~~ THE FOLLOWING PENALTIES SHALL BE IMPOSED IF A PERSON NEGLIGENTLY OR KNOWINGLY INCLUDES AN ERROR IN RECORDS REQUIRED BY SUBSECTION (1) OF THIS SECTION AND SUCH ERROR IS CONTAINED IN A PREVIOUSLY FILED STATEMENT UNDER SECTION 42-3-308:

(a) ~~A penalty of Twenty-five percent of the deficiency assessed; and~~

(b) ~~Penalty Interest of one-half of one percent per month on the deficiency assessed, which shall be in addition to the interest due under section 39-21-109, C.R.S.~~

42-3-310. [Formerly 42-3-139] Additional registration fees - apportionment of fees. (1) Every owner of a motor vehicle, trailer, or semitrailer ~~which~~ THAT is primarily designed to be operated or drawn upon ~~any~~ A highway, ~~of this state,~~ except ~~such~~ THE vehicles ~~as are~~ specifically exempted from payment of ~~any~~ registration fee FEES by the provisions of this article, shall, within the registration period prescribed by law or within ten days after the date of purchase of any such vehicle, pay ~~to the authorized agent in the county wherein such vehicle is to be registered or to the department, as the case may be,~~ an annual registration fee of one dollar and fifty cents, which annual fee shall be in addition to the annual registration fee prescribed by law for such vehicle.

(2) The additional registration fee provided for in this section shall not be transmitted to the department, but the aggregate amount of all such fees paid over by the authorized agent to the county treasurer shall be retained by the treasurer and allocated by the treasurer to the county and to the cities and incorporated towns located within the boundaries of the county on the basis of the record of rural and urban registrations ~~kept by the authorized agent to indicate~~ THAT INDICATES the place of residence of each vehicle owner paying registration fees.

(3) The owner of ~~any~~ A vehicle specified in subsection (1) of this section who is required to pay an annual registration fee for such vehicle to the department shall also pay the additional annual registration fee provided for in this section to the department, and the department shall transmit such additional fee to the proper county treasurer, as indicated by the place of residence of such owner, and such county treasurer shall allocate such fee in the manner prescribed in subsection (2) of this section.

(4) Two dollars and fifty cents of each annual vehicle registration fee ~~prescribed in section 42-3-134~~ IMPOSED BY SECTIONS 42-3-304 TO 42-3-306, exclusive of the annual registration fees prescribed ~~in said section~~ for motorcycles, motorscooters, motorbicycles, trailer coaches, mobile machinery and self-propelled construction equipment, and trailers having an empty weight of two thousand pounds or less and exclusive of ~~any~~ A

registration fee paid for a fractional part of a year, shall not be transmitted to the department but shall be paid over by the authorized agent, as collected, to the county treasurer, who shall credit the same to an account entitled "apportioned vehicle registration fees". On the tenth day of each month, the county treasurer shall apportion the balance in such account existing on the last day of the IMMEDIATELY preceding month between the county and the cities and incorporated towns located within the boundaries of the county on the basis of the record of rural and urban registrations kept by the authorized agent to indicate THAT INDICATES the place of residence of each vehicle owner.

(5) All amounts allocated to the county shall be credited to the county road and bridge fund, and all amounts allocated to a city or incorporated town shall be credited to an appropriate fund and expended by such city or incorporated town only for the construction and maintenance of highways, roads, and streets located within its boundaries.

42-3-311. [Formerly 42-3-144] Motorized bicycle registration - fee. (1) Every motorized bicycle sold in this state shall have an identification number stamped on its frame, which NUMBER shall be recorded upon registration. Motorized bicycles shall be registered with the department, and such registration shall be evidenced by a NUMBER decal which THAT is securely affixed to the motorized bicycle frame in a conspicuous place. Registration shall be valid for a period of three years, and the fee for such registration shall be five dollars. Retail sellers of motorized bicycles shall retain one dollar from each such fee, and four dollars of each such fee shall be forwarded monthly to the department for deposit in the state treasury to the credit of the highway users tax fund.

(2) The general assembly shall make appropriations from the highway users tax fund for the expenses of the administration of this section. The department shall promulgate regulations providing that RULES AUTHORIZING retail sellers of motorized bicycles may TO be agents of the department for such registration.

~~(2) Repealed.~~

SECTION 3. 42-1-206 (3.7) (a), Colorado Revised Statutes, is amended to read:

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

(3.7) (a) The department shall establish a system to allow bulk electronic transfer of information to primary users and vendors who are permitted to receive such information pursuant to section 24-72-204 (7), C.R.S. Bulk transfers to vendors shall be limited strictly to vendors who transfer or resell such information for purposes permitted by law. Such information shall consist of the information contained in a driver's license application under section 42-2-107, a driver's license renewal application under section 42-2-118, a duplicate driver's license application under section 42-2-117, a commercial driver's license application under section 42-2-403, an identification card application under section 42-2-302, a motor vehicle title application under section 42-6-116, a motor vehicle registration application under section ~~42-3-112~~ 42-3-113, or other official record or document maintained by the department under section 42-2-121.

