

CHAPTER 307

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 09-1133

BY REPRESENTATIVE(S) Sonnenberg, Marostica, Todd, Looper;
also SENATOR(S) Kester, Tapia, Williams.

AN ACT**CONCERNING SETTING THE AMOUNTS OF LICENSE PLATE FEES, AND MAKING AN APPROPRIATION THEREFOR.**

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

SECTION 1. 42-3-301 (1) (b) and (2) (a), Colorado Revised Statutes, are amended to read:

42-3-301. License plate cash fund - license plate fees. (1) (b) Fees collected pursuant to this section shall be transmitted to the state treasurer, who shall credit the same to the license plate cash fund, which fund is hereby created. The fund shall be administered by the department through June 30, 2005, and by the state treasurer thereafter. Moneys in the fund shall be appropriated by the general assembly for the direct costs incurred by the department in PURCHASING, AS PROVIDED IN SECTION 17-24-109.5 (2), C.R.S., LICENSE PLATES, DECALS, AND VALIDATING TABS FROM THE DIVISION OF CORRECTIONAL INDUSTRIES, REFERRED TO IN THIS SECTION AS THE "DIVISION", IN THE DEPARTMENT OF CORRECTIONS, AND issuing license plates pursuant to this article. At the end of each fiscal year, any unexpended and unencumbered moneys remaining in the fund shall revert to the highway users tax fund created in section 43-4-201 (1) (a), C.R.S., and shall be allocated and expended as specified in section 43-4-205 (5.5) (b), C.R.S.

(2) (a) The fees imposed pursuant to subsection (1) of this section shall be ~~set in~~ **an** LIMITED TO THE 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:~~ AND THE RELATED SUPPORT FUNCTIONS PROVIDED TO THE DEPARTMENT OF REVENUE BY THE DIVISION. THE CORRECTIONAL INDUSTRIES ADVISORY COMMITTEE, ESTABLISHED PURSUANT TO SECTION 17-24-104 (2), C.R.S., SHALL ANNUALLY REVIEW AND RECOMMEND TO THE DIRECTOR OF THE DIVISION THE

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

AMOUNTS OF THE FEES TO BE IMPOSED PURSUANT TO SUBSECTION (1) OF THIS SECTION. THE DIRECTOR OF THE DIVISION, IN COOPERATION AND CONSULTATION WITH THE DEPARTMENT OF REVENUE AND THE OFFICE OF STATE PLANNING AND BUDGETING, SHALL ANNUALLY ESTABLISH THE AMOUNTS OF THE FEES IMPOSED PURSUANT TO SUBSECTION (1) OF THIS SECTION TO RECOVER THE DIVISION'S COSTS PURSUANT TO THIS SUBSECTION (2). ON OR BEFORE MARCH 1, 2010, AND ON OR BEFORE MARCH 1 EVERY FIVE YEARS THEREAFTER, THE DIRECTOR OF THE DIVISION SHALL FILE A WRITTEN REPORT WITH THE TRANSPORTATION AND ENERGY COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEE, AND THE TRANSPORTATION COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEE, CONCERNING ANY CHANGE WITHIN THE PRECEDING FIVE YEARS IN THE AMOUNT OF THE FEE IMPOSED PURSUANT TO SUBSECTION (1) OF THIS SECTION AND THE REASON FOR THE CHANGE IN THE FEE.

~~(F) One dollar and sixty-three cents per standard embossed license plate issued pursuant to this section;~~

~~(H) Two dollars and fifty-four cents per special license plate issued pursuant to section 42-3-207, sections 42-3-209 to 42-3-219, or sections 42-3-221 to 42-3-226 and 42-3-229;~~

~~(HH) Seventeen cents per year tab that is stuffed and mail ready, issued pursuant to section 42-3-201;~~

~~(IV) Two dollars and twenty cents for the issuance of a replacement registration, the proceeds of which fee shall be allocated as if collected pursuant to section 42-1-206 (2) (a), and eleven cents for either a year tab that is not stuffed and mail ready or a month tab, which tabs are issued pursuant to section 42-3-201;~~

~~(V) Two dollars and twenty cents for the issuance of a replacement registration, the proceeds of which fee shall be allocated as if collected pursuant to section 42-1-206 (2) (a), and twenty-two cents for a year tab that is not stuffed and mail ready and a month tab, which tabs are issued pursuant to section 42-3-201;~~

~~(VI) Twenty-five cents per special mobile machinery ownership and rental tab issued pursuant to this section;~~

~~(VII) Twenty-five cents per collector specific ownership tax tab issued pursuant to section 42-12-102;~~

~~(VIII) Twenty-five cents per motorized bicycle decal issued pursuant to this section;~~

~~(IX) Twenty-five cents per emergency vehicle decal issued pursuant to section 42-3-113;~~

~~(X) Twenty-five cents per horseless carriage tab issued pursuant to section 42-3-219;~~

~~(XI) Twenty-two cents per temporary permit issued pursuant to section 42-3-203.~~

SECTION 2. Appropriation. (1) 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 division of motor vehicles, for the fiscal year beginning July 1, 2009, the sum of five hundred twenty-eight thousand dollars (\$528,000) cash funds, or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of corrections, for allocation to the correctional industries division, for the fiscal year beginning July 1, 2009, the sum of five hundred twenty-eight thousand dollars (\$528,000), or so much thereof as may be necessary, for the implementation of this act. Said sum shall be from reappropriated funds received from the department of revenue out of the appropriation made in subsection (1) of this section.

SECTION 3. Act subject to petition - effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 5, 2009, if adjournment sine die is on May 6, 2009); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: May 21, 2009