

CHAPTER 291

NATURAL RESOURCES

HOUSE BILL 98-1287

BY REPRESENTATIVES Tucker, Chavez, Epps, Keller, Lawrence, Leyba, Mace, Udall, and Veiga;
also SENATORS Wham, Arnold, Chlouber, Congrove, Norton, Powers, Tanner, and Tebedo.

AN ACT

CONCERNING ACCESS TO STATE PARKS FOR DISABLED PERSONS.

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

SECTION 1. 33-12-102 (1.2) (a), Colorado Revised Statutes, is amended, and the said 33-12-102 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

33-12-102. Types of passes and registrations - fees. (1.2) (a) The fee for a ~~transferable or nontransferable~~ senior citizen's aspen leaf annual pass is ten dollars effective January 1, 1992.

(1.5) THE FEE FOR A DISABLED VISITOR'S COLUMBINE ANNUAL PASS SHALL BE AN AMOUNT EQUAL TO TWENTY-FIVE PERCENT OF THE ANNUAL VEHICLE ENTRANCE FEE SET BY THE BOARD PURSUANT TO SECTION 33-10-111 (5).

SECTION 2. 33-12-103 (1) and (2), Colorado Revised Statutes, are amended to read:

33-12-103. Aspen leaf annual pass. (1) A resident of this state as defined in section 33-10-102 (21) who is sixty-two years of age or older may obtain from the division an aspen leaf annual pass, which shall be valid for the calendar year in which issued. EXCEPT AS PROVIDED BY RULE OF THE BOARD, for the purpose of this section, the aspen leaf annual pass holder must own in whole or in part any vehicle used to enter a park area. ~~except that any person who by reason of a physical or mental disability cannot obtain a driver's license and who does not have a vehicle registered in such person's name but who would otherwise qualify for an aspen leaf annual parks pass shall be issued a transferrable aspen leaf annual parks pass which shall be valid~~

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

~~when temporarily affixed to any vehicle used to bring such pass holder into a park.~~
THE BOARD SHALL ADOPT SUCH RULE BY NOVEMBER 1, 1998. An aspen leaf pass shall entitle the holder to enter state park and recreation areas for all days of the year. Such pass shall also entitle the holder to the use of division campgrounds for all days of the year except weekends and holidays. For the purpose of this section, "weekend" means the time period beginning at 12 noon on Friday through 12 noon on Sunday, and "holiday" shall mean the time period beginning at 12 noon on the day prior to the legal holiday through 12 midnight of the legal holiday. Any resident possessing such pass during the time period when such pass is valid shall pay no other fee.

(2) Each ~~nontransferable~~ aspen leaf annual pass so issued shall be affixed to the vehicle for which it was issued in the manner prescribed by rule or regulation promulgated by the board.

SECTION 3. Part 1 of article 12 of title 33, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

33-12-103.5. Columbine annual pass. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, A PERSON IS "DISABLED" IF THE PERSON HAS BEEN DETERMINED TO BE TOTALLY AND PERMANENTLY DISABLED BY THE SOCIAL SECURITY ADMINISTRATION, THE DIVISION OF WORKERS' COMPENSATION, OR PURSUANT TO RULE OR REGULATION OF THE DIVISION.

(2) A DISABLED RESIDENT MAY OBTAIN FROM A REGIONAL OFFICE OR THE CENTRAL OFFICE OF THE DIVISION, OR AT SUCH OTHER LOCATIONS AS MAY BE DETERMINED BY THE DIVISION, A COLUMBINE ANNUAL PASS. SUCH PASS SHALL BE VALID FOR THE CALENDAR YEAR IN WHICH SUCH PASS IS ISSUED. A COLUMBINE ANNUAL PASS SHALL ENTITLE SUCH DISABLED RESIDENT TO ENTER STATE PARK AND RECREATION AREAS FOR ALL DAYS OF THE YEAR. THE BOARD SHALL BY RULE PROVIDE FOR A TRANSFERABLE COLUMBINE ANNUAL PASS THAT SHALL BE VALID WHEN TEMPORARILY AFFIXED TO ANY VEHICLE USED TO BRING SUCH PASS HOLDER INTO A PARK.

(3) THE CONTINUED USE OF THE COLUMBINE ANNUAL PASS SHALL BE SUBJECT TO THE HOLDER'S OBSERVANCE OF RULES AND REGULATIONS CONCERNING THE STATE PARK OR STATE RECREATION AREA.

SECTION 4. Applicability. The provisions of this act shall apply to passes issued on or after the applicable effective date of this act.

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