

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 5, 2014

Date

Committee on Transportation & Energy.

After consideration on the merits, the Committee recommends the following:

HB14-1029 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 3, after line 13 insert:
- 2 "(c) "HOLDER" MEANS A PERSON WITH A DISABILITY WHO HAS
- 3 LAWFULLY OBTAINED AN IDENTIFYING PLATE OR PLACARD."
- 4 Reletter succeeding paragraphs accordingly.
- 5 Page 3, line 22, strike "TEMPORARY, EXTENDED," and substitute
- 6 "NINETY-DAY, THREE-YEAR,".
- 7 Page 3, line 26, strike "AN EXTENDED" and substitute "A THREE-YEAR".
- 8 Page 4, line 12, strike "TEMPORARY" and substitute "NINETY-DAY".
- 9 Page 5, line 12, strike "OFFICER" and substitute "OFFICER, PARKING
- 10 AUTHORITY, OR TOLLING AUTHORITY".
- 11 Page 5, line 13, strike "OFFICERS" and substitute "OFFICIALS".
- 12 Page 5, line 20, strike "MAY BE" and substitute "Is".
- 13 Page 6, line 2, after "FOLLOWING" insert "REGISTRATION TYPE FOR
- 14 ISSUING".
- 15 Page 6, strike lines 5 through 8 and substitute:

- 1 "(I) A NINETY-DAY IDENTIFYING PLACARD;
2 (II) A THREE-YEAR IDENTIFYING PLACARD;
3 (III) A PERMANENT IDENTIFYING PLACARD;
4 (IV) A THREE-YEAR IDENTIFYING PLATE;"

5 Page 6, line 22, strike "THE AGE." and substitute "AGE, BUT THE
6 DEPARTMENT SHALL NOT ISSUE MORE THAN TWO IDENTIFYING PLACARDS,
7 TWO IDENTIFYING PLATES, OR ONE PLATE AND ONE PLACARD FOR THE
8 CHILD."

9 Page 8, line 16, strike "**and license plates**".

10 Page 9, line 12, strike "TEMPORARY" and substitute "NINETY-DAY".

11 Page 9, line 27, strike "AN" and substitute "A".

12 Page 10, line 1, strike "EXTENDED" and substitute "THREE-YEAR".

13 Page 10, strike line 5 and substitute "OF ITS CHIEF OPERATIONS OFFICER
14 WITHIN COLORADO;"

15 Page 10, strikes lines 18 through 20 and substitute "(1) (a)."

16 Page 10, line 21, strike "**temporary**" and substitute "**ninety-day**".

17 Page 10, line 22, strike "TEMPORARY" and substitute "NINETY-DAY".

18 Page 10, strike line 27 and substitute:

19 "(b) **Three-year placards.** A THREE-YEAR IDENTIFYING
20 PLACARD".

21 Page 12, strike line 2 and substitute:

22 "(d) **Three-year identifying plates.** (I) A THREE-YEAR
23 IDENTIFYING".

24 Page 12, line 5, strike "AN EXTENDED" and substitute "A THREE-YEAR".

25 Page 12, line 10, strike "AN EXTENDED" and substitute "A THREE-YEAR".

1 Page 12, line 15, after "PLATE" insert "OR DISABLED VETERAN LICENSE
2 PLATE".

3 Page 12, line 18, after "PLATE" insert "OR IDENTIFYING FIGURE FOR A
4 DISABLED VETERAN LICENSE PLATE".

5 Page 12, line 21, strike "BY MAIL" and substitute "AS REQUIRED BY
6 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF
7 SUBSECTION (5) BY MAIL OR A COLORADO DRIVER'S LICENSE, COLORADO
8 IDENTIFICATION DOCUMENT, OR IDENTIFICATION DOCUMENT ISSUED BY
9 THE UNITED STATES".

10 Page 14, line 23, strike "42-4-1208 (7);" and substitute "42-4-1701;".

11 Page 15, strike lines 6 through 10 and substitute:

12 "(f) **Penalties.** (I) A PERSON WHO FAILS TO RETURN A REVOKED
13 IDENTIFYING PLACARD OR PLATE COMMITS A CLASS B TRAFFIC
14 INFRACTION.

15 (II) A PERSON WHO ATTEMPTS TO OBTAIN AN IDENTIFYING PLATE
16 OR PLACARD WHEN UNDER REVOCATION IN ACCORDANCE WITH THIS
17 SUBSECTION (7) IS SUBJECT TO THE PENALTIES IN SECTION 42-4-1701 (4)
18 (a) (VIII)."

19 Page 16, line 4, strike "AVAILABLE FOR PUBLIC USE".

20 Page 17, after line 10, insert:

21 "(e) (I) THE OWNER OF PRIVATE PROPERTY MAY REQUEST THE
22 INSTALLATION OF OFFICIAL SIGNS IDENTIFYING RESERVED PARKING
23 SPACES. THE REQUEST OPERATES AS A WAIVER OF ANY OBJECTION THE
24 OWNER MAY ASSERT CONCERNING ENFORCEMENT OF THIS SECTION BY A
25 PEACE OFFICER. AN OFFICER MAY ENFORCE THIS SECTION ON PRIVATE
26 PROPERTY NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY.

27 (II) A PERSON SHALL NOT IMPOSE RESTRICTIONS ON THE USE OF
28 DISABLED PARKING UNLESS SPECIFICALLY AUTHORIZED BY A STATUTE OF
29 COLORADO OR A RESOLUTION OF OR ORDINANCE OF A POLITICAL
30 SUBDIVISION OF COLORADO AND NOTICE OF THE RESTRICTION IS
31 PROMINENTLY POSTED BY A SIGN CLEARLY VISIBLE AT THE PARKING
32 SPACE."

1 Page 17, line 19, strike "VEHICLE." and substitute "VEHICLE IF THE
2 LICENSE PLATE OR PLACARD IS CURRENTLY VALID OR HAS EXPIRED LESS
3 THAN ONE MONTH BEFORE THE DAY THE PERSON USED THE RESERVED
4 PARKING."

5 Page 18, strike lines 16 through 19 and substitute "PENALTIES IN SECTION
6 42-4-1701 (4) (a) (I) (M).

7 (e) (I) A PERSON WHO VIOLATES PARAGRAPH (a) OF THIS
8 SUBSECTION (3) IS SUBJECT TO THE PENALTIES IN SECTION 42-4-1701 (4)
9 (a) (VII) AND (IX).

10 (II) A PERSON WHO VIOLATES PARAGRAPHS (b) TO (d) OF THIS
11 SUBSECTION (3) IS SUBJECT TO THE PENALTIES IN SECTION 42-4-1701 (4)
12 (a) (I) (M)."

13 Page 19, strike lines 1 through 4 and substitute "THE PENALTIES IN
14 SECTION 42-4-1701 (4) (a) (VII).

15 (5) **Fraud and trafficking.** A PERSON IS SUBJECT TO THE
16 PENALTIES IN SECTION 42-4-1701 (4) (a) (X) IF THE PERSON:".

17 Page 22, after line 15 insert:

18 "(j) IN ORDER TO STOP A VEHICLE FROM BLOCKING ACCESS OR
19 ILLEGALLY USING RESERVED PARKING, A PEACE OFFICER MAY ORDER A
20 VEHICLE THAT IS USED TO VIOLATE THIS SUBSECTION (4) TO BE TOWED TO
21 AN IMPOUND LOT OR A VEHICLE STORAGE LOCATION. THE PEACE OFFICER
22 SHALL VERIFY THAT THE VEHICLE HAS NOT BEEN STOLEN AND REPORT THE
23 FACT OF THE TOW TO THE DEPARTMENT OF REVENUE IN ACCORDANCE WITH
24 SECTION 42-4-1804."

25 Page 22, strike lines 16 through 27.

26 Page 23, strike lines 1 through 24.

27 Page 23, line 25, strike "(8)" and substitute "(k)".

28 Page 26, line 9, strike "(M)" and substitute "(M); and **add** (4) (a) (VIII),
29 (4) (a) (IX), and (4) (a) (X)".

30 Page 27, after line 11 insert:

31 "(VIII) A PERSON WHO VIOLATES SECTION 42-3-204 (7) (f) (II) OR

1 SECTION 42-4-1208 (3) (a) OR (4) COMMITS A MISDEMEANOR AND, UPON
2 CONVICTION, SHALL BE PUNISHED BY A SURCHARGE OF THIRTY-TWO
3 DOLLARS UNDER SECTIONS 24-4.1-119 (1) (f) AND 24-4.2-104 (1) (b) (I),
4 C.R.S., AND:

5 (A) A FINE OF NOT LESS THAN THREE HUNDRED FIFTY DOLLARS
6 BUT NOT MORE THAN ONE THOUSAND DOLLARS FOR THE FIRST OFFENSE;

7 (B) A FINE OF NOT LESS THAN SIX HUNDRED DOLLARS BUT NOT
8 MORE THAN ONE THOUSAND DOLLARS FOR A SECOND OFFENSE; AND

9 (C) A FINE OF NOT LESS THAN ONE THOUSAND DOLLARS BUT NOT
10 MORE THAN FIVE THOUSAND DOLLARS, IN ADDITION TO NOT MORE THAN
11 TEN HOURS OF COMMUNITY SERVICE, FOR A THIRD OR SUBSEQUENT
12 OFFENSE.

13 (IX) A PERSON WHO VIOLATES SECTION 42-4-1208 (3) BY PARKING
14 A VEHICLE OWNED BY A COMMERCIAL CARRIER IS GUILTY OF A
15 MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED BY THE
16 SURCHARGE AND A FINE OF UP TO TWICE THE PENALTY IMPOSED IN
17 SUBPARAGRAPH (VIII) OF THIS PARAGRAPH (a).

18 (X) (A) A PERSON WHO VIOLATES SECTION 42-4-1208 (5) OF THIS
19 SECTION IS GUILTY OF A CLASS 1 MISDEMEANOR AND, UPON CONVICTION,
20 SHALL BE PUNISHED BY AS PROVIDED IN SECTION 18-1.3-501, C.R.S.

21 (B) A PERSON WHO WILLFULLY RECEIVES REMUNERATION FOR
22 VIOLATING SECTION 42-3-1208 (5) IS GUILTY OF A CLASS 1 MISDEMEANOR
23 AND, UPON CONVICTION, SHALL BE PUNISHED BY TWICE THE CIVIL AND
24 CRIMINAL PENALTIES THAT WOULD BE IMPOSED UNDER SECTION
25 18-1.3-501, C.R.S."

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