

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-0635.01 Jery Payne x2157

HOUSE BILL 17-1107

HOUSE SPONSORSHIP

Thurlow and Bridges,

SENATE SPONSORSHIP

Martinez Humenik,

House Committees
Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE IMPLEMENTATION OF A NEW COMPUTER SYSTEM BY**
102 **THE DIVISION OF MOTOR VEHICLES TO FACILITATE THE**
103 **DIVISION'S ADMINISTRATION OF THE OPERATION OF MOTOR**
104 **VEHICLES IN THE STATE.**

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>.)

In 2018, the division of motor vehicles (division) will be replacing its current computer system, known as the Colorado state titling and registration system (CSTARS), with a new computer system, known as

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

Colorado driver's license, record, identification, and vehicle enterprise solution (Colorado DRIVES). Several sections of the bill amend the statutes to replace CSTARTS with Colorado DRIVES, including renaming the account associated with these programs.

Currently, the statutes create a CSTARTS advisory committee. **Section 4** of the bill replaces the current advisory committee with a Colorado DRIVES county governance committee, which consists of the following 9 members:

- ! Two authorized agents (county clerks) from a category I or category II county;
- ! Two authorized agents from a category III or category IV county;
- ! Two authorized agents from a category V or category VI county;
- ! Two employees of the department of revenue; and
- ! One employee of the governor's office of information technology.

The committee's duties are to:

- ! Approve the annual operation budget proposal;
- ! Fix the time when and place where meetings are held; and
- ! Establish subcommittees and working groups to report to the committee.

Currently, county clerks and recorders are designated the "authorized agents" of the department of revenue for vehicle titling and registration. The motor vehicle statutes use the phrase "county clerk and recorder", and the equivalent in Denver and Broomfield, interchangeably with the phrase "authorized agent". Several sections of the bill define the term "authorized agent" and replace the occurrences of "county clerk and recorder" with "authorized agent" to make the usage consistent.

Section 2 of the bill authorizes the division to share driver's license and identification card images with the driver licensing agency of any other state.

Section 3 clarifies that the authorized agent is responsible for title and registration documents until verified by the division, and the division is responsible for the documents digitally stored by the division.

Current law excepts some classes of identification cards from expiring in the same manner as most cards, which is after 5 years.

Sections 5 and 6 authorize county clerks to transfer money collected from motor vehicle transactions to the division via electronic funds transfer.

Finally, several sections of the bill repeal obsolete provisions.

1 **SECTION 1.** In Colorado Revised Statutes, 42-1-102, **amend** (5);
2 and **add** (16.5) and (47.3) as follows:

3 **42-1-102. Definitions.** As used in articles 1 to 4 of this title,
4 unless the context otherwise requires:

5 (5) "Authorized agent" means the ~~officer of a county or city and~~
6 ~~county designated by law to issue annual registrations of vehicles and to~~
7 ~~collect any registration or license fee imposed thereon by law~~ COUNTY
8 CLERK AND RECORDER IN EACH COUNTY IN THE STATE OF COLORADO, THE
9 CLERK AND RECORDER IN THE CITY AND COUNTY OF BROOMFIELD, AND
10 THE MANAGER OF REVENUE OR SUCH OTHER OFFICIAL OF THE CITY AND
11 COUNTY OF DENVER AS MAY BE APPOINTED BY THE MAYOR TO PERFORM
12 FUNCTIONS RELATED TO THE REGISTRATION OF, TITLING OF, OR FILING OF
13 LIENS ON MOTOR VEHICLES, WHEELED TRAILERS, SEMITRAILERS, TRAILER
14 COACHES, SPECIAL MOBILE MACHINERY, OFF-HIGHWAY VEHICLES, AND
15 MANUFACTURED HOMES.

16 (16.5) "COLORADO DRIVES" IS AN ACRONYM THAT STANDS FOR
17 "COLORADO DRIVER'S LICENSE, RECORD, IDENTIFICATION, AND VEHICLE
18 ENTERPRISE SOLUTION" AND MEANS THE DRIVER AND VEHICLE SERVICES
19 INFORMATION TECHNOLOGY SYSTEM THAT THE DEPARTMENT USES TO
20 PROVIDE DRIVER, IDENTIFICATION, AND VEHICLE TITLE AND REGISTRATION
21 SERVICES TO COLORADO RESIDENTS.

22 (47.3) "LAST-KNOWN ADDRESS" MEANS:

23 (a) FOR NOTIFICATIONS REGARDING MOTOR VEHICLES, THE MOST
24 RECENT MAILING ADDRESS PROVIDED ON A VEHICLE REGISTRATION OR
25 VEHICLE REGISTRATION MAILING ADDRESS CHANGE NOTIFICATION
26 PROVIDED IN ACCORDANCE WITH SECTION 42-3-113 OR THE CORRECTED
27 ADDRESS AS REPORTED BY AN ADDRESS CORRECTION SERVICE LICENSED

1 BY THE UNITED STATES POSTAL SERVICE;

2 (b) FOR NOTIFICATIONS REGARDING DRIVING PRIVILEGES, DRIVER'S
3 LICENSES, OR IDENTIFICATION CARDS WHEN THERE IS A DRIVER'S LICENSE
4 OR IDENTIFICATION CARD ON FILE WITH THE DEPARTMENT, THE MOST
5 RECENT OF EITHER:

6 (I) THE MAILING ADDRESS PROVIDED BY AN APPLICANT FOR A
7 DRIVER'S LICENSE OR IDENTIFICATION CARD;

8 (II) THE MAILING ADDRESS STATED ON AN ADDRESS CHANGE
9 NOTIFICATION PROVIDED TO THE DEPARTMENT PURSUANT TO SUBSECTION
10 (1) OF THIS SECTION; OR

11 (III) THE CORRECTED ADDRESS AS REPORTED BY AN ADDRESS
12 CORRECTION SERVICE LICENSED BY THE UNITED STATES POSTAL SERVICE;

13 (c) FOR NOTIFICATIONS REGARDING DRIVING PRIVILEGES OR
14 IDENTIFICATION CARDS WHEN THERE IS NO DRIVER'S LICENSE OR
15 IDENTIFICATION CARD ON FILE WITH THE DEPARTMENT, THE MOST RECENT
16 ADDRESS SHOWN ON ANY OTHER RECORD ON FILE WITH THE DEPARTMENT
17 PURSUANT TO THIS ARTICLE 1 AND AS MAY BE CORRECTED BY AN ADDRESS
18 CORRECTION SERVICE LICENSED BY THE UNITED STATES POSTAL SERVICE.

19 **SECTION 2.** In Colorado Revised Statutes, 42-1-206, **add**
20 (3.5)(e) as follows:

21 **42-1-206. Records open to inspection - furnishing of copies -**
22 **rules.** (3.5) (e) NOTWITHSTANDING SUBSECTION (3.5)(a) OF THIS SECTION
23 OR PART 3 OF ARTICLE 72 OF TITLE 24, THE DEPARTMENT MAY TRANSMIT
24 THE DRIVER OR CARDHOLDER IMAGE FROM ITS DRIVER'S LICENSE AND
25 IDENTIFICATION CARD RECORDS TO THE DRIVER LICENSING AGENCY OF
26 ANY OTHER STATE FOR THE PURPOSES OF IDENTIFYING DRIVER'S LICENSE
27 APPLICANTS AND VIOLATORS. THE DEPARTMENT MAY PROMULGATE RULES

1 TO IMPLEMENT THIS PROVISION.

2 **SECTION 3.** In Colorado Revised Statutes, 42-1-210, **amend** (1);
3 and **add** (3) as follows:

4 **42-1-210. Authorized agents - legislative declaration - fee.**

5 (1) (a) (I) ~~The county clerk and recorder in each county in the state of~~
6 ~~Colorado, the clerk and recorder in the city and county of Broomfield,~~
7 ~~and, in the city and county of Denver, the manager of revenue or such~~
8 ~~other official of the city and county of Denver as may be appointed by the~~
9 ~~mayor to perform functions related to the registration of motor vehicles~~
10 AUTHORIZED AGENTS are hereby designated as the authorized agents of
11 the department, UNDER DIRECTION OF THE EXECUTIVE DIRECTOR OF THE
12 DEPARTMENT, for the administration of ~~the provisions of articles 3 and 6~~
13 1, 3, 4, 6, AND 12 of this title AND RULES ADOPTED UNDER THOSE ARTICLES
14 relating to ~~registrations of motor vehicles in such counties and~~ THE
15 PERFORMANCE OF THEIR DUTIES; for the enforcement of ~~the provisions of~~
16 section 42-6-139 relating to the registering and titling of motor vehicles;
17 ~~in such counties;~~ and for the enforcement of ~~the provisions of~~ section
18 38-29-120 ~~C.R.S.~~, relating to the titling of manufactured homes.

