

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

ENGROSSED

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

LLS NO. 19-0887.01 Jery Payne x2157

SENATE BILL 19-167

SENATE SPONSORSHIP

Danielson,

HOUSE SPONSORSHIP

Exum and Duran,

Senate Committees

Finance
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A COLORADO PROFESSIONAL FIRE**
102 **FIGHTERS LICENSE PLATE, AND, IN CONNECTION THEREWITH,**
103 **MAKING AN APPROPRIATION.**

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://leg.colorado.gov>.)

The bill creates a Colorado professional fire fighters license plate. To be issued the plate, an applicant must pay 2 one-time \$25 fees and make a donation to a nonprofit organization selected by the department of revenue.

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

SENATE
Amended 2nd Reading
April 2, 2019

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 42-3-253 as
3 follows:

4 **42-3-253. Special plates - Colorado professional fire fighters**

5 **- definition.** (1) THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE PLATES
6 TO QUALIFIED APPLICANTS IN ACCORDANCE WITH THIS SECTION FOR
7 MOTORCYCLES, PASSENGER CARS, TRUCKS, OR NONCOMMERCIAL OR
8 RECREATIONAL MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN
9 THOUSAND POUNDS EMPTY WEIGHT.

10 (2) (a) THERE IS HEREBY ESTABLISHED THE COLORADO
11 PROFESSIONAL FIRE FIGHTERS LICENSE PLATE.

12 (b) THE DEPARTMENT SHALL USE A DESIGN FROM AN
13 ORGANIZATION MEETING THE STANDARDS OF SUBSECTION (3) OF THIS
14 SECTION, BUT THE DESIGN MUST CONFORM TO DEPARTMENT STANDARDS
15 AND BE APPROVED BY THE DEPARTMENT.

16 (3) (a) AT LEAST ONCE EVERY FIVE YEARS, THE DEPARTMENT
17 SHALL DESIGNATE AN ORGANIZATION TO QUALIFY APPLICANTS TO BE
18 ISSUED THE COLORADO PROFESSIONAL FIRE FIGHTERS LICENSE PLATE. THE
19 ORGANIZATION MUST:

20 (I) BE HEADQUARTERED IN COLORADO;

21 (II) HAVE BEEN IN EXISTENCE FOR AT LEAST TWENTY YEARS;

22 (III) HAVE A MINIMUM OF THREE THOUSAND MEMBERS RESIDING
23 IN COLORADO;

24 (IV) BE A NONPROFIT ORGANIZATION EXEMPT FROM TAXATION;

25 AND

26 (V) PROVIDE AID AND SUPPORT, EITHER DIRECTLY OR THROUGH AN

1 AFFILIATED ENTITY, TO COLORADO PROFESSIONAL FIRE FIGHTERS.

2 (b) (I) A PERSON MAY APPLY FOR A COLORADO PROFESSIONAL FIRE
3 FIGHTERS LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES
4 REQUIRED UNDER THIS SECTION AND PROVIDES TO THE DEPARTMENT OR
5 AN AUTHORIZED AGENT A CERTIFICATE ISSUED BY THE ORGANIZATION
6 CHOSEN IN ACCORDANCE WITH THIS SUBSECTION (3) CONFIRMING THAT
7 THE APPLICANT HAS MADE A DONATION TO THE DESIGNATED
8 ORGANIZATION AND THAT THE APPLICANT IS A MEMBER IN GOOD
9 STANDING OF THE DESIGNATED ORGANIZATION. THE ORGANIZATION MAY
10 ESTABLISH A MINIMUM DONATION AMOUNT TO QUALIFY FOR THE PLATE.
11 THE ORGANIZATION MUST VERIFY THAT THE PERSON REQUESTING A
12 CERTIFICATE IS OR WAS A PROFESSIONAL FIRE FIGHTER AND SHALL
13 PROVIDE A CERTIFICATE ONLY TO AN INDIVIDUAL WHO IS OR WAS A
14 PROFESSIONAL FIRE FIGHTER.

