

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 14-0348.01 Jery Payne x2157

HOUSE BILL 14-1066

HOUSE SPONSORSHIP

Vigil,

SENATE SPONSORSHIP

Steadman,

House Committees

Local Government
Finance
Appropriations

Senate Committees

Transportation
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE AMOUNT OF A DRIVER'S LICENSE FEE THAT A RURAL**
102 **COUNTY CLERK AND RECORDER MAY RETAIN WHEN ISSUING A**
103 **DRIVER'S LICENSE, AND, IN CONNECTION THEREWITH, MAKING**
104 **AND REDUCING APPROPRIATIONS.**

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://www.leg.state.co.us/billsummaries>.)

Currently, a county clerk and recorder's office that issues a driver's license may retain \$8 of the fee. The bill allows the office to retain \$13.60

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
3rd Reading Unamended
April 24, 2014

HOUSE
Amended 2nd Reading
April 23, 2014

of the fee in counties of fewer than 100,000 people.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-2-114, **amend** (4);
3 and **repeal and reenact, with amendments,** (2) as follows:

4 **42-2-114. License issued - fees.** (2) (a) EXCEPT AS PROVIDED IN
5 SUBSECTION (3) OF THIS SECTION, THE FEE FOR THE ISSUANCE OF A
6 DRIVER'S LICENSE TO A PERSON TWENTY-ONE YEARS OF AGE OR OLDER IS
7 TWENTY DOLLARS AND FORTY CENTS. THE LICENSE EXPIRES ON THE
8 APPLICANT'S BIRTHDAY IN THE FIFTH YEAR AFTER ISSUANCE OF THE
9 LICENSE.

10 (b) THE DEPARTMENT SHALL TRANSFER THE FEE TO THE STATE
11 TREASURER, WHO SHALL CREDIT FIFTEEN DOLLARS TO THE HIGHWAY
12 USERS TAX FUND, CREATED IN SECTION 43-4-201, C.R.S., AND FIVE
13 DOLLARS AND FORTY CENTS TO THE LICENSING SERVICES CASH FUND,
14 CREATED IN SECTION 42-2-114.5; EXCEPT THAT, THROUGH FISCAL YEAR
15 2014-15, THE STATE TREASURER SHALL CREDIT THE ENTIRE FEE TO THE
16 LICENSING SERVICES CASH FUND.

17 (c) NOTWITHSTANDING PARAGRAPH (b) OF THIS SUBSECTION (2):

18 (I) IF THE DRIVER'S LICENSE IS ISSUED BY THE OFFICE OF A COUNTY
19 CLERK AND RECORDER IN A COUNTY WITH A POPULATION OF AT LEAST ONE
20 HUNDRED THOUSAND INDIVIDUALS, THE COUNTY CLERK AND RECORDER
21 SHALL RETAIN THE SUM OF EIGHT DOLLARS AND FORWARD THE
22 REMAINDER TO THE DEPARTMENT FOR TRANSMISSION TO THE STATE
23 TREASURER, WHO SHALL CREDIT THREE DOLLARS AND FORTY CENTS TO
24 THE LICENSING SERVICES CASH FUND AND NINE DOLLARS TO THE HIGHWAY
25 USERS TAX FUND; EXCEPT THAT, THROUGH FISCAL YEAR 2014-15, THE

1 STATE TREASURER SHALL CREDIT THE ENTIRE FEE TO THE LICENSING
2 SERVICES CASH FUND.

3 (II) IF THE DRIVER'S LICENSE IS ISSUED BY AN OFFICE OF A COUNTY
4 CLERK AND RECORDER IN A COUNTY WITH A POPULATION OF FEWER THAN
5 ONE HUNDRED THOUSANDS INDIVIDUALS, THE COUNTY CLERK AND
6 RECORDER SHALL RETAIN THE SUM OF THIRTEEN DOLLARS AND SIXTY
7 CENTS AND FORWARD THE REMAINDER TO THE DEPARTMENT FOR
8 TRANSMISSION TO THE STATE TREASURER, WHO SHALL CREDIT ONE
9 DOLLAR AND EIGHTY-SIX CENTS TO THE LICENSING SERVICES CASH FUND
10 AND FOUR DOLLARS AND NINETY-FOUR CENTS TO THE HIGHWAY USERS
11 TAX FUND; EXCEPT THAT, THROUGH FISCAL YEAR 2014-15, THE STATE
12 TREASURER SHALL CREDIT THE ENTIRE FEE TO THE LICENSING SERVICES
13 CASH FUND.

14 (d) IN ADDITION TO THE FEE ESTABLISHED IN PARAGRAPH (a) OF
15 THIS SUBSECTION (2), A SURCHARGE OF TWO DOLLARS IS ADDED FOR
16 ISSUANCE OF A DRIVER'S OR PROVISIONAL DRIVER'S LICENSE WITH A
17 MOTORCYCLE ENDORSEMENT. THE DEPARTMENT SHALL TRANSFER THE
18 SURCHARGE TO THE STATE TREASURER, WHO SHALL CREDIT IT TO THE
19 MOTORCYCLE OPERATOR SAFETY TRAINING FUND, CREATED IN SECTION
20 43-5-504, C.R.S.

