

CHAPTER 346

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 14-194

BY SENATOR(S) Steadman, Hodge, Lambert, Kefalas;
also REPRESENTATIVE(S) May and Gerou, Duran, Buckner, Hullinghorst, Melton, Ryden, Schafer, Young.

AN ACT

**CONCERNING THE ISSUANCE OF IDENTIFICATION DOCUMENTS BY THE DEPARTMENT OF REVENUE,
AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

SECTION 1. In Colorado Revised Statutes, 42-1-102, **add** (31.5) as follows:

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

(31.5) "EXCEPTIONS PROCESSING" MEANS THE PROCEDURES THE DEPARTMENT USES TO ASSIST PERSONS WHO ARE UNABLE FOR REASONS BEYOND THEIR CONTROL TO PRESENT ALL THE NECESSARY DOCUMENTS REQUIRED BY THE DEPARTMENT AND MUST RELY ON ALTERNATIVE DOCUMENTS TO ESTABLISH IDENTITY, DATE OF BIRTH, OR UNITED STATES CITIZENSHIP IN LIEU OF LAWFUL PRESENCE IN THE UNITED STATES.

SECTION 2. In Colorado Revised Statutes, 42-1-206, **amend** (2) (a) as follows:

42-1-206. Records open to inspection - furnishing of copies. (2) (a) Except as provided in subsection (6) of this section, upon written application and the payment of a fee of two dollars and twenty cents per copy, or a record search for each copy requested, the department shall furnish to any person a photostatic copy of any specified record or accident report specifically made a public record by any provision of this title and shall, for the additional fee of fifty cents per certification, if requested, certify the same. ~~Fees collected under this subsection (2) shall be used to defray the expenses of providing such copies;~~ THE DEPARTMENT SHALL SET THE FEE IN ACCORDANCE WITH SECTION 42-2-114.5. THE DEPARTMENT SHALL TRANSFER THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE LICENSING

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

SERVICES CASH FUND; except that THE TREASURER SHALL CREDIT:

(I) Ten cents of each fee collected by the authorized agent ~~shall be credited~~ to the special purpose account established under section 42-1-211; and

(II) The entire fee for vehicle and manufactured home records, if collected directly by the department, ~~shall be credited~~ to the special purpose account established under section 42-1-211.

SECTION 3. In Colorado Revised Statutes, 42-1-211, **amend** (2) as follows:

42-1-211. Colorado state titling and registration system. (2) There is hereby created ~~a special purpose account~~ THE COLORADO STATE TITLING AND REGISTRATION ACCOUNT in the highway users tax fund ~~which shall be known as the Colorado state titling and registration account~~, for the purpose of providing funds for the development and operation of the Colorado state titling and registration system, including operations performed under article 6 of this title AND TO COVER THE COSTS OF ADMINISTRATION AND ENFORCEMENT OF THE MOTORIST INSURANCE IDENTIFICATION DATABASE PROGRAM CREATED IN SECTION 42-7-604. Moneys received from the fees imposed by section 38-29-138 (1), (2), (4), and (5), C.R.S., and sections 42-1-206 (2) (a), 42-3-107 (22), 42-3-213 (1) (b) (IV), ~~and 42-6-137 (1), (2), (4), (5), and (6), AND 42-3-304 (18) (d), as well as any moneys received through gifts, grants, and donations to the account from private or public sources for the purposes of this section shall be credited BY THE STATE TREASURER to the special purpose account in accordance with the provisions of section 38-29-139, C.R.S., and sections 42-1-206 (2) (a), 42-3-107 (22), 42-3-213 (1) (b), and 42-6-138. Any interest earned on moneys credited to the special purpose account shall be credited to and used for the same purpose as other moneys in said account. The general assembly shall appropriate annually the moneys in the special purpose account for the purposes of this subsection (2). Any unexpended and unencumbered moneys remaining in the account at the end of any fiscal year shall remain in the account and shall not be transferred to the general fund or any other fund~~ COLORADO STATE TITLING AND REGISTRATION ACCOUNT. THE GENERAL ASSEMBLY SHALL APPROPRIATE ANNUALLY THE MONEYS IN THE COLORADO STATE TITLING AND REGISTRATION ACCOUNT FOR THE PURPOSES OF THIS SUBSECTION (2). IF ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAIN IN THE ACCOUNT AT THE END OF A FISCAL YEAR, THE BALANCE REMAINS IN THE FUND AND IS NOT TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

SECTION 4. In Colorado Revised Statutes, 42-1-220, **amend** (1); and **repeal** (2) as follows:

