

**First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 11-0128.01 Jery Payne

HOUSE BILL 11-1234

HOUSE SPONSORSHIP

Vaad,

SENATE SPONSORSHIP

Spence and Williams S.,

House Committees

Transportation
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A TAXICAB LICENSE PLATE FOR**
102 **MOTOR VEHICLES AUTHORIZED TO PROVIDE TAXICAB SERVICES,**
103 **AND MAKING AN APPROPRIATION THEREFOR.**

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>.)

Section 2 of the bill creates a taxicab license plate. A taxicab service will be required to use the plate, but a motor vehicle may only display the plate if its owner or lessee is authorized to provide taxicab service. **Section 1** directs the public utilities commission to notify taxicab

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.

providers of the bill's requirements and to provide verification of the provider's status. **Section 3** clarifies that the taxicab license plate is to be used if the vehicle is both a taxicab and a luxury limousine.

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

2 **SECTION 1.** Article 10 of title 40, Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW SECTION to read:

4 **40-10-121. Taxicab license plates - rules - repeal.** (1) (a) THE
5 COMMISSION SHALL EITHER:

6 (I) CREATE A DOCUMENT THAT A PERSON AUTHORIZED TO PROVIDE
7 TAXICAB SERVICES UNDER THIS ARTICLE MAY USE TO VERIFY TO THE
8 DEPARTMENT OF REVENUE OR THE DEPARTMENT'S AUTHORIZED AGENT
9 THAT THE PERSON IS SO AUTHORIZED; OR

10 (II) CREATE A SYSTEM TO ELECTRONICALLY VERIFY TO THE
11 DEPARTMENT OF REVENUE OR THE DEPARTMENT'S AUTHORIZED AGENT
12 THAT THE PERSON IS AUTHORIZED TO PROVIDE TAXICAB SERVICES UNDER
13 THIS ARTICLE.

14 (b) UPON REQUEST, THE COMMISSION SHALL PROVIDE THE
15 DOCUMENT TO THE PERSON WITH SUCH AUTHORITY OR THE ELECTRONIC
16 VERIFICATION TO THE DEPARTMENT OF REVENUE OR THE DEPARTMENT'S
17 AUTHORIZED AGENT.

18 (2) THE COMMISSION MAY PROMULGATE RULES TO IMPLEMENT
19 THIS SECTION AND TO ENFORCE SECTION 42-3-236, C.R.S.

20 (3) (a) BY JANUARY 1, 2012, THE COMMISSION SHALL NOTIFY EACH
21 PERSON AUTHORIZED TO PROVIDE TAXICAB SERVICES UNDER THIS ARTICLE
22 OF THE REQUIREMENTS OF SECTION 42-3-236, C.R.S.

23 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2012.

24 **SECTION 2.** Part 2 of article 3 of title 42, Colorado Revised

1 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
2 read:

3 **42-3-236. Taxicab license plates - taxicabs - repeal.** (1) THE
4 TAXICAB LICENSE PLATE IS HEREBY ESTABLISHED. THE PLATE CONSISTS
5 OF BLACK LETTERS ON A YELLOW BACKGROUND AND FEATURES THE
6 WORDS "COLORADO" ACROSS THE TOP AND "TAXICAB" ACROSS THE
7 BOTTOM OF THE PLATE.

8 (2) A PERSON WHO IS AUTHORIZED TO PROVIDE TAXICAB SERVICE
9 UNDER ARTICLE 10 OF TITLE 40, C.R.S., SHALL REGISTER A MOTOR
10 VEHICLE USED FOR TAXICAB PURPOSES UNDER THIS ARTICLE AND DISPLAY
11 TAXICAB LICENSE PLATES ON THE VEHICLE. UPON REGISTRATION, THE
12 DEPARTMENT SHALL ISSUE TAXICAB LICENSE PLATES FOR THE VEHICLE IN
13 ACCORDANCE WITH THIS SECTION. THE DEPARTMENT SHALL NOT ISSUE A
14 TAXICAB LICENSE PLATE UNLESS THE PERSON EITHER SUBMITS A
15 VERIFICATION DOCUMENT OR THE PUBLIC UTILITIES COMMISSION
16 ELECTRONICALLY VERIFIES THE AUTHORIZATION, AS PROVIDED IN SECTION
17 40-10-121, C.R.S.

18 (3) A PERSON PROVIDING TAXICAB SERVICES USING A MOTOR
19 VEHICLE THAT WAS REGISTERED ON JANUARY 1, 2012, IS NOT REQUIRED
20 TO OBTAIN TAXICAB LICENSE PLATES UNTIL THE VEHICLE IS SCHEDULED
21 FOR RENEWAL OF THE CURRENT REGISTRATION. UPON RENEWING A
22 REGISTRATION FOR A TAXICAB REGISTERED UNDER THIS ARTICLE, THE
23 DEPARTMENT SHALL ISSUE TAXICAB LICENSE PLATES FOR THE VEHICLE IN
24 ACCORDANCE WITH THIS SECTION. THIS SUBSECTION (3) IS REPEALED,
25 EFFECTIVE JANUARY 1, 2013.

26 (4) A PERSON SHALL NOT OPERATE A MOTOR VEHICLE WITH A
27 TAXICAB LICENSE PLATE OR TEMPORARY TAXICAB LICENSE PLATE UNLESS

1 THE MOTOR VEHICLE TO WHICH THE PLATES ARE ATTACHED IS REQUIRED
2 BY SUBSECTION (2) OF THIS SECTION TO BEAR TAXICAB LICENSE PLATES.

