

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 20-056

BY SENATOR(S) Crowder, Coram, Cooke, Gardner, Hisey, Lundeen, Marble, Priola, Rankin, Scott, Smallwood, Sonnenberg, Tate, Woodward; also REPRESENTATIVE(S) Will and McLachlan, Carver, Bird, Cutter, Duran, Hooton, Landgraf, Liston, McCluskie, McKean, Pelton, Rich, Sandridge, Singer, Snyder, Soper, Titone, Valdez D.

CONCERNING SURPLUS MILITARY VEHICLES, AND, IN CONNECTION THEREWITH, EXEMPTING A SURPLUS MILITARY VEHICLE FROM THE STATUTORY DEFINITION OF AN "OFF-HIGHWAY VEHICLE" IF THE VEHICLE IS OWNED OR LEASED BY A MUNICIPALITY, COUNTY, OR FIRE PROTECTION DISTRICT FOR THE PURPOSE OF ASSISTING FIREFIGHTING EFFORTS AND MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 42-6-102, **amend** (11.5)(b) as follows:

42-6-102. Definitions. As used in this part 1, unless the context otherwise requires:

(11.5) (b) (I) EXCEPT AS DESCRIBED IN SUBSECTION (11.5)(b)(II) OF

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

THIS SECTION, "off-highway vehicle" includes vehicles commonly known as all-terrain vehicles, snowmobiles, and surplus military vehicles but does not include:

~~(I)~~ (A) Toy vehicles;

~~(II)~~ (B) Vehicles designed and used primarily for travel on, over, or in the water;

~~(III)~~ (C) Historical military vehicles;

~~(IV)~~ (D) Golf carts or golf cars;

~~(V)~~ (E) Vehicles designed and used to carry persons with disabilities;

~~(VI)~~ (F) Vehicles designed and used specifically for agricultural, logging, or mining purposes; or

~~(VII)~~ (G) Motor vehicles.

(II) "OFF-HIGHWAY VEHICLE" DOES NOT INCLUDE A SURPLUS MILITARY VEHICLE THAT IS OWNED OR LEASED BY A MUNICIPALITY, COUNTY, OR FIRE PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103 (7), FOR THE PURPOSE OF ASSISTING WITH FIREFIGHTING EFFORTS, INCLUDING MITIGATING THE RISK OF WILDFIRES.

SECTION 2. In Colorado Revised Statutes, 33-14.5-101, **amend** (3) introductory portion, (3)(f), and (3)(g); and **add** (3)(h) as follows:

33-14.5-101. Definitions. As used in this article 14.5, unless the context otherwise requires:

(3) "Off-highway vehicle" means any self-propelled vehicle that is designed to travel on wheels or tracks in contact with the ground, designed primarily for use off of the public highways, and generally and commonly used to transport persons for recreational purposes. EXCEPT AS DESCRIBED IN SUBSECTION (3)(h) OF THIS SECTION, "off-highway vehicle" includes surplus military vehicles as defined in section 42-6-102. "Off-highway vehicle" does not include the following:

(f) Vehicles designed and used specifically for agricultural, logging, or mining purposes; ~~or~~

(g) Vehicles registered pursuant to article 3 of title 42; ~~C.R.S.~~ OR

(h) A SURPLUS MILITARY VEHICLE, AS DEFINED IN SECTION 42-6-102 (20.5), THAT IS OWNED OR LEASED BY A MUNICIPALITY, COUNTY, OR FIRE PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103 (7), FOR THE PURPOSE OF ASSISTING WITH FIREFIGHTING EFFORTS, INCLUDING MITIGATING THE RISK OF WILDFIRES.

SECTION 3. Appropriation. For the 2020-21 state fiscal year, \$3,375 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation is from the Colorado DRIVES vehicle services account in the highway users tax fund created in section 42-1-211 (2)(b)(I), C.R.S. To implement this act, the division may use this appropriation for DRIVES maintenance and support.

SECTION 4. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Leroy M. Garcia
PRESIDENT OF
THE SENATE

KC Becker
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO