

Final
STAFF SUMMARY OF MEETING

TRANSPORTATION LEGISLATION REVIEW COMMITTEE

Date: 10/24/2011

Time: **08:58 AM to 10:35 AM**

Place: HCR 0112

This Meeting was called to order by
Representative Vaad

This Report was prepared by
Elizabeth Hanson

ATTENDANCE

Barker	E
Brown	E
Fischer	E
Hamner	*
Jones	X
King S.	X
Looper	E
Priola	X
Ramirez	X
Renfroe	X
Schwartz	X
Scott	X
Spence	E
Tochtrop	X
Tyler	X
Williams A.	E
Williams S.	X
Young	X
Hudak	*
Vaad	X

X = Present, E = Excused, A = Absent, * = Present after roll call

Bills Addressed:	Action Taken:
Bill 8	Forwarded, as amended, to Legislative Council

09:05 AM -- Bill 8

The meeting was called to order, and quorum was present.

Senator Hudak presented Bill 8, which affects the procedures for group special license plates. A copy of the bill is included as Attachment A. The proposed bill requires a nonprofit organization requesting a group special license plate to obtain a notification of approval from the Department of Revenue (DOR) before seeking legislative action to authorize a new license plate. The proposed bill also allows group special license plates and alumni association plates that have not reached the minimum number of plates issued to be made available until the inventory of those plates is exhausted. Mr. Chuck Brackney, representing the Office of Legislative Legal Services (OLLS), explained the bill's provisions.

09:08 AM

Mr. Brackney responded to committee questions about the legislative process, and he noted that the group would have to obtain approval from the DOR before moving forward with legislation. Committee discussion ensued about this process.

Mr. Mike Dixon, representing DOR, testified and explained that a nonprofit would complete an application, and 3,000 signatures would still be required. Mr. Dixon stated that the department would issue an approval notification letter. He responded to committee questions about the current fee for executing a design for a group license plate.

09:14 AM

Senator Hudak stated that current law already contains certain requirements and that the proposed bill would make the process of approving special license plates more efficient. Committee members discussed potential changes to the term "notification of approval" in the proposed bill.

09:16 AM

The committee briefly recessed.

09:22 AM

The committee reconvened.

Senator Hudak explained suggested changes to the proposal. Committee members raised questions about the current fees for special license plates, and Mr. Dixon stated that the department does not anticipate increases in current fees. Mr. Dixon explained that the \$200 fee generates revenue that is transferred to the Department of Corrections for the license plate design. Committee discussion continued about current fees for license plates, and Senator Hudak discussed the costs of producing license plates to taxpayers.

09:28 AM

No one signed up to testify, and public testimony was closed. The bill was placed on the table for action.

BILL:	Bill 8	
TIME:	09:29:29 AM	
MOVED:	Hudak	
MOTION:	Adopt Amendment 2 (Attachment B) as amended to Bill 8. The committee discussed motion. After discussion, the motion was withdrawn.	
SECONDED:	Williams S.	
		VOTE
	Barker	Excused
	Brown	Excused
	Fischer	Excused
	Hamner	
	Jones	
	King S.	
	Looper	Excused
	Priola	
	Ramirez	
	Renfroe	
	Schwartz	
	Scott	
	Spence	Excused
	Tochtrop	
	Tyler	
	Williams A.	Excused
	Williams S.	
	Young	
	Hudak	
	Vaad	
Not Final YES: 0 NO: 0 EXC: 6 ABS: 0 FINAL ACTION:		

BILL:	Bill 8	
TIME:	10:09:03 AM	
MOVED:	Schwartz	
MOTION:	Adopt an Amendment to Amendment 2 (Attachment B). On line 6, strike "THE CURRENT," and line 7, strike "MATERIAL COST FOR THE PLATES FROM THE NONPROFIT ORGANIZATION OR". The motion passed without objection.	
SECONDED:	Hudak	
		VOTE
	Barker	Excused
	Brown	Excused
	Fischer	Excused
	Hamner	
	Jones	
	King S.	
	Looper	Excused
	Priola	
	Ramirez	
	Renfroe	
	Schwartz	
	Scott	
	Spence	Excused
	Tochtrop	
	Tyler	
	Williams A.	Excused
	Williams S.	
	Young	
	Hudak	
	Vaad	
Not Final YES: 0 NO: 0 EXC: 6 ABS: 0 FINAL ACTION: Pass Without Objection		

