

CHAPTER 142

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 11-1234

BY REPRESENTATIVE(S) Vaad, Coram, Barker, Liston, Pace, Priola, Ramirez, Scott, Tyler;
also SENATOR(S) Spence and Williams S.

AN ACT

CONCERNING THE CREATION OF A TAXICAB LICENSE PLATE FOR MOTOR VEHICLES AUTHORIZED TO PROVIDE TAXICAB SERVICES, AND MAKING AN APPROPRIATION THEREFOR.

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

SECTION 1. Article 10 of title 40, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

40-10-121. Taxicab license plates - rules - repeal. (1) (a) THE COMMISSION SHALL EITHER:

(I) CREATE A DOCUMENT THAT A PERSON AUTHORIZED TO PROVIDE TAXICAB SERVICES UNDER THIS ARTICLE MAY USE TO VERIFY TO THE DEPARTMENT OF REVENUE OR THE DEPARTMENT'S AUTHORIZED AGENT THAT THE PERSON IS SO AUTHORIZED; OR

(II) CREATE A SYSTEM TO ELECTRONICALLY VERIFY TO THE DEPARTMENT OF REVENUE OR THE DEPARTMENT'S AUTHORIZED AGENT THAT THE PERSON IS AUTHORIZED TO PROVIDE TAXICAB SERVICES UNDER THIS ARTICLE.

(b) UPON REQUEST, THE COMMISSION SHALL PROVIDE THE DOCUMENT TO THE PERSON WITH SUCH AUTHORITY OR THE ELECTRONIC VERIFICATION TO THE DEPARTMENT OF REVENUE OR THE DEPARTMENT'S AUTHORIZED AGENT.

(2) THE COMMISSION MAY PROMULGATE RULES TO IMPLEMENT THIS SECTION AND TO ENFORCE SECTION 42-3-236, C.R.S.

(3) (a) BY JANUARY 1, 2012, THE COMMISSION SHALL NOTIFY EACH PERSON AUTHORIZED TO PROVIDE TAXICAB SERVICES UNDER THIS ARTICLE OF 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.

REQUIREMENTS OF SECTION 42-3-236, C.R.S.

(b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2012.

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

42-3-236. Taxicab license plates - taxicabs - repeal. (1) THE TAXICAB LICENSE PLATE IS HEREBY ESTABLISHED. THE PLATE CONSISTS OF BLACK LETTERS ON A YELLOW BACKGROUND AND FEATURES THE WORDS "COLORADO" ACROSS THE TOP AND "TAXICAB" ACROSS THE BOTTOM OF THE PLATE.

(2) A PERSON WHO IS AUTHORIZED TO PROVIDE TAXICAB SERVICE UNDER ARTICLE 10 OF TITLE 40, C.R.S., SHALL REGISTER A MOTOR VEHICLE USED FOR TAXICAB PURPOSES UNDER THIS ARTICLE AND DISPLAY TAXICAB LICENSE PLATES ON THE VEHICLE. UPON REGISTRATION, THE DEPARTMENT SHALL ISSUE TAXICAB LICENSE PLATES FOR THE VEHICLE IN ACCORDANCE WITH THIS SECTION. THE DEPARTMENT SHALL NOT ISSUE A TAXICAB LICENSE PLATE UNLESS THE PERSON EITHER SUBMITS A VERIFICATION DOCUMENT OR THE PUBLIC UTILITIES COMMISSION ELECTRONICALLY VERIFIES THE AUTHORIZATION, AS PROVIDED IN SECTION 40-10-121, C.R.S.

(3) A PERSON PROVIDING TAXICAB SERVICES USING A MOTOR VEHICLE THAT WAS REGISTERED ON JANUARY 1, 2012, IS NOT REQUIRED TO OBTAIN TAXICAB LICENSE PLATES UNTIL THE VEHICLE IS SCHEDULED FOR RENEWAL OF THE CURRENT REGISTRATION. UPON RENEWING A REGISTRATION FOR A TAXICAB REGISTERED UNDER THIS ARTICLE, THE DEPARTMENT SHALL ISSUE TAXICAB LICENSE PLATES FOR THE VEHICLE IN ACCORDANCE WITH THIS SECTION. THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JANUARY 1, 2013.

(4) A PERSON SHALL NOT OPERATE A MOTOR VEHICLE WITH A TAXICAB LICENSE PLATE OR TEMPORARY TAXICAB LICENSE PLATE UNLESS THE MOTOR VEHICLE TO WHICH THE PLATES ARE ATTACHED IS REQUIRED BY SUBSECTION (2) OF THIS SECTION TO BEAR TAXICAB LICENSE PLATES.

