

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 24-0550.01 Jery Payne x2157

SENATE BILL 24-056

SENATE SPONSORSHIP

Hinrichsen and Will,

HOUSE SPONSORSHIP

Snyder and Weinberg, Clifford, Lukens, Mauro, McCluskie

Senate Committees
Transportation & Energy

House Committees
Transportation, Housing & Local Government

HOUSE
3rd Reading Unamended
March 25, 2024

A BILL FOR AN ACT

101 **CONCERNING PROGRAMS FOR OFF-HIGHWAY VEHICLE USERS, AND, IN**
102 **CONNECTION THEREWITH, EXEMPTING COMMERCIAL USE ON**
103 **PRIVATE PROPERTY FROM SNOWMOBILE REGISTRATION,**
104 **CREATING AN OUT-OF-STATE SNOWMOBILE PERMIT TO DRIVE ON**
105 **PUBLICLY OWNED LANDS, AND ADDING THE SEARCH AND RESCUE**
106 **FEE TO SNOWMOBILE AND OFF-HIGHWAY VEHICLE PERMITS.**

HOUSE
2nd Reading Unamended
March 22, 2024

SENATE
3rd Reading Unamended
February 5, 2024

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 snowmobile owner to register the

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.

SENATE
Amended 2nd Reading
February 1, 2024

snowmobile, but exempts snowmobiles that are used only on private property for private, noncommercial use. The bill expands the exemption to cover all use on private property, regardless of whether the snowmobile is used commercially.

In current law, the snowmobile recreation fund is used to, among other things, establish and maintain snowmobile trails and related facilities. A resident of Colorado who uses a snowmobile on publicly owned land must register the snowmobile and pay a fee, which is deposited in the snowmobile recreation fund. The bill repeals a \$5 per registration cap on the amount of the fee that can be used for administration.

The bill creates an out-of-state snowmobile permit that an owner or operator of an out-of-state snowmobile must obtain and display to drive the snowmobile on publicly owned land. To get the permit, the owner must pay a fee in an amount set by the parks and wildlife commission.

Exceptions are created for snowmobiles:

- Owned by governments;
- Operated in an organized event authorized by the government with jurisdiction over the land on which the snowmobile is operated; and
- Operated on publicly owned land for nonrecreational purposes.

The fine for a violation is \$100. Permits are valid for one year from April 1 to March 31 and are issued by agents of the director of the division of parks and wildlife.

Current law creates a search and rescue program that pays for backcountry search and rescue operations. Snowmobile and off-highway vehicle registrations require the payment of a search and rescue fee, which entitles the payer of the fee to be covered by the program. The bill adds the search and rescue fee to out-of-state snowmobile permits and off-highway use permits.

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

2 **SECTION 1.** In Colorado Revised Statutes, 33-14-102, **amend**

3 (6)(c) as follows:

4 **33-14-102. Snowmobile registration - fees - applications -**

5 **requirements - penalties - exemptions - rules.** (6) No registration under

6 this section is required for the following snowmobiles:

7 (c) Snowmobiles used strictly on private property; ~~for private,~~

1 noncommercial purposes;

2 **SECTION 2.** In Colorado Revised Statutes, 33-14-106, **amend**
3 (1) as follows:

4 **33-14-106. Snowmobile recreation fund - creation - use of**
5 **money.** (1) (a) THE SNOWMOBILE RECREATION FUND IS CREATED IN THE
6 STATE TREASURY.

7 (b) Except as provided pursuant to subsection (2) of this section,
8 all fees from the registration of snowmobiles, ALL MONEY COLLECTED FOR
9 THE ISSUANCE OF OUT-OF-STATE SNOWMOBILE PERMITS PURSUANT TO
10 SECTION 33-14-121, all money collected for fines under this article 14,
11 and all interest earned on the fees and fines ~~shall be~~ ARE credited to the
12 snowmobile recreation fund. ~~hereby created, and shall be used~~ THE
13 DIVISION AND COMMISSION SHALL USE THE MONEY IN THE FUND for the
14 administration of this article 14 and for the establishment and
15 maintenance of snowmobile trails, vehicle parking areas, and facilities.
16 However, any fee money collected in excess of five dollars per UP TO
17 SEVENTEEN PERCENT OF EACH original or renewal registration shall MUST
18 be used exclusively for direct services and not administrative costs.

19 **SECTION 3.** In Colorado Revised Statutes, 33-14-107, **amend**
20 (1) introductory portion and (1)(c); and **add** (1)(d) as follows:

21 **33-14-107. Rules.** (1) The commission shall adopt rules, in the
22 manner provided by article 4 of title 24, ~~C.R.S.~~, for the following
23 purposes:

24 (c) Formulation of other ~~regulations~~ RULES concerning the use of
25 snowmobiles, but not in any way inconsistent with ~~the provisions of this~~
26 ~~article~~ ARTICLE 14; AND

27 (d) PROCEDURES AND REQUIREMENTS TO IMPLEMENT AND

1 ADMINISTER THE OUT-OF-STATE SNOWMOBILE PERMIT PROGRAM CREATED
2 IN SECTION 33-14-121.

3 **SECTION 4.** In Colorado Revised Statutes, **add** 33-14-121 as
4 follows:

5 **33-14-121. Out-of-state snowmobile permit program - fees -**
6 **requirements - exemptions - rules - penalty - repeal.** (1) NO LATER
7 THAN JANUARY 1, 2025, THE DIVISION SHALL ESTABLISH BY RULE THE
8 OUT-OF-STATE SNOWMOBILE PERMIT PROGRAM.

