

## CHAPTER 337

---

**MOTOR VEHICLES AND TRAFFIC REGULATION**

---

**HOUSE BILL 02-1044**

BY REPRESENTATIVE(S) Williams S., Stafford, Cloer, Coleman, Garcia, Jahn, Mace, Romanoff, Vigil, and Weddig;  
also SENATOR(S) Tupa, Entz, Isgar, Chlouber, Epps, Evans, Musgrave, Owen, Pascoe, Phillips, and Taylor.

**AN ACT**

**CONCERNING THE ISSUANCE OF CERTAIN SPECIAL LICENSE PLATES, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**

*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:

**42-3-116.7. Special plates - Colorado commission of Indian affairs.** (1) THE DEPARTMENT SHALL ISSUE ONE OR MORE SETS OF SPECIAL 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) THERE IS HEREBY ESTABLISHED THE AMERICAN INDIAN SPECIAL LICENSE PLATE. THE DEPARTMENT IS AUTHORIZED TO BEGIN ISSUANCE OF SUCH SPECIAL LICENSE PLATE WHEN THE ROCKY MOUNTAIN INDIAN CHAMBER OF COMMERCE HAS COMMITMENTS FOR SPECIAL LICENSE PLATE PURCHASES FOR AT LEAST TWO THOUSAND SPECIAL LICENSE PLATES AND PROVIDES A LIST OF THE NAMES AND ADDRESSES OF PERSONS PURCHASING SUCH PLATES TO THE DEPARTMENT.

(b) THE ROCKY MOUNTAIN INDIAN CHAMBER OF COMMERCE IS RESPONSIBLE FOR THE COSTS OF DESIGNING THE SPECIAL LICENSE PLATE AND SHALL PAY SUCH COSTS BEFORE THE LICENSE PLATE IS PRODUCED. THE DESIGN FOR THE SPECIAL LICENSE PLATE SHALL CONFORM WITH STANDARDS ESTABLISHED BY THE DEPARTMENT.

(3) (a) A PERSON MAY APPLY FOR AN AMERICAN INDIAN SPECIAL 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 AN AUTHORIZED AGENT A CERTIFICATE ISSUED BY THE ROCKY MOUNTAIN INDIAN

---

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

CHAMBER OF COMMERCE CONFIRMING THAT SUCH PERSON MEETS THE QUALIFICATIONS FOR THE LICENSE PLATE ESTABLISHED PURSUANT TO THIS SUBSECTION (3).

(b) THE COLORADO COMMISSION OF INDIAN AFFAIRS SHALL ESTABLISH A SPECIFIC LEVEL OF CONTRIBUTION TO A SCHOLARSHIP FUND THAT QUALIFIES A PERSON TO OBTAIN SPECIAL LICENSE PLATES UNDER THE PROVISIONS OF THIS SECTION AND SHALL SET APPROPRIATE QUALIFICATIONS IN ORDER FOR AN APPLICANT TO RECEIVE A SCHOLARSHIP. THE SCHOLARSHIP FUND SHALL BE ADMINISTERED BY A NONPROFIT ORGANIZATION, ASSOCIATION, OR CORPORATION SELECTED AND SUPERVISED BY THE COLORADO COMMISSION OF INDIAN AFFAIRS. SUCH SCHOLARSHIP SHALL NOT BE AWARDED TO AN APPLICANT UNLESS THE APPLICANT CAN DEMONSTRATE THAT HE OR SHE IS A COLORADO RESIDENT AND SUCH SCHOLARSHIP WILL BE USED TO ATTEND AN INSTITUTION OF HIGHER EDUCATION WITHIN COLORADO. SUCH NONPROFIT ORGANIZATION SHALL ISSUE A REPORT TO THE COLORADO COMMISSION OF INDIAN AFFAIRS ACCOUNTING FOR REVENUES AND EXPENDITURES AT LEAST EVERY OTHER YEAR.

(4) VEHICLES REGISTERED UNDER THIS SECTION SHALL BE SUBJECT TO ALL OTHER PROVISIONS OF THIS ARTICLE.

