

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. 22-1006.01 Jery Payne x2157

**HOUSE BILL 22-1388**

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**HOUSE SPONSORSHIP**

**Valdez A.,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Transportation & Local Government  
Finance

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE REGULATION OF VEHICLES RELATED TO THEIR**  
102 **OWNERSHIP.**

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**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 allows the department of revenue (department) to register a vehicle for less than a year so that all the vehicle owner's registrations for all of the owner's vehicles expire at the same time. The taxes and fees are prorated. **Section 2** of the bill clarifies that the surcharges are also prorated.

Current law sets the late registration fee for camper trailers and

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.*

multipurpose trailers at \$10. **Section 3** sets trailer coaches at the same late registration fee.

Current law prohibits transferring a license plate with a vehicle, but exempts certain plates. **Section 4** adds distinctive special license plates, group special license plates, and special alumni license plates to the exemption.

**Section 5** clarifies that the owner of an inoperable vehicle undergoing maintenance, repair, restoration, rebuilding, or renovation must pay an annual specific ownership tax. Upon payment of the tax, the owner will receive evidence of registration to affix to the vehicle, such as a license plate or decal, and isn't charged surcharges or fees if the owner keeps the vehicle on private property for the purposes of maintenance, repair, restoration, rebuilding, or renovation.

Senate Bill 22-108 requires the owner of a truck to present a certified scale ticket showing the weight of the truck if the truck is subject to certain weight-based fees, has not been modified, and weighs between 4,500 pounds and 10,000 pounds. **Section 6** amends Senate Bill 22-108 to authorize the owner to present a manufacturer's certificate of origin, certificate of title, certified scale ticket, or other documents or systems as determined by rule.

Under current law, the department uses a table to compute certain registration fees that are based on weight for vehicles that weigh less than 10,000 pounds. **Section 7** lowers this weight to 6,000 pounds.

Current law requires an applicant for a certificate of title for a motor or off-highway vehicle to provide any lien document as an original or as a copy, which must be certified by the lienholder to be a true copy of the original lien. Similarly, a lienholder that is filing a lien must file any lien document as an original or a copy, which the lienholder must certify is a true copy. **Sections 8, 9, and 10** repeal the requirement that the lienholder certify the copy. **Sections 8 and 10** also remove language that says that vehicle lien filings are public records.

To release a lien on a motor or off-highway vehicle, current law requires the lienholder to file a lien release, which must include a written declaration that is made under penalty of perjury. **Section 11** adds an option that the lienholder may file a notarized declaration.

Current law requires a motor vehicle dealer to pay a \$25 fee to the executive director of the department of revenue (department) for a certificate of title. **Section 12** clarifies that the fee can be paid to a county clerk or third-party vendor, which is typically the entity that is processing the transaction. **Section 13** splits this \$25 dollar fee, if paid to the county clerk, so that the county clerk retains \$21.80 and forwards the rest to the department.

Current law requires a vehicle owner to obtain a bonded certificate of title if the vehicle owner cannot present the ordinary proof of ownership. To obtain a title in lieu of a bonded title on a collector's item,

street-rod vehicle, or horseless carriage of 25 years old or older, the applicant must present, among other things, a notarized bill of sale. **Section 14** repeals the requirement that the bill of sale be notarized.

To register a motor vehicle, current law requires vehicle owners to pay a road safety surcharge and a bridge safety surcharge. **Section 15** sets the road safety surcharge at \$16 for trailer coaches, which are trailers that are at least 26 feet long and used for temporary living quarters. **Section 16** sets the bridge safety surcharge at \$13 for trailer coaches.

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

2           **SECTION 1.** In Colorado Revised Statutes, 42-1-102, **add** (44.5)  
3 as follows:

4           **42-1-102. Definitions.** As used in articles 1 to 4 of this title 42,  
5 unless the context otherwise requires:

6           (44.5) "INOPERABLE VEHICLE" MEANS A VEHICLE THAT IS NOT  
7 ROADWORTHY, AS DEFINED IN SECTION 42-6-102 (15).

8           **SECTION 2.** In Colorado Revised Statutes, 42-3-102, **amend**  
9 (3)(a) as follows:

10           **42-3-102. Periodic registration - rules.** (3) (a) The department  
11 may register vehicles at intervals of less than one year upon payment of  
12 the appropriate registration ~~fee~~ FEES, SURCHARGES, and specific  
13 ownership tax in order to allow the owner of more than one vehicle to  
14 provide for the owner's vehicle registrations to expire simultaneously. The  
15 owner of a vehicle that is eligible as determined by the authorized agent  
16 may elect a registration pursuant to this subsection (3). The department  
17 may adopt ~~such~~ rules as ~~deemed~~ necessary for the administration of this  
18 subsection (3).