9 (2) (a) EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION,
10 AN OWNER OR OPERATOR OF AN OUT-OF-STATE SNOWMOBILE SHALL
11 OBTAIN AN OUT-OF-STATE SNOWMOBILE PERMIT WHEN USING THE
12 SNOWMOBILE FOR RECREATIONAL TRAVEL UPON PUBLICLY OWNED LAND.

13 (b) EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, A
14 SNOWMOBILE DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION MUST
15 DISPLAY A PERMIT AS REQUIRED BY THE DIVISION WHEN BEING USED FOR
16 RECREATIONAL TRAVEL ON PUBLICLY OWNED LAND.

17 (c) (I) THIS SUBSECTION (2) TAKES EFFECT OCTOBER 1, 2025.

18 (II) THIS SUBSECTION (2)(c) IS REPEALED, EFFECTIVE JULY 1, 2026.

19 (3) THE OWNER OR OPERATOR OF THE FOLLOWING SNOWMOBILES
20 NEED NOT COMPLY WITH SUBSECTION (2) OF THIS SECTION:

21 (a) SNOWMOBILES OWNED BY THE UNITED STATES OR ANOTHER
22 STATE OR POLITICAL SUBDIVISION OF ANOTHER STATE IF THE OWNERSHIP
23 IS CLEARLY DISPLAYED ON THE SNOWMOBILE;

24 (b) SNOWMOBILES OPERATED IN AN ORGANIZED COMPETITIVE OR
25 NONCOMPETITIVE EVENT ON PUBLICLY OR PRIVATELY OWNED OR LEASED
26 LAND; EXCEPT THAT THIS EXEMPTION DOES NOT APPLY UNLESS THE
27 AGENCY EXERCISING JURISDICTION OVER THE LAND SPECIFICALLY

1 AUTHORIZES THE ORGANIZED EVENT; OR

2 (c) SNOWMOBILES OPERATED ON PUBLICLY OWNED LAND FOR
3 NONRECREATIONAL PURPOSES, INCLUDING LOGGING, MINING, GRAZING
4 LIVESTOCK, FIREWOOD-CUTTING, AND TAKING TREES FOR
5 NONCOMMERCIAL PURPOSES.

6 (4) OUT-OF-STATE SNOWMOBILE PERMITS, WHEN ISSUED ON OR
7 BEFORE OCTOBER 1 OF EACH YEAR FOR USE IN THE NEXT PERMIT YEAR,
8 ARE VALID FOR ONE YEAR FROM OCTOBER 1 THROUGH THE FOLLOWING
9 SEPTEMBER 30, AND PERMITS ISSUED AFTER OCTOBER 1 FOR THE CURRENT
10 PERMIT YEAR EXPIRE ON SEPTEMBER 30 OF THE FOLLOWING YEAR.

11 (5) (a) AGENTS, AS DESCRIBED IN SECTION 33-12-104, SHALL SELL
12 OUT-OF-STATE SNOWMOBILE PERMITS.

13 (b) THE COMMISSION SHALL SET THE AMOUNT OF THE FEE TO BE
14 PAID FOR THE PERMIT BY RULE AND DEPOSIT THE FEES IN THE SNOWMOBILE
15 RECREATION FUND CREATED IN SECTION 33-14-106 (1)(a).

16 (6) A PERSON WHO VIOLATES THIS SECTION COMMITS A CIVIL
17 INFRACTION AND, UPON CONVICTION, IS SUBJECT TO A FINE OF ONE
18 HUNDRED DOLLARS.

19 **SECTION 5.** In Colorado Revised Statutes, 33-1-112.5, **amend**
20 (2)(b) as follows:

21 **33-1-112.5. Backcountry search and rescue fund - repeal.**

22 (2) (b) (I) Until the commission establishes a new amount in rules
23 promulgated pursuant to subsection (2)(b)(II) of this section, a surcharge
24 of twenty-five cents ~~shall be~~ IS assessed on each vessel, each snowmobile
25 ~~and~~ REGISTRATION, EACH OUT-OF-STATE SNOWMOBILE PERMIT, each
26 off-highway vehicle registration, AND EACH OFF-HIGHWAY USE PERMIT
27 that is sold by the division or one of its agents pursuant to section

1 33-13-103, 33-14-102, ~~or 33-14-121~~, 33-14.5-102, OR ~~33-14.5-112~~.
2 Receipts and interest from the surcharge ~~shall be~~ ARE deposited in the
3 backcountry search and rescue fund created in subsection (1) of this
4 section.

5 (II) On or after January 1, 2023, the commission shall promulgate
6 rules establishing the amount of the surcharge that ~~shall be~~ IS assessed on
7 each vessel, each snowmobile ~~and~~ REGISTRATION, EACH OUT-OF-STATE
8 SNOWMOBILE PERMIT, each off-highway vehicle registration, AND EACH
9 OFF-HIGHWAY USE PERMIT that is sold by the division or one of its agents
10 pursuant to section 33-13-103, 33-14-102, ~~or 33-14-121~~, 33-14.5-102, OR
11 ~~33-14.5-112~~. Receipts and interest from the surcharge ~~shall be~~ ARE
12 deposited in the backcountry search and rescue fund created in subsection
13 (1) of this section.

14 **SECTION 6. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly; except
17 that, if a referendum petition is filed pursuant to section 1 (3) of article V
18 of the state constitution against this act or an item, section, or part of this
19 act within such period, then the act, item, section, or part will not take
20 effect unless approved by the people at the general election to be held in
21 November 2024 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.