42-1-220. Identification security fund - repeal. (1) There is hereby created ~~a special purpose account in the highway users tax fund for the purpose of enhancing the security of drivers' licenses and identification cards. Moneys received from the fees imposed in sections 42-2-114 (2) (a) (I) (F) and 42-2-306 (1) (a) (V) shall be transmitted to the state treasurer, who shall credit the same to such special account within the highway users tax fund, to be known as the identification security fund. All interest derived from the deposit and investment of moneys in the identification security fund shall be credited to the fund. Moneys in the identification security fund shall be used, subject to appropriation by the general assembly, to cover the~~

~~costs of driver's license and identification card security enhancements required by sections 42-2-106 (2) (b), 42-2-107 (1) (a) (II), 42-2-114 (1) (a), 42-2-302 (5), and 42-2-303 (3). At the end of any fiscal year, ON THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED, THE STATE TREASURER SHALL TRANSFER all unexpended and unencumbered moneys in the identification security fund shall remain in the fund and shall not revert to the general fund or any other fund TO THE LICENSING SERVICES CASH FUND.~~

~~(2) On or before July 1, 2008, the state auditor shall submit a report to the transportation legislation review committee, created in section 43-2-145, C.R.S., concerning the effectiveness of the security features that are part of the driver's license system in reducing the incidence of issuance of fraudulent drivers' licenses and identification cards.~~

SECTION 5. In Colorado Revised Statutes, **add** 42-1-230 as follows:

42-1-230. Exceptions processing - rules. BEGINNING SEPTEMBER 1, 2014, THE DEPARTMENT OF REVENUE SHALL PROVIDE THE OPPORTUNITY FOR EXCEPTIONS PROCESSING IN PERSON AT A MINIMUM OF FOUR REGIONAL OFFICES THAT ARE ACTUALLY OPERATED BY THE DEPARTMENT OF REVENUE AND THAT ISSUE DRIVER'S LICENSES. THE DEPARTMENT SHALL PROMULGATE RULES TO IMPLEMENT EXCEPTIONS PROCESSING FOR DOCUMENTS ISSUED UNDER PARTS 1, 2, 3, AND 5 OF ARTICLE 2 OF THIS TITLE. THE DEPARTMENT SHALL NOT USE EXCEPTIONS PROCESSING FOR NONCITIZENS TO ESTABLISH LAWFUL STATUS IN THE UNITED STATES.

SECTION 6. In Colorado Revised Statutes, 42-2-107, **amend** (1) (a) (I) as follows:

42-2-107. Application for license or instruction permit - anatomical gifts - donations to Emily Maureen Ellen Keyes organ and tissue donation awareness fund - legislative declaration - rules - repeal. (1) (a) (I) To be acceptable, every application for an instruction permit or for a driver's or minor driver's license must be made upon forms furnished by the department and accompanied by the required fee. ~~The fee for an application for any instruction permit is thirteen dollars and forty cents.~~ THE DEPARTMENT SHALL SET THE FEE IN ACCORDANCE WITH SECTION 42-2-114.5 (2). The department shall transfer the fee to the state treasurer, who shall credit ten dollars to the highway users tax fund and three dollars and forty cents to the licensing services cash fund created in section 42-2-114.5; ~~except that, for fiscal years 2012-13 through 2014-15, the state treasurer shall credit the fee~~ IT TO THE licensing services cash fund created in section 42-2-114.5 (1). Every applicant shall submit with the application proof of age or proof of identity, or both, as the department may require.

SECTION 7. In Colorado Revised Statutes, 42-2-114, **amend** (4) (a); and **repeal and reenact, with amendments,** (2) as follows:

42-2-114. License issued - fees - repeal - rules. (2) (a) A FEE IS REQUIRED FOR THE ISSUANCE OF A DRIVER'S LICENSE TO A PERSON TWENTY-ONE YEARS OF AGE OR OLDER. THE DEPARTMENT SHALL SET THE FEE IN ACCORDANCE WITH SECTION 42-2-114.5. EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, THE LICENSE EXPIRES ON THE APPLICANT'S BIRTHDAY IN THE FIFTH YEAR AFTER ISSUANCE OF THE

LICENSE.

(b) THE DEPARTMENT SHALL TRANSFER THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE LICENSING SERVICES CASH FUND CREATED IN SECTION 42-2-114.5.

