

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0873.01 Nicole Myers x4326

SENATE BILL 22-217

SENATE SPONSORSHIP

Hansen and Zenzinger, Rankin

HOUSE SPONSORSHIP

Herod and Ransom, McCluskie

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 CONCERNING MOTOR VEHICLE RELATED PROGRAMS THAT BENEFIT
102 PERSONS WITH DISABILITIES, AND, IN CONNECTION THEREWITH,
103 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/>.)

Joint Budget Committee. The council for people with disabilities (council) was previously tasked with advising the governor and the legislature on issues impacting people with disabilities. The council was also responsible for the oversight of the disabled parking education and enforcement fund (fund), which is required to be used in connection with

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.

reserved parking for persons with disabilities. In 2020, the general assembly eliminated the council but did not specify any other entity that would have the authority to spend money in the fund. **Sections 8 and 9** of the bill specify that the Colorado disability funding committee (committee) has authority to spend money from the fund for the existing purposes of the fund and to provide education regarding parking for people with disabilities.

The committee auctions Colorado motor vehicle license plate configurations to raise money for grants to assist persons with disabilities in accessing disability benefits and to fund new and innovative ideas that improve the quality of life and independence of individuals with disabilities. **Sections 1 through 5 and 12** correct technical issues, consolidate statutory provisions, clarify the grant process, and clarify the license plate sales process in connection with the committee.

Section 6 exempts the disability support fund, which supports the activities of the committee, from the limit on uncommitted reserves in cash funds.

Section 7 modifies the existing income tax credit for purchases of uniquely valuable motor vehicle registration numbers to specify that the amount of the credit allowed is an amount equal to 20% of the purchase price of the motor vehicle registration number.

Section 10 allows a person to reserve a license plate for which no motor vehicle has ever been registered if the person purchased the license plate configuration pursuant to current law.

Section 11 authorizes the department of motor vehicles to sell multiple historical license plate backgrounds to benefit the committee and clarifies the amount of revenue from such sales that is transferred or credited to specified cash funds. In addition, section 11 makes clarifying changes regarding the administration of historic license plate background sales.

Section 13 adjusts appropriations made in the annual general appropriation act for the 2022-23 state fiscal year to the department of personnel for use by the executive director's office for the implementation of the bill.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-30-2203, **amend**
3 (1) and (6)(c); and **add** (6)(e), (6)(f), (6)(g), (6)(h), (6)(i), (6)(j), and (10)
4 as follows:

5 **24-30-2203. Colorado disability funding committee.** (1) The

1 Colorado disability funding committee is hereby created within the
2 department of personnel. The committee consists of thirteen members
3 appointed by the governor. Of the thirteen members, at least seven
4 members must be either a person with a disability, a care giver of a person
5 with a disability, or a person who lives in a household with a person with
6 a disability and is meaningfully involved in the care of a person with a
7 disability. In making the appointments, the governor shall ensure that the
8 committee has members with experience in or knowledge of business and
9 business management; nonprofit entities and managing nonprofit entities;
10 advocacy for persons with disabilities; the practice of medicine; and the
11 practice of law with experience working with persons with disabilities. ~~In~~
12 ~~addition to the thirteen members, the governor's council for persons with~~
13 ~~disabilities may, in consultation with the committee, appoint a~~
14 ~~representative to serve on the committee in an ex officio capacity.~~

15 (6) The committee has the following duties and powers:

16 (c) To have and exercise all rights and powers necessary or
17 incidental to, or implied from, the specific powers granted in this part 22;
18 **and**

19 (e) TO ADOPT AND USE A SEAL AND TO ALTER THE SAME AT ITS
20 PLEASURE;

21 (f) TO AUTHORIZE AN AUCTIONEER OR OTHER SELLER OF A
22 REGISTRATION NUMBER TO RETAIN A REASONABLE COMMISSION AS
23 DETERMINED BY THE COMMITTEE;

