

## CHAPTER 264

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**MOTOR VEHICLES AND TRAFFIC REGULATION**

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**HOUSE BILL 98-1070**

BY REPRESENTATIVES Taylor, May, Smith, and Young;  
also SENATOR Wattenberg.

**AN ACT**

CONCERNING EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION.

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

**SECTION 1.** Article 3 of title 42, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SECTIONS to read:

**42-3-103.5. Extended temporary motor vehicle registration - fees - violations - repeal.** (1) IN LIEU OF REGISTRATION PURSUANT TO SECTION 42-3-103, A MOTOR VEHICLE OWNER MAY APPLY FOR EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION. FOR PURPOSES OF THIS SECTION, "MOTOR VEHICLE" INCLUDES ANY CAMPER TRAILER, MOTOR HOME, AND ANY MOTOR VEHICLE WEIGHING LESS THAN SIX THOUSAND FIVE HUNDRED POUNDS, BUT DOES NOT INCLUDE MOBILE MACHINERY. SUCH APPLICATION SHALL BE MADE WITHIN:

(a) THIRTY DAYS AFTER THE MOTOR VEHICLE OWNER ARRIVES IN COLORADO; OR

(b) THIRTY DAYS AFTER PURCHASING A MOTOR VEHICLE, IF SUCH PURCHASE IS MADE AFTER THE MOTOR VEHICLE OWNER ARRIVES IN COLORADO.

(2) THE FOLLOWING PERSONS ARE ELIGIBLE FOR EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION UNDER THE PROVISIONS OF THIS SECTION:

(a) A PERSON WHO IS GAINFULLY EMPLOYED IN THIS STATE FOR NO MORE THAN ONE HUNDRED EIGHTY DAYS IN ANY TWELVE-MONTH PERIOD AND WHO DOES NOT OWN OR OPERATE A BUSINESS IN THIS STATE; OR

(b) A PERSON WHO RESIDES IN THIS STATE FOR NO MORE THAN ONE HUNDRED EIGHTY DAYS IN ANY TWELVE-MONTH PERIOD AND WHO IS NOT GAINFULLY EMPLOYED

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

IN THIS STATE AND DOES NOT OWN OR OPERATE A BUSINESS IN THIS STATE.

(3) (a) (I) ANY MOTOR VEHICLE OWNER MAY APPLY FOR A ONE-HUNDRED-EIGHTY-DAY EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION. NO MOTOR VEHICLE MAY BE REGISTERED UNDER THE PROVISIONS OF THIS SECTION FOR MORE THAN ONE HUNDRED EIGHTY DAYS IN ANY TWELVE-MONTH PERIOD, AND NO MORE THAN ONE EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION MAY BE ISSUED FOR ANY MOTOR VEHICLE IN ANY TWELVE-MONTH PERIOD.

(II) IF THE MOTOR VEHICLE REGISTERED UNDER THE PROVISIONS OF THIS SECTION REACHES THE MAXIMUM PERIOD FOR EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION IN A TWELVE-MONTH PERIOD, THE MOTOR VEHICLE OWNER IS THEN REQUIRED TO REGISTER THE MOTOR VEHICLE PURSUANT TO SECTION 42-3-103 IN ORDER TO CONTINUE TO OPERATE SUCH MOTOR VEHICLE WITHIN THIS STATE. IF THE MOTOR VEHICLE OWNER APPLIES TO REGISTER SUCH MOTOR VEHICLE PURSUANT TO SECTION 42-3-103 WITHIN SIX MONTHS AFTER THE EXPIRATION OF AN EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION OF SUCH MOTOR VEHICLE UNDER THE PROVISIONS OF THIS SECTION, THE MOTOR VEHICLE OWNER IS REQUIRED TO PAY A PRORATED AMOUNT OF THE SPECIFIC OWNERSHIP TAXES PURSUANT TO SECTION 42-3-107 FOR THE TIME THAT THE MOTOR VEHICLE WAS UNDER EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION. SUCH PRORATED SPECIFIC OWNERSHIP TAXES ARE IN ADDITION TO THE PAYMENT OF ALL NORMALLY APPLICABLE TAXES AND FEES FOR MOTOR VEHICLE REGISTRATION.

(b) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, A MOTOR VEHICLE OWNER IS ELIGIBLE FOR EXTENDED TEMPORARY REGISTRATION ONLY IF THE MOTOR VEHICLE IS VALIDLY REGISTERED IN ANOTHER STATE AT THE TIME THE APPLICATION FOR SUCH REGISTRATION IS MADE. AN EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION PERMIT SHALL NOT BE ISSUED FOR A PERIOD EXCEEDING THE DATE THAT A MOTOR VEHICLE OWNER'S REGISTRATION EXPIRES IN ANOTHER STATE. IF A MOTOR VEHICLE OWNER RENEWS HIS OR HER MOTOR VEHICLE REGISTRATION IN ANOTHER STATE, THE MOTOR VEHICLE OWNER MAY APPLY FOR A CONTINUATION OR RENEWAL OF HIS OR HER TEMPORARY MOTOR VEHICLE REGISTRATION IN THIS STATE. A MOTOR VEHICLE OWNER WHO CONTINUES OR RENEWS AN EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION PERMIT PURSUANT TO THIS PARAGRAPH (b) SHALL REMAIN SUBJECT TO THE LIMITATIONS SET FORTH IN SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (3).

