

CHAPTER 431

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 07-067

BY SENATOR(S) Brophy, Tupa, Mitchell S., Tochtrop, and Williams;
also REPRESENTATIVE(S) Carroll T., Frangas, Marshall, Merrifield, and Todd.

AN ACT

**CONCERNING THE CREATION OF A SHARE THE ROAD 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:

42-3-225. Special plates - share the road - 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 SHARE THE ROAD SPECIAL LICENSE PLATE. THE DEPARTMENT IS AUTHORIZED TO BEGIN ISSUANCE OF SUCH SPECIAL LICENSE PLATE IF BICYCLE COLORADO, INC., OBTAINS COMMITMENTS FOR THE PURCHASE OF AT LEAST THREE THOUSAND SPECIAL LICENSE PLATES AND PROVIDES TO THE DEPARTMENT A LIST OF THE NAMES AND ADDRESSES OF PERSONS REQUESTING SUCH PLATES BY JULY 1, 2009.

(b) EFFECTIVE JULY 1, 2009, THIS SECTION IS REPEALED IF THE DEPARTMENT OF REVENUE NOTIFIES THE REVISOR OF STATUTES THAT BICYCLE COLORADO, INC., FAILED TO OBTAIN THE COMMITMENTS REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (2) BY JULY 1, 2009.

(c) THE DESIGN FOR THE SPECIAL LICENSE PLATE SHALL CONFORM WITH STANDARDS ESTABLISHED BY THE DEPARTMENT AND SHALL BE SUBJECT TO APPROVAL BY BICYCLE COLORADO, INC.

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) (a) A PERSON MAY APPLY FOR A SHARE THE ROAD SPECIAL LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THIS SECTION AND PROVIDES TO THE DEPARTMENT OR AN AUTHORIZED AGENT A CERTIFICATE, ISSUED BY BICYCLE COLORADO, INC., OR A SUCCESSOR ORGANIZATION, CONFIRMING THAT SUCH PERSON MEETS THE QUALIFICATIONS FOR THE LICENSE PLATE ESTABLISHED PURSUANT TO THIS SECTION.

(b) BICYCLE COLORADO, INC., OR A SUCCESSOR ORGANIZATION MAY ESTABLISH A SPECIFIC LEVEL OF CONTRIBUTION TO A SHARE THE ROAD EDUCATION FUND THAT QUALIFIES A PERSON TO OBTAIN SPECIAL LICENSE PLATES UNDER THIS SECTION. SUCH FUND SHALL BE USED TO FUND PROGRAMS, ACTIVITIES, AND EVENTS THAT EDUCATE BICYCLISTS, MOTORISTS, LAW ENFORCEMENT, AND TRANSPORTATION OFFICIALS ON THE RIGHTS AND RESPONSIBILITIES OF BICYCLING, SAFELY SHARING THE ROAD, AND REDUCING BICYCLE CRASHES.

(c) BICYCLE COLORADO, INC., OR ITS SUCCESSOR ORGANIZATION SHALL FILE WITH THE DEPARTMENT AN ANNUAL STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION.

(4) 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.

(5) AN APPLICANT MAY APPLY FOR PERSONALIZED SHARE THE ROAD 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 SHARE THE ROAD 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 SHARE THE ROAD LICENSE PLATES UNDER THIS SUBSECTION (5) SHALL PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6) (b) FOR RENEWAL OF SUCH PERSONALIZED PLATES. THE FEES UNDER THIS SUBSECTION (5) ARE IN ADDITION TO ALL OTHER TAXES AND FEES IMPOSED FOR SHARE THE ROAD 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~~ SECTIONS 42-3-221 ~~42-3-222, 42-3-223, or 42-3-224~~ 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: June 3, 2007