

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 10-0136.02 Jason Gelender

HOUSE BILL 10-1212

HOUSE SPONSORSHIP

Rice,

SENATE SPONSORSHIP

Schwartz,

House Committees

Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT THE EXECUTIVE DIRECTOR OF
102 THE DEPARTMENT OF REVENUE PROMULGATE RULES THAT
103 ESTABLISH CIRCUMSTANCES IN WHICH A VEHICLE OWNER SHALL
104 BE EXEMPTED FROM PAYING THE LATE FEE FOR LATE
105 REGISTRATION OF A VEHICLE.

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 requires the executive director of the department of

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.

revenue to promulgate rules that establish circumstances, in addition to circumstances already established in statute, in which a vehicle owner shall be exempted from paying the late fee for late registration of a motor vehicle. The bill requires the rules to apply uniformly throughout the state and to include, but not be limited to, exemptions for:

- ! Acts of God and weather-related delays;
- ! Office closures and furloughs;
- ! Medical hardships, which shall not include financial inability to pay;
- ! Out-of-state lienholders; and
- ! Information technology failures.

The bill requires the executive director to consult with the county clerk and recorders in promulgating the rules.

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

2 **SECTION 1.** 42-3-112, Colorado Revised Statutes, is amended
3 BY THE ADDITION OF A NEW SUBSECTION to read:

4 **42-3-112. Failure to pay tax - penalty - rules.**

5 (1.5) (a) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF THIS
6 SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL
7 PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S.,
8 THAT ESTABLISH CIRCUMSTANCES IN ADDITION TO THE CIRCUMSTANCES
9 DESCRIBED IN SUBSECTION (3) OF THIS SECTION IN WHICH A VEHICLE
10 OWNER SHALL BE EXEMPTED FROM PAYING THE LATE FEE DESCRIBED IN
11 SAID SUBSECTION (1). THE RULES SHALL APPLY UNIFORMLY THROUGHOUT
12 THE STATE AND SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO,
13 EXEMPTIONS FOR:

14 (I) ACTS OF GOD AND WEATHER-RELATED DELAYS;

15 (II) OFFICE CLOSURES AND FURLOUGHS;

16 (III) MEDICAL HARDSHIPS, WHICH SHALL NOT INCLUDE FINANCIAL
17 INABILITY TO PAY;

18 (IV) OUT-OF-STATE LIENHOLDERS; AND

1 (V) INFORMATION TECHNOLOGY FAILURES.

2 (b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL
3 CONSULT WITH THE COUNTY CLERK AND RECORDERS IN PROMULGATING
4 THE RULES REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (1.5).

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