

CHAPTER 293

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 15-229

BY SENATOR(S) Woods, Guzman, Merrifield, Baumgardner, Crowder, Kerr, Lundberg, Scheffel, Todd;
also REPRESENTATIVE(S) Joshi and Mitsch Bush, Sias, Kagan, Kraft-Tharp, Lebsack, Melton, Priola, Rosenthal, Salazar.

AN ACT

**CONCERNING THE CREATION OF AN AMYOTROPHIC LATERAL SCLEROSIS LICENSE PLATE FOR
MOTOR VEHICLES, 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, **add** 42-3-248 as follows:

42-3-248. Special plates - Amyotrophic lateral sclerosis (ALS).

(1) BEGINNING THE LATER OF JANUARY 1, 2016, OR WHEN THE ROCKY MOUNTAIN CHAPTER OF THE ALS ASSOCIATION HAS COMPLIED WITH SECTION 42-3-207(6), 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 ALS LICENSE PLATE. THE DEPARTMENT MAY STOP ISSUING THE ALS LICENSE PLATE IF THREE THOUSAND LICENSE PLATES ARE NOT ISSUED BY JULY 1, 2020. A PERSON WHO WAS ISSUED AN ALS LICENSE PLATE ON OR BEFORE JULY 1, 2020, MAY CONTINUE TO USE THE LICENSE PLATE AFTER JULY 1, 2020, REGARDLESS OF WHETHER THE DEPARTMENT STOPS ISSUING THE SPECIAL LICENSE PLATE.

(b) THE ROCKY MOUNTAIN CHAPTER OF THE ALS ASSOCIATION MAY DESIGN THE SPECIAL LICENSE PLATE, BUT THE PLATE MUST CONFORM TO STANDARDS ESTABLISHED BY THE DEPARTMENT.

(3) A PERSON MAY APPLY FOR AN ALS LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THIS SECTION.

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

(4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE PLATES UNDER THIS SECTION ARE THE SAME AS THE AMOUNT OF THE TAXES AND FEES 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 THE LICENSE PLATE. THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201, C.R.S.

(5) AN APPLICANT MAY APPLY FOR PERSONALIZED ALS LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6) (a) FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE THE 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 ALS LICENSE PLATES FOR THE VEHICLE UPON PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6) (a) AND UPON TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED ALS LICENSE PLATES UNDER THIS SUBSECTION (5) SHALL PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6) (b) FOR RENEWAL OF THE PERSONALIZED PLATES. THE FEES UNDER THIS SUBSECTION (5) ARE IN ADDITION TO ALL OTHER APPLICABLE TAXES AND FEES.

SECTION 2. In Colorado Revised Statutes, **amend** 42-3-312 as follows:

42-3-312. Special license plate surcharge. In addition to any other fee imposed by this article, an applicant for a special license plate created by rule in accordance with section 42-3-207, as the section existed when the plate was created, or license plates issued pursuant to sections 42-3-211 to 42-3-218, sections 42-3-221 to 42-3-234, and sections 42-3-237 to ~~42-3-247~~ 42-3-248 shall pay an issuance fee of twenty-five dollars; except that the fee is not imposed on special license plates exempted from additional fees for the issuance of a military special license plate by section 42-3-213 (1) (b) (II). 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.

SECTION 3. Appropriation. (1) For the 2015-16 state fiscal year, \$5,304 cash funds is appropriated to the department of revenue. To implement this act, the department may use this appropriation as follows:

(a) \$4,120 from the Colorado state titling and registration account of the highway users tax fund created in section 42-1-211 (2), C.R.S., for the purchase of information technology services; and

(b) \$1,184 from the license plate cash fund created in section 42-2-301 (1) (b), for use by the department for license plate ordering.

(2) For the 2015-16 state fiscal year, \$4,120 is appropriated to the office of the governor for use by the office of information technology. This appropriation is from reappropriated funds received from the department of revenue under paragraph (a) of subsection (1) of this section. To implement this act, the office may use this appropriation to provide information technology services for the department of revenue.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 5, 2015