

**NOTE: This bill has been prepared for the signature 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

HOUSE BILL 10-1101

BY REPRESENTATIVE(S) Baumgardner, Gardner C., Kerr J., Labuda, Lambert, Merrifield, Murray, Nikkel, Pace, Priola, Sonnenberg, Stephens, Tipton, Waller;  
also SENATOR(S) Harvey, Hodge, Kopp, Schwartz, Whitehead.

CONCERNING THE REGISTRATION OF A VEHICLE USED FOR AGRICULTURAL PRODUCTION.

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

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 Repeal.** 42-3-304 (1) (b) (II), Colorado Revised Statutes, is repealed as follows:

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

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

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

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

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

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

**42-3-305. Registration fees - passenger and passenger-mile taxes - fee schedule for years of TABOR surplus revenue - applicability.**

(4) (e) EFFECTIVE JANUARY 1, 2011, NEITHER THE DEPARTMENT NOR AN AUTHORIZED AGENT SHALL REQUIRE A PERSON REGISTERING A FARM TRUCK OR TRUCK TRACTOR UNDER THIS SUBSECTION (4) TO DEMONSTRATE THAT THE OWNER'S PRIMARY BUSINESS OR SOURCE OF INCOME IS AGRICULTURE IF THE FARM TRUCK OR TRUCK TRACTOR IS USED PRIMARILY FOR AGRICULTURAL PRODUCTION ON A FARM OR RANCH OWNED OR LEASED BY THE OWNER OF THE TRUCK OR TRUCK TRACTOR AND THE LAND ON WHICH IT IS USED IS CLASSIFIED AS AGRICULTURAL LAND FOR THE PURPOSES OF THE LEVYING AND COLLECTION OF PROPERTY TAX PURSUANT TO SECTION 39-1-103, C.R.S.

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

**42-3-306. Registration fees - passenger and passenger-mile taxes - fee schedule for years in which TABOR surplus revenue is insufficient.** (4) (e) EFFECTIVE JANUARY 1, 2011, NEITHER THE DEPARTMENT NOR AN AUTHORIZED AGENT SHALL REQUIRE A PERSON REGISTERING A FARM TRUCK OR TRUCK TRACTOR UNDER THIS SUBSECTION

(4) TO DEMONSTRATE THAT THE OWNER'S PRIMARY BUSINESS OR SOURCE OF INCOME IS AGRICULTURE IF THE FARM TRUCK OR TRUCK TRACTOR IS USED PRIMARILY FOR AGRICULTURAL PRODUCTION ON A FARM OR RANCH OWNED OR LEASED BY THE OWNER OF THE TRUCK OR TRUCK TRACTOR AND THE LAND ON WHICH IT IS USED IS CLASSIFIED AS AGRICULTURAL LAND FOR THE PURPOSES OF THE LEVYING AND COLLECTION OF PROPERTY TAX PURSUANT TO SECTION 39-1-103, C.R.S.

**SECTION 4. Act subject to petition - effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August

11, 2010, if adjournment sine die is on May 12, 2010); 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 shall not take effect unless approved by the people at the general election to be held in November 2010 and shall take effect on the date of the official declaration of the vote thereon by the governor.

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Terrance D. Carroll  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Karen Goldman  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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Bill Ritter, Jr.  
GOVERNOR OF THE STATE OF COLORADO