

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 26-0081.01 Jery Payne x2157

HOUSE BILL 26-1097

HOUSE SPONSORSHIP

Barron,

SENATE SPONSORSHIP

Pelton B.,

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZATION TO OPERATE A SURPLUS MILITARY**
102 **VEHICLE ON THE ROAD.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law requires a motor vehicle to be designed for operation on a highway in order to be covered by the "Uniform Motor Vehicle Law", which governs driver's licenses, registrations, and traffic regulation. The bill authorizes the owner of a surplus military vehicle to register the vehicle with the department of revenue and be issued a license plate if:

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

- The vehicle complies with the laws governing motor vehicles and traffic;
- The vehicle uses wheels for movement, weighs less than 16,000 pounds empty weight, has a 20,000 pounds gross vehicle weight rating or less, and is not affixed with working mounted firearms; and
- The owner signs an affidavit stating that the vehicle will not be driven on roadways for more than 1,500 miles per year.

If the vehicle is registered, it may be driven on roadways and the title can be converted from showing off-highway vehicle to highway-use vehicle, but the vehicle must comply with registration provisions, driver's license provisions, and traffic laws.

The bill also authorizes surplus military vehicles to operate on the road if they are authorized emergency vehicles. A qualified surplus military vehicle may be registered as a collector's item.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-1-102, **amend**
 3 (58)(b); and **add** (102.6) as follows:

4 **42-1-102. Definitions.**

5 As used in articles 1 to 4 of this title 42, unless the context
 6 otherwise requires:

7 (58) "Motor vehicle":

8 (b) (I) Includes a low-power scooter for the purposes of sections
 9 42-2-127, 42-2-127.7, 42-2-128, 42-2-138, 42-2-206, 42-4-1301, and
 10 42-4-1301.1; and

11 (II) INCLUDES A SURPLUS MILITARY VEHICLE FOR THE PURPOSES
 12 OF:

13 (A) REQUIRING A DRIVER'S LICENSE TO DRIVE ON A HIGHWAY IN
 14 ACCORDANCE WITH ARTICLE 2 OF THIS TITLE 42;

15 (B) REGISTERING AND TAXING THE VEHICLE PURSUANT TO ARTICLE
 16 3 OR 12 OF THIS TITLE 42 IF THE OWNER HAS ELECTED TO REGISTER THE

1 VEHICLE UNDER SECTION 42-3-103 (1)(d); AND

2 (C) DRIVING THE VEHICLE ON A HIGHWAY IN ACCORDANCE WITH

3 ARTICLE 4 OF THIS TITLE 42; AND

4 (102.6) "SURPLUS MILITARY VEHICLE" HAS THE MEANING SET

5 FORTH IN SECTION 42-6-102 (20.5).

6 **SECTION 2.** In Colorado Revised Statutes, 42-3-103, **add** (1)(d)

7 as follows:

8 **42-3-103. Registration required or permitted - exemptions -**

9 **rules.**

10 (1) (d) (I) ON AND AFTER JANUARY 1, 2028, THE OWNER OF A

11 SURPLUS MILITARY VEHICLE MAY REGISTER THE VEHICLE WITH THE

12 DEPARTMENT IF:

13 (A) THE VEHICLE COMPLIES WITH ARTICLE 4 OF THIS TITLE 42;

14 (B) THE VEHICLE USES WHEELS AND NOT TRACKS FOR MOVEMENT;

15 (C) THE VEHICLE WEIGHS LESS THAN SIXTEEN THOUSAND POUNDS

16 EMPTY WEIGHT AND HAS A TWENTY THOUSAND POUNDS GROSS VEHICLE

17 WEIGHT RATING OR LESS;

18 (D) THE VEHICLE IS NOT AFFIXED WITH A WORKING MOUNTED

19 FIREARM; AND

20 (E) THE OWNER SIGNS AN AFFIDAVIT STATING THAT THE VEHICLE

21 WILL NOT BE DRIVEN ON ROADWAYS FOR MORE THAN ONE THOUSAND FIVE

22 HUNDRED MILES PER YEAR.

23 (II) IF THE OWNER OF A SURPLUS MILITARY VEHICLE REGISTERS

24 THE VEHICLE WITH THE DEPARTMENT, THE VEHICLE AND OWNER ARE

25 SUBJECT TO THIS ARTICLE 3.

26 (III) THE OWNER OF A SURPLUS MILITARY VEHICLE MAY REGISTER

27 THE VEHICLE AS A COLLECTOR'S ITEM UNDER ARTICLE 12 OF THIS TITLE 42

1 IF THE SURPLUS MILITARY VEHICLE IS:

2 (A) A MILITARY VEHICLE; AND

3 (B) QUALIFIED TO BE REGISTERED UNDER ARTICLE 12 OF THIS
4 TITLE 42.

5 **SECTION 3.** In Colorado Revised Statutes, **add** 42-4-109.8 as
6 follows:

7 **42-4-109.8. Surplus military vehicles.**

8 (1) A SURPLUS MILITARY VEHICLE THAT IS REGISTERED IN
9 ACCORDANCE WITH ARTICLE 3 OF THIS TITLE 42 MAY BE DRIVEN ON A
10 HIGHWAY. A SURPLUS MILITARY VEHICLE IS SUBJECT TO THIS ARTICLE 4.