19           **SECTION 3.** In Colorado Revised Statutes, 42-3-112, **amend**  
20 (1.7) as follows:

21           **42-3-112. Failure to pay tax - penalty - rules.**

1 (1.7) (a) Notwithstanding ~~the provisions of~~ subsection (1) of this section,  
2 ~~on and after July 1, 2010, the amount of the late fee payable by the owner~~  
3 of THE FOLLOWING VEHICLES THAT ARE SUBJECT TO TAXATION UNDER  
4 THIS ARTICLE 3 WHO FAILS TO REGISTER THE VEHICLE WHEN REQUIRED BY  
5 LAW SHALL PAY A LATE FEE OF TEN DOLLARS:

6 (I) A vehicle without motive power that weighs sixteen thousand  
7 pounds or less; or

8 (II) A camper trailer, TRAILER COACH, or a multipurpose trailer  
9 regardless of its weight. ~~that is subject to taxation under this article, and~~  
10 ~~that is not registered when required by law shall be ten dollars.~~

11 (b) For purposes of this subsection (1.7), the weight of a trailer of  
12 any kind is the empty weight.

13 **SECTION 4.** In Colorado Revised Statutes, 42-3-115, **amend**  
14 **(5)(a) and (5)(b) as follows:**

15 **42-3-115. Registration upon transfer.** (5) (a) Except as  
16 otherwise provided in subsections (5)(b) and (5)(c) of this section, on and  
17 after January 1, 2022, whenever the owner of a motor vehicle that is  
18 Class C personal property, as defined in section 42-3-106 (2)(c), transfers  
19 or assigns the owner's title or interest, the number plates issued to the  
20 owner for the vehicle expire and shall not be transferred BY THE  
21 DEPARTMENT to any other motor vehicle. WHENEVER THE OWNER OF A  
22 MOTOR VEHICLE THAT IS CLASS B PERSONAL PROPERTY, AS DEFINED IN  
23 SECTION 42-3-106 (2)(b), CLASS D PERSONAL PROPERTY, AS DEFINED IN  
24 SECTION 42-3-106 (2)(d), OR CLASS F PERSONAL PROPERTY, AS DEFINED  
25 IN SECTION 42-3-106 (2)(e), TRANSFERS OR ASSIGNS THE OWNER'S TITLE  
26 OR INTEREST, THE NUMBER PLATES ISSUED TO THE OWNER FOR THE  
27 VEHICLE EXPIRE AND SHALL NOT BE TRANSFERRED BY THE DEPARTMENT

1 TO ANY OTHER MOTOR VEHICLE. An owner of a motor vehicle whose  
2 number plates expire due to the operation of this subsection (5)(a) who  
3 wishes to retain the same combination of letters or numbers displayed on  
4 the expired license plates retains the priority right to use the combination  
5 and may, after surrendering the expired plates to the department, apply for  
6 personalized license plates with the combination in the manner specified  
7 in section 42-3-211 when registering another motor vehicle.

8 (b) Subsection (5)(a) of this section does not apply to the transfer  
9 or assignment of an owner's title or interest in ~~Class C~~ CLASS B, CLASS C,  
10 AND CLASS D personal property that has number plates:

11 (I) That are personalized license plates issued in accordance with  
12 section 42-3-211, DISTINCTIVE SPECIAL LICENSE PLATES, GROUP SPECIAL  
13 LICENSE PLATES, OR SPECIAL ALUMNI LICENSE PLATES ISSUED IN  
14 ACCORDANCE WITH SECTION 42-3-214; or

15 (II) That have a valuable registration number that has been  
16 reserved for use under the "Laura Hershey Disability Support Act", part  
17 22 of article 30 of title 24.

18 **SECTION 5.** In Colorado Revised Statutes, **add** 42-3-118.5 as  
19 follows:

20 **42-3-118.5. Inoperable vehicle - rules.** (1) AN OWNER OF AN  
21 INOPERABLE VEHICLE THAT IS NOT DRIVEN ON ROADWAYS AND IS  
22 UNDERGOING MAINTENANCE, REPAIR, RESTORATION, REBUILDING, OR  
23 RENOVATION SHALL PAY THE ANNUAL SPECIFIC OWNERSHIP TAX ON THE  
24 VEHICLE AS PROVIDED IN SECTION 42-3-106.