(c) NOTWITHSTANDING PARAGRAPH (b) OF THIS SUBSECTION (2), IF THE DRIVER'S LICENSE IS ISSUED BY THE OFFICE OF A COUNTY CLERK AND RECORDER, THE COUNTY CLERK AND RECORDER SHALL RETAIN THE SUM OF EIGHT DOLLARS AND FORWARD THE REMAINDER TO THE DEPARTMENT FOR TRANSMISSION TO THE STATE TREASURER, WHO SHALL CREDIT THE REMAINDER OF THE FEE TO THE LICENSING SERVICES CASH FUND.

(d) IN ADDITION TO THE FEE ESTABLISHED IN PARAGRAPH (a) OF THIS SUBSECTION (2), A SURCHARGE OF TWO DOLLARS IS ADDED FOR ISSUANCE OF A DRIVER'S OR MINOR DRIVER'S LICENSE WITH A MOTORCYCLE ENDORSEMENT. THE DEPARTMENT SHALL TRANSFER THE SURCHARGE TO THE STATE TREASURER, WHO SHALL CREDIT IT TO THE MOTORCYCLE OPERATOR SAFETY TRAINING FUND, CREATED IN SECTION 43-5-504, C.R.S.

(e) IN ADDITION TO THE FEE ESTABLISHED IN PARAGRAPH (a) OF THIS SUBSECTION (2), A SURCHARGE IS ADDED FOR ISSUANCE OF A DRIVER'S OR MINOR DRIVER'S LICENSE WHEN AN APPLICANT RETAKES EITHER THE EXAMINATION OF KNOWLEDGE OF THE TRAFFIC LAWS OF THIS STATE OR THE DEMONSTRATION OF THE APPLICANT'S ABILITY TO EXERCISE ORDINARY AND REASONABLE CARE AND CONTROL IN THE OPERATION OF A MOTOR VEHICLE. THE DEPARTMENT SHALL SET THE SURCHARGE BY RULE IN AN AMOUNT TO OFFSET THE DIRECT AND INDIRECT COST OF GIVING THE EXAMINATION OR DEMONSTRATION. THE DEPARTMENT SHALL TRANSFER THE SURCHARGE TO THE STATE TREASURER, WHO SHALL CREDIT IT TO THE LICENSING SERVICES CASH FUND, CREATED IN SECTION 42-2-114.5.

(4) (a) ~~The~~ A fee IS REQUIRED for the issuance of a minor driver's license, ~~is twenty dollars and forty cents~~, which ~~license~~ expires twenty days after the twenty-first birthday of the licensee. THE DEPARTMENT SHALL SET THE FEE IN ACCORDANCE WITH SECTION 42-2-114.5 (2). ~~The department shall transfer the fee to the state treasurer, who shall credit fifteen dollars to the highway users tax fund and five dollars and forty cents to the licensing services cash fund created in section 42-2-114.5; except that, for fiscal years 2012-13 through 2014-15, the state treasurer shall credit the fee~~ IT to the licensing services cash fund created in section 42-2-114.5 (1). In the case of the issuance of any minor driver's license by the office of the county clerk and recorder, the fee for the minor driver's license is apportioned in the same manner as for the issuance of a driver's license in accordance with paragraph ~~(a)~~ (c) of subsection (2) of this section.

SECTION 8. In Colorado Revised Statutes, **amend** 42-2-114.5 as follows:

42-2-114.5. Licensing services cash fund - fee setting procedures - rules.

(1) The licensing services cash fund is hereby created in the state treasury. ~~Moneys~~ THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEYS in the fund ~~shall be appropriated by the general assembly~~ to the department for the cost of ~~personal services and operating expenses incurred in the operation of driver's license offices~~

IMPLEMENTING THIS ARTICLE. At the end of each fiscal year, the state treasurer shall credit the money in the fund, less sixteen and one-half percent of the amount appropriated from the fund for such operation in the fiscal year, to the highway users tax fund.

~~(2) Notwithstanding any provision of subsection (1) of this section to the contrary, on June 15, 2010, the state treasurer shall deduct two million five hundred eighty-nine thousand eight hundred ninety-four dollars from the licensing services cash fund and transfer such sum to the general fund.~~ EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, THE FOLLOWING FEES MUST BE PAID FOR THE FOLLOWING FUNCTIONS:

(a) THE FEE FOR A DRIVING RECORD UNDER SECTION 42-1-206(2) IS TWO DOLLARS AND TWENTY CENTS;

(b) THE FEE FOR A CERTIFIED DRIVING RECORD UNDER SECTION 42-1-206 (2) IS TWO DOLLARS AND SEVENTY CENTS;

