

CHAPTER 297

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 00-1227

BY REPRESENTATIVES King, Dean, Decker, Johnson, Lee, McElhany, McKay, Mitchell, Paschall, Scott, Sinclair, Spence, Spradley, Stengel, Vigil, Webster, T. Williams, Allen, Clapp, Fairbank, Gagliardi, Hefley, Hoppe, Mace, Miller, Pfiffner, Tapia, Taylor, Young, and Zimmerman;
also SENATORS Congrove, Andrews, Arnold, Chlouber, Dennis, Epps, Hillman, Lacy, Lamborn, Musgrave, Owen, Powers, Tebedo, and Wattenberg.

AN ACT

CONCERNING REVENUE FROM ANNUAL MOTOR VEHICLE REGISTRATIONS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

SECTION 1. 42-3-134 (4), (6), (12) (a), (13) (a), (13) (b) (I), (13) (b) (II), (13) (b) (III) (A), (13) (d), (14), (15), (17) (b), (19), (21) (b), (21) (c), (22) (a) (III), (22) (a) (IV), and (25), Colorado Revised Statutes, are amended, and the said 42-3-134 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

42-3-134. Registration fees - passenger and passenger-mile taxes - repeal.

(4) Fees for the annual registration of passenger-carrying motor vehicles shall be as follows:

(a) Motorcycles, motorscooters, and motorbicycles, ~~three dollars~~ TWO DOLLARS AND TWENTY-FIVE CENTS;

(b) (I) Passenger cars, station wagons, taxicabs, ambulances, motor homes, and hearses,

(A) ~~Weighing two thousand pounds or less, six dollars;~~

(B) ~~Weighing forty-five hundred pounds or less, six dollars plus twenty cents per one hundred pounds, or fraction thereof, of weight over two thousand pounds;~~

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) Weighing more than forty-five hundred pounds, twelve dollars and fifty cents plus sixty cents per one hundred pounds, or fraction thereof, of weight over forty-five hundred pounds; except that, for motor homes weighing more than sixty-five hundred pounds, such fees shall be twenty-four dollars and fifty cents plus thirty cents per one hundred pounds, or fraction thereof, of weight over sixty-five hundred pounds.~~

~~(H) In addition to the registration fees imposed by subparagraph (I) of this paragraph (b), an additional registration fee shall be imposed on the motor vehicles described in the introductory portion to this paragraph (b), which TWO DOLLARS AND FIFTY CENTS PLUS AN additional registration fee shall be based on the age of the motor vehicle, as follows:~~

- ~~(A) For motor vehicles less than seven years old, twelve dollars;~~
- ~~(B) For motor vehicles seven years old but less than ten years old, ten dollars;~~
- ~~(C) For motor vehicles ten years old or older, seven dollars.~~

~~(HH) (II) In the event that a regional transportation plan is implemented within the regional transportation district, residents of the E-470 highway authority area shall be exempted from the first ten dollars of any motor vehicle registration fee increase in such plan.~~

(c) Passenger buses:

(I) All such vehicles used for the transportation of passengers for compensation having a seating capacity of fourteen or less passengers, ~~twenty-five dollars~~ EIGHTEEN DOLLARS AND SEVENTY-FIVE CENTS plus one dollar and ~~seventy~~ TWENTY-FIVE cents for each seat capacity; and all such vehicles having a seating capacity of more than fourteen passengers, ~~twenty-five dollars~~ EIGHTEEN DOLLARS AND SEVENTY-FIVE CENTS plus one dollar and ~~twenty-five~~ NINETY-FIVE cents for each seat capacity in excess of fourteen;

(II) All such vehicles owned by a private owner and used for the transportation of school pupils having a juvenile seating capacity (meaning fourteen lineal inches of seat space) of twenty-five or less, ~~fifteen dollars~~ ELEVEN DOLLARS AND TWENTY-FIVE CENTS; and for all such vehicles having a juvenile seating capacity of more than twenty-five, ~~fifteen dollars~~ ELEVEN DOLLARS AND TWENTY-FIVE CENTS plus ~~fifty~~ FORTY cents for each juvenile seat capacity in excess of twenty-five.

(6) Fees for the annual registration of the following vehicles shall be:

- (a) Trailer coaches, ~~three dollars~~ TWO DOLLARS AND TWENTY-FIVE CENTS;
- (b) Trailers, utility trailers, and camper trailers having an empty weight of two thousand pounds or less, ~~three dollars~~ TWO DOLLARS AND TWENTY-FIVE CENTS;
- (c) Trailers, utility trailers, and camper trailers having an empty weight exceeding two thousand pounds, ~~seven dollars and fifty~~ FIVE DOLLARS AND SIXTY-FIVE cents;
- (d) Semitrailers, ~~seven dollars and fifty~~ FIVE DOLLARS AND SIXTY-FIVE cents.