19 (II) ~~but any such~~ AN authorized agent ~~in a county has the power~~
20 ~~to~~ MAY appoint and employ such motor vehicle registration and license
21 clerks as are actually necessary in the issuance of motor vehicle licenses
22 and ~~shall~~ MAY retain for the purpose of defraying such expenses,
23 including mailing, a sum equal to four dollars per paid motor vehicle
24 registration and registration requiring a ~~metallic~~ LICENSE plate OR plates;
25 individual temporary registration number plates; or A validation tab, ~~or~~
26 sticker, DECAL, OR CERTIFICATE as provided in ~~section~~ SECTIONS 42-3-201
27 AND 42-3-203. This fee of four dollars ~~shall apply~~ APPLIES to every

1 registration of a motor vehicle ~~that is designed primarily to be operated~~
2 ~~or drawn on any highway of this state~~, except such MOTOR vehicles as
3 THAT are specifically exempted from payment of any registration fee by
4 ~~the provisions of article 3 of this title~~ TITLE 42, and shall be IS REQUIRED
5 in addition to the annual registration fee prescribed by law for such A
6 MOTOR vehicle. The fee of four dollars, when collected by the
7 department, shall be credited to the same fund as registration fees
8 collected by the department. ~~The county clerk and recorders, the clerk and~~
9 ~~recorder in the city and county of Broomfield, and the manager of~~
10 ~~revenue or such other official of the city and county of Denver as may be~~
11 ~~appointed by the mayor to perform functions related to the registration of~~
12 ~~motor vehicles in the city and county of Denver so designated as the~~
13 ~~authorized agents of the department, as provided in this section, shall~~
14 ~~serve as such~~ Authorized agents SERVE under ~~the provisions of this part~~
15 2 without additional remuneration or fees, except as otherwise provided
16 in articles 1 to 6 of this ~~title~~ TITLE 42.

17 (b) The fee established by ~~paragraph (a) of this subsection (1)~~
18 SUBSECTION (1)(a) OF THIS SECTION does not apply to a shipping and
19 handling fee for the mailing of a license plate, INDIVIDUAL TEMPORARY
20 REGISTRATION NUMBER PLATE AND CERTIFICATE, DECAL, OR VALIDATION
21 TAB OR STICKER pursuant to section 42-3-105 (1)(a).

22 (3) (a) AN AUTHORIZED AGENT IS RESPONSIBLE FOR THE
23 PRESERVATION OF TITLE AND REGISTRATION PAPERWORK PROCESSED IN
24 THE AGENT'S OFFICE UNTIL EACH DOCUMENT HAS BEEN CONVERTED TO A
25 DIGITAL IMAGE AND VERIFIED BY THE DEPARTMENT.

26 (b) THE DEPARTMENT IS RESPONSIBLE FOR THE PRESERVATION OF
27 TITLE AND REGISTRATION PAPERWORK DIGITALLY STORED IN COLORADO

1 DRIVES.

2 SECTION 4. In Colorado Revised Statutes, 42-1-211, **amend** (1),
3 (1.9)(b), and (2); and **repeal** (1.5), (1.7), and (3) as follows:

4 42-1-211. **Driver's license, record, identification, and vehicle**
5 **enterprise solution - repeal.** (1) The department is hereby authorized to
6 coordinate the management of a statewide ~~distributive data processing~~
7 system, ~~which shall be known~~ REFERRED TO as the Colorado state titling
8 and registration system. This system is to DRIVES. THE DEPARTMENT
9 SHALL provide the necessary ~~data processing equipment~~ HARDWARE,
10 software, and support and training to

11 (a) aid the authorized agents ~~of the department in processing~~
12 ~~motor vehicle registration and title documents;~~ and IN THE PERFORMANCE
13 OF THEIR DUTIES.

14 (b) ~~Establish, operate, and maintain a telecommunications~~
15 ~~network that provides access from the offices of county clerk and~~
16 ~~recorders and the clerk and recorder in the city and county of Broomfield~~
17 ~~to the master list of registered electors maintained pursuant to sections~~
18 ~~1-2-301 and 1-2-302, C.R.S., for those county clerks and recorders that~~
19 ~~do not yet have access to the master list on the internet pursuant to section~~
20 ~~1-2-301 (4)(b), C.R.S. Subject to annual appropriation, the department of~~
21 ~~state shall reimburse the department of revenue for the reasonable direct~~
22 ~~and indirect costs of providing such service. The department of revenue~~
23 ~~and the department of state shall enter into a memorandum of~~
24 ~~understanding that establishes the method of calculating and verifying~~
25 ~~such costs and that provides for a proportionate reduction in charges as~~
26 ~~counties terminate their use of the distributive data processing system and~~
27 ~~begin accessing the master list on the internet pursuant to section 1-2-301~~

1 ~~(4)(b), C.R.S. The memorandum of understanding may also allow the~~
2 ~~department of revenue to access the master list on the internet subject to~~
3 ~~reimbursement as may be agreed by the two departments.~~

4 ~~(1.5) (a) In accordance with the requirements of section 1-2-302~~
5 ~~(6), C.R.S., the department of revenue and the department of state shall~~
6 ~~allow for the exchange of information on residence addresses, signatures,~~
7 ~~and party affiliation between the systems used by the department of~~
8 ~~revenue, the master list of registered electors maintained by the~~
9 ~~department of state, and, no later than January 1, 2006, the computerized~~
10 ~~statewide voter registration list created in section 1-2-301 (1), C.R.S., for~~
11 ~~the purpose of updating information in these systems.~~

12 ~~(b) For purposes of this section, the systems used by the~~
13 ~~department of revenue shall include, but not be limited to, the Colorado~~
14 ~~state titling and registration system, the driver's license database, the~~
15 ~~motor vehicle registration database, the motorist insurance database, and~~
16 ~~the state income tax information systems.~~

17 ~~(c) The executive director of the department of revenue, as the~~
18 ~~official responsible for the division of motor vehicles, shall enter into an~~
19 ~~agreement with the federal commissioner of social security for the~~
20 ~~purpose of verifying applicable information in accordance with the~~
21 ~~requirements of section 303 (a)(5)(B)(ii) of the federal "Help America~~
22 ~~Vote Act of 2002", Pub.L. 107-252.~~

23 ~~(1.7) No later than July 1, 2011, the department of revenue shall~~
24 ~~make available on the department's official website a link to the secretary~~
25 ~~of state's official website, whereby a person may change his or her~~
26 ~~address information on file with the secretary of state for voter~~
27 ~~registration purposes.~~

1 (1.9) (b) For purposes of this subsection (1.9), "systems used by
2 the department of revenue" means ~~but is not limited to, the Colorado state~~
3 ~~titling and registration system, the driver's license database, and the motor~~
4 ~~vehicle registration database~~ COLORADO DRIVES.

