

CHAPTER 336

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 21-1323

BY REPRESENTATIVE(S) Cutter and Amabile, Bernett, Bird, Boesenecker, Caraveo, Duran, Exum, Froelich, Herod, Hooton, Kennedy, Lontine, McCluskie, Michaelson Jenet, Mullica, Ortiz, Ricks, Roberts, Snyder, Titone, Valdez A., Young, Garnett; also SENATOR(S) Fenberg and Rankin, Bridges, Buckner, Danielson, Ginal, Gonzales, Story, Winter, Woodward, Garcia.

AN ACT

CONCERNING THE CREATION OF A SPECIAL OLYMPICS LICENSE PLATE FOR MOTOR VEHICLES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** 42-3-260 as follows:

42-3-260. Special plates - Special Olympics Colorado - short title - definition.

(1) THE SHORT TITLE OF THIS SECTION IS THE "TERI LEIKER ACT".

(2) BEGINNING ON OR BEFORE JANUARY 1, 2022, THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE PLATES TO QUALIFIED APPLICANTS IN ACCORDANCE WITH THIS SECTION FOR MOTORCYCLES, PASSENGER CARS, TRUCKS, OR NONCOMMERCIAL OR RECREATIONAL MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT.

(3) (a) THERE IS HEREBY ESTABLISHED THE SPECIAL OLYMPICS COLORADO LICENSE PLATE.

(b) THE DEPARTMENT SHALL SELECT A DESIGN FOR THE SPECIAL OLYMPICS COLORADO LICENSE PLATE FROM A DESIGNATED ORGANIZATION THAT MEETS THE STANDARDS IN SUBSECTION (4)(a) OF THIS SECTION, BUT THE DESIGN MUST CONFORM TO DEPARTMENT STANDARDS AND BE APPROVED BY THE DEPARTMENT.

(4) (a) AT LEAST ONCE EVERY FIVE YEARS, THE DEPARTMENT SHALL DESIGNATE AN ORGANIZATION THAT MAY QUALIFY APPLICANTS TO BE ISSUED THE SPECIAL OLYMPICS COLORADO LICENSE PLATE. THE ORGANIZATION MUST:

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.

(I) BE HEADQUARTERED IN COLORADO;

(II) HAVE BEEN IN EXISTENCE FOR AT LEAST FORTY YEARS;

(III) PROVIDE YEAR-ROUND SPORTS TRAINING AND ATHLETIC COMPETITIONS FOR CHILDREN AND ADULTS WITH INTELLECTUAL DISABILITIES;

(IV) COLLABORATE WITH SCHOOLS THROUGHOUT COLORADO TO BRING STUDENTS TOGETHER, WITH AND WITHOUT DISABILITIES, THROUGH SHARED ACTIVITIES THAT INCLUDE SPORTS, LEADERSHIP OPPORTUNITIES, AND HEALTH EDUCATION AND FITNESS; AND

(V) FILE WITH THE DEPARTMENT AN ANNUAL STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION.

(b) A PERSON MAY APPLY FOR A SPECIAL OLYMPICS COLORADO LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THIS SECTION AND PROVIDES TO THE DEPARTMENT A CERTIFICATE ISSUED BY A DESIGNATED ORGANIZATION CONFIRMING THAT THE PERSON HAS MADE A DONATION TO THE ORGANIZATION. THE DESIGNATED ORGANIZATION MAY ESTABLISH A MINIMUM DONATION AMOUNT OF NO LESS THAN SIXTY DOLLARS AND NO MORE THAN ONE HUNDRED DOLLARS TO QUALIFY FOR THE SPECIAL LICENSE PLATE. A DESIGNATED ORGANIZATION SHALL ONLY SPEND THE DONATIONS IN COLORADO TO SUPPORT ATHLETES WITH INTELLECTUAL DISABILITIES.

(5) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE PLATES UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT THAT THE DEPARTMENT SHALL COLLECT AN ADDITIONAL ONE-TIME FEE OF TWENTY-FIVE DOLLARS FOR ISSUANCE OR REPLACEMENT OF THE SPECIAL LICENSE PLATE. THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201.

(6) A QUALIFIED APPLICANT MAY APPLY TO THE DEPARTMENT FOR PERSONALIZED SPECIAL OLYMPICS COLORADO LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6)(a) FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE THE PLATES IF THE QUALIFIED APPLICANT COMPLIES WITH SECTION 42-3-211. IF A QUALIFIED APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET OF SPECIAL OLYMPICS COLORADO LICENSE PLATES FOR THE VEHICLE UPON PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6)(a) AND UPON TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED LICENSE PLATES UNDER THIS SUBSECTION (6) MUST PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6)(b) FOR RENEWAL OF THE PERSONALIZED PLATES. THE FEES UNDER THIS SUBSECTION (6) ARE IN ADDITION TO ALL OTHER APPLICABLE TAXES AND FEES.

(7) AS USED IN THIS SECTION, "DESIGNATED ORGANIZATION" MEANS AN ORGANIZATION DESIGNATED BY THE DEPARTMENT THAT MEETS THE CRITERIA SET FORTH IN SUBSECTION (4)(a) OF THIS SECTION.

SECTION 2. In Colorado Revised Statutes, **amend** 42-3-312 as follows:

42-3-312. Special license plate surcharge. In addition to any other fee imposed by this article 3, an applicant for a special license plate created by rule in accordance with section 42-3-207, as the section existed when the plate was created, or SPECIAL license plates issued pursuant to sections 42-3-211 to 42-3-214, sections 42-3-217 to 42-3-218, sections 42-3-221 to 42-3-234, and sections 42-3-237 to ~~42-3-254~~ TO 42-3-260 shall pay an issuance fee of twenty-five dollars; except that the fee is not imposed on special license plates exempted from additional fees for the issuance of a military special license plate by section 42-3-213 (1)(b)(II). The department shall transfer the fee to the state treasurer, who shall credit it to the licensing services cash fund created in section 42-2-114.5.

SECTION 3. Appropriation. (1) For the 2021-22 state fiscal year, \$13,460 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation consists of \$5,400 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., and \$8,060 from the license plate cash fund created in section 42-3-301 (1)(b), C.R.S. To implement this act, the division may use this appropriation as follows:

(a) \$5,400 from the Colorado DRIVES vehicle services account in the highway users tax fund for DRIVES maintenance and support; and

(b) \$8,060 from the license plate cash fund for license plate ordering.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 24, 2021