(12) (a) The annual registration fee for trucks and truck tractors owned by a farmer or rancher, which vehicles are operated over the public highways and whose only commercial uses are transporting to market or place of storage raw agricultural products actually produced or livestock actually raised by such farmer or rancher or transporting commodities and livestock purchased by such farmer or rancher for personal use and used in such person's farming or ranching operations, shall be as follows:

(I) Each such vehicle having an empty weight of five thousand pounds or less, an amount computed to the nearest pound of the empty weight of such vehicle, according to the following schedule:

Empty Weight (Pounds)		Range	Registration Fee
2,000	and	under	\$ 6.20 4.65
2,001	but not more than	2,100	6.40 4.80
2,101	but not more than	2,200	6.60 4.95
2,201	but not more than	2,300	6.80 5.10
2,301	but not more than	2,400	7.00 5.25
2,401	but not more than	2,500	7.20 5.40
2,501	but not more than	2,600	7.40 5.55
2,601	but not more than	2,700	7.60 5.70
2,701	but not more than	2,800	7.80 5.85
2,801	but not more than	2,900	8.00 6.00
2,901	but not more than	3,000	8.20 6.15
3,001	but not more than	3,100	8.40 6.30
3,101	but not more than	3,200	8.60 6.45
3,201	but not more than	3,300	8.80 6.60
3,301	but not more than	3,400	9.00 6.75
3,401	but not more than	3,500	9.20 6.90
3,501	but not more than	3,600	9.40 7.05
3,601	but not more than	3,700	9.60 7.20
3,701	but not more than	3,800	9.80 7.35
3,801	but not more than	3,900	10.00 7.50
3,901	but not more than	4,000	10.20 7.65
4,001	but not more than	4,100	10.40 7.80
4,101	but not more than	4,200	10.60 7.95
4,201	but not more than	4,300	10.80 8.10
4,301	but not more than	4,400	11.00 8.25
4,401	but not more than	4,500	11.20 8.40
4,501	but not more than	4,600	13.10 9.85
4,601	but not more than	4,700	13.70 10.30
4,701	but not more than	4,800	14.30 10.75
4,801	but not more than	4,900	14.90 11.20
4,901	but not more than	5,000	15.50 11.65

(II) Each such vehicle having an empty weight of ten thousand pounds or less but more than five thousand pounds, ~~fifteen dollars and fifty cents~~ ELEVEN DOLLARS AND SIXTY-FIVE CENTS plus ~~forty-five~~ THIRTY-FIVE cents per one hundred pounds, or fraction thereof, of empty weight over five thousand pounds;

(III) Each such vehicle having an empty weight of more than ten thousand pounds but not more than sixteen thousand pounds, ~~thirty-eight dollars~~ TWENTY-EIGHT DOLLARS AND FIFTY CENTS plus ~~one dollar and twenty cents~~ NINETY-FIVE CENTS per one hundred pounds, or fraction thereof, of empty weight exceeding ten thousand pounds;

(IV) Each such vehicle having an empty weight of more than sixteen thousand pounds, ~~one hundred ten~~ EIGHTY-TWO dollars, plus one dollar and ~~fifty~~ FIFTEEN cents per one hundred pounds, or fraction thereof, of empty weight exceeding sixteen thousand pounds.

(13) The annual registration fee for those trucks and truck tractors operated over the public highways of this state, except trucks that are registered under the provisions of subsections (12) and (25) of this section and section 42-12-102 (1) (c), shall be as follows:

(a) For each such vehicle having an empty weight of up to and including sixteen thousand pounds, such registration fee shall be based upon the empty weight of such vehicle, computed to the nearest pound, according to the following schedule:

Empty Weight (Pounds)	Range	Registration Fee
2,000	and under	\$ 7.60 5.70
2,001	but not more than 2,100	7.80 5.85
2,101	but not more than 2,200	8.00 6.00
2,201	but not more than 2,300	8.20 6.15
2,301	but not more than 2,400	8.40 6.30
2,401	but not more than 2,500	8.60 6.45
2,501	but not more than 2,600	8.80 6.60
2,601	but not more than 2,700	9.00 6.75
2,701	but not more than 2,800	9.20 6.90
2,801	but not more than 2,900	9.40 7.05
2,901	but not more than 3,000	9.60 7.20
3,001	but not more than 3,100	10.20 7.65
3,101	but not more than 3,200	10.40 7.80
3,201	but not more than 3,300	10.60 7.95
3,301	but not more than 3,400	10.80 8.10
3,401	but not more than 3,500	11.00 8.25
3,501	but not more than 3,600	16.10 12.10
3,601	but not more than 3,700	16.70 12.50
3,701	but not more than 3,800	17.30 13.00
3,801	but not more than 3,900	17.90 13.45
3,901	but not more than 4,000	18.50 13.90
4,001	but not more than 4,100	19.10 14.35
4,101	but not more than 4,200	19.70 14.80
4,201	but not more than 4,300	20.30 15.25
4,301	but not more than 4,400	20.90 15.70
4,401	but not more than 4,500	21.50 16.15
4,501	but not more than 4,600	35.00 26.25
4,601	but not more than 4,700	37.00 27.75

4,701	but not more than	4,800	39.00	29.25
4,801	but not more than	4,900	41.00	30.75
4,901	but not more than	5,000	43.00	32.25
5,001	but not more than	5,100	45.00	33.75
5,101	but not more than	5,200	47.00	35.25
5,201	but not more than	5,300	49.00	36.75
5,301	but not more than	5,400	51.00	38.25
5,401	but not more than	5,500	53.00	39.75
5,501	but not more than	5,600	55.00	41.25
5,601	but not more than	5,700	57.00	42.75
5,701	but not more than	5,800	59.00	44.25
5,801	but not more than	5,900	61.00	45.75
5,901	but not more than	6,000	63.00	47.25
6,001	but not more than	6,100	65.00	48.75
6,101	but not more than	6,200	67.00	50.25
6,201	but not more than	6,300	69.00	51.75
6,301	but not more than	6,400	71.00	53.25
6,401	but not more than	6,500	73.00	54.75
6,501	but not more than	6,600	75.00	56.25
6,601	but not more than	6,700	77.00	57.75
6,701	but not more than	6,800	79.00	59.25
6,801	but not more than	6,900	81.00	60.75
6,901	but not more than	7,000	83.00	62.25
7,001	but not more than	7,100	85.00	63.75
7,101	but not more than	7,200	87.00	65.25
7,201	but not more than	7,300	89.00	66.75
7,301	but not more than	7,400	91.00	68.25
7,401	but not more than	7,500	93.00	69.75
7,501	but not more than	7,600	95.00	71.25
7,601	but not more than	7,700	97.00	72.75
7,701	but not more than	7,800	99.00	74.25
7,801	but not more than	7,900	101.00	75.75
7,901	but not more than	8,000	103.00	77.25
8,001	but not more than	8,100	105.00	78.75
8,101	but not more than	8,200	107.00	80.25
8,201	but not more than	8,300	109.00	81.75
8,301	but not more than	8,400	111.00	83.25
8,401	but not more than	8,500	113.00	84.75
8,501	but not more than	8,600	115.00	86.25
8,601	but not more than	8,700	117.00	87.75
8,701	but not more than	8,800	119.00	89.25
8,801	but not more than	8,900	121.00	90.75
8,901	but not more than	9,000	123.00	92.25
9,001	but not more than	9,100	125.00	93.75
9,101	but not more than	9,200	127.00	95.25
9,201	but not more than	9,300	129.00	96.75
9,301	but not more than	9,400	131.00	98.25
9,401	but not more than	9,500	133.00	99.75
9,501	but not more than	9,600	135.00	101.25
9,601	but not more than	9,700	137.00	102.75
9,701	but not more than	9,800	139.00	104.25

9,801	but not more than	9,900	141.00	105.75
9,901	but not more than	10,000	143.00	107.25
10,001	but not more than	10,100	144.50	108.40
10,101	but not more than	10,200	146.00	109.50
10,201	but not more than	10,300	147.50	110.65
10,301	but not more than	10,400	149.00	111.75
10,401	but not more than	10,500	150.50	112.90
10,501	but not more than	10,600	152.00	114.00
10,601	but not more than	10,700	153.50	114.75
10,701	but not more than	10,800	155.00	116.25
10,801	but not more than	10,900	156.50	117.40
10,901	but not more than	11,000	158.00	118.50
11,001	but not more than	11,100	159.50	119.65
11,101	but not more than	11,200	161.00	120.75
11,201	but not more than	11,300	162.50	121.90
11,301	but not more than	11,400	164.00	123.00
11,401	but not more than	11,500	165.50	124.15
11,501	but not more than	11,600	167.00	125.25
11,601	but not more than	11,700	168.50	126.40
11,701	but not more than	11,800	170.00	127.50
11,801	but not more than	11,900	171.50	128.65
11,901	but not more than	12,000	173.00	129.75
12,001	but not more than	12,100	174.50	130.90
12,101	but not more than	12,200	176.00	132.00
12,201	but not more than	12,300	177.50	133.15
12,301	but not more than	12,400	179.00	134.25
12,401	but not more than	12,500	180.50	135.00
12,501	but not more than	12,600	182.00	136.50
12,601	but not more than	12,700	183.50	137.65
12,701	but not more than	12,800	185.00	138.75
12,801	but not more than	12,900	186.50	139.90
12,901	but not more than	13,000	188.00	141.00
13,001	but not more than	13,100	189.50	142.15
13,101	but not more than	13,200	191.00	143.25
13,201	but not more than	13,300	192.50	144.40
13,301	but not more than	13,400	194.00	145.50
13,401	but not more than	13,500	195.50	146.65
13,501	but not more than	13,600	197.00	147.75
13,601	but not more than	13,700	198.50	148.90
13,701	but not more than	13,800	200.00	150.00
13,801	but not more than	13,900	201.50	151.15
13,901	but not more than	14,000	203.00	152.25
14,001	but not more than	14,100	204.50	153.40
14,101	but not more than	14,200	206.00	154.50
14,201	but not more than	14,300	207.50	155.65
14,301	but not more than	14,400	209.00	156.75
14,401	but not more than	14,500	210.50	157.90
14,501	but not more than	14,600	212.00	159.00
14,601	but not more than	14,700	213.50	160.15
14,701	but not more than	14,800	215.00	161.25
14,801	but not more than	14,900	216.50	162.40

