

CHAPTER 314

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 03-1342

BY REPRESENTATIVE(S) Coleman and Ragsdale;
also SENATOR(S) Johnson S.

AN ACT**CONCERNING FEES THAT SUPPORT THE COLORADO STATE TITLING AND REGISTRATION SYSTEM.**

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

SECTION 1. 38-29-138 (1), (2), (4), and (5), Colorado Revised Statutes, are amended to read:

38-29-138. Fees - repeal. (1) (a) Upon filing with the authorized agent any application for a certificate of title, the applicant shall pay to the agent a fee of ~~five~~ **SEVEN** dollars and ~~fifty~~ **TWENTY** cents, WHICH SHALL BE DISPOSED PURSUANT TO SECTION 42-6-138, C.R.S.

(b) (I) IN ADDITION TO THE FEE PROVIDED IN PARAGRAPH (a) OF THIS SUBSECTION (1), UPON FILING WITH THE AUTHORIZED AGENT ANY APPLICATION FOR A CERTIFICATE OF TITLE, THE APPLICANT SHALL PAY TO THE AGENT AN ADDITIONAL FEE OF TWO DOLLARS AND THIRTY CENTS.

(II) FEES COLLECTED PURSUANT TO THIS PARAGRAPH (b) SHALL BE USED TO ADMINISTER THE COLORADO STATE TITLING AND REGISTRATION SYSTEM ESTABLISHED IN SECTION 42-1-211, C.R.S., INCLUDING, BUT NOT LIMITED TO, UPGRADING SUCH SYSTEM.

(III) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2006.

(2) Upon the receipt by the authorized agent of any mortgage for filing under the provisions of section 38-29-128, ~~he~~ THE AGENT shall be paid such fees as are prescribed by law for the filing of like instruments in the office of the county clerk and recorder in the county or city and county ~~wherein~~ **WHEREIN** IN WHICH such mortgage is filed and shall receive, in addition, ~~thereto~~, a fee of ~~five~~ **SEVEN** dollars and ~~fifty~~ **TWENTY**

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

cents for the issuance OR RECORDING of the certificate of title and the notation ~~thereon~~ of the existence of said mortgage.

(4) Upon the release and satisfaction of any mortgage and upon application to the authorized agent for the notation thereof on the certificate of title in the manner prescribed in section 38-29-131, such authorized agent shall be paid a fee of ~~one dollar~~ SEVEN DOLLARS and ~~fifty~~ TWENTY cents, WHICH SHALL BE DISPOSED PURSUANT TO SECTION 42-6-138, C.R.S.

(5) For the issuance of any duplicate certificate of title, except as may be otherwise provided in this article, the agent shall be paid a fee of ~~one dollar~~ EIGHT DOLLARS and ~~fifty~~ TWENTY cents, and, in all cases ~~wherein~~ IN WHICH the department assigns a new identifying number to any manufactured home, the fee charged for such assignment shall be three dollars and fifty cents.

SECTION 2. 42-1-206 (2) (a), Colorado Revised Statutes, is amended to read:

42-1-206. Records open to inspection - furnishing of copies. (2) (a) Upon written application and the payment of a fee of two dollars and twenty cents per copy, or A RECORD search ~~therefor~~, for each copy requested, the department shall furnish to any person a photostatic copy of any specified record or accident report specifically made a public record by any provision of this title and shall, for the additional fee of fifty cents per certification, if requested, certify the same. ~~All Fees collected under the provisions of this subsection (2) shall be used to defray the expenses of providing such copies; except that ten cents of each fee collected BY THE AUTHORIZED AGENT SHALL BE CREDITED TO THE SPECIAL PURPOSE ACCOUNT ESTABLISHED UNDER SECTION 42-1-211 AND THE ENTIRE FEE FOR VEHICLE AND MANUFACTURED HOME RECORDS, IF COLLECTED DIRECTLY by the department, shall be credited to the special purpose account established under section 42-1-211. and used as provided in said section.~~

SECTION 3. 42-3-127 (1), Colorado Revised Statutes, is amended to read:

42-3-127. Manufacturers or dealers. (1) A manufacturer, drive-away or tow-away transporter of, or dealer in, motor vehicles, trailers, SPECIAL MOBILE MACHINERY, or semitrailers operating any such vehicle upon any highway, in lieu of registering each vehicle, may obtain from the department, upon application ~~therefor~~ ~~upon~~ USING the proper official form and payment of the fees required by law, and attach to each such vehicle one number plate, as required in this article for different classes of vehicles, which plate shall bear a distinctive number, the name of this state, which may be abbreviated, and the year for which issued, together with a distinguishing word or symbol indicating that such plate was issued to a manufacturer, drive-away or tow-away transporter, or dealer. Any such plates so issued may, during the registration period for which issued, be transferred from one such vehicle to another when owned and operated by or with the authority of such manufacturer or representative of such manufacturer or operated by such drive-away or tow-away transporter or dealer.

SECTION 4. 42-6-137 (4), Colorado Revised Statutes, is amended to read:

42-6-137. Fees - repeal. (4) Upon the release and satisfaction of ~~any~~ A mortgage and upon application to the authorized agent for the notation ~~thereof~~ on the certificate

of title in the manner prescribed in section 42-6-125, such authorized agent shall be paid a fee of ~~one dollar and fifty~~ SEVEN DOLLARS AND TWENTY cents.

SECTION 5. 42-6-138 (1) (a), (2), and (3), Colorado Revised Statutes, are amended to read:

42-6-138. Disposition of fees - repeal. (1) (a) All fees received by the authorized agent under the provisions of section ~~42-6-137(1) or (2)~~ 42-6-137 (1) (a), (2), OR (4) OR 38-29-138 (1) (a), (2), OR (4), C.R.S., upon application being made for a certificate of title, shall be disposed of as follows: Four dollars ~~thereof~~ shall be retained by the authorized agent and disposition ~~thereof~~ made as provided by law; three dollars and twenty cents shall be credited to the special purpose account established by section 42-1-211.

(2) All fees collected by the director's authorized agent under the provisions of section 42-6-137 (5) OR 38-29-138 (5), C.R.S., shall be disposed of as follows: For a copy of a recorded certificate of title, six dollars and fifty cents shall be retained by the authorized agent and disposition made as provided by law; and one dollar and seventy cents shall be credited to the special purpose account established by section 42-1-211; and, for assignment of a new identifying number to a motor vehicle OR MANUFACTURED HOME, two dollars and fifty cents shall be retained by the authorized agent and disposition made as provided by law; and one dollar shall be credited to the special purpose account established by section 42-1-211. All fees collected by the department under the provisions of section 42-6-137 (1) (a), (4), OR (5) OR 38-29-138 (1) (a), (4), OR (5), C.R.S., shall be credited to such special purpose account.

(3) All fees paid to the director's authorized agent under section 42-6-137 (3) ~~or (4)~~ for the extension ~~or release~~ of any mortgage on a motor vehicle filed in the authorized agent's office shall be kept and retained by said a uthorized agent to defray the cost of such extension or release and shall be disposed of by the authorized agent as provided by law; except that fees for this service which may be paid to the authorized agent in the city and county of Denver shall, by such agent, be disposed of in the same manner as fees retained by the agent which were paid upon application being made for a certificate of title.

SECTION 6. 42-1-211 (2), Colorado Revised Statutes, is amended to read:

42-1-211. Colorado state titling and registration system. (2) There is hereby created a special purpose account in the highway users tax fund, which shall be known as the "Colorado state titling and registration account", for the purpose of providing funds for the operation of the Colorado state titling and registration system, including operations performed under article 6 of this title. Moneys received from the fees imposed by section 38-29-138 (1), (2), (4), and (5), C.R.S., and sections 42-1-206 (2) (a), 42-3-107 (21), 42-3-115.5 (1) (c), and 42-6-137 (1), (2), (4), ~~and~~ (5), AND (6) shall be credited to the special purpose account in accordance with the provisions of section 38-29-139, C.R.S., and sections 42-1-206 (2) (a), 42-3-107 (21), 42-3-115.5 (1) (c), and 42-6-138. Any interest earned on moneys credited to the special purpose account shall be credited to and used for the same purpose as other moneys in said account. The general assembly shall appropriate annually the moneys in the special purpose account for the purposes of this subsection (2).

SECTION 7. 38-29-139 (3), Colorado Revised Statutes, is amended to read:

38-29-139. Disposition of fees. (3) All fees paid to the authorized agent under section 38-29-138 (3) ~~or (4)~~ for the filing OR extension ~~or release~~ of any mortgage on a manufactured home filed in his OR HER office shall be kept and retained by said agent to defray the cost thereof and shall be disposed of by him OR HER as provided by law; except that fees for this service ~~which~~ THAT may be paid to the authorized agent in the city and county of Denver shall by such agent be disposed of in the same manner as fees retained by him ~~which~~ OR HER THAT were paid upon application being made for a certificate of title.

SECTION 8. Applicability. This act shall apply to fees due on or after the effective date of this act.

SECTION 9. 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 22, 2003