

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0292.01 Jery Payne x2157

HOUSE BILL 18-1042

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HOUSE SPONSORSHIP

Becker J. and Ginal, Buck, Esgar, Hooton, Lawrence

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House Committees  
Transportation & Energy

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A BILL FOR AN ACT

101 CONCERNING THE CREATION OF A PROGRAM TO AUTHORIZE PRIVATE  
102 PROVIDERS TO REGISTER COMMERCIAL VEHICLES AS CLASS A  
103 PERSONAL PROPERTY.

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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/>.)*

**Transportation Legislation Review Committee.** The bill creates the expedited registration program (program). The program authorizes the department of revenue to promulgate rules authorizing private providers to register interstate commercial vehicles. The provider may collect and retain a convenience fee.

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.

The bill requires the program to:

- ! Operate efficiently;
- ! Result in overall cost savings to the state by providing additional services or by increasing the speed or quality of service; and
- ! Register commercial vehicles and collect taxes and fees in compliance with state law.

To qualify, a private provider must:

- ! Be approved by the department;
- ! Use appropriate software approved by the department; and
- ! Submit evidence of financial responsibility.

The department may deny, suspend, or revoke the authority to be a provider if the provider violates the law, makes a material misstatement in an application, or fails to perform.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 42-1-233 as  
3 follows:

4 **42-1-233. Expedited registration program - private vendor**  
5 **providing services to register Class A commercial vehicles - rules -**  
6 **repeal.** (1) THE DEPARTMENT SHALL CREATE AND IMPLEMENT AN  
7 EXPEDITED REGISTRATION PROGRAM. THE EXPEDITED REGISTRATION  
8 PROGRAM AUTHORIZES PRIVATE PROVIDERS TO REGISTER COMMERCIAL  
9 VEHICLES THAT ARE CLASSIFIED AS CLASS A PERSONAL PROPERTY IN  
10 SECTION 42-3-106. THIS INCLUDES COLLECTING AND REMITTING THE  
11 TAXES AND FEES FOR THE REGISTRATION TO THE DEPARTMENT.

12 (2) (a) THE DEPARTMENT SHALL PROMULGATE RULES  
13 AUTHORIZING A PRIVATE PROVIDER TO PARTICIPATE IN THE EXPEDITED  
14 REGISTRATION PROGRAM IF THE PROVIDER:

15 (I) HAS BEEN APPROVED BY THE DEPARTMENT;

16 (II) USES SOFTWARE THAT IS APPROVED BY THE DEPARTMENT TO  
17 CALCULATE THE AMOUNT OF TAXES AND FEES IMPOSED IN THIS TITLE 42

1 AND THAT IS UPDATED REGULARLY TO TAKE INTO ACCOUNT ANY CHANGES  
2 TO THE TAXES AND FEES IMPOSED IN THIS TITLE 42; AND

3 (III) PROCURES AND FILES WITH THE DEPARTMENT EVIDENCE OF  
4 ANY OF THE FOLLOWING IN AN AMOUNT DETERMINED BY RULE BY THE  
5 DEPARTMENT:

6 (A) A SAVINGS ACCOUNT, DEPOSIT, OR CERTIFICATE OF DEPOSIT  
7 MEETING THE REQUIREMENTS OF SECTION 11-35-101; OR

8 (B) A BOND ISSUED BY A LICENSED CORPORATE SURETY.

9 (b) THE FINANCIAL COMMITMENT REQUIRED IN SUBSECTION  
10 (2)(a)(III) OF THIS SECTION MUST PROVIDE FOR THE REIMBURSEMENT OF  
11 ANY DAMAGES CAUSED TO THE STATE OF COLORADO, A POLITICAL  
12 SUBDIVISION OF COLORADO, OR THE OWNER OF PERSONAL PROPERTY  
13 REGISTERED THROUGH THE EXPEDITED REGISTRATION PROGRAM BY AN  
14 ACT OR OMISSION OF THE PRIVATE PROVIDER.

15 (c) A PRIVATE PROVIDER MAY COLLECT AND RETAIN A  
16 CONVENIENCE FEE FOR THE SERVICES PROVIDED IN THE EXPEDITED  
17 REGISTRATION PROGRAM.

