

CHAPTER 221

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 19-167

BY SENATOR(S) Danielson, Bridges, Crowder, Fields, Foote, Gardner, Ginal, Lee, Moreno, Pettersen, Priola, Story, Tate, Todd, Williams A., Winter, Garcia;
also REPRESENTATIVE(S) Exum and Duran, Arndt, Bird, Bockenfeld, Buckner, Caraveo, Carver, Cutter, Esgar, Froelich, Garnett, Gray, Hansen, Hooton, Jaquez Lewis, Kipp, Kraft-Tharp, Liston, McCluskie, Melton, Michaelson Jenet, Mullica, Roberts, Sandridge, Singer, Snyder, Sullivan, Titone, Valdez A., Valdez D.

AN ACT

**CONCERNING THE CREATION OF A COLORADO PROFESSIONAL FIRE FIGHTERS LICENSE PLATE, AND,
IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

SECTION 1. In Colorado Revised Statutes, **add** 42-3-254 as follows:

42-3-254. Special plates - Colorado professional fire fighters - definition.

(1) THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE PLATES TO QUALIFIED APPLICANTS IN ACCORDANCE WITH THIS SECTION FOR MOTORCYCLES, PASSENGER CARS, TRUCKS, OR NONCOMMERCIAL OR RECREATIONAL MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT.

(2) (a) THERE IS HEREBY ESTABLISHED THE COLORADO PROFESSIONAL FIRE FIGHTERS LICENSE PLATE.

(b) THE DEPARTMENT SHALL USE A DESIGN FROM AN ORGANIZATION MEETING THE STANDARDS OF SUBSECTION (3) OF THIS SECTION, BUT THE DESIGN MUST CONFORM TO DEPARTMENT STANDARDS AND BE APPROVED BY THE DEPARTMENT.

(3) (a) AT LEAST ONCE EVERY FIVE YEARS, THE DEPARTMENT SHALL DESIGNATE AN ORGANIZATION TO QUALIFY APPLICANTS TO BE ISSUED THE COLORADO PROFESSIONAL FIRE FIGHTERS LICENSE PLATE. THE ORGANIZATION MUST:

(I) BE HEADQUARTERED IN COLORADO;

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(II) HAVE BEEN IN EXISTENCE FOR AT LEAST TWENTY YEARS;

(III) HAVE A MINIMUM OF THREE THOUSAND MEMBERS RESIDING IN COLORADO;

(IV) BE A NONPROFIT ORGANIZATION EXEMPT FROM TAXATION; AND

(V) PROVIDE AID AND SUPPORT, EITHER DIRECTLY OR THROUGH AN AFFILIATED ENTITY, TO COLORADO PROFESSIONAL FIRE FIGHTERS.

(b) (I) A PERSON MAY APPLY FOR A COLORADO PROFESSIONAL FIRE FIGHTERS LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THIS SECTION AND PROVIDES TO THE DEPARTMENT OR AN AUTHORIZED AGENT A CERTIFICATE ISSUED BY THE ORGANIZATION CHOSEN IN ACCORDANCE WITH THIS SUBSECTION (3) CONFIRMING THAT THE APPLICANT HAS MADE A DONATION TO THE DESIGNATED ORGANIZATION AND THAT THE APPLICANT IS A MEMBER IN GOOD STANDING OF THE DESIGNATED ORGANIZATION. THE ORGANIZATION MAY ESTABLISH A MINIMUM DONATION AMOUNT TO QUALIFY FOR THE PLATE. THE ORGANIZATION MUST VERIFY THAT THE PERSON REQUESTING A CERTIFICATE IS OR WAS A PROFESSIONAL FIRE FIGHTER AND SHALL PROVIDE A CERTIFICATE ONLY TO AN INDIVIDUAL WHO IS OR WAS A PROFESSIONAL FIRE FIGHTER.

(II) THE ORGANIZATION CHOSEN IN ACCORDANCE WITH THIS SUBSECTION (3) SHALL USE THE DONATION REQUIRED IN THIS SUBSECTION (3)(b) TO DIRECTLY AID AND SUPPORT FIRST RESPONDERS, FIRE FIGHTERS, AND FAMILY MEMBERS OF FIRST RESPONDERS OR FIRE FIGHTERS. THE ORGANIZATION SHALL FILE AN ANNUAL STATEMENT ACCOUNTING FOR THE COLLECTION AND USE OF THE DONATIONS.

(c) TO QUALIFY APPLICANTS TO HAVE A COLORADO PROFESSIONAL FIRE FIGHTERS LICENSE PLATE, THE ORGANIZATION CHOSEN IN ACCORDANCE WITH THIS SUBSECTION (3) MUST FILE WITH THE DEPARTMENT AN ANNUAL STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION.

(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 FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT THAT THE DEPARTMENT SHALL COLLECT AN ADDITIONAL ONE-TIME FEE OF TWENTY-FIVE DOLLARS FOR ISSUANCE OR REPLACEMENT OF THE LICENSE PLATE. THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201.

(5) THE GENERAL ASSEMBLY DETERMINES THAT THE COLORADO PROFESSIONAL FIRE FIGHTERS LICENSE PLATE IS A DISTINCTIVE SPECIAL LICENSE PLATE, AND THEREFORE, SECTION 42-3-207 (5), (6), AND (7) DOES NOT APPLY TO THIS SECTION.

(6) FOR THE PURPOSES OF THIS SECTION, "PROFESSIONAL FIRE FIGHTER" MEANS AN OFFICER OF OR MEMBER OF THE FOLLOWING IF THE OFFICER OR MEMBER RECEIVES COMPENSATION TO DIRECTLY END DESTRUCTIVE FIRES:

(a) A FIRE DEPARTMENT; OR

(b) A FIRE-FIGHTING AGENCY OF THE STATE OR OF A POLITICAL SUBDIVISION OF

THE STATE.

SECTION 2. In Colorado Revised Statutes, **amend** 42-3-312 as follows:

42-3-312. Special license plate surcharge. In addition to any other fee imposed by this article 3, an applicant for a special license plate created by rule in accordance with section 42-3-207, as the section existed when the plate was created, or license plates issued pursuant to sections 42-3-211 to 42-3-214, sections 42-3-217 to 42-3-218, sections 42-3-221 to 42-3-234, and sections 42-3-237 to ~~42-3-252~~ 42-3-254 shall pay an issuance fee of twenty-five dollars; except that the fee is not imposed on special license plates exempted from additional fees for the issuance of a military special license plate by section 42-3-213 (1)(b)(II). The department shall transfer the fee to the state treasurer, who shall credit it to the licensing services cash fund created in section 42-2-114.5.

SECTION 3. Appropriation. (1) For the 2019-20 state fiscal year, \$56,364 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation consists of \$51,864 from the license plate cash fund created in section 42-3-301 (1)(b), C.R.S., and \$4,500 from the Colorado DRIVES vehicle services account in the highway users tax fund created in section 42-1-211 (2)(b)(I), C.R.S. To implement this act, the division may use this appropriation as follows:

- (a) \$51,864 from the license plate cash fund for license plate ordering; and
- (b) \$4,500 from the Colorado DRIVES vehicle services account in the highway users tax fund for DRIVES maintenance and support.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 20, 2019