(c) THE APPLICATION FEE FOR AN INSTRUCTION PERMIT UNDER SECTION 42-2-107 IS FOURTEEN DOLLARS;

(d) THE FEE FOR A DRIVER'S LICENSE OR MINOR DRIVER'S LICENSE UNDER SECTION 42-2-114 (2) (a) OR (4) (a), RESPECTIVELY, IS TWENTY-ONE DOLLARS;

(e) THE FEE FOR RETAKING EITHER THE EXAMINATION OF KNOWLEDGE OR THE DEMONSTRATION OF ABILITY UNDER SECTION 42-2-114 (2) (e) IS SET BY THE DEPARTMENT NOT TO EXCEED FIFTEEN DOLLARS;

(f) THE FEE FOR A DUPLICATE PERMIT OR MINOR DRIVER'S LICENSE UNDER SECTION 42-2-117(1) IS SEVEN DOLLARS AND FIFTY CENTS FOR THE FIRST DUPLICATE AND FOURTEEN DOLLARS FOR A SUBSEQUENT DUPLICATE;

(g) THE FEE FOR A DRIVER'S LICENSE EXTENSION UNDER SECTION 42-2-118(1) (b) (I) IS THREE DOLLARS;

(h) THE FEE FOR THE RETURN OF A LICENSE UNDER SECTION 42-2-127.7(4) (b) (II) IS FIVE DOLLARS;

(i) THE FEE FOR A REPLACEMENT LICENSE UNDER SECTION 42-2-133 (2) IS FIVE DOLLARS;

(j) THE FEE FOR ISSUING OR RENEWING AN IDENTIFICATION CARD UNDER SECTION 42-2-306 (1) (a) IS TEN DOLLARS AND FIFTY CENTS;

(k) THE FEE FOR REISSUANCE OF AN IDENTIFICATION CARD THAT HAS BEEN CANCELLED OR DENIED UNDER SECTION 42-2-306 (1) (b) IS TWENTY DOLLARS;

(l) THE FEE FOR ISSUING A COMMERCIAL DRIVER'S LICENSE UNDER SECTION 42-2-406 (1) AND (2) IS THIRTY-FIVE DOLLARS;

(m) THE FEE FOR ADMINISTERING DRIVING TESTS UNDER SECTION 42-2-406 (3) IS

ONE HUNDRED DOLLARS;

(n) THE FEE FOR LICENSING TESTING UNITS UNDER SECTION 42-2-406 (4) IS THREE HUNDRED DOLLARS FOR THE INITIAL LICENSE AND ONE HUNDRED DOLLARS FOR EACH SUBSEQUENT ANNUAL LICENSE RENEWAL;

(o) THE FEE FOR LICENSING DRIVING TESTERS UNDER SECTION 42-2-406 (3) IS ONE HUNDRED DOLLARS FOR THE INITIAL LICENSE AND FIFTY DOLLAR FOR EACH SUBSEQUENT ANNUAL LICENSE RENEWAL; AND

(p) THE FEE FOR ISSUING AN IDENTIFICATION DOCUMENT UNDER PART 5 OF THIS ARTICLE.

(3) BEGINNING JULY 1, 2015, THE DEPARTMENT MAY RAISE OR LOWER THE FEES LISTED IN SUBSECTION (2) OF THIS SECTION, BUT THE DEPARTMENT SHALL NOT INCREASE THE FEE BY MORE THAN TWENTY PERCENT BEFORE JULY 1, 2016, OR BY MORE THAN FIVE PERCENT PER YEAR ON OR AFTER JULY 1, 2016.

(4) A RULE PROMULGATED UNDER THIS SECTION THAT INCREASES FEES SHALL NOT TAKE EFFECT UNTIL THIRTY DAYS AFTER THE DEPARTMENT HAS ISSUED A REPORT TO THE JOINT BUDGET COMMITTEE. THE REPORT MUST:

(a) LIST THE FEES BEING CHANGED AND THE AMOUNTS OF THE CHANGES; AND

(b) PROVIDE AN EXPLANATION OF THE REASONS FOR THE CHANGES AND AN ANALYSIS OF WHY THE CHANGES ARE NEEDED.