14,901	but not more than	15,000	218.00 163.50
15,001	but not more than	15,100	219.50 164.65
15,101	but not more than	15,200	221.00 165.75
15,201	but not more than	15,300	222.50 166.90
15,301	but not more than	15,400	224.00 168.00
15,401	but not more than	15,500	225.50 169.15
15,501	but not more than	15,600	227.00 170.25
15,601	but not more than	15,700	228.50 171.40
15,701	but not more than	15,800	230.00 172.50
15,801	but not more than	15,900	231.50 173.25
15,901	but not more than	16,000	233.00 174.75

(b) (I) Except as provided in subparagraphs (II) and (III) of this paragraph (b), for each vehicle registered under this subsection (13) having an empty weight exceeding sixteen thousand pounds, the registration fee shall be based upon the declared gross vehicle weight of the vehicle registered, according to the following schedule:

Declared Gross Vehicle Weight (Pounds)	Registration Fee
16,001 but not more than 20,000	\$ 330 247.50
20,001 but not more than 24,000	410 307.50
24,001 but not more than 30,000	490 367.50
30,001 but not more than 36,000	630 472.50
36,001 but not more than 42,000	770 577.50
42,001 but not more than 48,000	940 705.00
48,001 but not more than 54,000	1,150 862.50
54,001 but not more than 60,000	1,370 1,027.50
60,001 but not more than 66,000	1,570 1,177.50
66,001 but not more than 74,000	1,850 1,387.50
Over 74,000	1,975 1,481.25

(II) For each vehicle registered under this subsection (13) that has an empty weight exceeding sixteen thousand pounds and that is used in the operations of a common or contract carrier for hire, such registration fee shall be based upon the declared gross vehicle weight of the vehicle registered, according to the following schedule:

Declared Gross Vehicle Weight (Pounds)	Registration Fee
16,001 but not more than 20,000	\$ 440 330.00
20,001 but not more than 24,000	550 412.50
24,001 but not more than 30,000	660 495.00
30,001 but not more than 36,000	770 577.50
36,001 but not more than 42,000	930 697.50
42,001 but not more than 48,000	1,130 847.50
48,001 but not more than 54,000	1,430 1,072.50
54,001 but not more than 60,000	1,700 1,275.00
60,001 but not more than 66,000	1,980 1,485.00

66,001 but not more than 74,000	2,260 1,695.00
Over 74,000	2,350 1,762.50

(III) (A) For each vehicle registered under this subsection (13) that has an empty weight exceeding sixteen thousand pounds and that is operated less than ten thousand miles in all jurisdictions during each year, such registration fee shall be based upon the declared gross vehicle weight of the vehicle registered, according to the following schedule:

Declared Gross Vehicle Weight (Pounds)	Registration Fee
16,001 but not more than 20,000	\$ 330 247.50
20,001 but not more than 24,000	360 270.00
24,001 but not more than 30,000	380 285.00
30,001 but not more than 36,000	440 330.00
36,001 but not more than 42,000	500 375.00
42,001 but not more than 48,000	580 435.00
48,001 but not more than 54,000	600 450.00
54,001 but not more than 60,000	640 480.00
60,001 but not more than 66,000	660 495.00
66,001 but not more than 74,000	690 517.50
Over 74,000	710 532.50

(d) For each vehicle registered under this subsection (13) which is exempt from the registration fees assessed by the provisions of paragraph (b) of this subsection (13) under the provisions of paragraph (d), (f), (g), or (h) of subsection (18) of this section and which weighs more than sixteen thousand pounds, the registration fee shall be ~~two hundred thirty-three~~ ONE HUNDRED SEVENTY-FIVE dollars plus one dollar and ~~fifty~~ FIFTEEN cents for each one hundred pounds, or fraction thereof, in excess of sixteen thousand pounds.