5 (2) (a) (I) There is hereby created the Colorado state titling and
6 registration account in the highway users tax fund for the purpose of
7 providing funds for the development and operation of the Colorado state
8 titling and registration system, including operations performed under
9 ~~article~~ ARTICLES 3, 4, 6, 7, AND 12 of this title 42, and to cover the costs
10 of administration and enforcement of the motorist insurance identification
11 database program created in section 42-7-604. ~~Moneys~~ MONEY received
12 from the fees imposed by section 38-29-138 (1), (2), (4), and (5) ~~C.R.S.~~,
13 and sections 42-1-206 (2)(a), 42-3-107 (22), 42-3-213 (1)(b)(IV),
14 42-6-137 (1), (2), (4), (5), and (6), and 42-3-304 (18)(d), as well as any
15 ~~moneys~~ MONEY received through gifts, grants, and donations to the
16 account from private or public sources for the purposes of this section,
17 shall be credited by the state treasurer to the Colorado state titling and
18 registration account UNTIL SEPTEMBER 1, 2018. The general assembly
19 shall appropriate annually the ~~moneys~~ MONEY in the Colorado state titling
20 and registration account for the purposes of this subsection (2). If any
21 unexpended and unencumbered ~~moneys remain~~ MONEY REMAINS in the
22 account at the end of a fiscal year, the balance remains in the fund and is
23 not transferred to the general fund or any other fund; EXCEPT THAT THE
24 STATE TREASURER SHALL TRANSFER THIRTY-THREE PERCENT OF THE
25 UNEXPENDED AND UNENCUMBERED MONEY IN THE COLORADO STATE
26 TITLING AND REGISTRATION ACCOUNT TO THE COLORADO DRIVES
27 VEHICLE SERVICES ACCOUNT ON SEPTEMBER 1, 2018, AND ALL

1 UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE COLORADO
2 STATE TITLING AND REGISTRATION ACCOUNT TO THE COLORADO DRIVES
3 VEHICLE SERVICES ACCOUNT AT THE END OF FISCAL YEAR 2018-19.

4 (II) THIS SUBSECTION (2)(a) IS REPEALED, EFFECTIVE JULY 1, 2019.

5 (b) (I) THERE IS HEREBY CREATED THE COLORADO DRIVES
6 VEHICLE SERVICES ACCOUNT IN THE HIGHWAY USERS TAX FUND FOR THE
7 PURPOSE OF PROVIDING FUNDS FOR THE DEVELOPMENT AND OPERATION OF
8 COLORADO DRIVES, INCLUDING OPERATIONS PERFORMED UNDER
9 ARTICLES 3, 4, 6, 7, AND 12 OF THIS TITLE 42, AND TO COVER THE COSTS OF
10 ADMINISTRATION AND ENFORCEMENT OF THE MOTORIST INSURANCE
11 IDENTIFICATION DATABASE PROGRAM CREATED IN SECTION 42-7-604.
12 MONEY RECEIVED FROM THE FEES IMPOSED BY SECTION 38-29-138 (1), (2),
13 (4), AND (5) AND SECTIONS 42-1-206 (2)(a), 42-3-107 (22), 42-3-213
14 (1)(b)(IV), 42-6-137 (1), (2), (4), (5), AND (6), AND 42-3-304 (18)(d), AS
15 WELL AS ANY MONEY RECEIVED THROUGH GIFTS, GRANTS, AND
16 DONATIONS TO THE ACCOUNT FROM PRIVATE OR PUBLIC SOURCES FOR THE
17 PURPOSES OF THIS SECTION, SHALL BE CREDITED BY THE STATE TREASURER
18 TO THE COLORADO DRIVES VEHICLE SERVICES ACCOUNT. THE GENERAL
19 ASSEMBLY SHALL APPROPRIATE ANNUALLY THE MONEY IN THE ACCOUNT
20 FOR THE PURPOSES OF THIS SUBSECTION (2). IF ANY UNEXPENDED AND
21 UNENCUMBERED MONEY REMAINS IN THE ACCOUNT AT THE END OF A
22 FISCAL YEAR, THE BALANCE REMAINS IN THE ACCOUNT AND IS NOT
23 TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

24 (II) (A) THIS SUBSECTION (2)(b) TAKES EFFECT SEPTEMBER 1,
25 2018.

26 (B) THIS SUBSECTION (2)(b)(II) IS REPEALED, EFFECTIVE JULY 1,
27 2019.

1 (3) ~~The department is hereby authorized to transfer moneys not~~
2 ~~otherwise expended from funds appropriated to the department for the~~
3 ~~fiscal year commencing July 1, 1983, to the special purpose account. Any~~
4 ~~moneys transferred shall be remitted back to the department after~~
5 ~~sufficient moneys have accrued in the special purpose account. The sum~~
6 ~~transferred shall not exceed the amount authorized to be appropriated~~
7 ~~from such special purpose account for the fiscal year commencing July~~
8 ~~1, 1983.~~

9 **SECTION 5.** In Colorado Revised Statutes, 42-1-211, **amend**
10 **(4)(a); repeal (5) and (6); add (4)(c) and (4)(d); and recreate and**
11 **reenact, with amendments, (4)(b) as follows:**

12 **42-1-211. Colorado state titling and registration system -**
13 **repeal.** (4) (a) ~~There is hereby created the Colorado state titling and~~
14 ~~registration system advisory DRIVES COUNTY GOVERNANCE committee.~~
15 ~~comprised of seven authorized agents who must be county clerk and~~
16 ~~recorders, the clerk and recorder in the city and county of Broomfield, or~~
17 ~~the manager of revenue for the city and county of Denver or such other~~
18 ~~official of the city and county of Denver as may be appointed by the~~
19 ~~mayor to perform functions related to the registration of motor vehicles,~~
20 ~~and shall be appointed by the executive director of the department. The~~
21 ~~committee shall~~ THE COMMITTEE CONSISTS OF THE FOLLOWING NINE
22 MEMBERS:

23 (I) ~~Assist in the development of annual operational plans and~~
24 ~~budget proposals regarding the Colorado state titling and registration~~
25 ~~system and the special purpose account;~~ SIX AUTHORIZED AGENTS
26 APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
27 REVENUE BASED ON RECOMMENDATIONS OF AN ASSOCIATION

1 REPRESENTING AUTHORIZED AGENTS, WHICH AGENTS HAVE THE
2 FOLLOWING QUALIFICATIONS:

3 (A) TWO AUTHORIZED AGENTS FROM A CATEGORY I OR CATEGORY
4 II COUNTY AS ESTABLISHED IN SECTION 30-2-102 (1)(a) AND (1)(b);

5 (B) TWO AUTHORIZED AGENTS FROM A CATEGORY III OR
6 CATEGORY IV COUNTY AS ESTABLISHED IN SECTION 30-2-102 (1)(c) AND
7 (1)(d);

8 (C) TWO AUTHORIZED AGENTS FROM A CATEGORY V OR
9 CATEGORY VI COUNTY AS ESTABLISHED IN SECTION 30-2-102 (1)(e) AND
10 (1)(f);

11 ~~(II) Give final approval of all plans for the development and~~
12 ~~operation of the Colorado state titling and registration system and the~~
13 ~~annual budget and any supplemental budget requests funded by the~~
14 ~~special purpose account; and~~ TWO EMPLOYEES OF THE DEPARTMENT OF
15 REVENUE, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT
16 OF REVENUE; AND

17 (III) ~~Make presentations with the department to the appropriate~~
18 ~~legislative committees regarding the use of funds in the special purpose~~
19 ~~account.~~ ONE EMPLOYEE OF THE GOVERNOR'S OFFICE OF INFORMATION
20 TECHNOLOGY WHO IS FAMILIAR WITH THE DIVISION OF MOTOR VEHICLE
21 SYSTEMS AND PROCESS AND WHO IS APPOINTED BY THE EXECUTIVE
22 DIRECTOR OF THE GOVERNOR'S OFFICE OF INFORMATION AND
23 TECHNOLOGY.

24 (b) NOTWITHSTANDING SUBSECTIONS (4)(a)(I)(A) TO (4)(a)(I)(C)
25 OF THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
26 REVENUE MAY APPOINT, AT THE DISCRETION OF THE EXECUTIVE DIRECTOR,
27 AN AUTHORIZED AGENT TO REPRESENT A CATEGORY OF COUNTY THAT THE

1 AUTHORIZED AGENT IS NOT FROM IF AN AUTHORIZED AGENT FROM THAT
2 CATEGORY OF COUNTY IS NOT RECOMMENDED OR AVAILABLE FOR
3 APPOINTMENT OR FOR OTHER REASONS AS DETERMINED BY THE EXECUTIVE
4 DIRECTOR.

5 (c) AN ACT OF THE COMMITTEE IS VOID UNLESS A MAJORITY OF THE
6 APPOINTED MEMBERS HAS VOTED IN FAVOR OF THE ACT.

7 (d) THE COMMITTEE HAS THE FOLLOWING POWERS AND DUTIES:

8 (I) TO APPROVE THE ANNUAL OPERATION BUDGET PROPOSAL FOR
9 THE APPROPRIATIONS FOR THE FOLLOWING CATEGORIES OF COLORADO
10 DRIVES:

11 (A) PERSONAL SERVICES;

12 (B) OPERATING EXPENSES;

13 (C) COUNTY OFFICE ASSET MAINTENANCE; AND

14 (D) COUNTY OFFICE IMPROVEMENTS;

15 (II) TO FIX THE TIME WHEN AND PLACE WHERE MEETINGS ARE
16 HELD; AND

17 (III) TO ESTABLISH SUBCOMMITTEES AND WORKING GROUPS TO
18 REPORT TO THE COMMITTEE.

19 ~~(5) The department and the authorized agents' advisory committee~~
20 ~~shall develop procedures and provide a formula for the reimbursement of~~
21 ~~expenditures made by any county that has a data processing system for the~~
22 ~~registration and titling of motor vehicles. Such reimbursement shall not~~
23 ~~commence until July 1, 1984, and shall not exceed an amount that would~~
24 ~~be required to establish and maintain such system as if it were a~~
25 ~~component of the Colorado state titling and registration system~~
26 ~~established pursuant to this section.~~

27 (6) ~~After July 1, 1983, all counties, except those operating data~~

1 processing systems for motor vehicle registration and titling on such date
2 or having a data processing system on such date which will be operational
3 for such registration and titling purposes by January 1, 1984, shall utilize
4 the data processing system established pursuant to this section.

5 **SECTION 6.** In Colorado Revised Statutes, **amend** 42-1-213 as
6 follows:

7 **42-1-213. Commission of authorized agents.** ~~County clerk and~~
8 ~~recorders, and the manager of revenue in the city and county of Denver~~
9 ~~or such other official of the city and county of Denver as may be~~
10 ~~appointed by the mayor to perform functions related to the registration of~~
11 ~~motor vehicles, are authorized to~~ AUTHORIZED AGENTS MAY retain fifty
12 cents out of the ~~moneys~~ MONEY collected by them on each TRANSACTION
13 THAT COLLECTS specific ownership tax, which fifty cents ~~shall be~~ ARE the
14 only fee allowed ~~county clerk and recorders, and the manager of revenue~~
15 ~~in the city and county of Denver or such other official of the city and~~
16 ~~county of Denver as may be appointed by the mayor to perform functions~~
17 ~~related to the registration of motor vehicles, AUTHORIZED AGENTS for~~
18 collecting specific ownership taxes and issuing receipts. ~~therefor.~~ In
19 counties of the fifth class, the ~~sums so retained by the county clerk and~~
20 ~~recorder shall be used in defraying~~ AUTHORIZED AGENT SHALL USE THE
21 RETAINED FUNDS TO DEFRAY the necessary expenses in connection with
22 the collection and administration of specific ownership taxes as directed
23 by articles 1 to 4 of this title, ~~but the manager of revenue in the city and~~
24 ~~county of Denver or such other official of the city and county of Denver~~
25 ~~as may be appointed by the mayor to perform functions related to the~~
26 ~~registration of motor vehicles and the county clerk and recorders~~ TITLE
27 42. AUTHORIZED AGENTS in all other counties above the fifth class shall

1 deposit in the general fund of said city and county, or of said county, all
2 such sums so retained under this section. ~~and the necessary costs of said~~
3 ~~collection and administration shall be paid by regular warrant of said city~~
4 ~~and county, or county, upon voucher duly submitted and approved.~~

5 **SECTION 7.** In Colorado Revised Statutes, **amend** 42-1-214 as
6 follows:

7 **42-1-214. Duties of authorized agents.** (1) ~~Every county clerk~~
8 ~~and recorder or other person designated as an authorized agent, of the~~
9 ~~department for the administration of the provisions of articles 1 to 4~~
10 ~~(except part 3 of article 2) of this title, on or before the fifteenth day of~~
11 ~~each calendar month, shall transmit to the department all fees and moneys~~
12 ~~MONEY collected by such THE agent under the provisions of said articles~~
13 ~~1 TO 4 (EXCEPT PART 3 OF ARTICLE 2) OF THIS TITLE 42 during the~~
14 ~~preceding calendar month, except such sums as are by said articles~~
15 ~~specifically authorized to be retained by said county clerk and recorder~~
16 ~~together with a complete report of all vehicles registered and all licenses~~
17 ~~issued in said county during said previous month, such reports to be made~~
18 ~~on blank report sheets to be furnished free by the department THE~~
19 ~~AUTHORIZED AGENT.~~

20 (2) ~~The county clerk and recorders or other authorized agents shall~~
21 ~~deposit weekly all moneys MONEY received in the administration of any~~
22 ~~motor vehicle license law with the county treasurers of their respective~~
23 ~~counties and take a receipt. therefor, said moneys to be kept THE~~
24 ~~AUTHORIZED AGENT SHALL DEPOSIT THE MONEY in a separate fund~~
25 ~~ADMINISTERED by said THE county treasurers, and the county clerk and~~
26 ~~recorders or other authorized agents shall ARE not be held liable for the~~
27 ~~safekeeping of such THE funds after so depositing them. Said THE county~~

1 treasurers shall accept all ~~moneys~~ MONEY tendered to them by the ~~county~~
2 ~~clerk and recorders or~~ authorized agents for deposit as provided in this
3 section.

4 (3) On or before the fifteenth day of each calendar month, the
5 ~~county clerk and recorders or other authorized agents of the department~~
6 COUNTY TREASURER shall send ~~together with their monthly report to the~~
7 ~~department,~~ THE MONEY COLLECTED FOR THE DEPARTMENT BY THE
8 AUTHORIZED AGENT TO THE DEPARTMENT BY:

9 (a) AN ELECTRONIC FUNDS TRANSFER COVERING THE FUNDS THAT
10 HAVE BEEN DEPOSITED WITH THE COUNTY TREASURER DURING THE
11 PREVIOUS MONTH; OR

12 (b) A warrant drawn on the county treasurer of their county,
13 payable to the department on demand, covering the amount of ~~such~~ THE
14 funds that may have been deposited with the county treasurer DURING the
15 previous month, and the county treasurer shall pay ~~such~~ THE warrant on
16 demand and presentation. ~~of same by the legal holders thereof.~~

17 **SECTION 8.** In Colorado Revised Statutes, 42-1-231, **amend** (3)
18 as follows:

19 **42-1-231. Kiosk pilot program - repeal.** (3) (a) The department
20 may accept financial assistance from an authorized agent or a private
21 party to implement this program, so long as the financial assistance is
22 directly related to the kiosk pilot program and does not stipulate a
23 condition that conflicts with state law.

24 (b) (I) The department shall transfer any money accepted under
25 this subsection (3) to the state treasurer, who shall credit it to the
26 Colorado state titling and registration account created in section 42-1-211.
27 The department shall use any money accepted under this subsection (3)

1 to implement this section.

2 (II) THIS SUBSECTION (3)(b) IS REPEALED, EFFECTIVE SEPTEMBER
3 1, 2018.

4 (c) (I) THE DEPARTMENT SHALL TRANSFER ANY MONEY ACCEPTED
5 UNDER THIS SUBSECTION (3) TO THE STATE TREASURER, WHO SHALL
6 CREDIT IT TO THE COLORADO DRIVES VEHICLE SERVICES ACCOUNT
7 CREATED IN SECTION 42-1-211. THE DEPARTMENT SHALL USE ANY MONEY
8 ACCEPTED UNDER THIS SUBSECTION (3) TO IMPLEMENT THIS SECTION.

9 (II) (A) THIS SUBSECTION (3)(c) TAKES EFFECT SEPTEMBER 1,
10 2018.

11 (B) THIS SUBSECTION (3)(c)(II) IS REPEALED, EFFECTIVE JULY 1,
12 2019.

13 **SECTION 9.** In Colorado Revised Statutes, 42-2-119, **repeal**
14 (2.5) as follows:

15 **42-2-119. Notices - change of address or name.** (2.5) For
16 purposes of subsection (2) of this section, "last-known address" means:

17 ~~(a) For notifications regarding motor vehicles, the most recent~~
18 ~~address provided on a vehicle registration or vehicle registration address~~
19 ~~change notification provided pursuant to section 42-3-113;~~

20 ~~(b) For notifications regarding driving privileges, driver's licenses,~~
21 ~~or identification cards when there is a driver's license or identification~~
22 ~~card on file with the department, the most recent of either:~~

23 ~~(I) The mailing address provided by an applicant for a driver's~~
24 ~~license or identification card;~~

25 ~~(II) The mailing address stated on an address change notification~~
26 ~~provided to the department pursuant to subsection (1) of this section; or~~

27 ~~(III) The corrected address as reported by an address correction~~

1 service licensed by the United States postal service;

2 (c) For notifications regarding driving privileges or identification
3 cards when there is no driver's license or identification card on file with
4 the department, the most recent address shown on any other record on file
5 with the department pursuant to this article and as may be corrected by an
6 address correction service licensed by the United States postal service.

7 **SECTION 10.** In Colorado Revised Statutes, 42-3-105, **amend**
8 (1)(c)(II) as follows:

9 **42-3-105. Application for registration - tax.** (1) (c) (II) For the
10 purposes of this paragraph (c) SUBSECTION (1)(c), "vehicle-related entity"
11 means ~~any county clerk and recorder or~~ AN AUTHORIZED AGENT,
12 designated employee of ~~such county clerk and recorder~~ AN AUTHORIZED
13 AGENT, any Colorado law enforcement officer, any licensed Colorado
14 dealer, any licensed inspection and readjustment station, or any licensed
15 diesel inspection station.

16 **SECTION 11.** In Colorado Revised Statutes, 42-3-107, **amend**
17 (15)(f) and (27)(f)(I) as follows:

18 **42-3-107. Taxable value of classes of property - rate of tax -**
19 **when and where payable - department duties - apportionment of tax**
20 **collections - definitions - rules - repeal.** (15) (f) The ~~county clerk and~~
21 ~~recorder~~ AUTHORIZED AGENT shall include the value of all equipment that
22 has been mounted on or attached to Class F personal property in the
23 calculation of the annual specific ownership tax. The registrations for
24 such personal property and equipment shall be made available to the
25 county assessor.

26 (27) (f) (I) This subsection (27) ~~shall apply~~ APPLIES to registration
27 renewal for fleet vehicles. ~~upon implementation of the Colorado state~~

1 ~~titling and registration system, established in section 42-1-211, by the~~
2 ~~department.~~

3 **SECTION 12.** In Colorado Revised Statutes, 42-3-112, **amend**
4 (1.5)(c) as follows:

5 **42-3-112. Failure to pay tax - penalty - rules.** (1.5) (c) The
6 executive director of the department shall consult with the ~~county clerk~~
7 ~~and recorders~~ AUTHORIZED AGENTS in promulgating the rules required by
8 ~~paragraph (a) of this subsection (1.5)~~ SUBSECTION (1.5)(a) OF THIS
9 SECTION.

10 **SECTION 13.** In Colorado Revised Statutes, 42-3-113, **amend**
11 (1) introductory portion and (1)(a) as follows:

12 **42-3-113. Records of application and registration - definitions.**

13 (1) The department shall file each application received and, when
14 satisfied that the applicant is entitled to register the vehicle, shall register
15 the vehicle and ~~the~~ ITS owner of ~~such vehicle~~ as follows:

16 (a) The owner and vehicle ~~shall be~~ ARE assigned a distinct
17 registration number, referred to in this article as the "registration
18 number". Each registration number assigned to a vehicle and its owner
19 ~~shall be~~ IS designated "urban" if the owner resides within the limits of a
20 city or incorporated town. Each registration number assigned to a vehicle
21 and its owner ~~shall be~~ IS designated "rural" if the owner resides outside
22 the limits of a city or incorporated town. The ~~county clerk and recorder~~
23 AUTHORIZED AGENT of each county shall certify to the department as soon
24 as possible after the end of the calendar year, but not later than May 1 of
25 the following year, the total number of vehicles classified as "urban" and
26 the total number of vehicles classified as "rural".

27 **SECTION 14.** In Colorado Revised Statutes, 42-3-123, **amend**

1 (2) as follows:

2 **42-3-123. Dishonored payment - recovery of taxes, fees, and**
3 **plates.** (2) If the owner fails to return ~~the tax receipt, license fee receipt,~~
4 ~~and registration number plates~~ ANY REQUESTED DOCUMENTS OR LICENSE
5 PLATES to the authorized agent within ~~ten days~~ A REASONABLE TIME, AS
6 SPECIFIED BY THE AUTHORIZED AGENT, after the date of mailing of ~~said~~
7 THE notice, the authorized agent ~~shall~~ MAY immediately repossess ~~such~~
8 THE tax receipt, license fee receipt, and ~~registration number~~ LICENSE
9 plates ~~as may have been~~ THAT WERE issued under ~~such revoked~~ THE
10 CANCELED registration, and the county sheriff or the Denver manager of
11 safety, or an equivalent person in the city and county of Broomfield, upon
12 request by an authorized agent, shall sequester or recover possession of
13 ~~such~~ THE receipts and ~~registration number~~ LICENSE plates within his or her
14 jurisdiction. ~~All receipts and registration number plates repossessed under~~
15 ~~this section shall be returned to the issuing authorized agent~~ THE SHERIFF,
16 MANAGER, OR EQUIVALENT WHO HAS RECOVERED POSSESSION OF A
17 RECEIPT OR LICENSE PLATE SHALL TRANSFER THE RECEIPT OR LICENSE
18 PLATE TO THE AUTHORIZED AGENT. An owner ~~attaching and using~~
19 ~~registration number~~ WHO ATTACHES OR USES LICENSE plates acquired
20 under a ~~revoked~~ CANCELED registration ~~shall be~~ IS subject to the penalties
21 provided in section 42-3-121.

22 **SECTION 15.** In Colorado Revised Statutes, 42-3-203, **repeal**
23 (3)(d)(II) as follows:

24 **42-3-203. Standardized plates - notice of funding through**
25 **gifts, grants, and donations - rules - repeal.** (3) (d) (II) ~~(A) The~~
26 ~~department may seek and accept gifts, grants, or donations from private~~
27 ~~or public sources to implement this paragraph (d); except that the~~

1 department may not accept a gift, grant, or donation that is subject to
2 conditions that are inconsistent with any law of the state. The department
3 shall transmit gifts, grants, and donations to the state treasurer, who shall
4 credit them, depending on the purpose for which they were received, to
5 the Colorado state titling and registration account created in section
6 42-1-211 (2) or to the license plate cash fund created in section 42-3-301.

7 (B) The department shall notify the legislative council staff when
8 it has received adequate funding through gifts, grants, or donations to
9 implement this paragraph (d) and shall include in the notification the
10 information specified in section 24-75-1303 (3), C.R.S.

11 **SECTION 16.** In Colorado Revised Statutes, 42-3-304, **amend**
12 (18)(d)(I), (19)(a) introductory portion, (19)(a)(I), (19)(a)(II), (24),
13 (25)(a), and (25)(b) as follows:

14 **42-3-304. Registration fees - passenger and passenger-mile**
15 **taxes - clean screen fund - definitions - repeal.** (18) (d) (I) (A) In
16 addition to any other fee imposed by this section, the owner, shall pay, at
17 the time of registering IN ORDER TO REGISTER a motor vehicle or
18 low-power scooter, MUST PAY a motorist insurance identification fee. The
19 fee shall be adjusted annually by the department SHALL ANNUALLY
20 ADJUST THE FEE based upon moneys appropriated APPROPRIATIONS MADE
21 by the general assembly for the operation of the motorist insurance
22 identification database program. The department shall transmit the fee to
23 the state treasurer, who shall credit it to the Colorado state titling and
24 registration account created in section 42-1-211 (2). THIS SUBSECTION
25 (18)(d)(I)(A) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2018.

26 (B) IN ADDITION TO ANY OTHER FEE IMPOSED BY THIS SECTION,
27 THE OWNER, IN ORDER TO REGISTER A MOTOR VEHICLE OR LOW-POWER

1 SCOOTER, MUST PAY A MOTORIST INSURANCE IDENTIFICATION FEE. THE
2 DEPARTMENT SHALL ANNUALLY ADJUST THE FEE BASED UPON
3 APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY FOR THE OPERATION
4 OF THE MOTORIST INSURANCE IDENTIFICATION DATABASE PROGRAM. THE
5 DEPARTMENT SHALL TRANSMIT THE FEE TO THE STATE TREASURER, WHO
6 SHALL CREDIT IT TO THE COLORADO DRIVES VEHICLE SERVICES
7 ACCOUNT CREATED IN SECTION 42-1-211 (2). THIS SUBSECTION
8 (18)(d)(I)(B) TAKES EFFECT SEPTEMBER 1, 2018.

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

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

27 (II) ~~County clerk and recorder~~ shall be entitled to AUTHORIZED

1 AGENTS MAY retain three and one-third percent of the fee so collected to
2 cover the ~~clerk's~~ AGENT'S expenses in the collection and remittance of
3 ~~such~~ THE fee. County treasurers shall, no later than ten days after the last
4 business day of each month, remit the remainder of ~~such~~ THE fee to the
5 clean screen authority created in section 42-4-307.5. The clean screen
6 authority shall transmit ~~such~~ THE fee to the state treasurer, who shall
7 deposit the ~~same~~ REMAINDER in the clean screen fund, which fund is
8 hereby created. The clean screen fund ~~shall be~~ IS a pass-through trust
9 account to be held in trust solely for the purposes and the beneficiaries
10 specified in this subsection (19). ~~Moneys~~ MONEY in the clean screen fund
11 ~~shall not constitute~~ IS NOT fiscal year spending of the state for purposes
12 of section 20 of article X of the state constitution and ~~such moneys shall~~
13 ~~be deemed~~ IS a custodial ~~funds~~ FUND that ~~are~~ IS not subject to
14 appropriation by the general assembly. Interest earned from the deposit
15 and investment of ~~moneys~~ MONEY in the clean screen fund shall be
16 credited to the clean screen fund, and the clean screen authority may also
17 expend interest earned on the deposit and investment of the clean screen
18 fund to pay for its costs associated with the implementation of House Bill
19 01-1402, enacted at the first regular session of the sixty-third general
20 assembly. The clean screen authority may also expend interest earned on
21 the deposit and investment of the clean screen fund to pay for its costs
22 associated with the implementation of House Bill 06-1302, enacted at the
23 second regular session of the sixty-fifth general assembly.

24 (24) In addition to any other fee imposed by this section, at the
25 time of registration, the owner shall pay a fee of one dollar on every item
26 of Class A, B, or C personal property required to be registered ~~pursuant~~
27 ~~to~~ BY this article. Notwithstanding ~~the requirements of~~ section 43-4-203,

1 ~~C.R.S., such fee shall be transmitted~~ THE DEPARTMENT SHALL TRANSMIT
2 THE FEE to the state treasurer, who shall credit ~~the same~~ IT to the peace
3 officers standards and training board cash fund, created in section
4 24-31-303 (2)(b); ~~C.R.S.~~; except that ~~county clerks and recorders shall be~~
5 ~~entitled to~~ AUTHORIZED AGENTS MAY retain five percent of the fee
6 collected to cover the ~~clerks'~~ AGENTS' expenses in the collection and
7 remittance of ~~such~~ THE fee. All of the ~~moneys~~ MONEY in the fund that ~~are~~
8 IS collected ~~pursuant to~~ UNDER this subsection (24) shall be used by the
9 peace officers standards and training board for the purposes specified in
10 section 24-31-310. ~~C.R.S.~~

11 (25) (a) ~~Beginning January 1, 2014,~~ In addition to any other fee
12 imposed by this section, ~~county clerks and recorders~~ EACH AUTHORIZED
13 AGENT shall annually collect a fee of fifty dollars at the time of
14 registration on every plug-in electric motor vehicle. ~~County clerks and~~
15 ~~recorders~~ THE AUTHORIZED AGENT shall transmit the fee to the state
16 treasurer, who shall credit thirty dollars of each fee to the highway users
17 tax fund created in section 43-4-201, ~~C.R.S.~~, and twenty dollars of each
18 fee to the electric vehicle grant fund created in section 24-38.5-103.
19 ~~C.R.S.~~

20 (b) The department of revenue shall create an electric vehicle
21 decal, which ~~a county clerk and recorder~~ AN AUTHORIZED AGENT shall
22 give to each person who pays the fee charged under ~~paragraph (a) of this~~
23 ~~subsection (25)~~ SUBSECTION (25)(a) OF THIS SECTION. The decal must be
24 attached to the upper right-hand corner of the front windshield on the
25 motor vehicle for which it was issued. If there is a change of vehicle
26 ownership, the decal is transferable to the new owner.

27 **SECTION 17.** In Colorado Revised Statutes, 42-3-306, **amend**

1 (14)(b) as follows:

2 **42-3-306. Registration fees - passenger and passenger-mile**
3 **taxes - fee schedule - repeal.** (14) (b) (I) (A) The fee required by
4 ~~paragraph (a) of this subsection (14) shall apply to~~ SUBSECTION (14)(a) OF
5 THIS SECTION IS REQUIRED FOR every registration of a motor vehicle that
6 is designed primarily to be operated or drawn on any highway in the state
7 and ~~shall be~~ IS REQUIRED in addition to the annual registration fee for the
8 vehicle; except that the fee ~~shall~~ DOES not apply to a vehicle that is
9 exempt from payment of the registration fees imposed by this ~~article~~
10 ARTICLE 3. The DEPARTMENT SHALL CREDIT THE ~~fee shall be credited to~~
11 the Colorado state titling and registration account in the highway users tax
12 fund created in section 42-1-211 (2).

13 (B) THIS SUBSECTION (14)(b) IS REPEALED, EFFECTIVE SEPTEMBER
14 1, 2018.

15 (II) (A) THE FEE REQUIRED BY SUBSECTION (14)(a) OF THIS
16 SECTION IS REQUIRED FOR EVERY REGISTRATION OF A MOTOR VEHICLE
17 THAT IS DESIGNED PRIMARILY TO BE OPERATED OR DRAWN ON ANY
18 HIGHWAY IN THE STATE AND IS REQUIRED IN ADDITION TO THE ANNUAL
19 REGISTRATION FEE FOR THE VEHICLE; EXCEPT THAT THE FEE DOES NOT
20 APPLY TO A VEHICLE THAT IS EXEMPT FROM PAYMENT OF THE
21 REGISTRATION FEES IMPOSED BY THIS ARTICLE 3. THE DEPARTMENT SHALL
22 CREDIT THE FEE TO THE COLORADO DRIVES VEHICLE SERVICES ACCOUNT
23 IN THE HIGHWAY USERS TAX FUND CREATED IN SECTION 42-1-211 (2).

24 (B) THIS SUBSECTION (14)(b)(II) TAKES EFFECT SEPTEMBER 1,
25 2018. THIS SUBSECTION (14)(b)(II)(B) IS REPEALED, EFFECTIVE JULY 1,
26 2019.

27 **SECTION 18.** In Colorado Revised Statutes, 42-3-313, **amend**

1 (2)(c)(I) as follows:

2 **42-3-313. Fee for long-term or permanent registration -**
3 **trailers and semitrailers.** (2) (c) The department shall transfer the
4 remainder of the fee to the state treasurer, who shall credit the following
5 amounts to the following funds:

6 (I) Fifty cents to the Colorado state titling and registration account
7 created in section 42-1-211 (2) within the highway users tax fund UNTIL
8 SEPTEMBER 1, 2018, AND THEREAFTER TO THE COLORADO DRIVES
9 VEHICLE SERVICES ACCOUNT CREATED IN SECTION 42-1-211 (2) WITHIN
10 THE HIGHWAY USERS TAX FUND;

11 **SECTION 19.** In Colorado Revised Statutes, 42-4-305, **amend**
12 (12) as follows:

13 **42-4-305. Powers and duties of executive director - automobile**
14 **inspection and readjustment program - basic emissions program -**
15 **enhanced emissions program - clean screen program - rules.** (12) The
16 executive director shall promulgate ~~such~~ rules, consistent with those of
17 the commission, as ~~may be~~ necessary for implementation, enforcement,
18 and quality assurance and for procedures and policies that allow data
19 collected from the clean screen program to be matched with vehicle
20 ownership information and for ~~such~~ THE information to be transferred to
21 ~~county clerks and recorders.~~ ~~Such~~ AUTHORIZED AGENTS. THE rules ~~shall~~
22 MUST set forth the procedures for the executive director to inform ~~county~~
23 ~~clerks and recorders~~ AUTHORIZED AGENTS of the emission inspection
24 status of vehicles up for registration renewal.

