

CHAPTER 3

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 05-1008

BY REPRESENTATIVE(S) Ragsdale, Borodkin, Larson, McFadyen, Schultheis, and Todd;
also SENATOR(S) Spence.

AN ACT

**CONCERNING CHANGING THE NAME OF THE MOTOR VEHICLE BUSINESS GROUP IN THE DEPARTMENT
OF REVENUE TO THE DIVISION OF MOTOR VEHICLES.**

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

SECTION 1. 1-2-302 (6.5), Colorado Revised Statutes, is amended to read:

1-2-302. Maintenance of computerized statewide voter registration list - confidentiality. (6.5) At the earliest practical time, the secretary of state, acting on behalf of the department of state, and the executive director of the department of revenue, as the official responsible for the ~~motor vehicle business group~~ DIVISION OF MOTOR VEHICLES, shall enter into an agreement to match information in the database of the centralized statewide registration system with information in the database of the ~~motor vehicle business group~~ DIVISION OF MOTOR VEHICLES to the extent required to enable each department to verify the accuracy of the information provided on applications for voter registration in conformity with the requirements of ~~section 303~~ (a) (5) (B) (i) of HAVA SECTION 1-2-301.

SECTION 2. 24-1-117 (4) (a), Colorado Revised Statutes, is amended to read:

24-1-117. Department of revenue - creation. (4) (a) The department of revenue shall consist of the following divisions:

(I) and (II) (Deleted by amendment, L. 2000, p. 1632, § 1, effective June 1, 2000.)

(III) Motor carrier services division;

(IV) Liquor enforcement division;

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

(V) State lottery division;

(VI) Division of racing events, including the Colorado racing commission;

(VII) Division of gaming, including the Colorado limited gaming control commission; ~~and~~

~~(VIII) Such other groups, divisions, sections, and units as the executive director of the department of revenue may create pursuant to section 24-35-103~~ DIVISION OF MOTOR VEHICLES; AND

(IX) SUCH OTHER GROUPS, DIVISIONS, SECTIONS, AND UNITS AS THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE MAY CREATE PURSUANT TO SECTION 24-35-103.

SECTION 3. 42-1-211 (1.5) (c), Colorado Revised Statutes, is amended to read:

42-1-211. Colorado state titling and registration system. (1.5) (c) The executive director of the department of revenue, as the official responsible for the ~~motor vehicle business group~~ DIVISION OF MOTOR VEHICLES, shall enter into an agreement with the federal commissioner of social security for the purpose of verifying applicable information in accordance with the requirements of section 303 (a) (5) (B) (ii) of the federal "Help America Vote Act of 2002", P.L. No. 107-252.

SECTION 4. 43-4-201 (3) (a) (I) (B), (3) (a) (II) (M), and (3) (a) (III) (C), Colorado Revised Statutes, are amended to read:

43-4-201. Funds created - repeal. (3) (a) (I) The general assembly shall not make any annual appropriation (whether by regular, special, or supplementary appropriation) or any statutory distribution from the highway users tax fund for any purpose or purposes in a total amount which is:

(B) Commencing in the fiscal year 1981-82 through the fiscal year 1994-95, more than a seven percent increase over such appropriation for the prior fiscal year and commencing in the fiscal year 1995-96, more than a six percent increase over such appropriation to the department of public safety for the Colorado state patrol and to the department of revenue for the ports of entry division for the prior fiscal year; except in fiscal years 2002-03 to 2004-05, more than a six percent increase over such appropriation to the department of public safety for the Colorado state patrol, to the department of revenue for the ports of entry division, to the department of revenue for license plate funding pursuant to sub-subparagraph (L) of subparagraph (II) of this paragraph (a), and to the department of revenue for administration and ~~motor vehicle division~~ expenses of the ~~motor vehicle business group~~ DIVISION OF MOTOR VEHICLES pursuant to sub-subparagraph (M) of subparagraph (II) of this paragraph (a) for the prior fiscal year. Commencing in the fiscal year 2005-06, the general assembly shall not make any annual appropriation (whether by regular, special, or supplementary appropriation) or any statutory distribution from the highway users tax fund for any purpose or purposes in a total amount that is more than a six percent increase over such appropriation to the department of public safety for the Colorado state patrol and to the department of revenue for the ports of entry division. For fiscal years 2002-03 to 2004-05, any annual appropriation or statutory distribution from the highway users

tax fund to the department of revenue for license plate funding unrelated to license plate replacement pursuant to sub-subparagraph (L) of subparagraph (II) of this paragraph (a) and to the department of revenue for administration and ~~motor vehicle division~~ expenses of the ~~motor vehicle business group~~ DIVISION OF MOTOR VEHICLES pursuant to sub-subparagraph (M) of subparagraph (II) of this paragraph (a) within the six percent overall limit on state appropriations pursuant to section 24-75-201.1 (1) (a) (II), C.R.S., shall not be based on a level of appropriation that expands the six percent overall limit.

(II) The general assembly shall not make any annual appropriation or statutory distribution from the highway users tax fund except as follows:

(M) To the department of revenue for expenses incurred in connection with the administration of the ~~motor vehicle business group and the motor vehicle division of the motor vehicle business group~~ DIVISION OF MOTOR VEHICLES within the department with the exception of expenses incurred by the ~~motor vehicle~~ division in connection with license plate ordering. This sub-subparagraph (M) is repealed, effective July 1, 2005.

(III) (C) The general assembly shall not make any annual appropriation or statutory distribution from the highway users tax fund for the fiscal year 1997-98 or for any succeeding fiscal year authorized by subparagraph (II) of this paragraph (a), excluding the annual appropriation or statutory distribution to the Colorado state patrol and the ports of entry section and excluding any appropriation to the department of revenue for replacement of license plates as authorized by sub-subparagraph (K) of subparagraph (II) of this paragraph (a) or, for the fiscal years 2003-04 to 2004-05, to the department of revenue for expenses incurred in connection with the administration of the ~~motor vehicle business group and the motor vehicle division of the motor vehicle business group~~ DIVISION OF MOTOR VEHICLES within the department with the exception of expenses incurred by the ~~motor vehicle~~ division in connection with license plate ordering as authorized by sub-subparagraph (M) of subparagraph (II) of this paragraph (a).

SECTION 5. Effective date. This act shall take effect July 1, 2005.

SECTION 6. 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: February 23, 2005