SECTION 4. 42-1-210 (1) (a) and (1) (b), Colorado Revised Statutes, are amended to read:

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

(1) (a) The county clerk and recorder in each county in the state of Colorado, the clerk and recorder in the city and county of Broomfield, and in the city and county of Denver the manager of revenue or such other official of the city and county of Denver as may be appointed by the mayor to perform functions related to the registration of motor vehicles, is hereby designated as the authorized agent of the department for the administration of the provisions of articles 3 and 6 of this title relating to registrations of motor vehicles in such county; and for the enforcement of the provisions of section 42-6-139 relating to the registering and titling of motor vehicles in such county; and for the enforcement of the provisions of section 38-29-120, C.R.S., relating to the titling of manufactured homes; but any such authorized agent in a county has the power to appoint and employ such motor vehicle registration and license clerks as are actually necessary in the issuance of motor vehicle licenses and shall retain for the purpose of defraying such expenses, including mailing, a sum equal to two dollars per paid motor vehicle registration and registration requiring a metallic plate, plates, or validation tab or sticker as provided in section ~~42-3-113~~ 42-3-201. This fee of two dollars shall apply to every registration of a motor vehicle that is designed primarily to be operated or drawn on any highway of this state, except such vehicles as are specifically exempted from payment of any registration fee by the provisions of article 3 of this title, and shall be in addition to the annual registration fee prescribed by law for such vehicle.

Such fee of two dollars, when collected by the department, shall be credited to the same fund as registration fees collected by the department. The county clerk and recorders, the clerk and recorder in the city and county of Broomfield, and the manager of revenue or such other official of the city and county of Denver as may be appointed by the mayor to perform functions related to the registration of motor vehicles in the city and county of Denver so designated as the authorized agents of the department, as provided in this section, shall serve as such authorized agents under the provisions of this part 2 without additional remuneration or fees, except as otherwise provided in articles 1 to 6 of this title.

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

SECTION 5. 42-1-211 (2), Colorado Revised Statutes, is amended to read:

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

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

SECTION 6. Repeal. 42-2-119 (1) (b), Colorado Revised Statutes, is repealed as follows:

42-2-119. Notices - change of address or name. (1) (b) ~~If the primary body color of a motor vehicle is subsequently changed from the~~

~~primary body color that is identified in the application for registration or in-person renewal registration for the motor vehicle, the owner of the motor vehicle shall notify the department in writing within thirty days after the color of such motor vehicle is changed regarding the new primary body color of the motor vehicle. The primary body color of any motor vehicle shall be identified using the standard color descriptions of the department that are established pursuant to section 42-3-105 (1) (d).~~

SECTION 7. 42-2-121 (4) (a), Colorado Revised Statutes, is amended to read:

42-2-121. Records to be kept by the department - admission of records in court. (4) (a) The department shall place a confidentiality notice on any driver's license application form under section 42-2-107, driver's license renewal application under section 42-2-118, duplicate driver's license application under section 42-2-117, commercial driver's license application under section 42-2-404, identification card application form under section 42-2-302, motor vehicle title application form under section 42-6-116, or motor vehicle registration application form under section ~~42-3-112~~ 42-3-113. The department shall indicate in such notice that, unless the person waives his or her confidentiality, the information contained in the person's motor vehicle or driver record shall not be used for any purpose other than a purpose authorized by law.

SECTION 8. 42-2-127 (6) (c), Colorado Revised Statutes, is amended to read:

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

SECTION 9. Repeal. 42-4-215.5 (1) (b), Colorado Revised Statutes, is repealed as follows:

42-4-215.5. Signal lamps and devices - street rod vehicles and custom motor vehicles. (1) As used in this section, unless the context otherwise requires:

(b) ~~"Street rod vehicle" has the same meaning as provided in section~~

~~42-3-114 (3) (b).~~

SECTION 10. 42-4-229 (4), Colorado Revised Statutes, is amended to read:

42-4-229. Safety glazing material in motor vehicles. (4) No person shall operate a motor vehicle on any highway within this state unless such vehicle is equipped with a front windshield ~~of an approved type~~ as provided in this section, except as provided in section 42-4-232 (1) and except for motor vehicles registered as collectors' items under section ~~42-3-138~~ 42-3-219.

SECTION 11. 42-4-304 (3) (b) (I) and (18), Colorado Revised Statutes, are amended to read:

42-4-304. Definitions relating to automobile inspection and readjustment program. As used in sections 42-4-301 to 42-4-316, unless the context otherwise requires:

(3) (b) (I) The certification of emissions control will be issued to the vehicle owner at the time of sale or transfer except as provided in section 42-4-310 (1) (a) (I). The certification of emissions control will be in effect for twenty-four months for 1982 and newer model vehicles as defined in section 42-3-106 ~~(3)~~ (4). Except as provided in paragraph (c) of this subsection (3), 1981 and older model vehicles and all vehicles inspected by the fleet-only air inspection stations shall be issued certifications of emissions control valid for twelve months.

(18) "Motor vehicle", as applicable to the AIR program, includes only a motor vehicle ~~which~~ THAT is operated with four wheels or more on the ground, self-propelled by a spark-ignited engine burning gasoline, gasoline blends, gaseous fuel, blends of liquid gasoline and gaseous fuels, alcohol, alcohol blends, or other similar fuels, having a personal property classification of A, B, or C pursuant to section 42-3-106, and for which registration in this state is required for operation on the public roads and highways or which motor vehicle is owned or operated or both by a nonresident who meets the requirements set forth in section 42-4-310 (1) (c). "Motor vehicle" does not include vehicles registered pursuant to section ~~42-3-134 (12) or 42-3-138~~ 42-3-219, 42-3-305 (4), or 42-3-306 (4); vehicles registered pursuant to section 42-12-102 ~~which~~ THAT are of model

year 1959 or earlier or ~~which~~ THAT have two-stroke cycle engines manufactured prior to 1980; or vehicles registered as street rods pursuant to section ~~42-3-114~~ 42-3-211.

