

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 18-1045.01 Jennifer Berman x3286

**HOUSE BILL 18-1320**

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**HOUSE SPONSORSHIP**

**Pabon,**

**SENATE SPONSORSHIP**

**Jahn,**

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**House Committees**  
Transportation & Energy

**Senate Committees**  
Finance

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**A BILL FOR AN ACT**

101 **CONCERNING A REDUCTION IN REGULATION OF LARGE-MARKET**  
102 **TAXICAB SERVICE FROM REGULATION AS A COMMON CARRIER**  
103 **TO REGULATION AS A MOTOR CARRIER OF PASSENGERS.**

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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>.)*

The bill reduces the regulation of taxicab service provided in large metropolitan areas by changing taxicab service provided in such areas from common carrier status to motor carrier status.

**Sections 1 and 2** of the bill remove common carrier status for large-market taxicab service, which term is defined in section 2 as taxicab

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  
May 3, 2018

SENATE  
Amended 2nd Reading  
May 2, 2018

HOUSE  
3rd Reading Unamended  
April 24, 2018

HOUSE  
Amended 2nd Reading  
April 23, 2018

service serving within and between counties with a population of 70,000 or more, and **section 6** removes large-market taxicab service providers from the common carrier obligation to obtain a certificate of public convenience and necessity.

**Sections 9 and 11** require large-market taxicab service providers to operate as motor carriers. As motor carriers, large-market taxicab service providers are required to obtain an annual permit (section 9) and are subject to the public utilities commission's regulations regarding safety and operational requirements, but not subject to regulations regarding times of operation, rates, or competition (section 11).

**Section 4** continues to require drivers for a large-market taxicab service company to obtain a fingerprint-based criminal history record check.

**Section 3** declares large-market taxicab service to be affected with a public interest. Large-market taxicab service operators are still required to indiscriminately accept and carry passengers for compensation.

**Section 11** requires the public utilities commission to promulgate rules requiring taxicab service and large-market taxicab service companies to collect information about each driver's driving record and violations and periodically to provide the information to the commission. A taxicab service or large-market taxicab service company may request that the commission share with the company information about a specific driver that any other taxicab service or large-market taxicab service company has provided to the commission. The commission is required otherwise to maintain the confidentiality of the information, and the information is not subject to disclosure under the "Colorado Open Records Act".

**Sections 5, 7, 8, 10, and 12** make conforming amendments.

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

2 **SECTION 1.** In Colorado Revised Statutes, 40-1-102, **amend** the  
3 introductory portion and (3)(b) as follows:

4 **40-1-102. Definitions.** As used in articles 1 to 7 of this title **40**,  
5 unless the context otherwise requires:

6 (3) (b) "Common carrier" does not include a motor carrier that  
7 provides transportation not subject to regulation pursuant to section  
8 40-10.1-105, a motor carrier that is subject to part 3, 4, or 5, OR 7 of  
9 article 10.1 of this title **40**, a transportation network company, as defined

1 in section 40-10.1-602 (3), or a transportation network company driver,  
2 as defined in section 40-10.1-602 (4).

3 **SECTION 2.** In Colorado Revised Statutes, 40-1-103, **amend** (3)  
4 as follows:

5 **40-1-103. Public utility defined.** (3) For the purposes of articles  
6 1 to 7 of this title **40**, a motor carrier that provides transportation not  
7 subject to regulation pursuant to section 40-10.1-105 or that is subject to  
8 part 3, 4, ~~or~~ 5, **OR** 7 of article 10.1 of this title **40** is not a public utility.

9 **SECTION 3.** In Colorado Revised Statutes, 40-7-113, **amend**  
10 (1)(b) as follows:

11 **40-7-113. Civil penalties - fines.** (1) In addition to any other  
12 penalty otherwise authorized by law and except as otherwise provided in  
13 subsections (3) and (4) of this section, any person who violates article  
14 10.1 or 10.5 of this title 40 or any rule promulgated by the commission  
15 pursuant to article 10.1 or 10.5, which article or rule is applicable to the  
16 person, may be subject to fines as specified in the following paragraphs:

17 (b) Any person who violates section 40-10.1-201 (1), 40-10.1-202  
18 (1)(a), 40-10.1-302 (1)(a), 40-10.1-401 (1)(a), ~~or~~ 40-10.1-502 (1)(a), **OR**  
19 **40-10.1-702 (1)(a)** may be assessed a civil penalty of not more than one  
20 thousand one hundred dollars.