BILL:	Bill 8	
TIME:	09:42:04 AM	
MOVED:	Hudak	
MOTION:	Adopt an amendment to Bill 8, page 2, line 7, strike "AN APPROVAL," and insert "WRITTEN," line 7, strike "LETTER," and line 8 after revenue, insert "THAT THE GROUP HAS COMPLIED WITH THE REQUIREMENTS FOR A SPECIAL LICENSE PLATE". The motion passed without objection.	
SECONDED:	Ramirez	
		VOTE
	Barker	Excused
	Brown	Excused
	Fischer	Excused
	Hamner	
	Jones	
	King S.	
	Looper	Excused
	Priola	
	Ramirez	
	Renfroe	
	Schwartz	
	Scott	
	Spence	Excused
	Tochtrop	
	Tyler	
	Williams A.	Excused
	Williams S.	
	Young	
	Hudak	
	Vaad	
Not Final YES: 0 NO: 0 EXC: 6 ABS: 0 FINAL ACTION: Pass Without Objection		

BILL:	Bill 8	
TIME:	10:12:36 AM	
MOVED:	Hudak	
MOTION:	Adopt Amendment 3 (Attachment C) to Bill 8. After committee discussion, the motion passed without objection.	
SECONDED:	Tyler	
		VOTE
	Barker	Excused
	Brown	Excused
	Fischer	Excused
	Hamner	
	Jones	
	King S.	
	Looper	Excused
	Priola	
	Ramirez	
	Renfroe	
	Schwartz	
	Scott	
	Spence	Excused
	Tochtrop	
	Tyler	
	Williams A.	Excused
	Williams S.	
	Young	
	Hudak	
	Vaad	
Not Final YES: 0 NO: 0 EXC: 6 ABS: 0 FINAL ACTION: Pass Without Objection		

10:12 AM

The committee briefly recessed and reconvened at 10:12 AM.

BILL:	Bill 8	
TIME:	10:19:26 AM	
MOVED:	Hudak	
MOTION:	Move that Bill 8, as amended, be included as one of the bills forwarded to Legislative Council. The motion passed on a 10-4 roll call vote, with 6 excused.	
SECONDED:	Williams S.	
		VOTE
	Barker	Excused
	Brown	Excused
	Fischer	Excused
	Hamner	Yes
	Jones	Yes
	King S.	Yes
	Looper	Excused
	Priola	No
	Ramirez	Yes
	Renfroe	No
	Schwartz	Yes
	Scott	No
	Spence	Excused
	Tochtrop	Yes
	Tyler	Yes
	Williams A.	Excused
	Williams S.	Yes
	Young	Yes
	Hudak	Yes
	Vaad	No
Final YES: 10 NO: 4 EXC: 6 ABS: 0 FINAL ACTION: PASS		

10:34 AM

It was requested that the bill begin in the Senate and Senator Hudak and Senator Spence be listed as prime sponsors. Representative Hamner requested to be listed as a sponsor in the House of Representatives.

10:35 AM

The committee adjourned.

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

Attachment A

10.18.11

BILL 8

Temporary storage location: C:\temp\12-0214_02_wpd.tmp

LLS NO. 12-0214.02 Chuck Brackney x2295

INTERIM COMMITTEE BILL

Transportation Legislation Review Committee

SHORT TITLE: "Group Special License Plate Procedure"

A BILL FOR AN ACT

101 **CONCERNING THE STANDARDIZATION OF THE PROCEDURAL**
102 **REQUIREMENTS FOR THE ISSUANCE OF SPECIAL LICENSE PLATES.**

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>.)

Transportation Legislation Review Committee. The bill requires a nonprofit organization requesting a group special license plate to obtain a notification of approval from the department of revenue before seeking legislative action to authorize the new license plate. The bill also allows group special license plates and alumni association plates that have

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

not reached the minimum number of plates issued to be made available until the inventory of those plates is exhausted.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-3-207, **add** (5)
3 and (6) as follows:

4 **42-3-207. Special plates - rules - new plates - retirement.**

5 (5) BEFORE SEEKING LEGISLATIVE ACTION TO AUTHORIZE A NEW GROUP
6 SPECIAL LICENSE PLATE, THE NONPROFIT ORGANIZATION REQUESTING THE
7 NEW PLATE SHALL OBTAIN AN APPROVAL NOTIFICATION LETTER FROM THE
8 DIRECTOR OF THE DEPARTMENT OF REVENUE.

9 (6) THE REMAINING INVENTORY OF ANY GROUP SPECIAL LICENSE
10 PLATE OR ALUMNI ASSOCIATION LICENSE PLATE THAT HAS NOT BEEN
11 ISSUED TO THE MINIMUM NUMBER OF VEHICLES SPECIFIED IN LAW MAY
12 CONTINUE TO BE ISSUED UNTIL THE INVENTORY OF THE PLATES IS
13 EXHAUSTED.

14 **SECTION 2. Safety clause.** The general assembly hereby finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, and safety.