SECTION 12. The introductory portion to 42-4-307 (10.5) (a), Colorado Revised Statutes, is amended to read:

42-4-307. Powers and duties of the department of public health and environment - division of administration - automobile inspection and readjustment program - basic emissions program - enhanced emissions program - clean screen program. (10.5) (a) For the clean screen program and the Denver clean screening pilot study, the department of public health and environment and the department of revenue may, pursuant to the "Procurement Code", articles 101 to 112 of title 24, C.R.S., enter into a contract with a contractor for the purchase of equipment, the collection of remote sensing and other data and operation of remote sensing and support equipment, data processing and vehicle ownership matching in cooperation with the executive director, AND collection of remote sensing and other data for the Denver clean screening pilot study, including analysis of the results of such study and report preparation. Under any such contract the department of public health and environment and the department of revenue may purchase approved remote sensing and support equipment or authorize the use of a qualified contractor or contractors to purchase approved remote sensing and support equipment for use in the clean screen program. Notwithstanding any contrary provision in the "Procurement Code", articles 101 to 112 of title 24, C.R.S., the clean screen contract may be incorporated into any contract or renewed contract pursuant to subsection (10) of this section. The contractor ~~RETAINED~~ pursuant to this subsection (10.5) shall be the same as the contractor ~~RETAINED~~ pursuant to subsection (10) of this section. The contractor shall make one-time transfers into the clean screen fund created in section ~~42-3-134 (26.5)~~ 42-3-304 (19) in a total amount necessary to cover computer programming costs associated with implementation of House Bill 01-1402, enacted at the first regular session of the sixty-third general assembly, in the following order:

SECTION 13. 42-4-307.5 (9) and (10), Colorado Revised Statutes, are amended to read:

42-4-307.5. Clean screen authority - enterprise - revenue bonds.

(9) The clean screen authority shall be a government-owned business that provides financial services to all entities providing inspection services, the department, and the department of public health and environment with regard to the revenues subject to section ~~42-3-134 (26.5)~~ 42-3-304 (19).

(10) The clean screen authority may accept grants from any source and shall deposit such moneys in the clean screen fund created in section ~~42-3-134 (26.5)~~ 42-3-304 (19).

SECTION 14. 42-4-310 (5) (b) (I), Colorado Revised Statutes, is amended to read:

42-4-310. Periodic emissions control inspection required.

(5) (b) (I) If the commission does not specify a date for the county clerks and recorders in the basic emissions program area to begin collecting emissions inspection fees at the time of registration pursuant to section ~~42-3-134 (26.5) (a)~~ 42-3-304 (19) (a), OR if the contractor determines that the motor vehicle required to be registered in the basic program area has complied with the inspection requirements pursuant to this subsection (5), a notice shall be sent to the owner of the vehicle identifying the owner of the vehicle, the license plate number, and ~~any~~ other pertinent registration information, AND stating that the vehicle has successfully complied with the applicable emission requirements. Such notice shall also include a notification that the registered owner of the vehicle may return the notice to the contractor with the payment as set forth on the notice to pay for the clean screen program. Upon receipt of the payment from the motor vehicle owner, the county clerk shall be notified that the motor vehicle has complied with the inspection requirements pursuant to this subsection (5).

SECTION 15. 42-4-401 (5), Colorado Revised Statutes, is amended to read:

42-4-401. Definitions. As used in this part 4, unless the context otherwise requires:

(5) "Diesel powered motor vehicle" or "diesel vehicle" as applicable to opacity inspections, includes only a motor vehicle with four wheels or more on the ground, powered by an internal combustion, compression ignition, diesel fueled engine, and also includes any motor vehicle having a personal property classification of A, B, or C, pursuant to section 42-3-106, as specified on its vehicle registration, and for which registration

in this state is required for operation on the public roads and highways. "Diesel vehicle" does not include the following: Vehicles registered pursuant to section ~~42-3-134(12)~~ or ~~42-3-138~~ 42-3-219, 42-3-305 (4), OR 42-3-306 (4), or off-the-road diesel powered vehicles or heavy construction equipment.

SECTION 16. 42-4-1208 (1) (a) and (1) (b), the introductory portion to 42-4-1208 (2), and 42-4-1208 (3) (a), (5) (b), (7), (11), (12) (b), (12) (d), (13) (a), and (13) (b), Colorado Revised Statutes, are amended to read:

42-4-1208. Parking privileges for persons with disabilities - applicability. (1) As used in this section:

(a) "License plate or placard" means a license plate or placard issued pursuant to section ~~42-3-121(2)~~ 42-3-204 (2).

(b) "Person with a disability" has the meaning provided for such term in section ~~42-3-121(1)~~ 42-3-204 (1).

(2) In a jurisdiction recognizing the privilege defined by this subsection (2), a vehicle with a license plate or a placard obtained pursuant to section ~~42-3-121~~ 42-3-204 or as otherwise authorized by subsection (4) of this section may be parked in public parking areas along public streets regardless of any time limitation imposed upon parking in such area; except that a jurisdiction shall not limit such a privilege to park on any public street to less than four hours. The respective jurisdiction shall clearly post the appropriate time limits in such area. Such privilege need not apply to zones in which:

(3) (a) A person with a disability may park in a parking space identified as being reserved for use by persons with disabilities whether on public property or private property available for public use. A license plate or placard obtained pursuant to section ~~42-3-121~~ 42-3-204 or as otherwise authorized by subsection (4) of this section shall be displayed at all times on the vehicle while parked in such space.