25 (2) UPON PAYMENT OF THE SPECIFIC OWNERSHIP TAX FOR A  
26 VEHICLE DESCRIBED IN SUBSECTION (1) OF THIS SECTION, THE  
27 DEPARTMENT SHALL ISSUE TO THE OWNER OF THE VEHICLE A LICENSE

1 PLATE, STICKER, DECAL, OR OTHER EVIDENCE OF THE PAYMENT AS MAY BE  
2 PRESCRIBED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE.  
3 WHEN THE LICENSE PLATE OR OTHER EVIDENCE OF PAYMENT IS AFFIXED  
4 TO THE VEHICLE, THE OWNER OF THAT VEHICLE MAY STORE THE VEHICLE  
5 ON PRIVATE PROPERTY FOR THE PURPOSES OF MAINTENANCE, REPAIR,  
6 RESTORATION, REBUILDING, OR RENOVATION.

7 **SECTION 6.** In Colorado Revised Statutes, **add 42-3-261** as  
8 follows:

9 **42-3-261. Special plates - one hundred fiftieth anniversary.**

10 (1) BEGINNING ON OR AFTER AUGUST 1, 2023, AND BEFORE AUGUST 1,  
11 2027, THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE PLATES TO  
12 QUALIFIED APPLICANTS IN ACCORDANCE WITH THIS SECTION FOR  
13 MOTORCYCLES, PASSENGER CARS, TRUCKS, OR NONCOMMERCIAL OR  
14 RECREATIONAL MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN  
15 THOUSAND POUNDS EMPTY WEIGHT. A PERSON WHO HAS BEEN ISSUED A  
16 LICENSE PLATE UNDER THIS SECTION MAY CONTINUE TO USE THE PLATE  
17 AFTER AUGUST 1, 2027.

18 (2)(a) THERE IS HEREBY ESTABLISHED THE ONE HUNDRED FIFTIETH  
19 ANNIVERSARY OF STATEHOOD LICENSE PLATE.

20 (b) THE DEPARTMENT SHALL HOLD A COMPETITION TO DESIGN A  
21 SPECIAL LICENSE PLATE TO COMMEMORATE THE ONE HUNDRED FIFTIETH  
22 ANNIVERSARY OF COLORADO BECOMING A STATE. THE DEPARTMENT  
23 SHALL CLOSE THE COMPETITION BY FEBRUARY 1, 2023, AND CHOOSE A  
24 DESIGN BY MARCH 1, 2023.

25 (c) A PERSON MAY APPLY FOR A ONE HUNDRED FIFTIETH  
26 ANNIVERSARY OF STATEHOOD LICENSE PLATE IF THE PERSON PAYS THE  
27 TAXES AND FEES REQUIRED UNDER THIS SECTION.

1 (3) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE  
2 PLATES UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES  
3 AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES.

4 (4) A QUALIFIED APPLICANT MAY APPLY TO THE DEPARTMENT FOR  
5 PERSONALIZED ONE HUNDRED FIFTIETH ANNIVERSARY OF STATEHOOD  
6 LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY  
7 SECTION 42-3-211 (6)(a) FOR PERSONALIZED LICENSE PLATES, THE  
8 DEPARTMENT MAY ISSUE THE PLATES IF THE QUALIFIED APPLICANT  
9 COMPLIES WITH SECTION 42-3-211. IF A QUALIFIED APPLICANT HAS  
10 EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE  
11 APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS  
12 TO A NEW SET OF ONE HUNDRED FIFTIETH ANNIVERSARY OF STATEHOOD  
13 LICENSE PLATES FOR THE VEHICLE UPON PAYING THE FEE REQUIRED BY  
14 SECTION 42-3-211 (6)(a) AND UPON TURNING IN THE EXISTING PLATES TO  
15 THE DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED LICENSE  
16 PLATES UNDER THIS SUBSECTION (6) MUST PAY THE ANNUAL FEE IMPOSED  
17 BY SECTION 42-3-211 (6)(b) FOR RENEWAL OF THE PERSONALIZED PLATES.  
18 THE FEES UNDER THIS SUBSECTION (6) ARE IN ADDITION TO ALL OTHER  
19 APPLICABLE TAXES AND FEES.

