

HOUSE COMMITTEE OF REFERENCE REPORT

March 4, 2020

Chair of Committee

Date

Committee on Transportation & Local Government.

After consideration on the merits, the Committee recommends the following:

HB20-1170 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 1, strike line 2 and substitute:

2 "SECTION 1. In Colorado Revised Statutes, 42-1-102, **amend**
3 (58); **repeal** (52.5); and **add** (43.1) and (102.6) as follows:".

4 Page 2, strike line 1.

5 Page 2, after line 3 insert:

6 "(43.1) "HISTORICAL MILITARY VEHICLE" HAS THE SAME MEANING
7 AS SET FORTH IN SECTION 42-12-101.

8 (52.5) ~~"Military vehicle" means a vehicle of any size or weight~~
9 ~~that is valued for historical purposes, that was manufactured for use by~~
10 ~~any nation's armed forces, and that is maintained in a condition that~~
11 ~~represents its military design and markings.~~

12 (58) (a) "Motor vehicle" means any self-propelled vehicle that is
13 designed primarily for travel on the public highways and that is generally
14 and commonly used to transport persons and property over the public
15 highways or a low-speed electric vehicle.

16 (b) ~~except that the term~~ "MOTOR VEHICLE" does not include
17 electrical assisted bicycles, electric scooters, low-power scooters,
18 wheelchairs, or vehicles moved solely by human power.

19 (c) For the purposes of the offenses described in sections
20 42-2-128, 42-4-1301, 42-4-1301.1, and 42-4-1401 for farm tractors and

1 off-highway vehicles, as defined in section 33-14.5-101 (3), operated on
2 streets and highways, "motor vehicle" includes a farm tractor or an
3 off-highway vehicle that is not otherwise classified as a motor vehicle.

4 (d) "MOTOR VEHICLE" INCLUDES A HISTORICAL MILITARY VEHICLE
5 FOR THE PURPOSE OF REGISTRATION IN ACCORDANCE WITH PART 5 OF
6 ARTICLE 12 OF THIS TITLE 42 AND DRIVING ON A HIGHWAY.

7 (e) For the purposes of sections 42-2-127, 42-2-127.7, 42-2-128,
8 42-2-138, 42-2-206, 42-4-1301, and 42-4-1301.1, "motor vehicle"
9 includes a low-power scooter."

10 Page 2, strike lines 6 and 7 and substitute "VEHICLE" DOES NOT INCLUDE
11 A HISTORICAL MILITARY VEHICLE."

12 Page 2, line 10, strike "**Military**" and substitute "**Surplus military**".

13 Page 2, lines 10 and 11, strike "OR A MILITARY VEHICLE".

14 Page 2, after line 11 insert:

15 "SECTION 3. In Colorado Revised Statutes, 42-3-120, **amend**
16 (1) as follows:

17 **42-3-120. Department may cancel or deny registration.**

18 (1) The department shall cancel the registration of any vehicle that the
19 department determines is unsafe or unfit to be operated or is not equipped
20 as required by law; EXCEPT THAT THE DEPARTMENT SHALL NOT CANCEL
21 A REGISTRATION MERELY BECAUSE THE VEHICLE IS A HISTORICAL
22 MILITARY VEHICLE.

23 **SECTION 4.** In Colorado Revised Statutes, 42-3-202, **amend** (4)
24 as follows:

25 **42-3-202. Number plates furnished to be attached.**

26 (4) Notwithstanding subsections (1) to (3) of this section, the owner of
27 a HISTORICAL military vehicle ~~may elect to~~ NEED not display the vehicle's
28 assigned license plate if the license plate is physically in the ~~military~~
29 vehicle and is available for inspection to any peace officer who requests
30 the plate.

31 **SECTION 5.** In Colorado Revised Statutes, 42-6-102, **amend**
32 (6.3) as follows:

33 **42-6-102. Definitions.** As used in this part 1, unless the context
34 otherwise requires:

35 (6.3) "Historical military vehicle" ~~means a vehicle of any size or~~
36 ~~weight that is valued for historical purposes, that was manufactured for~~

1 ~~use by any nation's armed forces, and that is maintained in a condition~~
2 ~~that represents its military design and markings~~ HAS THE MEANING SET
3 FORTH IN SECTION 42-12-101.

4 **SECTION 6.** In Colorado Revised Statutes, 42-12-101, **amend**
5 the introductory portion; and **add** (7.5) as follows:

6 **42-12-101. Definitions.** As used in this ~~article~~ ARTICLE 12, unless
7 the context otherwise requires:

8 (7.5) "HISTORICAL MILITARY VEHICLE" MEANS A VEHICLE OF ANY
9 SIZE OR WEIGHT THAT:

10 (a) IS VALUED FOR HISTORICAL PURPOSES;

11 (b) WAS MANUFACTURED FOR USE BY ANY NATION'S ARMED
12 FORCES;

13 (c) IS A MODEL YEAR 1980 OR AN EARLIER MODEL YEAR; AND

14 (d) IS MAINTAINED IN A CONDITION REPRESENTING ITS MILITARY
15 DESIGN AND HISTORICALLY APPROPRIATE MARKINGS.

