

CHAPTER 276

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 11-1166

BY REPRESENTATIVE(S) Murray, Labuda, Stephens, Todd, Tyler, Acree, Joshi, Soper;
also SENATOR(S) Aguilar.

AN ACT

**CONCERNING THE CREATION OF A TYPE 1 DIABETES SPECIAL LICENSE PLATE, 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:

42-3-238. Special plates - type 1 diabetes. (1) BEGINNING THE EARLIER OF JANUARY 1, 2012, OR WHEN THE DEPARTMENT IS ABLE TO ISSUE THE PLATES, THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE PLATES TO QUALIFIED APPLICANTS UNDER 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 JUVENILE DIABETES SPECIAL LICENSE PLATE. THE DEPARTMENT MAY STOP ISSUING THE JUVENILE DIABETES SPECIAL LICENSE PLATE IF THREE THOUSAND LICENSE PLATES ARE NOT ISSUED BY JULY 1, 2014. A PERSON MAY CONTINUE TO USE THE JUVENILE DIABETES SPECIAL LICENSE PLATE AFTER JULY 1, 2014.

(b) THE JUVENILE DIABETES RESEARCH FOUNDATION MAY DESIGN THE SPECIAL LICENSE PLATE. THE DESIGN FOR THE SPECIAL LICENSE PLATE MUST CONFORM WITH STANDARDS ESTABLISHED BY THE DEPARTMENT AND IS SUBJECT TO THE DEPARTMENT'S APPROVAL.

(3) A PERSON MAY APPLY FOR A JUVENILE DIABETES SPECIAL LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THIS SECTION.

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

(4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE PLATES UNDER THIS SECTION ARE THE SAME AS THE AMOUNT OF THE TAXES AND FEES 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 FEE TO THE HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201, C.R.S.

(5) AN APPLICANT MAY APPLY FOR PERSONALIZED JUVENILE DIABETES 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 JUVENILE DIABETES SPECIAL LICENSE PLATES FOR THE VEHICLE UPON PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6) (a) AND UPON TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED JUVENILE DIABETES SPECIAL 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 APPLICABLE TAXES AND FEES.

SECTION 2. 42-3-312, Colorado Revised Statutes, is amended to read:

42-3-312. Special license plate surcharge. In addition to any other fee imposed by this article, an applicant for a special license plate created by rule in accordance with section 42-3-207, as such section existed when the plate was created, or license plates issued pursuant to sections 42-3-211 to 42-3-218, ~~and~~ sections 42-3-221 to 42-3-234, AND SECTION 42-3-238 shall pay an issuance fee of twenty-five dollars; except that the fee ~~shall~~ ~~is not be~~ imposed on special license plates exempted from additional fees for the issuance of a military special license plate by section 42-3-213 (1) (b) (II). The fee shall be transferred to the state treasurer and credited to the licensing services cash fund created in section 42-2-114.5.

SECTION 3. 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 seventeen thousand seven hundred sixty dollars (\$17,760) cash funds, or so much thereof as may be necessary, for the implementation of this act.

SECTION 4. 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: June 2, 2011