21 **SECTION 4.** In Colorado Revised Statutes, 40-10.1-101, **amend**  
22 the introductory portion, (4), and (14); and **add** (9.5) as follows:

23 **40-10.1-101. Definitions.** As used in this article **10.1**, unless the  
24 context otherwise requires:

25 (4) "Common carrier" means a common carrier as defined in  
26 section 40-1-102; except that the term does not include:

27 (a) A contract carrier as defined in this section; ~~or~~

1 (b) A motor carrier of passengers under part 3 of this article *10.1*;

2 OR

3 (c) A MOTOR CARRIER OF PASSENGERS PROVIDING LARGE-MARKET  
4 TAXICAB SERVICE UNDER PART 7 OF THIS ARTICLE 10.1.

5 (9.5) "LARGE-MARKET TAXICAB SERVICE" MEANS INDISCRIMINATE  
6 PASSENGER TRANSPORTATION FOR COMPENSATION IN A TAXICAB ON A  
7 CALL-AND-DEMAND BASIS, WITHIN AND BETWEEN POINTS IN THE COUNTIES  
8 OF ADAMS, ARAPAHOE, BOULDER, BROOMFIELD, DENVER, DOUGLAS, EL  
9 PASO, JEFFERSON, LARIMER, AND WELD, AND BETWEEN THOSE POINTS  
10 AND ALL POINTS WITHIN THE STATE OF COLORADO, WITH THE FIRST  
11 PASSENGER IN THE TAXICAB HAVING EXCLUSIVE USE OF THE TAXICAB  
12 UNLESS THE PASSENGER AGREES TO MULTIPLE LOADINGS.

13 (14) "Permit" means the permit issued to a contract carrier under  
14 part 2 of this article *10.1* or to a motor carrier under part 3, 4, or 5, OR 7  
15 of this article *10.1*.

16 **SECTION 5.** In Colorado Revised Statutes, 40-10.1-108, **amend**  
17 **(1) as follows:**

18 **40-10.1-108. Commission to make safety rules.** (1) The  
19 **commission has the authority and duty to establish, for motor carriers**  
20 **subject to parts 2, and 3, AND 7 of this article *10.1*, reasonable rules to**  
21 **promote safety of operation.**

22 **SECTION 6.** In Colorado Revised Statutes, 40-10.1-109, **amend**  
23 **(1) as follows:**

24 **40-10.1-109. Motor carrier compliance with safety rules.** (1) A  
25 motor carrier subject to part 2, or 3, OR 7 of this article *10.1* shall comply  
26 with the safety rules adopted by the commission pursuant to section  
27 40-10.1-108.

1           **SECTION 7.** In Colorado Revised Statutes, 40-10.1-110, **amend**  
2 (1) as follows:

3           **40-10.1-110. Criminal history record check - rules.** (1) An  
4 individual who wishes to drive ~~either~~ a taxicab for a motor carrier that is  
5 the holder of a certificate to provide taxicab service issued under part 2  
6 of this article ~~or 10.1~~; a motor vehicle for a motor carrier that is the holder  
7 of a permit to operate as a charter bus, children's activity bus, luxury  
8 limousine, medicaid client transport, or off-road scenic charter under part  
9 3 of this article **10.1**; OR A MOTOR VEHICLE FOR A MOTOR CARRIER THAT  
10 IS THE HOLDER OF A PERMIT TO OPERATE AS A LARGE-MARKET TAXICAB  
11 SERVICE UNDER PART 7 OF THIS ARTICLE 10.1 shall submit a set of his or  
12 her fingerprints to the commission. The commission shall forward the  
13 fingerprints to the Colorado bureau of investigation for the purpose of  
14 obtaining a fingerprint-based criminal history record check. Upon receipt  
15 of fingerprints and payment for the costs, the Colorado bureau of  
16 investigation shall conduct a state and national fingerprint-based criminal  
17 history record check using records of the Colorado bureau of  
18 investigation and the federal bureau of investigation. The commission is  
19 the authorized agency to receive information regarding the result of a  
20 national criminal history record check. The individual whose fingerprints  
21 are checked shall pay the actual costs of the state and national  
22 fingerprint-based criminal history record check.