20 **SECTION 7.** In Colorado Revised Statutes, 42-3-304, **amend as**  
21 **amended by Senate Bill 22-108** (17)(a)(II) introductory portion as  
22 follows:

23 **42-3-304. Registration fees - passenger-mile taxes - clean**  
24 **screen fund - pilot program - report - rules - definitions.**

25 (17) (a) (II) The owner OF A TRUCK shall present to the authorized agent  
26 a manufacturer's certificate of origin, A CERTIFICATE OF TITLE, A  
27 CERTIFIED SCALE TICKET, OR OTHER APPROVED DOCUMENT OR SYSTEM, AS

1 ANY OF THESE OPTIONS IS REQUIRED OR AUTHORIZED BY RULE, if a THE  
2 truck:

3 **SECTION 8.** In Colorado Revised Statutes, 42-3-306, **amend**  
4 (13) as follows:

5 **42-3-306. Registration fees - passenger and passenger-mile**  
6 **taxes - fee schedule.** (13) The annual registration fee for a  
7 noncommercial or recreational vehicle, except a motor home, operated on  
8 the public highways of this state with an empty weight of ~~ten~~ SIX  
9 thousand pounds or less ~~shall be~~ IS computed according to the schedule  
10 provided in subsection (5) of this section, and, for a noncommercial or  
11 recreational vehicle exceeding ~~ten~~ SIX thousand pounds, the fee ~~shall be~~  
12 IS twenty-four dollars and fifty cents plus sixty cents for each one hundred  
13 pounds in excess of four thousand five hundred pounds.

14 **SECTION 9.** In Colorado Revised Statutes, 42-6-115, **amend**  
15 (1)(a)(III)(D) and (1)(d) as follows:

16 **42-6-115. Furnishing bond for certificates.** (1) (a) If the  
17 applicant for a certificate of title to a motor or off-highway vehicle is  
18 unable to provide the director or the authorized agent with a certificate of  
19 title duly transferred to the applicant or other evidence of ownership  
20 satisfactory to the director as specified in rules established under section  
21 42-6-104, the director or the authorized agent may file a certificate of title  
22 for the vehicle if the applicant furnishes the director or the authorized  
23 agent with a statement, in a form specified by the director, that contains:

24 (III) Other information as the director may require to determine:

25 (D) Where the liens are of ~~public~~ record; and

26 (d) Upon receipt of an application by the owner of a motor or  
27 off-highway vehicle that is subject to a lien or mortgage, the authorized



1 agent shall not issue a certificate of title unless the owner includes a  
2 signed original or signed duplicate of the mortgage or copy thereof,  
3 certified by the holder of the mortgage or the holder's agent to be a true  
4 copy of the signed original mortgage OF THE MORTGAGE. Upon receiving  
5 the mortgage, the authorized agent shall comply with sections 42-6-121  
6 (2), 42-6-122, and 42-6-123 concerning the lien or mortgage.

7 **SECTION 10.** In Colorado Revised Statutes, 42-6-116, **amend**  
8 (2) as follows:

9 **42-6-116. Applications for filing of certificates of title - rules.**

10 (2) Upon receipt of an application by the owner of a motor or  
11 off-highway vehicle that is subject to a lien or mortgage, the authorized  
12 agent shall not issue a certificate of title unless the owner includes a  
13 signed original or signed duplicate of the mortgage or copy thereof,  
14 certified by the holder of the mortgage or the holder's agent to be a true  
15 copy of the signed original OF THE mortgage. Upon receiving the  
16 mortgage, the authorized agent shall comply with sections 42-6-121 (2),  
17 42-6-122, and 42-6-123 concerning the lien or mortgage.

