

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 20-0400.01 Richard Sweetman x4333

SENATE BILL 20-056

SENATE SPONSORSHIP

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Senate Committees

State, Veterans, & Military Affairs
Appropriations

House Committees

Transportation & Local Government
Appropriations

A BILL FOR AN ACT

101 **CONCERNING SURPLUS MILITARY VEHICLES, AND, IN CONNECTION**
102 **THEREWITH, EXEMPTING A SURPLUS MILITARY VEHICLE FROM**
103 **THE STATUTORY DEFINITION OF AN "OFF-HIGHWAY VEHICLE"**
104 **IF THE VEHICLE IS OWNED OR LEASED BY A MUNICIPALITY,**
105 **COUNTY, OR FIRE PROTECTION DISTRICT FOR THE PURPOSE OF**
106 **ASSISTING FIREFIGHTING EFFORTS, AND, IN CONNECTION**
107 **THEREWITH, MAKING AN APPROPRIATION.**

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/>.)

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
3rd Reading Unamended
June 8, 2020

HOUSE
Amended 2nd Reading
June 4, 2020

SENATE
3rd Reading Unamended
February 13, 2020

SENATE
2nd Reading Unamended
February 12, 2020

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-6-102, **amend**
3 (11.5)(b) as follows:

4 **42-6-102. Definitions.** As used in this part 1, unless the context
5 otherwise requires:

6 (11.5) (b) (I) EXCEPT AS DESCRIBED IN SUBSECTION (11.5)(b)(II)
7 OF THIS SECTION, "off-highway vehicle" includes vehicles commonly
8 known as all-terrain vehicles, snowmobiles, and surplus military vehicles
9 but does not include:

10 ~~(I)~~ (A) Toy vehicles;

11 ~~(II)~~ (B) Vehicles designed and used primarily for travel on, over,
12 or in the water;

13 ~~(III)~~ (C) Historical military vehicles;

14 ~~(IV)~~ (D) Golf carts or golf cars;

15 ~~(V)~~ (E) Vehicles designed and used to carry persons with
16 disabilities;

17 ~~(VI)~~ (F) Vehicles designed and used specifically for agricultural,
18 logging, or mining purposes; or

19 ~~(VII)~~ (G) Motor vehicles.

20 (II) "OFF-HIGHWAY VEHICLE" DOES NOT INCLUDE A SURPLUS
21 MILITARY VEHICLE THAT IS OWNED OR LEASED BY A MUNICIPALITY,
22 COUNTY, OR FIRE PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103

1 (7), FOR THE PURPOSE OF ASSISTING WITH FIREFIGHTING EFFORTS,
2 INCLUDING MITIGATING THE RISK OF WILDFIRES.

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

5 **33-14.5-101. Definitions.** As used in this article 14.5, unless the
6 context otherwise requires:

7 (3) "Off-highway vehicle" means any self-propelled vehicle that
8 is designed to travel on wheels or tracks in contact with the ground,
9 designed primarily for use off of the public highways, and generally and
10 commonly used to transport persons for recreational purposes. EXCEPT AS
11 DESCRIBED IN SUBSECTION (3)(h) OF THIS SECTION, "off-highway vehicle"
12 includes surplus military vehicles as defined in section 42-6-102.

13 "Off-highway vehicle" does not include the following:

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

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

17 (h) A SURPLUS MILITARY VEHICLE, AS DEFINED IN SECTION
18 42-6-102 (20.5), THAT IS OWNED OR LEASED BY A MUNICIPALITY, COUNTY,
19 OR FIRE PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103 (7), FOR
20 THE PURPOSE OF ASSISTING WITH FIREFIGHTING EFFORTS, INCLUDING
21 MITIGATING THE RISK OF WILDFIRES.

22 **SECTION 3. Appropriation.** For the 2020-21 state fiscal year,
23 \$3,375 is appropriated to the department of revenue for use by the
24 division of motor vehicles. This appropriation is from the Colorado
25 DRIVES vehicle services account in the highway users tax fund created
26 in section 42-1-211 (2)(b)(I), C.R.S. To implement this act, the division
27 may use this appropriation for DRIVES maintenance and support.

1 **SECTION 4. Safety Clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, or safety. ■