

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 12-0431.01 Jery Payne x2157

HOUSE BILL 12-1131

HOUSE SPONSORSHIP

Labuda,

SENATE SPONSORSHIP

(None),

House Committees

Transportation
Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A CHILD LOSS AWARENESS LICENSE**
102 **PLATE, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **APPROPRIATION.**

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 child loss awareness license plate. 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 - child loss awareness.** (1) BEGINNING
5 THE 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 APPLICANTS UNDER THIS SECTION FOR MOTORCYCLES,
8 PASSENGER CARS, TRUCKS, OR NONCOMMERCIAL OR RECREATIONAL
9 MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN THOUSAND POUNDS
10 EMPTY WEIGHT.

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

19 (b) THE ROWAN TREE FOUNDATION MAY DESIGN THE SPECIAL
20 LICENSE PLATES IF THE DESIGN CONFORMS WITH STANDARDS ESTABLISHED
21 BY THE DEPARTMENT.

22 (3) A PERSON MAY APPLY FOR A CHILD LOSS AWARENESS LICENSE
23 PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THIS
24 SECTION.

25 (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE
26 PLATES UNDER THIS SECTION ARE THE SAME AS THE AMOUNT OF THE

1 TAXES AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT
2 THAT THE DEPARTMENT SHALL COLLECT A ONE-TIME FEE OF TWENTY-FIVE
3 DOLLARS FOR ISSUANCE OR REPLACEMENT OF THE LICENSE PLATE. THE
4 DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME FEE TO THE
5 STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE HIGHWAY USERS
6 TAX FUND CREATED IN SECTION 43-4-201, C.R.S.

7 (5) AN APPLICANT MAY APPLY FOR PERSONALIZED CHILD LOSS
8 AWARENESS LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL FEE
9 REQUIRED BY SECTION 42-3-211 (6) (a) FOR PERSONALIZED LICENSE
10 PLATES, THE DEPARTMENT MAY ISSUE THE PLATES IF THE APPLICANT
11 COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS EXISTING
12 PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT
13 MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET
14 OF CHILD LOSS AWARENESS LICENSE PLATES FOR THE VEHICLE UPON
15 PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6) (a) AND UPON
16 TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO
17 HAS OBTAINED PERSONALIZED CHILD LOSS AWARENESS LICENSE PLATES
18 UNDER THIS SUBSECTION (5) SHALL PAY THE ANNUAL FEE IMPOSED BY
19 SECTION 42-3-211 (6) (b) FOR RENEWAL OF THE PERSONALIZED PLATES.
20 THE FEES UNDER THIS SUBSECTION (5) ARE IN ADDITION TO ALL OTHER
21 APPLICABLE TAXES AND FEES.

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

24 **42-3-312. Special license plate surcharge.** In addition to any
25 other fee imposed by this article, an applicant for a special license plate
26 created by rule in accordance with section 42-3-207, as ~~such~~ THE section
27 existed when the plate was created, or license plates issued pursuant to

1 sections 42-3-211 to 42-3-218, sections 42-3-221 to 42-3-234, and
2 sections 42-3-237 to ~~42-3-240~~ 42-3-241 shall pay an issuance fee of
3 twenty-five dollars; except that the fee is not imposed on special license
4 plates exempted from additional fees for the issuance of a military special
5 license plate by section 42-3-213 (1) (b) (II). The department shall
6 transfer the fee to the state treasurer, who shall credit it to the licensing
7 services cash fund created in section 42-2-114.5.

8 **SECTION 3. Appropriation.** (1) In addition to any other
9 appropriation, there is hereby appropriated, out of any moneys in the
10 Colorado state titling and registration account of the highway users tax
11 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
12 otherwise appropriated, to the department of revenue, for the fiscal year
13 beginning July 1, 2012, the sum of \$2,960, or so much thereof as may be
14 necessary, to be allocated to the information technology division for the
15 purchase of computer center services.

16 (2) In addition to any other appropriation, there is hereby
17 appropriated to the governor - lieutenant governor - state planning and
18 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$2,960,
19 or so much thereof as may be necessary, for allocation to the office of
20 information technology, for the provision of computer center services for
21 the department of revenue related to the implementation of this act. Said
22 sum is from reappropriated funds received from the department of
23 revenue out of the appropriation made in subsection (1) of this section.

24 (3) In addition to any other appropriation, there is hereby
25 appropriated, out of any moneys in the license plate cash fund created in
26 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise
27 appropriated, to the department of revenue, for the fiscal year beginning

1 July 1, 2012, the sum of \$17,760, or so much thereof as may be necessary,
2 for allocation to the division of motor vehicles, driver and vehicle
3 services, for the purchase of special license plates related to the
4 implementation of this act.

5 **SECTION 4. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly (August
8 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a
9 referendum petition is filed pursuant to section 1 (3) of article V of the
10 state constitution against this act or an item, section, or part of this act
11 within such period, then the act, item, section, or part will not take effect
12 unless approved by the people at the general election to be held in
13 November 2012 and, in such case, will take effect on the date of the
14 official declaration of the vote thereon by the governor.