24 (g) TO MAKE BUSINESS DECISIONS TO IMPLEMENT THIS PART 22;

25 (h) TO CREATE INCENTIVES FOR HOLDERS TO TURN IN CURRENTLY
26 ISSUED REGISTRATION NUMBERS IF ANY ACTUAL COSTS ARE REIMBURSED
27 TO THE STATE FROM THE SALE;

1 (i) TO AUTHORIZE AND SELL LICENSE PLATES MADE OF
2 ALTERNATIVE MATERIALS IF APPROVED BY THE DEPARTMENT OF REVENUE;
3 AND

4 (j) TO SELL THE RIGHT TO USE ADDITIONAL LICENSE PLATE
5 OPTIONS, SUCH AS HISTORICALLY ISSUED BACKGROUNDS, FOR A FEE IF THE
6 OPTION IS APPROVED BY THE DEPARTMENT OF REVENUE AND THE
7 COLORADO STATE PATROL.

8 (10) THE DEPARTMENT OF PUBLIC SAFETY MAY PROHIBIT ANY
9 ACTION OF THE COMMITTEE OR ITS AGENTS THAT CONCERNS THE SALE OF
10 LICENSE PLATES OR REGISTRATION NUMBERS IF THE DECISION WOULD
11 AFFECT THE POLICY OF THE STATE OF COLORADO AS IT RELATES TO THE
12 USE OR DISPLAY OF LICENSE PLATES OR REGISTRATION NUMBERS.

13 **SECTION 2.** In Colorado Revised Statutes, 24-30-2204, **amend**
14 (1)(b), (1)(c), (2)(a), (2)(b) introductory portion, and (3); **repeal**
15 (2)(b)(VIII); and **add** (2)(d) as follows:

16 **24-30-2204. Program to assist persons to obtain disability**
17 **benefits - repeal.** (1) When adequate funding is available, the committee
18 shall invite nonprofit entities to submit a proposal for a program to aid
19 persons with disabilities in accessing disability benefits. To qualify, the
20 nonprofit organization must be based in Colorado and governed by a
21 board that:

22 (b) Contains members who understand a range of ~~significant~~
23 disabilities; ~~including physical and mental~~; and

24 (c) Contains a majority of either:

25 (I) Recipients with disabilities; ~~or~~

26 (II) Family members of recipients with disabilities who have
27 experience in representing the interests of a person with a disability; OR

1 (III) HAS A CONTRACT WITH AN ORGANIZATION THAT MEETS THE
2 ABOVE CRITERIA TO ASSUME THE DISABILITY PERSPECTIVE.

3 (2) (a) (I) The committee shall review the proposed programs and
4 shall award a contract to ~~the nonprofit entity~~ ONE OR MORE ENTITIES that
5 best ~~meets~~ MEET the requirements of this section in accordance with the
6 "Procurement Code", articles 101 to 112 of this ~~title~~ TITLE 24.

7 (II) The term of ~~the~~ EACH contract is ~~one year. Before the contract~~
8 ~~expires, the committee shall evaluate whether the nonprofit entity and the~~
9 ~~contract are reasonably meeting the requirements of this section,~~
10 ~~including objective and quantitative evaluations, whenever possible, of~~
11 ~~the satisfaction of program participants, the program's success in~~
12 ~~obtaining disability benefits for program participants, the program's~~
13 ~~effectiveness at helping program participants obtain jobs, and~~
14 ~~improvements in the quality of life of program participants.~~ THREE YEARS.
15 The committee shall include the evaluation criteria in the contract.

16 (III) ~~The committee may renew the contract annually for up to five~~
17 ~~years. After five years, the committee shall reopen the contract to a~~
18 ~~competitive bid process.~~

19 (b) The committee shall not award ~~the~~ A contract unless the
20 proposal includes:

21 (VIII) ~~Effective July 1, 2020, the ability to serve persons with~~
22 ~~disabilities statewide.~~

23 (d) TO THE GREATEST EXTENT POSSIBLE, THE COMMITTEE SHALL
24 ENSURE THROUGH ONE OR MORE CONTRACTS PURSUANT TO THIS SECTION
25 THAT PERSONS WITH DISABILITIES ARE SERVED STATEWIDE.

26 (3) The entity awarded a contract under this section shall make
27 quarterly reports of expenditures to ~~the department of personnel, which~~

1 ~~shall make the reports available to the committee.~~ The committee shall
2 include in the contract a method and format for making the reports.

3 **SECTION 3.** In Colorado Revised Statutes, **amend** 24-30-2204.5
4 as follows:

5 **24-30-2204.5. Program to investigate, fund, and pilot projects**
6 **or programs to benefit persons with disabilities.** (1) The committee
7 shall accept and review proposals to fund projects or programs, OR BOTH,
8 that study or pilot new and innovative ideas that will lead to an improved
9 quality of life or increased independence for persons with disabilities.
10 Proposals may be accepted throughout the year, and grants or loans may
11 be made by the committee at its regular meetings. The fund created in
12 section 24-30-2205.5 shall be the sole source to fund any grants or loans
13 made pursuant to this section.

14 (2) To be eligible for funding pursuant to this section, a project or
15 program must:

16 (a) Demonstrate a capability to be self-sustaining or otherwise be
17 able to develop long-term independent funding; ~~and~~

18 (b) Have a governing body, ~~or~~ board, OR OWNERSHIP that is
19 composed of persons with a demonstrated commitment to improving the
20 lives of persons with disabilities, ~~and have a majority be persons with~~
21 ~~disabilities or family members of persons with disabilities~~ THE MAJORITY
22 OF WHOM ARE PERSONS WITH DISABILITIES, PERSONS WITH IMMEDIATE
23 FAMILY MEMBERS WHO ARE PERSONS WITH DISABILITIES, OR PERSONS WHO
24 ARE CAREGIVERS TO A FAMILY MEMBER WHO IS A PERSON WITH
25 DISABILITIES; AND

26 (c) IN THE CASE OF A SOLE PROPRIETORSHIP, HAVE AN OWNER WHO
27 IS A PERSON WITH A DEMONSTRATED COMMITMENT TO IMPROVING THE

1 LIVES OF PERSONS WITH DISABILITIES, WHO IS A PERSON WITH
2 DISABILITIES, OR WHO HAS A FAMILY MEMBER WHO IS A PERSON WITH
3 DISABILITIES.

4 **SECTION 4.** In Colorado Revised Statutes, 24-30-2205.5,
5 **amend** (4) as follows:

6 **24-30-2205.5. Disability support fund.** (4) The committee shall
7 ~~prioritize funding for the implementation of section 24-30-2204 before~~
8 ~~funding for the implementation of section 24-30-2204.5~~ EVALUATE THE
9 COST OF IMPLEMENTING SECTION 24-30-2204 AT LEAST ONCE ANNUALLY
10 AND, IF IT IS FINANCIALLY FEASIBLE TO IMPLEMENT THAT SECTION, SHALL
11 IMPLEMENT SECTION 24-30-2204 BEFORE IMPLEMENTING SECTION
12 24-30-2204.5.

13 **SECTION 5.** In Colorado Revised Statutes, 24-30-2209, **amend**
14 (2) as follows:

15 **24-30-2209. Creation of a private market for registration**
16 **numbers - fee.** (2) The royalty for the state's approval and transfer of the
17 right to use a registration number is twenty-five percent of the sale price
18 of the transfer. At the time of sale, the purchaser shall pay the royalty to
19 the committee. This payment is IN ADDITION TO AND not in lieu of the
20 normal registration fees, SALES OR USE TAXES, or specific ownership tax.