LLS No. 12-0214_BILL 8_AMENDMENT #2
INTERIM COMMITTEE AMENDMENT
Transportation Legislation Review Committee
BY SENATOR Hudak
LLS No. 12-0214 be amended as follows:

- 1 Amend LLS No. 12-0214.02, line 2, strike "(5)" and substitute "(5), (6),
2 and (7)".
- 3 Page 2, line 3, strike "and (6)".
- 4 Page 2, before line 9, insert:
5 "(6) THE DEPARTMENT MAY BEGIN THE MANUFACTURE OF A GROUP
6 SPECIAL LICENSE PLATE ONLY AFTER IT HAS RECEIVED THE CURRENT
7 MATERIAL COST FOR THE PLATES FROM THE NONPROFIT ORGANIZATION OR
8 A GUARANTEE FROM THE NONPROFIT ORGANIZATION THAT IT WILL
9 REIMBURSE THE DEPARTMENT FOR THE COST OF ANY UNISSUED PLATES BY
10 THE APPLICABLE DATE FOR THE ISSUANCE OF A MINIMUM NUMBER OF
11 PLATES SPECIFIED IN THE SECTION AUTHORIZING THAT GROUP SPECIAL
12 LICENSE PLATE. THE MONEYS COLLECTED IN ADVANCE ARE HEREBY
13 CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE PURPOSE OF
14 MANUFACTURING THE CORRESPONDING GROUP SPECIAL LICENSE PLATE.
15 THE DEPARTMENT SHALL DEPOSIT ANY MONEYS COLLECTED PURSUANT TO
16 THIS SUBSECTION (6) IN THE LICENSE PLATE CASH FUND CREATED IN
17 SECTION 42-3-301."
- 18 Renumber succeeding subsection accordingly.

** *** ** *** **



LLS No. 12-0214_BILL 8_AMENDMENT #3
INTERIM COMMITTEE AMENDMENT
Transportation Legislation Review Committee
BY SENATOR Hudak
LLS No. 12-0214 be amended as follows:

1 Amend LLS No. 12-0214.02, page 2, line 2, after "42-3-207," insert
2 "amend (3); repeal (2); and".

3 Page 2, strike line 5 and substitute:

4 "~~(2) Before a bill is introduced in the general assembly that contains, or~~
5 ~~any bill is amended to contain, a provision that establishes a new category~~
6 ~~or type of group special license plate, the person, group, or association~~
7 ~~proposing the special license plate shall submit to the department a~~
8 ~~proposal for a group special license plate and certify that at least three~~
9 ~~thousand of such special plates are to be issued within one year after the~~
10 ~~authorization of such plates. The department shall verify that any~~
11 ~~proposed group special license plates meet the three-thousand-plate~~
12 ~~requirement:~~

13 (3) ~~A group special license plate shall not be issued.~~ THE
14 DEPARTMENT SHALL NOT ISSUE AN APPROVAL NOTIFICATION LETTER to
15 any business entity conducted for profit.

16 (5) BEFORE SEEKING LEGISLATIVE ACTION TO AUTHORIZE A NEW
17 GROUP".

18 Page 2, after line 13, insert:

19 "SECTION 2. In Colorado Revised Statutes, 42-3-208, repeal (1)
20 (a) and (1) (d) as follows:

21 **42-3-208. Special plates - qualifications for issuance of special**
22 **license plates.** (1) The following special license plates created by rule
23 by the department under section 42-3-207, as such section existed when
24 the plates were created, shall be subject to the requirement so specified:

25 (a) ~~The department or an authorized agent shall not issue a Denver~~
26 ~~firefighters' special license plate to an applicant until such applicant has~~
27 ~~provided to the department or an authorized agent sufficient evidence to~~
28 ~~demonstrate that the applicant is an active or retired Denver firefighter.~~

29 (d) ~~The department or an authorized agent shall not issue an Elks~~
30 ~~special license plate to an applicant until such applicant has provided to~~



1 the department or an authorized agent sufficient evidence to demonstrate
2 that the applicant is a member of the Benevolent and Protective Order of
3 Elks:

4 **SECTION 3.** In Colorado Revised Statutes, 42-3-223, amend (2)
5 as follows:

6 **42-3-223. Special plates - support the troops - retirement.**
7 (2) There is hereby established the United States support the troops
8 special license plate. The plate shall be the design that was submitted to
9 the department during the proposal and certification process under section
10 ~~42-3-207 (2)~~, except that The plate shall conform with standards
11 established by the department, and the plate shall feature the statement
12 "Support The Troops".

13 **SECTION 4.** In Colorado Revised Statutes, 42-3-231, amend (2)
14 as follows:

15 **42-3-231. Special plates - Colorado ski country.** (2) Colorado
16 ski country USA, inc., may design the special license plates. The design
17 that was submitted to the department during the proposal and certification
18 process under section ~~42-3-207 (2)~~ shall be used for the special license
19 plate, except that The plate shall conform with standards established by
20 the department and be subject to approval by the department. The plate
21 shall feature the tagline "Ski Country USA".

22 Renumber succeeding section accordingly.

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