

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 10-0409.01 Jason Gelender

HOUSE BILL 10-1173

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**A BILL FOR AN ACT**

101 **CONCERNING CIRCUMSTANCES IN WHICH THE FEE FOR LATE**  
102 **REGISTRATION OF A VEHICLE IS NOT IMPOSED.**

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**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 specifies that, on and after July 1, 2010, the fee for late registration of a vehicle shall not be imposed for any portion of the calendar month in which a temporary registration number plate, tag, or certificate expires. The bill also authorizes the department of revenue or an authorized agent of the department to waive the fee if the department

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.*

or authorized agent determines that the failure to timely register the vehicle resulted from extenuating circumstances beyond the control of the vehicle owner.

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

2           **SECTION 1.** 42-3-112 (1) and (2), Colorado Revised Statutes,  
3 are amended to read:

4           **42-3-112. Failure to pay tax - penalty.** (1) If a vehicle subject  
5 to taxation under this article is not registered when required by law, the  
6 vehicle owner ~~shall pay~~ IS SUBJECT TO a late fee of twenty-five dollars for  
7 each month or portion of a month following the expiration of the  
8 registration period, or, if applicable, the expiration of the grace period  
9 described in section 42-3-114 for which the vehicle is unregistered;  
10 except that, ON AND AFTER JULY 1, 2010, THE LATE FEE SHALL NOT BE  
11 IMPOSED FOR ANY PORTION OF THE CALENDAR MONTH IN WHICH A  
12 TEMPORARY REGISTRATION NUMBER PLATE, TAG, OR CERTIFICATE ISSUED  
13 PURSUANT TO SECTION 42-3-203 EXPIRES AND EXCEPT THAT the amount  
14 of the late fee shall not exceed one hundred dollars. The late fee shall be  
15 due when the vehicle is registered. THE DEPARTMENT OR THE  
16 AUTHORIZED AGENT REGISTERING THE VEHICLE MAY WAIVE THE LATE FEE  
17 IF THE DEPARTMENT OR THE AUTHORIZED AGENT DETERMINES THAT THE  
18 FAILURE TO TIMELY REGISTER THE VEHICLE RESULTED FROM  
19 EXTENUATING CIRCUMSTANCES BEYOND THE CONTROL OF THE VEHICLE  
20 OWNER.

21           (2) Ten dollars of ~~the~~ EACH late registration fee COLLECTED shall  
22 be retained by the department or the authorized agent who registers the  
23 motor vehicle. Each authorized agent shall remit to the department no  
24 less frequently than once a month, but otherwise at the time and in the

1 manner required by the executive director of the department, the  
2 remainder of the late registration fees collected by the authorized agent.  
3 The executive director shall forward all late registration fees remitted by  
4 authorized agents plus the remainder of the late registration fees collected  
5 directly by the department to the state treasurer, who shall credit the fees  
6 to the highway users tax fund in accordance with section 43-4-804 (1) (e),  
7 C.R.S.

8 **SECTION 2. Safety clause.** The general assembly hereby finds,  
9 determines, and declares that this act is necessary for the immediate  
10 preservation of the public peace, health, and safety.