

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0322.01 Jery Payne x2157

HOUSE BILL 12-1023

HOUSE SPONSORSHIP

Nikkel,

SENATE SPONSORSHIP

King S.,

House Committees
Transportation

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE CREATION OF A FALLEN HEROES LICENSE PLATE.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill creates the fallen heroes license plate. A person becomes eligible to use the plate by donating \$50 to the Colorado chapter of the concerns of police survivors. In addition to the normal motor vehicle fees, the plate requires 2 one-time fees of \$25. One of the fees is credited to the highway users tax fund and the other to the licensing services cash fund.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 42-3-241 as
3 follows:

4 **42-3-241. Special plates - fallen heroes.** (1) BEGINNING THE
5 EARLIER OF JANUARY 1, 2013, OR WHEN THE DEPARTMENT IS ABLE TO
6 ISSUE THE PLATES, THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE
7 PLATES TO QUALIFIED APPLICANTS UNDER THIS SECTION FOR
8 MOTORCYCLES, PASSENGER CARS, TRUCKS, OR NONCOMMERCIAL OR
9 RECREATIONAL MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN
10 THOUSAND POUNDS EMPTY WEIGHT.

11 (2) (a) THERE IS HEREBY ESTABLISHED THE FALLEN HEROES
12 SPECIAL LICENSE PLATE. THE DEPARTMENT MAY STOP ISSUING THE FALLEN
13 HEROES SPECIAL LICENSE PLATE IF A TOTAL OF THREE THOUSAND LICENSE
14 PLATES ARE NOT ISSUED BY JULY 1, 2017. A PERSON WHO WAS ISSUED A
15 FALLEN HEROES SPECIAL LICENSE PLATE ON OR BEFORE JULY 1, 2017, MAY
16 CONTINUE TO USE THE FALLEN HEROES SPECIAL LICENSE PLATE AFTER
17 JULY 1, 2017, REGARDLESS OF WHETHER THE DEPARTMENT STOPS ISSUING
18 THE SPECIAL LICENSE PLATE.

19 (b) THE COLORADO CHAPTER OF THE CONCERNS OF POLICE
20 SURVIVORS, INC., MAY DESIGN THE SPECIAL LICENSE PLATE IF THE PLATE
21 CONFORMS WITH STANDARDS ESTABLISHED BY THE DEPARTMENT.

22 (3) (a) A PERSON MAY APPLY FOR A FALLEN HEROES LICENSE
23 PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THIS
24 SECTION AND PROVIDES TO THE DEPARTMENT OR AN AUTHORIZED AGENT
25 A CERTIFICATE, ISSUED BY THE COLORADO CHAPTER OF THE CONCERNS OF
26 POLICE SURVIVORS, INC., OR ITS SUCCESSOR ORGANIZATION, CONFIRMING
27 THAT THE APPLICANT HAS DONATED FIFTY DOLLARS TO THE COLORADO

1 CHAPTER OF THE CONCERNS OF POLICE SURVIVORS, INC.

2 (b) THE COLORADO CHAPTER OF THE CONCERNS OF POLICE
3 SURVIVORS, INC., OR ITS SUCCESSOR ORGANIZATION, SHALL FILE WITH THE
4 DEPARTMENT AN ANNUAL STATEMENT VERIFYING THAT IT IS A NONPROFIT
5 ORGANIZATION.

6 (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE
7 PLATES UNDER THIS SECTION ARE THE SAME AS THE AMOUNT OF THE
8 TAXES AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT
9 THAT THE DEPARTMENT SHALL COLLECT A ONE-TIME FEE OF TWENTY-FIVE
10 DOLLARS FOR ISSUANCE OR REPLACEMENT OF THE LICENSE PLATE. THE
11 DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME FEE TO THE
12 STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE HIGHWAY USERS
13 TAX FUND CREATED IN SECTION 43-4-201, C.R.S.

14 (5) AN APPLICANT MAY APPLY FOR PERSONALIZED FALLEN HEROES
15 SPECIAL LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL FEE
16 REQUIRED BY SECTION 42-3-211 (6) (a) FOR PERSONALIZED LICENSE
17 PLATES, THE DEPARTMENT MAY ISSUE THE PLATES IF THE APPLICANT
18 COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS EXISTING
19 PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT
20 MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET
21 OF FALLEN HEROES SPECIAL LICENSE PLATES FOR THE VEHICLE UPON
22 PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6) (a) AND UPON
23 TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO
24 HAS OBTAINED PERSONALIZED FALLEN HEROES SPECIAL LICENSE PLATES
25 UNDER THIS SUBSECTION (5) SHALL PAY THE ANNUAL FEE IMPOSED BY
26 SECTION 42-3-211 (6) (b) FOR RENEWAL OF THE PERSONALIZED PLATES.
27 THE FEES UNDER THIS SUBSECTION (5) ARE IN ADDITION TO ALL OTHER

1 APPLICABLE TAXES AND FEES.

2 **SECTION 2.** In Colorado Revised Statutes, **amend** 42-3-312 as
3 follows:

4 **42-3-312. Special license plate surcharge.** In addition to any
5 other fee imposed by this article, an applicant for a special license plate
6 created by rule in accordance with section 42-3-207, as such section
7 existed when the plate was created, or license plates issued pursuant to
8 sections 42-3-211 to 42-3-218, sections 42-3-221 to 42-3-234, and
9 sections 42-3-237 to ~~42-3-240~~ 42-3-241 shall pay an issuance fee of
10 twenty-five dollars; except that the fee is not imposed on special license
11 plates exempted from additional fees for the issuance of a military special
12 license plate by section 42-3-213 (1) (b) (II). The department shall
13 transfer the fee to the state treasurer, who shall credit it to the licensing
14 services cash fund created in section 42-2-114.5.

15 **SECTION 3. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly (August
18 7, 2012, if adjournment sine die is on May 9, 2012); except that, if a
19 referendum petition is filed pursuant to section 1 (3) of article V of the
20 state constitution against this act or an item, section, or part of this act
21 within such period, then the act, item, section, or part will not take effect
22 unless approved by the people at the general election to be held in
23 November 2012 and, in such case, will take effect on the date of the
24 official declaration of the vote thereon by the governor.