

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 10-0696.01 Jery Payne

HOUSE BILL 10-1161

HOUSE SPONSORSHIP

Nikkel,

SENATE SPONSORSHIP

(None),

House Committees

Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE CREATION OF A LIVERY LICENSE PLATE FOR
102 CERTAIN MOTOR VEHICLES USED TO TRANSPORT PEOPLE FOR
103 HIRE.

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>.)

Section 3 of the bill creates a livery license plate for luxury limousine services and other call-on-demand common carriers regulated by the public utilities commission (PUC). This does not include taxicabs. The bill also creates a personalized livery license plate. A luxury

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.

limousine service will be required to use the plate, but a motor vehicle may only display the plate if it is used for such a service. **Sections 1 and 2** instruct the PUC to notify the appropriate service providers of the bill's requirements and to provide verification of such provider's status.

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

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

4 **40-10-121. Livery license plates - repeal.** (1) THE COMMISSION
5 SHALL CREATE A DOCUMENT THAT A COMMON CARRIER AUTHORIZED TO
6 PROVIDE CALL-ON-DEMAND SERVICES, EXCEPT TAXICAB SERVICES, UNDER
7 THIS ARTICLE MAY USE TO VERIFY TO THE DEPARTMENT OF REVENUE OR
8 ITS AUTHORIZED AGENT THAT THE PERSON PROVIDES SUCH SERVICES. THE
9 COMMISSION SHALL CREATE A DOCUMENT SPECIFIC TO EACH MOTOR
10 VEHICLE WITH SUCH AUTHORITY AND PROVIDE THE DOCUMENT TO THE
11 OWNER OF THE MOTOR VEHICLE UPON REQUEST.

12 (2) (a) BY JANUARY 1, 2011, THE COMMISSION SHALL NOTIFY EACH
13 COMMON CARRIER AUTHORIZED TO PROVIDE CALL-ON-DEMAND SERVICES,
14 EXCEPT TAXICAB SERVICES, OF THE REQUIREMENTS OF SECTION 42-3-233,
15 C.R.S.

16 (b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 1, 2011.

17 **SECTION 2.** Article 16 of title 40, Colorado Revised Statutes, is
18 amended BY THE ADDITION OF A NEW SECTION to read:

19 **40-16-111. Livery license plates - repeal.** (1) THE COMMISSION
20 SHALL CREATE A DOCUMENT THAT A COMMON CARRIER AUTHORIZED TO
21 PROVIDE LUXURY LIMOUSINE SERVICES UNDER THIS ARTICLE MAY USE TO
22 VERIFY TO THE DEPARTMENT OF REVENUE OR ITS AUTHORIZED AGENT
23 THAT THE PERSON PROVIDES SUCH SERVICES. THE COMMISSION SHALL

1 CREATE A DOCUMENT SPECIFIC TO EACH MOTOR VEHICLE WITH SUCH
2 AUTHORITY AND PROVIDE THE DOCUMENT TO THE OWNER OF THE MOTOR
3 VEHICLE UPON REQUEST.

4 (2) (a) BY JANUARY 1, 2011, THE COMMISSION SHALL NOTIFY EACH
5 LUXURY LIMOUSINE AUTHORIZED TO PROVIDE SERVICES UNDER THIS
6 ARTICLE OF THE REQUIREMENTS OF SECTION 42-3-233, C.R.S.

7 (b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 1, 2011.

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

11 **42-3-233. Livery license plates - luxury limousines - common**
12 **carriers - repeal.** (1) THE LIVERY LICENSE PLATE IS HEREBY
13 ESTABLISHED. THE PLATE CONSISTS OF RED LETTERS ON A BLACK
14 BACKGROUND AND FEATURES THE WORDS "COLORADO" ACROSS THE TOP
15 AND "LIVERY" ACROSS THE BOTTOM OF THE PLATE.

16 (2) (a) EXCEPT AS PROVIDED IN PARAGRAPHS (b) TO (d) OF THIS
17 SUBSECTION (2), A PERSON PROVIDING LUXURY LIMOUSINE SERVICE UNDER
18 ARTICLE 16 OF TITLE 40, C.R.S., OR A COMMON CARRIER PROVIDING
19 CALL-ON-DEMAND SERVICES UNDER ARTICLE 10 OF TITLE 40, C.R.S.,
20 SHALL REGISTER THE MOTOR VEHICLE USED FOR SUCH PURPOSES
21 PURSUANT TO THIS ARTICLE AND DISPLAY LIVERY LICENSE PLATES ON THE
22 VEHICLE. UPON SUCH REGISTRATION, THE DEPARTMENT SHALL ISSUE
23 LIVERY LICENSE PLATES FOR THE VEHICLES IN ACCORDANCE WITH THIS
24 SECTION. A PERSON WHO REGISTERS OR RENEWS A REGISTRATION FOR A
25 MOTOR VEHICLE ISSUED A PLATE UNDER THIS SECTION SHALL SUBMIT
26 PROOF THAT THE PERSON PROVIDES LUXURY LIMOUSINE SERVICE UNDER
27 ARTICLE 16 OF TITLE 40, C.R.S.

1 (b) A PERSON PROVIDING LUXURY LIMOUSINE SERVICE UNDER
2 ARTICLE 16 OF TITLE 40, C.R.S., OR A COMMON CARRIER PROVIDING
3 CALL-ON-DEMAND SERVICES UNDER ARTICLE 10 OF TITLE 40, C.R.S., MAY
4 PROVIDE SUCH SERVICES WITHOUT REGISTERING THE MOTOR VEHICLE OR
5 USING LIVERY LICENSE PLATES IF THE MOTOR VEHICLE IS RENTED, BUT THE
6 PERSON SHALL NOT PROVIDE SUCH SERVICES USING A RENTED MOTOR
7 VEHICLE FOR MORE THAN THIRTY DAYS.

8 (c) THIS SUBSECTION (2) DOES NOT APPLY TO TAXICABS PROVIDING
9 COMMON CARRIER CALL-ON-DEMAND SERVICE UNDER ARTICLE 10 OF TITLE
10 40, C.R.S.

11 (d) A PERSON PROVIDING SERVICES REQUIRING A LIVERY PLATE
12 PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2) WITH A MOTOR
13 VEHICLE THAT WAS REGISTERED ON JANUARY 1, 2011, IS NOT REQUIRED
14 TO OBTAIN LIVERY PLATES UNTIL THE VEHICLE IS SCHEDULED FOR
15 RENEWAL OF THE CURRENT REGISTRATION. UPON RENEWING A
16 REGISTRATION FOR A LUXURY LIMOUSINE REGISTERED PURSUANT TO THIS
17 ARTICLE, THE DEPARTMENT SHALL ISSUE SPECIAL LIVERY LICENSE PLATES
18 FOR THE VEHICLE IN ACCORDANCE WITH THIS SECTION. THIS PARAGRAPH
19 (d) IS REPEALED, EFFECTIVE JANUARY 1, 2012.

20 (3) UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION
21 42-3-211 (6) (a) FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT
22 MAY ISSUE PERSONALIZED LIVERY LICENSE PLATES IF THE APPLICANT
23 COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS EXISTING
24 PERSONALIZED LICENSE PLATES, THE APPLICANT MAY TRANSFER THE
25 COMBINATION OF LETTERS OR NUMBERS TO A NEW SET OF SPECIAL LIVERY
26 LICENSE PLATES UPON PAYING THE FEE IMPOSED BY SECTION 42-3-211 (6)
27 (a) AND UPON TURNING THE EXISTING PLATES IN TO THE DEPARTMENT. A

1 PERSON WHO HAS OBTAINED PERSONALIZED LIVERY LICENSE PLATES
2 UNDER THIS SUBSECTION (3) SHALL PAY THE ANNUAL FEE IMPOSED BY
3 SECTION 42-3-211 (6) (b) FOR RENEWAL OF SUCH PERSONALIZED PLATES.
4 THE FEES UNDER THIS SUBSECTION (3) ARE IN ADDITION TO ALL OTHER
5 TAXES AND FEES IMPOSED FOR THE SPECIAL LICENSE PLATES.

6 (4) NO PERSON SHALL OPERATE A MOTOR VEHICLE WITH A LIVERY
7 LICENSE PLATE OR TEMPORARY LIVERY LICENSE PLATE UNLESS THE MOTOR
8 VEHICLE TO WHICH THE PLATES ARE ATTACHED IS REQUIRED BY
9 SUBSECTION (2) OF THIS SECTION TO BEAR LIVERY LICENSE PLATES. A
10 PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS B TRAFFIC
11 INFRACTION, PUNISHABLE BY A FINE OF SEVENTY-FIVE DOLLARS.

12 (5) THIS SECTION IS EFFECTIVE JANUARY 1, 2011.

13 **SECTION 4. Act subject to petition - effective date.** This act
14 shall take effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly (August
16 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
17 referendum petition is filed pursuant to section 1 (3) of article V of the
18 state constitution against this act or an item, section, or part of this act
19 within such period, then the act, item, section, or part shall not take effect
20 unless approved by the people at the general election to be held in
21 November 2010 and shall take effect on the date of the official
22 declaration of the vote thereon by the governor.