

CHAPTER 388

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 04-230

BY SENATOR(S) Cairns, May R., Andrews, Chlouber, Dyer, Entz, Evans, Hagedorn, Hillman, Isgar, Johnson S., Jones, Kester, Lamborn, McElhany, Nichol, Owen, Sandoval, Tapia, Taylor, Teck, Gordon, Groff, Grossman, Phillips, and Tupa; also REPRESENTATIVE(S) Tochtrop, Salazar, Sinclair, Weddig, Witwer, Berry, Boyd, Brophy, Butcher, Cadman, Cloer, Coleman, Decker, Fairbank, Frangas, Harvey, Larson, Lee, McFadyen, McGihon, Miller, Paccione, Ragsdale, Rhodes, Romanoff, Rose, Schultheis, Smith, Spence, Spradley, Stafford, and Williams S.

AN ACT

CONCERNING THE ISSUANCE OF A VIETNAM VETERAN SPECIAL LICENSE PLATE, AND MAKING AN APPROPRIATION.

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

SECTION 1. 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 - retirement. (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;

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

(VI) A recipient of the medal of honor;

(VII) An honorably discharged, retired, reserve, or active member of the United States marine corps;

(VIII) A veteran of the Korean war; ~~or~~

(IX) A recipient of a military award for valor; OR

(X) A VETERAN OF THE VIETNAM WAR.

(11) **Veteran of the Vietnam war.** (a) THE VETERAN OF THE VIETNAM 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 VIETNAM WAR.

(b) A NATURAL PERSON MAY USE A VETERAN OF THE VIETNAM WAR SPECIAL LICENSE PLATE IF SUCH PERSON WAS A MEMBER OF THE UNITED STATES ARMED FORCES BETWEEN AUGUST 7, 1964, AND JANUARY 27, 1973.

(c) THE DEPARTMENT OR AN AUTHORIZED AGENT SHALL NOT ISSUE A VETERAN OF THE VIETNAM WAR SPECIAL LICENSE PLATE TO AN APPLICANT UNTIL THE APPLICANT PROVIDES 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 BETWEEN AUGUST 7, 1964, AND JANUARY 27, 1973.

SECTION 2. 42-3-117.5 (1) (d), Colorado Revised Statutes, is amended, and the said 42-3-117.5 is further amended BY THE ADDITION OF A NEW SUBSECTION, 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:

~~(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.~~

(2) THE VIETNAM VETERAN LICENSE PLATE SHALL BE RETIRED AND REPLACED WITH THE SPECIAL LICENSE PLATE ISSUED PURSUANT TO SECTION 42-3-115.5 (1) (a) (X) AND (11).

SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the license plate cash fund created in section 42-3-113 (6), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2004, the sum of eight thousand four hundred sixty dollars (\$8,460), or so much thereof as may be necessary, for the implementation of this act.

SECTION 4. Effective date. 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 (August 4, 2004, if adjournment sine die is on May 5, 2004); 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.

Approved: June 4, 2004