25 **SECTION 20.** In Colorado Revised Statutes, 42-4-310, **amend**
26 (5)(b) as follows:

27 **42-4-310. Periodic emissions control inspection required.**

1 (5) (b) (I) If the commission does not specify a date for ~~the county clerks~~
2 ~~and recorders~~ AUTHORIZED AGENTS in the basic emissions program area
3 to begin collecting emissions inspection fees at the time of registration
4 pursuant to section 42-3-304 (19)(a), or if the contractor determines that
5 ~~the~~ A motor vehicle required to be registered in the basic program area
6 has complied with the inspection requirements pursuant to this subsection
7 (5), a notice shall be sent to the owner of the vehicle identifying the
8 owner of the vehicle, the license plate number, and other pertinent
9 registration information, and stating that the vehicle has successfully
10 complied with the applicable emission requirements. ~~Such~~ THE notice
11 ~~shall~~ MUST also include a notification that the registered owner of the
12 vehicle may return the notice to the ~~contractor~~ AUTHORIZED AGENT with
13 the payment as set forth on the notice to pay for the clean screen program.
14 ~~Upon~~ THE receipt of the payment from the motor vehicle owner ~~the~~
15 ~~county clerk shall be notified~~ IS NOTICE that the motor vehicle has
16 complied with the inspection requirements pursuant to this subsection (5).

17 (II) For vehicles with registration renewals coming due on or after
18 the dates specified by the commission for ~~county clerks and recorders~~
19 AUTHORIZED AGENTS to collect emissions inspection fees at the time of
20 registration, if the contractor determines that a motor vehicle required to
21 be registered in the program area has complied with the inspection
22 requirements pursuant to this subsection (5), the contractor shall send a
23 notice to the department of revenue identifying the owner of the vehicle,
24 the license plate number, and any other pertinent registration information,
25 stating that the vehicle has successfully complied with the applicable
26 emission requirements.

27 **SECTION 21.** In Colorado Revised Statutes, 42-4-1409, **amend**

1 (9) as follows:

2 **42-4-1409. Compulsory insurance - penalty - legislative intent.**

3 (9) It is the intent of the general assembly that the ~~moneys~~ MONEY
4 collected as fines imposed pursuant to ~~paragraphs (a) and (b) of~~
5 ~~subsection (4)~~ SUBSECTIONS (4)(a) AND (4)(b) of this section are to be
6 used for the supervision of the public highways. The general assembly
7 determines that law enforcement agencies that patrol and maintain the
8 public safety on public highways are supervising the public highways.
9 The general assembly further determines that ~~a clerk and recorder for a~~
10 ~~county~~ AN AUTHORIZED AGENT is supervising the public highways
11 through his or her enforcement of the requirements for demonstration of
12 proof of motor vehicle insurance pursuant to section 42-3-105 (1)(d).
13 Therefore, of the ~~moneys~~ MONEY collected from fines pursuant to
14 ~~paragraphs (a) and (b) of subsection (4)~~ SUBSECTIONS (4)(a) AND (4)(b)
15 of this section, fifty percent of ~~these moneys~~ shall be transferred to the
16 law enforcement agency that issued the ticket for a violation of this
17 section. The remaining fifty percent of the ~~moneys~~ MONEY collected from
18 fines for violations of ~~paragraph (a) or (b) of subsection (4)~~ SUBSECTION
19 (4)(a) OR (4)(b) of this section shall be transmitted to the ~~clerk and~~
20 ~~recorder~~ AUTHORIZED AGENT for the county in which the violation
21 occurred.

22 **SECTION 22.** In Colorado Revised Statutes, 42-6-102, **amend**
23 (1.5) as follows:

24 **42-6-102. Definitions.** As used in this part 1, unless the context
25 otherwise requires:

26 (1.5) "Authorized agent" ~~means the county clerk and recorder in~~
27 ~~each of the counties of the state or such other official of a city and county~~

1 appointed to perform the function of titling of or recording liens on motor
2 vehicles HAS THE SAME MEANING AS SET FORTH IN SECTION 42-1-102 (5).

3 **SECTION 23.** In Colorado Revised Statutes, **repeal** 42-6-105 as
4 follows:

5 **42-6-105. Authorized agents.** ~~The county clerk and recorder in
6 each of the counties of the state, including the city and county of
7 Broomfield, and the manager of revenue or such other official of the city
8 and county of Denver as may be appointed by the mayor to perform
9 functions related to the registration of motor vehicles is designated to be
10 the authorized agent of the director and, under the direction of the
11 director, is charged with the administration of this part 1 and the rules that
12 may be adopted for the administration of this part 1 in the county where
13 the authorized agent holds office.~~

14 **SECTION 24.** In Colorado Revised Statutes, 42-4-2103, **amend**
15 (4) introductory portion as follows:

16 **42-4-2103. Abandonment of motor vehicles - private property**
17 **- rules.** (4) Within ~~ten~~ THREE days after the receipt of the report set forth
18 in ~~paragraph (b) of subsection (3)~~ SUBSECTION (3)(b) of this section from
19 the department, the operator shall notify by certified mail the owner of
20 record, including an out-of-state owner of record. The operator shall
21 make a reasonable effort to ascertain the address of the owner of record.
22 ~~Such~~ THE notice ~~shall~~ MUST contain the following information:

23 **SECTION 25.** In Colorado Revised Statutes, 42-12-301, **amend**
24 (3)(c) as follows:

25 **42-12-301. Special registration of horseless carriages - rules.**
26 (3) (c) A person who has registered a vehicle under this section shall
27 renew the registration within thirty days prior to its expiration date. If the

1 application for renewal, together with the fees, is not received by the
2 director prior to the expiration date, the director shall notify the registered
3 owner, at the ~~address shown by the department's records~~ THE OWNER'S
4 LAST-KNOWN ADDRESS, by regular mail, to reregister the vehicle or
5 surrender the registration plate within ten days after the expiration date
6 of the registration. If the notice is not complied with, the director shall
7 secure the return of the plate.

8 **SECTION 26.** In Colorado Revised Statutes, 1-2-302, **amend** (6)
9 and (6.7) as follows:

10 **1-2-302. Maintenance of computerized statewide voter**
11 **registration list - confidentiality.** (6) The secretary of state shall
12 determine and use other necessary means to maintain the master list of
13 registered electors on a current basis. ~~In accordance with the provisions~~
14 ~~of section 42-1-211, C.R.S.,~~ The department of state and the department
15 of revenue shall allow for the exchange of information between the
16 systems used by them to collect information on residence addresses,
17 signatures, and party affiliation for all applicants for driver's licenses or
18 state identification cards. The department of revenue may exchange
19 information on residence addresses in the driver's license database with
20 the motor vehicle registration database, motorist insurance database, and
21 the state income tax information systems.

22 (6.7) ~~In accordance with the requirements of section 42-1-211~~
23 ~~(1.5)(c), C.R.S.,~~ The department of revenue shall enter into an agreement
24 with the federal commissioner of social security for the purpose of
25 verifying applicable information in accordance with the requirements of
26 section 303 (a)(5)(B)(ii) of the federal "Help America Vote Act of 2002",
27 52 U.S.C. SEC. 20901 et seq.

1 **SECTION 27.** In Colorado Revised Statutes, 24-30-2210, **amend**
2 (1) as follows:

3 **24-30-2210. Administration.** (1) The committee shall notify the
4 department of revenue when the right to use a registration number has
5 been sold and the committee has collected the state's sale proceeds or
6 approval and transfer royalty. Upon receiving the notice, the department
7 of revenue shall create a record in ~~the Colorado state titling and~~
8 ~~registration system~~ DRIVES, created in section 42-1-211, ~~C.R.S.~~,
9 containing the name of the buyer, the vehicle identification number, if
10 applicable, and the corresponding registration number.