21 (e) THE GENERAL ASSEMBLY SHALL MAKE APPROPRIATIONS FROM
22 THE LICENSING SERVICES CASH FUND FOR THE EXPENSES OF THE
23 ADMINISTRATION OF THIS PART 1 AND PART 2 OF THIS ARTICLE; EXCEPT
24 THAT:

25 (I) EIGHT DOLLARS AND FIFTY CENTS OF EACH FEE IS ALLOCATED
26 IN ACCORDANCE WITH SECTION 43-4-205 (6) (b), C.R.S.; AND

27 (II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH

1 (e), THROUGH FISCAL YEAR 2014-15, THE STATE TREASURER SHALL CREDIT
2 THE ENTIRE AMOUNT TO THE LICENSING SERVICES CASH FUND.

3 (4) (a) (I) The fee for the issuance of a minor driver's license is
4 twenty dollars and forty cents. ~~which~~ THE license expires twenty days
5 after the LICENSEE'S twenty-first birthday. ~~of the licensee.~~

6 (II) The department shall transfer the fee to the state treasurer,
7 who shall credit fifteen dollars to the highway users tax fund and five
8 dollars and forty cents to the licensing services cash fund, created in
9 section 42-2-114.5; except that, for fiscal years 2012-13 through 2014-15,
10 the state treasurer shall credit the fee to the licensing services cash fund
11 ~~created in section 42-2-114.5.~~

12 (III) In the case of the issuance of any minor driver's license by
13 the office of ~~the~~ A county clerk and recorder, the fee for the minor driver's
14 license is apportioned in the same manner as for the issuance of a driver's
15 license in accordance with paragraph ~~(a)~~ (c) of subsection (2) of this
16 section.

17 (b) (I) ~~Prior to July 1, 2006, a surcharge of one dollar shall be~~
18 ~~added for issuance of a minor driver's license for which a motorcycle~~
19 ~~endorsement is requested which shall be credited to the motorcycle~~
20 ~~operator safety training fund created in section 43-5-504, C.R.S.~~

21 (II) ~~On and after July 1, 2006,~~ A surcharge of two dollars shall be
22 added for issuance of a minor driver's license for which a motorcycle
23 endorsement is requested. ~~which~~ THE SURCHARGE shall be credited to the
24 motorcycle operator safety training fund, created in section 43-5-504,
25 C.R.S.

26 **SECTION 2. In Colorado Revised Statutes, 42-2-114, repeal (4)**
27 **(b); and repeal and reenact, with amendments, (2) as follows:**

1 **42-2-114. License issued - fees - repeal - rules.** (2) (a) A FEE IS
2 REQUIRED FOR THE ISSUANCE OF A DRIVER'S LICENSE TO A PERSON
3 TWENTY-ONE YEARS OF AGE OR OLDER. THE DEPARTMENT SHALL SET THE
4 FEE IN ACCORDANCE WITH SECTION 42-2-114.5. EXCEPT AS PROVIDED IN
5 SUBSECTION (3) OF THIS SECTION, THE LICENSE EXPIRES ON THE
6 APPLICANT'S BIRTHDAY IN THE FIFTH YEAR AFTER ISSUANCE OF THE
7 LICENSE.

8 (b) THE DEPARTMENT SHALL TRANSFER THE FEE TO THE STATE
9 TREASURER, WHO SHALL CREDIT THE FEE TO THE LICENSING SERVICES
10 CASH FUND CREATED IN SECTION 42-2-114.5.

11 (c) NOTWITHSTANDING PARAGRAPH (b) OF THIS SUBSECTION (2):

12 (I) IF THE DRIVER'S LICENSE IS ISSUED BY THE OFFICE OF A COUNTY
13 CLERK AND RECORDER IN A COUNTY WITH A POPULATION OF AT LEAST ONE
14 HUNDRED THOUSAND INDIVIDUALS, THE COUNTY CLERK AND RECORDER
15 SHALL RETAIN THE SUM OF EIGHT DOLLARS AND FORWARD THE
16 REMAINDER TO THE DEPARTMENT FOR TRANSMISSION TO THE STATE
17 TREASURER, WHO SHALL CREDIT THE REMAINDER OF THE FEE TO THE
18 LICENSING SERVICES CASH FUND.

19 (II) IF THE DRIVER'S LICENSE IS ISSUED BY AN OFFICE OF A COUNTY
20 CLERK AND RECORDER IN A COUNTY WITH A POPULATION OF FEWER THAN
21 ONE HUNDRED THOUSANDS INDIVIDUALS, THE COUNTY CLERK AND
22 RECORDER SHALL RETAIN THE SUM OF THIRTEEN DOLLARS AND SIXTY
23 CENTS AND FORWARD THE REMAINDER TO THE DEPARTMENT FOR
24 TRANSMISSION TO THE STATE TREASURER, WHO SHALL CREDIT THE
25 REMAINDER OF THE FEE TO THE LICENSING SERVICES CASH FUND.

26 (d) IN ADDITION TO THE FEE ESTABLISHED IN PARAGRAPH (a) OF
27 THIS SUBSECTION (2), A SURCHARGE OF TWO DOLLARS IS ADDED FOR

1 ISSUANCE OF A DRIVER'S OR MINOR DRIVER'S LICENSE WITH A
2 MOTORCYCLE ENDORSEMENT. THE DEPARTMENT SHALL TRANSFER THE
3 SURCHARGE TO THE STATE TREASURER, WHO SHALL CREDIT IT TO THE
4 MOTORCYCLE OPERATOR SAFETY TRAINING FUND, CREATED IN SECTION
5 43-5-504, C.R.S.

6 (e) IN ADDITION TO THE FEE ESTABLISHED IN PARAGRAPH (a) OF
7 THIS SUBSECTION (2), A SURCHARGE IS ADDED FOR ISSUANCE OF A
8 DRIVER'S OR MINOR DRIVER'S LICENSE WHEN AN APPLICANT RETAKES
9 EITHER THE EXAMINATION OF KNOWLEDGE OF THE TRAFFIC LAWS OF THIS
10 STATE OR THE DEMONSTRATION OF THE APPLICANT'S ABILITY TO EXERCISE
11 ORDINARY AND REASONABLE CARE AND CONTROL IN THE OPERATION OF
12 A MOTOR VEHICLE. THE DEPARTMENT SHALL SET THE SURCHARGE BY RULE
13 IN AN AMOUNT TO OFFSET THE DIRECT AND INDIRECT COST OF GIVING THE
14 EXAMINATION OR DEMONSTRATION. THE DEPARTMENT SHALL TRANSFER
15 THE SURCHARGE TO THE STATE TREASURER, WHO SHALL CREDIT IT TO THE
16 LICENSING SERVICES CASH FUND, CREATED IN SECTION 42-2-114.5.

17 (4) (b) (I) Prior to July 1, 2006, a surcharge of one dollar shall be
18 added for issuance of a minor driver's license for which a motorcycle
19 endorsement is requested which shall be credited to the motorcycle
20 operator safety training fund created in section 43-5-504, C.R.S.

21 (II) On and after July 1, 2006, a surcharge of two dollars shall be
22 added for issuance of a minor driver's license for which a motorcycle
23 endorsement is requested which shall be credited to the motorcycle
24 operator safety training fund created in section 43-5-504, C.R.S.

25 **SECTION 3.** In Colorado Revised Statutes, 43-5-504, **amend** (1)
26 as follows:

27 **43-5-504. Motorcycle operator safety training fund.** (1) The

1 motorcycle operator safety training fund is hereby created in the state
2 treasury. The fund consists of moneys collected under sections 42-2-114
3 (2) ~~(b)~~ (d) and (4) (b), 42-2-118 (1) (b) (II), and 42-3-304 (4), C.R.S. The
4 moneys in the fund are available immediately, without further
5 appropriation, for allocation by the transportation commission to the
6 office to be used for the implementation and administration of the
7 program. Moneys credited to the fund remain ~~therein~~ IN THE FUND at the
8 end of each fiscal year and are not transferred to any other fund.

9 **SECTION 4. Appropriation - adjustments to 2014 long bill.**

10 (1) For the implementation of this act, the general fund appropriation
11 made in the annual general appropriation act to the controlled
12 maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado
13 Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased
14 by \$61,264.

15 (2) In addition to any other appropriation, there is hereby
16 appropriated, out of any moneys in the general fund, not otherwise
17 appropriated, to the department of revenue, for the fiscal year beginning
18 July 1, 2014, the sum of \$61,264, or so much thereof as may be necessary,
19 to be allocated to the division of motor vehicles, driver services, for
20 personal services related to the implementation of this act.

21 (3) In addition to any other appropriation, there is hereby
22 appropriated, out of any moneys in the Colorado state titling and
23 registration account of the highway users tax fund created in section
24 42-1-211 (2), Colorado Revised Statutes, not otherwise appropriated, to
25 the department of revenue, for the fiscal year beginning July 1, 2014, the
26 sum of \$6,592, or so much thereof as may be necessary, to be allocated
27 for the purchase of computer center services for the implementation of

1 this act.

2 (4) In addition to any other appropriation, there is hereby
3 appropriated to the governor - lieutenant governor - state planning and
4 budgeting, for the fiscal year beginning July 1, 2014, the sum of \$6,592,
5 or so much thereof as may be necessary, for allocation to the office of
6 information technology, for the provision of computer center services for
7 the department of revenue related to the implementation of this act. Said
8 sum is from reappropriated funds received from the department of
9 revenue out of the appropriation made in subsection (3) of this section.

10 **SECTION 5. Effective date - applicability.** (1) (a) Except as
11 otherwise provided in this section, this act takes effect July 1, 2014.

12 (b) Section 1 of this act takes effect only if Senate Bill 14-194
13 does not become law.

14 (c) Section 2 of this act takes effect only if Senate Bill 14-194
15 becomes law.

16 (2) This act applies to driver's licenses issued on or after the
17 applicable effective date of this act.

18 **SECTION 6. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, and safety.