(5) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL 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 TWENTY-FIVE 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, CREATED IN SECTION 43-4-201, C.R.S.

(6) ANY RENEWAL OF A SPECIAL LICENSE PLATE ISSUED UNDER THIS SECTION 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.** 42-3-115.5 (1) (a), Colorado Revised Statutes, is amended, and the said 42-3-115.5 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**42-3-115.5. Special plates - military veterans - rules.** (1) (a) The department is directed to issue one or more sets of special license plates to the following persons who own a truck that does not exceed twelve thousand pounds empty weight, a passenger car, a motorcycle, or a noncommercial or recreational vehicle:

(I) A recipient of the purple heart;

(II) A former prisoner of war;

(III) An honorably discharged or retired veteran of the armed forces of the United States;

(IV) A disabled veteran of the armed forces of the United States;

(V) A survivor of the attack on Pearl Harbor;

(VI) A recipient of the medal of honor; ~~or~~

(VII) An honorably discharged, retired, reserve, or active member of the United States Marine Corps; OR

(VIII) A VETERAN OF THE KOREAN WAR.

(9) **Veteran of the Korean war.** (a) THE VETERAN OF THE KOREAN WAR SPECIAL LICENSE PLATE SHALL BE DESIGNED TO INDICATE THAT THE OWNER OF THE MOTOR VEHICLE TO WHICH SUCH LICENSE PLATE IS ATTACHED IS A VETERAN OF THE KOREAN WAR.

(b) ANY NATURAL PERSON MAY USE A VETERAN OF THE KOREAN WAR SPECIAL LICENSE PLATE IF SUCH PERSON WAS A MEMBER OF THE UNITED STATES ARMED FORCES BETWEEN JUNE 25, 1950, AND JULY 27, 1953.

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

**42-3-117.5. Special plates - qualifications for issuance of special license plates.** (1) THE FOLLOWING PLATES CREATED BY RULE BY THE DEPARTMENT SHALL BE SUBJECT TO THE REQUIREMENT SO SPECIFIED:

(a) THE DEPARTMENT OR AN AUTHORIZED AGENT SHALL NOT ISSUE A DENVER FIREFIGHTERS' SPECIAL LICENSE PLATE TO AN APPLICANT UNTIL SUCH APPLICANT HAS PROVIDED TO THE DEPARTMENT OR AN AUTHORIZED AGENT SUFFICIENT EVIDENCE TO DEMONSTRATE THAT THE APPLICANT IS AN ACTIVE OR RETIRED DENVER FIREFIGHTER.

(b) THE DEPARTMENT OR AN AUTHORIZED AGENT SHALL NOT ISSUE A RAPTOR EDUCATION FOUNDATION SPECIAL LICENSE PLATE TO AN APPLICANT UNTIL SUCH APPLICANT HAS PROVIDED TO THE DEPARTMENT OR AN AUTHORIZED AGENT SUFFICIENT EVIDENCE TO DEMONSTRATE THAT THE APPLICANT IS A MEMBER IN GOOD STANDING OF THE RAPTOR EDUCATION FOUNDATION AND QUALIFIED BY SUCH FOUNDATION TO RECEIVE A SPECIAL LICENSE PLATE.

(c) THE DEPARTMENT OR AN AUTHORIZED AGENT SHALL NOT ISSUE A ROTARY CLUB SPECIAL LICENSE PLATE TO AN APPLICANT UNTIL SUCH APPLICANT HAS PROVIDED TO THE DEPARTMENT OR AN AUTHORIZED AGENT SUFFICIENT EVIDENCE TO DEMONSTRATE THAT THE APPLICANT IS A MEMBER OF THE ROTARY CLUB.

(d) THE DEPARTMENT OR AN AUTHORIZED AGENT SHALL NOT ISSUE A VIETNAM VETERAN SPECIAL LICENSE PLATE TO AN APPLICANT UNTIL SUCH APPLICANT HAS PROVIDED TO THE DEPARTMENT OR AN AUTHORIZED AGENT A DD214 FORM ISSUED BY THE UNITED STATES GOVERNMENT OR OTHER EVIDENCE SUFFICIENT TO DEMONSTRATE THAT THE APPLICANT IS A VETERAN OF THE ARMED SERVICES WHO SERVED DURING THE VIETNAM ENGAGEMENT.

