

CHAPTER 285

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 20-056

BY SENATOR(S) Crowder, Coram, Cooke, Gardner, Hisey, Lundeen, Marble, Priola, Rankin, Scott, Smallwood, Sonnenberg, Tate, Woodward;
also REPRESENTATIVE(S) Will and McLachlan, Carver, Bird, Cutter, Duran, Hooton, Landgraf, Liston, McCluskie, McKean, Pelton, Rich, Sandridge, Singer, Snyder, Soper, Titone, Valdez D.

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 AND MAKING AN APPROPRIATION.

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;

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

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

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

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

Approved: July 13, 2020