SECTION 9. In Colorado Revised Statutes, 42-2-117, **amend** (1) as follows:

42-2-117. Duplicate permits and minor licenses - replacement licenses. (1) If an instruction permit or a minor driver's license issued under this article is lost, stolen, or destroyed, the person to whom ~~the same~~ it was issued, upon request and the payment of a fee of ~~six dollars and ninety cents for the first duplicate and thirteen dollars and forty cents for any subsequent duplicate~~ to the department, may obtain a duplicate or substitute upon furnishing satisfactory proof to the department that the permit or minor license ~~had been~~ was lost, stolen, or destroyed and that the applicant is qualified to have a permit or license. THE DEPARTMENT SHALL SET THE FEES FOR A FIRST DUPLICATE AND FOR ANY SUBSEQUENT DUPLICATE IN ACCORDANCE WITH SECTION 42-2-114.5. The department shall transfer either fee to the state treasurer, who shall credit ~~five dollars to the highway users tax fund and one dollar and ninety cents to the licensing services cash fund created in section 42-2-114.5;~~ ~~the fee~~ IT to the licensing services cash fund created in section 42-2-114.5. ~~The fee for a subsequent duplicate license is transferred to the state treasurer, who shall credit ten dollars to the highway users tax fund and three FOUR dollars and forty cents to the licensing services cash fund; except that, for fiscal years 2012-13 through 2014-15, the state treasurer shall credit the fee to the licensing services cash fund.~~

SECTION 10. In Colorado Revised Statutes, 42-2-118, **amend** (1) (b) (I) and (1.5) (a) (II) as follows:

42-2-118. Renewal of license in person or by mail - donations to Emily Maureen Ellen Keyes organ and tissue donation awareness fund - repeal.

(1) (b) (I) Any license referred to in section 42-2-114 ~~which~~ THAT, at the time of its expiration, is held by a resident of this state who is temporarily outside of this state or is prevented by disability from complying with paragraph (a) of this subsection (1) may be extended for a period of one year if the licensee applies to the department for an extension of the expiration date prior to the date the license expires and pays a fee of ~~three dollars~~ SET BY THE DEPARTMENT IN ACCORDANCE WITH SECTION 42-2-114.5 (2). THE DEPARTMENT SHALL TRANSFER THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT IT TO THE LICENSING SERVICES CASH FUND, CREATED IN SECTION 42-2-114.5 (1). This extension ~~will become~~ BECOMES null and void ninety days after the licensee renews his or her residency in the state or otherwise becomes able to comply with the provisions of paragraph (a) of this subsection (1). THE DEPARTMENT SHALL GRANT no more than one extension ~~shall be granted~~ under the provisions of this paragraph (b) ~~except that, when~~ UNLESS a resident of this state is temporarily residing in a foreign country, IN WHICH CASE THE DEPARTMENT MAY GRANT no more than two extensions. ~~shall be granted.~~

(1.5) (a) The department may, in its discretion, allow renewal of a driver's license issued under section 42-2-114 by electronic means subject to the following requirements:

(II) ~~Electronic renewal shall be available~~ A PERSON MAY RENEW A DRIVER'S LICENSE ELECTRONICALLY ~~only every other~~ FOR TWO CONSECUTIVE driver's license renewal ~~period~~ PERIODS as provided in section 42-2-114 (2) (a) and (3);

SECTION 11. In Colorado Revised Statutes, 42-2-127.7, **amend** (4) (b) (II) as follows:

42-2-127.7. Authority to suspend driver's license - uninsured motorists - legislative declaration. (4) (b) (II) ~~(A)~~ The person whose driver's license was taken possession of by a law enforcement officer ~~pursuant to~~ UNDER this section may obtain ~~such~~ THE license by the payment of a fee of ~~five dollars~~ to the department. THE DEPARTMENT SHALL DETERMINE THE FEE IN ACCORDANCE WITH SECTION 42-2-114.5.

~~(B) Notwithstanding the amount specified for the fee in sub-subparagraph (A) of this subparagraph (II), the executive director of the department by rule or as otherwise provided by law may reduce the amount of the fee if necessary pursuant to section 24-75-402 (3), C.R.S., to reduce the uncommitted reserves of the fund to which all or any portion of the fee is credited. After the uncommitted reserves of the fund are sufficiently reduced, the executive director of the department by rule or as otherwise provided by law may increase the amount of the fee as provided in section 24-75-402 (4), C.R.S.~~

SECTION 12. In Colorado Revised Statutes, 42-2-132, **amend** (4) (b) introductory portion, (4) (b) (I) (A), and (4) (b) (II) (A) as follows:

42-2-132. Period of suspension or revocation. (4) (b) ~~At~~ THE DEPARTMENT SHALL TRANSMIT THE restoration fees collected ~~pursuant to~~ UNDER this subsection (4) ~~shall be transmitted~~ to the state treasurer, who shall credit:

(I) (A) ~~Sixty~~ SEVENTY-THREE dollars to the driver's license administrative revocation account in the highway users tax fund, which account is hereby created and referred to in this subparagraph (I) as the "account".

