

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

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

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.

SENATE
Amended 2nd Reading
February 15, 2011

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

4 **PART 1**

5 **GENERAL PROVISIONS**

6 **42-12-101. Definitions.** As used in this article, unless the context
7 **otherwise requires:**

8 **(1) "Collector" means an individual or person who is:**

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

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

20 **(2) "Collector's item" means a motor vehicle, including a truck or**
21 **truck tractor, that is of:**

22 **(a) ~~(H)~~ Model year 1975 or earlier; or**

23 **~~(H)~~ (b) Model year 1976 or later that was registered as a**

1 collector's item prior to September 1, 2009; except that a vehicle so
2 registered shall IS not be eligible for registration as a collector's item upon
3 sale or transfer to a new owner. This paragraph (a) is effective September
4 1, 2009.

5 (b) and (c) (Deleted by amendment, L. 97, p. 358, §1, effective
6 July 1, 1997.)

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

9 (4) "DEALER" MEANS A PERSON WHO IS ENGAGED IN THE BUSINESS
10 OR VOCATION OF MANUFACTURING, BUYING, SELLING, TRADING,
11 DESTROYING, OR SALVAGING MOTOR VEHICLES, MOTOR VEHICLE PARTS,
12 MOTOR VEHICLE EQUIPMENT, OR MOTOR VEHICLE ACCESSORIES.

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

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

16 (7) "GARAGE" MEANS A BUILDING OR BUSINESS PLACE USED FOR
17 THE STORAGE OR REPAIR OF MOTOR VEHICLES.

18 (8) "INSPECTOR" MEANS A PEACE OFFICER OF A LAW ENFORCEMENT
19 AGENCY WHO HAS BEEN CERTIFIED UNDER SECTION 42-5-206 TO INSPECT
20 VEHICLE IDENTIFICATION NUMBERS.

21 (9) "LAW ENFORCEMENT AGENCY" MEANS THE COLORADO STATE
22 PATROL OR THE AGENCY OF A LOCAL GOVERNMENT AUTHORIZED TO
23 ENFORCE THE LAWS OF COLORADO.

24 (10) "MOTOR VEHICLE" MEANS A SELF-PROPELLED VEHICLE
25 DESIGNED FOR OPERATION ON THE HIGHWAY AND NOT RUNNING ON RAILS.

26 (11) [Formerly 42-12-101 (3)] "Parts car" means a motor
27 vehicle, generally in nonoperable INOPERABLE condition, which THAT is

1 owned by a collector to furnish or to supply parts that are usually
2 nonobtainable UNOBTAINABLE from normal sources, thus enabling a
3 collector or other collectors to preserve, restore, complete, and maintain
4 a vehicle of historic or special interest.

5 (12) "REBUILT VEHICLE" MEANS A VEHICLE THAT WAS ASSEMBLED
6 FROM PARTS OF TWO OR MORE COMMERCIALY MANUFACTURED VEHICLES
7 OR THAT HAS BEEN ALTERED IN SUCH A MANNER THAT IT IS NOT READILY
8 RECOGNIZABLE AS A COMMERCIALY MANUFACTURED VEHICLE OF A
9 GIVEN YEAR. "REBUILT VEHICLE" INCLUDES A KIT CAR AND A STREET-ROD
10 VEHICLE.

11 (13) "STATE" INCLUDES THE TERRITORIES AND THE FEDERAL
12 DISTRICTS OF THE UNITED STATES.

13 (14) "STREET-ROD VEHICLE" MEANS A VEHICLE WITH A BODY
14 DESIGN MANUFACTURED IN 1948 OR EARLIER OR WITH A REPRODUCTION
15 COMPONENT THAT RESEMBLES A 1948 OR EARLIER MODEL THAT HAS BEEN
16 MODIFIED FOR SAFE ROAD USE, INCLUDING MODIFICATIONS TO THE DRIVE
17 TRAIN, SUSPENSION, AND BRAKE SYSTEMS, MODIFICATIONS TO THE BODY
18 THROUGH THE USE OF MATERIALS SUCH AS STEEL OR FIBERGLASS, AND
19 MODIFICATIONS TO OTHER SAFETY OR COMFORT FEATURES.

20 (15) "VEHICLE" MEANS A MOTOR VEHICLE REQUIRED TO HAVE A
21 CERTIFICATE OF TITLE UNDER PART 1 OF ARTICLE 6 OF THIS TITLE BUT DOES
22 NOT INCLUDE COMMERCIAL VEHICLES.

