

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 20-0725.01 Jery Payne x2157

SENATE BILL 20-115

SENATE SPONSORSHIP

Crowder,

HOUSE SPONSORSHIP

Catlin,

Senate Committees

Transportation & Energy
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE REGISTRATION OF SURPLUS MILITARY VEHICLES AS**
102 **FARM VEHICLES.**

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>.)

Currently, a truck or truck tractor may be registered as a farm vehicle if the vehicle is owned by a farmer or rancher and:

- ! Is only commercially used to transport to market or place of storage raw agricultural products actually produced or livestock actually raised by the farmer or rancher; or
- ! Is used to transport commodities and livestock purchased

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
Amended 2nd Reading
February 27, 2020

by the farmer or rancher for personal use and used in the person's farming or ranching operations.

The bill allows a farmer or rancher to register a surplus military vehicle if the vehicle meets the same requirements as a truck or truck tractor.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-1-102, **amend**
3 **(58)**; and **add** (102.6) 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 (58) (a) "Motor vehicle" means any self-propelled vehicle that is
7 designed primarily for travel on the public highways and that is generally
8 and commonly used to transport persons and property over the public
9 highways or a low-speed electric vehicle.

10 (b) ~~except that the term~~ "MOTOR VEHICLE" does not include
11 electrical assisted bicycles, electric scooters, low-power scooters,
12 wheelchairs, or vehicles moved solely by human power.

13 (c) For the purposes of the offenses described in sections
14 42-2-128, 42-4-1301, 42-4-1301.1, and 42-4-1401 for farm tractors and
15 off-highway vehicles, as defined in section 33-14.5-101 (3), operated on
16 streets and highways, "motor vehicle" includes a farm tractor or an
17 off-highway vehicle that is not otherwise classified as a motor vehicle.

18 (d) "MOTOR VEHICLE" INCLUDES A SURPLUS MILITARY VEHICLE
19 FOR THE PURPOSE OF REGISTERING THE VEHICLE AS A FARM VEHICLE
20 UNDER SECTION 42-3-306 (4) AND FOR THE PURPOSE OF DRIVING A
21 SURPLUS MILITARY VEHICLE AS A FARM VEHICLE ON A ROADWAY.

22 (e) For the purposes of sections 42-2-127, 42-2-127.7, 42-2-128,
23 42-2-138, 42-2-206, 42-4-1301, and 42-4-1301.1, "motor vehicle"

1 includes a low-power scooter.

2 (102.6) "SURPLUS MILITARY VEHICLE" HAS THE MEANING SET
3 FORTH IN SECTION 42-6-102; EXCEPT THAT "SURPLUS MILITARY VEHICLE"
4 DOES NOT INCLUDE A MILITARY VEHICLE AS DEFINED IN SUBSECTION (52.5)
5 OF THIS SECTION.

6 **SECTION 2.** In Colorado Revised Statutes, 42-3-120, **amend (1)**
7 **as follows:**

8 **42-3-120. Department may cancel or deny registration.**

9 **(1) The department shall cancel the registration of any vehicle that the**
10 **department determines is unsafe or unfit to be operated or is not equipped**
11 **as required by law; EXCEPT THAT THE DEPARTMENT SHALL NOT CANCEL**
12 **THE REGISTRATION MERELY BECAUSE THE VEHICLE IS A SURPLUS MILITARY**
13 **VEHICLE.**

14 **SECTION 3.** In Colorado Revised Statutes, 42-3-306, **amend**
15 (4)(a) introductory portion and (4)(e); and **add** (4)(f) as follows:

16 **42-3-306. Registration fees - passenger and passenger-mile**

17 **taxes - fee schedule - repeal.** (4) (a) The annual registration fee for
18 trucks, ~~and~~ truck tractors, OR SURPLUS MILITARY VEHICLES owned by a
19 farmer or rancher that are operated over the public highways and are only
20 commercially used to transport to market or place of storage raw
21 agricultural products actually produced or livestock actually raised by
22 ~~such~~ THE farmer or rancher or to transport commodities and livestock
23 purchased by ~~such~~ THE farmer or rancher for personal use and used in
24 ~~such~~ THE person's farming or ranching operations, ~~shall be~~ IS as follows:

25 (e) The department or its authorized agent shall not require a
26 person registering a farm truck, ~~or~~ truck tractor, OR SURPLUS MILITARY
27 VEHICLE under this subsection (4) to demonstrate that the owner's primary

1 business or source of income is agriculture if the farm truck, ~~or~~ truck
2 tractor, OR SURPLUS MILITARY VEHICLE is used primarily for agricultural
3 production on a farm or ranch owned or leased by the owner of the truck,
4 ~~or~~ truck tractor, OR SURPLUS MILITARY VEHICLE, and the land on which it
5 is used is classified as agricultural land for the purposes of levying and
6 collecting property tax under section 39-1-103. ~~C.R.S.~~

7 (f) A FARMER OR RANCHER MAY REGISTER A SURPLUS MILITARY
8 VEHICLE UNDER THIS SUBSECTION (4) IF THE VEHICLE MEETS THE
9 QUALIFICATION IN THIS SUBSECTION (4) FOR REGISTRATION AS A FARM
10 VEHICLE. THIS SUBSECTION (4) DOES NOT AUTHORIZE A PERSON WHO IS
11 NOT A FARMER OR RANCHER AND WHO DOES NOT MEET THE
12 QUALIFICATIONS IN THE SUBSECTION (4) TO REGISTER A SURPLUS MILITARY
13 VEHICLE AS A FARM VEHICLE, REGARDLESS OF WHETHER THE SURPLUS
14 MILITARY VEHICLE HAS PREVIOUSLY BEEN REGISTERED AS A FARM
15 VEHICLE.

16 **SECTION 4.** In Colorado Revised Statutes, **add 42-6-149** as
17 **follows:**

18 **42-6-149. Surplus military vehicles.** (1) A SURPLUS MILITARY
19 VEHICLE MAY BE ISSUED A TITLE AS A MOTOR VEHICLE IF:

20 (a) IT MEETS THE REQUIREMENTS TO BE REGISTERED AS A FARM
21 VEHICLE IN ACCORDANCE WITH SECTION 42-3-306 (4); AND

22 (b) THE FARMER OR RANCHER WHO OWNS THE SURPLUS MILITARY
23 VEHICLE REGISTERS THE VEHICLE AS A FARM VEHICLE IN ACCORDANCE
24 WITH SECTION 42-3-306 (4).

25 (2) THE DEPARTMENT SHALL ISSUE A CERTIFICATE OF TITLE FOR A
26 SURPLUS MILITARY VEHICLE AS AN OFF-HIGHWAY VEHICLE IF THE SURPLUS
27 MILITARY VEHICLE:

- 1 (a) HAS BEEN TRANSFERRED TO ANOTHER PERSON;
2 (b) HAS BEEN ISSUED A TITLE AS A MOTOR VEHICLE IN
3 ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION; AND
4 (c) IS NOT BEING REGISTERED BY THE TRANSFEREE AS A FARM
5 VEHICLE UNDER SUBSECTION (1) OF THIS SECTION.

6 **SECTION 5. Act subject to petition - effective date.** This act
7 takes effect January 1, 2021; except that, if a referendum petition is filed
8 pursuant to section 1 (3) of article V of the state constitution against this
9 act or an item, section, or part of this act within the ninety-day period
10 after final adjournment of the general assembly, then the act, item,
11 section, or part will not take effect unless approved by the people at the
12 general election to be held in November 2020 and, in such case, will take
13 effect January 1, 2021, or on the date of the official declaration of the
14 vote thereon by the governor, whichever is later.