

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

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BILL 1

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LLS NO. 12-0150.03 Jery Payne x2157

INTERIM COMMITTEE BILL

Transportation Legislation Review Committee

SHORT TITLE: "Multi-year Class A Trailer Registration"

DEADLINES: File by: 9/30/2011

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A MULTI-YEAR REGISTRATION FOR**
102 **CLASS A TRAILERS.**

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. Section 1 of the bill makes a legislative declaration. **Section 2** creates an alternate registration for interstate, commercial trailers and semitrailers if the owner is based in a jurisdiction other than Colorado. The registration does not expire. The department of revenue (department) will periodically

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

verify that the trailer is still owned by the registrant. The registration sunsets in 2015, but the department will issue a report in 2014, including the registration's cost-effectiveness and whether to extend it.

Section 3 sets the specific ownership tax at \$95.50. **Section 4** sets the registration fee at \$24.50. Of the fee, the department or authorized agent that registers the vehicle retains \$2.00, the county gets \$1.50 for the county road and bridge fund, the statewide bridge enterprise special revenue fund is credited with \$5.00, the Colorado state titling and registration account is credited with \$0.50, the license plate cash fund is credited with \$2.50, and the highway users tax fund is credited with \$13.00.

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

SECTION 1. Legislative declaration. (1) (a) The general assembly hereby determines that the restoration of Colorado's economy is one of the most critical tasks it must consider. To that end, Colorado needs to remain competitive with the western United States and the nation. An emerging issue dealing with the registration of commercial vehicles in Colorado threatens the state's competitiveness. Under current law and regulations, interstate commercial trailers can be licensed in any state regardless of whether the owner resides in that state. Twenty-six states have created some version of a permanent commercial trailer plate for commercial trailers.

(b) Permanent commercial trailer plates offer several advantages to the enacting state and to trailer owners. States enjoy the reduction in workload as a permanent plate does not need to be processed yearly and most states collect higher revenues with the initial registration because of the projected term of use. The transportation industry benefits as they do not have to locate their trailers across the nation each year to replace the registration on that trailer and they can shop for the best possible pricing in the many states that offer these permanent plate options. In Colorado,

1 the cost of commercial trailer registration is significantly higher than
2 other states.

3 (2) The general assembly finds that there has been a decrease in
4 both interstate truck and trailer registrations in Colorado over the past five
5 years. The Colorado transportation industry reports a significant reduction
6 not only in registrations and sales of commercial vehicles and trailers but
7 the loss of thousands of jobs as well. The general assembly therefore
8 seeks to create a competitive process for the registration of interstate
9 commercial trailers in Colorado to generate new revenue for Colorado by
10 drawing registrations from other states with a permanent trailer
11 registration option in Colorado.

12 (3) The general assembly finds that this legislation begins to
13 address major policy issues dealing with the transportation industry in
14 Colorado and helps to take a small step towards making Colorado
15 competitive in the interstate transportation industry. This legislation
16 honors the reality of our current budget situation in Colorado while
17 moving into program options that both generate new revenue for
18 Colorado and help to retain current revenue from the trailer registrations.

19 **SECTION 2.** In Colorado Revised Statutes, 42-3-102, **add** (4) as
20 follows:

21 **42-3-102. Periodic registration - repeal.** (4) (a) IN LIEU OF
22 REGISTERING UNDER SUBSECTIONS (1) TO (3) OF THIS SECTION, AN
23 APPLICANT MAY REGISTER A COMMERCIAL TRAILER OR SEMITRAILER
24 UNDER THIS SUBSECTION (4) IF:

25 (I) THE TRAILER OR SEMITRAILER QUALIFIES AS CLASS A
26 PERSONAL PROPERTY;

27 (II) THE OWNER IS BASED OUTSIDE COLORADO IN ACCORDANCE

1 WITH THE INTERNATIONAL REGISTRATION PLAN; AND

2 (III) THE OWNER COMPLIES WITH THIS SECTION AND SECTIONS
3 42-3-107 (28) AND 42-3-313.

4 (b) A TRAILER OR SEMITRAILER REGISTRATION ISSUED UNDER THIS
5 SUBSECTION (4) DOES NOT EXPIRE EXCEPT WHEN THE VEHICLE CHANGES
6 OWNERSHIP IN ACCORDANCE WITH THIS ARTICLE.

7 (c) THE DEPARTMENT SHALL ISSUE A LICENSE PLATE TO A TRAILER
8 OR SEMITRAILER REGISTERED UNDER THIS SUBSECTION (4), BUT A
9 VALIDATING STICKER OR TAB IS NOT ISSUED NOR REQUIRED FOR THE
10 LICENSE PLATE.

11 (d) THE DEPARTMENT SHALL PERIODICALLY VERIFY THAT
12 OWNERSHIP OF A TRAILER OR SEMITRAILER REGISTERED UNDER THIS
13 SUBSECTION (4) HAS NOT CHANGED. THE DEPARTMENT MAY CANCEL THE
14 REGISTRATION OF A TRAILER OR SEMITRAILER IF THE OWNER FAILS TO
15 CONFIRM OWNERSHIP OF THE TRAILER OR SEMITRAILER WITHIN THIRTY
16 DAYS AFTER VERIFICATION IS REQUESTED. THE DEPARTMENT MAY
17 DETERMINE THE FREQUENCY OF THE VERIFICATION.