11 (2) THE OWNER OF A SURPLUS MILITARY VEHICLE SHALL NOT
12 DRIVE THE VEHICLE ON OR AUTHORIZE A PERSON TO DRIVE THE VEHICLE
13 ON A ROADWAY FOR MORE THAN ONE THOUSAND FIVE HUNDRED MILES PER
14 YEAR.

15 (3) A SURPLUS MILITARY VEHICLE MAY BE DRIVEN ON A HIGHWAY
16 IF:

17 (a) THE SURPLUS MILITARY VEHICLE IS:

18 (I) OWNED OR LEASED BY A MUNICIPALITY, COUNTY, OR FIRE
19 PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103 (7), FOR THE
20 PURPOSE OF ASSISTING WITH FIREFIGHTING EFFORTS, INCLUDING
21 MITIGATING THE RISK OF WILDFIRES; OR

22 (II) AN AUTHORIZED EMERGENCY VEHICLE; AND

23 (b) THE SURPLUS MILITARY VEHICLE IS BEING DRIVEN ON THE
24 HIGHWAY IN CONNECTION WITH ASSISTING WITH FIREFIGHTING EFFORTS,
25 OPERATING AS AN AUTHORIZED EMERGENCY VEHICLE, OR BEING
26 MAINTAINED, SERVICED, OR REPAIRED.

27 **SECTION 4.** In Colorado Revised Statutes, 42-6-102, **amend**

1 (11.5)(b)(II) as follows:

2 **42-6-102. Definitions.**

3 As used in this part 1, unless the context otherwise requires:

4 (11.5) (b) (II) "Off-highway vehicle" does not include:

5 (A) A surplus military vehicle that is owned or leased by a
6 municipality, county, or fire protection district, as defined in section
7 32-1-103 (7), for the purpose of assisting with firefighting efforts,
8 including mitigating the risk of wildfires; OR

9 (B) AN AUTHORIZED EMERGENCY VEHICLE AS DEFINED IN SECTION
10 42-1-102 (6).

11 **SECTION 5.** In Colorado Revised Statutes, **add** 42-6-149 as
12 follows:

13 **42-6-149. Conversion of surplus military vehicle certificate of**
14 **title.**

15 A PERSON MAY ELECT TO CONVERT A SURPLUS MILITARY VEHICLE
16 CERTIFICATE OF TITLE FROM SHOWING THAT THE VEHICLE IS AN
17 OFF-HIGHWAY VEHICLE TO SHOWING THAT THE VEHICLE IS AUTHORIZED TO
18 OPERATE ON THE HIGHWAY IF THE VEHICLE IS REGISTERED PURSUANT TO
19 SECTION 42-3-103 (1)(d). IF THE REGISTRATION EXPIRES, THE
20 DEPARTMENT SHALL REVERT THE CERTIFICATE OF TITLE TO SHOW THE
21 SURPLUS MILITARY VEHICLE IS AN OFF-HIGHWAY VEHICLE.

22 **SECTION 6.** In Colorado Revised Statutes, 42-12-101, **amend**
23 the introductory portion and (10) as follows:

24 **42-12-101. Definitions.**

25 As used in this ~~article~~ ARTICLE 12, unless the context otherwise
26 requires:

27 (10) "Motor vehicle" means:

1 (a) A self-propelled vehicle designed for operation on the highway
2 and not running on rails; OR

3 (b) A MILITARY VEHICLE AS DEFINED IN SECTION 42-1-102 (52.5).

4 **SECTION 7.** In Colorado Revised Statutes, 33-14.5-101, **amend**
5 (3)(h) as follows:

6 **33-14.5-101. Definitions.**

7 As used in this article 14.5, unless the context otherwise requires:

8 (3) "Off-highway vehicle" means any self-propelled vehicle that
9 is designed to travel on wheels or tracks in contact with the ground,
10 designed primarily for use off of the public highways, and generally and
11 commonly used to transport persons for recreational purposes. Except as
12 described in subsection (3)(h) of this section, "off-highway vehicle"
13 includes surplus military vehicles as defined in section 42-6-102.

14 "Off-highway vehicle" does not include the following:

15 (h) A surplus military vehicle, as defined in section 42-6-102
16 (20.5), that is:

17 (I) Owned or leased by a municipality, county, or fire protection
18 district, as defined in section 32-1-103 (7), for the purpose of assisting
19 with firefighting efforts, including mitigating the risk of wildfires; OR

20 (II) AN AUTHORIZED EMERGENCY VEHICLE AS DEFINED IN SECTION
21 42-1-102 (6).

22 **SECTION 8. Act subject to petition - effective date -**
23 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
24 the expiration of the ninety-day period after final adjournment of the
25 general assembly (August 12, 2026, if adjournment sine die is on May 13,
26 2026); except that, if a referendum petition is filed pursuant to section 1
27 (3) of article V of the state constitution against this act or an item, section,

1 or part of this act within such period, then the act, item, section, or part
2 will not take effect unless approved by the people at the general election
3 to be held in November 2026 and, in such case, will take effect on the
4 date of the official declaration of the vote thereon by the governor.

5 (2) This act applies to applications for registrations submitted on
6 or after January 1, 2028.