23           **SECTION 8.** In Colorado Revised Statutes, 40-10.1-111, **amend**  
24 (1) introductory portion and (1)(b) as follows:

25           **40-10.1-111. Filing, issuance, and annual fees.** (1) A motor  
26 carrier shall pay the commission the following fees in amounts prescribed  
27 in this section or, if not ~~so~~ prescribed IN THIS SECTION, as set

1 administratively by the commission with approval of the executive  
2 director of the department of regulatory agencies:

3 (b) The commission shall administratively set the ANNUAL filing  
4 fee for an application A PERMIT TO OPERATE under part 2 7 of this article  
5 10.1 to provide LARGE-MARKET taxicab service. within and between the  
6 counties of Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, El  
7 Paso, and Jefferson.

8 SECTION 9. In Colorado Revised Statutes, 40-10.1-203, amend  
9 (2)(b), (2)(c)(III), and (3); and repeal (2)(c)(I)(A) as follows:

10 40-10.1-203. Rules for issuance of certificate - standing to  
11 protest - judicial review - legislative declaration.

12 (2) (b) (I) Except as otherwise provided in subparagraph (H) of  
13 this paragraph (b), The granting of a certificate to operate a taxicab  
14 service within and between THOSE counties with a population of seventy  
15 thousand or greater THAT ARE NOT SERVED BY A LARGE-MARKET TAXICAB  
16 SERVICE PURSUANT TO PART 7 OF THIS ARTICLE 10.1, based on the most  
17 recent available federal census figures, is not an exclusive grant or  
18 monopoly, and the doctrine of regulated competition applies.

19 (II) (A) The general assembly hereby finds, determines, and  
20 declares that House Bill 15-1316 may open the door to multiple taxicab  
21 companies entering the taxicab service market within the metropolitan  
22 areas of Colorado and will lead to free market competition, expanded  
23 consumer choice, and improved quality of service.

24 (B) The general assembly further finds, determines, and declares  
25 that nothing in this subparagraph (H) SUBSECTION (2) requires or prohibits  
26 a taxicab company applying for a certificate to form a labor union nor  
27 requires any taxicab driver to join a labor union.

1           ~~(C) In an application for a certificate to provide taxicab service~~  
2           ~~within and between the counties of Adams, Arapahoe, Boulder,~~  
3           ~~Broomfield, Denver, Douglas, El Paso, and Jefferson, the applicant has~~  
4           ~~the burden of proving that it is operationally and financially fit to provide~~  
5           ~~the proposed service. The commission shall not consider the applicant's~~  
6           ~~corporate structure when determining whether to approve or disapprove~~  
7           ~~the application for a certificate. The applicant need not prove the~~  
8           ~~inadequacy of existing taxicab service, if any, within the applicant's~~  
9           ~~proposed geographic area of operation. If the commission determines that~~  
10           ~~the applicant has proved its operational and financial fitness, the~~  
11           ~~commission shall grant the applicant a certificate.~~

12           ~~(c) (I) (A) The holder of a certificate that contains authority to~~  
13           ~~operate a taxicab service between points in the city and county of Denver~~  
14           ~~also holds taxicab service authority from points in the city and county of~~  
15           ~~Denver to all points in this state.~~

16           ~~(III) The commission shall amend, by order and without notice or~~  
17           ~~hearing, any existing taxicab service certificate as described in~~  
18           ~~subparagraph (I) or (H) of this paragraph (c) to allow service from points~~  
19           ~~in the city and county of Denver to either all points in this state or all~~  
20           ~~points within the common carrier's base area to conform with the~~  
21           ~~directives contained in said subparagraph (I) or (H) BY REMOVING ALL~~  
22           ~~LANGUAGE AUTHORIZING LARGE-MARKET TAXICAB SERVICE OFFERED IN~~  
23           ~~ACCORDANCE WITH PART 7 OF THIS ARTICLE 10.1.~~

24           ~~(3) When an appeal~~ A REQUEST FOR RECONSIDERATION of a  
25           ~~commission~~ WRITTEN RECOMMENDED decision under this section has been  
26           ~~made by filing exceptions pursuant to section 40-6-109 and the~~  
27           ~~commission has rendered a final decision on such~~ THE exceptions as

1 provided in article 6 of this title **40**, any party ~~thereto~~ TO THE PROCEEDING  
2 may, within thirty days after the final decision, apply directly to a district  
3 court in this state for judicial review pursuant to section 40-6-115. For  
4 purposes of judicial review, a decision of the commission on exceptions  
5 is final on the date the decision is served on the parties to the proceeding.

