

CHAPTER 307

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 06-080

BY SENATOR(S) Tochtrop, Entz, Evans, Gordon, Isgar, Johnson, Keller, Shaffer, Taylor, Veiga, and Sandoval;
 also REPRESENTATIVE(S) Soper, Berens, Cloer, Gallegos, Green, Hefley, Knoedler, Merrifield, Ragsdale, Solano, Stafford,
 Sullivan, Todd, Vigil, Buescher, Butcher, Carroll M., Kerr J., King, Penry, Rose, and White.

AN ACT

CONCERNING THE CREATION OF THE SUPPORT THE TROOPS SPECIAL LICENSE PLATE FOR MOTOR VEHICLES, AND MAKING AN APPROPRIATION THEREFOR.

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

SECTION 1. Part 2 of article 3 of title 42, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

42-3-221. Special plates - support the troops - retirement - repeal. (1) ON OR AFTER JULY 1, 2007, THE DEPARTMENT SHALL ISSUE ONE OR MORE SETS OF SUPPORT THE TROOPS SPECIAL LICENSE PLATES TO APPLICANTS UNDER THIS SECTION FOR PASSENGER CARS, TRUCKS, MOTORCYCLES, AND NONCOMMERCIAL OR RECREATIONAL MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT.

(2) THERE IS HEREBY ESTABLISHED THE UNITED STATES SUPPORT THE TROOPS SPECIAL LICENSE PLATE. THE PLATE SHALL BE THE DESIGN THAT WAS SUBMITTED TO THE DEPARTMENT DURING THE PROPOSAL AND CERTIFICATION PROCESS UNDER SECTION 42-3-207 (2); EXCEPT THAT THE PLATE SHALL CONFORM WITH STANDARDS ESTABLISHED BY THE DEPARTMENT, AND THE PLATE SHALL FEATURE THE STATEMENT "SUPPORT THE TROOPS".

(3) (a) A PERSON MAY APPLY FOR AND SHALL BE ISSUED A SUPPORT THE TROOPS SPECIAL LICENSE PLATE FOR A MOTOR VEHICLE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THIS SUBSECTION (3) AND PROVIDES A CERTIFICATE ISSUED BY THE NONPROFIT ORGANIZATION SELECTED BY THE ADJUTANT GENERAL PURSUANT TO SUBSECTION (4) OF THIS SECTION SHOWING THAT THE PERSON HAS DONATED TWENTY-FIVE DOLLARS TO SUCH ORGANIZATION.

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

(b) THE AMOUNT OF THE TAXES AND FEES FOR SUPPORT THE TROOPS SPECIAL LICENSE PLATES UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES AND FEES SPECIFIED FOR REGULAR MOTOR VEHICLE LICENSE PLATES PLUS A ONE-TIME FEE OF TWENTY-FIVE DOLLARS FOR EACH MOTOR VEHICLE FOR ISSUANCE OF SUCH LICENSE PLATES. THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME FEE TO THE HIGHWAY USERS TAX FUND FOR ALLOCATION AND EXPENDITURE AS SPECIFIED IN SECTION 43-4-205 (5.5) (b), C.R.S.

(c) UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6) (a) FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE PERSONALIZED SUPPORT THE TROOPS SPECIAL LICENSE PLATES IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET OF SPECIAL LICENSE PLATES FOR THE VEHICLE UPON PAYING THE FEE IMPOSED BY SECTION 42-3-211 (6) (a) AND UPON TURNING SUCH EXISTING PLATES IN TO THE DEPARTMENT AS REQUIRED BY THE DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED SUPPORT THE TROOPS SPECIAL LICENSE PLATES UNDER THIS PARAGRAPH (c) IS REQUIRED TO PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6) (b) FOR RENEWAL OF SUCH PERSONALIZED PLATES. THE FEES UNDER THIS PARAGRAPH (c) ARE IN ADDITION TO ALL OTHER TAXES AND FEES IMPOSED FOR THE SPECIAL LICENSE PLATES.

(4) THE ADJUTANT GENERAL, APPOINTED PURSUANT TO SECTION 28-3-105, C.R.S., SHALL SELECT A NONPROFIT ORGANIZATION THAT AIDS VETERANS, ACTIVE SERVICE MEMBERS, AND THE FAMILIES THEREOF TO ADMINISTER THE DONATIONS COLLECTED PURSUANT TO SUBSECTION (3) OF THIS SECTION. THE ADJUTANT GENERAL SHALL SELECT THE ORGANIZATION IN CONSULTATION WITH THE COLORADO BOARD OF VETERANS AFFAIRS, CREATED IN SECTION 28-5-702, C.R.S. THE ORGANIZATION SHALL USE THE MONEYS TO AID VETERANS, ACTIVE SERVICE MEMBERS, AND THE FAMILIES THEREOF BUT MAY KEEP UP TO SEVEN PERCENT OF THE MONEYS FOR ADMINISTRATIVE COSTS. THE ORGANIZATION MAY USE THE MONEYS TO AID VETERANS, ACTIVE SERVICE MEMBERS, AND THE FAMILIES THEREOF BY MAKING GRANTS TO OR SELECTING OTHER NONPROFIT ORGANIZATIONS TO PROVIDE THE AID SO LONG AS NO MORE THAN SEVEN PERCENT OF THE MONEYS ARE USED FOR ADMINISTRATIVE COSTS. ONCE AN ORGANIZATION IS SELECTED, IT SHALL CONTINUE TO ADMINISTER THE FUNDS UNLESS GOOD CAUSE IS SHOWN FOR REMOVAL.

(5) SPECIAL LICENSE PLATES ISSUED UNDER THIS SECTION SHALL BE RENEWED IN THE SAME MANNER AS OTHER LICENSE PLATES UNDER SECTION 42-3-113 OR, FOR PERSONALIZED PLATES, UNDER SECTION 42-3-211.

(6) THE SPECIAL LICENSE PLATES AUTHORIZED BY THIS SECTION SHALL NOT BE RENEWED UNLESS SUCH PLATES HAVE BEEN ISSUED FOR AT LEAST THREE THOUSAND VEHICLES BY JULY 1, 2009.

SECTION 2. 42-3-301 (2) (a) (II), Colorado Revised Statutes, is amended to read:

42-3-301. License plate cash fund - license plate fees. (2) (a) The fees imposed pursuant to subsection (1) of this section shall be set in an amount

necessary to recover only the costs of the production and distribution of any license plates, decals, or validating tabs issued pursuant to this article and shall be:

(II) Two dollars and fifty-four cents per special license plate issued pursuant to section 42-3-207, ~~or~~ sections 42-3-209 to 42-3-219, OR SECTION 42-3-221;

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 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for allocation to the motor vehicle division, for the fiscal year beginning July 1, 2006, the sum of sixteen thousand eighty dollars (\$16,080), 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 9, 2006, if adjournment sine die is on May 10, 2006); 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 1, 2006