

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

April 27, 2021

Committee on Transportation & Local Government.

After consideration on the merits, the Committee recommends the following:

HB21-1254 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, page 2, strike lines 2 through 4.

2 Strike pages 3 and 4.

3 Page 5, strike lines 1 through 13 and substitute:

4 "SECTION 1. In Colorado Revised Statutes, 42-1-211, **amend**
5 (2)(b)(I); and **add** (2)(b)(III) as follows:

6 **42-1-211. Driver's license, record, identification, and vehicle**
7 **enterprise solution - rule.** (2) (b) (I) There is hereby created the
8 Colorado DRIVES vehicle services account in the highway users tax fund
9 for the purpose of providing funds for the development and operation of
10 Colorado DRIVES, including operations performed under articles 3, 4, 6,
11 7, and 12 of this title 42, to cover the costs of administration and
12 enforcement of the motorist insurance identification database program
13 created in section 42-7-604, and to purchase and issue license plates,
14 decals, and validating tabs in accordance with article 3 of this title 42.
15 Money received from the fees imposed by ~~section~~ SECTIONS 38-29-138
16 (1), (2), (4), and (5), ~~and sections~~ 42-1-206 (2)(a), 42-1-231, ~~42-3-103~~
17 ~~(4)(a)(II)(C)~~, 42-3-107 (22), 42-3-213 (1)(b)(IV), 42-3-304 (18),
18 42-3-306 (14), 42-3-313 (2)(c)(I), and 42-6-137 (1), (2), (4), (5), and (6),
19 as well as any money received through gifts, grants, and donations to the
20 account from private or public sources for the purposes of this section,
21 shall be credited by the state treasurer to the Colorado DRIVES vehicle
22 services account. The general assembly shall appropriate annually the

1 money in the account for the purposes of this subsection (2). If any
2 unexpended and unencumbered money remains in the account at the end
3 of a fiscal year, the balance remains in the account and is not transferred
4 to the general fund or any other fund.

5 (III) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN
6 SECTIONS 38-29-138 (1), (2), (4), AND (5), 42-3-213 (1)(b)(IV), 42-3-306
7 (14), 42-3-313 (2)(c)(I), AND 42-6-137 (1), (2), (4), (5), AND (6), THE
8 EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE SHALL REDUCE, IN
9 ACCORDANCE WITH SECTION 24-75-402 (3), THE AMOUNT OF ONE OR MORE
10 OF THE FEES IN THESE SECTIONS TO REDUCE THE UNCOMMITTED RESERVES
11 OF THE COLORADO DRIVES VEHICLE SERVICES ACCOUNT; EXCEPT THAT
12 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL NOT REDUCE THE
13 FEE AMOUNT THAT IS RETAINED BY THE AUTHORIZED AGENT. AFTER THE
14 UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE
15 EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE MAY INCREASE THE
16 AMOUNT OF ONE OR MORE OF THE FEES IN THESE SECTIONS AS PROVIDED
17 IN SECTION 24-75-402 (4).".

18 Page 6, line 6, after "ARTICLE 3" insert "AND PART 8 OF ARTICLE 4 OF
19 TITLE 43".

20 Page 6, strike lines 13 through 22 and substitute:

21 "(III) THE DEPARTMENT SHALL PROMULGATE RULES GOVERNING
22 THE DOCUMENTATION AND EVIDENCE THAT ESTABLISH THE DATES
23 DESCRIBED IN SUBSECTIONS (4)(a)(II)(A) AND (4)(a)(II)(B) OF THIS
24 SECTION;

25 (IV) THE DEPARTMENT SHALL TRANSFER THE FEES TO THE STATE
26 TREASURER, WHO SHALL CREDIT THE FEES, WHICH DO NOT INCLUDE
27 SPECIFIC OWNERSHIP TAX, IMPOSED IN SUBSECTION (4)(a)(II)(C) OF THIS
28 SECTION TO THE COLORADO DRIVES VEHICLE SERVICES ACCOUNT
29 CREATED IN SECTION 42-1-211 (2)(b)(I); EXCEPT THAT, WHEN THE
30 AMOUNT CREDITED TO THE ACCOUNT EXCEEDS THE AMOUNT
31 APPROPRIATED FROM THE ACCOUNT FOR THE PURPOSES OF SECTION
32 42-1-211 IN A FISCAL YEAR, THE STATE TREASURER SHALL CREDIT THE
33 REMAINDER OF THE FEES FOR THE FISCAL YEAR AS FOLLOWS:

34 (A) THE FIRST SEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS
35 TO THE STATEWIDE BRIDGE ENTERPRISE SPECIAL REVENUE FUND CREATED
36 IN SECTION 43-4-805 (3)(a); AND

37 (B) THE REMAINDER OF THE FEES TO THE HIGHWAY USERS TAX
38 FUND CREATED IN SECTION 43-4-201.".



1 Renumber succeeding subparagraph accordingly.

2 Page 7, line 14, after the period add "THE DEPARTMENT SHALL CREDIT
3 THE FEES TO THE STATE TREASURER, WHO SHALL CREDIT THE FEES, WHICH
4 DO NOT INCLUDE SPECIFIC OWNERSHIP TAX, IN ACCORDANCE WITH
5 SECTION 42-3-103 (4)(a)(IV).".

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