18 (3) (a) THE DEPARTMENT MAY ACCEPT FINANCIAL ASSISTANCE  
19 FROM A PRIVATE PARTY TO IMPLEMENT THE EXPEDITED REGISTRATION  
20 PROGRAM IF THE FINANCIAL ASSISTANCE IS DIRECTLY RELATED TO THE  
21 EXPEDITED REGISTRATION PROGRAM AND IS NOT CONDITIONAL UPON AN  
22 ACT OR CIRCUMSTANCE THAT CONFLICTS WITH STATE LAW.

23 (b) (I) THE DEPARTMENT SHALL TRANSFER ANY MONEY ACCEPTED  
24 UNDER THIS SUBSECTION (3) TO THE STATE TREASURER, WHO SHALL  
25 CREDIT IT TO THE COLORADO STATE TITLING AND REGISTRATION ACCOUNT  
26 CREATED IN SECTION 42-1-211 (2)(a)(I).

27 (II) THIS SUBSECTION (3)(b) IS REPEALED, EFFECTIVE SEPTEMBER

1 1, 2018.

2 (c) (I) THE DEPARTMENT SHALL TRANSFER ANY MONEY ACCEPTED  
3 UNDER THIS SUBSECTION (3) TO THE STATE TREASURER, WHO SHALL  
4 CREDIT IT TO THE COLORADO DRIVES VEHICLE SERVICES ACCOUNT  
5 CREATED IN SECTION 42-1-211 (2)(b)(I).

6 (II) (A) THIS SUBSECTION (3)(c) TAKES EFFECT SEPTEMBER 1,  
7 2018.

8 (B) THIS SUBSECTION (3)(c)(II) IS REPEALED, EFFECTIVE JULY 1,  
9 2019.

10 (d) THE DEPARTMENT SHALL USE ANY MONEY ACCEPTED UNDER  
11 THIS SUBSECTION (3) TO IMPLEMENT THIS SECTION.

12 (4) TO IMPLEMENT THE EXPEDITED REGISTRATION PROGRAM, THE  
13 DEPARTMENT SHALL ENSURE THAT THE EXPEDITED REGISTRATION  
14 PROGRAM:

15 (a) OPERATES EFFICIENTLY;

16 (b) PROVIDES ADDITIONAL SERVICES OR INCREASES THE SPEED OR  
17 QUALITY OF SERVICES AT AN OVERALL COST SAVINGS TO THE STATE; AND

18 (c) REGISTERS COMMERCIAL VEHICLES AND COLLECTS AND REMITS  
19 TAXES AND FEES IN COMPLIANCE WITH STATE LAW.

20 (5) TO IMPLEMENT THIS SECTION, THE DEPARTMENT MAY  
21 PROMULGATE RULES IN ADDITION TO THE RULES REQUIRED UNDER  
22 SUBSECTION (2)(a) OF THIS SECTION AND MAY ENTER INTO CONTRACTS  
23 WITH PRIVATE PROVIDERS.

24 (6) SUBJECT TO ARTICLE 4 OF TITLE 24, THE DEPARTMENT MAY  
25 APPROVE, DENY APPROVAL, SUSPEND APPROVAL, OR REVOKE APPROVAL  
26 OF A PRIVATE PROVIDER WHO:

27 (a) VIOLATES THE LAW IN THE PROVISION OF SERVICES APPROVED

1 UNDER THIS SECTION;

2 (b) MAKES A MATERIAL MISSTATEMENT TO THE DEPARTMENT OR  
3 ANY COUNTY IN SEEKING APPROVAL TO PROVIDE EXPEDITED  
4 REGISTRATION SERVICES;

5 (c) FAILS TO COMPLY WITH THIS SECTION OR ANY RULES  
6 PROMULGATED UNDER THIS SECTION; OR

7 (d) FAILS TO SATISFACTORILY PROVIDE EXPEDITED REGISTRATION  
8 SERVICES OR TO COLLECT OR REMIT APPROPRIATE TAXES AND FEES.

9 **SECTION 2. Act subject to petition - effective date.** This act  
10 takes effect at 12:01 a.m. on the day following the expiration of the  
11 ninety-day period after final adjournment of the general assembly (August  
12 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
13 referendum petition is filed pursuant to section 1 (3) of article V of the  
14 state constitution against this act or an item, section, or part of this act  
15 within such period, then the act, item, section, or part will not take effect  
16 unless approved by the people at the general election to be held in  
17 November 2018 and, in such case, will take effect on the date of the  
18 official declaration of the vote thereon by the governor.