

CHAPTER 281

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 98-1063

BY REPRESENTATIVES Keller, Dyer, Entz, Dean, Epps, Faatz, Grossman, Hagedorn, Hefley, Mace, Salaz, and Zimmerman;
also SENATORS Coffman, Arnold, Congrove, J. Johnson, Mutzebaugh, Norton, Phillips, and Powers.

AN ACT

CONCERNING ELIMINATION OF THE REQUIREMENT THAT A DISABLED VETERAN OBTAIN THE DISABILITY PRIOR TO MAY 7, 1975, IN ORDER TO BE ELIGIBLE TO RECEIVE SPECIAL LICENSE PLATES WITHOUT CHARGE, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

SECTION 1. 42-3-104 (5), Colorado Revised Statutes, is amended to read:

42-3-104. Exemptions - specific ownership tax - registration. (5) One Class B motor vehicle weighing less than sixty-five hundred pounds or one Class C motor vehicle weighing less than sixty-five hundred pounds owned by a person who is a veteran who has established rights to benefits under the provisions of Public Law 663, 79th Congress, as amended, and Public Law 187, 82nd Congress, as amended, or that the person is a veteran of the armed forces of the United States who incurred a disability ~~prior to May 7, 1975,~~ and who is receiving compensation from the veterans administration or any branch of the armed forces of the United States for a fifty percent or more, service-connected, permanent disability, or for loss or permanent loss of use of one or both feet or one or both hands, or for loss of sight in both eyes, or for permanent impairment of vision in both eyes to such a degree as to constitute virtual blindness shall be exempt from the imposition of the annual specific ownership tax imposed by this article. Only one such Class B or Class C motor vehicle per veteran shall be exempted.

SECTION 2. 42-3-115.5 (1) (a) (IV), (5) (b), and (5) (d), Colorado Revised Statutes, are amended to read:

42-3-115.5. Special plates - military veterans - rules. (1) (a) The department is directed to issue one or more sets of special license plates to the following persons who own a passenger car or a truck that does not exceed six thousand five hundred

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

pounds empty weight:

(IV) A DISABLED veteran of the armed forces of the United States; ~~who is otherwise eligible to obtain license plates bearing the inscription "D.V.", but whose disability was incurred on or after May 7, 1975;~~

(5) **Disabled veterans.** (b) Any natural person who has received an honorable discharge from a branch of the armed services of the United States and meets the requirements of ~~paragraph (d) of this subsection~~ (5) SECTION 42-3-134 (3) (a) shall be eligible to use a disabled veteran special license plate. When applying for such a license plate, the applicant shall submit proof of honorable discharge from an armed forces branch of the United States.

~~(d) A veteran of the United States armed forces who is otherwise eligible to obtain license plates bearing the inscription "D.V." under section 42-3-134 (3) (a), but whose disability was incurred on or after May 7, 1975, may obtain such license plates from the department upon the payment of any fees or taxes required by subsection (1) of this section.~~

SECTION 3. 42-3-134 (3) (a), Colorado Revised Statutes, is amended to read:

42-3-134. Registration fees - passenger and passenger-mile taxes. (3) No fee shall be payable for the annual registration of a vehicle when:

(a) The owner of such vehicle is a veteran who in an application for registration shows that the owner has established such owner's rights to benefits under the provisions of Public Law 663, 79th Congress, as amended, and Public Law 187, 82nd Congress, as amended, or is a veteran of the armed forces of the United States who incurred ~~his or her~~ A disability ~~prior to May 7, 1975~~, and who is, at the date of such application, receiving compensation from the veterans administration or any branch of the armed forces of the United States for a fifty percent or more, service-connected, permanent disability, or for loss or permanent loss of use of one or both feet or one or both hands, or for the loss of sight in both eyes, or for permanent impairment of vision in both eyes to such degree as to constitute virtual blindness. The exemption provided in this paragraph (a) shall be applicable to the original vehicle qualifying for the same and to any vehicle subsequently purchased and owned by the same veteran but shall not apply to more than one vehicle at a time. License plates for the vehicles qualifying for the exemption granted in this paragraph (a) shall be issued only by the department and shall bear the inscription "D.V.", and a separate number series shall be used for such license plates. Additional license plates bearing such inscription may be issued by the department to any person eligible under this paragraph (a) upon the payment of any fees or taxes required by this article. Such license plate may also be issued to any person eligible under this paragraph (a) for a motor home, as defined in section 42-1-102 (57), upon the payment of any fees or taxes required by this article.

SECTION 4. Adjustment to 1998 long bill - transfer of funds. (1) For the implementation of this act, the appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 1998, to the department of education, public school finance, total program, is increased by fifty-three thousand three hundred twenty dollars (\$53,320). Said sum shall come from cash funds exempt in the schools

of choice fund created in section 22-36-105, Colorado Revised Statutes.

(2) For the implementation of this act, on July 1, 1998, the state treasurer shall transfer fifty-seven thousand dollars (\$57,000) from the schools of choice fund to the highway users tax fund.

(3) The appropriation and transfer of moneys from the schools of choice fund made in this section shall be made notwithstanding the provisions of section 22-36-105, Colorado Revised Statutes, that specify how the moneys in the fund may be used.

SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 1, 1998