

HOUSE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chairman of Committee

February 9, 2017

Date

Committee on Transportation & Energy.

After consideration on the merits, the Committee recommends the following:

HB17-1107 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 7, strike lines 3 through 5 and substitute  
2 "(1.9)(b), and (2); and **repeal** (1.5), (1.7), and (3) as follows:".

3 Page 7, line 7, strike "**solution.**" and substitute "**solution - repeal.**"

4 Page 9, strike lines 7 through 26 and substitute:

5           "(2) (a) (I) There is hereby created the Colorado state titling and  
6 registration account in the highway users tax fund for the purpose of  
7 providing funds for the development and operation of the Colorado state  
8 titling and registration system, including operations performed under  
9 ~~article~~ ARTICLES 3, 4, 6, 7, AND 12 of this title 42, and to cover the costs  
10 of administration and enforcement of the motorist insurance identification  
11 database program created in section 42-7-604. ~~Moneys~~ MONEY received  
12 from the fees imposed by section 38-29-138 (1), (2), (4), and (5) ~~C.R.S.~~;  
13 and sections 42-1-206 (2)(a), 42-3-107 (22), 42-3-213 (1)(b)(IV),  
14 42-6-137 (1), (2), (4), (5), and (6), and 42-3-304 (18)(d), as well as any  
15 ~~moneys~~ MONEY received through gifts, grants, and donations to the  
16 account from private or public sources for the purposes of this section,  
17 shall be credited by the state treasurer to the Colorado state titling and  
18 registration account UNTIL SEPTEMBER 1, 2018. The general assembly  
19 shall appropriate annually the ~~moneys~~ MONEY in the Colorado state titling  
20 and registration account for the purposes of this subsection (2). If any  
21 unexpended and unencumbered ~~moneys remain~~ MONEY REMAINS in the

1 account at the end of a fiscal year, the balance remains in the fund and is  
2 not transferred to the general fund or any other fund; EXCEPT THAT THE  
3 STATE TREASURER SHALL TRANSFER THIRTY-THREE PERCENT OF THE  
4 UNEXPENDED AND UNENCUMBERED MONEY IN THE COLORADO STATE  
5 TITLING AND REGISTRATION ACCOUNT TO THE COLORADO DRIVES  
6 VEHICLE SERVICES ACCOUNT ON SEPTEMBER 1, 2018, AND ALL  
7 UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE COLORADO  
8 STATE TITLING AND REGISTRATION ACCOUNT TO THE COLORADO DRIVES  
9 VEHICLE SERVICES ACCOUNT AT THE END OF FISCAL YEAR 2018-19.

10 (II) THIS SUBSECTION (2)(a) IS REPEALED, EFFECTIVE JULY 1, 2019.

11 (b) (I) THERE IS HEREBY CREATED THE COLORADO DRIVES  
12 VEHICLE SERVICES ACCOUNT IN THE HIGHWAY USERS TAX FUND FOR THE  
13 PURPOSE OF PROVIDING FUNDS FOR THE DEVELOPMENT AND OPERATION OF  
14 COLORADO DRIVES, INCLUDING OPERATIONS PERFORMED UNDER  
15 ARTICLES 3, 4, 6, 7, AND 12 OF THIS TITLE 42, AND TO COVER THE COSTS OF  
16 ADMINISTRATION AND ENFORCEMENT OF THE MOTORIST INSURANCE  
17 IDENTIFICATION DATABASE PROGRAM CREATED IN SECTION 42-7-604.  
18 MONEY RECEIVED FROM THE FEES IMPOSED BY SECTION 38-29-138 (1), (2),  
19 (4), AND (5) AND SECTIONS 42-1-206 (2)(a), 42-3-107 (22), 42-3-213  
20 (1)(b)(IV), 42-6-137 (1), (2), (4), (5), AND (6), AND 42-3-304 (18)(d), AS  
21 WELL AS ANY MONEY RECEIVED THROUGH GIFTS, GRANTS, AND  
22 DONATIONS TO THE ACCOUNT FROM PRIVATE OR PUBLIC SOURCES FOR THE  
23 PURPOSES OF THIS SECTION, SHALL BE CREDITED BY THE STATE TREASURER  
24 TO THE COLORADO DRIVES VEHICLE SERVICES ACCOUNT. THE GENERAL  
25 ASSEMBLY SHALL APPROPRIATE ANNUALLY THE MONEY IN THE ACCOUNT  
26 FOR THE PURPOSES OF THIS SUBSECTION (2). IF ANY UNEXPENDED AND  
27 UNENCUMBERED MONEY REMAINS IN THE ACCOUNT AT THE END OF A  
28 FISCAL YEAR, THE BALANCE REMAINS IN THE ACCOUNT AND IS NOT  
29 TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

30 (II) (A) THIS SUBSECTION (2)(b) TAKES EFFECT SEPTEMBER 1,  
31 2018.