16 **SECTION 7.** In Colorado Revised Statutes, **add** part 5 to article
17 12 of title 42 as follows:

18 PART 5

19 HISTORICAL MILITARY VEHICLES

20 **42-12-501. Certificates of title.** (1) THE OWNER OF A HISTORICAL
21 MILITARY VEHICLE MAY ELECT TO BE ISSUED A TITLE AS A MOTOR VEHICLE
22 IF:

23 (a) OTHER THAN THE VEHICLE NOT BEING A MOTOR VEHICLE, THE
24 HISTORICAL MILITARY VEHICLE IS QUALIFIED TO BE ISSUED A CERTIFICATE
25 OF TITLE UNDER ARTICLE 6 OF THIS TITLE 42;

26 (b) THE OWNER PAYS ANY FEES IMPOSED IN ARTICLE 6 OF THIS
27 TITLE 42; AND

28 (c) THE OWNER SIGNS AN AFFIDAVIT THAT THE VEHICLE WILL BE
29 USED ONLY IN ACCORDANCE WITH SECTION 42-12-503.

30 (2) THE DEPARTMENT SHALL ISSUE A CERTIFICATE OF TITLE FOR A
31 SURPLUS MILITARY VEHICLE AS AN OFF-HIGHWAY VEHICLE DESPITE THE
32 VEHICLE BEING TITLED AS A HISTORICAL MILITARY VEHICLE BY THE
33 PREVIOUS OWNER IF THE SURPLUS MILITARY VEHICLE:

34 (a) HAS BEEN TRANSFERRED TO ANOTHER PERSON; AND

35 (b) THE OWNER DOES NOT INTEND TO MAINTAIN AND USE THE
36 VEHICLE IN ACCORDANCE WITH THIS PART 5.

37 **42-12-502. Registration.** THE DEPARTMENT SHALL REGISTER AND
38 ISSUE A LICENSE PLATE TO A HISTORICAL MILITARY VEHICLE IF THE OWNER
39 SIGNS AN AFFIDAVIT THAT THE VEHICLE WILL BE USED IN ACCORDANCE
40 WITH SECTION 42-12-503; THE VEHICLE IS QUALIFIED, OTHER THAN NOT
41 BEING A MOTOR VEHICLE, TO BE REGISTERED UNDER ARTICLE 3 OF THIS

1 TITLE 42; AND THE OWNER PAYS ANY TAXES OR FEES IMPOSED IN ARTICLE
2 3 OF THIS TITLE 42.

3 **42-12-503. Authorized use.** (1) A PERSON MAY DRIVE A
4 REGISTERED HISTORICAL MILITARY VEHICLE ON THE HIGHWAYS, BUT
5 ONLY:

6 (a) TO AND FROM ASSEMBLIES, CONVENTIONS, OR OTHER
7 MEETINGS WHERE HISTORICAL MILITARY VEHICLES AND THEIR OWNERSHIP
8 ARE THE PRIMARY INTEREST;

9 (b) ON SPECIAL OCCASIONS, FOR DEMONSTRATIONS AND PARADES;

10 (c) ON OCCASIONS WHEN THE OPERATION OF THE VEHICLE ON THE
11 HIGHWAYS WILL NOT CONSTITUTE A TRAFFIC HAZARD; AND

12 (d) TO, FROM, AND DURING LOCAL, STATE, OR NATIONAL TOURS
13 HELD PRIMARILY FOR THE EXHIBITION AND ENJOYMENT OF HISTORICAL
14 MILITARY VEHICLES.

15 (2) A PERSON SHALL NOT DRIVE A HISTORICAL MILITARY VEHICLE
16 ON THE HIGHWAYS UNLESS IN COMPLIANCE WITH SUBSECTION (1) OF THIS
17 SECTION.

18 (3) A PERSON WHO VIOLATES SUBSECTION (1) OF THIS SECTION
19 COMMITS A CLASS B TRAFFIC INFRACTION. THE DEPARTMENT MAY CANCEL
20 THE REGISTRATION OF A HISTORICAL MILITARY VEHICLE THAT VIOLATES
21 SUBSECTION (1) OF THIS SECTION.

22 **42-12-504. Emissions.** A HISTORICAL MILITARY VEHICLE IS
23 EXEMPT FROM STATUTES REQUIRING THE INSPECTION AND USE OF
24 EMISSION CONTROLS, AS REQUIRED IN PARTS 3 AND 4 OF ARTICLE 4 OF THIS
25 TITLE 42. TO OPERATE A HISTORICAL MILITARY VEHICLE ON A HIGHWAY,
26 A HISTORICAL MILITARY VEHICLE THAT HAD EMISSION CONTROLS AS
27 STANDARD EQUIPMENT AT THE TIME OF MANUFACTURE MUST HAVE THE
28 EQUIPMENT IN PROPER OPERATING CONDITION."

29 Renumber succeeding section accordingly.

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