21 **SECTION 6.** In Colorado Revised Statutes, 24-75-402, **amend**
22 (5)(tt) and (5)(uu); and **add** (5)(vv) as follows:

23 **24-75-402. Cash funds - limit on uncommitted reserves -**
24 **reduction in the amount of fees - exclusions.** (5) Notwithstanding any
25 provision of this section to the contrary, the following cash funds are
26 excluded from the limitations specified in this section:

27 (tt) The community impact cash fund created in section 25-7-129

1 (1); and

2 (uu) The 988 crisis hotline cash fund created in section 27-64-104;

3 AND

4 (vv) THE DISABILITY SUPPORT FUND CREATED IN SECTION
5 24-30-2205.5 (1).

6 **SECTION 7.** In Colorado Revised Statutes, 39-22-535, **amend**
7 (1) as follows:

8 **39-22-535. Credit for purchase of uniquely valuable motor**
9 **vehicle registration numbers.** (1) For tax years commencing on or after
10 January 1, 2013, a person who buys THE RIGHT TO USE a registration
11 number under section 24-30-2206 is allowed a credit against the income
12 taxes imposed by this article 22 for twenty percent ~~of the portion~~ of the
13 purchase price ~~that the Colorado disability funding committee, created in~~
14 ~~section 24-30-2203, certifies exceeds the registration number's fair market~~
15 ~~value. This is the value the Colorado disability funding committee expects~~
16 ~~from the sale of the registration number, not the cost of registering the~~
17 ~~vehicle.~~ OF THE RIGHT TO USE THE REGISTRATION NUMBER THAT IS PAID
18 TO THE COLORADO DISABILITY FUNDING COMMITTEE CREATED IN SECTION
19 24-30-2203.

20 **SECTION 8.** In Colorado Revised Statutes, **amend** 42-1-226 as
21 follows:

22 **42-1-226. Disabled parking education and enforcement fund**
23 **- created.** There is hereby created in the state treasury the disabled
24 parking education and enforcement fund, which consists of money
25 collected pursuant to this section and section 42-4-1208 (6) and (7). The
26 general assembly shall appropriate the money in the fund for the purposes
27 specified in ~~sections 42-3-204 and 42-4-1208~~ SECTIONS 42-1-227,

1 42-3-204, AND 42-4-1208. Unexpended and unencumbered money in the
2 fund at the end of a fiscal year remains in the fund and shall not be
3 credited or transferred to the general fund or another fund. The
4 department may accept gifts, grants, or donations from private or public
5 sources for the purposes of this section. All private and public ~~funds~~
6 MONEY received through gifts, grants, or donations must be transmitted
7 to the state treasurer, who shall credit the money to the fund.

8 **SECTION 9.** In Colorado Revised Statutes, **recreate and**
9 **reenact, with amendments,** 42-1-227 as follows:

10 **42-1-227. Disabled parking education program.** (1) SUBJECT TO
11 THE AVAILABILITY OF MONEY APPROPRIATED TO THE DEPARTMENT OF
12 PERSONNEL PURSUANT TO SECTION 42-1-226, THE COLORADO DISABILITY
13 FUNDING COMMITTEE, CREATED IN SECTION 24-30-2203:

14 (a) MAY MAKE GRANTS OR DEVELOP, IMPLEMENT, OR DELIVER
15 EDUCATION PROGRAMS FOR THE PURPOSE OF PROVIDING PEACE OFFICERS,
16 LOCAL GOVERNMENTS, MEDICAL PROVIDERS, DRIVERS, AND PERSONS WITH
17 DISABILITIES WITH EDUCATION CONCERNING ELIGIBILITY STANDARDS FOR
18 RESERVED PARKING AVAILABLE TO A PERSON WITH A DISABILITY
19 AFFECTING MOBILITY, APPROPRIATE USE OF THE RESERVED PARKING, THE
20 LEGAL STANDARDS AND VIOLATIONS CONTAINED IN SECTIONS 42-3-204
21 AND 42-4-1208, AND THE ADVANTAGES OF CREATING A VOLUNTEER
22 ENFORCEMENT PROGRAM; AND

23 (b) SHALL CREATE OR MAKE AVAILABLE A TRAINING PROGRAM TO
24 ASSIST PROFESSIONALS IN UNDERSTANDING THE STANDARDS THAT NEED
25 TO BE MET TO OBTAIN AN IDENTIFYING LICENSE PLATE OR PLACARD.