32 (B) THIS SUBSECTION (2)(b)(II) IS REPEALED, EFFECTIVE JULY 1,  
33 2019."

34 Page 10, strike line 8 and substitute:

35 "SECTION 5. In Colorado Revised Statutes, 42-1-211, **amend**  
36 (4)(a); **repeal** (5) and (6); **add** (4)(c) and (4)(d); and **recreate and**  
37 **reenact, with amendments**, (4)(b) as follows:

38 **42-1-211. Colorado state titling and registration system -**  
39 **repeal.** (4) (a) There is hereby created the Colorado ~~state titling and~~".

1 Renumber succeeding sections accordingly.

2 Page 15, strike lines 14 through 22 and substitute:

3 **"42-1-231. Kiosk pilot program - repeal.** (3) (a) The department  
4 may accept financial assistance from an authorized agent or a private  
5 party to implement this program, so long as the financial assistance is  
6 directly related to the kiosk pilot program and does not stipulate a  
7 condition that conflicts with state law.

8 (b) (I) The department shall transfer any money accepted under  
9 this subsection (3) to the state treasurer, who shall credit it to the  
10 Colorado state titling and registration account created in section 42-1-211.  
11 The department shall use any money accepted under this subsection (3)  
12 to implement this section.

13 (II) THIS SUBSECTION (3)(b) IS REPEALED, EFFECTIVE SEPTEMBER  
14 1, 2018.

15 (c) (I) THE DEPARTMENT SHALL TRANSFER ANY MONEY ACCEPTED  
16 UNDER THIS SUBSECTION (3) TO THE STATE TREASURER, WHO SHALL  
17 CREDIT IT TO THE COLORADO DRIVES VEHICLE SERVICES ACCOUNT  
18 CREATED IN SECTION 42-1-211. THE DEPARTMENT SHALL USE ANY MONEY  
19 ACCEPTED UNDER THIS SUBSECTION (3) TO IMPLEMENT THIS SECTION.

20 (II) (A) THIS SUBSECTION (3)(c) TAKES EFFECT SEPTEMBER 1,  
21 2018.

22 (B) THIS SUBSECTION (3)(c)(II) IS REPEALED, EFFECTIVE JULY 1,  
23 2019."

24 Page 19, strike lines 25 through 27 and substitute **"taxes - clean screen**  
25 **fund - definitions - repeal.** (18) (d) (I) (A) In addition to any other fee  
26 imposed by this section, the owner, ~~shall pay, at the time of registering~~ IN  
27 ORDER TO REGISTER a motor vehicle or low-power scooter, MUST PAY a  
28 motorist insurance identification fee. ~~The fee shall be adjusted annually~~  
29 ~~by the department~~ SHALL ANNUALLY ADJUST THE FEE based upon ~~moneys~~  
30 ~~appropriated~~ APPROPRIATIONS MADE by the general assembly for the  
31 operation of the motorist insurance identification database program. The  
32 department shall transmit the fee to the state treasurer, who shall credit it  
33 to the Colorado state titling and registration account created in section  
34 42-1-211 (2). THIS SUBSECTION (18)(d)(I)(A) IS REPEALED, EFFECTIVE  
35 SEPTEMBER 1, 2018.

36 (B) IN ADDITION TO ANY OTHER FEE IMPOSED BY THIS SECTION,  
37 THE OWNER, IN ORDER TO REGISTER A MOTOR VEHICLE OR LOW-POWER  
38 SCOOTER, MUST PAY A MOTORIST INSURANCE IDENTIFICATION FEE. THE

1 DEPARTMENT SHALL ANNUALLY ADJUST THE FEE BASED UPON  
2 APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY FOR THE OPERATION  
3 OF THE MOTORIST INSURANCE IDENTIFICATION DATABASE PROGRAM. THE  
4 DEPARTMENT SHALL TRANSMIT THE FEE TO THE STATE TREASURER, WHO  
5 SHALL CREDIT IT TO THE COLORADO DRIVES VEHICLE SERVICES  
6 ACCOUNT CREATED IN SECTION 42-1-211 (2). THIS SUBSECTION  
7 (18)(d)(I)(B) TAKES EFFECT SEPTEMBER 1, 2018."

