

**First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 11-0323.01 Jery Payne

SENATE BILL 11-031

SENATE SPONSORSHIP

Cadman,

HOUSE SPONSORSHIP

Looper,

Senate Committees
Transportation

House Committees

A BILL FOR AN ACT

101 **CONCERNING MOTOR VEHICLES VALUED AS COLLECTOR'S ITEMS FOR**
102 **HISTORICAL REASONS.**

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>.)

Antique motor vehicles may have the vehicle identification number (VIN) stamped on the engine. When a person replaces the engine, the VIN may not match the number on the engine. The bill directs the department of revenue to amend a certificate of title when a part that displays the VIN is replaced to reflect an assigned VIN and the

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.

number of the new part.

The provisions specifically addressing collector vehicles are moved from various articles in the motor vehicle laws to the article concerning motor vehicles as collector's items.

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

2 **SECTION 1.** 42-6-118, Colorado Revised Statutes, is amended
3 to read:

4 **42-6-118. Amended certificate.** If the owner of a motor vehicle
5 ~~for which a Colorado certificate of title has been issued or filed~~ replaces
6 any part of the motor vehicle on which appears the identification number
7 or symbol described in the certificate of title FOR THE MOTOR VEHICLE and
8 ~~such~~ THE identification number or symbol no longer appears on the motor
9 vehicle, or incorporates the part containing the identification number or
10 symbol into another motor vehicle, ~~such~~ THE owner shall immediately
11 apply to the director or an authorized agent for an assigned identification
12 number and an amended filing of a certificate of title to such vehicle.

13 UNLESS THE DIRECTOR OR AUTHORIZED AGENT HAS REASON TO BELIEVE
14 A PART OF THE MOTOR VEHICLE HAS BEEN OBTAINED ILLEGALLY, THE
15 DIRECTOR OR AUTHORIZED AGENT SHALL AMEND THE CERTIFICATE OF
16 TITLE TO CHANGE THE IDENTIFICATION NUMBER TO THE ASSIGNED
17 IDENTIFICATION NUMBER AND TO REFLECT THE NUMBER OF THE NEW PART.

18 **SECTION 2.** Article 12 of title 42, Colorado Revised Statutes, is
19 amended, WITH THE RELOCATION OF PROVISIONS, to read:

20 PART 1

21 GENERAL PROVISIONS

22 **42-12-101. Definitions.** As used in this article, unless the context
23 otherwise requires:

1 (1) "BONDED TITLE VEHICLE" MEANS A VEHICLE FOR WHICH THE
2 OWNER HAS POSTED A BOND FOR TITLE PURSUANT TO SECTION 42-6-115.

3 (2) [Formerly 42-12-101 (1)] "Collector" means an individual or
4 person who is:

5 (a) The owner of one or more vehicles of historic or special
6 interest who collects, purchases, acquires, trades, or disposes of these
7 vehicles or parts thereof for such owner's use in order to preserve, restore,
8 and maintain a vehicle for hobby purposes or use; or

9 (b) A bona fide member of a national automobile club or
10 association whose charter recognizes in membership a sincere
11 demonstration of interest in the history of automotive engineering, in the
12 preservation of antique, vintage, or special interest motor vehicles, in a
13 sharing of knowledge and experience with other automotive enthusiasts,
14 or in the promotion of good fellowship among such members or
15 collectors.

16 (3) [Formerly 42-12-101 (2)] "Collector's item" means a motor
17 vehicle, including a truck or truck tractor, that is of:

18 (a) ~~(F)~~ Model year 1975 or earlier; or

19 ~~(H)~~ (b) Model year 1976 or later that was registered as a
20 collector's item prior to September 1, 2009; except that a vehicle so
21 registered shall IS not be eligible for registration as a collector's item upon
22 sale or transfer to a new owner. This paragraph (a) is effective September
23 1, 2009.

24 ~~(b) and (c) (Deleted by amendment, L. 97, p. 358, §1, effective~~
25 ~~July 1, 1997.)~~

26 (4) "COMMERCIAL VEHICLE" MEANS A TRAILER, TRUCK, OR TRUCK
27 TRACTOR, AS THOSE TERMS ARE DEFINED IN SECTION 42-1-102.

1 (5) "DEALER" MEANS A PERSON WHO IS ENGAGED IN THE BUSINESS
2 OR VOCATION OF MANUFACTURING, BUYING, SELLING, TRADING,
3 DESTROYING, OR SALVAGING MOTOR VEHICLES, MOTOR VEHICLE PARTS,
4 MOTOR VEHICLE EQUIPMENT, OR MOTOR VEHICLE ACCESSORIES.

5 (6) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE.

6 (7) "DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE
7 DEPARTMENT OF REVENUE.

8 (8) "GARAGE" MEANS A BUILDING OR BUSINESS PLACE USED FOR
9 THE STORAGE OR REPAIR OF MOTOR VEHICLES.

10 (9) "INSPECTOR" MEANS A PEACE OFFICER OF A LAW ENFORCEMENT
11 AGENCY WHO HAS BEEN CERTIFIED UNDER SECTION 42-5-206 (1) OR (2) TO
12 INSPECT VEHICLE IDENTIFICATION NUMBERS.

13 (10) "LAW ENFORCEMENT AGENCY" MEANS THE COLORADO STATE
14 PATROL OR THE AGENCY OF A LOCAL GOVERNMENT AUTHORIZED TO
15 ENFORCE THE LAWS OF COLORADO.

16 (11) "MOTOR VEHICLE" MEANS A SELF-PROPELLED VEHICLE
17 DESIGNED FOR OPERATION ON THE HIGHWAY AND NOT RUNNING ON RAILS.

18 (12) **[Formerly 42-12-101 (3)]** "Parts car" means a motor
19 vehicle, generally in ~~nonoperable~~ INOPERABLE condition, ~~which~~ THAT is
20 owned by a collector to furnish or to supply parts that are usually
21 ~~nonobtainable~~ UNOBTAINABLE from normal sources, thus enabling a
22 collector or other collectors to preserve, restore, complete, and maintain
23 a vehicle of historic or special interest.

24 (13) "REBUILT VEHICLE" MEANS A VEHICLE THAT WAS ASSEMBLED
25 FROM PARTS OF TWO OR MORE COMMERCIALY MANUFACTURED VEHICLES
26 OR THAT HAS BEEN ALTERED IN SUCH A MANNER THAT IT IS NOT READILY
27 RECOGNIZABLE AS A COMMERCIALY MANUFACTURED VEHICLE OF A

1 GIVEN YEAR. "REBUILT VEHICLE" INCLUDES A STREET ROD VEHICLE.

2 (14) "STATE" INCLUDES THE TERRITORIES AND THE FEDERAL
3 DISTRICTS OF THE UNITED STATES.

4 (15) "STREET ROD VEHICLE" MEANS A VEHICLE WITH A BODY
5 DESIGN MANUFACTURED IN 1948 OR EARLIER OR WITH A REPRODUCTION
6 COMPONENT THAT RESEMBLES A 1948 OR EARLIER MODEL THAT HAS BEEN
7 MODIFIED FOR SAFE ROAD USE, INCLUDING MODIFICATIONS TO THE DRIVE
8 TRAIN, SUSPENSION, AND BRAKE SYSTEMS, MODIFICATIONS TO THE BODY
9 THROUGH THE USE OF MATERIALS SUCH AS STEEL OR FIBERGLASS, AND
10 MODIFICATIONS TO OTHER SAFETY OR COMFORT FEATURES.

11 (16) "VEHICLE" MEANS A MOTOR VEHICLE REQUIRED TO HAVE A
12 CERTIFICATE OF TITLE UNDER PART 1 OF ARTICLE 6 OF THIS TITLE BUT DOES
13 NOT INCLUDE COMMERCIAL VEHICLES.

14 (17) "VEHICLE IDENTIFICATION NUMBER" MEANS THE IDENTIFYING
15 NUMBER, SERIAL NUMBER, ENGINE NUMBER, OR OTHER DISTINGUISHING
16 NUMBER OR MARK, INCLUDING ANY LETTERS, THAT IS UNIQUE TO THE
17 IDENTITY OF A GIVEN VEHICLE OR VEHICLE PART AND THAT WAS PLACED
18 ON A VEHICLE OR VEHICLE PART BY ITS MANUFACTURER OR BY THE
19 DEPARTMENT UNDER EITHER SECTION 42-12-202 OR THE LAWS OF
20 ANOTHER STATE OR COUNTRY.

21 **42-12-102. [Formerly 42-6-108.5] Rebuilder's certificate of**
22 **title.** (1) (a) ~~On or after July 1, 2008,~~ If the applicant for a certificate of
23 title to a motor vehicle is unable to provide the director or the authorized
24 agent with a certificate of title duly transferred to ~~such~~ THE applicant or
25 other evidence of ownership that satisfies the director that the applicant
26 owns the vehicle, the director may issue a rebuilder's title for a motor
27 vehicle valued principally because of the vehicle's early date of

1 manufacture, design, or historical interest or valued as a collector's item
2 if:

- 3 (I) The motor vehicle is not roadworthy;
- 4 (II) The motor vehicle is at least twenty-five years old;
- 5 (III) The components of the motor vehicle include at least a
6 rolling chassis;
- 7 (IV) The application contains or is accompanied by a statement
8 that complies with paragraph (b) of this subsection (1);
- 9 (V) The applicant obtains a certified vehicle identification number
10 inspection; and
- 11 (VI) The applicant provides surety that complies with subsection
12 (3) of this section.

13 (b) The statement required by subparagraph (IV) of paragraph (a)
14 of this subsection (1) ~~shall~~ MUST contain an account of the facts by which
15 the applicant acquired ownership of the vehicle, the source of the title to
16 the vehicle, and such other information as the director may require. The
17 statement ~~shall~~ MUST contain a written declaration that it is made under
18 the penalties of perjury in the second degree, as defined in section
19 18-8-503, C.R.S.

20 (2) If a motor vehicle titled ~~pursuant to~~ UNDER this section is later
21 made roadworthy, the department shall issue to an applicant a standard
22 certificate of title if the applicant:

- 23 (a) Obtains a certified vehicle identification number inspection;
- 24 AND
- 25 (b) FURNISHES A BOND UNDER SUBSECTION (3) OF THIS SECTION.
- 26 (3) (a) TO CONVERT A REBUILDER'S TITLE TO A STANDARD
27 CERTIFICATE OF TITLE, the applicant shall furnish evidence of a savings

1 account, deposit, or certificate of deposit meeting the requirements of
2 section 11-35-101, C.R.S., or a good and sufficient bond with a corporate
3 surety. ~~The surety shall be~~ ACCOUNT, DEPOSIT, CERTIFICATE, OR BOND
4 MUST BE in an amount fixed by the director, but not less than twice the
5 reasonable value of the vehicle, determined as of the time of application.
6 The applicant and the applicant's surety shall hold harmless any person
7 who suffers loss or damage by reason of the filing of a certificate of title
8 under this section.

9 (b) If a person suffers loss or damage by reason of the filing of a
10 certificate of title under this section, the person ~~shall have~~ HAS a right of
11 action against the applicant and the surety on the applicant's bond, against
12 either of whom the person damaged may proceed independently of the
13 other.

14 (4) ~~A motor vehicle titled pursuant to this section shall not:~~

15 (a) ~~Be driven~~ A PERSON SHALL NOT DRIVE A MOTOR VEHICLE
16 TITLED UNDER THIS SECTION on the highways until it complies with
17 subsection (5) of this section. ~~or~~

18 (b) ~~Be deemed a salvage vehicle or receive a salvage certificate~~
19 ~~of title~~ THE DEPARTMENT OR ITS AUTHORIZED AGENT SHALL NOT CLASSIFY
20 A VEHICLE ISSUED A TITLE UNDER THIS SECTION AS A SALVAGE VEHICLE.

21 (5) (a) If the motor vehicle's frame and body identification
22 numbers do not match the manufacturer's numbering system as being
23 originally mated or IF THE MOTOR VEHICLE is reconstructed from salvage
24 parts or other motor vehicles or reproduction parts, an application for title
25 under subsection (1) or (2) of this section ~~shall be accompanied by~~ MUST
26 INCLUDE evidence of ownership ~~acceptable to the director~~ of the parts,
27 other motor vehicles, or reproduction components used in the

1 reconstruction. IF THE EVIDENCE IS NOT ACCEPTABLE TO THE DIRECTOR,
2 THE DIRECTOR SHALL REJECT THE APPLICATION FOR CERTIFICATE OF TITLE.

3 (b) The evidence required by paragraph (a) of this subsection (5)
4 ~~shall~~ MUST include or be accompanied by an affidavit stating the facts
5 concerning the reconstruction and an affidavit of physical inspection that
6 includes a computer check of the state and national compilations of
7 wanted and stolen vehicles.

8 (c) Upon the ~~applicant's compliance with paragraphs (a) and (b)~~
9 ISSUANCE OF A CERTIFICATE OF TITLE UNDER PARAGRAPH (a) of this
10 subsection (5), the department shall issue a special vehicle identification
11 number to the vehicle.

12 **42-12-103. Applicability of articles 3, 5, and 6.** EXCEPT AS
13 OTHERWISE PROVIDED IN THIS ARTICLE, ARTICLES 3, 5, AND 6 OF THIS
14 TITLE APPLY TO A TITLE OR REGISTRATION, THE HOLDER OF A TITLE OR
15 REGISTRATION, AND ANY PERSON INTERESTED IN THE TITLE OR
16 REGISTRATION OF A MOTOR VEHICLE.

17 PART 2

18 STREET ROD VEHICLES

19 **42-12-201. [Formerly 42-5-203] Inspections - street rod**
20 **vehicles.** When an inspector performs a vehicle identification number
21 inspection on a street rod vehicle, the inspector shall accept the serial
22 number of such street rod vehicle as the ~~vehicle~~ VEHICLE'S identification
23 number ~~thereof~~, or, if the street rod vehicle has frame and body
24 identification numbers that do not match or is reconstructed from salvage
25 parts, other vehicles, or reproduction parts, the inspector shall accept the
26 special vehicle identification number assigned to such vehicle by the
27 department of revenue pursuant to BY section ~~42-5-205~~ 42-12-202 as the

1 vehicle identification number.

2 **42-12-202. [Formerly 42-5-205] Assignment of a special**
3 **vehicle identification number by the department.** The department of
4 ~~revenue is authorized to~~ MAY assign a special vehicle identification
5 number to any street rod vehicle whenever required by section ~~42-6-108~~
6 42-12-203 and to any vehicle or commercial vehicle whenever no vehicle
7 identification number is found on the vehicle or whenever a vehicle
8 identification number has been removed, changed, altered, or obliterated.
9 ~~Such~~ THE special number ~~shall~~ MUST be affixed to the vehicle or
10 commercial vehicle in the manner and position determined by the
11 department. ~~of revenue. Such~~ THE special number ~~shall then be~~ IS the
12 vehicle identification number required to be recorded by an inspector on
13 the inspection form that is transmitted to the ~~executive director of the~~
14 department, ~~of revenue, and the vehicle or commercial vehicle shall then~~
15 ~~be registered and titled under~~ WHICH SHALL REGISTER AND TITLE THE
16 MOTOR VEHICLE USING the special vehicle identification number.

17 **42-12-203. [Formerly 42-6-108] Identification number - title**
18 **- street rod vehicles.** (1) When a person applies for a certificate of title
19 for a street rod vehicle, the department shall accept the serial number of
20 ~~such~~ THE street rod vehicle as its vehicle identification number or the
21 special vehicle identification number assigned to such vehicle by the
22 department ~~pursuant to~~ UNDER section ~~42-5-205~~ 42-12-202.

23 (2) A person who applies for a certificate of title for a street rod
24 vehicle having frame and body identification numbers that do not match
25 the manufacturer's numbering system as being originally mated or that is
26 reconstructed from salvage parts or other motor vehicles or reproduction
27 parts shall furnish evidence of ownership, acceptable to the director, of

1 such salvage parts, other motor vehicles, or reproduction components
2 used in the reconstruction of such vehicle. In addition, the applicant shall
3 also furnish an affidavit stating the facts concerning the reconstruction
4 and an affidavit of physical inspection that includes a computer check of
5 the state and national compilations of wanted and stolen vehicles. ~~Such~~
6 ~~vehicle reconstructed from salvage parts, other motor vehicles, or~~
7 ~~reproduction parts~~ THE DEPARTMENT may then be issued ISSUE a special
8 vehicle identification number from the department. ~~The~~ AND TITLE THE
9 street rod vehicle will then be titled as a rebuilt vehicle. The model year
10 and the year of manufacture that are listed on the certificate of title of a
11 street rod vehicle shall be ARE the model year and the year of manufacture
12 that the body of such vehicle resembles.

13 **42-12-204. [Formerly 42-4-215.5] Signal lamps and devices -**
14 **street rod vehicles and custom motor vehicles - definition.** (1) As
15 used in this section, ~~unless the context otherwise requires:~~

16 (a) "blue dot tail light" means a red lamp installed in the rear of a
17 motor vehicle containing a blue or purple insert that is not more than one
18 inch in diameter.

19 (b) ~~Repealed.~~

20 (2) A street rod vehicle or custom motor vehicle may use blue dot
21 tail lights for stop lamps, rear turning indicator lamps, rear hazard lamps,
22 and rear reflectors ~~Such~~ IF THE lamps shall comply with all requirements
23 ~~provided in this~~ OF PART 2 OF article other than color requirements 4 OF
24 THIS TITLE.

25

PART 3

26

SPECIAL REGISTRATION OF HORSELESS CARRIAGES

27

42-12-301. [Formerly 42-3-219] Special registration of

1 **horseless carriages - rules.** (1) (a) The department may specially
2 register and issue a horseless carriage special license plate for motor
3 vehicles valued principally because of the vehicles' early date of
4 manufacture, design, or historical interest or valued as collector's items.

5 (b) In addition to any other registration, the department may
6 approve use of original plates for motor vehicles valued principally
7 because of the vehicles' early date of manufacture, design, or historical
8 interest or valued as collector's items. ~~The use of~~ A PERSON SHALL NOT
9 ~~DRIVE SUCH A~~ vehicle bearing ~~such~~ THE original plates ~~shall be limited to~~
10 ~~the uses~~ EXCEPT AS authorized in subsection (5) of this section. ~~when~~
11 ~~using the original plates authorized in this section.~~ An original plate shall
12 MUST meet the following criteria in order to qualify for use under this
13 paragraph (b):

14 (I) The plates were made at least thirty years prior to registration
15 under this section;

16 (II) The plates are embossed with the year of original issue;

17 (III) The plates are legible;

18 (IV) The plates were issued contemporaneously with the year of
19 manufacture of the vehicle upon which they are displayed, as determined
20 by the department; and

21 (V) The plates do not exceed seven characters.

22 (c) For the purposes of this section, "early date of manufacture"
23 means that a motor vehicle was manufactured at least fifty years before
24 the current date of registration.

25 (2) The plates issued under paragraph (a) of subsection (1) of this
26 section shall MUST be of a design, determined by the ~~executive~~ director,
27 ~~of the department. Such design shall be~~ THAT IS different from that used

1 by the state for regular motor vehicle registration.

2 (3) (a) The ~~executive director of the department~~ shall register such
3 vehicles and issue such plates for a period not exceeding five years, but
4 all such registrations and plates shall expire on the same date regardless
5 of the date of issue.

6 (b) Upon the expiration of the five-year period ending with the
7 year 1959, and each five years thereafter, the registration plate originally
8 issued for each vehicle ~~shall~~ MUST remain with the vehicle. The
9 ~~executive director of the department~~ shall issue a tab to be securely
10 fastened to the plate showing the five years for which the motor vehicle
11 is registered.

12 (c) A ~~registration issued pursuant to~~ PERSON WHO HAS REGISTERED
13 A VEHICLE UNDER this section shall ~~be renewed~~ RENEW THE REGISTRATION
14 within thirty days prior to ~~the~~ ITS expiration date. ~~of the registration.~~ If
15 the application for renewal, together with the fees, is not received by the
16 ~~executive~~ director prior to the expiration date, the ~~executive~~ director shall
17 notify the registered owner, at the address shown by the department's
18 records, by regular mail, to reregister ~~said~~ THE vehicle or surrender the
19 registration plate within ten days after the ~~registration~~ expiration date OF
20 THE REGISTRATION. If the notice is not complied with, the ~~executive~~
21 director shall secure the return of the plate.

22 (4) The fee for issuing such registration and special registration
23 plate or tab ~~shall be~~ IS five dollars for each five-year period or fraction
24 thereof. In addition to the five-dollar registration fee, the ~~executive~~
25 director ~~of the department~~ shall collect the one-dollar-and-fifty-cent
26 annual specific ownership fee provided by law for each year of
27 registration, which additional fee shall be collected for the number of

1 years remaining at the time of registration and issuance or renewal of the
2 registration.

3 ~~(5) Motor vehicles having such special registration plates may be~~
4 ~~used~~ A PERSON MAY DRIVE A MOTOR VEHICLE WITH THE SPECIAL
5 REGISTRATION PLATES on the streets and highways ~~for driving such~~ TO
6 DRIVE THE vehicle:

7 (a) To and from assemblies, conventions, or other meetings where
8 such vehicles and their ownership are the primary interest;

9 (b) ~~Vehicles so registered may also be used or driven~~ On special
10 occasions, for demonstrations and parades;

11 (c) ~~and~~ On occasions when ~~their~~ operation on the streets and
12 highways will not constitute a traffic hazard; AND

13 (d) ~~They may also be used for traveling~~ To, and from, and while
14 ~~on~~ DURING local, state, or national tours held primarily for the exhibition
15 and enjoyment of such vehicles.

16 (6) Upon the sale or transfer of a motor vehicle bearing a special
17 registration plate, the plate ~~shall remain~~ REMAINS with the vehicle and ~~be~~
18 IS transferred to the new owner. The new owner shall title such motor
19 vehicle as provided by law and GIVE notice of the transfer of ownership
20 ~~shall be given~~ to the department.

21 (7) ~~All~~ Applications for special registration of motor vehicles
22 ~~shall be~~ ARE made directly to the department. ~~of revenue.~~ THE
23 DEPARTMENT SHALL ADMINISTER all matters concerning such registration.
24 ~~shall be administered by the department.~~ All THE DEPARTMENT SHALL
25 TRANSFER fees received from special registrations ~~shall be transferred~~ to
26 the state treasurer, ~~and credited~~ WHO SHALL CREDIT THE FEES to the
27 highway users tax fund.

1 (8) The ~~executive~~ director may prepare any special forms and
2 issue any rules necessary to implement this section.

3 (9) When ~~application is made to the executive~~ director RECEIVES
4 AN APPLICATION for a title to a vehicle ~~described in~~ UNDER subsection (1)
5 of this section, the ~~executive~~ director shall accept the original motor or
6 serial number on ~~such~~ THE vehicle and shall not require or issue a special
7 identification number for ~~such~~ THE vehicle.

8 ~~(10) Repealed.~~

9 PART 4

10 COLLECTOR'S ITEMS

11 **42-12-401. [Formerly 42-12-102] Registration of collector's**
12 **items - fees - definition.** (1) Except for ~~those~~ motor vehicles that are
13 entitled to registration under ~~the provisions of section 42-3-219~~ 42-3-301,
14 OWNERS OF collector's items shall ~~be titled, registered~~ APPLY FOR A TITLE,
15 REGISTER, and PAY a specific ownership tax ~~shall be paid thereon~~ in the
16 same manner as provided in this title for other motor vehicles, with the
17 following exceptions:

18 (a) Such collector's items ~~shall be~~ ARE registered for periods of
19 five years. The taxes and fees imposed for registration of a collector's
20 item for each five-year registration period ~~shall be~~ IS equal to five times
21 the annual taxes and fees ~~which~~ THAT would otherwise be imposed for the
22 registration of ~~such~~ THE motor vehicle under this title and under title 43,
23 C.R.S.; except that the amount of a surcharge imposed pursuant to section
24 43-4-804 (1) (a) or 43-4-805 (5) (g), C.R.S., ~~shall be~~ IS the amount
25 specified in the applicable section. In addition to any other ~~such~~ taxes
26 and fees, if a collector's item is registered in a county ~~which~~ THAT is a
27 member of ~~one or more~~ A highway ~~authorities~~ AUTHORITY and ~~such~~ THE

1 authority ~~or authorities have~~ HAS imposed an annual motor vehicle
2 registration fee ~~or fees pursuant to the provisions of section 43-4-506 (1)~~
3 (k), C.R.S., then five times such annual motor vehicle registration fee ~~or~~
4 ~~fees shall be~~ IS imposed and remitted to ~~such~~ THE authority. ~~or authorities.~~

5 (b) ~~(I) No collector's item of model year 1976 or later for which~~
6 ~~a certification of emissions control is required under sections 42-4-301 to~~
7 ~~42-4-316 shall be registered under this section unless a certification of~~
8 ~~emissions control is obtained for the collector's item. Reregistration of~~
9 ~~the collector's item by the same owner shall not require the obtainment of~~
10 ~~a new certification of emissions control, but the collector's item shall not~~
11 ~~be registered under this section after the sale or transfer of the vehicle to~~
12 ~~a new owner~~ THE MOTOR VEHICLE'S COMPLIANCE WITH EMISSIONS
13 STANDARDS IS GOVERNED BY SECTION 42-12-404.

14 ~~(H) (Deleted by amendment, L. 2009, (SB 09-003), ch. 322, p.~~
15 ~~1720, § 8, effective June 1, 2009.)~~

16 (c) The annual registration fee for a truck or truck tractor that has
17 an empty weight of six thousand one pounds or more, or a declared gross
18 vehicle weight of sixteen thousand one pounds or more and is a
19 collector's item, ~~shall be~~ IS sixty-five dollars if such vehicle is used
20 exclusively for noncommercial transportation and only used to drive:

21 (I) To and from assemblies, conventions, or other meetings where
22 such vehicles and their ownership are the primary interest;

23 (II) For special occasions, demonstrations, and parades and on
24 occasions when their operation on the streets and highways will not
25 constitute a traffic hazard; or

26 (III) Traveling to, ~~and~~ from, and ~~while on~~ DURING local, state, or
27 national tours held primarily for the exhibition and enjoyment of such

1 vehicles by their owners.

2 (d) For purposes of paragraph (c) of this subsection (1),
3 "noncommercial transportation" means a truck or truck tractor used
4 exclusively for private transportation of passengers or cargo for purposes
5 unrelated in any way to a business or commercial enterprise.

6 (2) (a) An owner of a collector's item that is not operated upon the
7 highways of this state and that is kept on private property for the purpose
8 of maintenance, repair, restoration, rebuilding, or any other similar
9 purpose shall pay an annual specific ownership tax as provided in section
10 42-3-106 on any such motor vehicle owned by ~~such~~ THE owner, except
11 owners of parts cars ~~as defined in section 42-12-101 (3)~~, or licensed
12 garages or licensed automobile dealers. ~~The payment of~~ The OWNER
13 SHALL PAY THE specific ownership tax ~~shall be made~~ in the manner
14 provided in section ~~42-3-219~~ 42-3-301.

15 (b) Upon payment of the specific ownership tax as provided in
16 this subsection (2), the department of ~~revenue~~ shall issue to the owner of
17 the motor vehicle for which the tax has been paid a license, sticker, decal,
18 or other device evidencing such payment, as may be prescribed by the
19 ~~executive~~ director. When such device or license is affixed to the motor
20 vehicle for which IT IS issued, the owner of that motor vehicle ~~shall be~~ IS
21 permitted to keep such motor vehicle on private property for the purposes
22 of maintenance, repair, restoration, rebuilding, or renovation.

23 (3) Notwithstanding the amount specified for any fee in
24 subsection (1) of this section, the ~~executive~~ director of the department of
25 ~~revenue~~ by rule or as otherwise provided by law may reduce the amount
26 of one or more of the fees if necessary pursuant to section 24-75-402 (3),
27 C.R.S., to reduce the uncommitted reserves of the fund to which all or any

1 portion of one or more of the fees is credited. After the uncommitted
2 reserves of the fund are sufficiently reduced, the ~~executive director of the~~
3 ~~department of revenue~~ by rule or as otherwise provided by law may
4 increase the amount of one or more of the fees as provided in section
5 24-75-402 (4), C.R.S.

6 (4) An applicant may apply for personalized license plates issued
7 for a motor vehicle registration issued pursuant to this section. If the
8 applicant complies with section 42-3-211, the department of ~~revenue~~ may
9 issue such plates upon payment of the additional fee required by section
10 42-3-211 (6) for personalized license plates. If the applicant has existing
11 personalized license plates for a motor vehicle, the applicant may transfer
12 the combination of letters or numbers to a new set of license plates for the
13 vehicle upon paying the fee imposed by section 42-3-211 (6) (a) and upon
14 turning in such existing plates to the department as required by the
15 department. A person who has obtained personalized plates under this
16 subsection (4) shall pay the annual fee imposed by section 42-3-211 (6)
17 (b) to renew such plates. The fees imposed by this subsection (4) ~~shall be~~
18 ARE in addition to all other taxes and fees imposed for ~~collector~~
19 COLLECTOR'S license plates.

20 **42-12-402. [Formerly 42-12-103] Storage.** A collector may
21 store A motor ~~vehicles, as described in section 42-12-101, or parts~~
22 ~~thereof,~~ VEHICLE OR A MOTOR VEHICLE PART on the collector's private
23 property ~~provided such vehicles and parts cars and the outdoor~~ IF THE
24 VEHICLE, MOTOR VEHICLE PART, AND storage ~~areas~~ AREA are maintained
25 ~~in such a manner that they do~~ SO AS TO not constitute a health hazard, a
26 safety hazard, or a fire hazard; and are ~~effectively~~ screened from ordinary
27 public view by ~~means of a solid fence, trees, shrubbery, or other~~

1 appropriate means; ~~Such storage areas shall be~~ AND ARE kept free of
2 weeds, trash, and ~~other~~ objectionable items.

3 **42-12-403. [Formerly 42-12-104] Special equipment or**
4 **modification.** (1) Unless the presence of special equipment was a prior
5 condition for sale within Colorado at the time an historic or special
6 interest vehicle was manufactured for first use, the presence of such
7 equipment or device ~~shall~~ IS not ~~be~~ required as a condition for current
8 legal use.

9 ~~(2) Any motor vehicle of historic or special interest manufactured~~
10 ~~prior to the date emission controls were standard equipment on that~~
11 ~~particular make or model of vehicle is exempted from statutes requiring~~
12 ~~the inspection and use of such emission controls. Any motor vehicle~~
13 ~~using emission controls as standard equipment at the time of manufacture~~
14 ~~must have such equipment in proper operating condition at all times when~~
15 ~~the vehicle is operated on or for highway purposes.~~

16 ~~(3)~~ (2) Any safety device or safety equipment ~~which~~ THAT was
17 manufactured for and installed on a motor vehicle as original equipment
18 must be in proper operating condition when the vehicle is operated on or
19 for highway purposes.

20 **42-12-404. Emissions.** (1) A PERSON SHALL NOT REGISTER A
21 COLLECTOR'S ITEM OF MODEL YEAR 1976 OR LATER FOR WHICH A
22 CERTIFICATION OF EMISSIONS CONTROL IS REQUIRED UNDER SECTIONS
23 42-4-301 TO 42-4-316 UNLESS A CERTIFICATION OF EMISSIONS CONTROL
24 IS OBTAINED FOR THE COLLECTOR'S ITEM. THE OWNER NEED NOT OBTAIN
25 A NEW CERTIFICATE OF EMISSIONS CONTROL TO REREGISTER THE MOTOR
26 VEHICLE UNLESS THE MOTOR VEHICLE HAS BEEN TRANSFERRED TO A NEW
27 OWNER.

1 (2) [**Formerly 42-12-104 (2)**] ~~Any~~ A motor vehicle of historic or
2 special interest manufactured prior to the date emission controls were
3 standard equipment on that particular make or model of vehicle is
4 exempted from statutes requiring the inspection and use of such emission
5 controls. ~~Any~~ A motor vehicle using emission controls as standard
6 equipment at the time of manufacture must have such equipment in
7 proper operating condition at all times when the vehicle is operated on or
8 for highway purposes.

9 (3) A CERTIFICATION OF EMISSIONS CONTROL THAT HAS BEEN
10 ISSUED FOR A MOTOR VEHICLE THAT IS REGISTERED AS A COLLECTOR'S
11 ITEM AND THAT IS OF MODEL YEAR 1976 OR LATER IS VALID UNTIL THE
12 MOTOR VEHICLE IS SOLD OR TRANSFERRED.

13 (4) A PERSON SHALL NOT ISSUE AN EMISSIONS-RELATED REPAIR
14 WAIVER FOR A VEHICLE THAT IS REGISTERED AS A COLLECTOR'S ITEM AND
15 THAT IS OF A MODEL YEAR 1976 OR LATER.

16 **42-12-405. Registration penalty.** IN ADDITION TO ANY OTHER
17 PENALTIES, THE DEPARTMENT SHALL CANCEL THE REGISTRATION OF A
18 NONCOMMERCIAL OR RECREATIONAL VEHICLE, TRUCK, OR TRUCK
19 TRACTOR REGISTERED AS A COLLECTOR'S ITEM PURSUANT TO SECTION
20 42-12-401 THAT IS USED TO TRANSPORT CARGO OR PASSENGERS FOR
21 PROFIT OR HIRE OR IN A BUSINESS OR COMMERCIAL ENTERPRISE. THE
22 DEPARTMENT SHALL CANCEL THE REGISTRATION OF A TRUCK OR TRUCK
23 TRACTOR REGISTERED AS A COLLECTOR'S ITEM PURSUANT TO SECTION
24 42-12-401 THAT IS DRIVEN FOR ANY PURPOSE OTHER THAN THOSE
25 PURPOSES ALLOWED IN SECTION 42-12-401 (1) (c).

26 **SECTION 3.** 4-2.5-104 (1) (a), Colorado Revised Statutes, is
27 amended to read:

1 **4-2.5-104. Leases subject to other law.** (1) A lease, although
2 subject to this article, is also subject to any applicable:

3 (a) Certificate of title statute of this state (including vessels under
4 article 13 of title 33, C.R.S., snowmobiles under article 14 of title 33,
5 C.R.S., mobile homes under article 29 of title 38, C.R.S., aircraft under
6 article 2 of title 41, C.R.S., and motor vehicles under article 6 OR 12 of
7 title 42, C.R.S.);

8 **SECTION 4.** 12-6-102 (17) (f), Colorado Revised Statutes, is
9 amended to read:

10 **12-6-102. Definitions.** As used in this part 1 and in part 5 of this
11 article, unless the context or section 12-6-502 otherwise requires:

12 (17) "Used motor vehicle dealer" means any person who, for
13 commission or with intent to make a profit or gain of money or other
14 thing of value, sells, exchanges, leases, or offers an interest in used motor
15 vehicles, or attempts to negotiate a sale, exchange, or lease of used and
16 new motor vehicles or who is engaged wholly or in part in the business
17 of selling used motor vehicles, whether or not such motor vehicles are
18 owned by such person. The sale of three or more used motor vehicles or
19 the offering for sale of more than three used motor vehicles at the same
20 address or telephone number in any one calendar year shall be prima facie
21 evidence that a person is engaged in the business of selling used motor
22 vehicles. "Used motor vehicle dealer" includes any owner of real
23 property who allows more than three used motor vehicles to be offered
24 for sale on such property during one calendar year unless said property is
25 leased to a licensed used motor vehicle dealer. "Used motor vehicle
26 dealer" does not include:

27 (f) Any person who only sells or exchanges no more than four

1 motor vehicles that are collector's items ~~pursuant to section 42-3-219,~~
2 ~~C.R.S., or pursuant to~~ UNDER PART 3 OR 4 OF article 12 of title 42, C.R.S.;

3 **SECTION 5.** 42-3-121 (1) (g), (1) (h), and (2) (c), Colorado
4 Revised Statutes, are amended to read:

5 **42-3-121. Violation of registration provisions - penalty.** (1) It
6 is unlawful to commit any of the following acts:

7 (g) To use or permit the use of a truck or truck tractor registered
8 as a collector's item pursuant to section ~~42-12-102~~ 42-12-401 (1) (c) to
9 transport cargo or passengers for profit or hire or in a business or
10 commercial enterprise;

11 (h) To drive or permit to be driven a truck or truck tractor
12 registered as a collector's item pursuant to section ~~42-12-102~~ 42-12-401
13 (1) (c) for any purpose other than those purposes allowed in section
14 ~~42-12-102~~ 42-12-401 (1) (c).

15 (2) (c) A person who violates paragraph (f) or (g) of subsection
16 (1) of this section commits a class B traffic infraction. ~~In addition to the~~
17 ~~penalties prescribed for a violation of paragraph (f) or (g) of subsection~~
18 ~~(1) of this section, the department shall cancel the registration of a~~
19 ~~noncommercial or recreational vehicle, truck, or truck tractor registered~~
20 ~~as a collector's item pursuant to section 42-12-102 (1) (c) that has been~~
21 ~~used to transport cargo or passengers for profit or hire or in a business or~~
22 ~~commercial enterprise. The department shall cancel the registration of a~~
23 ~~truck or truck tractor registered as a collector's item pursuant to section~~
24 ~~42-12-102 (1) (c) that has been driven for any purpose other than those~~
25 ~~purposes allowed in section 42-12-102 (1) (c).~~

26 **SECTION 6.** 42-4-206 (1) and (4), Colorado Revised Statutes,
27 are amended to read:

1 **42-4-206. Tail lamps and reflectors.** (1) TO BE OPERATED ON
2 A ROAD, every motor vehicle, trailer, semitrailer, and pole trailer and any
3 other vehicle ~~which~~ THAT is being drawn at the end of a train of vehicles
4 ~~shall~~ MUST be equipped with at least one tail lamp mounted on the rear,
5 which, when lighted as required in section 42-4-204, ~~shall emit~~ EMITS a
6 red light plainly visible from a distance of five hundred feet to the rear;
7 except that, in the case of a train of vehicles, only the tail lamp on the
8 rear-most vehicle need actually be seen from the distance specified, ~~and~~
9 except as provided in section ~~42-4-215.5~~ 42-12-204. Furthermore, every
10 ~~such~~ vehicle registered in this state and manufactured or assembled after
11 January 1, 1958, ~~shall~~ MUST be equipped with at least two tail lamps
12 mounted on the rear, on the same level and as widely spaced laterally as
13 practicable, which, when lighted as required in section 42-4-204, ~~shall~~
14 comply with ~~the provisions of~~ this section.

15 (4) TO BE OPERATED ON A ROAD, every motor vehicle ~~operated on~~
16 ~~and after January 1, 1958, upon a highway in the state of Colorado shall~~
17 MUST carry on the rear, either as part of a tail lamp or separately, one red
18 reflector meeting the requirements of this section; except that vehicles of
19 the type mentioned in section 42-4-207 ~~shall~~ MUST be equipped with
20 reflectors as required ~~in those sections applicable thereto and except as~~ BY
21 LAW UNLESS OTHERWISE provided in section ~~42-4-215.5~~ 42-12-204.

22 **SECTION 7.** 42-4-215 (1), (2), and (7), Colorado Revised
23 Statutes, are amended to read:

24 **42-4-215. Signal lamps and devices - additional lighting**
25 **equipment.** (1) TO BE OPERATED ON A ROAD, any motor vehicle may be
26 equipped, and when required under this article ~~shall~~ MUST be equipped,
27 with a stop lamp or lamps on the rear of the vehicle ~~which~~ THAT, except

1 as provided in section ~~42-4-215.5~~, shall 42-12-204, display a red or amber
2 light, or any shade of color between red and amber, visible from a
3 distance of not less than one hundred feet to the rear in normal sunlight,
4 ~~and which shall be~~ THAT ARE actuated upon application of the service
5 (foot) brake, and ~~which~~ THAT may but need not be incorporated with one
6 or more other rear lamps. Such stop lamp or lamps may also be
7 automatically actuated by a mechanical device when the vehicle is
8 reducing speed or stopping. If two or more stop lamps are installed on
9 any motor vehicle, any device actuating such lamps shall MUST be so
10 designed and installed that all stop lamps are actuated by such device.

11 (2) Any motor vehicle may be equipped, and when required under
12 this article shall MUST be equipped, with lamps showing to the front and
13 rear for the purpose of indicating an intention to turn either to the right or
14 to the left. ~~Such~~ THE lamps showing to the front shall MUST be located
15 on the same level and as widely spaced laterally as practicable and when
16 in use shall display a white or amber light, or any shade of color between
17 white and amber, visible from a distance of not less than one hundred feet
18 to the front in normal sunlight, and the lamps showing to the rear shall
19 MUST be located at the same level and as widely spaced laterally as
20 practicable and, except as provided in section ~~42-4-215.5~~ 42-12-204,
21 when in use shall MUST display a red or amber light, or any shade of color
22 between red and amber, visible from a distance of not less than one
23 hundred feet to the rear in normal sunlight. When actuated, ~~such~~ THE
24 lamps shall MUST indicate the intended direction of turning by flashing
25 the light showing to the front and rear on the side toward which the turn
26 is made.

27 (7) Any vehicle may be equipped with lamps ~~which~~ THAT may be

1 used for the purpose of warning the operators of other vehicles of the
2 presence of a vehicular traffic hazard requiring the exercise of unusual
3 care in approaching, overtaking, or passing and, when so equipped and
4 when the ~~said~~ vehicle is not in motion or is being operated at a speed of
5 twenty-five miles per hour or less and at no other time, may display such
6 warning in addition to any other warning signals required by this article.
7 The lamps used to display such warning to the front ~~shall~~ MUST be
8 mounted at the same level and as widely spaced laterally as practicable
9 and ~~shall~~ display simultaneously flashing white or amber lights, or any
10 shade of color between white and amber. The lamps used to display ~~such~~
11 THE warning to the rear ~~shall~~ MUST be mounted at the same level and as
12 widely spaced laterally as practicable and, except as provided in section
13 ~~42-4-215.5, shall~~ 42-12-204, show simultaneously flashing amber or red
14 lights, or any shade of color between amber and red. These warning
15 lights ~~shall~~ MUST be visible from a distance of not less than five hundred
16 feet under normal atmospheric conditions at night.

17 **SECTION 8.** 42-4-229 (4), Colorado Revised Statutes, is
18 amended to read:

19 **42-4-229. Safety glazing material in motor vehicles.** (4) ~~No~~ A
20 person shall NOT operate a motor vehicle on ~~any~~ A highway ~~within this~~
21 ~~state~~ unless ~~such~~ THE vehicle is equipped with a front windshield as
22 provided in this section, except as provided in section 42-4-232 (1) and
23 except for motor vehicles registered as collector's items under section
24 ~~42-3-219~~ 42-3-301.

25 **SECTION 9. Repeal.** 42-4-304 (3) (c), Colorado Revised
26 Statutes, is repealed as follows:

27 **42-4-304. Definitions relating to automobile inspection and**

1 **readjustment program.** As used in sections 42-4-301 to 42-4-316,
2 unless the context otherwise requires:

3 (3) (c) ~~Effective September 1, 2009, a certification of emissions~~
4 ~~control that has been issued for any motor vehicle that is registered as a~~
5 ~~collector's item under the provisions of section 42-12-102 and that is of~~
6 ~~model year 1976 or later shall be valid until the motor vehicle is sold or~~
7 ~~transferred.~~

8 **SECTION 10.** 42-4-304 (18), Colorado Revised Statutes, is
9 amended to read:

10 **42-4-304. Definitions relating to automobile inspection and**
11 **readjustment program.** As used in sections 42-4-301 to 42-4-316,
12 unless the context otherwise requires:

13 (18) "Motor vehicle", as applicable to the AIR program, includes
14 only a motor vehicle that is operated with four wheels or more on the
15 ground, self-propelled by a spark-ignited engine burning gasoline,
16 gasoline blends, gaseous fuel, blends of liquid gasoline and gaseous fuels,
17 alcohol, alcohol blends, or other similar fuels, having a personal property
18 classification of A, B, or C pursuant to section 42-3-106, and for which
19 registration in this state is required for operation on the public roads and
20 highways or which motor vehicle is owned or operated or both by a
21 nonresident who meets the requirements set forth in section 42-4-310 (1)
22 (c). "Motor vehicle" does not include kit vehicles; vehicles registered
23 pursuant to section ~~42-3-219~~ 42-3-301 or 42-3-306 (4); vehicles
24 registered pursuant to section ~~42-12-102~~ 42-12-401 that are of model year
25 1975 or earlier or that have two-stroke cycle engines manufactured prior
26 to 1980; or vehicles registered as street rods pursuant to section 42-3-201.

27 **SECTION 11.** The introductory portion to 42-3-306 (5), Colorado

1 Revised Statutes, is amended to read:

2 **42-3-306. Registration fees - passenger and passenger-mile**
3 **taxes - fee schedule.** (5) The annual registration fee for those trucks and
4 truck tractors operated over the public highways of this state, except
5 trucks that are registered under subsections (4) and (13) of this section
6 and section ~~42-12-102~~ 42-12-401 (1) (c), shall be IS as follows:

7 **SECTION 12.** 42-4-310 (1) (d) (II) (B) and (1) (d) (VIII) (A),
8 Colorado Revised Statutes, are amended to read:

9 **42-4-310. Periodic emissions control inspection required.**
10 (1) (d) (II) (B) For the basic emissions program, ~~effective January 1,~~
11 ~~1994,~~ no emissions-related repair waiver shall be issued for any vehicle
12 that is registered as a collector's item pursuant to the provisions of UNDER
13 section ~~42-12-102~~ 42-12-401 and that is of the model year 1976 or later.

14 (VIII) (A) For the enhanced emissions program except as
15 provided in sub-subparagraph (B) of this subparagraph (VIII), ~~effective~~
16 ~~January 1, 1995,~~ for businesses that operate nineteen or fewer vehicles
17 and for private motor vehicles only of a model year 1967 or earlier
18 required to be registered in the enhanced emissions program area, after
19 any adjustments or repairs required pursuant to UNDER section 42-4-306,
20 if total expenditures of at least seventy-five dollars have been made to
21 bring the vehicle into compliance with applicable emissions standards and
22 the vehicle still does not meet the standards, a certification of emissions
23 waiver shall be issued for the vehicle. ~~No emissions-related repair waiver~~
24 ~~shall be issued for vehicles that are registered as collector's items pursuant~~
25 ~~to section 42-12-102 and that are of a model year 1976 or later.~~

26 **SECTION 13.** The introductory portion to 42-4-311 (2) and
27 42-4-311 (2) (b) and (3) (a) (II), Colorado Revised Statutes, are amended

1 to read:

2 **42-4-311. Operation of inspection and readjustment stations**
3 **- inspection-only facilities - fleet inspection stations - motor vehicle**
4 **dealer test facilities - enhanced inspection centers.** (2) A licensed
5 inspection and readjustment ~~stations~~ STATION, inspection-only ~~facilities~~
6 FACILITY, fleet inspection ~~stations,~~ and STATION, motor vehicle dealer test
7 ~~facilities,~~ and FACILITY, OR authorized enhanced inspection ~~centers~~
8 CENTER shall NOT issue a certification of emissions control to a motor
9 vehicle ~~only~~ EXCEPT upon forms prescribed by the executive director. ~~and~~
10 ~~a certification of emissions compliance, or, if applicable, emissions~~
11 ~~waiver shall be issued by the licensed inspection and readjustment station,~~
12 ~~inspection-only facility, fleet inspection station, or motor vehicle dealer~~
13 ~~test facility or authorized enhanced inspection center to a motor vehicle~~
14 ~~only after~~ SUCH STATION, FACILITY, OR CENTER SHALL NOT ISSUE A
15 CERTIFICATION OF EMISSIONS COMPLIANCE OR EMISSION WAIVER UNLESS
16 the licensed or authorized emissions inspector or emissions mechanic
17 performing ~~said~~ THE inspection at ~~said station~~ determines that:

18 (b) The exhaust gas and, if applicable, evaporative emissions from
19 the motor vehicle do not comply with the applicable emissions standards
20 after the adjustments and repairs required ~~in accordance with~~ BY section
21 42-4-306 have been performed and there is no evidence of emissions
22 system tampering or visible smoke, in which case a certification of
23 emissions waiver shall be issued. A FLEET EMISSION INSPECTOR SHALL
24 NOT ISSUE A certification of emissions waiver ~~shall not be issued by a~~
25 ~~fleet emissions inspector~~ within the enhanced program area. A
26 certification of emissions waiver shall not be issued for a motor vehicle
27 registered as a collector's item under ~~the provisions of section 42-12-102~~

1 42-12-401.

2 (3) (a) (II) No verification of emissions test shall IS REQUIRED TO
3 be issued to or required for any motor vehicle which THAT is registered
4 as a collector's item pursuant to ~~the provisions of section 42-12-102~~
5 42-12-401.

6 **SECTION 14.** 42-4-401 (5), Colorado Revised Statutes, is
7 amended to read:

8 **42-4-401. Definitions.** As used in this part 4, unless the context
9 otherwise requires:

10 (5) "Diesel powered motor vehicle" or "diesel vehicle" as
11 applicable to opacity inspections, includes only a motor vehicle with four
12 wheels or more on the ground, powered by an internal combustion,
13 compression ignition, diesel fueled engine, and also includes any motor
14 vehicle having a personal property classification of A, B, or C, pursuant
15 to section 42-3-106, as specified on its vehicle registration, and for which
16 registration in this state is required for operation on the public roads and
17 highways. "Diesel vehicle" does not include: ~~the following:~~ Vehicles
18 registered pursuant to UNDER section ~~42-3-219~~ or 42-3-301; VEHICLES
19 TAXED UNDER SECTION 42-3-306 (4); or off-the-road diesel powered
20 vehicles or heavy construction equipment.

21 **SECTION 15.** 42-5-101 (11), Colorado Revised Statutes, is
22 amended to read:

23 **42-5-101. Definitions.** As used in this part 1, unless the context
24 otherwise requires:

25 (11) "Vehicle identification number" means any identifying
26 number, serial number, engine number, or other distinguishing number or
27 mark, including letters, if any, that is unique to the identity of a given

1 vehicle or component part thereof that was placed on a vehicle or engine
2 by its manufacturer or by authority of the department of revenue pursuant
3 to section ~~42-5-205~~ 42-12-202 or in accordance with the laws of another
4 state or country.

5 **SECTION 16.** 42-5-201 (13), Colorado Revised Statutes, is
6 amended to read:

7 **42-5-201. Definitions.** As used in this part 2, unless the context
8 otherwise requires:

9 (13) "Vehicle identification number" means any identifying
10 number, serial number, engine number, or other distinguishing number or
11 mark, including letters, if any, that is unique to the identity of a given
12 vehicle or commercial vehicle or component part thereof that was placed
13 on a vehicle, commercial vehicle, or engine by its manufacturer or by
14 authority of the department of revenue ~~pursuant to~~ UNDER section
15 ~~42-5-205~~ 42-12-202 or in accordance with the laws of another state or
16 country.

17 **SECTION 17.** 42-6-117 (2), Colorado Revised Statutes, is
18 amended to read:

19 **42-6-117. Filing of certificate.** (2) No certificate of title may be
20 filed for a vehicle required to have its vehicle identification number
21 inspected pursuant to section 42-5-202 unless a vehicle identification
22 number inspection form has been transmitted to the director or the
23 authorized agent showing the number recorded from the vehicle or the
24 number assigned to the vehicle ~~pursuant to~~ UNDER section ~~42-5-205~~
25 42-12-202.

26 **SECTION 18.** 42-6-145 (1), Colorado Revised Statutes, is
27 amended to read:

1 **42-6-145. Use of vehicle identification numbers in applications**
2 **- rules.** (1) A person required to apply for a certificate of title or
3 registration of a motor vehicle shall use the identification number placed
4 upon the motor vehicle by the manufacturer or the special vehicle
5 identification number assigned to the motor vehicle by the department
6 pursuant to section ~~42-5-205~~ 42-12-202. The certificate of title and
7 registration card issued by the department shall use the identification
8 number of the motor vehicle.

9 **SECTION 19.** 42-9-110, Colorado Revised Statutes, is amended
10 to read:

11 **42-9-110. Exemption - antique motor vehicles.** ~~The provisions~~
12 ~~of This article shall~~ DOES not apply to repairs of any motor vehicle
13 twenty-five or more years old or of any motor vehicle ~~which~~ THAT is a
14 collector's item as defined in section 42-12-101. ~~(2)~~.

15 **SECTION 20.** 43-4-804 (1) (a) (VI), Colorado Revised Statutes,
16 is amended to read:

17 **43-4-804. Highway safety projects - surcharges and fees -**
18 **crediting of moneys to highway users tax fund.** (1) (a) (VI) The road
19 safety surcharge shall not be imposed on any vehicle for which the
20 department of revenue has issued a horseless carriage special license plate
21 pursuant to section ~~42-3-219 (1) (a)~~ 42-3-301, C.R.S.

22 **SECTION 21.** 43-4-805 (5) (g) (VII), Colorado Revised Statutes,
23 is amended to read:

24 **43-4-805. Statewide bridge enterprise - creation - board -**
25 **funds - powers and duties - reporting requirements - legislative**
26 **declaration.** (5) In addition to any other powers and duties specified in
27 this section, the bridge enterprise board has the following powers and

1 duties:

2 (g) (VII) The bridge safety surcharge ~~shall~~ IS not be imposed on
3 any vehicle for which the department of revenue has issued a horseless
4 carriage special license plate pursuant to section ~~42-3-219 (1) (a)~~
5 42-3-301, C.R.S.

6 **SECTION 22. Repeal of provisions being relocated in this act.**

7 Sections 42-6-108.5, 42-5-203, 42-5-205, 42-6-108, 42-4-215.5, and
8 42-3-219, Colorado Revised Statutes, are repealed.

9 **SECTION 23. Act subject to petition - effective date.** This act
10 shall take effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly (August
12 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within such period, then the act, item, section, or part shall not take effect
16 unless approved by the people at the general election to be held in
17 November 2012 and shall take effect on the date of the official
18 declaration of the vote thereon by the governor.