(5) It is unlawful for any person other than a person with a disability to park in a parking space on public or private property that is clearly identified by an official sign as being reserved for use by persons with disabilities unless:

(b) A license plate or placard obtained pursuant to section ~~42-3-121~~ 42-3-204 or as otherwise authorized by subsection (4) of this section is displayed in such vehicle.

(7) Any person who is not a person with a disability and who uses a license plate or placard issued pursuant to section ~~42-3-121~~ 42-3-204 in order to receive the benefits or privileges available to a person with a disability under this section commits a class B traffic infraction and shall be subject to a fine of up to twice the maximum penalty identified for a class B traffic infraction in section 42-4-1701 (3) (a) (I).

(11) Any person who knowingly and fraudulently obtains, possesses, uses, or transfers a placard issued to a person with a disability pursuant to section ~~42-3-121~~ 42-3-204 or knowingly makes, possesses, uses, or transfers what purports to be, but is not, a placard issued to a person with a disability pursuant to section ~~42-3-121~~ 42-3-204 is guilty of a misdemeanor and is subject to the criminal and civil penalties provided under section 42-6-139 (3) and (4). Any person who knowingly and willfully receives remuneration for committing a misdemeanor pursuant to this subsection (11) shall be subject to twice the civil and criminal fine that would otherwise be imposed.

(12) (b) Upon receipt of certification of a first or second entry of judgment for a violation of subsection (6), (7), or (11) of this section or upon independent verification of such a violation by the department, the department shall notify the person with a disability to whom the license plate or placard was issued that such license plate or placard will be revoked as provided in section ~~42-3-121 (2) (c)~~ 42-3-204 (2) (d) upon certification or independent verification of the third such entry of judgment.

(d) Upon receipt of certification or independent verification of such third entry of judgment, the department shall revoke said license plate or placard as provided in section ~~42-3-121 (2) (c)~~ 42-3-204 (2) (d).

(13) (a) For purposes of this subsection (13), "holder" means a person with a disability as defined in section ~~42-3-121 (1) (b)~~ 42-3-204 (1) (b) who has lawfully obtained a license plate or placard issued pursuant to section ~~42-3-121 (2)~~ 42-3-204 (2) or as otherwise authorized by subsection (4) of this section.

(b) Notwithstanding any other provision of this section to the

contrary, a holder is liable for any penalty or fine as set forth in this section or section ~~42-3-121~~ 42-3-204 or for any misuse of a disabled license plate or placard, including the use of such plate or placard by any person other than a holder, unless the holder can furnish sufficient evidence that the license plate or placard was, at the time of the violation, in the care, custody, or control of another person without the holder's knowledge or consent.

SECTION 17. 42-4-1301 (7) (d) (II), Colorado Revised Statutes, is amended to read:

42-4-1301. Driving under the influence - driving while impaired - driving with excessive alcoholic content - penalties. (7) Penalties. (d) In addition to the penalties prescribed in this subsection (7):

(II) Persons convicted of DUI, DUI per se, DWAI, and habitual user are subject to an additional penalty surcharge of not less than twenty-five dollars and not more than five hundred dollars for programs to address persistent drunk drivers. Any moneys collected for such surcharge shall be transmitted to the state treasurer, who shall credit the same to the persistent drunk driver cash fund created by section ~~42-3-130.5~~ 42-3-303.

SECTION 18. 42-4-1409 (7), Colorado Revised Statutes, is amended to read:

42-4-1409. Compulsory insurance - penalty. (7) The owner of a motor vehicle, upon receipt of an affirmation of insurance as described in section ~~42-3-112 (2) and (3)~~ 42-3-113 (2) AND (3), shall sign and date such affirmation in the space provided.

SECTION 19. 42-4-1701 (4) (a) (I) (B), (4) (a) (IV), and (5) (c) (II), Colorado Revised Statutes, are amended to read:

42-4-1701. Traffic offenses and infractions classified - penalties - penalty and surcharge schedule - repeal. (4) (a) (I) Except as provided in paragraph (c) of subsection (5) of this section, every person who is convicted of, who admits liability for, or against whom a judgment is entered for a violation of any provision of this title to which the provisions of paragraph (a) or (b) of subsection (5) of this section apply shall be fined or penalized, and have a surcharge levied thereon pursuant to section

24-4.2-104 (1) (b) (I), C.R.S., in accordance with the penalty and surcharge schedule set forth in sub-subparagraphs (A) to (P) of this subparagraph (I); or, if no penalty or surcharge is specified in the schedule, the penalty for class A and class B traffic infractions shall be fifteen dollars, and the surcharge shall be two dollars. These penalties and surcharges shall apply whether the defendant acknowledges the defendant's guilt or liability in accordance with the procedure set forth by paragraph (a) of subsection (5) of this section or is found guilty by a court of competent jurisdiction or has judgment entered against the defendant by a county court magistrate. Penalties and surcharges for violating specific sections shall be as follows:

Section Violated	Penalty	Surcharge
(B) Registration and taxation violations:		
42-3-103	\$ 50.00	\$ 7.80
42-3-112 42-3-113	15.00	2.60
42-3-123 42-3-202	15.00	2.60
42-3-127 42-3-116	50.00	7.80
42-3-133 (1)(a) 42-3-121 (1) (a)	75.00	11.70
42-3-133 (1)(c) 42-3-121 (1) (c)	35.00	5.20
42-3-133 (1)(f), (1)(g), and (1)(h) 42-3-121 (1) (f), (1) (g)		
AND (1) (h)	75.00	11.70
42-3-134 42-3-304 TO 42-3-306	50.00	7.80

(IV) (A) Any person convicted of violating section ~~42-3-124~~ 42-3-114 who has not been convicted of a violation of section ~~42-3-124~~ 42-3-114 in the twelve months preceding such conviction shall be fined as follows, whether the defendant acknowledges the defendant's guilt pursuant to the procedure set forth in paragraph (a) of subsection (5) of this section or is found guilty by a court of competent jurisdiction:

Number of days beyond renewal period that registration has been expired	Penalty	Surcharge
1 - 29	\$ 35.00	\$ 4.00
30 - 59	50.00	6.00
60 and over	75.00	9.00

(B) Any person convicted of violating section ~~42-3-124~~ 42-3-114

who has been convicted of violating said section within the twelve months preceding such conviction shall be fined pursuant to subparagraph (I) of paragraph (a) of subsection (3) of this section.

(5) (c) (II) In all cases where this paragraph (c) prohibits the issuance of a penalty assessment notice, the penalty and surcharge schedule contained in subparagraph (I) of paragraph (a) of subsection (4) of this section shall be inapplicable; except that the penalty and surcharge provided in the schedule contained in sub-subparagraph (B) of subparagraph (I) of paragraph (a) of subsection (4) of this section for any violation of section ~~42-3-133(1)(a)~~ 42-3-121 (1) (a) shall always apply to such a violation. In all cases where the penalty and surcharge schedule contained in subparagraph (I) of paragraph (a) of subsection (4) of this section is inapplicable, the provisions of subsection (3) of this section shall apply.

SECTION 20. 42-6-139 (3) and (4), Colorado Revised Statutes, are amended to read:

42-6-139. Registration - where made. (3) ~~Any~~ A person who knowingly violates any of the provisions of subsection (2) of this section, section 42-3-103 (4) (a), ~~section 42-3-105 (1) (c) (H);~~ section 42-6-140, or any rule ~~or regulation~~ of the director relating thereto ~~made pursuant to the authority conferred upon the director in~~ PROMULGATED PURSUANT TO this part 1 is guilty of a misdemeanor and, upon conviction, ~~thereof;~~ shall be punished by a fine of five hundred dollars.

(4) In addition to any other applicable penalty, a person who registers a motor vehicle in violation of the provisions of subsection (2) of this section, section 42-3-103 (4) (a), ~~section 42-3-105 (1) (c) (H);~~ or section 42-6-140 shall be subject to a civil penalty of five hundred dollars. Such violation shall be determined by, ~~and such penalty shall be~~ assessed by, and paid to the municipality or county ~~in which such~~ WHERE THE motor vehicle is or should have been registered, subject to judicial review pursuant to rule 106 (a) (4) of the Colorado rules of civil procedure.

SECTION 21. 42-7-510 (1), Colorado Revised Statutes, is amended to read:

42-7-510. Insurance or bond required. (1) Every owner of a truck ~~which~~ THAT is subject to the registration fee imposed pursuant to section ~~42-3-134(13)(b) or (15)~~ 42-3-305 (5) (b) OR (7) OR 42-3-306 (5) (b) OR (7)

and ~~which~~ THAT is not subject to regulation by the public utilities commission under article 10, 11, 13, or 16 of title 40, C.R.S., before operating or permitting the operation of such vehicle upon any public highway in this state shall have in each such vehicle a motor vehicle liability insurance policy or a certificate evidencing such policy issued by an insurance carrier or insurer authorized to do business in ~~the state of~~ Colorado, or a copy of a valid certificate of self-insurance issued pursuant to section 10-4-624, C.R.S., or a surety bond issued by a company authorized to do a surety business in ~~the state of~~ Colorado in the sum of fifty thousand dollars for damages to property of others; the sum of one hundred thousand dollars for damages for or on account of bodily injury or death of one person as a result of any one accident; and, subject to such limit as to one person, the sum of three hundred thousand dollars for or on account of bodily injury to or death of all persons as a result of any one accident.

SECTION 22. The introductory portion to 42-7-605 (1), Colorado Revised Statutes, is amended to read:

42-7-605. Notice of lack of financial responsibility. (1) If the comparison made pursuant to section 42-7-604 (6) (b) shows that a motor vehicle that has not been exempted under section ~~42-3-134 (1) (b)~~ 42-3-304 (1) (b) has not been insured for three consecutive months, the department of revenue shall direct the designated agent to notify the owner of the motor vehicle that said owner has forty-five days to provide the designated agent with one of the following, or said owner's registration will be subject to immediate administrative suspension after the expiration of said forty-five-day period:

SECTION 23. 42-8-105 (1) and (5), Colorado Revised Statutes, are amended to read:

42-8-105. Clearance of motor vehicles at port of entry weigh stations. (1) Every owner or operator of a motor vehicle that is subject to payment of registration fees under the provisions of section ~~42-3-134 (13)~~ ~~(b)~~ 42-3-305 (5) (b) OR 42-3-306 (5) (b) and every owner or operator of a motor vehicle or combination of vehicles having a manufacturer's gross vehicle weight rating or gross combination weight rating of twenty-six thousand one pounds or more shall secure a valid clearance from an office of the department of revenue, from an officer of the Colorado state patrol,

or from a port of entry weigh station before operating such vehicle or combination of vehicles or causing such vehicle or combination of vehicles to be operated on the public highways of this state, but an owner or operator shall be deemed to have complied with the provisions of this subsection (1) if the owner or operator secures a valid clearance from the first port of entry weigh station located within five road miles of the route that the owner or operator would normally follow from the point of departure to the point of destination. An owner or operator shall not be required to seek out a port of entry weigh station not located on the route such owner or operator is following if the owner or operator secures a special revocable permit from the department of revenue in accordance with the provisions of subsection (4) of this section. A vehicle ~~of~~ WITH a seating capacity of fourteen or more passengers registered under the provisions of section ~~42-3-134 (4) (c) (F) or (21) (a)~~ 42-3-304 (13), 42-3-305 (4) (c) (I), OR 42-3-306 (4) (c) (I) shall not be required to secure a valid clearance pursuant to this section.

(5) Any owner or operator of a motor vehicle ~~which~~ THAT is subject to the provisions of ~~section 42-3-134~~ SECTIONS 42-3-304 TO 42-3-306, who is found guilty of violating the provisions and requirements of this section, shall be subject to the fines and penalties prescribed in section 42-8-109.

SECTION 24. The introductory portion to 42-12-102 (1) and 42-12-102 (2) (a), Colorado Revised Statutes, are amended to read:

42-12-102. Registration of collectors' items. (1) Except for those motor vehicles ~~which~~ THAT are entitled to registration under the provisions of section ~~42-3-138~~ 42-3-219, collectors' items shall be titled, registered, and a specific ownership tax shall be paid thereon in the same manner as provided in this title for other motor vehicles, with the following exceptions:

(2) (a) An owner of a collector's item ~~which~~ THAT is not operated upon the highways of this state and ~~which~~ THAT is kept on private property for the purpose of maintenance, repair, restoration, rebuilding, or any other similar purpose shall pay an annual specific ownership tax as provided in section 42-3-106 on any such motor vehicle owned by such owner, except owners of parts cars as defined in section 42-12-101 (3), or licensed garages or licensed automobile dealers. The payment of the specific ownership tax shall be made in the manner provided in section ~~42-3-138~~ 42-3-219.

SECTION 25. 42-20-202 (3) (a), Colorado Revised Statutes, is

amended to read:

42-20-202. Transportation permit - application fee. (3) No single trip permit application shall be approved unless the applicant:

(a) Supplies proof of having liability insurance as required by the United States department of transportation pursuant to 49 CFR 387 or signs a verification under the penalty of perjury as provided in section ~~42-3-140~~ 42-3-122 that the applicant has the liability insurance as required by the United States department of transportation pursuant to 49 CFR 387;

SECTION 26. 12-6-102 (17) (f), Colorado Revised Statutes, is amended to read:

12-6-102. Definitions. As used in this part 1, unless the context otherwise requires:

(17) "Used motor vehicle dealer" means any person who, for commission or with intent to make a profit or gain of money or other thing of value, sells, exchanges, leases, or offers an interest in used motor vehicles, or attempts to negotiate a sale, exchange, or lease of used and new motor vehicles or who is engaged wholly or in part in the business of selling used motor vehicles, whether or not such motor vehicles are owned by such person. The sale of three or more used motor vehicles or the offering for sale of more than three used motor vehicles at the same address or telephone number in any one calendar year shall be prima facie evidence that a person is engaged in the business of selling used motor vehicles. "Used motor vehicle dealer" includes any owner of real property who allows more than three used motor vehicles to be offered for sale on such property during one calendar year unless said property is leased to a licensed used motor vehicle dealer. "Used motor vehicle dealer" does not include:

(f) Any person who only sells or exchanges no more than four motor vehicles ~~which~~ THAT are collectors' items pursuant to section ~~42-3-138~~ 42-3-219, C.R.S., or pursuant to article 12 of title 42, C.R.S.;

SECTION 27. 12-6-117 (2) (b), Colorado Revised Statutes, is amended to read:

12-6-117. Principal place of business - requirements. (2) (b) A motor vehicle dealer who operates such motor vehicle dealer's business from his or her primary residence and who has been a resident of Colorado for the immediately preceding twelve-month period and is a motor vehicle dealer only because such dealer sells custom trailers for one or more manufacturers and maintains an inventory of fewer than four vehicles at all times shall be exempt from ~~the requirements of~~ paragraph (a) of this subsection (2). Any motor vehicle dealer who is issued dealer plates in accordance with this paragraph (b) pursuant to section ~~42-3-127~~ 42-3-116, C.R.S., shall only use such plates on trailers.

SECTION 28. 22-54-103 (11), Colorado Revised Statutes, is amended to read:

22-54-103. Definitions - repeal. As used in this article, unless the context otherwise requires:

(11) "Specific ownership tax revenue paid to the district" means the amount of specific ownership tax revenue received by the district pursuant to section ~~42-3-107 (23)~~ 42-3-107 (24), C.R.S., for the prior budget year that is attributable to all property tax levies made by the district except those property tax levies made for the purpose of satisfying bonded indebtedness obligations, both principal and interest, and those property tax levies authorized at elections held under the provisions of former section 22-53-117 or section 22-54-108.