18 **SECTION 11.** In Colorado Revised Statutes, 42-6-121, **amend**  
19 (1), (2)(a) introductory portion, and (2)(a)(V) as follows:

20 **42-6-121. Filing of mortgage - rules.** (1) The holder of a chattel  
21 mortgage on a motor or off-highway vehicle desiring to secure the rights  
22 provided for in this part 1 and to have the existence of the mortgage and  
23 the fact of the filing of the mortgage for public record noted in the filing  
24 of the certificate of title to the encumbered vehicle must present the  
25 signed original or signed duplicate of the mortgage or copy of the  
26 mortgage certified by the holder of the mortgage or the holder's agent to  
27 be a true copy of the signed original mortgage, and the certificate of title

1 or application for certificate of title to the vehicle encumbered to the  
2 authorized agent of the director in the county or city and county in which  
3 the mortgagor of the vehicle resides or where the vehicle is located. The  
4 holder may file either with paper documents or electronically. The  
5 mortgage or refinancing of a loan secured by a mortgage must state the  
6 name and address of the debtor; the name and address of the mortgagee  
7 or name of the mortgagee's assignee; the make, vehicle identification  
8 number, and year of manufacture of the mortgaged vehicle; and the date  
9 and amount of the loan secured by the mortgage. An owner of a motor or  
10 off-highway vehicle applying for a certificate of title under section  
11 42-6-115, 42-6-116, or 42-6-119 is deemed to have filed under this  
12 section on behalf of the mortgage or lienholder.

13 (2) (a) Upon the receipt of the electronic, original, or duplicate  
14 mortgage ~~or certified copy of the mortgage~~ and certificate of title or  
15 application for certificate of title, the authorized agent, if satisfied that the  
16 vehicle described in the mortgage is the same as that described in the  
17 certificate of title or filed title, shall file within the director's authorized  
18 agent's motor and off-highway vehicle database:

19 (V) The day and year on which the mortgage was filed; ~~for public~~  
20 ~~record;~~ and

21 **SECTION 12.** In Colorado Revised Statutes, 42-6-125, **amend**  
22 (1) introductory portion as follows:

23 **42-6-125. Release of mortgages - rules.** (1) Upon the payment  
24 or discharge of the undertaking secured by a mortgage on a motor or  
25 off-highway vehicle that has been filed for record under section 42-6-121,  
26 the legal holder, on a form approved by the director, shall notify the  
27 director or authorized agent of the discharge of the obligation and release

1 of the mortgage securing the obligation and set forth in the notice the  
2 facts concerning the right of the holder to release the mortgage as the  
3 director may require by rule. The lienholder shall include in the notice of  
4 satisfaction and release a signed affirmation, noted in the certificate of  
5 title on file with the director or the ~~director's~~ authorized agent, that  
6 contains or is accompanied by A NOTARIZED DECLARATION OR a written  
7 declaration that it is made under the penalties of perjury in the second  
8 degree, as defined in section 18-8-503. ~~C.R.S.~~ Thereupon, the holder of  
9 the released mortgage shall dispose of the certificate of title as follows:

10 **SECTION 13.** In Colorado Revised Statutes, 42-6-137, **amend**  
11 (6) as follows:

12 **42-6-137. Fees.** (6) Upon filing with the director OR AUTHORIZED  
13 AGENT an application for a certificate of title, a motor or off-highway  
14 vehicle dealer who applies to receive a certificate of title ~~within one~~  
15 ~~working day after application~~ shall pay to the director OR AUTHORIZED  
16 AGENT a fee of twenty-five dollars.

17 **SECTION 14.** In Colorado Revised Statutes, 42-6-138, **amend**  
18 (4) as follows:

19 **42-6-138. Disposition of fees.** (4) (a) The ~~director~~ DEPARTMENT  
20 shall credit the fee paid by a motor or off-highway vehicle dealer pursuant  
21 to section 42-6-137 (6) for issuance of a certificate of title ~~within one~~  
22 ~~working day after application~~ to the ~~special purpose~~ COLORADO DRIVES  
23 VEHICLE SERVICES account ~~established by~~ CREATED IN section 42-1-211  
24 (2).

25 (b) OF THE FEES RECEIVED BY AN AUTHORIZED AGENT IN  
26 ACCORDANCE WITH SECTION 42-6-137 (6), THE AUTHORIZED AGENT  
27 SHALL:

1 (I) RETAIN TWENTY-ONE DOLLARS AND EIGHTY CENTS; AND  
2 (II) TRANSMIT THREE DOLLARS AND TWENTY CENTS TO THE STATE  
3 TREASURER, WHO SHALL CREDIT THE AMOUNT TO THE COLORADO  
4 DRIVES VEHICLE SERVICES ACCOUNT CREATED IN SECTION 42-1-211 (2).