6 **SECTION 10.** In Colorado Revised Statutes, **add** part 7 to article  
7 10.1 of title 40 as follows:

8 **PART 7**

9 **LARGE-MARKET TAXICAB SERVICES**

10 **40-10.1-701. Legislative declaration.** (1) THE GENERAL  
11 ASSEMBLY FINDS AND DECLARES THAT:

12 (a) NOTHING IN THIS PART 7 REQUIRES OR PROHIBITS A MOTOR  
13 CARRIER APPLYING FOR A PERMIT PURSUANT TO SECTION 40-10.1-702  
14 (1)(a) TO FORM A LABOR UNION NOR REQUIRES ANY LARGE-MARKET  
15 TAXICAB SERVICE DRIVER TO JOIN A LABOR UNION; AND

16 (b) IF A MOTOR CARRIER PREVIOUSLY OBTAINED A CERTIFICATE OF  
17 PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE TAXICAB SERVICE  
18 PURSUANT TO SECTION 40-10.1-201 AND THE CERTIFICATE REMAINS VALID  
19 AT A TIME THAT THE MOTOR CARRIER SUBSEQUENTLY OBTAINS A PERMIT  
20 TO OPERATE LARGE-MARKET TAXICAB SERVICE UNDER THIS PART 7, THE  
21 MOTOR CARRIER'S CERTIFICATE CONSTITUTES A DEVALUED ASSET FOR THE  
22 MOTOR CARRIER.

23 **40-10.1-702. Large-market taxicab service - permit required**  
24 **- rules.** (1) (a) ON AND AFTER JANUARY 1, 2019, A PERSON SHALL NOT  
25 OPERATE OR OFFER TO OPERATE A LARGE-MARKET TAXICAB SERVICE IN  
26 INTRASTATE COMMERCE WITHOUT FIRST HAVING OBTAINED A PERMIT TO  
27 OPERATE LARGE-MARKET TAXICAB SERVICE FROM THE COMMISSION IN



1 ACCORDANCE WITH THIS PART 7.

2 (b) A PERSON MAY APPLY FOR A PERMIT IN A FORM AND MANNER  
3 PRESCRIBED BY THE COMMISSION.

4 (c) A PERMIT ISSUED PURSUANT TO THIS SECTION IS VALID FOR ONE  
5 YEAR AFTER THE DATE OF ISSUANCE.

6 (2) EXCEPT AS PROVIDED IN SECTION 40-10.1-704, THE  
7 COMMISSION SHALL ISSUE A PERMIT TO A MOTOR CARRIER OF PASSENGERS  
8 UPON COMPLETION OF THE APPLICATION FILED PURSUANT TO SUBSECTION  
9 (1) OF THIS SECTION, THE PAYMENT OF A FEE DETERMINED BY THE  
10 COMMISSION, COMPLIANCE WITH THE FINANCIAL RESPONSIBILITY  
11 REQUIREMENTS ESTABLISHED BY RULE BY THE COMMISSION PURSUANT TO  
12 SECTION 40-10.1-107, AND SUBMISSION OF CURRENT RATE INFORMATION  
13 PURSUANT TO SECTION 40-10.1-705.

14 (3) IN ORDER TO OBTAIN A PERMIT UNDER THIS SECTION, AN  
15 APPLICANT MUST DEMONSTRATE THAT EACH VEHICLE OPERATED UNDER  
16 THE PERMIT HAS BEEN INSPECTED WITHIN THE IMMEDIATELY PRECEDING  
17 TWELVE MONTHS BY A QUALIFIED MECHANIC IN ACCORDANCE WITH RULES  
18 PROMULGATED BY THE COMMISSION.

19 (4) (a) EXCEPT AS PROVIDED IN SUBSECTION (4)(b) OF THIS  
20 SECTION, A MOTOR CARRIER PROVIDING LARGE-MARKET TAXICAB SERVICE  
21 MUST HAVE AT LEAST TWENTY-FIVE VEHICLES IN ITS FLEET AT ALL TIMES.

