A BILL FOR AN ACT

CONCERNING SURPLUS MILITARY VEHICLES, AND, IN CONNECTION THEREWITH, EXEMPTING A SURPLUS MILITARY VEHICLE FROM THE STATUTORY DEFINITION OF AN "OFF-HIGHWAY VEHICLE" IF THE VEHICLE IS OWNED OR LEASED BY A MUNICIPALITY, COUNTY, OR FIRE PROTECTION DISTRICT FOR THE PURPOSE OF ASSISTING FIREFIGHTING EFFORTS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov.)

Wildfire Matters Review Committee. The bill states that a
surplus military vehicle is not an "off-highway vehicle" if it is owned or leased by a municipality, county, or fire protection district for the purpose of assisting with firefighting efforts, including mitigating the risk of wildfires.

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

SECTION 1. In Colorado Revised Statutes, 42-6-102, amend (11.5)(b) as follows:

42-6-102. Definitions. As used in this part 1, unless the context otherwise requires:

(11.5) (b) (I) EXCEPT AS DESCRIBED IN SUBSECTION (11.5)(b)(II) OF THIS SECTION, "off-highway vehicle" includes vehicles commonly known as all-terrain vehicles, snowmobiles, and surplus military vehicles but does not include:

(A) Toy vehicles;
(B) Vehicles designed and used primarily for travel on, over, or in the water;
(C) Historical military vehicles;
(D) Golf carts or golf cars;
(E) Vehicles designed and used to carry persons with disabilities;
(F) Vehicles designed and used specifically for agricultural, logging, or mining purposes; or
(G) Motor vehicles.

(II) "OFF-HIGHWAY VEHICLE" DOES NOT INCLUDE A SURPLUS MILITARY VEHICLE THAT IS OWNED OR LEASED BY A MUNICIPALITY, COUNTY, OR FIRE PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103 (7), FOR THE PURPOSE OF ASSISTING WITH FIREFIGHTING EFFORTS,
INCLUDING MITIGATING THE RISK OF WILDFIRES.

SECTION 2. In Colorado Revised Statutes, 33-14.5-101, amend (3) introductory portion, (3)(f), and (3)(g); and add (3)(h) as follows:

33-14.5-101. Definitions. As used in this article 14.5, unless the context otherwise requires:

(3) "Off-highway vehicle" means any self-propelled vehicle that is designed to travel on wheels or tracks in contact with the ground, designed primarily for use off of the public highways, and generally and commonly used to transport persons for recreational purposes. EXCEPT AS DESCRIBED IN SUBSECTION (3)(h) OF THIS SECTION, "off-highway vehicle" includes surplus military vehicles as defined in section 42-6-102. "Off-highway vehicle" does not include the following:

(f) Vehicles designed and used specifically for agricultural, logging, or mining purposes; or

(g) Vehicles registered pursuant to article 3 of title 42; C.R.S. OR

(h) A SURPLUS MILITARY VEHICLE, AS DEFINED IN SECTION 42-6-102 (20.5), THAT IS OWNED OR LEASED BY A MUNICIPALITY, COUNTY, OR FIRE PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103 (7), FOR THE PURPOSE OF ASSISTING WITH FIREFIGHTING EFFORTS, INCLUDING MITIGATING THE RISK OF WILDFIRES.

SECTION 3. 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, 2020, if adjournment sine die is on May 6, 2020); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.