(c) AN EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION PERMIT MAY NOT BE TRANSFERRED TO ANOTHER MOTOR VEHICLE.

(4) THE FEE FOR AN EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION PERMIT IS THIRTY-FIVE DOLLARS FOR THE ONE-HUNDRED-EIGHTY-DAY REGISTRATION PERIOD. TWENTY-NINE DOLLARS OF SUCH FEE SHALL BE DISTRIBUTED IN THE SAME MANNER AS SPECIFIC OWNERSHIP TAX. IF A MOTOR VEHICLE OWNER OBTAINS AN EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION PERMIT THROUGH AN AUTHORIZED AGENT OF THE DEPARTMENT AS PROVIDED IN SECTION 42-1-210, THE AUTHORIZED AGENT SHALL RETAIN FIVE DOLLARS OF SUCH FEE TO DEFRAY EXPENSES. THE DEPARTMENT SHALL USE AT LEAST ONE DOLLAR OF EACH EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION PERMIT FEE TO SUPPORT THE DISTRIBUTIVE DATA PROCESSING SYSTEM CREATED UNDER SECTION 42-1-211 FOR PURPOSES OF

MAINTAINING THE DATABASE REQUIRED UNDER SECTION 42-3-103.7.

(5) A MOTOR VEHICLE OWNER WHO HAS OBTAINED AN EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION PERMIT FOR A MOTOR VEHICLE IS NOT REQUIRED TO OBTAIN A DRIVER'S LICENSE IN COLORADO IF SUCH OWNER HAS A VALID DRIVER'S LICENSE ISSUED BY THE STATE IN WHICH SUCH OWNER IS A PERMANENT RESIDENT.

(6) THE DEPARTMENT SHALL PROVIDE REGISTRATION PERMITS FOR EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATIONS. ANY MOTOR VEHICLE REGISTERED UNDER THE PROVISIONS OF THIS SECTION SHALL DISPLAY SUCH PERMIT PURSUANT TO THE REQUIREMENTS OF SECTION 42-3-123 (2).

(7) (a) ANY PERSON WHO COMMITS A FRAUD IN AN APPLICATION UNDER THIS SECTION IS SUBJECT TO THE PENALTIES IMPOSED FOR VIOLATION OF SECTION 42-3-133 (1) (e). SUCH PERSON CONTINUES TO BE LIABLE FOR ANY UNPAID REGISTRATION FEES, SPECIFIC OWNERSHIP TAXES, OR OTHER TAXES AND FEES CONNECTED WITH THE REGISTRATION OF A MOTOR VEHICLE THAT IS OWED BY SUCH PERSON.

(b) NO PERSON MAY OPERATE A MOTOR VEHICLE WITH AN EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION PERMIT AFTER THE EXPIRATION OF THE PERIOD FOR WHICH THE PERMIT WAS ISSUED. ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS PARAGRAPH (b) SHALL BE SUBJECT TO THE PENALTY PROVISIONS IN SECTION 42-3-103 (4) (a).

(8) ANY PERSON WHO FAILS TO MAKE A TIMELY APPLICATION FOR EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION AND WHO IS OTHERWISE REQUIRED TO REGISTER PURSUANT TO SECTION 42-3-103 SHALL BE SUBJECT TO THE PENALTY PROVISIONS IN SECTION 42-3-103 (4) (a).

(9) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2001.

**42-3-103.7. Records of application and extended temporary motor vehicle registration - repeal.** (1) THE DEPARTMENT SHALL FILE EACH APPLICATION FOR EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION RECEIVED AND, WHEN SATISFIED AS TO THE GENUINENESS AND REGULARITY THEREOF AND THAT THE APPLICANT IS ENTITLED THERETO, SHALL REGISTER THE MOTOR VEHICLE THEREIN DESCRIBED AND THE OWNER THEREOF IN THE STATEWIDE DISTRIBUTIVE DATA PROCESSING SYSTEM PROVIDED UNDER SECTION 42-1-211. SUCH RECORD SHALL BE ENTERED ALPHABETICALLY UNDER THE NAME OF THE OWNER AND NUMERICALLY AND ALPHABETICALLY UNDER THE IDENTIFICATION NUMBER AND NAME OF THE VEHICLE.

(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2001.

**SECTION 2.** 42-1-210 (1), Colorado Revised Statutes, is amended to read:

**42-1-210. County clerk and recorders and manager of revenue as agents - legislative declaration - fee.** (1) (a) The county clerk and recorder in each county in the state of Colorado, and in the city and county of Denver the manager of revenue, is hereby designated as the authorized agent of the department for the administration of the provisions of articles 3 and 6 of this title relating to registrations of motor vehicles in such county; and for the enforcement of the provisions of section 42-6-139

relating to the registering and titling of motor vehicles in such county; and for the enforcement of the provisions of section 38-29-120, C.R.S., relating to the titling of manufactured homes; but any such authorized agent in a county has the power to appoint and employ such motor vehicle registration and license clerks as are actually necessary in the issuance of motor vehicle licenses and shall retain for the purpose of defraying such expenses, including mailing, a sum equal to one dollar per paid motor vehicle registration and registration requiring a metallic plate, plates, or validation tab or sticker as provided in section 42-3-113. This fee of one dollar shall apply to every registration of a motor vehicle which is designed primarily to be operated or drawn on any highway of this state, except such vehicles as are specifically exempted from payment of any registration fee by the provisions of article 3 of this title, and shall be in addition to the annual registration fee prescribed by law for such vehicle. Such fee of one dollar, when collected by the department, shall be credited to the same fund as registration fees collected by the department. The county clerk and recorders and the manager of revenue in the city and county of Denver so designated as the authorized agents of the department, as provided in this section, shall serve as such authorized agents under the provisions of this part 2 without additional remuneration or fees, except as otherwise provided in articles 1 to 6 of this title.

(b) THE FEE ESTABLISHED BY PARAGRAPH (a) OF THIS SUBSECTION (1) DOES NOT APPLY TO AN EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION PURSUANT TO SECTION 42-3-103.5.

**SECTION 3.** 42-3-124 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**42-3-124. Expiration - temporary, new, and old plates - reflectorized plates - repeal.** (3) (c) THE DEPARTMENT IS AUTHORIZED TO ISSUE INDIVIDUAL EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION PERMITS PURSUANT TO THE REQUIREMENTS OF SECTION 42-3-103.5 UPON THE FILING OF AN APPLICATION BY ANY OWNER AND THE PAYMENT OF THE REQUIRED REGISTRATION FEE. EXTENDED TEMPORARY MOTOR VEHICLE REGISTRATION PERMITS SHALL BE ISSUED IN A DIFFERENT COLOR THAN REGULAR TEMPORARY REGISTRATION NUMBER PLATES, TAGS, OR CERTIFICATES ISSUED PURSUANT TO PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (3). SUCH PERMITS SHALL BE COLOR CODED IN SUCH A MANNER AS TO DISTINGUISH THE MONTH THE PERMIT EXPIRES. THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2001.

**SECTION 4.** 42-4-1701 (4) (a) (I) (B), Colorado Revised Statutes, is amended to read:

**42-4-1701. Traffic offenses and infractions classified - penalties - penalty and surcharge schedule.** (4) (a) (I) Except as provided in paragraph (c) of subsection (5) of this section, every person who is convicted of, who admits liability for, or against whom a judgment is entered for a violation of any provision of this title to which the provisions of paragraph (a) or (b) of subsection (5) of this section apply shall be fined or penalized, and have a surcharge levied thereon pursuant to section 24-4.2-104 (1) (b) (I), C.R.S., in accordance with the penalty and surcharge schedule set forth in sub-subparagraphs (A) to (P) of this subparagraph (I); or, if no penalty or surcharge is specified in the schedule, the penalty for class A and class B traffic infractions shall be fifteen dollars, and the surcharge shall be two dollars. These

penalties and surcharges shall apply whether the defendant acknowledges the defendant's guilt or liability in accordance with the procedure set forth by paragraph (a) of subsection (5) of this section or is found guilty by a court of competent jurisdiction or has judgment entered against the defendant by a county court magistrate. Penalties and surcharges for violating specific sections shall be as follows:

Section Violated	Penalty	Surcharge
<b>(B) Registration and taxation violations:</b>		
<del>42-3-103</del>	<del>\$ 50.00</del>	<del>\$ 6.00</del>
<del>42-3-112</del>	<del>15.00</del>	<del>2.00</del>
42-3-103	50.00	6.00
42-3-103.5 (7)(b)	100.00	12.00
42-3-112	15.00	2.00
42-3-123	15.00	2.00
42-3-127	50.00	6.00
42-3-133 (1)(a)	75.00	9.00
42-3-133 (1)(c)	35.00	4.00
42-3-133 (1)(f), (1)(g), and (1)(h)	75.00	9.00
42-3-134	50.00	6.00

**SECTION 5. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

**SECTION 6. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 27, 1998