(5) IF THE PERSON WHO OWNS THE MOTOR VEHICLE WITH TAXICAB LICENSE PLATES IS NOT THE PERSON UNDER WHOSE AUTHORITY THE MOTOR VEHICLE OPERATES UNDER ARTICLE 10 OF TITLE 40, C.R.S., THE PERSON WITH THE AUTHORITY MAY REQUEST THAT THE DEPARTMENT OF REVENUE REQUIRE THE PLATE TO BE REPLACED. WITHIN THIRTY DAYS AFTER RECEIVING THE REQUEST, THE DEPARTMENT SHALL REQUIRE THE OWNER OF THE MOTOR VEHICLE TO RETURN THE TAXICAB LICENSE PLATE AND BE ISSUED A NEW LICENSE PLATE. THE OWNER OF THE MOTOR VEHICLE SHALL SURRENDER THE TAXICAB LICENSE PLATE TO THE DEPARTMENT WITHIN TEN DAYS AFTER RECEIVING NOTICE FROM THE DEPARTMENT UNLESS THE OWNER OF THE MOTOR VEHICLE OBTAINS AUTHORITY TO OPERATE A TAXICAB UNDER ARTICLE 10 OF TITLE 40, C.R.S., EITHER DIRECTLY OR AS AN AGENT, AND EITHER THE PERSON SUBMITS A VERIFICATION DOCUMENT OR THE PUBLIC UTILITIES COMMISSION ELECTRONICALLY VERIFIES THE AUTHORIZATION, AS PROVIDED IN SECTION 40-10-121, C.R.S.

(6) A PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS B TRAFFIC INFRACTION, PUNISHABLE BY A FINE OF SEVENTY-FIVE DOLLARS.

(7) THIS SECTION IS EFFECTIVE JANUARY 1, 2012.

SECTION 3. 42-3-235 (2) (a), Colorado Revised Statutes, is amended, and the said 42-3-235 (2) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

42-3-235. Livery license plates - luxury limousines - repeal. (2) (a) Except as provided in ~~paragraph~~ PARAGRAPHS (b) TO (d) of this subsection (2), a person providing luxury limousine service under article 16 of title 40, C.R.S., shall register the motor vehicle used for such purposes pursuant to this article and display livery license plates on the vehicle. Upon such registration, the department shall issue livery license plates for the vehicles in accordance with this section. The department shall not issue a livery license plate unless the person either submits a verification document issued pursuant to section 40-16-111, C.R.S., or the public utilities commission electronically verifies the authorization to provide luxury limousine service under section 40-16-111, C.R.S.

(d) IF A MOTOR VEHICLE IS USED TO PROVIDE BOTH TAXICAB SERVICES AND LUXURY LIMOUSINE SERVICES, THE DEPARTMENT SHALL ISSUE THE MOTOR VEHICLE A TAXICAB LICENSE PLATE IN ACCORDANCE WITH SECTION 42-3-236.

SECTION 4. Part 2 of article 10.1 of title 40, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

40-10.1-207. Taxicab license plates - rules - repeal. (1) (a) THE COMMISSION SHALL EITHER:

(I) CREATE A DOCUMENT THAT A PERSON AUTHORIZED TO PROVIDE TAXICAB SERVICES UNDER THIS ARTICLE MAY USE TO VERIFY TO THE DEPARTMENT OF REVENUE OR THE DEPARTMENT'S AUTHORIZED AGENT THAT THE PERSON IS SO AUTHORIZED; OR

(II) CREATE A SYSTEM TO ELECTRONICALLY VERIFY TO THE DEPARTMENT OF REVENUE OR THE DEPARTMENT'S AUTHORIZED AGENT THAT THE PERSON IS AUTHORIZED TO PROVIDE TAXICAB SERVICES UNDER THIS PART 2.

(b) UPON REQUEST, THE COMMISSION SHALL PROVIDE THE DOCUMENT TO THE PERSON WITH SUCH AUTHORITY OR THE ELECTRONIC VERIFICATION TO THE DEPARTMENT OF REVENUE OR THE DEPARTMENT'S AUTHORIZED AGENT.

(2) THE COMMISSION MAY PROMULGATE RULES TO IMPLEMENT THIS SECTION AND TO ENFORCE SECTION 42-3-236, C.R.S.

(3) (a) BY JANUARY 1, 2012, THE COMMISSION SHALL NOTIFY EACH PERSON AUTHORIZED TO PROVIDE TAXICAB SERVICES UNDER THIS ARTICLE OF THE REQUIREMENTS OF SECTION 42-3-236, C.R.S.

(b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2012.

SECTION 5. Part 2 of article 3 of title 42, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

42-3-236. Taxicab license plates - taxicabs - repeal. (1) THE TAXICAB LICENSE PLATE IS HEREBY ESTABLISHED. THE PLATE CONSISTS OF BLACK LETTERS ON A YELLOW BACKGROUND AND FEATURES THE WORDS "COLORADO" ACROSS THE TOP AND "TAXICAB" ACROSS THE BOTTOM OF THE PLATE.

