

CHAPTER 134

**TRANSPORTATION**

HOUSE BILL 22-1338

BY REPRESENTATIVE(S) Herod, McCluskie, Gray, Titone, Duran, Ricks;  
also SENATOR(S) Hansen, Rankin, Fields, Gonzales, Moreno.

**AN ACT**

**CONCERNING MODIFICATION OF THE MANNER IN WHICH SPECIFIED MOTOR VEHICLE-RELATED FUNCTIONS OF THE DEPARTMENT OF REVENUE ARE FUNDED, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS.**

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

**SECTION 1.** In Colorado Revised Statutes, 39-28.8-501, **repeal** (7)(a) as follows:

**39-28.8-501. Marijuana tax cash fund - creation - distribution - legislative declaration - repeal.** ~~(7) (a) On July 1, 2022, and on July 1 of each year thereafter, the state treasurer shall make the following transfers from the fund:~~

~~(I) Seven hundred fifty-three thousand dollars to the licensing services cash fund created in section 42-2-114.5 for use by the hearings division; and~~

~~(II) Six hundred forty-eight thousand dollars to the licensing services cash fund created in section 42-2-114.5 for use by the division of motor vehicles.~~

**SECTION 2.** In Colorado Revised Statutes, 43-4-201, **amend** (3)(a)(I)(C) and (3)(a)(III)(C) as follows:

**43-4-201. Highway users tax fund - created.** (3) (a) (I) The general assembly shall not make any annual appropriation (whether by regular, special, or supplementary appropriation) or any statutory distribution from the highway users tax fund for any purpose or purposes in a total amount that is:

(C) Commencing in the fiscal year 2013-14, more than a six percent increase over the appropriation to the Colorado state patrol for the prior fiscal year, plus, for the

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*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.*

fiscal years 2016-17, 2017-18, ~~and 2018-19, only~~ AND 2022-23 ONLY, the amount appropriated to the department of revenue for use by the division of motor vehicles pursuant to ~~sub-subparagraph (C) of subparagraph (III) of this paragraph (a)~~ SUBSECTION (3)(a)(III)(C) OF THIS SECTION.

(III) (C) The general assembly shall not make any annual appropriation or statutory distribution from the highway users tax fund for the fiscal year 1997-98 or for any succeeding fiscal year authorized by ~~subparagraph (II) of this paragraph (a)~~ SUBSECTION (3)(a)(II) OF THIS SECTION, excluding the annual appropriation or statutory distribution to the Colorado state patrol and, through the fiscal year 2011-12 only, the ports of entry section and excluding any appropriation to the department of revenue for the fiscal years 2008-09, 2009-10, 2010-11, 2011-12, 2016-17, 2017-18, ~~and 2018-19,~~ AND 2022-23 for expenses incurred in connection with the administration of article 2 of title 42, ~~C.R.S.~~, by the division of motor vehicles within the department.

**SECTION 3. Appropriation - adjustments to 2022 long bill.** (1) To implement this act, appropriations made in the annual general appropriation act for the 2022-23 state fiscal year to the department of revenue are adjusted as follows:

(a) The cash funds appropriation from the licensing services cash fund created in section 42-2-114.5 (1), C.R.S., for personal services in the hearings division is decreased by \$713,000; and

(b) The cash funds appropriation from the licensing services cash fund created in section 42-2-114.5 (1), C.R.S., for DRIVES maintenance and support in the division of motor vehicles is decreased by \$548,000.

(2) For the 2022-23 state fiscal year, \$1,261,000 is appropriated to the department of revenue. This appropriation is from the highway users tax fund created in section 43-4-201 (1)(a), C.R.S., and is appropriated pursuant to section 43-4-201 (3)(a)(I)(C), C.R.S. The department may use this appropriation as follows:

(a) \$548,000 for DRIVES maintenance and support in the division of motor vehicles; and

(b) \$713,000 for use by the hearings division for personal services.

**SECTION 4. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: April 25, 2022