(II) (A) ~~Thirty-five~~ TWENTY-TWO dollars to the first time drunk driving offender account in the highway users tax fund, which account is hereby created and referred to in this subparagraph (II) as the "account".

SECTION 13. In Colorado Revised Statutes, 42-2-133, **amend** (2) as follows:

42-2-133. Surrender and return of license. (2) At the end of the period of suspension, the licensee may apply for and receive a replacement license upon payment of a fee. ~~of five dollars.~~ THE DEPARTMENT SHALL SET THE FEE IN ACCORDANCE WITH SECTION 42-2-114.5 (2). THE DEPARTMENT SHALL TRANSFER THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT IT TO THE LICENSING SERVICES CASH FUND CREATED BY SECTION 42-2-114.5 (1).

SECTION 14. In Colorado Revised Statutes, 42-2-304 **add** (1.9) as follows:

42-2-304. Validity of identification card - rules. (1.9) (a) THE DEPARTMENT MAY ALLOW AN APPLICANT TO RENEW AN IDENTIFICATION CARD ISSUED UNDER SECTION 42-2-302 BY ELECTRONIC MEANS IF THE APPLICANT:

(I) IS TWENTY-ONE YEARS OF AGE OR OLDER, BUT NOT OLDER THAN SIXTY-FOUR YEARS OF AGE;

(II) ATTESTS UNDER PENALTY OF PERJURY TO BEING LAWFULLY PRESENT IN THE UNITED STATES;

(III) ATTESTS UNDER PENALTY OF PERJURY TO BEING A RESIDENT OF COLORADO;
AND

(IV) PAYS ANY REQUIRED FEE OR SURCHARGE.

(b) APPLICANTS WHO MEET THE QUALIFICATIONS OF PARAGRAPH (a) OF THIS SUBSECTION (1.9) MAY ELECTRONICALLY RENEW ONLY FOR TWO CONSECUTIVE RENEWAL PERIODS.

SECTION 15. In Colorado Revised Statutes, 42-2-306, **amend** (1) (a) (II) and (1) (b); and **repeal** (1) (a) (III), (1) (a) (IV) and (1) (a) (V) as follows:

42-2-306. Fees - disposition. (1) The department shall charge and collect the following fees:

(a) (II) Except as provided in subparagraphs (III) and (III.5) of this paragraph (a), a fee ~~of nine dollars and ninety cents at the time of application~~ AS DETERMINED BY THE DEPARTMENT UNDER SECTION 42-2-114.5 for an identification card or renewal of an identification card.

(III) ~~The fee for the renewal of an identification card pursuant to section 42-2-304 (2) (a) for a person under eighteen years of age who received an identification card~~

on or before June 30, 2001, shall be three dollars and fifty cents payable at the time of the application for renewal of the identification card.

(IV) ~~On or before July 1, 2005, the department shall submit a report to the transportation legislation review committee, created in section 43-2-145, C.R.S., concerning the effect of extending the expiration of identification cards on the fee revenue of the department, and the advisability of continuing the fees imposed in subparagraph (V) of this paragraph (a) and the identification security fund created in section 42-1-220 that is funded through such fees.~~

(V) (A) ~~In addition to the fees imposed in subparagraphs (II) and (III) of this paragraph (a), the fee for the issuance of an identification card shall include a sixty-cent surcharge. Such surcharge shall be forwarded to the department for transmission to the state treasurer, who shall credit the same to the identification security fund created in section 42-1-220.~~

(B) ~~This subparagraph (V) is repealed, effective July 1, 2014.~~

(b) ~~A fee of twenty dollars~~ AS DETERMINED BY THE DEPARTMENT UNDER SECTION 42-2-114.5 to cover the costs incurred by the department for the reissuance of an identification card that has been cancelled or denied pursuant to UNDER section 42-2-302 (3), or to verify the identity of the applicant.

SECTION 16. In Colorado Revised Statutes, 42-2-406, amend (1), (2), (3) (b), (3) (d), (4), (5), and (6) as follows:

42-2-406. Fees - rules. (1) ~~The~~ A fee IS REQUIRED for the issuance of a commercial driver's license. ~~is thirty-four dollars and forty cents.~~ THE DEPARTMENT SHALL SET THE FEE IN ACCORDANCE WITH SECTION 42-2-114.5. The department shall ~~cause~~ TRANSFER the fee to ~~be transferred to~~ the state treasurer, who shall credit ~~twenty-five dollars to the highway users tax fund and nine dollars and forty cents to the licensing services cash fund created in section 42-2-114.5; except that, for fiscal years 2012-13 through 2014-15, the state treasurer shall credit the fee~~ IT to the licensing services cash fund created in section 42-2-114.5. The license expires on the birthday of the applicant in the fourth year after its issuance. When issuing a commercial driver's license, the office of the county clerk and recorder shall retain eight dollars and shall forward the remainder to the department for transmission to the state treasurer, who shall credit ~~nineteen dollars to the highway users tax fund and seven dollars and forty cents to the licensing services cash fund; except that, for fiscal years 2012-13 through 2014-15, the state treasurer shall credit the amount~~ IT to the licensing services cash fund. ~~The general assembly shall make annual appropriations from the licensing services cash fund for the expenses of the administration of parts 1 and 2 of this article and this part 4; except that eight dollars and fifty cents of each commercial driver's license fee shall be allocated in accordance with section 43-4-205 (6) (b), C.R.S., other than during fiscal years 2012-13 through 2014-15.~~

(2) ~~Notwithstanding any other provision of law,~~ The fee for a person eighteen years of age or older for issuance of a minor driver's license that authorizes operation of a commercial motor vehicle upon the highways is ~~thirty-four dollars and forty cents~~ THE SAME AS FOR A COMMERCIAL DRIVER'S LICENSE ISSUE UNDER

SUBSECTION (1) OF THIS SECTION. The department shall ~~cause~~ TRANSFER the fee to ~~be transferred to~~ the state treasurer, who shall credit ~~twenty-five dollars to the highway users tax fund and nine dollars and forty cents to the licensing services cash fund created in section 42-2-114.5;~~ except that, for fiscal years 2012-13 through 2014-15, the state treasurer shall credit the fee IT to the licensing services cash fund created in section 42-2-114.5. When issuing a minor driver's license, the office of the county clerk and recorder shall retain eight dollars and shall forward the remainder to the department for transmission to the state treasurer, who shall credit ~~nineteen dollars to the highway users tax fund and seven dollars and forty cents to the licensing services cash fund;~~ except that, for fiscal years 2012-13 through 2014-15, the state treasurer shall credit the amount IT to the licensing services cash fund created in section 42-2-114.5. ~~The general assembly shall make annual appropriations from the licensing services cash fund for the expenses of the administration of parts 1 and 2 of this article and this part 4; except that eight dollars and fifty cents of each minor driver's license fee is allocated in accordance with section 43-4-205 (6) (b), C.R.S., other than during fiscal years 2012-13 through 2014-15.~~

(3) (b) ~~The~~ A fee IS REQUIRED for the administration of driving tests by the department. ~~shall be one hundred dollars;~~ THE DEPARTMENT SHALL SET THE FEE IN ACCORDANCE WITH SECTION 42-2-114.5; except that the fee for the administration of ~~such~~ THE driving test to ~~any~~ AN employee or volunteer of a nonprofit organization that provides specialized transportation services for the elderly and for persons with disabilities, to any individual employed by a school district, or to any individual employed by a board of cooperative services shall not exceed forty dollars.

(d) The department shall forward all fees collected for the administration of driving tests to the state treasurer, who shall credit ~~the fees~~ THEM to the licensing services cash fund. ~~The general assembly shall make annual appropriations from the licensing services cash fund for the expenses of the administration of parts 1 and 2 of this article and this part 4, and any fees credited to the fund under this subsection (3) in excess of the amount of the appropriations are allocated and expended as specified in section 43-4-205 (5.5) (f), C.R.S., other than during fiscal years 2012-13 through 2014-15.~~

(4) ~~The~~ AN annual license fee IS REQUIRED for a commercial driver's license testing unit. ~~shall be three hundred dollars for the initial license issuance and one hundred dollars for each succeeding annual license renewal.~~ THE DEPARTMENT SHALL SET THE FEE IN ACCORDANCE WITH SECTION 42-2-114.5. The department may provide by ~~regulation~~ RULE for reduced license fees for testing units operated by nonprofit organizations ~~which~~ THAT provide specialized transportation services for the elderly and for persons with disabilities, by school districts, or by boards of cooperative services. The provisions of this subsection (4) ~~shall~~ DO not apply to any public transportation system.

(5) ~~The~~ AN annual license fee IS REQUIRED for a commercial driver's license driving tester. ~~shall be one hundred dollars for the initial license issuance and fifty dollars for each succeeding annual license renewal.~~ THE DEPARTMENT SHALL SET THE FEE IN ACCORDANCE WITH SECTION 42-2-114.5. The department may provide by ~~regulation~~ RULE for reduced license fees for employees or volunteers of nonprofit organizations ~~which~~ THAT provide specialized transportation services for the elderly

and for persons with disabilities, for individuals employed by school districts, or for individuals employed by boards of cooperative services. The provisions of this subsection (5) shall do not apply to any public transportation system.

(6) The department shall forward all fees collected for the issuance of testing unit licenses and driving test licenses under subsections (4) and (5) of this section to the state treasurer, who shall credit the same to the highway users tax fund; except that, for fiscal years 2012-13 through 2014-15, the state treasurer shall credit the fees to the licensing services cash fund. ~~The general assembly shall make annual appropriations from the licensing services cash fund for the expenses of the administration of parts 1 and 2 of this article and this part 4, and any fees credited to the fund pursuant to this subsection (6) in excess of the amount of the appropriations are allocated and expended as specified in section 43-4-205 (5.5) (f), C.R.S., other than during fiscal years 2012-13 through 2014-15.~~

SECTION 17. In Colorado Revised Statutes, **amend** 42-2-508 as follows:

42-2-508. Fees - rule. The department may promulgate a rule imposing an additional fee for issuance of a document issued under this part 5 to cover the direct and indirect cost of implementing this part 5. THE DEPARTMENT SHALL SET THE FEE IN ACCORDANCE WITH SECTION 42-2-114.5 (2). THE DEPARTMENT SHALL TRANSFER THE FEES TO THE STATE TREASURER, WHO SHALL CREDIT THE FEES TO THE LICENSING SERVICES CASH FUND, CREATED IN SECTION 42-2-114.5 (1).

SECTION 18. In Colorado Revised Statutes, 42-3-301, **amend** (1) (b) as follows:

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. REMAIN IN THE FUND.

SECTION 19. In Colorado Revised Statutes, 42-3-304, **amend** (18) (d) (I) as follows:

42-3-304. Registration fees - passenger and passenger-mile taxes - clean screen fund - definitions - repeal. (18) (d) (I) In addition to any other fee imposed by this section, the owner shall pay, at the time of registering a motor vehicle or low-power scooter, a motorist insurance identification fee. The fee shall be adjusted annually by the department, based upon moneys appropriated by the general assembly for the operation of the motorist insurance identification database program. ~~In no event shall the fee exceed ten cents.~~ The department shall transmit

~~the fee to the state treasurer, who shall credit it to a special account within the highway users tax fund, to be known as the motorist insurance identification account, which is hereby created. The department shall use moneys in the motorist insurance identification account, subject to appropriation by the general assembly, to cover the costs of administration and enforcement of the motorist insurance identification database program created in section 42-7-604 and for state fiscal years 2010-11 and 2011-12, for expenses incurred in connection with the administration of article 2 of this title; except that: THE COLORADO STATE TITLING AND REGISTRATION ACCOUNT CREATED IN SECTION 42-1-211 (2).~~

~~(A) For fiscal years 2012-13 through 2014-15, the state treasurer shall transfer moneys in the account in excess of the amount of moneys appropriated from the account to the Colorado state titling and registration account in the highway users tax fund for allocation and expenditure as required by section 42-1-211 (2). This sub-subparagraph (A) is repealed, effective July 1, 2015.~~

~~(B) For the fiscal year commencing July 1, 2015, the state treasurer shall transfer moneys in the account in excess of the amount of moneys appropriated from the account to the highway users tax fund for allocation and expenditure as specified in section 43-4-205 (5.5) (c), C.R.S.~~

SECTION 20. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2014, the sum of \$191,651 and 2.7 FTE, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

(a) \$123,325 and 2.7 FTE to the division of motor vehicles, driver services for personal services;

(b) \$42,249 to the division of motor vehicles, driver services for operating expenses;

(c) \$20,000 to the division of motor vehicles, driver services for personal services for programming costs; and

(d) \$6,077 for the purchase of computer center services.

(2) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2014, the sum of \$6,077, or so much thereof as may be necessary, for allocation to the office of information technology, for the provision of computer center services for the department of revenue related to the implementation of this act. Said sum is from reappropriated funds received from the department of revenue out of the appropriation made in paragraph (d) of subsection (1) of this section.

SECTION 21. Applicability. This act applies to all driver's license fees collected on or after the applicable effective date of this act.

SECTION 22. 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 5, 2014