

CHAPTER 158

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 01-005

BY SENATOR(S) Musgrave, May, and Taylor;
also REPRESENTATIVE(S) Sinclair, Coleman, Hoppe, Kester, Mace, Ragsdale, Rippy, Swenson, and Young.

AN ACT

CONCERNING A REQUIREMENT THAT AN APPLICANT FOR REGISTRATION OF A COMMERCIAL VEHICLE DECLARE THE STATUS OF THE COMMERCIAL VEHICLE WHEN A VEHICLE IS REGISTERED, AND, IN CONNECTION THEREWITH, CREATING A DEFINITION FOR COMMERCIAL VEHICLE.

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

SECTION 1. 42-1-102 (61), Colorado Revised Statutes, is amended, and the said 42-1-102 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

42-1-102. Definitions - repeal. As used in articles 1 to 4 of this title, unless the context otherwise requires:

(17.5) "COMMERCIAL VEHICLE" MEANS A VEHICLE USED TO TRANSPORT CARGO OR PASSENGERS FOR PROFIT, HIRE, OR OTHERWISE TO FURTHER THE PURPOSES OF A BUSINESS OR COMMERCIAL ENTERPRISE. THIS SUBSECTION (17.5) SHALL NOT APPLY FOR PURPOSES OF SECTION 42-4-235.

(61) "Noncommercial or recreational vehicle" means a truck, OR UNLADEN TRUCK TRACTOR, operated singly or in combination with a trailer or utility trailer ~~when the truck does not exceed six thousand five hundred pounds~~ or a motor home, which truck, OR UNLADEN TRUCK TRACTOR, or motor home is used exclusively for PERSONAL pleasure, enjoyment, other recreational purposes, or PERSONAL OR family transportation of the owner, lessee, or occupant and is not used to transport cargo or passengers for profit, hire, or otherwise ~~in any~~ TO FURTHER THE PURPOSES OF A business or commercial enterprise.

SECTION 2. 42-3-105 (1) (a), Colorado Revised Statutes, is amended to read:

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

42-3-105. Application for registration - tax - repeal. (1) (a) Application for the registration of a vehicle required to be registered under this article shall be made by the owner or the owner's agent and, if applicable, simultaneously with the application for certificate of title, as required by this section. The application for registration, which shall be in writing and signed by the owner of such vehicle or the owner's duly authorized agent, shall include: The name of the applicant; the name and correct address of the owner determined pursuant to section 42-6-139, designating the county, school district, and city or town within the limits of which the owner resides; a description of the motor vehicle in such form as shall be required by the department; the purpose for which the vehicle is used; WHETHER THE VEHICLE IS A COMMERCIAL VEHICLE; the notice described in subsection (2) of this section; whether the applicant requests that the department should, if it approves the application, mail to the owner the license plate required under this article; and such other pertinent information as may be required by the department. In addition, on or after July 1, 1999, any application for new registration of a vehicle shall include the primary body color of the motor vehicle. On and after September 1, 1999, any application submitted in person to a county clerk and recorder, manager of revenue, or department office for registration of a motor vehicle that has been previously registered shall include the primary body color of the motor vehicle.

SECTION 3. 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 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, and safety.

Approved: May 18, 2001