

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

PREAMENDED

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

LLS NO. 22-0696.01 Jery Payne x2157

SENATE BILL 22-108

SENATE SPONSORSHIP

Liston,

HOUSE SPONSORSHIP

Valdez D.,

Senate Committees
Transportation & Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING DOCUMENTATION REQUIREMENTS TO DEMONSTRATE THE**
102 **WEIGHT OF CERTAIN TRUCKS THAT ARE MORE THAN FOUR**
103 **THOUSAND FIVE HUNDRED POUNDS BUT NOT MORE THAN TEN**
104 **THOUSAND POUNDS.**

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>.)

Current law requires the owner of a truck to present a manufacturer's certificate of origin or a certified scale ticket if the truck is subject to certain weight-based fees and weighs more than 4,500

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.

pounds but not more than 10,000 pounds. This weight includes mounted equipment other than recreational equipment. The bill makes 2 changes to these requirements:

- The requirement only applies when the truck's weight has been substantially modified; and
- The truck must be weighed rather than using a manufacturer's certificate of origin to show shipping weight.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-3-304, **amend**
3 (17)(a) as follows:

4 **42-3-304. Registration fees - passenger-mile taxes - clean**
5 **screen fund - pilot program - report - rules - definitions.** (17) (a) (I)

6 ~~At the time of registration of such vehicle, the owner of a truck subject~~
7 ~~to registration under section 42-3-306 (5) having a weight in excess of~~
8 ~~four thousand five hundred pounds, but not in excess of ten thousand~~
9 ~~pounds, including mounted equipment other than that of a recreational~~
10 ~~type, shall present to the authorized agent a copy of the manufacturer's~~
11 ~~statement or certificate of origin that specifies the shipping weight of such~~
12 ~~vehicle, or if such documentation is not available, a certified scale ticket~~
13 ~~showing the weight of such vehicle.~~ THE OWNER SHALL PRESENT TO THE
14 AUTHORIZED AGENT A CERTIFIED SCALE TICKET SHOWING THE WEIGHT OF
15 A TRUCK IF THE TRUCK:

16 (A) IS SUBJECT TO THE REGISTRATION FEE IMPOSED IN SECTION
17 42-3-306 (5);

18 (B) WEIGHS MORE THAN FOUR THOUSAND FIVE HUNDRED POUNDS
19 BUT NOT MORE THAN TEN THOUSAND POUNDS; AND

20 (C) HAS BEEN MODIFIED, INCLUDING MOUNTING EQUIPMENT
21 OTHER THAN RECREATIONAL EQUIPMENT, AND THE MODIFICATIONS

- 1 CHANGE THE TRUCK'S WEIGHT BY THREE HUNDRED POUNDS OR MORE.
- 2 (II) THE OWNER SHALL PRESENT TO THE AUTHORIZED AGENT A
3 MANUFACTURER'S CERTIFICATE OF ORIGIN IF A TRUCK:
- 4 (A) IS SUBJECT TO THE REGISTRATION FEE IMPOSED IN SECTION
5 42-3-306 (5);
- 6 (B) WEIGHS MORE THAN FOUR THOUSAND FIVE HUNDRED POUNDS
7 BUT NOT MORE THAN TEN THOUSAND POUNDS; AND
- 8 (C) HAS NOT BEEN MODIFIED TO CHANGE THE TRUCK'S WEIGHT BY
9 THREE HUNDRED POUNDS OR MORE.

10 SECTION 2. In Colorado Revised Statutes, 35-14-122, amend
11 (2)(a) as follows:

12 **35-14-122. Public scales - requirements - weight certificates -**
13 **procedures - records.** (2) (a) (I) ~~It shall be~~ IS the duty of each certified
14 weigher to weigh upon the certified scales any load delivered at the scales
15 for weighing when engaged to do so by any person and to issue a
16 certificate of correct weight.

17 (II) The certificate of correct weight shall MUST state the gross
18 weight of the load, the tare weight, the net weight of the load, and the
19 date of weighing. In addition, the weight certificate shall MUST indicate:

20 (A) The state license number of the vehicle or other positive
21 identification:

22 (B) A serial number;

23 (C) The name of the shipper or the owner of the load;

24 (D) The nature of the load;

25 (E) The name of the receiver of the load;

26 (F) Whether the driver is off or on the scale;

27 (G) The name of the certified weigher, and

1 (H) The location of the certified scale; AND

2 (I) IF THE VEHICLE IS BEING WEIGHED IN ORDER TO BE REGISTERED
3 IN ACCORDANCE WITH ARTICLE 3 OF TITLE 42, THE VEHICLE
4 IDENTIFICATION NUMBER, YEAR OF MANUFACTURE, AND MAKE.

5 (III) For issuing a certificate, the certified weigher may charge a
6 reasonable fee; except that no charge may be made for weighing done or
7 for certificates issued upon the demand of the commissioner or any
8 employee acting in an official capacity under the provisions of this article
9 THIS ARTICLE 14.

10 **SECTION 3. Act subject to petition - effective date -**
11 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
12 the expiration of the ninety-day period after final adjournment of the
13 general assembly; except that, if a referendum petition is filed pursuant
14 to section 1 (3) of article V of the state constitution against this act or an
15 item, section, or part of this act within such period, then the act, item,
16 section, or part will not take effect unless approved by the people at the
17 general election to be held in November 2022 and, in such case, will take
18 effect on the date of the official declaration of the vote thereon by the
19 governor.

20 (2) This act applies to vehicles registered as a result of a change
21 in ownership that occurs on or after the applicable effective date of this
22 act.