(14) In lieu of the payment of registration fees specified in subsections (6) and (13) of this section, the owner of a truck, truck tractor, trailer, or semitrailer operating in interstate commerce may apply to the department for a special unladen weight registration. Such registration shall be valid for a period of thirty days from issuance and shall give authority to operate the vehicle only when empty. The fee for registration of a truck or truck tractor shall be ~~five dollars~~ THREE DOLLARS AND SEVENTY-FIVE CENTS. The fee for registration of a trailer or semitrailer shall be ~~three dollars~~ TWO DOLLARS AND TWENTY-FIVE CENTS. The moneys from such fees shall be transmitted to the state treasurer, who shall credit the same to the highway users tax fund.

(15) In lieu of the payment of registration fees specified in subsections (6) and (13) of this section, the owner of a truck or truck tractor operating in interstate commerce shall apply to the department for a special laden weight registration. Such registration shall be valid for seventy-two hours after issuance and shall give authority to operate the vehicle when loaded. The moneys collected by the department from such fees shall be transmitted to the state treasurer, who shall credit the same to the highway users tax fund. The fee for such special registration of a

truck or a truck tractor shall be based on the actual gross vehicle weight of the vehicle and its cargo, computed to the nearest pound, according to the following schedule:

Declared Gross Vehicle Weight (Pounds)	Registration Fee
10,001 but not more than 30,000	\$ 60 45
30,001 but not more than 60,000	70 53
Over 60,000	80 60

(17) (b) A temporary commercial registration permit issued pursuant to the provisions of this subsection (17) shall be valid for a period not to exceed sixty days. A maximum of two such temporary commercial registration permits may be issued for any motor vehicle in any twelve-month period. The fee for issuance of a temporary commercial registration permit for a motor vehicle shall be based upon the configuration and number of axles of such motor vehicle according to the following schedule:

Configuration	Registration permit
Single unit (two axles)	\$ 80.00 60.00
Single unit (three or more axles)	120.00 90.00
Combination unit (any number of axles)	200.00 150.00

(19) Any truck, truck tractor, trailer, or semitrailer, or any combination thereof, operating over the public highways of this state and rendering service pursuant to a temporary certificate of public convenience and necessity issued by the public utilities commission shall pay for the issuance of such temporary certificate, and for any renewal thereof, a fee of ~~ten~~ SEVEN dollars AND FIFTY CENTS.

(21) (b) Any passenger bus operating over the public highways of this state and rendering service pursuant to a temporary certificate of public convenience and necessity issued by the public utilities commission shall pay for the issuance of such temporary certificate, and for any renewal thereof, a fee of ~~ten~~ SEVEN dollars AND FIFTY CENTS, which fee shall be in lieu of the tax assessed by the provisions of this subsection (21).

(c) The owner or operator of any passenger bus, which is registered in another state and which owner or operator desires to make an occasional trip into this state, need not obtain a permit from the public utilities commission as provided in sections 40-10-104 and 40-11-103, C.R.S., but may instead apply to the department for the issuance of a trip permit and shall pay to the department for the issuance of such trip permit a fee of ~~twenty-five dollars~~ EIGHTEEN DOLLARS AND SEVENTY-FIVE CENTS or the amount of passenger-mile tax becoming due and payable under the provisions of paragraph (a) of this subsection (21) by reason of such trip, whichever amount is greater.

(22) (a) (III) In lieu of registration under the provisions of subparagraph (I) or ~~subparagraph~~ (II) of this paragraph (a), the owner or operator of any mobile machinery and self-propelled construction equipment which such owner or operator

desires to operate over the public highways of this state may elect to pay an annual fee to the department computed at the rate of ~~two dollars and fifty~~ ONE DOLLAR AND NINETY cents per ton of vehicle weight OR TWO DOLLARS AND TWENTY-FIVE CENTS, WHICHEVER IS GREATER, for operation not to exceed a distance of two thousand five hundred miles in any registration period.

(IV) In lieu of registration under the provisions of subparagraph (I) or (II) of this paragraph (a), any public utility, as defined by section 40-1-103, C.R.S., owning or operating a utility truck having an empty weight in excess of ten thousand pounds which it desires to operate over the public highways of this state may elect to pay an annual registration fee for such a vehicle to the department computed at the rate of ~~ten~~ SEVEN dollars AND FIFTY CENTS per ton of vehicle weight.

(25) The annual registration fee for a noncommercial or recreational vehicle, except a motor home, operated on the public highways of this state with an empty weight of four thousand five hundred pounds or less shall be computed according to the schedule provided in subsection (13) of this section, and, for a noncommercial or recreational vehicle exceeding four thousand five hundred pounds, the fee shall be ~~twenty-four dollars and fifty~~ EIGHTEEN DOLLARS AND FORTY cents plus ~~sixty~~ FORTY-FIVE cents for each one hundred pounds in excess of four thousand five hundred pounds.

(31) (a) ON OR BEFORE THE LAST DAY OF FEBRUARY, 2001, AND ON OR BEFORE THE LAST DAY OF EACH MONTH THEREAFTER, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL SUBMIT A WRITTEN REPORT TO THE STATE CONTROLLER CONTAINING THE AMOUNT BY WHICH REGISTRATION FEES COLLECTED PURSUANT TO THIS SECTION DURING THE IMMEDIATELY PRECEDING MONTH WERE OR WOULD HAVE BEEN REDUCED BY THE APPLICATION OF THE FEE REDUCTIONS ENACTED BY HOUSE BILL 00-1227, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SECOND GENERAL ASSEMBLY.

(b) FOR PURPOSES OF THE MONTHLY REPORTS REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (31) AND FOR CONSULTATION WITH THE STATE CONTROLLER PURSUANT TO SECTION 24-75-216 (2), C.R.S., THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL COMPARE THE AMOUNT OF REGISTRATION FEES COLLECTED DURING EACH MONTH OF FISCAL YEAR 2000-01 WITH THE AMOUNT OF SUCH FEES COLLECTED DURING THE SAME MONTH OF FISCAL YEAR 2001-02 AND, USING THE TOTAL NUMBER OF VEHICLES BY WEIGHT AND CLASS, DETERMINED EACH MONTH, SHALL CALCULATE, AS NEARLY AS IS PRACTICABLE USING SUCH DATA, THE NET REDUCTION IN REGISTRATION FEES RESULTING FROM THE APPLICATION OF THE FEE REDUCTIONS ENACTED BY HOUSE BILL 00-1227, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SECOND GENERAL ASSEMBLY.

SECTION 2. 39-26-123 (2) (a) (I), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUB-SUBPARAGRAPH to read:

39-26-123. Receipts - disposition. (2) (a) (I) (A.5) NOTWITHSTANDING SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (I), COMMENCING WITH STATE FISCAL YEAR 2000-2001, THE AMOUNT OF THE NET REVENUE ALLOCATED TO THE HIGHWAY USERS TAX FUND SHALL BE INCREASED AND THE AMOUNT ALLOCATED TO THE GENERAL FUND SHALL BE DECREASED IN ACCORDANCE WITH SECTION 24-75-216,

C.R.S., IN ORDER TO OFFSET LOWER MOTOR VEHICLE REGISTRATION FEES PURSUANT TO THE APPLICATION OF THE FEE REDUCTIONS ENACTED BY HOUSE BILL 00-1227, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SECOND GENERAL ASSEMBLY.

SECTION 3. Part 2 of article 75 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

24-75-216. Transfers to highway users tax fund. (1) (a) THIS SECTION SHALL APPLY TO ANY STATE FISCAL YEAR FOR WHICH THE STATE CONTROLLER CERTIFIES TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE PURSUANT TO SUBSECTION (2) OF THIS SECTION THAT THERE WILL BE SUFFICIENT EXCESS STATE REVENUES.

(b) FOR EACH MONTH, COMMENCING IN MARCH, 2001, THE STATE CONTROLLER SHALL ADJUST THE ALLOCATION OF MONEYS BETWEEN THE HIGHWAY USERS TAX FUND AND THE GENERAL FUND REQUIRED BY SECTION 39-26-123 (2) (a) (I) (A), C.R.S., SO THAT THE ALLOCATIONS TO THE HIGHWAY USERS TAX FUND ARE INCREASED, AND THE ALLOCATIONS TO THE GENERAL FUND CORRESPONDINGLY DECREASED, IN AN AMOUNT EQUAL TO THE REDUCTION IN RECEIPTS FROM VEHICLE REGISTRATION FEES AS REPORTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE PURSUANT TO SECTION 42-3-134 (31), C.R.S., DURING THE IMMEDIATELY PRECEDING MONTH. AS SOON AS POSSIBLE AFTER RECEIVING THE REPORT OF THE AMOUNT OF REGISTRATION FEES NOT COLLECTED DUE TO SAID FEE REDUCTIONS, THE STATE CONTROLLER SHALL ADJUST THE ALLOCATION FOR THE PREVIOUS MONTH TO REFLECT SUCH AMOUNT. SUCH ADJUSTMENT SHALL BE BASED UPON THE WRITTEN REPORTS FROM THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE SUBMITTED PURSUANT TO SECTION 42-3-134 (31), C.R.S.

(2) (a) ON OR BEFORE SEPTEMBER 1, 2001, AND ON OR BEFORE EACH SEPTEMBER 1 THEREAFTER, THE STATE CONTROLLER, AFTER CONSULTATION WITH THE DEPARTMENT OF REVENUE, SHALL CERTIFY TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE WHETHER THE CONTROLLER ESTIMATES THAT, WITHOUT A REDUCTION IN VEHICLE REGISTRATION FEES PURSUANT TO HOUSE BILL 00-1227, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SECOND GENERAL ASSEMBLY, THERE WILL BE AN EXCESS OF STATE REVENUE IN THAT STATE FISCAL YEAR THAT WILL BE REQUIRED TO BE REFUNDED PURSUANT TO SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION THAT IS IN AN AMOUNT EQUAL TO OR GREATER THAN THREE HUNDRED THIRTY MILLION DOLLARS, AS ADJUSTED PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (2).