23 (16) "VEHICLE IDENTIFICATION NUMBER" MEANS THE IDENTIFYING
24 NUMBER, SERIAL NUMBER, ENGINE NUMBER, OR OTHER DISTINGUISHING
25 NUMBER OR MARK, INCLUDING ANY LETTERS, THAT IS UNIQUE TO THE
26 IDENTITY OF A GIVEN VEHICLE OR VEHICLE PART AND THAT WAS PLACED
27 ON A VEHICLE OR VEHICLE PART BY ITS MANUFACTURER OR BY THE

1 DEPARTMENT UNDER EITHER SECTION 42-12-202 OR THE LAWS OF
2 ANOTHER STATE OR COUNTRY.

3 **42-12-102. [Formerly 42-6-108.5] Rebuilder's certificate of**
4 **title.** (1) (a) ~~On or after July 1, 2008,~~ If the applicant for a certificate of
5 title to a motor vehicle is unable to provide the director or the authorized
6 agent with a certificate of title duly transferred to ~~such~~ THE applicant or
7 other evidence of ownership that satisfies the director that the applicant
8 owns the vehicle, the director may issue a rebuilder's title for a motor
9 vehicle valued principally because of the vehicle's early date of
10 manufacture, design, or historical interest or valued as a collector's item
11 if:

- 12 (I) The motor vehicle is not roadworthy;
- 13 (II) The motor vehicle is at least twenty-five years old;
- 14 (III) The components of the motor vehicle include at least a
15 rolling chassis;
- 16 (IV) The application contains or is accompanied by a statement
17 that complies with paragraph (b) of this subsection (1);
- 18 (V) The applicant obtains a certified vehicle identification number
19 inspection; and
- 20 (VI) The applicant provides surety that complies with subsection
21 (3) of this section.

22 (b) The statement required by subparagraph (IV) of paragraph (a)
23 of this subsection (1) shall MUST contain an account of the facts by which
24 the applicant acquired ownership of the vehicle, the source of the title to
25 the vehicle, and such other information as the director may require. The
26 statement shall MUST contain a written declaration that it is made under
27 the penalties of perjury in the second degree, as defined in section

1 18-8-503, C.R.S.

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

5 (a) Obtains a certified vehicle identification number inspection;

6 AND

7 (b) FURNISHES A BOND UNDER SUBSECTION (3) OF THIS SECTION.

8 (3) (a) TO CONVERT A REBUILDER'S TITLE TO A STANDARD
9 CERTIFICATE OF TITLE, the applicant shall furnish evidence of a savings
10 account, deposit, or certificate of deposit meeting the requirements of
11 section 11-35-101, C.R.S., or a good and sufficient bond with a corporate
12 surety. The surety shall be ACCOUNT, DEPOSIT, CERTIFICATE, OR BOND
13 MUST BE in an amount fixed by the director, but not less than twice the
14 reasonable value of the vehicle, determined as of the time of application.
15 The applicant and the applicant's surety shall hold harmless any person
16 who suffers loss or damage by reason of the filing of a certificate of title
17 under this section.

18 (b) If a person suffers loss or damage by reason of the filing of a
19 certificate of title under this section, the person shall have HAS a right of
20 action against the applicant and the surety on the applicant's bond, against
21 either of whom the person damaged may proceed independently of the
22 other.

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

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

27 (b) Be deemed a salvage vehicle or receive a salvage certificate

1 ~~of title~~ THE DEPARTMENT OR ITS AUTHORIZED AGENT SHALL NOT CLASSIFY
2 A VEHICLE ISSUED A TITLE UNDER THIS SECTION AS A SALVAGE VEHICLE.

3 (5) (a) If the motor vehicle's frame and body identification
4 numbers do not match the manufacturer's numbering system as being
5 originally mated or IF THE MOTOR VEHICLE is reconstructed from salvage
6 parts or other motor vehicles or reproduction parts, an application for title
7 under USING subsection (1) or (2) of this section shall be accompanied by
8 MUST INCLUDE evidence of ownership acceptable to the director, of the
9 parts, other motor vehicles, or reproduction components used in the
10 reconstruction. IF THE EVIDENCE IS NOT ACCEPTABLE TO THE DIRECTOR,
11 THE DIRECTOR SHALL REJECT THE APPLICATION FOR CERTIFICATE OF TITLE.

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

17 (c) Upon the applicant's compliance with paragraphs (a) and (b)
18 BEFORE ISSUING A CERTIFICATE OF TITLE UNDER PARAGRAPH (a) of this
19 subsection (5), the department shall issue a special vehicle identification
20 number to the vehicle.