18 (e) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE OR
19 ARTICLE 6 OF THIS TITLE, A PERSON MAY REGISTER A TRAILER OR
20 SEMITRAILER UNDER THIS SUBSECTION (4) WITH A VALID CERTIFICATE OF
21 TITLE FROM ANOTHER JURISDICTION OF THE UNITED STATES WITHOUT
22 FILING FOR A CERTIFICATE OF TITLE IN COLORADO.

23 (f) THE DEPARTMENT SHALL ISSUE A REPORT TO THE
24 TRANSPORTATION LEGISLATION REVIEW COMMITTEE CREATED IN SECTION
25 43-2-145, C.R.S., BY JULY 1, 2014, DETAILING THE NUMBER OF TRAILERS
26 AND SEMITRAILERS REGISTERED UNDER THIS SUBSECTION (4) AND MAKING
27 RECOMMENDATIONS AS TO THE COST-EFFECTIVENESS OF THE PERMANENT

1 REGISTRATION AND WHETHER TO EXTEND THIS SUBSECTION (4) AND
2 SECTIONS 42-3-107 (28) AND 42-3-313.

3 (g) THE DEPARTMENT SHALL STOP REGISTERING TRAILERS AND
4 SEMITRAILERS UNDER THIS SUBSECTION (4) AFTER SEPTEMBER 1, 2015,
5 BUT ANY REGISTRATION ALREADY ISSUED DOES NOT EXPIRE EXCEPT IN
6 ACCORDANCE WITH THIS SUBSECTION (4).

7 (h) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE SEPTEMBER 1,
8 2025.

9 **SECTION 3.** In Colorado Revised Statutes, 42-3-107, **add** (28)
10 as follows:

11 **42-3-107. Taxable value of classes of property - rate of tax -**
12 **when and where payable - department duties - apportionment of tax**
13 **collections - definitions - repeal.** (28) (a) THE PREPAID ANNUAL
14 SPECIFIC OWNERSHIP TAX FOR A REGISTRATION ISSUED UNDER SECTION
15 42-3-102 (4) IS NINETY-FIVE DOLLARS AND FIFTY CENTS.

16 (b) THIS SUBSECTION (28) IS REPEALED, EFFECTIVE JULY 1, 2015.

17 **SECTION 4.** In Colorado Revised Statutes, **add** 42-3-313 as
18 follows:

19 **42-3-313. Fee for long-term or permanent registration -**
20 **trailers and semitrailers - repeal.** (1) IN LIEU OF ANY OTHER FEE
21 IMPOSED FOR REGISTRATION, THE FEE FOR REGISTRATION ISSUED UNDER
22 SECTION 42-3-102 (4) IS TWENTY-FOUR DOLLARS AND FIFTY CENTS.

23 (2) (a) THE DEPARTMENT OR AUTHORIZED AGENT WHO
24 REGISTERED THE COMMERCIAL TRAILER OR SEMITRAILER MAY RETAIN TWO
25 DOLLARS OF THE REGISTRATION FEE.

26 (b) THE DEPARTMENT OR AUTHORIZED AGENT SHALL RETAIN ONE
27 DOLLAR AND FIFTY CENTS OF THE FEE, WHICH THE DEPARTMENT SHALL

1 TRANSFER TO THE COUNTY, IF APPLICABLE, AND THE COUNTY SHALL
2 ALLOCATE TO THE COUNTY ROAD AND BRIDGE FUND.

3 (c) THE DEPARTMENT SHALL TRANSFER THE REMAINDER OF THE
4 FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FOLLOWING
5 AMOUNTS TO THE FOLLOWING FUNDS:

6 (I) FIFTY CENTS TO THE COLORADO STATE TITLING AND
7 REGISTRATION ACCOUNT CREATED IN SECTION 42-1-211 (2) WITHIN THE
8 HIGHWAY USERS TAX FUND;

9 (II) TWO DOLLARS AND FIFTY CENTS TO THE LICENSE PLATE CASH
10 FUND CREATED IN SECTION 42-3-301 (1) (b);

11 (III) FIVE DOLLARS TO THE STATEWIDE BRIDGE ENTERPRISE
12 SPECIAL REVENUE FUND CREATED IN SECTION 43-4-805 (3) (a), C.R.S.;
13 AND

14 (IV) THE REMAINDER OF THE FEE TO THE HIGHWAY USERS TAX
15 FUND.

16 (3) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2015.

17 **SECTION 5. Act subject to petition - effective date -**
18 **applicability.** (1) This act shall take effect at 12:01 a.m. on the day
19 following the expiration of the ninety-day period after final adjournment
20 of the general assembly (August 7, 2012, if adjournment sine die is on
21 May 9, 2012); except that, if a referendum petition is filed pursuant to
22 section 1 (3) of article V of the state constitution against this act or an
23 item, section, or part of this act within such period, then the act, item,
24 section, or part shall not take effect unless approved by the people at the
25 general election to be held in November 2012 and shall take effect on the
26 date of the official declaration of the vote thereon by the governor.

1 (2) The provisions of this act shall apply to registrations issued
2 and registration applications made on or after January 1, 2013.