5 **SECTION 15.** In Colorado Revised Statutes, 42-12-103, **amend**  
6 (1) as follows:

7 **42-12-103. Furnishing bond for certificates.** (1) If a collector's  
8 item, street-rod vehicle, or horseless carriage is twenty-five years old or  
9 older, the applicant has had a certified vehicle identification number  
10 inspection performed on the vehicle, and the applicant presents a  
11 ~~notarized~~ bill of sale within twenty-four months after the sale with the  
12 title application, then the applicant need not furnish surety under section  
13 42-6-115 (3). To be excepted from the surety requirement, an applicant  
14 shall submit to the department a sworn affidavit, under penalty of perjury,  
15 stating that the required documents submitted are true and correct.

16 **SECTION 16.** In Colorado Revised Statutes, 43-4-804, **amend**  
17 (1) introductory portion and (1)(a)(I)(A) as follows:

18 **43-4-804. Highway safety projects - surcharges and fees -**  
19 **crediting of money to highway users tax fund - definition.** (1) ~~On and~~  
20 ~~after July 1, 2009~~ The following surcharges, fees, and fines shall be  
21 collected and credited to the highway users tax fund created in section  
22 43-4-201 (1)(a) and allocated to the state highway fund, counties, and  
23 municipalities as specified in section 43-4-205 (6.3):

24 (a) (I) A road safety surcharge, which, except as otherwise  
25 provided in subsections (1)(a)(III) and (1)(a)(VI) of this section, is  
26 imposed for any registration period that commences on or after July 1,  
27 2009, upon the registration of any vehicle for which a registration fee

1 must be paid pursuant to part 3 of article 3 of title 42 and is also imposed  
2 upon any item of special mobile machinery that is covered by a  
3 registration exempt certificate issued by the department of revenue in  
4 accordance with section 42-3-107 (16)(g). Except as otherwise provided  
5 in subsections (1)(a)(IV), (1)(a)(V), and (1)(a)(VIII) of this section, the  
6 amount of the surcharge is:

7 (A) Sixteen dollars for a motorcycle, as defined in section  
8 42-1-102 (55); A TRAILER COACH, AS DEFINED IN SECTION 42-1-102 (106);  
9 or any vehicle that weighs two thousand pounds or less;

10 **SECTION 17.** In Colorado Revised Statutes, 43-4-805, **amend**  
11 **(5)(g)(I)(A); and amend as it will become effective July 1, 2022,**  
12 **(5)(g)(I) introductory portion as follows:**

13 **43-4-805. Statewide bridge enterprise - creation - board -**  
14 **funds - powers and duties - legislative declaration - definition. (5)** In  
15 addition to any other powers and duties specified in this section, the  
16 bridge enterprise board has the following powers and duties:

17 (g) (I) As necessary for the achievement of its business purpose,  
18 to impose a bridge safety surcharge, which, except as otherwise provided  
19 in subsections (5)(g)(III) and (5)(g)(VII) of this section, is imposed on  
20 and after July 1, 2009, for any registration period that commences on or  
21 after July 1, 2009, or on and after such later date as may be determined by  
22 the bridge enterprise, for any registration period that commences on or  
23 after the later date, upon the registration of any vehicle for which a  
24 registration fee must be paid pursuant to ~~the provisions of~~ part 3 of article  
25 3 of title 42 and ~~shall also be~~ IS ALSO imposed upon any item of special  
26 mobile machinery that is covered by a registration exempt certificate  
27 issued by the department of revenue in accordance with section 42-3-107

1 (16)(g). Except as otherwise provided in subsections (5)(g)(IV),  
2 (5)(g)(V), and (5)(g)(VI) of this section, the amount of the surcharge must  
3 not exceed:

4 (A) Thirteen dollars for a motorcycle, as defined in section  
5 42-1-102 (55); A TRAILER COACH, AS DEFINED IN SECTION 42-1-102 (106);  
6 or any vehicle that weighs two thousand pounds or less;

7 **SECTION 18. Act subject to petition - effective date -**  
8 **applicability.** (1) This act takes effect January 1, 2023; except that, if a  
9 referendum petition is filed pursuant to section 1 (3) of article V of the  
10 state constitution against this act or an item, section, or part of this act  
11 within the ninety-day period after final adjournment of the general  
12 assembly, then the act, item, section, or part will not take effect unless  
13 approved by the people at the general election to be held in November  
14 2022 and, in such case, will take effect January 1, 2023, or on the date of  
15 the official declaration of the vote thereon by the governor, whichever is  
16 later.

17 (2) This act applies to applications made and amounts collected  
18 on or after the applicable effective date of this act.