21 **42-12-103. Furnishing bond for certificates.** (1) IF A
22 COLLECTOR'S ITEM, STREET-ROD VEHICLE, OR HORSELESS CARRIAGE IS
23 TWENTY-FIVE YEARS OLD OR OLDER, THE APPLICANT HAS HAD A CERTIFIED
24 VEHICLE IDENTIFICATION NUMBER INSPECTION PERFORMED ON THE
25 VEHICLE, AND THE APPLICANT PRESENTS A NOTARIZED BILL OF SALE
26 WITHIN TWENTY-FOUR MONTHS AFTER THE SALE WITH THE TITLE
27 APPLICATION, THEN THE APPLICANT NEED NOT FURNISH SURETY UNDER

1 SECTION 42-6-115 (3). TO BE EXCEPTED FROM THE SURETY REQUIREMENT,
2 AN APPLICANT SHALL SUBMIT TO THE DEPARTMENT A SWORN AFFIDAVIT,
3 UNDER PENALTY OF PERJURY, STATING THAT THE REQUIRED DOCUMENTS
4 SUBMITTED ARE TRUE AND CORRECT.

5 (2) IF ANY PERSON SUFFERS LOSS OR DAMAGE BY REASON OF THE
6 FILING OF THE CERTIFICATE OF TITLE AS PROVIDED IN THIS SECTION, THE
7 PERSON SHALL HAVE A RIGHT OF ACTION AGAINST THE APPLICANT AND
8 THE SURETY ON THE APPLICANT'S BOND, AGAINST EITHER OF WHOM THE
9 PERSON DAMAGED MAY PROCEED INDEPENDENTLY OF THE OTHER.

10 **42-12-104. Applicability of articles 1, 3, 4, 5, and 6.** EXCEPT AS
11 OTHERWISE PROVIDED IN THIS ARTICLE, ARTICLES 1, 3, 4, 5, AND 6 OF THIS
12 TITLE APPLY TO THE TITLING AND REGISTRATION OF A MOTOR VEHICLE.

13 PART 2

14 STREET-ROD VEHICLES

15 **42-12-201. [Formerly 42-5-203] Inspections - street-rod**
16 **vehicles.** When an inspector performs a vehicle identification number
17 inspection on a street-rod vehicle, the inspector shall accept the serial
18 number of such street-rod vehicle as the ~~vehicle~~ VEHICLE'S identification
19 number thereof, or, if the street-rod vehicle has frame and body
20 identification numbers that do not match or is reconstructed from salvage
21 parts, other vehicles, or reproduction parts, the inspector shall accept the
22 special vehicle identification number assigned to such vehicle by the
23 department of revenue pursuant to BY section 42-5-205 42-12-202 as the
24 vehicle identification number.

25 **42-12-202. [Formerly 42-5-205] Assignment of a special**
26 **vehicle identification number by the department.** The department of
27 revenue is authorized to MAY assign a special vehicle identification

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

13 **42-12-203. [Formerly 42-6-108] Identification number - title**
14 **- street-rod vehicles.** (1) When a person applies for a certificate of title
15 for a street-rod vehicle, the department shall accept the serial number of
16 such THE street-rod vehicle as its vehicle identification number or the
17 special vehicle identification number assigned to such vehicle by the
18 department pursuant to UNDER section 42-5-205 42-12-202.

19 (2) A person who applies for a certificate of title for a street-rod
20 vehicle having frame and body identification numbers that do not match
21 the manufacturer's numbering system as being originally mated or that is
22 reconstructed from salvage parts or other motor vehicles or reproduction
23 parts shall furnish evidence of ownership, acceptable to the director, of
24 such salvage parts, other motor vehicles, or reproduction components
25 used in the reconstruction of such vehicle. In addition, the applicant shall
26 also furnish an affidavit stating the facts concerning the reconstruction
27 and an affidavit of physical inspection that includes a computer check of

1 the state and national compilations of wanted and stolen vehicles. Such
2 vehicle reconstructed from salvage parts, other motor vehicles, or
3 reproduction parts THE DEPARTMENT may then be issued ISSUE a special
4 vehicle identification number from the department. The AND TITLE THE
5 street-rod vehicle will then be titled as a rebuilt vehicle. The model year
6 and the year of manufacture that are listed on the certificate of title of a
7 street-rod vehicle shall be ARE the model year and the year of
8 manufacture that the body of such vehicle resembles.

9 **42-12-204. [Formerly 42-4-215.5] Signal lamps and devices -**
10 **street-rod vehicles and custom motor vehicles - definition.** (1) As
11 used in this section, unless the context otherwise requires:

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

15 (b) Repealed.

