

CHAPTER 126

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 11-037

BY SENATOR(S) Heath, Aguilar, Bacon, Boyd, Cadman, Foster, Giron, Grantham, Harvey, Johnston, King K., King S., Lambert, Lundberg, Morse, Newell, Nicholson, Roberts, Scheffel, Schwartz, Shaffer B., Spence, Tochtrop, Williams S., White; also REPRESENTATIVE(S) Kerr J., Acree, Barker, Bradford, Casso, Duran, Fields, Fischer, Gardner B., Gerou, Hamner, Jones, Massey, Miklosi, Nikkel, Pabon, Pace, Priola, Ramirez, Schafer S., Sonnenberg, Summers, Todd, Vigil, Wilson, McNulty.

AN ACT

CONCERNING THE CREATION OF A WORLD WAR II SPECIAL LICENSE PLATE, AND MAKING AN APPROPRIATION THEREFOR.

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

SECTION 1. 42-3-213 (1) (a), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

42-3-213. Special plates - military veterans - rules - retirement. (1) (a) The department shall issue one or more sets of special license plates to the following persons who own a truck that does not exceed sixteen thousand pounds empty weight, a passenger car, a motorcycle, or a noncommercial or recreational vehicle:

(XXII) A VETERAN OF WORLD WAR II.

SECTION 2. 42-3-213 (1) (b) (II), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUB-SUBPARAGRAPH to read:

42-3-213. Special plates - military veterans - rules - retirement. (1) (b) (II) Notwithstanding subparagraph (I) of this paragraph (b):

(H) THE DEPARTMENT SHALL NOT CHARGE THE ONE-TIME ISSUANCE FEE IMPOSED PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) FOR ONE SET, PER APPLICANT, OF WORLD WAR II SPECIAL LICENSE PLATES ISSUED PURSUANT TO SUBSECTION (23) OF THIS SECTION.

SECTION 3. 42-3-213, Colorado Revised Statutes, is amended BY THE

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

ADDITION OF A NEW SUBSECTION to read:

42-3-213. Special plates - military veterans - rules - retirement.

(23) **Veteran of world war II.** (a) THE DEPARTMENT SHALL DESIGN THE VETERAN OF WORLD WAR II SPECIAL LICENSE PLATE TO INDICATE THAT THE OWNER OF THE MOTOR VEHICLE TO WHICH THE LICENSE PLATE IS ATTACHED IS A VETERAN OF WORLD WAR II.

(b) EFFECTIVE JANUARY 1, 2012, A NATURAL PERSON MAY USE A WORLD WAR II SPECIAL LICENSE PLATE IF THE PERSON WAS A MEMBER OF THE UNITED STATES ARMED SERVICES BETWEEN SEPTEMBER 16, 1940, AND JULY 25, 1947.

(c) THE DEPARTMENT OR AN AUTHORIZED AGENT SHALL NOT ISSUE A WORLD WAR II SPECIAL LICENSE PLATE TO AN APPLICANT UNTIL THE APPLICANT PROVIDES A DD214 FORM ISSUED BY THE UNITED STATES GOVERNMENT OR OTHER EVIDENCE SUFFICIENT TO DEMONSTRATE THAT THE APPLICANT IS A VETERAN OF THE ARMED SERVICES WHO SERVED BETWEEN SEPTEMBER 16, 1940, AND JULY 25, 1947.

SECTION 4. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado state titling and registration account of the highway users tax fund created in section 42-1-211 (2), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for allocation to the information technology division, for the fiscal year beginning July 1, 2011, the sum of two thousand nine hundred sixty dollars (\$2,960) cash funds, or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for allocation to the office of information technology, for the fiscal year beginning July 1, 2011, the sum of two thousand nine hundred sixty dollars (\$2,960), or so much thereof as may be necessary, for the programming services to be provided to the department of revenue related to the implementation of this act. Said sum shall be from reappropriated funds received from the department of revenue out of the appropriation made in subsection (1) of this section.

(3) 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 division of motor vehicles, for the fiscal year beginning July 1, 2011, the sum of nine thousand eighty dollars (\$9,080) cash funds, or so much thereof as may be necessary, for the implementation of this act.

SECTION 5. Act subject to petition - 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 (August 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part shall not take effect

unless approved by the people at the general election to be held in November 2012 and shall take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 22, 2011