15 (II) THE ORGANIZATION CHOSEN IN ACCORDANCE WITH THIS
16 SUBSECTION (3) SHALL USE THE DONATION REQUIRED IN THIS SUBSECTION
17 (3)(b) TO DIRECTLY AID AND SUPPORT FIRST RESPONDERS, FIRE FIGHTERS,
18 AND FAMILY MEMBERS OF FIRST RESPONDERS OR FIRE FIGHTERS. THE
19 ORGANIZATION SHALL FILE AN ANNUAL STATEMENT ACCOUNTING FOR THE
20 COLLECTION AND USE OF THE DONATIONS.

21 (c) TO QUALIFY APPLICANTS TO HAVE A COLORADO PROFESSIONAL
22 FIRE FIGHTERS LICENSE PLATE, THE ORGANIZATION CHOSEN IN
23 ACCORDANCE WITH THIS SUBSECTION (3) MUST FILE WITH THE
24 DEPARTMENT AN ANNUAL STATEMENT VERIFYING THAT IT IS A NONPROFIT
25 ORGANIZATION.

26 (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE
27 PLATES UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES

1 AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT THAT
2 THE DEPARTMENT SHALL COLLECT AN ADDITIONAL ONE-TIME FEE OF
3 TWENTY-FIVE DOLLARS FOR ISSUANCE OR REPLACEMENT OF THE LICENSE
4 PLATE. THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME
5 FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE
6 HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201.

7 (5) THE GENERAL ASSEMBLY DETERMINES THAT THE COLORADO
8 PROFESSIONAL FIRE FIGHTERS LICENSE PLATE IS A DISTINCTIVE SPECIAL
9 LICENSE PLATE, AND THEREFORE, SECTION 42-3-207 (5), (6), AND (7) DOES
10 NOT APPLY TO THIS SECTION.

11 (6) FOR THE PURPOSES OF THIS SECTION, "PROFESSIONAL FIRE
12 FIGHTER" MEANS AN OFFICER OF OR MEMBER OF THE FOLLOWING IF THE
13 OFFICER OR MEMBER RECEIVES COMPENSATION TO DIRECTLY END
14 DESTRUCTIVE FIRES:

15 (a) A FIRE DEPARTMENT; OR

16 (b) A FIRE-FIGHTING AGENCY OF THE STATE OR OF A POLITICAL
17 SUBDIVISION OF THE STATE. ___

18 **SECTION 2.** In Colorado Revised Statutes, **amend** 42-3-312 as
19 follows:

20 **42-3-312. Special license plate surcharge.** In addition to any
21 other fee imposed by this article 3, an applicant for a special license plate
22 created by rule in accordance with section 42-3-207, as the section existed
23 when the plate was created, or license plates issued pursuant to sections
24 42-3-211 to 42-3-214, sections 42-3-217 to 42-3-218, sections 42-3-221
25 to 42-3-234, and sections 42-3-237 to ~~42-3-252~~ 42-3-253 shall pay an
26 issuance fee of twenty-five dollars; except that the fee is not imposed on
27 special license plates exempted from additional fees for the issuance of

1 a military special license plate by section 42-3-213 (1)(b)(II). The
2 department shall transfer the fee to the state treasurer, who shall credit it
3 to the licensing services cash fund created in section 42-2-114.5.

4 **SECTION 3. Appropriation.** (1) For the 2019-20 state fiscal
5 year, \$56,364 is appropriated to the department of revenue for use by the
6 division of motor vehicles. This appropriation consists of \$51,864 from
7 the license plate cash fund created in section 42-3-301 (1)(b), C.R.S., and
8 \$4,500 from the Colorado DRIVES vehicle services account in the
9 highway users tax fund created in section 42-1-211 (2)(b)(I), C.R.S. To
10 implement this act, the division may use this appropriation as follows:

11 (a) \$51,864 from the license plate cash fund for license plate
12 ordering; and

13 (b) \$4,500 from the Colorado DRIVES vehicle services account
14 in the highway users tax fund for DRIVES maintenance and support.

15 **SECTION 4. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly (August
18 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
19 referendum petition is filed pursuant to section 1 (3) of article V of the
20 state constitution against this act or an item, section, or part of this act
21 within such period, then the act, item, section, or part will not take effect
22 unless approved by the people at the general election to be held in
23 November 2020 and, in such case, will take effect on the date of the
24 official declaration of the vote thereon by the governor.