

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 10-0569.01 Jason Gelender

SENATE BILL 10-057

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SENATE SPONSORSHIP

Cadman,

HOUSE SPONSORSHIP

(None),

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Senate Committees  
State, Veterans & Military Affairs

House Committees

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A BILL FOR AN ACT

101 CONCERNING THE REPEAL OF THE INCREASED PENALTY FOR LATE  
102 VEHICLE REGISTRATION OF A NONMOTORIZED VEHICLE  
103 ENACTED BY SENATE BILL 09-108.

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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>.)*

Effective July 1, 2010, for nonmotorized vehicles only, the bill repeals the mandatory late vehicle registration fee of \$25 per month up to a maximum of \$100 enacted by Senate Bill 09-108 and reinstates the waivable fee of up to \$10 that was in effect prior to the enactment of

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.*

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

2 **SECTION 1.** 42-3-112 (1) and (2) and the introductory portion  
3 to 42-3-112 (3), Colorado Revised Statutes, are amended to read:

4 **42-3-112. Failure to pay tax - penalty.** (1) (a) If a MOTOR  
5 vehicle OR MOBILE MACHINERY subject to taxation under this article is not  
6 registered when required by law, the vehicle owner shall pay a late fee of  
7 twenty-five dollars for each month or portion of a month following the  
8 expiration of the registration period, or, if applicable, the expiration of the  
9 grace period described in section 42-3-114 for which the MOTOR vehicle  
10 OR MOBILE MACHINERY is unregistered; except that the amount of the late  
11 fee shall not exceed one hundred dollars. The late fee shall be due when  
12 the MOTOR vehicle OR MOBILE MACHINERY is registered.

13 (b) IF A VEHICLE THAT IS NOT A MOTOR VEHICLE OR MOBILE  
14 MACHINERY BUT THAT IS SUBJECT TO TAXATION UNDER THIS ARTICLE IS  
15 NOT REGISTERED WHEN REQUIRED BY LAW, THE VEHICLE OWNER IS  
16 SUBJECT TO A LATE FEE OF UP TO TEN DOLLARS, AS DETERMINED BY THE  
17 DEPARTMENT OR AUTHORIZED AGENT REGISTERING THE VEHICLE, WHICH  
18 IS DUE WHEN THE VEHICLE IS REGISTERED. THE DEPARTMENT OR THE  
19 AUTHORIZED AGENT REGISTERING THE VEHICLE MAY WAIVE THE LATE FEE.

20 (2) (a) Ten dollars of ~~the~~ EACH late registration fee COLLECTED  
21 PURSUANT TO PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION shall  
22 be retained by the department or the authorized agent who registers the  
23 motor vehicle OR MOBILE MACHINERY. Each authorized agent shall remit  
24 to the department no less frequently than once a month, but otherwise at  
25 the time and in the manner required by the executive director of the

1 department, the remainder of the late registration fees collected by the  
2 authorized agent. The executive director shall forward all late registration  
3 fees remitted by authorized agents plus the remainder of the late  
4 registration fees collected directly by the department to the state treasurer,  
5 who shall credit the fees to the highway users tax fund in accordance with  
6 section 43-4-804 (1) (e), C.R.S.

7 (b) THE ENTIRE AMOUNT OF EACH LATE REGISTRATION FEE  
8 COLLECTED PURSUANT TO PARAGRAPH (b) OF SUBSECTION (1) OF THIS  
9 SECTION SHALL BE RETAINED BY THE DEPARTMENT OR THE AUTHORIZED  
10 AGENT WHO REGISTERS THE VEHICLE THAT IS NOT A MOTOR VEHICLE OR  
11 MOBILE MACHINERY.

12 (3) The late fee described in PARAGRAPH (a) OF subsection (1) of  
13 this section shall not be imposed on a vehicle subject to taxation under  
14 this article if:

15 **SECTION 2. Effective date - applicability.** This act shall take  
16 effect July 1, 2010, and shall apply to late registration fees accrued on or  
17 after said date.

18 **SECTION 3. 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.