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

21 PART 3

22 SPECIAL REGISTRATION OF

23 HORSELESS CARRIAGES AND ORIGINAL PLATES

24 **42-12-301. [Formerly 42-3-219] Special registration of**
25 **horseless carriages - rules.** (1) (a) The department may specially
26 register and issue a horseless carriage special license plate for motor
27 vehicles valued principally because of the vehicles' early date of

1 manufacture, design, or historical interest or valued as collector's items.

2 (b) In addition to any other registration, the department may
3 approve use of original plates for motor vehicles valued principally
4 because of the vehicles' early date of manufacture, design, or historical
5 interest or valued as collector's items. The use of a vehicle bearing such
6 original plates shall be limited to the uses authorized in subsection (5) of
7 this section. when using the original plates authorized in this section. An
8 original plate shall meet the following criteria in order to qualify for use
9 under this paragraph (b):

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

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

13 (III) The plates are legible;

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

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

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

21 (2) The plates issued under paragraph (a) of subsection (1) of this
22 section shall MUST be of a design, determined by the executive director,
23 of the department. Such design shall be THAT IS different from that used
24 by the state for regular motor vehicle registration.

25 (3) (a) The executive director of the department shall register such
26 THE vehicles and issue such plates for a period not exceeding five years,
27 but all such THE registrations and plates shall expire on the same date

1 regardless of the date of issue.

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

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

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

26 (5) Motor vehicles having such special registration plates may be
27 used A PERSON MAY DRIVE A MOTOR VEHICLE WITH THE SPECIAL

1 REGISTRATION PLATES AUTHORIZED BY THIS SECTION OR SECTION
2 42-12-302 on the streets and highways, for driving such vehicle BUT
3 ONLY:

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

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

8 (c) ~~and~~ On occasions when ~~their~~ THE operation OF THE VEHICLE
9 on the streets and highways will not constitute a traffic hazard; AND

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

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

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

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

27 (9) When application is made to the executive director RECEIVES

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

5 ~~(10) Repealed.~~

6 **42-12-302. Original plates.** (1) IN ADDITION TO ANY OTHER
7 REGISTRATION, THE DEPARTMENT MAY APPROVE USE OF THE STYLE OF
8 ORIGINAL PLATES FROM THE VEHICLE'S YEAR OF MANUFACTURE FOR
9 MOTOR VEHICLES VALUED PRINCIPALLY BECAUSE OF THE VEHICLES' EARLY
10 DATE OF MANUFACTURE, DESIGN, OR HISTORICAL INTEREST OR VALUED AS
11 COLLECTOR'S ITEMS. ORIGINAL PLATES MUST MEET THE FOLLOWING
12 CRITERIA IN ORDER TO QUALIFY FOR USE UNDER THIS SECTION:

13 (a) THE PLATES WERE MADE AT LEAST THIRTY YEARS PRIOR TO
14 REGISTRATION UNDER THIS SECTION;

15 (b) THE PLATES ARE EMBOSSED WITH THE YEAR OF ORIGINAL
16 ISSUE;

17 (c) THE PLATES ARE LEGIBLE;

18 (d) THE PLATES WERE ISSUED CONTEMPORANEOUSLY WITH THE
19 YEAR OF MANUFACTURE OF THE VEHICLE UPON WHICH THEY ARE
20 DISPLAYED, AS DETERMINED BY THE DEPARTMENT; AND

21 (e) THE PLATES DO NOT EXCEED SEVEN CHARACTERS.

22 (2) A PERSON SHALL NOT DRIVE THE VEHICLE BEARING THE
23 ORIGINAL PLATES EXCEPT AS AUTHORIZED IN SECTION 42-12-301 (5).

24 PART 4

25 COLLECTOR'S ITEMS

26 **42-12-401. [Formerly 42-12-102] Registration of collector's**
27 **items - fees - definition.** (1) Except for those motor vehicles that are

1 entitled to registration under the provisions of section 42-3-219
2 42-12-301, OWNERS OF collector's items shall be titled, registered APPLY
3 FOR A TITLE, REGISTER, and PAY a specific ownership tax shall be paid
4 thereon in the same manner as provided in this title for other motor
5 vehicles, with the following exceptions:

6 (a) Such collector's items shall be ARE registered for periods of
7 five years. The taxes and fees imposed for registration of a collector's
8 item for each five-year registration period shall be IS equal to five times
9 the annual taxes and fees which THAT would otherwise be imposed for the
10 registration of such THE motor vehicle under this title and under title 43,
11 C.R.S.; except that the amount of a surcharge imposed pursuant to section
12 43-4-804 (1) (a) or 43-4-805 (5) (g), C.R.S., shall be IS the amount
13 specified in the applicable section. In addition to any other such taxes
14 and fees, if a collector's item is registered in a county which THAT is a
15 member of one or more A highway authorities AUTHORITY and such THE
16 authority or authorities have HAS imposed an annual motor vehicle
17 registration fee or fees pursuant to the provisions of section 43-4-506 (1)
18 (k), C.R.S., then five times such annual motor vehicle registration fee or
19 fees shall be IS imposed and remitted to such THE authority. or authorities.

20 (b) (f) No collector's item of model year 1976 or later for which
21 a certification of emissions control is required under sections 42-4-301 to
22 42-4-316 shall be registered under this section unless a certification of
23 emissions control is obtained for the collector's item. Reregistration of
24 the collector's item by the same owner shall not require the obtainment of
25 a new certification of emissions control, but the collector's item shall not
26 be registered under this section after the sale or transfer of the vehicle to
27 a new owner THE MOTOR VEHICLE'S COMPLIANCE WITH EMISSIONS

1 STANDARDS IS GOVERNED BY SECTION 42-12-404.

2 (H) (Deleted by amendment, L. 2009, (SB 09-003), ch. 322, p.
3 1720, § 8, effective June 1, 2009.)

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

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

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

14 (III) Traveling to, and from, and while on DURING local, state, or
15 national tours held primarily for the exhibition and enjoyment of such
16 vehicles by their owners.

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

21 (2) (a) An owner of a collector's item that is not operated upon the
22 highways of this state and that is kept on private property for the purpose
23 of maintenance, repair, restoration, rebuilding, or any other similar
24 purpose shall pay an annual specific ownership tax as provided in section
25 42-3-106 on any such motor vehicle owned by such THE owner, except
26 owners of parts cars as defined in section 42-12-101 (3), or licensed
27 garages or licensed automobile dealers. The payment of The OWNER

1 SHALL PAY THE specific ownership tax shall be made in the manner
2 provided in section 42-3-219 42-12-301.

3 (b) Upon payment of the specific ownership tax as provided in
4 this subsection (2), the department of revenue shall issue to the owner of
5 the motor vehicle for which the tax has been paid a license, sticker, decal,
6 or other device evidencing such payment, as may be prescribed by the
7 executive director. When such device or license is affixed to the motor
8 vehicle for which IT IS issued, the owner of that motor vehicle shall be IS
9 permitted to keep such motor vehicle on private property for the purposes
10 of maintenance, repair, restoration, rebuilding, or renovation.

11 (3) Notwithstanding the amount specified for any fee in
12 subsection (1) of this section, the executive director of the department of
13 revenue by rule or as otherwise provided by law may reduce the amount
14 of one or more of the fees if necessary pursuant to section 24-75-402 (3),
15 C.R.S., to reduce the uncommitted reserves of the fund to which all or any
16 portion of one or more of the fees is credited. After the uncommitted
17 reserves of the fund are sufficiently reduced, the executive director of the
18 department of revenue by rule or as otherwise provided by law may
19 increase the amount of one or more of the fees as provided in section
20 24-75-402 (4), C.R.S.

21 (4) An applicant may apply for personalized license plates issued
22 for a motor vehicle registration issued pursuant to this section. If the
23 applicant complies with section 42-3-211, the department of revenue may
24 issue such plates upon payment of the additional fee required by section
25 42-3-211 (6) for personalized license plates. If the applicant has existing
26 personalized license plates for a motor vehicle, the applicant may transfer
27 the combination of letters or numbers to a new set of license plates for the

1 vehicle upon paying the fee imposed by section 42-3-211 (6) (a) and upon
2 turning in such existing plates to the department as required by the
3 department. A person who has obtained personalized plates under this
4 subsection (4) shall pay the annual fee imposed by section 42-3-211 (6)
5 (b) to renew such plates. The fees imposed by this subsection (4) shall be
6 ARE in addition to all other taxes and fees imposed for collector
7 COLLECTOR'S license plates.

8 **42-12-402. [Formerly 42-12-103] Storage.** A collector may
9 store ONE OR MORE motor vehicles, as described in section 42-12-101, or
10 parts thereof, VEHICLES OR MOTOR VEHICLE PARTS on the collector's
11 private property provided such vehicles and parts cars and the outdoor IF
12 THE VEHICLE, MOTOR VEHICLE PART, AND storage areas AREA are
13 maintained in such a manner that they do SO AS TO not constitute a health
14 hazard, a safety hazard, or a fire hazard; and are effectively screened from
15 ordinary public view by means of a solid fence, trees, shrubbery, or other
16 appropriate means; Such storage areas shall be AND ARE kept free of
17 weeds, trash, and other objectionable items.

18 **42-12-403. [Formerly 42-12-104 (1) and (3)] Special**
19 **equipment or modification.** (1) Unless the presence of special
20 equipment was a prior condition for sale within Colorado at the time an
21 historic or special interest vehicle was manufactured for first use, the
22 presence of such equipment or device shall IS not be required as a
23 condition for current legal use.

24 (3) (2) Any safety device or safety equipment which THAT was
25 manufactured for and installed on a motor vehicle as original equipment
26 must be in proper operating condition when the vehicle is operated on or
27 for highway purposes.

1 **42-12-404. Emissions.** (1) [Formerly 42-12-104 (2)] Any A
2 motor vehicle of historic or special interest manufactured prior to the date
3 emission controls were standard equipment on that particular make or
4 model of vehicle is exempted from statutes requiring the inspection and
5 use of such emission controls. Any A motor vehicle using emission
6 controls as standard equipment at the time of manufacture must have such
7 equipment in proper operating condition at all times when the vehicle is
8 operated on or for highway purposes.

9 (2) A CERTIFICATION OF EMISSIONS CONTROL THAT HAS BEEN
10 ISSUED FOR A MOTOR VEHICLE THAT IS REGISTERED AS A COLLECTOR'S
11 ITEM BEFORE SEPTEMBER 1, 2009, AND THAT IS OF MODEL YEAR 1976 OR
12 LATER IS VALID UNTIL THE MOTOR VEHICLE IS SOLD OR TRANSFERRED.

13 **42-12-405. Registration penalty.** IN ADDITION TO ANY OTHER
14 PENALTIES, THE DEPARTMENT SHALL CANCEL THE REGISTRATION OF A
15 NONCOMMERCIAL OR RECREATIONAL VEHICLE, TRUCK, OR TRUCK
16 TRACTOR REGISTERED AS A COLLECTOR'S ITEM PURSUANT TO SECTION
17 42-12-401 THAT IS USED TO TRANSPORT CARGO OR PASSENGERS FOR
18 PROFIT OR HIRE OR IN A BUSINESS OR COMMERCIAL ENTERPRISE. THE
19 DEPARTMENT SHALL CANCEL THE REGISTRATION OF A TRUCK OR TRUCK
20 TRACTOR REGISTERED AS A COLLECTOR'S ITEM PURSUANT TO SECTION
21 42-12-401 THAT IS DRIVEN FOR ANY PURPOSE OTHER THAN THOSE
22 PURPOSES ALLOWED IN SECTION 42-12-401 (1) (c).

23 **SECTION 2.** 4-2.5-104 (1) (a), Colorado Revised Statutes, is
24 amended to read:

25 **4-2.5-104. Leases subject to other law.** (1) A lease, although
26 subject to this article, is also subject to any applicable:

27 (a) Certificate of title statute of this state (including vessels under

1 article 13 of title 33, C.R.S., snowmobiles under article 14 of title 33,
2 C.R.S., mobile homes under article 29 of title 38, C.R.S., aircraft under
3 article 2 of title 41, C.R.S., and motor vehicles under article 6 OR 12 of
4 title 42, C.R.S.);

5 SECTION 3. 12-6-102 (17) (f), Colorado Revised Statutes, is
6 amended to read:

7 12-6-102. Definitions. As used in this part 1 and in part 5 of this
8 article, unless the context or section 12-6-502 otherwise requires:

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

24 (f) Any person who only sells or exchanges no more than four
25 motor vehicles that are collector's items pursuant to section 42-3-219,
26 C.R.S., or pursuant to UNDER PART 3 OR 4 OF article 12 of title 42, C.R.S.;

27 SECTION 4. 42-3-121 (1) (g), (1) (h), and (2) (c), Colorado

1 Revised Statutes, are amended to read:

2 **42-3-121. Violation of registration provisions - penalty.** (1) It
3 is unlawful to commit any of the following acts:

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

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

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

23 **SECTION 5.** 42-4-206 (1) and (4), Colorado Revised Statutes,
24 are amended to read:

25 **42-4-206. Tail lamps and reflectors.** (1) TO BE OPERATED ON
26 A ROAD, every motor vehicle, trailer, semitrailer, and pole trailer and any
27 other vehicle ~~which~~ THAT is being drawn at the end of a train of vehicles

1 shall MUST be equipped with at least one tail lamp mounted on the rear,
2 which, when lighted as required in section 42-4-204, shall emit EMITS a
3 red light plainly visible from a distance of five hundred feet to the rear;
4 except that, in the case of a train of vehicles, only the tail lamp on the
5 rear-most vehicle need actually be seen from the distance specified, and
6 except as provided in section 42-4-215.5 42-12-204. Furthermore, every
7 such vehicle registered in this state and manufactured or assembled after
8 January 1, 1958, shall MUST be equipped with at least two tail lamps
9 mounted on the rear, on the same level and as widely spaced laterally as
10 practicable, which, when lighted as required in section 42-4-204, shall
11 comply with the provisions of this section.

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

19 **SECTION 6.** 42-4-215 (1), (2), and (7), Colorado Revised
20 Statutes, are amended to read:

21 **42-4-215. Signal lamps and devices - additional lighting**
22 **equipment.** (1) TO BE OPERATED ON A ROAD, any motor vehicle may be
23 equipped, and when required under this article shall MUST be equipped,
24 with a stop lamp or lamps on the rear of the vehicle which THAT, except
25 as provided in section 42-4-215.5, shall 42-12-204, display a red or amber
26 light, or any shade of color between red and amber, visible from a
27 distance of not less than one hundred feet to the rear in normal sunlight,

1 and which shall be THAT ARE actuated upon application of the service
2 (foot) brake, and which THAT may but need not be incorporated with one
3 or more other rear lamps. Such stop lamp or lamps may also be
4 automatically actuated by a mechanical device when the vehicle is
5 reducing speed or stopping. If two or more stop lamps are installed on
6 any motor vehicle, any device actuating such lamps shall MUST be so
7 designed and installed that all stop lamps are actuated by such device.

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

24 (7) Any vehicle may be equipped with lamps which THAT may be
25 used for the purpose of warning the operators of other vehicles of the
26 presence of a vehicular traffic hazard requiring the exercise of unusual
27 care in approaching, overtaking, or passing and, when so equipped and

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

14 **SECTION 7.** 42-4-229 (4), Colorado Revised Statutes, is
15 amended to read:

16 **42-4-229. Safety glazing material in motor vehicles.** (4) ~~No~~ A
17 person shall NOT operate a motor vehicle on ~~any~~ A highway within this
18 state unless such THE vehicle is equipped with a front windshield as
19 provided in this section, except as provided in section 42-4-232 (1) and
20 except for motor vehicles registered as collector's items under section
21 42-3-219 42-12-301 OR 42-12-302.

22 **SECTION 8. Repeal.** 42-4-304 (3) (c), Colorado Revised
23 Statutes, is repealed as follows:

24 **42-4-304. Definitions relating to automobile inspection and**
25 **readjustment program.** As used in sections 42-4-301 to 42-4-316,
26 unless the context otherwise requires:

27 (3) (c) Effective September 1, 2009, a certification of emissions

1 control that has been issued for any motor vehicle that is registered as a
2 collector's item under the provisions of section 42-12-102 and that is of
3 model year 1976 or later shall be valid until the motor vehicle is sold or
4 transferred.

5 SECTION 9. 42-4-304 (18), Colorado Revised Statutes, is
6 amended to read:

7 42-4-304. Definitions relating to automobile inspection and
8 readjustment program. As used in sections 42-4-301 to 42-4-316,
9 unless the context otherwise requires:

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

24 SECTION 10. The introductory portion to 42-3-306 (5), Colorado
25 Revised Statutes, is amended to read:

26 42-3-306. Registration fees - passenger and passenger-mile
27 taxes - fee schedule. (5) The annual registration fee for those trucks and

1 truck tractors operated over the public highways of this state, except
2 trucks that are registered under subsections (4) and (13) of this section
3 and section ~~42-12-102~~ 42-12-401 (1) (c), shall be IS as follows:

4 **SECTION 11.** 42-4-310 (1) (d) (II) (B) and (1) (d) (VIII) (A),
5 Colorado Revised Statutes, are amended to read:

6 **42-4-310. Periodic emissions control inspection required.**
7 (1) (d) (II) (B) For the basic emissions program, effective January 1,
8 1994, no emissions-related repair waiver shall be issued for any vehicle
9 that is registered as a collector's item pursuant to the provisions of section
10 42-12-102 and that is of the model year 1976 or later.

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

23 **SECTION 12.** The introductory portion to 42-4-311 (2) and
24 42-4-311 (2) (b) and (3) (a) (II), Colorado Revised Statutes, are amended
25 to read:

26 **42-4-311. Operation of inspection and readjustment stations**
27 **- inspection-only facilities - fleet inspection stations - motor vehicle**

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

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

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

1 42-12-401.

2 SECTION 13. 42-4-401 (5), Colorado Revised Statutes, is
3 amended to read:

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

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

17 SECTION 14. 42-5-101 (11), Colorado Revised Statutes, is
18 amended to read:

19 42-5-101. Definitions. As used in this part 1, unless the context
20 otherwise requires:

21 (11) "Vehicle identification number" means any identifying
22 number, serial number, engine number, or other distinguishing number or
23 mark, including letters, if any, that is unique to the identity of a given
24 vehicle or component part thereof that was placed on a vehicle or engine
25 by its manufacturer or by authority of the department of revenue pursuant
26 to section 42-5-205 42-12-202 or in accordance with the laws of another
27 state or country.

1 **SECTION 15.** 42-5-201 (13), Colorado Revised Statutes, is
2 amended to read:

3 **42-5-201. Definitions.** As used in this part 2, unless the context
4 otherwise requires:

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

13 **SECTION 16.** 42-6-115 (3), Colorado Revised Statutes, is
14 amended to read:

15 **42-6-115. Furnishing bond for certificates.** (3) (a) Except as
16 provided by paragraph (b) of this subsection (3) ~~no~~ OR SECTION
17 42-12-402, THE DEPARTMENT OR AN AUTHORIZED AGENT SHALL NOT FILE
18 A certificate of title shall be filed under this section until the applicant
19 furnishes evidence of a savings account, deposit, or certificate of deposit
20 meeting the requirements of section 11-35-101, C.R.S., or a good and
21 sufficient bond with a corporate surety, to the state, in an amount to be
22 fixed by the director, not less than twice the reasonable value of the
23 vehicle determined as of the time of application. The applicant and the
24 applicant's surety shall hold harmless any person who suffers loss or
25 damage by reason of the filing of a certificate under this section.

26 (b) If the vehicle for which the certificate is filed is twenty-five
27 years old or older, the applicant has had a certified vehicle identification

1 number inspection performed on the vehicle, and the applicant presents
2 a notarized bill of sale within twenty-four months after such THE sale with
3 the title application, then the applicant shall not be required to NEED NOT
4 furnish surety pursuant to UNDER this subsection (3). To be excepted
5 from the surety requirement, an applicant shall submit an affidavit to the
6 department that is sworn to under penalty of perjury that states that the
7 required documents submitted are true and correct.

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

10 **42-6-117. Filing of certificate.** (2) No certificate of title may be
11 filed for a vehicle required to have its vehicle identification number
12 inspected pursuant to section 42-5-202 unless a vehicle identification
13 number inspection form has been transmitted to the director or the
14 authorized agent showing the number recorded from the vehicle or the
15 number assigned to the vehicle pursuant to UNDER section 42-5-205
16 42-12-202.

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

19 **42-6-145. Use of vehicle identification numbers in applications**
20 **- rules.** (1) A person required to apply for a certificate of title or
21 registration of a motor vehicle shall use the identification number placed
22 upon the motor vehicle by the manufacturer or the special vehicle
23 identification number assigned to the motor vehicle by the department
24 pursuant to section 42-5-205 42-12-202. The certificate of title and
25 registration card issued by the department shall use the identification
26 number of the motor vehicle.

27 **SECTION 19.** 42-9-110, Colorado Revised Statutes, is amended

1 to read:

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

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

8 **43-4-804. Highway safety projects - surcharges and fees -**
9 **crediting of moneys to highway users tax fund.** (1) (a) (VI) The road
10 safety surcharge shall not be imposed on any vehicle for which the
11 department of revenue has issued a horseless carriage special license plate
12 pursuant to section 42-3-219 (1) (a) 42-12-301, C.R.S.

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

15 **43-4-805. Statewide bridge enterprise - creation - board -**
16 **funds - powers and duties - reporting requirements - legislative**
17 **declaration.** (5) In addition to any other powers and duties specified in
18 this section, the bridge enterprise board has the following powers and
19 duties:

20 (g) (VII) The bridge safety surcharge shall IS not be imposed on
21 any vehicle for which the department of revenue has issued a horseless
22 carriage special license plate pursuant to section 42-3-219 (1) (a)
23 42-12-301, C.R.S.

24 **SECTION 22. Repeal of provisions being relocated in this act.**
25 Sections 42-6-108.5, 42-5-203, 42-5-205, 42-6-108, 42-4-215.5, and
26 42-3-219, Colorado Revised Statutes, are repealed.

27 **SECTION 23. Act subject to petition - effective date.** This act

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