22 (b) IN EL PASO, LARIMER, AND WELD COUNTIES, A MOTOR  
23 CARRIER PROVIDING LARGE-MARKET TAXICAB SERVICE MUST HAVE AT  
24 LEAST TEN VEHICLES IN ITS FLEET AT ALL TIMES.

25 (5) FOR EACH COUNTY SERVED BY A MOTOR CARRIER PROVIDING  
26 LARGE-MARKET TAXICAB SERVICE PURSUANT TO THIS PART 7, THE  
27 COMMISSION SHALL BY RULE DETERMINE THE MAXIMUM RATE THAT A

1 MOTOR CARRIER PROVIDING LARGE-MARKET TAXICAB SERVICE MAY  
2 CHARGE ITS PASSENGERS.

3 **40-10.1-703. Large-market taxicab service license plates -**

4 **rules.** (1) THE COMMISSION SHALL CREATE EITHER A DOCUMENT OR AN  
5 ELECTRONIC SYSTEM THAT A PERSON AUTHORIZED TO PROVIDE  
6 LARGE-MARKET TAXICAB SERVICE UNDER THIS PART 7 MAY USE TO VERIFY  
7 TO THE DEPARTMENT OF REVENUE OR THE DEPARTMENT'S AUTHORIZED  
8 AGENT THAT THE PERSON PROVIDES LARGE-MARKET TAXICAB SERVICE.

9 (2) UPON REQUEST, THE COMMISSION SHALL:

10 (a) IF THE COMMISSION CREATES A DOCUMENT PURSUANT TO  
11 SUBSECTION (1) OF THIS SECTION, PROVIDE THE DOCUMENT TO THE PERSON  
12 AUTHORIZED TO PROVIDE LARGE-MARKET TAXICAB SERVICE; OR

13 (b) IF THE COMMISSION CREATES AN ELECTRONIC SYSTEM  
14 PURSUANT TO SUBSECTION (1) OF THIS SECTION, PROVIDE THE ELECTRONIC  
15 VERIFICATION TO THE DEPARTMENT OF REVENUE OR ITS AUTHORIZED  
16 AGENT.

17 (3) THE COMMISSION MAY PROMULGATE RULES TO IMPLEMENT  
18 THIS SECTION AND TO ENFORCE SECTION 42-3-236.

19 **40-10.1-704. Permit revocation.** (1) IF A MOTOR CARRIER THAT  
20 HOLDS A PERMIT UNDER THIS PART 7 FAILS TO COMPLY WITH A FINAL  
21 COMMISSION DECISION THAT ASSESSES A FINE OR CIVIL PENALTY  
22 PURSUANT TO SECTION 40-7-113 FOR A VIOLATION OF THIS ARTICLE 10.1  
23 OR A RULE ADOPTED PURSUANT TO THIS ARTICLE 10.1, THE MOTOR  
24 CARRIER'S PERMIT IS REVOKED IMMEDIATELY. ANY OF THE FOLLOWING  
25 PERSONS ARE DISQUALIFIED FROM APPLYING FOR A PERMIT FOR  
26 TWENTY-FOUR MONTHS AFTER THE DATE OF THE PERMIT REVOCATION:

27 (a) THE MOTOR CARRIER;

1 (b) AN OWNER, PRINCIPAL, OFFICER, MEMBER, PARTNER, OR  
2 DIRECTOR OF THE MOTOR CARRIER; AND

3 (c) ANY OTHER ENTITY OWNED OR OPERATED BY AN OWNER,  
4 PRINCIPAL, OFFICER, MEMBER, PARTNER, OR DIRECTOR OF THE MOTOR  
5 CARRIER.

6 (2) THE DISQUALIFICATION SET FORTH IN SUBSECTION (1) OF THIS  
7 SECTION DOES NOT APPLY TO REVOCATION BASED ON A FAILURE TO CARRY  
8 INSURANCE UNLESS THE PERSON KNOWINGLY OPERATED THE MOTOR  
9 CARRIER WITHOUT INSURANCE.

10 (3) THE DISQUALIFICATION SET FORTH IN SUBSECTION (1) OF THIS  
11 SECTION IS IN ADDITION TO AND NOT IN LIEU OF ANY OTHER PENALTY OR  
12 DISQUALIFICATION, INCLUDING THE PERIOD OF DISQUALIFICATION  
13 SPECIFIED IN SECTION 40-10.1-112 (4).

