

CHAPTER 327

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 06-100

BY SENATOR(S) Sandoval, Gordon, Tochtrop, Williams, Isgar, Groff, Hanna, Jones, Keller, McElhany, Shaffer, and Veiga;
also REPRESENTATIVE(S) Pommer, Cerbo, Madden, Carroll M., Coleman, Gallegos, Knoedler, Merrifield, Solano, Todd, and
Vigil.

AN ACT

CONCERNING THE CREATION OF A COLORADO "KIDS FIRST" SPECIAL LICENSE PLATE.

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

SECTION 1. Part 2 of article 3 of title 42, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

42-3-221. Special plates - Colorado "Kids First" - repeal. (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 "KIDS FIRST" SPECIAL LICENSE PLATE. THE DEPARTMENT IS AUTHORIZED TO BEGIN ISSUANCE OF SUCH SPECIAL LICENSE PLATE IF THE ROCKY MOUNTAIN RESEARCH AND PREVENTION INSTITUTE OBTAINS COMMITMENTS FOR THE PURCHASE OF AT LEAST THREE THOUSAND SPECIAL LICENSE PLATES AND PROVIDES TO THE DEPARTMENT A LIST OF THE NAMES AND ADDRESSES OF PERSONS PURCHASING SUCH PLATES BY JULY 1, 2008.

(b) EFFECTIVE JULY 1, 2009, THIS SECTION IS REPEALED IF THE DEPARTMENT OF REVENUE NOTIFIES THE REVISOR OF STATUTES THAT THE ROCKY MOUNTAIN RESEARCH AND PREVENTION INSTITUTE FAILED TO OBTAIN THE COMMITMENTS REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (2) BY JULY 1, 2009.

(c) THE ROCKY MOUNTAIN RESEARCH AND PREVENTION INSTITUTE MAY DESIGN THE SPECIAL LICENSE PLATE. THE DESIGN FOR THE SPECIAL LICENSE PLATE SHALL

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

CONFORM WITH STANDARDS ESTABLISHED BY THE DEPARTMENT AND SHALL BE SUBJECT TO THE DEPARTMENT'S APPROVAL.

(3) (a) A PERSON MAY APPLY FOR A COLORADO "KIDS FIRST" SPECIAL 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 ROCKY MOUNTAIN RESEARCH AND PREVENTION INSTITUTE OR A SUCCESSOR ORGANIZATION, CONFIRMING THAT SUCH PERSON MEETS THE QUALIFICATIONS FOR THE LICENSE PLATE ESTABLISHED PURSUANT TO THIS SECTION.

(b) THE ROCKY MOUNTAIN RESEARCH AND PREVENTION INSTITUTE OR A SUCCESSOR ORGANIZATION MAY ESTABLISH A SPECIFIC LEVEL OF CONTRIBUTION TO A HEALTH PROMOTION AND INJURY PREVENTION FUND THAT QUALIFIES A PERSON TO OBTAIN SPECIAL LICENSE PLATES UNDER THIS SECTION. SUCH FUND SHALL BE USED TO FUND PROGRAMS, ACTIVITIES, AND EVENTS THAT HELP PROMOTE THE HEALTH OF CHILDREN AND PREVENT INJURY TO CHILDREN.

(c) THE ROCKY MOUNTAIN RESEARCH AND PREVENTION INSTITUTE OR ITS SUCCESSOR ORGANIZATION SHALL FILE AN ANNUAL STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION. THE STATEMENT SHALL BE FILED UNDER PENALTY OF PERJURY WITH THE DEPARTMENT.

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

(5) AN APPLICANT MAY APPLY FOR PERSONALIZED COLORADO "KIDS FIRST" LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6) (a) FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE SUCH PLATES IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET OF COLORADO "KIDS FIRST" LICENSE PLATES FOR THE VEHICLE UPON PAYING THE FEE IMPOSED BY SECTION 42-3-211 (6) AND UPON TURNING IN SUCH EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED COLORADO "KIDS FIRST" LICENSE PLATES UNDER THIS SUBSECTION (5) SHALL PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6) (b) FOR RENEWAL OF SUCH PERSONALIZED PLATES. THE FEES UNDER THIS SUBSECTION (5) ARE IN ADDITION TO ALL OTHER TAXES AND FEES IMPOSED FOR COLORADO "KIDS FIRST" LICENSE PLATES.

SECTION 2. 42-3-301 (2) (a) (II), Colorado Revised Statutes, is amended to read:

42-3-301. License plate cash fund - license plate fees. (2) (a) The fees imposed pursuant to subsection (1) of this section shall be set in an amount necessary to recover only the costs of the production and distribution of any license plates, decals, or validating tabs issued pursuant to this article and shall be:

(II) Two dollars and fifty-four cents per special license plate issued pursuant to section 42-3-207, ~~or~~ sections 42-3-209 to 42-3-219, OR SECTION 42-3-221;

SECTION 3. Effective date. This act shall take effect July 1, 2007.

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, and safety.

Approved: June 2, 2006