SECTION 29. 24-72-204 (3) (a) (XII) and (7) (a), Colorado Revised Statutes, are amended to read:

24-72-204. Allowance or denial of inspection - grounds - procedure - appeal. (3) (a) The custodian shall deny the right of inspection of the following records, unless otherwise provided by law; except that any of the following records, other than letters of reference concerning employment, licensing, or issuance of permits, shall be available to the person in interest under this subsection (3):

(XII) Any record indicating that a person has obtained distinguishing license plates or an identifying placard for persons with disabilities under section ~~42-3-121~~ 42-3-204, C.R.S., or any other motor vehicle record that would reveal the presence of a disability.

(7) (a) Except as permitted in paragraph (b) of this subsection (7), the department of revenue or an authorized agent of the department shall not allow inspection of A PERSON, OTHER THAN THE PERSON IN INTEREST, TO INSPECT information contained in a driver's license application under section 42-2-107, C.R.S., a driver's license renewal application under section 42-2-118, C.R.S., a duplicate driver's license application under section 42-2-117, C.R.S., a commercial driver's license application under section 42-2-403, C.R.S., an identification card application under section 42-2-302, C.R.S., a motor vehicle title application under section 42-6-116, C.R.S., a motor vehicle registration application under section ~~42-3-112~~ 42-3-113, C.R.S., or other official record or document maintained by the department under section 42-2-121, C.R.S. ~~to a requestor, other than the person in interest.~~

SECTION 30. 24-75-216 (1) (b), Colorado Revised Statutes, is amended to read:

24-75-216. Transfers to highway users tax fund. (1) (b) For each month, ~~commencing in March 2001,~~ the state controller shall adjust the allocation of moneys between the highway users tax fund and the general fund required by section 39-26-123 (2) (a) (I) (A), C.R.S., so that the allocations to the highway users tax fund are increased, and the allocations to the general fund correspondingly decreased, in an amount equal to the reduction in receipts from vehicle registration fees as reported by the executive director of the department of revenue pursuant to section ~~42-3-134 (31)~~ 42-3-304 (23), C.R.S., during the immediately preceding month. As soon as possible after receiving the report of the amount of registration fees not collected due to said fee reductions, the state controller shall adjust the allocation for the previous month to reflect such amount. Such adjustment shall be based upon the written reports from the executive director of the department of revenue submitted pursuant to section ~~42-3-134 (31)~~ 42-3-304 (23), C.R.S.

SECTION 31. 24-75-217 (3) (e), Colorado Revised Statutes, is amended to read:

24-75-217. Restoration of funds transferred to augment the general fund for the 2001-02 fiscal year. (3) The funds that shall be restored pursuant to subsection (1) of this section include:

(e) The persistent drunk driver cash fund created in section ~~42-3-130.5 (1)~~ 42-3-303, C.R.S.;

SECTION 32. 24-75-402 (5) (h), Colorado Revised Statutes, is amended to read:

24-75-402. Cash funds - limit on uncommitted reserves - reduction in amount of fees - exclusions - repeal. (5) Notwithstanding any provision of this section to the contrary, the following cash funds are excluded from the limitations specified in this section:

(h) The highway users tax fund and the state highway fund; except that the emergency medical services account created in section 25-3.5-603, C.R.S., the distributed data processing system special purpose account created in section 42-1-211 (2), C.R.S., and the AIR account created in section ~~42-3-134 (26)~~ 42-3-304 (18) (a), C.R.S., included in the highway users tax fund shall be subject to the provisions of this section;

SECTION 33. 25-3.5-603 (1) (a) and (3) (c) (II), Colorado Revised Statutes, are amended to read:

25-3.5-603. Emergency medical services account - creation - allocation of funds. (1) (a) There is hereby created a special account within the highway users tax fund established pursuant to section 43-4-201, C.R.S., to be known as the emergency medical services account, which shall consist of all moneys transferred thereto in accordance with section ~~42-3-134 (28)~~ 42-3-304 (21), C.R.S.

(3) On and after July 1, 2002, moneys in the emergency medical services account shall be appropriated:

(c) To the direct and indirect costs of planning, developing, implementing, maintaining, and improving the statewide emergency medical and trauma services system. Such costs shall include:

(II) The costs of the department of revenue in collecting the additional motor vehicle registration fee pursuant to section ~~42-3-134 (28)~~ 42-3-304 (21), C.R.S.

SECTION 34. 33-12-106 (1), Colorado Revised Statutes, is

amended to read:

33-12-106. Park entrance privileges - identified veterans.

(1) Any resident who displays on the resident's vehicle a Colorado disabled veteran's license plate pursuant to section ~~42-3-134(3)(a)~~ 42-3-304 (3) (a), C.R.S., shall be allowed free entrance to any state park or recreation area, not to include campgrounds, on any day of the year such park or area is open. For the purpose of this section, display of such license plates shall entitle the disabled veteran and passengers in such veteran's vehicle to enter such park or recreation area free of charge.

SECTION 35. 39-5-132 (7), Colorado Revised Statutes, is amended to read:

39-5-132. Assessment and taxation of new construction.

(7) Nothing in this section shall be construed to affect tax increment financing as said financing is implemented pursuant to sections 31-25-107 (9) and 31-25-807 (3), C.R.S., nor the distribution of specific ownership taxes pursuant to section 42-3-107 ~~(23)~~ (24), C.R.S.

SECTION 36. 39-27-105 (4) (a), (4) (b), and (4) (c), Colorado Revised Statutes, are amended to read:

39-27-105. Collection of tax on gasoline and special fuel.

(4) (a) Every person who has obtained a passenger-mile tax permit pursuant to section ~~42-3-137~~ 42-3-309, C.R.S., where such permit relates to a motor vehicle that is powered by special fuel, shall, on or before the last day of the month following the end of the quarter, file with the executive director of the department of revenue a report stating the amount of special fuel subject to the tax imposed by this part 1 consumed by such person during the prior quarter and such other information relating to the use of special fuel for the propulsion of a motor vehicle on the highways of this state as the executive director may require. The executive director, under rules and procedures established by said executive director, may exempt from the reporting requirement of this subsection (4) any motor vehicle used exclusively within this state. Failure to receive the authorized report form does not relieve such person from the obligation of submitting a report to the executive director setting forth all information required on the prescribed report form. The report shall contain or be accompanied by a written declaration that it is made under the penalties of perjury in the

second degree, as defined in section 18-8-503, C.R.S.

(b) From the tax due, an authorized user may claim credit for tax paid on purchases of special fuel from vendors within this state. Any credit in excess of the tax due from a user under this part 1 may be claimed on a consolidated report authorized under paragraph (c) of this subsection (4) as a credit against the taxes imposed under ~~section 42-3-134~~ SECTIONS 42-3-304 TO 42-3-306, C.R.S. Otherwise, such credit is refundable under the provisions of section 39-27-103 and such rules and procedures as the executive director of the department of revenue may adopt.

(c) The executive director of the department of revenue may authorize, under rules and procedures established by said executive director, the consolidation of the report required by this subsection (4) and the report required by section ~~42-3-136~~ 42-3-308, C.R.S., into a single report.

SECTION 37. 40-2-109, Colorado Revised Statutes, is amended to read:

40-2-109. Report to executive director of the department of revenue. On March 1 of each year, the public utilities commission shall furnish the executive director of the department of revenue with a list of those public utilities subject to its jurisdiction, supervision, and regulation on January 1 of each year, excepting those motor vehicle carriers subject to the passenger-mile tax imposed by the provisions of ~~section 42-3-134~~ SECTIONS 42-3-304 TO 42-3-306, C.R.S., but only so long as the cost of regulation of such motor vehicle carriers ~~shall be~~ IS defrayed from the proceeds of such passenger-mile tax.

SECTION 38. 43-4-203 (1) (b), Colorado Revised Statutes, is amended to read:

43-4-203. Sources of revenue. (1) All net revenue from the following sources shall be paid into and credited to the highway users tax fund as soon as received:

(b) From the imposition of annual registration fees on drivers, motor vehicles, trailers, and semitrailers, except as provided in section ~~42-3-134~~ (26.5) 42-3-304 (19), C.R.S.;

SECTION 39. 43-5-504, Colorado Revised Statutes, is amended to read:

43-5-504. Motorcycle operator safety training fund. There is hereby created in the state treasury a motorcycle operator safety training fund which shall consist of moneys collected pursuant to sections 42-2-114 (2) (b) and (4) (b), 42-2-118 (1) (b) (II), and ~~42-3-134 (5)~~ 42-3-304 (4), C.R.S. The moneys in the fund shall be available immediately, without further appropriation, for allocation by the transportation commission to the office of transportation safety to be used for the implementation and administration of the program. Moneys credited to the fund shall remain therein at the end of each fiscal year and shall not be transferred to any other fund.

SECTION 40. 42-3-114 (9), Colorado Revised Statutes, as amended by Senate Bill 05-041, enacted at the First Regular Session of the Sixty-fifth General Assembly, is amended, WITH THE RELOCATION OF PROVISIONS, to read:

42-3-211. [Formerly 42-3-114] Issuance of personalized plates authorized. ~~(9) (7)~~ (7) All applications for special registration of motor vehicles shall be made directly to the department, and ~~all matters pertaining thereto~~ shall be administered by ~~such~~ THE department. All fees received from special registrations shall be ~~placed by the department in the same fund as its other registration fees~~ CREDITED TO THE HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201, C.R.S., AND ALLOCATED AND EXPENDED AS SPECIFIED IN SECTION 43-4-205 (5.5) (b), C.R.S.; except that two dollars of each such special registration fee COLLECTED PURSUANT TO PARAGRAPHS (a) TO (d) OF SUBSECTION (6) OF THIS SECTION shall be remitted to the county general fund. ~~and the entire fee collected pursuant to paragraph (e) of subsection (7) of this section shall be transferred to the highway users tax fund created in section 43-4-201, C.R.S., and allocated and expended as specified in section 43-4-205 (5.5) (b), C.R.S.~~

SECTION 41. 24-1-117 (4) (a) (VII) and (4) (a) (VIII), Colorado Revised Statutes, as amended by House Bill 05-1008, enacted at the First Regular Session of the Sixty-fifth General Assembly, are amended to read:

24-1-117. Department of revenue - creation. (4) (a) The department of revenue shall consist of the following divisions:

(VII) Division of gaming, including the Colorado limited gaming control commission; AND

(VIII) ~~Division of motor vehicles; and~~

SECTION 42. Repeal of provisions not being relocated in this act. Sections 42-3-125 and 42-3-134 (1.5) and (7), Colorado Revised Statutes, are repealed.

SECTION 43. Effective date. (1) Except as provided in subsection (2) of this section, this act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution (August 10, 2005, if adjournment sine die is on May 11, 2005); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) Section 40 of this act shall only take effect if Senate Bill 05-041 is enacted and becomes law. If Senate Bill 05-041 becomes law, section 40

shall supersede section 42-3-211 (7), Colorado Revised Statutes, in section 2 of this act and shall take effect on the effective date of this act.

Andrew Romanoff
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Joan Fitz-Gerald
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO