

CHAPTER 55

NATURAL RESOURCES

SENATE BILL 24-056

BY SENATOR(S) Hinrichsen and Will;
also REPRESENTATIVE(S) Snyder and Weinberg, Clifford, Lukens, Mauro, McCluskie.

AN ACT

CONCERNING PROGRAMS FOR OFF-HIGHWAY VEHICLE USERS, AND, IN CONNECTION THEREWITH, EXEMPTING COMMERCIAL USE ON PRIVATE PROPERTY FROM SNOWMOBILE REGISTRATION, CREATING AN OUT-OF-STATE SNOWMOBILE PERMIT TO DRIVE ON PUBLICLY OWNED LANDS, AND ADDING THE SEARCH AND RESCUE FEE TO SNOWMOBILE AND OFF-HIGHWAY VEHICLE PERMITS.

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

SECTION 1. In Colorado Revised Statutes, 33-14-102, **amend** (6)(c) as follows:

33-14-102. Snowmobile registration - fees - applications - requirements - penalties - exemptions - rules. (6) No registration under this section is required for the following snowmobiles:

(c) Snowmobiles used strictly on private property; ~~for private, noncommercial purposes;~~

SECTION 2. In Colorado Revised Statutes, 33-14-106, **amend** (1) as follows:

33-14-106. Snowmobile recreation fund - creation - use of money. (1)(a) THE SNOWMOBILE RECREATION FUND IS CREATED IN THE STATE TREASURY.

(b) Except as provided pursuant to subsection (2) of this section, all fees from the registration of snowmobiles, ALL MONEY COLLECTED FOR THE ISSUANCE OF OUT-OF-STATE SNOWMOBILE PERMITS PURSUANT TO SECTION 33-14-121, all money collected for fines under this article 14, and all interest earned on the fees and fines ~~shall be~~ ARE credited to the snowmobile recreation fund. ~~hereby created, and shall be used~~ THE DIVISION AND COMMISSION SHALL USE THE MONEY IN THE FUND for the administration of this article 14 and for the establishment and maintenance of snowmobile trails, vehicle parking areas, and facilities. However, any fee money

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collected in excess of ~~five dollars per~~ UP TO SEVENTEEN PERCENT OF EACH original or renewal registration ~~shall~~ MUST be used exclusively for direct services and not administrative costs.

SECTION 3. In Colorado Revised Statutes, 33-14-107, **amend** (1) introductory portion and (1)(c); and **add** (1)(d) as follows:

33-14-107. Rules. (1) The commission shall adopt rules, in the manner provided by article 4 of title 24, ~~C.R.S.~~, for the following purposes:

(c) Formulation of other ~~regulations~~ RULES concerning the use of snowmobiles, but not in any way inconsistent with ~~the provisions of this article~~ ARTICLE 14; AND

(d) PROCEDURES AND REQUIREMENTS TO IMPLEMENT AND ADMINISTER THE OUT-OF-STATE SNOWMOBILE PERMIT PROGRAM CREATED IN SECTION 33-14-121.

SECTION 4. In Colorado Revised Statutes, **add** 33-14-121 as follows:

33-14-121. Out-of-state snowmobile permit program - fees - requirements - exemptions - rules - penalty - repeal. (1) NO LATER THAN JANUARY 1, 2025, THE DIVISION SHALL ESTABLISH BY RULE THE OUT-OF-STATE SNOWMOBILE PERMIT PROGRAM.

(2) (a) EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, AN OWNER OR OPERATOR OF AN OUT-OF-STATE SNOWMOBILE SHALL OBTAIN AN OUT-OF-STATE SNOWMOBILE PERMIT WHEN USING THE SNOWMOBILE FOR RECREATIONAL TRAVEL UPON PUBLICLY OWNED LAND.

(b) EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, A SNOWMOBILE DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION MUST DISPLAY A PERMIT AS REQUIRED BY THE DIVISION WHEN BEING USED FOR RECREATIONAL TRAVEL ON PUBLICLY OWNED LAND.

(c) (I) THIS SUBSECTION (2) TAKES EFFECT OCTOBER 1, 2025.

(II) THIS SUBSECTION (2)(c) IS REPEALED, EFFECTIVE JULY 1, 2026.

(3) THE OWNER OR OPERATOR OF THE FOLLOWING SNOWMOBILES NEED NOT COMPLY WITH SUBSECTION (2) OF THIS SECTION:

(a) SNOWMOBILES OWNED BY THE UNITED STATES OR ANOTHER STATE OR POLITICAL SUBDIVISION OF ANOTHER STATE IF THE OWNERSHIP IS CLEARLY DISPLAYED ON THE SNOWMOBILE;

(b) SNOWMOBILES OPERATED IN AN ORGANIZED COMPETITIVE OR NONCOMPETITIVE EVENT ON PUBLICLY OR PRIVATELY OWNED OR LEASED LAND; EXCEPT THAT THIS EXEMPTION DOES NOT APPLY UNLESS THE AGENCY EXERCISING JURISDICTION OVER THE LAND SPECIFICALLY AUTHORIZES THE ORGANIZED EVENT; OR

(c) SNOWMOBILES OPERATED ON PUBLICLY OWNED LAND FOR NONRECREATIONAL

PURPOSES, INCLUDING LOGGING, MINING, GRAZING LIVESTOCK, FIREWOOD-CUTTING, AND TAKING TREES FOR NONCOMMERCIAL PURPOSES.

(4) OUT-OF-STATE SNOWMOBILE PERMITS, WHEN ISSUED ON OR BEFORE OCTOBER 1 OF EACH YEAR FOR USE IN THE NEXT PERMIT YEAR, ARE VALID FOR ONE YEAR FROM OCTOBER 1 THROUGH THE FOLLOWING SEPTEMBER 30, AND PERMITS ISSUED AFTER OCTOBER 1 FOR THE CURRENT PERMIT YEAR EXPIRE ON SEPTEMBER 30 OF THE FOLLOWING YEAR.

(5)(a) AGENTS, AS DESCRIBED IN SECTION 33-12-104, SHALL SELL OUT-OF-STATE SNOWMOBILE PERMITS.

(b) THE COMMISSION SHALL SET THE AMOUNT OF THE FEE TO BE PAID FOR THE PERMIT BY RULE AND DEPOSIT THE FEES IN THE SNOWMOBILE RECREATION FUND CREATED IN SECTION 33-14-106 (1)(a).

(6) A PERSON WHO VIOLATES THIS SECTION COMMITS A CIVIL INFRACTION AND, UPON CONVICTION, IS SUBJECT TO A FINE OF ONE HUNDRED DOLLARS.

SECTION 5. In Colorado Revised Statutes, 33-1-112.5, **amend** (2)(b) as follows:

33-1-112.5. Backcountry search and rescue fund - repeal. (2) (b) (I) Until the commission establishes a new amount in rules promulgated pursuant to subsection (2)(b)(II) of this section, a surcharge of twenty-five cents ~~shall be~~ is assessed on each vessel, each snowmobile ~~and~~ REGISTRATION, EACH OUT-OF-STATE SNOWMOBILE PERMIT, each off-highway vehicle registration, AND EACH OFF-HIGHWAY USE PERMIT that is sold by the division or one of its agents pursuant to section 33-13-103, 33-14-102, ~~or 33-14-121~~, 33-14.5-102, ~~OR 33-14.5-112~~. Receipts and interest from the surcharge ~~shall be~~ ARE deposited in the backcountry search and rescue fund created in subsection (1) of this section.

(II) On or after January 1, 2023, the commission shall promulgate rules establishing the amount of the surcharge that ~~shall be~~ is assessed on each vessel, each snowmobile ~~and~~ REGISTRATION, EACH OUT-OF-STATE SNOWMOBILE PERMIT, each off-highway vehicle registration, AND EACH OFF-HIGHWAY USE PERMIT that is sold by the division or one of its agents pursuant to section 33-13-103, 33-14-102, ~~or 33-14-121~~, 33-14.5-102, ~~OR 33-14.5-112~~. Receipts and interest from the surcharge ~~shall be~~ ARE deposited in the backcountry search and rescue fund created in subsection (1) of this section.

SECTION 6. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 11, 2024