

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 20-0400.01 Richard Sweetman x4333

SENATE BILL 20-056

SENATE SPONSORSHIP

Crowder, Coram, Cooke, Gardner, Hisey, Lundeen, Marble, Priola, Rankin, Scott, Smallwood, Sonnenberg, Tate, Woodward

HOUSE SPONSORSHIP

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Senate Committees

State, Veterans, & Military Affairs
Appropriations

House Committees

Transportation & Local Government
Appropriations

A BILL FOR AN ACT

101 **CONCERNING SURPLUS MILITARY VEHICLES, AND, IN CONNECTION**
102 **THEREWITH, EXEMPTING A SURPLUS MILITARY VEHICLE FROM**
103 **THE STATUTORY DEFINITION OF AN "OFF-HIGHWAY VEHICLE"**
104 **IF THE VEHICLE IS OWNED OR LEASED BY A MUNICIPALITY,**
105 **COUNTY, OR FIRE PROTECTION DISTRICT FOR THE PURPOSE OF**
106 **ASSISTING FIREFIGHTING EFFORTS, AND, IN CONNECTION**
107 **THEREWITH, MAKING AN APPROPRIATION.**

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://leg.colorado.gov/>.)

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
February 13, 2020

SENATE
2nd Reading Unamended
February 12, 2020

Wildfire Matters Review Committee. The bill states that a surplus military vehicle is not an "off-highway vehicle" if it is owned or leased by a municipality, county, or fire protection district for the purpose of assisting with firefighting efforts, including mitigating the risk of wildfires.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-6-102, **amend**
3 (11.5)(b) as follows:

4 **42-6-102. Definitions.** As used in this part 1, unless the context
5 otherwise requires:

6 (11.5) (b) (I) EXCEPT AS DESCRIBED IN SUBSECTION (11.5)(b)(II)
7 OF THIS SECTION, "off-highway vehicle" includes vehicles commonly
8 known as all-terrain vehicles, snowmobiles, and surplus military vehicles
9 but does not include:

10 ~~(I)~~ (A) Toy vehicles;

11 ~~(II)~~ (B) Vehicles designed and used primarily for travel on, over,
12 or in the water;

13 ~~(III)~~ (C) Historical military vehicles;

14 ~~(IV)~~ (D) Golf carts or golf cars;

15 ~~(V)~~ (E) Vehicles designed and used to carry persons with
16 disabilities;

17 ~~(VI)~~ (F) Vehicles designed and used specifically for agricultural,
18 logging, or mining purposes; or

19 ~~(VII)~~ (G) Motor vehicles.

20 (II) "OFF-HIGHWAY VEHICLE" DOES NOT INCLUDE A SURPLUS
21 MILITARY VEHICLE THAT IS OWNED OR LEASED BY A MUNICIPALITY,
22 COUNTY, OR FIRE PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103

1 (7), FOR THE PURPOSE OF ASSISTING WITH FIREFIGHTING EFFORTS,
2 INCLUDING MITIGATING THE RISK OF WILDFIRES.

3 **SECTION 2.** In Colorado Revised Statutes, 33-14.5-101, **amend**
4 (3) introductory portion, (3)(f), and (3)(g); and **add** (3)(h) as follows:

5 **33-14.5-101. Definitions.** As used in this article 14.5, unless the
6 context otherwise requires:

7 (3) "Off-highway vehicle" means any self-propelled vehicle that
8 is designed to travel on wheels or tracks in contact with the ground,
9 designed primarily for use off of the public highways, and generally and
10 commonly used to transport persons for recreational purposes. EXCEPT AS
11 DESCRIBED IN SUBSECTION (3)(h) OF THIS SECTION, "off-highway vehicle"
12 includes surplus military vehicles as defined in section 42-6-102.

13 "Off-highway vehicle" does not include the following:

14 (f) Vehicles designed and used specifically for agricultural,
15 logging, or mining purposes; ~~or~~

16 (g) Vehicles registered pursuant to article 3 of title 42; ~~C.R.S.~~ OR

17 (h) A SURPLUS MILITARY VEHICLE, AS DEFINED IN SECTION
18 42-6-102 (20.5), THAT IS OWNED OR LEASED BY A MUNICIPALITY, COUNTY,
19 OR FIRE PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103 (7), FOR
20 THE PURPOSE OF ASSISTING WITH FIREFIGHTING EFFORTS, INCLUDING
21 MITIGATING THE RISK OF WILDFIRES.

22 **SECTION 3. Appropriation.** For the 2020-21 state fiscal year, \$3,375
23 is appropriated to the department of revenue for use by the division of motor
24 vehicles. This appropriation is from the Colorado DRIVES vehicle services
25 account in the highway users tax fund created in section 42-1-211 (2)(b)(I),
26 C.R.S. To implement this act, the division may use this appropriation for
27 DRIVES maintenance and support.

1 **SECTION 4. Act subject to petition - effective date.** This act
2 takes effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly (August
4 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
5 referendum petition is filed pursuant to section 1 (3) of article V of the
6 state constitution against this act or an item, section, or part of this act
7 within such period, then the act, item, section, or part will not take effect
8 unless approved by the people at the general election to be held in
9 November 2020 and, in such case, will take effect on the date of the
10 official declaration of the vote thereon by the governor.