26 **SECTION 10.** In Colorado Revised Statutes, 42-3-211, **amend**
27 (9) as follows:

1 **42-3-211. Issuance of personalized plates authorized.** (9) (a) A
2 person who has been issued personalized license plates PURSUANT TO THIS
3 SECTION, SECTION 42-3-115 (5)(a), OR SECTION 42-3-206.5 may retain the
4 unique combination of letters or numbers of such plate, notwithstanding
5 that the person no longer has a registered motor vehicle, if the person
6 pays an annual fee of twenty-five dollars, which shall be transferred to the
7 highway users tax fund.

8 (b) This subsection (9) shall not be construed to authorize a person
9 to reserve license plates for which no motor vehicle has ever been
10 registered according to this ~~article~~ ARTICLE 3, UNLESS THE LICENSE PLATE
11 CONFIGURATION WAS PURCHASED PURSUANT TO SECTION 24-30-2208.
12 This subsection (9) shall not be construed to require the department to
13 send a renewal notice to the person who retains the unique combination
14 of letters or numbers.

15 **SECTION 11.** In Colorado Revised Statutes, 42-3-206.5, **amend**
16 (1), (3), and (5); **repeal** (2) and (4); and **add** (2.5) as follows:

17 **42-3-206.5. Issuance of plates in a retired style authorized -**
18 **additional fee - rules.** (1) ~~Subject to the requirements of this section~~
19 BEGINNING JANUARY 1, 2023, OR WHEN THE DEPARTMENT IS ABLE TO
20 ISSUE LICENSE PLATES PURSUANT TO SECTION 24-30-2203 (6)(j),
21 WHICHEVER IS EARLIER, the department ~~may~~ SHALL issue license plates in
22 ~~the previously retired style that had white letters and numbers on a~~
23 ~~background of green mountains and a white sky~~ STYLES for
24 MOTORCYCLES, passenger cars, ~~or~~ trucks, ~~not over~~ OR NONCOMMERCIAL
25 OR RECREATIONAL MOTOR VEHICLES THAT DO NOT EXCEED sixteen
26 thousand pounds empty weight THAT HAD:

27 (a) (I) WHITE LETTERS AND NUMBERS ON A BACKGROUND OF

1 GREEN MOUNTAINS AND A WHITE SKY;

2 (II) WHITE LETTERS AND NUMBERS ON A BACKGROUND OF BLACK
3 WITH A WHITE BORDER;

4 (III) WHITE LETTERS AND NUMBERS ON A BACKGROUND OF BLUE
5 WITH A WHITE BORDER; OR

6 (IV) WHITE LETTERS AND NUMBERS ON A BACKGROUND OF RED
7 WITH A WHITE BORDER.

8 (b) THE AMOUNT OF THE TAXES AND FEES FOR LICENSE PLATES IN
9 THE PREVIOUSLY RETIRED STYLE IS THE SAME AS THE AMOUNT OF THE
10 TAXES AND FEES SPECIFIED FOR REGULAR MOTOR VEHICLE PLATES PLUS AN
11 ANNUAL FEE OF TWENTY-FIVE DOLLARS, WHICH SHALL BE CREDITED TO
12 THE DISABILITY SUPPORT FUND, CREATED IN SECTION 24-30-2205.5.

