

CHAPTER 350

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 06-1072

BY REPRESENTATIVE(S) Vigil, Berens, Buescher, Cadman, Carroll M., Frangas, Gallegos, Garcia, Hodge, Hoppe, Jahn, King, Liston, McGihon, Penry, Pommer, Romanoff, Solano, Stafford, Todd, and Larson;
also SENATOR(S) Tapia, Entz, Gordon, Hagedorn, Isgar, Johnson, Jones, Lamborn, Owen, Shaffer, Taylor, Tochtrop, and Wiens.

AN ACT

CONCERNING THE ISSUANCE OF SPECIAL LICENSE PLATES HONORING SERVICE IN THE ARMED FORCES OF THE UNITED STATES, AND, IN CONNECTION THEREWITH, AUTHORIZING FAMILY MEMBERS OF A PERSON WHO HAS DIED SERVING IN THE UNITED STATES ARMED FORCES TO BE ISSUED A FALLEN SERVICE MEMBER SPECIAL LICENSE PLATE, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

SECTION 1. The introductory portion to 42-3-213 (1) (a), Colorado Revised Statutes, is amended, and the said 42-3-213 (1) (a) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

42-3-213. Special plates - military veterans - rules - retirement. (1) (a) The department shall issue one or more sets of special license plates to the following persons who own a truck that does not exceed ~~twelve~~ SIXTEEN thousand pounds empty weight, a passenger car, a motorcycle, or a noncommercial or recreational vehicle:

(XIII) THE CURRENT OR PAST SPOUSE, CHILD, OR PARENT OF A PERSON WHO DIED IN THE LINE OF DUTY WHILE SERVING IN THE ARMED FORCES AND DEPLOYED TO A COMBAT ZONE.

SECTION 2. 42-3-213 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

42-3-213. Special plates - military veterans - rules - retirement. (1) (f) A PERSON WHO MEETS THE CONDITIONS STATED IN SUBPARAGRAPH (XIII) OF PARAGRAPH (a) OF THIS SUBSECTION (1) IS AUTHORIZED TO BE ISSUED A FALLEN

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

SERVICE MEMBER SPECIAL LICENSE PLATE. THIS PARAGRAPH (f) SHALL NOT BE CONSTRUED TO AUTHORIZE THE SPOUSE, CHILD, OR PARENT TO RECEIVE A LICENSE PLATE WITHOUT PAYING THE APPLICABLE FEES UNDER SUBPARAGRAPH (I) OF PARAGRAPH (b) OF THIS SUBSECTION (1) OR IF SUCH PLATE SIGNIFIES MORE THAN THAT THE DECEASED SERVED IN A BRANCH OF THE ARMED FORCES.

SECTION 3. 42-3-213, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

42-3-213. Special plates - military veterans - rules - retirement. (14) Fallen service member special license plate. (a) THE FALLEN SERVICE MEMBER SPECIAL LICENSE PLATE SHALL BE DESIGNED TO INDICATE THAT THE OWNER OF THE MOTOR VEHICLE TO WHICH THE PLATE IS ATTACHED IS A FAMILY MEMBER OF A PERSON WHO DIED IN THE LINE OF DUTY WHILE SERVING IN THE ARMED FORCES AND DEPLOYED TO A COMBAT ZONE. THE PLATE SHALL BEAR THE WORD "FALLEN" AND THE TITLE OF A PERSON WHO SERVES IN THE BRANCH OF THE ARMED FORCES IN WHICH THE DECEASED SERVED.

(b) A PERSON WHO MEETS THE CONDITIONS STATED IN SUBPARAGRAPH (XIII) OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION MAY USE A FALLEN SERVICE MEMBER SPECIAL LICENSE PLATE. THE DEPARTMENT OR AN AUTHORIZED AGENT SHALL NOT ISSUE A FALLEN SERVICE MEMBER SPECIAL LICENSE PLATE TO AN APPLICANT UNTIL THE APPLICANT PROVIDES A DD214 FORM ISSUED BY THE UNITED STATES GOVERNMENT AND OTHER EVIDENCE SUFFICIENT TO DEMONSTRATE THAT THE APPLICANT IS QUALIFIED TO BE ISSUED THE PLATE AS DETERMINED BY THE DEPARTMENT.

SECTION 4. 42-1-102 (24.5), Colorado Revised Statutes, is amended to read:

42-1-102. Definitions - repeal. As used in articles 1 to 4 of this title, unless the context otherwise requires:

(24.5) "Distinctive special license plate" means a special license plate that is issued to a person because such person has an immutable characteristic or special achievement honor. Such special achievement honor shall not include a common achievement such as graduating from an institution of higher education. Such special achievement shall include honorable service in the armed forces of the United States. "DISTINCTIVE SPECIAL LICENSE PLATE" SHALL INCLUDE A LICENSE PLATE THAT IS ISSUED TO A PERSON OR THE PERSON'S FAMILY TO HONOR SUCH PERSON'S SERVICE IN THE ARMED FORCES.

SECTION 5. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the license plate cash fund created in section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for allocation to the motor vehicle division, for the fiscal year beginning July 1, 2006, the sum of one thousand six hundred eight dollars (\$1,608), or so much thereof as may be necessary, for the implementation of this act.

SECTION 6. Effective date. This act shall take effect January 1, 2007.

SECTION 7. 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 6, 2006