14 **40-10.1-705. Rates - limitations - rules.** (1) EXCEPT AS  
15 PROVIDED IN SUBSECTIONS (2) AND (3) OF THIS SECTION, LARGE-MARKET  
16 TAXICAB SERVICES ARE NOT SUBJECT TO RATE LIMITATIONS IMPOSED  
17 UNDER PART 2 OF THIS ARTICLE 10.1.

18 (2) (a) A MOTOR CARRIER OPERATING A LARGE-MARKET TAXICAB  
19 SERVICE SHALL FILE WITH THE COMMISSION, IN THE FORM AND MANNER  
20 THAT THE COMMISSION MAY DESIGNATE, A SCHEDULE SHOWING THE  
21 RATES, CHARGES, AND COLLECTIONS THAT THE MOTOR CARRIER  
22 COLLECTS, ENFORCES, OR INTENDS TO COLLECT OR ENFORCE THAT AFFECT  
23 OR RELATE TO THE MOTOR CARRIER'S LARGE-MARKET TAXICAB SERVICE  
24 OPERATIONS.

25 (b) THE COMMISSION SHALL NOT LIMIT THE NUMBER OR  
26 FREQUENCY OF RATE SCHEDULES THAT A MOTOR CARRIER MAY FILE WITH  
27 THE COMMISSION PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION.

1 (c) UNLESS A FILED RATE SCHEDULE EXCEEDS THE MAXIMUM RATE  
2 SET BY THE COMMISSION BY RULE PURSUANT TO SECTION 40-10.1-702 (5),  
3 THE COMMISSION SHALL NOT REJECT A RATE SCHEDULE FILED WITH THE  
4 COMMISSION UNLESS THE SCHEDULE WAS NOT FILED IN THE FORM AND MANNER  
5 DESIGNATED BY THE COMMISSION PURSUANT TO SUBSECTION (2)(a) OF THIS  
6 SECTION. THE COMMISSION SHALL NOT AMEND ANY RATE SCHEDULE FILED  
7 WITH THE COMMISSION PURSUANT TO THIS SECTION.

8 (3) IT IS UNLAWFUL FOR A MOTOR CARRIER OPERATING A  
9 LARGE-MARKET TAXICAB SERVICE TO CARRY OR ADVERTISE THAT IT WILL  
10 CARRY INDIVIDUALS IN A MANNER CONTRARY TO THE FILING REQUIRED  
11 UNDER SUBSECTION (2)(a) OF THIS SECTION.

12 (4) THE COMMISSION MAY PROMULGATE RULES CONSISTENT WITH  
13 THIS SECTION TO IMPLEMENT THE SYSTEM OF SCHEDULE FILINGS REQUIRED  
14 BY THIS SECTION.

15 **SECTION 11.** In Colorado Revised Statutes, 42-3-236, amend  
16 (2) and (5) as follows:

17 **42-3-236. Taxicab license plates - taxicabs.** (2) A person who  
18 THAT is authorized to provide taxicab service OR LARGE-MARKET TAXICAB  
19 SERVICE under article 10.1 of title 40 ~~C.R.S.~~, shall register a motor  
20 vehicle used for taxicab purposes under this article **3** and display taxicab  
21 license plates on the vehicle. Upon registration, the department shall issue  
22 taxicab license plates for the vehicle in accordance with this section. The  
23 department shall not issue a taxicab license plate unless the person either  
24 submits a verification document or the public utilities commission  
25 electronically verifies the authorization as provided in section  
26 40-10.1-207. ~~C.R.S.~~

27 (5) If the person who owns the motor vehicle with taxicab license

1 plates is not the person under whose authority the motor vehicle operates  
2 under article 10.1 of title 40, ~~C.R.S.~~, the person with the authority may  
3 request that the department of revenue require the plate to be replaced.  
4 Within thirty days after receiving the request, the department shall require  
5 the owner of the motor vehicle to return the taxicab license plate and be  
6 issued a new license plate. The owner of the motor vehicle shall surrender  
7 the taxicab license plate to the department within ten days after receiving  
8 notice from the department unless the owner of the motor vehicle obtains  
9 authority to operate a taxicab under part 2 OR 7 of article 10.1 of title 40,  
10 ~~C.R.S.~~, either directly or as an agent, and either the person submits a  
11 verification document or the public utilities commission electronically  
12 verifies the authorization as provided in section 40-10.1-207. ~~C.R.S.~~

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