13 ~~(2) The department may only issue plates in the previously retired~~
14 ~~style if the department determines that demand for the style, including~~
15 ~~willingness to pay an additional fee that fully defrays the costs of~~
16 ~~producing the license plates in the style, is sufficiently high to justify~~
17 ~~production of the license plates.~~

18 (2.5) THE COLORADO DISABILITY FUNDING COMMITTEE IS
19 RESPONSIBLE FOR THE COSTS OF DESIGNING THE PREVIOUSLY RETIRED
20 LICENSE PLATE STYLES AND SHALL PAY SUCH COSTS BEFORE THE LICENSE
21 PLATES ARE PRODUCED. THE DESIGN FOR THE PREVIOUSLY RETIRED
22 LICENSE PLATE STYLES SHALL CONFORM WITH STANDARDS ESTABLISHED
23 BY THE DEPARTMENT. AFTER JANUARY 1, 2028, THE DEPARTMENT MAY
24 STOP PRODUCING PLATES IN A PREVIOUSLY RETIRED STYLE IF THE
25 DEPARTMENT DETERMINES THAT DEMAND FOR THAT STYLE, INCLUDING
26 WILLINGNESS TO PAY AN ADDITIONAL FEE THAT FULLY DEFRAYS THE
27 COSTS OF PRODUCING THE LICENSE PLATES IN THE STYLE, IS NOT

1 SUFFICIENTLY HIGH TO JUSTIFY PRODUCTION OF THE LICENSE PLATES.

2 (3) An applicant may apply for personalized license plates in ~~the~~
3 A previously retired style if the department offers such plates for
4 purchase. If the applicant complies with section 42-3-211, the department
5 may issue such plates upon payment of the additional fee required by
6 section 42-3-211 (6) for personalized license plates. ~~plus twenty-five~~
7 ~~dollars. The twenty-five dollars paid on top of the additional fee required~~
8 ~~by section 42-3-211 (6) shall be transmitted to the state treasurer, who~~
9 ~~shall credit the twenty-five dollars to the disability support fund created~~
10 ~~in section 24-30-2205.5.~~ If the applicant has existing personalized license
11 plates for a motor vehicle, the applicant may transfer the combination of
12 letters or numbers to a new set of license plates in ~~the~~ A previously retired
13 style for the vehicle upon paying the fee imposed by section 42-3-211
14 (6)(a) and upon turning in such existing plates to the department as
15 required by the department. A person who has obtained personalized
16 license plates in ~~the~~ A previously retired style under this subsection (3)
17 shall pay the annual fee imposed by section 42-3-211 (6)(b) to renew such
18 plates. The fees imposed by this subsection (3) are in addition to all other
19 taxes and fees imposed for license plates in ~~the~~ A previously retired style.

20 (4) ~~The amount of the taxes and fees for license plates in the~~
21 ~~previously retired style is the same as the amount of the taxes and fees~~
22 ~~specified for regular motor vehicle plates plus an additional annual fee set~~
23 ~~by the department in the lesser of the amount necessary to defray the~~
24 ~~actual costs of producing and issuing the plates plus twenty-five dollars~~
25 ~~or seventy-five dollars. The additional fee shall be transmitted to the state~~
26 ~~treasurer, who shall credit it to the license plate cash fund created in~~
27 ~~section 42-3-301 (1)(b); except that twenty-five dollars of the fee shall be~~

1 ~~credited to the disability support fund created in section 24-30-2205.5.~~

2 (5) All applications for license plates in the A previously retired
3 style must be made directly to the department.

4 **SECTION 12.** In Colorado Revised Statutes, **repeal** 24-30-2207.

5 **SECTION 13. Appropriation - adjustments to 2022 long bill.**

6 (1) To implement this act, appropriations made in the annual general
7 appropriation act for the 2022-23 state fiscal year to the department of
8 personnel for use by the executive director's office are adjusted as
9 follows:

10 (a) The cash funds appropriation from the disability support fund
11 created in section 24-30-2205.5 (1), C.R.S., for the disability funding
12 committee is decreased by \$100,000;

13 (b) The cash funds appropriation for the disability funding
14 committee is increased by \$100,000 from the disabled parking education
15 and enforcement fund created in section 42-1-226, C.R.S.

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