

CHAPTER 247

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 07-1120

BY REPRESENTATIVE(S) Frangas, Kerr J., Labuda, Marostica, McFadyen, Soper, and Primavera;
also SENATOR(S) Tochtrop.

AN ACT

CONCERNING THE ISSUANCE OF A SPECIAL LICENSE PLATE CELEBRATING ITALIAN-AMERICAN HERITAGE, 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:

42-3-225. Special plates - Italian-American heritage - repeal. (1) BEGINNING JANUARY 1, 2008, THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE PLATES TO QUALIFIED APPLICANTS IN ACCORDANCE WITH THIS SECTION FOR MOTORCYCLES, PASSENGER CARS, TRUCKS, OR NONCOMMERCIAL OR RECREATIONAL MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT.

(2) (a) THERE IS HEREBY ESTABLISHED THE ITALIAN-AMERICAN HERITAGE SPECIAL LICENSE PLATE, WHICH SHALL BE ISSUED TO ANY PERSON WHO PAYS THE TAXES AND FEES REQUIRED UNDER THIS SECTION.

(b) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2008, IF AT LEAST THREE THOUSAND PLATES ARE NOT ISSUED BY SUCH DATE.

(c) THE ITALIAN-AMERICAN HERITAGE SPECIAL LICENSE PLATE SHALL BE DESIGNED:

(I) TO CELEBRATE ITALIAN-AMERICAN HERITAGE; AND

(II) IN ACCORDANCE WITH STANDARDS ESTABLISHED BY THE DEPARTMENT AND BE SUBJECT TO THE DEPARTMENT'S APPROVAL.

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

(3) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE PLATES UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES AND FEES SPECIFIED FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT THAT THE DEPARTMENT SHALL COLLECT A ONE-TIME FEE OF TWENTY-FIVE DOLLARS FOR ISSUANCE OR REPLACEMENT OF EACH SUCH LICENSE PLATE. THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE HIGHWAY USERS' TAX FUND CREATED IN SECTION 43-4-201, C.R.S.

(4) AN APPLICANT MAY APPLY FOR PERSONALIZED ITALIAN-AMERICAN HERITAGE SPECIAL LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6) (a) FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE SUCH 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 COLORADO ITALIAN-AMERICAN HERITAGE LICENSE PLATES FOR THE VEHICLE UPON PAYING THE FEE IMPOSED BY SECTION 42-3-211 (6) AND UPON TURNING IN SUCH EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED ITALIAN-AMERICAN HERITAGE SPECIAL LICENSE PLATES UNDER THIS SUBSECTION (4) SHALL PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6) (b) FOR RENEWAL OF SUCH PERSONALIZED PLATES. THE FEES UNDER THIS SUBSECTION (4) ARE IN ADDITION TO ALL OTHER TAXES AND FEES IMPOSED FOR THE ITALIAN-AMERICAN HERITAGE SPECIAL LICENSE PLATES.

SECTION 2. 42-3-301 (2) (a) (II), Colorado Revised Statutes, as it will become effective July 1, 2007, 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, sections 42-3-209 to 42-3-219, or ~~section 42-3-221, 42-3-222, 42-3-223, or 42-3-224~~ SECTIONS 42-3-221 TO 42-3-225;

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, Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for allocation to the division of motor vehicles, for the fiscal year beginning July 1, 2007, 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 8, 2007, if adjournment sine die is on May 9, 2007); 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: May 18, 2007