11 **SECTION 28.** In Colorado Revised Statutes, 24-75-402, **amend**
12 (5)(h) as follows:

13 **24-75-402. Cash funds - limit on uncommitted reserves -**
14 **reduction in amount of fees - exclusions - repeal.** (5) Notwithstanding
15 any provision of this section to the contrary, the following cash funds are
16 excluded from the limitations specified in this section:

17 (h) The highway users tax fund and the state highway fund; except
18 that the emergency medical services account created in section
19 25-3.5-603, ~~C.R.S.~~, the Colorado ~~state titling and registration~~ ACCOUNT
20 ~~AND THE COLORADO~~ DRIVES VEHICLE SERVICES account created in
21 section 42-1-211 (2), ~~C.R.S.~~, and the AIR account created in section
22 42-3-304 (18)(a) ~~C.R.S.~~, included in the highway users tax fund shall be
23 subject to ~~the provisions of~~ this section;

24 **SECTION 29.** In Colorado Revised Statutes, 43-4-207, **amend**
25 (2)(e) as follows:

26 **43-4-207. County allocation.** (2) (e) The ~~county clerk and~~
27 ~~recorder~~ AUTHORIZED AGENT, AS DEFINED IN SECTION 42-1-102, in each

1 county shall certify to the department of revenue the number of motor
2 vehicle licenses issued during the preceding calendar year to persons
3 residing within the limits of a county and whether or not such persons
4 reside in cities, incorporated towns, or in unincorporated portions of the
5 county. Upon receipt of the CERTIFIED information, ~~certified by the~~
6 ~~respective county clerk and recorders,~~ the department of revenue shall
7 tabulate the total number of all motor vehicle licenses issued during the
8 preceding calendar year to persons residing within the limits of the
9 respective counties in the entire state and within the limits of each city or
10 incorporated town within the respective counties. The department of
11 revenue shall then determine the percentage that the rural motor vehicle
12 registration in each county bears to the total rural motor vehicle
13 registration in the entire state and shall then determine the percentage that
14 the countywide motor vehicle registration in each county bears to the total
15 countywide rural and urban motor vehicle registration in the entire state.
16 On or before May 1 of each year, the department of revenue shall certify
17 to the state treasurer the percentage of motor vehicle registration for each
18 county as provided in this ~~paragraph (e)~~ SUBSECTION (2)(e).

19 **SECTION 30.** In Colorado Revised Statutes, 43-4-208, **repeal** (4)
20 as follows:

21 **43-4-208. Municipal allocation.** (4) ~~The county clerk and~~
22 ~~recorder in each county shall certify to the department of revenue the~~
23 ~~number of motor vehicle licenses issued during the preceding calendar~~
24 ~~year to persons residing within the limits of each city and incorporated~~
25 ~~town within the county. Upon receipt of this information certified by the~~
26 ~~respective county clerks and recorders, the department of revenue shall~~
27 ~~tabulate the total number of all motor vehicle licenses issued during the~~

1 preceding calendar year to persons residing within the limits of the
2 respective cities and incorporated towns in the entire state. The
3 department of revenue shall apply the factor provided in subsection (2)(a)
4 of this section by registration groupings to the urban motor vehicle
5 registration of each city and incorporated town to determine an adjusted
6 urban motor vehicle registration and shall then determine the percentage
7 that the urban motor vehicle registration in each city and incorporated
8 town bears to the total adjusted urban motor vehicle registration in the
9 entire state. On or before May 1 of each year, the department of revenue
10 shall certify to the state treasurer the percentage of adjusted urban motor
11 vehicle registration for each city and incorporated town as provided in
12 this subsection (4).

13 **SECTION 31.** In Colorado Revised Statutes, 43-4-506, **amend**
14 (1)(k) as follows:

15 **43-4-506. Powers of the authority - inclusion or exclusion of**
16 **property - determination of public highway alignment.** (1) In addition
17 to any other powers granted to the authority pursuant to this part 5, the
18 authority has the following powers:

19 (k) To impose an annual motor vehicle registration fee of not
20 more than ten dollars for each motor vehicle registered with the ~~county~~
21 ~~clerk and recorder~~ AUTHORIZED AGENT, AS DEFINED IN SECTION 42-1-102,
22 of the county by persons residing in all or any designated portion of the
23 members of the combination. ~~Such~~ THE registration fee ~~shall be~~ IS in
24 addition to any fee or tax imposed by the state or any other governmental
25 unit. If a motor vehicle is registered in a county which is a member of
26 more than one authority, the total of all fees imposed pursuant to this
27 ~~paragraph (k)~~ SUBSECTION (1)(k) for any such motor vehicle shall not

1 exceed ten dollars. ~~Such~~ THE AUTHORIZED AGENT SHALL COLLECT THE fee
2 shall be collected by the county clerk and recorder of the county in which
3 the registration fee is imposed and remitted AND REMIT THE FEE to the
4 authority. The authority shall apply ~~such~~ THE registration fees solely to
5 the financing, construction, operation, or maintenance of public
6 highways.

7 **SECTION 32.** In Colorado Revised Statutes, 43-4-605, **amend**
8 (1)(i) as follows:

9 **43-4-605. Powers of the authority - inclusion or exclusion of**
10 **property - determination of regional transportation system alignment**
11 **- fund created - repeal.** (1) In addition to any other powers granted to
12 the authority pursuant to this part 6, the authority has the following
13 powers:

14 (i) To impose an annual motor vehicle registration fee of not more
15 than ten dollars for each motor vehicle registered with the ~~county clerk~~
16 ~~and recorder~~ AUTHORIZED AGENT, AS DEFINED IN SECTION 42-1-102, of the
17 county by persons residing in all or any designated portion of the
18 members of the combination; except that the authority shall not impose
19 a motor registration fee with respect to motor vehicles registered to
20 persons residing outside the boundaries of the authority and within the
21 boundaries of a municipality as the boundaries of the municipality exist
22 on the date the authority is created without the consent of the governing
23 body of the municipality or outside the boundaries of the authority and
24 within the unincorporated boundaries of a county as the unincorporated
25 boundaries of the county exist on the date the authority is created without
26 the consent of the governing body of the county. The registration fee is
27 in addition to any fee or tax imposed by the state or any other

1 governmental unit. If a motor vehicle is registered in a county that is a
2 member of more than one authority, the total of all fees imposed pursuant
3 to this ~~paragraph (i)~~ SUBSECTION (1)(i) for any such motor vehicle shall
4 not exceed ten dollars. The ~~county clerk and recorder~~ AUTHORIZED AGENT
5 of the county in which the registration fee is imposed shall collect the fee
6 and remit the fee to the authority. The authority shall apply the
7 registration fees solely to the financing, construction, operation, or
8 maintenance of regional transportation systems that are consistent with
9 the expenditures specified in section 18 of article X of the state
10 constitution.

11 **SECTION 33.** In Colorado Revised Statutes, 42-6-102, **amend**
12 (6) as follows:

13 **42-6-102. Definitions.** As used in this part 1, unless the context
14 otherwise requires:

15 (6) "File" means the creation of or addition to an electronic record
16 maintained for a certificate of title by the director or an authorized agent.
17 ~~of the director, as defined in section 42-6-105.~~

18 **SECTION 34.** In Colorado Revised Statutes, 1-2-202.5, **amend**
19 (1)(a) as follows:

20 **1-2-202.5. Online voter registration - online changes in elector**
21 **information.** (1) (a) An elector may register to vote, and a registered
22 elector may change his or her residence in the registration record or
23 change or withdraw his or her affiliation, by completing an electronic
24 form on the official website of the secretary of state if the elector's
25 signature is stored in digital form in the database systems maintained by
26 the department of state pursuant to section 1-2-301 (1) or accessible to the
27 department of state in accordance with the requirements of sections

1 SECTION 1-2-302 (6). and ~~42-1-211 (1.5), C.R.S.~~

2 **SECTION 35. Act subject to petition - effective date.** Section
3 5 of this act takes effect July 30, 2018, and the remainder of this act takes
4 effect at 12:01 a.m. on the day following the expiration of the ninety-day
5 period after final adjournment of the general assembly (August 10, 2011,
6 if adjournment sine die is on May 11, 2011); except that, if a referendum
7 petition is filed pursuant to section 1 (3) of article V of the state
8 constitution against this act or an item, section, or part of this act within
9 such period, then the act, item, section, or part will not take effect unless
10 approved by the people at the general election to be held in November
11 2012 and, in such case, will take effect on the date of the official
12 declaration of the vote thereon by the governor.