

CHAPTER 221

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 07-062

BY SENATOR(S) Windels;
also REPRESENTATIVE(S) Rose, Hicks, Labuda, and Looper.

AN ACT

**CONCERNING MOTOR CARRIERS WHO FAIL TO PAY CIVIL PENALTIES IMPOSED FOR VIOLATING
COMMERCIAL VEHICLE STANDARDS.**

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

SECTION 1. 42-4-235 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

42-4-235. Minimum standards for commercial vehicles - repeal.

(2) (d) (I) UPON NOTICE FROM THE DEPARTMENT OF PUBLIC SAFETY, THE DEPARTMENT SHALL, PURSUANT TO SECTION 42-3-120, CANCEL THE REGISTRATION OF A MOTOR CARRIER WHO FAILS TO PAY IN FULL A CIVIL PENALTY IMPOSED PURSUANT TO THIS SUBSECTION (2) WITHIN THIRTY DAYS AFTER NOTIFICATION OF THE PENALTY.

(II) (A) THIS PARAGRAPH (d) SHALL NOT APPLY TO INTERSTATE MOTOR CARRIERS.

(B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 1, 2009.

SECTION 2. 42-3-120, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

42-3-120. Department may cancel or deny registration - repeal. (3) (a) UPON RECEIVING WRITTEN NOTICE FROM THE COLORADO STATE PATROL THAT A MOTOR CARRIER HAS FAILED TO TIMELY PAY CIVIL PENALTIES IMPOSED IN ACCORDANCE WITH SECTION 42-4-235 (2), THE DEPARTMENT SHALL CANCEL THE REGISTRATION OF ANY VEHICLE THAT IS OWNED BY THE CARRIER AND SHALL DENY THE REGISTRATION OF ANY VEHICLE THAT IS OWNED BY THE CARRIER UNTIL THE DEPARTMENT RECEIVES NOTICE THAT THE PENALTY HAS BEEN PAID IN FULL.

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)(I) THIS SUBSECTION (3) SHALL NOT APPLY TO INTERSTATE MOTOR CARRIERS.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2009.

SECTION 3. Part 4 of article 103 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

24-103-404. Motor carriers. NO CONTRACT, CHANGE ORDER, OR CONTRACT MODIFICATION SHALL BE MADE WITH A MOTOR CARRIER WHO HAS A MOTOR VEHICLE REGISTRATION CANCELED OR DENIED PURSUANT TO SECTION 42-3-120, C.R.S., DURING THE PERIOD OF CANCELLATION OR DENIAL.

SECTION 4. Effective date - applicability. This act shall take effect July 1, 2007, and shall apply to civil penalties imposed on or after said date.

SECTION 5. 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 14, 2007