(2) A PERSON WHO IS AUTHORIZED TO PROVIDE TAXICAB SERVICE UNDER ARTICLE 10.1 OF TITLE 40, C.R.S., SHALL REGISTER A MOTOR VEHICLE USED FOR TAXICAB PURPOSES UNDER THIS ARTICLE AND DISPLAY TAXICAB LICENSE PLATES ON THE VEHICLE. UPON REGISTRATION, THE DEPARTMENT SHALL ISSUE TAXICAB LICENSE PLATES FOR THE VEHICLE IN ACCORDANCE WITH THIS SECTION. THE DEPARTMENT SHALL NOT ISSUE A TAXICAB LICENSE PLATE UNLESS THE PERSON EITHER SUBMITS A VERIFICATION DOCUMENT OR THE PUBLIC UTILITIES COMMISSION ELECTRONICALLY VERIFIES THE AUTHORIZATION AS PROVIDED IN SECTION 40-10.1-207, C.R.S.

(3) A PERSON PROVIDING TAXICAB SERVICES USING A MOTOR VEHICLE THAT WAS REGISTERED ON JANUARY 1, 2012, IS NOT REQUIRED TO OBTAIN TAXICAB LICENSE PLATES UNTIL THE VEHICLE IS SCHEDULED FOR RENEWAL OF THE CURRENT REGISTRATION. UPON RENEWING A REGISTRATION FOR A TAXICAB REGISTERED UNDER THIS ARTICLE, THE DEPARTMENT SHALL ISSUE TAXICAB LICENSE PLATES FOR THE VEHICLE IN ACCORDANCE WITH THIS SECTION. THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JANUARY 1, 2013.

(4) A PERSON SHALL NOT OPERATE A MOTOR VEHICLE WITH A TAXICAB LICENSE PLATE OR TEMPORARY TAXICAB LICENSE PLATE UNLESS THE MOTOR VEHICLE TO WHICH THE PLATES ARE ATTACHED IS REQUIRED BY SUBSECTION (2) OF THIS SECTION TO BEAR TAXICAB LICENSE PLATES.

(5) IF THE PERSON WHO OWNS THE MOTOR VEHICLE WITH TAXICAB LICENSE PLATES IS NOT THE PERSON UNDER WHOSE AUTHORITY THE MOTOR VEHICLE OPERATES UNDER ARTICLE 10.1 OF TITLE 40, C.R.S., THE PERSON WITH THE AUTHORITY MAY REQUEST THAT THE DEPARTMENT OF REVENUE REQUIRE THE PLATE TO BE REPLACED. WITHIN THIRTY DAYS AFTER RECEIVING THE REQUEST, THE DEPARTMENT SHALL REQUIRE THE OWNER OF THE MOTOR VEHICLE TO RETURN THE TAXICAB LICENSE PLATE AND BE ISSUED A NEW LICENSE PLATE. THE OWNER OF THE MOTOR VEHICLE SHALL SURRENDER THE TAXICAB LICENSE PLATE TO THE DEPARTMENT WITHIN TEN DAYS AFTER RECEIVING NOTICE FROM THE DEPARTMENT UNLESS THE OWNER OF THE MOTOR VEHICLE OBTAINS AUTHORITY TO OPERATE A TAXICAB UNDER PART 2 OF ARTICLE 10.1 OF TITLE 40, C.R.S., EITHER DIRECTLY OR AS AN AGENT, AND EITHER THE PERSON SUBMITS A VERIFICATION DOCUMENT OR THE PUBLIC UTILITIES COMMISSION ELECTRONICALLY VERIFIES THE AUTHORIZATION AS PROVIDED IN SECTION 40-10.1-207, C.R.S.

(6) A PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS B TRAFFIC INFRACTION, PUNISHABLE BY A FINE OF SEVENTY-FIVE DOLLARS.

(7) THIS SECTION IS EFFECTIVE JANUARY 1, 2012.

SECTION 6. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, to the department of revenue, for allocation to the information technology division, for the fiscal year beginning July 1, 2011, the sum of ten thousand nine hundred fifty-two dollars (\$10,952) cash funds, or so much

thereof as may be necessary, for the implementation of this act. Of said sum, eight thousand eight hundred eighty dollars (\$8,880) shall be from the Colorado state titling and registration account of the highway users tax fund created in section 42-1-211 (2), Colorado Revised Statutes, and two thousand seventy-two dollars (\$2,072) shall be from the licensing services cash fund created in section 42-2-114.5 (1), Colorado Revised Statutes.

(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 ten thousand nine hundred fifty-two dollars (\$10,952), 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, driver and vehicle services, for the fiscal year beginning July 1, 2011, the sum of fourteen thousand eight hundred dollars (\$14,800) cash funds, or so much thereof as may be necessary, for the implementation of this act.

SECTION 7. Effective date. This act shall take effect July 1, 2011; except that sections 1 and 2 shall not take effect if House Bill 11-1198 is enacted and becomes law, and sections 4 and 5 of this act shall take effect only if House Bill 11-1198 is enacted and becomes law.

SECTION 8. 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 4, 2011