8 Page 20 strike lines 1 through 7.

9 Page 23, strike lines 2 through 11 and substitute "**taxes - fee schedule -**  
10 **repeal.** (14) (b) (I) (A) The fee required by ~~paragraph (a) of this~~  
11 ~~subsection (14) shall apply to~~ SUBSECTION (14)(a) OF THIS SECTION IS  
12 REQUIRED FOR every registration of a motor vehicle that is designed  
13 primarily to be operated or drawn on any highway in the state and ~~shall~~  
14 ~~be~~ IS REQUIRED in addition to the annual registration fee for the vehicle;  
15 except that the fee ~~shall~~ DOES not apply to a vehicle that is exempt from  
16 payment of the registration fees imposed by this ~~article~~ ARTICLE 3. The  
17 DEPARTMENT SHALL CREDIT THE fee ~~shall be credited~~ to the Colorado  
18 state titling and registration account in the highway users tax fund created  
19 in section 42-1-211 (2).

20 (B) THIS SUBSECTION (14)(b) IS REPEALED, EFFECTIVE SEPTEMBER  
21 1, 2018.

22 (II) (A) THE FEE REQUIRED BY SUBSECTION (14)(a) OF THIS  
23 SECTION IS REQUIRED FOR EVERY REGISTRATION OF A MOTOR VEHICLE  
24 THAT IS DESIGNED PRIMARILY TO BE OPERATED OR DRAWN ON ANY  
25 HIGHWAY IN THE STATE AND IS REQUIRED IN ADDITION TO THE ANNUAL  
26 REGISTRATION FEE FOR THE VEHICLE; EXCEPT THAT THE FEE DOES NOT  
27 APPLY TO A VEHICLE THAT IS EXEMPT FROM PAYMENT OF THE  
28 REGISTRATION FEES IMPOSED BY THIS ARTICLE 3. THE DEPARTMENT SHALL  
29 CREDIT THE FEE TO THE COLORADO DRIVES VEHICLE SERVICES ACCOUNT  
30 IN THE HIGHWAY USERS TAX FUND CREATED IN SECTION 42-1-211 (2).

31 (B) THIS SUBSECTION (14)(b)(II) TAKES EFFECT SEPTEMBER 1,  
32 2018. THIS SUBSECTION (14)(b)(II)(B) IS REPEALED, EFFECTIVE JULY 1,  
33 2019."

34 Page 23, strike lines 18 through 20 and substitute:

35 "(I) Fifty cents to the Colorado state titling and registration  
36 account created in section 42-1-211 (2) within the highway users tax fund  
37 UNTIL SEPTEMBER 1, 2018, AND THEREAFTER TO THE COLORADO DRIVES

1 VEHICLE SERVICES ACCOUNT CREATED IN SECTION 42-1-211 (2) WITHIN  
2 THE HIGHWAY USERS TAX FUND;".

3 Page 29, line 2, strike "~~state titling and registration~~" and substitute "state  
4 titling and registration ACCOUNT AND THE COLORADO".

5 Page 33, strike lines 12 through 20 and substitute:

6           **"SECTION 35. Act subject to petition - effective date.** Section  
7 5 of this act takes effect July 30, 2018, and the remainder of this act takes  
8 effect at 12:01 a.m. on the day following the expiration of the ninety-day  
9 period after final adjournment of the general assembly (August 10, 2011,  
10 if adjournment sine die is on May 11, 2011); except that, if a referendum  
11 petition is filed pursuant to section 1 (3) of article V of the state  
12 constitution against this act or an item, section, or part of this act within  
13 such period, then the act, item, section, or part will not take effect unless  
14 approved by the people at the general election to be held in November  
15 2012 and, in such case, will take effect on the date of the official  
16 declaration of the vote thereon by the governor."

\*\* \*\* \*\* \*\* \*\*