3 (5) IF THE PERSON WHO OWNS THE MOTOR VEHICLE WITH TAXICAB
4 LICENSE PLATES IS NOT THE PERSON UNDER WHOSE AUTHORITY THE
5 MOTOR VEHICLE OPERATES UNDER ARTICLE 10 OF TITLE 40, C.R.S., THE
6 PERSON WITH THE AUTHORITY MAY REQUEST THAT THE DEPARTMENT OF
7 REVENUE REQUIRE THE PLATE TO BE REPLACED. WITHIN THIRTY DAYS
8 AFTER RECEIVING THE REQUEST, THE DEPARTMENT SHALL REQUIRE THE
9 OWNER OF THE MOTOR VEHICLE TO RETURN THE TAXICAB LICENSE PLATE
10 AND BE ISSUED A NEW LICENSE PLATE. THE OWNER OF THE MOTOR
11 VEHICLE SHALL SURRENDER THE TAXICAB LICENSE PLATE TO THE
12 DEPARTMENT WITHIN TEN DAYS AFTER RECEIVING NOTICE FROM THE
13 DEPARTMENT UNLESS THE OWNER OF THE MOTOR VEHICLE OBTAINS
14 AUTHORITY TO OPERATE A TAXICAB UNDER ARTICLE 10 OF TITLE 40,
15 C.R.S., EITHER DIRECTLY OR AS AN AGENT, AND EITHER THE PERSON
16 SUBMITS A VERIFICATION DOCUMENT OR THE PUBLIC UTILITIES
17 COMMISSION ELECTRONICALLY VERIFIES THE AUTHORIZATION, AS
18 PROVIDED IN SECTION 40-10-121, C.R.S.

19 (6) A PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS B
20 TRAFFIC INFRACTION, PUNISHABLE BY A FINE OF SEVENTY-FIVE DOLLARS.

21 (7) THIS SECTION IS EFFECTIVE JANUARY 1, 2012.

22 **SECTION 3.** 42-3-235 (2) (a), Colorado Revised Statutes, is
23 amended, and the said 42-3-235 (2) is further amended BY THE
24 ADDITION OF A NEW PARAGRAPH, to read:

25 **42-3-235. Livery license plates - luxury limousines - repeal.**
26 (2) (a) Except as provided in ~~paragraph~~ PARAGRAPHS (b) TO (d) of this
27 subsection (2), a person providing luxury limousine service under article

1 16 of title 40, C.R.S., shall register the motor vehicle used for such
2 purposes pursuant to this article and display livery license plates on the
3 vehicle. Upon such registration, the department shall issue livery license
4 plates for the vehicles in accordance with this section. The department
5 shall not issue a livery license plate unless the person either submits a
6 verification document issued pursuant to section 40-16-111, C.R.S., or the
7 public utilities commission electronically verifies the authorization to
8 provide luxury limousine service under section 40-16-111, C.R.S.

9 (d) IF A MOTOR VEHICLE IS USED TO PROVIDE BOTH TAXICAB
10 SERVICES AND LUXURY LIMOUSINE SERVICES, THE DEPARTMENT SHALL
11 ISSUE THE MOTOR VEHICLE A TAXICAB LICENSE PLATE IN ACCORDANCE
12 WITH SECTION 42-3-236.

13 **SECTION 4. Appropriation.** (1) In addition to any other
14 appropriation, there is hereby appropriated, to the department of revenue,
15 for allocation to the information technology division, for the fiscal year
16 beginning July 1, 2011, the sum of ten thousand nine hundred fifty-two
17 dollars (\$10,952) cash funds, or so much thereof as may be necessary, for
18 the implementation of this act. Of said sum, eight thousand eight hundred
19 eighty dollars (\$8,880) shall be from the Colorado state titling and
20 registration account of the highway users tax fund created in section
21 42-1-211 (2), Colorado Revised Statutes, and two thousand seventy-two
22 dollars (\$2,072) shall be from the licensing services cash fund created in
23 section 42-2-114.5 (1), Colorado Revised Statutes.

24 (2) In addition to any other appropriation, there is hereby
25 appropriated to the governor - lieutenant governor - state planning and
26 budgeting, for allocation to the office of information technology, for the
27 fiscal year beginning July 1, 2011, the sum of ten thousand nine hundred

1 fifty-two dollars (\$10,952), or so much thereof as may be necessary, for
2 the programming services to be provided to the department of revenue
3 related to the implementation of this act. Said sum shall be from
4 reappropriated funds received from the department of revenue out of the
5 appropriation made in subsection (1) of this section.

6 (3) In addition to any other appropriation, there is hereby
7 appropriated, out of any moneys in the license plate cash fund created in
8 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise
9 appropriated, to the department of revenue, for allocation to the division
10 of motor vehicles, driver and vehicle services, for the fiscal year
11 beginning July 1, 2011, the sum of fourteen thousand eight hundred
12 dollars (\$14,800) cash funds, or so much thereof as may be necessary, for
13 the implementation of this act.

14 **SECTION 5. Act subject to petition - effective date.** This act
15 shall take effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part shall not take effect
21 unless approved by the people at the general election to be held in
22 November 2012 and shall take effect on the date of the official
23 declaration of the vote thereon by the governor.