(b) (I) NO LATER THAN OCTOBER 1 OF ANY GIVEN CALENDAR YEAR COMMENCING ON OR AFTER JANUARY 1, 2001, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE SHALL ANNUALLY ADJUST THE DOLLAR AMOUNT SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (2) TO REFLECT THE RATE OF GROWTH OF COLORADO PERSONAL INCOME FOR THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH SUCH ADJUSTMENT IS MADE. FOR PURPOSES OF THIS SUBPARAGRAPH (I), "THE RATE OF GROWTH OF COLORADO PERSONAL INCOME" MEANS THE PERCENTAGE CHANGE BETWEEN THE MOST RECENT PUBLISHED ANNUAL ESTIMATE OF TOTAL PERSONAL INCOME FOR COLORADO, AS DEFINED AND OFFICIALLY REPORTED BY THE BUREAU OF ECONOMIC ANALYSIS IN THE UNITED STATES DEPARTMENT OF

COMMERCE FOR THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH THE ADJUSTMENT IS MADE AND THE MOST RECENT PUBLISHED ANNUAL ESTIMATE OF TOTAL PERSONAL INCOME FOR COLORADO, AS DEFINED AND OFFICIALLY REPORTED BY THE BUREAU OF ECONOMIC ANALYSIS IN THE UNITED STATES DEPARTMENT OF COMMERCE FOR THE CALENDAR YEAR PRIOR TO THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH THE ADJUSTMENT IS MADE.

(II) UPON CALCULATING THE ADJUSTMENT OF SAID DOLLAR AMOUNT IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), THE EXECUTIVE DIRECTOR SHALL NOTIFY IN WRITING THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL CREATED PURSUANT TO SECTION 2-3-301 (1), C.R.S., OF THE ADJUSTED DOLLAR AMOUNT AND THE BASIS FOR THE ADJUSTMENT. SUCH WRITTEN NOTIFICATION SHALL BE GIVEN WITHIN FIVE WORKING DAYS AFTER SUCH CALCULATION IS COMPLETED, BUT SUCH WRITTEN NOTIFICATION SHALL BE GIVEN NO LATER THAN OCTOBER 1 OF THE CALENDAR YEAR.

(III) IT IS THE FUNCTION OF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL TO REVIEW AND APPROVE OR DISAPPROVE SUCH ADJUSTMENT OF SAID DOLLAR AMOUNT WITHIN TWENTY DAYS AFTER RECEIPT OF SUCH WRITTEN NOTIFICATION FROM THE EXECUTIVE DIRECTOR. ANY ADJUSTMENT THAT IS NOT APPROVED OR DISAPPROVED BY THE EXECUTIVE COMMITTEE WITHIN SAID TWENTY DAYS SHALL BE AUTOMATICALLY APPROVED; EXCEPT THAT, IF WITHIN SAID TWENTY DAYS THE EXECUTIVE COMMITTEE SCHEDULES A HEARING ON SUCH ADJUSTMENT, SUCH AUTOMATIC APPROVAL SHALL NOT OCCUR UNLESS THE EXECUTIVE COMMITTEE DOES NOT APPROVE OR DISAPPROVE SUCH ADJUSTMENT AFTER THE CONCLUSION OF SUCH HEARING. ANY HEARING CONDUCTED BY THE EXECUTIVE COMMITTEE PURSUANT TO THIS SUBPARAGRAPH (III) SHALL BE CONCLUDED NO LATER THAN TWENTY-FIVE DAYS AFTER RECEIPT OF SUCH WRITTEN NOTIFICATION FROM THE EXECUTIVE DIRECTOR.

(IV) (A) IF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL DISAPPROVES ANY ADJUSTMENT OF SAID DOLLAR AMOUNT CALCULATED BY THE EXECUTIVE DIRECTOR PURSUANT TO THIS PARAGRAPH (b), THE EXECUTIVE COMMITTEE SHALL SPECIFY SUCH ADJUSTED DOLLAR AMOUNT TO BE UTILIZED BY THE EXECUTIVE DIRECTOR. ANY ADJUSTED DOLLAR AMOUNT SPECIFIED BY THE EXECUTIVE COMMITTEE PURSUANT TO THIS SUB-SUBPARAGRAPH (A) SHALL BE CALCULATED IN ACCORDANCE WITH THE PROVISIONS OF THIS PARAGRAPH (b).

(B) FOR THE PURPOSE OF DETERMINING WHETHER THE REDUCTION IN VEHICLE REGISTRATION FEES PURSUANT TO HOUSE BILL 00-1227, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SECOND GENERAL ASSEMBLY, IS TO BE IMPLEMENTED FOR ANY GIVEN FISCAL YEAR, THE EXECUTIVE DIRECTOR SHALL NOT UTILIZE ANY ADJUSTED DOLLAR AMOUNT THAT HAS NOT BEEN APPROVED PURSUANT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH (b) OR OTHERWISE SPECIFIED PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (IV).

(V) IF ONE OR MORE BALLOT QUESTIONS ARE SUBMITTED TO THE VOTERS AT A STATEWIDE ELECTION TO BE HELD IN NOVEMBER OF ANY CALENDAR YEAR COMMENCING ON OR AFTER JANUARY 1, 2001, THAT SEEK AUTHORIZATION FOR THE STATE TO RETAIN AND SPEND ALL OR ANY PORTION OF THE AMOUNT OF EXCESS STATE REVENUES FOR THE STATE FISCAL YEAR ENDING DURING SAID CALENDAR YEAR, THE

EXECUTIVE DIRECTOR SHALL NOT DETERMINE WHETHER THE REDUCTION IN VEHICLE REGISTRATION FEES PURSUANT TO HOUSE BILL 00-1227, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SECOND GENERAL ASSEMBLY, SHALL BE IMPLEMENTED AND SHALL NOT PROMULGATE RULES CONTAINING SAID REDUCTIONS UNTIL THE IMPACT OF THE RESULTS OF SAID ELECTION ON THE AMOUNT OF THE EXCESS STATE REVENUES TO BE REFUNDED IS ASCERTAINED.

(3) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT THE TEMPORARY STATE MOTOR VEHICLE REGISTRATION FEE REDUCTION AUTHORIZED BY HOUSE BILL 00-1227, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SECOND GENERAL ASSEMBLY, IS A REASONABLE METHOD OF REFUNDING A PORTION OF THE EXCESS STATE REVENUES REQUIRED TO BE REFUNDED IN ACCORDANCE WITH SECTION 20 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION.

SECTION 4. 43-4-205 (6.5) (a), Colorado Revised Statutes, is amended, and the said 43-4-205 (6.5) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

43-4-205. Allocation of fund. (6.5) (a) EXCEPT AS PROVIDED IN PARAGRAPH (d) OF THIS SUBSECTION (6.5), the revenues credited to the highway users tax fund pursuant to section 39-26-123 (2), C.R.S., shall be paid to the state highway fund for allocation to the department of transportation and shall be expended as provided in section 43-4-206 (2).

(d) REVENUE DIRECTED TO THE HIGHWAY USERS TAX FUND BY THE STATE TREASURER PURSUANT TO SECTION 24-75-216, C.R.S., SHALL BE ALLOCATED AS FOLLOWS:

(I) SIXTY-FIVE PERCENT OF SUCH REVENUE SHALL BE PAID TO THE STATE HIGHWAY FUND AND SHALL BE EXPENDED AS PROVIDED IN SECTION 43-4-206;

(II) TWENTY-SIX PERCENT OF SUCH REVENUE SHALL BE PAID TO THE COUNTY TREASURERS OF THE RESPECTIVE COUNTIES, SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, AND SHALL BE ALLOCATED AND EXPENDED AS PROVIDED IN SECTION 43-4-207; AND

(III) NINE PERCENT OF SUCH REVENUE SHALL BE PAID TO THE CITIES AND INCORPORATED TOWNS, SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, AND SHALL BE ALLOCATED AND EXPENDED AS PROVIDED IN SECTION 43-4-208 (2) AND (6).

SECTION 5. Appropriation - adjustment in 2000 long bill. (1) In addition to any other appropriation, there is hereby appropriated, to the department of revenue, for the fiscal year beginning July 1, 2000, the sum of sixty thousand five hundred ninety-seven dollars (\$60,597), or so much thereof as may be necessary, for the implementation of this act. Of said sum, five hundred thirty-seven dollars (\$537) shall be from the general fund, and sixty thousand sixty dollars (\$60,060) shall be from the distributive data processing cash fund.

(2) For the implementation of this act, appropriations made in the annual general appropriations act for the fiscal year beginning July 1, 2000, shall be adjusted as

follows:

(a) The general fund appropriation to the capital construction fund outlined in section 3 (1) (f) is reduced by five hundred thirty-seven dollars (\$537).

(b) The capital construction fund exempt appropriation to the department of transportation, construction projects, is reduced by five hundred thirty-seven dollars (\$537).

SECTION 6. Effective date - applicability. Sections 5, 6, and 7 of this act shall take effect July 1, 2000. Sections 1 through 4 of this act shall take effect July 1, 2001, and shall apply in any fiscal year in which the state controller certifies to the executive director of the department pursuant to section 24-75-216, Colorado Revised Statutes, that there is anticipated to be sufficient excess state revenue.

SECTION 7. 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 31, 2000