(e) THE DEPARTMENT OR AN AUTHORIZED AGENT SHALL NOT ISSUE A UNITED STATES ARMY SPECIAL LICENSE PLATE TO AN APPLICANT UNTIL SUCH APPLICANT HAS PROVIDED TO THE DEPARTMENT OR AN AUTHORIZED AGENT A DD214 FORM ISSUED BY THE UNITED STATES GOVERNMENT OR AN HONORABLE DISCHARGE FROM THE UNITED STATES ARMY, OR SUFFICIENT EVIDENCE TO DEMONSTRATE THAT THE APPLICANT IS AN ACTIVE, RESERVE, OR RETIRED MEMBER OF THE UNITED STATES ARMY.

(f) THE DEPARTMENT OR AN AUTHORIZED AGENT SHALL NOT ISSUE AN ELKS SPECIAL LICENSE PLATE TO AN APPLICANT UNTIL SUCH APPLICANT HAS PROVIDED SUFFICIENT EVIDENCE TO DEMONSTRATE THAT THE APPLICANT IS A MEMBER OF THE BENEVOLENT AND PROTECTIVE ORDER OF ELKS.

**SECTION 4.** 42-3-115.7 (1), Colorado Revised Statutes, is amended 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. FOR THE PURPOSES OF THIS SECTION, RECREATIONAL VEHICLES THAT DO NOT EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT SHALL BE CLASSIFIED AS PASSENGER CARS.

**SECTION 5.** Article 3 of title 42, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**42-3-122.5. Special plates - fees - special license plate account - creation.**

(1) THE ONE-TIME FEES COLLECTED PURSUANT TO SECTIONS 42-3-115.5 AND 42-3-116.7 FOR THE ISSUANCE OF A LICENSE PLATE PURSUANT TO SECTIONS 42-3-115.5 (9) AND 42-3-116.7 SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE SPECIAL LICENSE PLATE ACCOUNT IN THE HIGHWAY USERS TAX FUND, WHICH ACCOUNT IS HEREBY CREATED. MONEYS IN THE ACCOUNT SHALL BE APPROPRIATED BY THE GENERAL ASSEMBLY FOR THE DIRECT AND INDIRECT COSTS INCURRED BY THE DEPARTMENT OF REVENUE IN THE ADMINISTRATION OF SECTIONS 42-3-115.5 (9) AND 42-3-116.7. AT THE END OF EACH FISCAL YEAR, ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE ACCOUNT SHALL REVERT BACK TO THE HIGHWAY USERS TAX FUND.

(2) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL MAKE AN ANNUAL REPORT BY MARCH 1 OF EACH YEAR TO THE GENERAL ASSEMBLY. SUCH REPORT SHALL BE OPEN FOR PUBLIC INSPECTION AND SHALL INCLUDE:

- (a) A SUMMARY OF THE DEPARTMENT'S ACTIVITIES FOR THE PREVIOUS YEAR;
- (b) A STATEMENT OF PLATE REVENUES;
- (c) INFORMATION REGARDING SPECIAL PLATE PURCHASES;
- (d) EXPENSES OF THE DEPARTMENT;
- (e) ALLOCATION OF REMAINING REVENUES; AND

(f) ANY RECOMMENDATIONS FOR CHANGES IN STATUTES THAT THE EXECUTIVE DIRECTOR DEEMS NECESSARY OR DESIRABLE.

**SECTION 6. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the special license plate account created in section 42-3-122.5, Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for allocation to the motor vehicle division, for American Indian special license plates and veteran of the Korean war special license plates, for the fiscal year beginning July 1, 2002, the sum of thirty thousand four hundred fifteen dollars (\$30,415), or so much thereof as may be necessary, for the implementation of this act.

**SECTION 7. Effective date.** This act shall take effect July 1, 2002.

**SECTION 8. 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: June 7, 2002