

**Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 10-0676.02 Jery Payne

HOUSE BILL 10-1101

HOUSE SPONSORSHIP

Baumgardner,

SENATE SPONSORSHIP

Harvey,

House Committees

Transportation & Energy
Appropriations

Senate Committees

State, Veterans & Military Affairs

A BILL FOR AN ACT

101 **CONCERNING THE REGISTRATION OF A VEHICLE USED FOR**
102 **AGRICULTURAL PRODUCTION.**

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 may require that a person demonstrate that the person's primary business is agriculture to register a motor vehicle as a farm truck. The bill exempts people who use at least 100 acres for agricultural production from this requirement to register a farm truck.

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.*

SENATE
2nd Reading Unamended
April 11, 2010

HOUSE
3rd Reading Unamended
March 11, 2010

HOUSE
Amended 2nd Reading
March 10, 2010

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

2 **SECTION 1. Repeal.** 42-3-304 (1) (b) (II), Colorado Revised
3 Statutes, is repealed as follows:

4 **42-3-304. Registration fees - passenger and passenger-mile**
5 **taxes - clean screen fund.** (1) (b) The following vehicles are exempt
6 from the motorist insurance identification fee:

7 (II) ~~Trucks and truck tractors that are owned by a farmer or~~
8 ~~rancher and whose only commercial uses are:~~

9 (A) ~~Transporting to market or place of storage raw agricultural~~
10 ~~products actually produced or livestock actually raised by such farmer or~~
11 ~~rancher; or~~

12 (B) ~~Transporting commodities and livestock purchased by such~~
13 ~~farmer or rancher for use by the farmer or rancher in farming or ranching~~
14 ~~operations.~~

15 **SECTION 2.** 42-3-305 (4), Colorado Revised Statutes, is
16 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

17 **42-3-305. Registration fees - passenger and passenger-mile**
18 **taxes - fee schedule for years of TABOR surplus revenue -**
19 **applicability.** (4) (e) **EFFECTIVE JANUARY 1, 2011, NEITHER THE**
20 **DEPARTMENT NOR AN AUTHORIZED AGENT SHALL REQUIRE A PERSON**
21 **REGISTERING A FARM TRUCK OR TRUCK TRACTOR UNDER THIS SUBSECTION**
22 **(4) TO DEMONSTRATE THAT THE OWNER'S PRIMARY BUSINESS OR SOURCE**
23 **OF INCOME IS AGRICULTURE IF THE FARM TRUCK OR TRUCK TRACTOR IS**
24 **USED PRIMARILY FOR AGRICULTURAL PRODUCTION ON A FARM OR RANCH**
25 **OWNED OR LEASED BY THE OWNER OF THE TRUCK OR TRUCK TRACTOR AND**
26 **THE LAND ON WHICH IT IS USED IS CLASSIFIED AS AGRICULTURAL LAND FOR**

1 THE PURPOSES OF THE LEVYING AND COLLECTION OF PROPERTY TAX
2 PURSUANT TO SECTION 39-1-103, C.R.S.

3 SECTION 3. 42-3-306 (4), Colorado Revised Statutes, is
4 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

5 42-3-306. Registration fees - passenger and passenger-mile
6 taxes - fee schedule for years in which TABOR surplus revenue is
7 insufficient. (4) (e) EFFECTIVE JANUARY 1, 2011, NEITHER THE
8 DEPARTMENT NOR AN AUTHORIZED AGENT SHALL REQUIRE A PERSON
9 REGISTERING A FARM TRUCK OR TRUCK TRACTOR UNDER THIS SUBSECTION
10 (4) TO DEMONSTRATE THAT THE OWNER'S PRIMARY BUSINESS OR SOURCE
11 OF INCOME IS AGRICULTURE IF THE FARM TRUCK OR TRUCK TRACTOR IS
12 USED PRIMARILY FOR AGRICULTURAL PRODUCTION ON A FARM OR RANCH
13 OWNED OR LEASED BY THE OWNER OF THE TRUCK OR TRUCK TRACTOR AND
14 THE LAND ON WHICH IT IS USED IS CLASSIFIED AS AGRICULTURAL LAND FOR
15 THE PURPOSES OF THE LEVYING AND COLLECTION OF PROPERTY TAX
16 PURSUANT TO SECTION 39-1-103, C.R.S.

17 SECTION 4. Act subject to petition - effective date. This act
18 shall take effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly (August
20 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
21 referendum petition is filed pursuant to section 1 (3) of article V of the
22 state constitution against this act or an item, section, or part of this act
23 within such period, then the act, item, section, or part shall not take effect
24 unless approved by the people at the general election to be held in
25 November 2010 and shall take effect on the date of the official
26 declaration of the vote thereon by the governor.