

CHAPTER 35

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 98-1279

BY REPRESENTATIVES Tupa, Gordon, Allen, Bacon, G. Berry, Chavez, Dean, Dyer, June, Kaufman, Lamborn, Mace, Morrison, Saliman, Swenson, Veiga, S. Williams, T. Williams, Zimmerman, and Lawrence;
also SENATORS Reeves, Hernandez, Pascoe, Rupert, Thiebaut, Bishop, Chlouber, and Phillips.

AN ACT

CONCERNING THE ISSUANCE OF SPECIAL LICENSE PLATES FOR ALUMNI ASSOCIATIONS OF INSTITUTIONS OF HIGHER EDUCATION LOCATED IN COLORADO.

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 A NEW SECTION to read:

42-3-115.7. Special plates - alumni associations. (1) THE DEPARTMENT SHALL ISSUE ONE OR MORE SETS OF SPECIAL ALUMNI LICENSE PLATES TO APPLICANTS UNDER THE REQUIREMENTS OF THIS SECTION FOR PASSENGER CARS OR TRUCKS THAT DO NOT EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT.

(2) (a) AN ALUMNI ASSOCIATION FOR ANY PRIVATE OR PUBLIC COLLEGE OR UNIVERSITY LOCATED WITHIN COLORADO MAY APPLY DIRECTLY TO THE DEPARTMENT FOR THE ESTABLISHMENT OF A SPECIAL LICENSE PLATE FOR THE ALUMNI ASSOCIATION. THE DEPARTMENT SHALL ACCEPT APPLICATIONS TO ESTABLISH SPECIAL ALUMNI LICENSE PLATES ANNUALLY ACCORDING TO THE SCHEDULE ESTABLISHED BY THE DEPARTMENT. AN ALUMNI ASSOCIATION IS NOT AUTHORIZED TO APPLY FOR A LICENSE PLATE UNTIL THE ALUMNI ASSOCIATION HAS COMMITMENTS FOR LICENSE PLATE PURCHASES FROM AT LEAST FIVE HUNDRED PERSONS AND PROVIDES A LIST OF THE NAMES AND ADDRESSES OF SUCH PERSONS TO THE DEPARTMENT.

(b) AN ALUMNI ASSOCIATION APPLYING FOR THE ESTABLISHMENT OF A SPECIAL ALUMNI LICENSE PLATE IS RESPONSIBLE FOR ALL COSTS OF DESIGNING SUCH PLATE AND SHALL PAY SUCH COSTS BEFORE THE LICENSE PLATE IS PRODUCED. ANY DESIGN FOR A SPECIAL ALUMNI LICENSE PLATE SHALL CONFORM WITH STANDARDS ESTABLISHED BY THE DEPARTMENT AND SHALL BE APPROVED BY THE DEPARTMENT.

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

(c) FOR THE PURPOSE OF THIS SECTION, "COLLEGE OR UNIVERSITY" MEANS AN INSTITUTION OF HIGHER EDUCATION THAT OFFERS AT LEAST A BACHELOR DEGREE IN AN EDUCATIONAL PROGRAM AND THAT IS ACCREDITED BY A NATIONALLY RECOGNIZED ACCREDITING AGENCY OR ASSOCIATION.

(3) (a) A PERSON MAY APPLY FOR A SPECIAL ALUMNI LICENSE PLATE FOR A MOTOR VEHICLE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THE PROVISIONS OF THIS SECTION AND PROVIDES THE DEPARTMENT OR AUTHORIZED AGENT A CERTIFICATE ISSUED BY THE ALUMNI ASSOCIATION CONFIRMING THAT SUCH PERSON MEETS THE QUALIFICATIONS FOR THE LICENSE PLATE ESTABLISHED BY THE ALUMNI ASSOCIATION PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (3). THE DEPARTMENT SHALL PREPARE A CERTIFICATE FORM TO BE USED BY ALUMNI ASSOCIATIONS WHEN CONFIRMING THAT A PERSON IS ELIGIBLE TO OBTAIN SPECIAL ALUMNI LICENSE PLATES.

(b) AN ALUMNI ASSOCIATION MAY ESTABLISH THE FOLLOWING QUALIFICATIONS FOR PERSONS SEEKING TO OBTAIN SPECIAL ALUMNI LICENSE PLATES:

(I) MEMBERSHIP IN THE ALUMNI ASSOCIATION;

(II) SPECIFIED LEVELS OF CONTRIBUTIONS TO THE COLLEGE OR UNIVERSITY; OR

(III) PAYMENT OF SPECIFIED ALUMNI ASSOCIATION DUES, INCLUDING SPECIAL DUES ESTABLISHED FOR THE SPECIAL ALUMNI LICENSE PLATES. IF THE ALUMNI ASSOCIATION COLLECTS SPECIAL DUES FOR SPECIAL ALUMNI LICENSE PLATES, THE MONEYS MAY BE USED ONLY FOR THE FOLLOWING PURPOSES:

(A) SCHOLARSHIPS FOR STUDENTS ATTENDING THE UNIVERSITY OR COLLEGE; OR

(B) SUPPORT OF ACADEMIC PROGRAMS AT THE UNIVERSITY OR COLLEGE.

(4) VEHICLES REGISTERED UNDER THIS SECTION SHALL BE SUBJECT TO ALL OTHER PROVISIONS OF THIS ARTICLE EXCEPT THOSE RELATING TO THE TYPE OF NUMBER LICENSE PLATES UNDER SECTION 42-3-113.

(5) (a) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL ALUMNI LICENSE PLATES UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES AND FEES SPECIFIED FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT THAT THE DEPARTMENT SHALL COLLECT A ONE-TIME FEE OF TEN DOLLARS FOR EACH MOTOR VEHICLE FOR ISSUANCE OR REPLACEMENT OF SUCH LICENSE PLATES. THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE HIGHWAY USERS TAX FUND.

(b) AN APPLICANT MAY APPLY FOR SPECIAL ALUMNI LICENSE PLATES THAT ARE PERSONALIZED UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-114 (7) (a) FOR PERSONALIZED LICENSE PLATES AND CONFORMANCE WITH ALL OTHER REQUIREMENTS OF SECTION 42-4-114. IF ANY APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET OF SPECIAL ALUMNI LICENSE PLATES FOR THE VEHICLE UPON PAYING THE FEE IMPOSED BY

SECTION 42-3-114 (7) (a) AND UPON TURNING SUCH EXISTING PLATES INTO THE DEPARTMENT AS REQUIRED BY THE DEPARTMENT. ANY PERSON WHO HAS OBTAINED PERSONALIZED SPECIAL ALUMNI LICENSE PLATES UNDER THIS PARAGRAPH (b) IS REQUIRED TO PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-114 (7) (b) FOR RENEWAL OF SUCH PERSONALIZED PLATES. THE FEES UNDER THIS PARAGRAPH (b) ARE IN ADDITION TO ALL OTHER TAXES AND FEES IMPOSED FOR THE SPECIAL ALUMNI LICENSE PLATES.

(6) ANY RENEWAL OF A SPECIAL ALUMNI LICENSE PLATE SHALL BE HANDLED IN THE SAME MANNER AS OTHER LICENSE PLATES UNDER THE PROVISIONS OF SECTION 42-3-112 OR, FOR PERSONALIZED PLATES, UNDER THE PROVISIONS OF SECTION 42-3-114.

SECTION 2. Effective date - applicability. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) The provisions of this act shall apply to applications made on or after the applicable effective date of this act.

Approved: March 23, 1998