

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 25-0661.01 Christopher McMichael x4775

SENATE BILL 25-021

SENATE SPONSORSHIP

Bright,

HOUSE SPONSORSHIP

(None),

Senate Committees

Agriculture & Natural Resources

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE REGISTRATION OF OFF-HIGHWAY VEHICLES.**

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>.)

The bill specifies that dealers of off-highway vehicles shall require a purchaser of an off-highway vehicle to complete the off-highway vehicle registration application and pay the registration fee in order to complete the sale of an off-highway vehicle, unless the purchaser attests that the off-highway vehicle will be used exclusively outside the state. The bill clarifies that a dealer that does not comply with the registration requirements is subject to a fine of \$200 per instance of noncompliance. The bill also explicitly authorizes the parks and wildlife commission to

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

adopt rules concerning the enforcement of the registration requirements of off-highway vehicles.

Under current law, proof of ownership is required for the registration of an off-highway vehicle. The bill removes this requirement so that an individual registering their off-highway vehicle no longer has to provide the division of parks and wildlife with proof of ownership for the off-highway vehicle.

The bill amends certain provisions related to the off-highway vehicle recreation fund (fund) to clarify what the money in the fund shall be used for. The bill also specifies that money remaining in the fund at the end of a given fiscal year shall remain in the fund and only be used for specific purposes related to the use of off-highway vehicles in Colorado.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Off-highway vehicle recreation is the second highest
5 recreational use of public lands in Colorado, only behind the skiing
6 industry;

7 (b) There are over 290,000 households that participate in
8 off-highway vehicle recreation each year;

9 (c) In the 2022-23 season, there was over \$1.4 billion in direct
10 sales of off-highway vehicles and an additional \$1.4 billion in indirect
11 and induced sales related to off-highway vehicle recreation, accounting
12 for a \$2.8 billion contribution to the Colorado economy;

13 (d) Off-highway vehicle recreation supports nearly 19,000 jobs in
14 Colorado and \$1 billion in labor income; and

15 (e) Money collected by off-highway vehicle registration fees is
16 used to support the use, maintenance, and quality of off-highway vehicle
17 recreation areas in Colorado and is one of the only user-funded trail
18 maintenance programs in the state.

19 (2) Therefore, the general assembly further declares that it is in

1 the interest of the state of Colorado to require that purchasers of
2 off-highway vehicles register their vehicles and pay the registration fee
3 at the point-of-sale in order to protect a vital source of revenue for the
4 state and help ensure the continued growth of an important industry for
5 the Colorado economy.

6 **SECTION 2.** In Colorado Revised Statutes, 33-14.5-102, **amend**
7 (2)(a) and (8) as follows:

8 **33-14.5-102. Off-highway vehicle registration -**
9 **nonresident-owned or -operated off-highway vehicle permits - fees -**
10 **applications - requirements - exemptions - rules.** (2) (a) (I) EXCEPT AS
11 PROVIDED IN SUBSECTION (2)(a)(II) OF THIS SECTION, every dealer shall
12 require a purchaser of an off-highway vehicle to complete a registration
13 application and pay the registration fee ~~before the vehicle leaves the~~
14 ~~dealer's premises, except for those off-highway vehicles purchased for~~
15 ~~use exclusively outside of this state~~ IN ORDER TO COMPLETE THE SALE OF
16 AN OFF-HIGHWAY VEHICLE.

17 (II) A PURCHASER OF AN OFF-HIGHWAY VEHICLE WHO ATTESTS
18 THAT THE OFF-HIGHWAY VEHICLE IS BEING PURCHASED FOR USE
19 EXCLUSIVELY OUTSIDE OF THIS STATE IS NOT REQUIRED TO COMPLETE A
20 REGISTRATION APPLICATION OR PAY THE REGISTRATION FEE PURSUANT TO
21 SUBSECTION (2)(a)(I) OF THIS SECTION.

22 (8) ~~Any~~ A dealer who does not comply with ~~subsection (2)(a)~~
23 SUBSECTION (2)(a)(I) of this section commits a civil infraction and, upon
24 conviction, shall be punished by a fine of ~~one~~ TWO hundred dollars PER
25 OFF-HIGHWAY VEHICLE SOLD WITHOUT THE PURCHASER COMPLETING A
26 REGISTRATION APPLICATION OR PAYING THE REGISTRATION FEE.

27 **SECTION 3.** In Colorado Revised Statutes, 33-14.5-103, **repeal**

1 (1) as follows:

2 **33-14.5-103. Record of registered off-highway vehicles**
3 **maintained.** (1) ~~The division shall require proof of ownership for an~~
4 ~~off-highway vehicle prior to the initial registration required under this~~
5 ~~article, but the division shall not issue a certificate of title for the vehicle.~~

6 **SECTION 4.** In Colorado Revised Statutes, 33-14.5-106, **amend**
7 (1) as follows:

8 **33-14.5-106. Off-highway vehicle recreation fund - creation -**
9 **use of money.** (1) (a) All fees collected from the registration of
10 off-highway vehicles and all fees collected from the sale of off-highway
11 use permits, plus all interest earned on ~~such moneys~~ THE MONEY, shall be
12 credited to the off-highway vehicle recreation fund, which fund is ~~hereby~~
13 created, and shall be used for:

14 (I) The administration of this ~~article~~; ARTICLE 14.5;

15 (II) ~~for~~ PROVIDING information and awareness on the availability
16 of off-highway vehicle recreational opportunities;

17 (III) ~~for~~ The promotion of off-highway vehicle safety;

18 (IV) ~~for~~ The establishment and maintenance of off-highway
19 vehicle routes, parking areas, and facilities; and

20 (V) ~~for~~ The purchase or lease of private land for the purposes of
21 access to public land for uses consistent with the provisions of this ~~article~~;
22 ARTICLE 14.5.

23 (b) ~~However, any moneys~~ MONEY collected in excess of four
24 dollars per ~~original~~ INITIAL or renewal registration shall be used
25 exclusively for direct services and not FOR administrative costs.

26 (c) The general assembly shall make annual appropriations from
27 the off-highway vehicle recreation fund for the purposes enumerated in

1 this subsection (1).

2 (d) ANY UNEXPENDED AND UNENCUMBERED MONEY REMAINING
3 IN THE FUND AT THE END OF A STATE FISCAL YEAR OR ANY MONEY THAT
4 IS RETURNED TO THE FUND REMAINS IN THE FUND AND SHALL NOT BE
5 TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

6 **SECTION 5.** In Colorado Revised Statutes, 33-14.5-107, **amend**
7 (1) introductory portion; and **add** (1)(e) as follows:

8 **33-14.5-107. Rules.** (1) The commission shall adopt rules in the
9 manner provided by article 4 of title 24, ~~C.R.S.~~, concerning the following:

10 (e) ENFORCEMENT OF OFF-HIGHWAY VEHICLE REGISTRATION
11 REQUIREMENTS IN ACCORDANCE WITH SECTIONS 33-14.5-102 AND
12 33-14.5-104.

13 **SECTION 6. Act subject to petition - effective date -**
14 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
15 the expiration of the ninety-day period after final adjournment of the
16 general assembly; except that, if a referendum petition is filed pursuant
17 to section 1 (3) of article V of the state constitution against this act or an
18 item, section, or part of this act within such period, then the act, item,
19 section, or part will not take effect unless approved by the people at the
20 general election to be held in November 2026 and, in such case, will take
21 effect on the date of the official declaration of the vote thereon by the
22 governor.

23 (2) This act applies to violations occurring on or after the
24 applicable effective date of this act.