

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

BILL A

LLS NO. 14-0229.01 Jery Payne

HOUSE BILL

HOUSE SPONSORSHIP

Primavera, Kraft-Tharp, Lee, Mitsch Bush, Peniston, Tyler

SENATE SPONSORSHIP

Todd, Heath, Jones

House Committees

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A RECODIFICATION OF THE LAWS GOVERNING RESERVED
102 PARKING FOR PERSONS WITH DISABILITIES.

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 recodifies the disabled parking statutes to clarify that:

- The Colorado advisory council for persons with disabilities may implement an education program;
- A person may get personalized license plates with an

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.

- identifying figure;
- The department of revenue places a "C" on the registration of the parent of a child who is mobility-impaired and has a license plate granting reserved parking;
- If an entity transports mobility-impaired people, the entity must provide a driver's license or identification document of its executive director or chief executive officer;
- When a person uses a disabled placard, the placard must be visible through the windshield and hung on the rear-view mirror or placed on the dashboard;
- An applicant for a license plate or placard with the identifying figure must sign an affidavit that the person for whom it is issued is eligible;
- Reserved parking signs must conform to the requirements of the "Americans with Disabilities Act";
- The chief officer and the employee of a company that violates disabled parking law are each individually liable; and
- The prohibition against using reserved parking for commercial purposes does not apply when the owner of the business consents to the use.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-1-227, **amend** (1)

3 (a) as follows:

4 **42-1-227. Disabled parking education program.** (1) Subject to
 5 the availability of funds appropriated under section 42-1-226, the
 6 Colorado advisory council for persons with disabilities, created in section
 7 24-45.5-103, C.R.S.:

8 (a) May make grants or develop, IMPLEMENT, or deliver education
 9 programs for the purpose of providing peace officers, local governments,
 10 medical providers, drivers, and persons with disabilities with education
 11 concerning eligibility standards for RESERVED parking ~~privileges~~
 12 available to a person with a disability affecting mobility, appropriate use
 13 of the RESERVED parking, ~~privileges~~, the legal standards and violations

1 contained in sections 42-3-204 and 42-4-1208, and the advantages of
2 creating a volunteer enforcement program; and

3 **SECTION 2.** In Colorado Revised Statutes, **repeal and reenact,**
4 **with amendments,** 42-3-204 as follows:

5 **42-3-204. Reserved parking for persons with disabilities -**
6 **applicability - definitions - rules. (1) Definitions.** AS USED IN THIS
7 SECTION:

8 (a) "DISABILITY" OR "DISABLED" MEANS A PHYSICAL IMPAIRMENT
9 THAT MEETS THE STANDARDS OF 23 CFR 1235.

10 (b) "EXTENDED" MEANS A CONDITION THAT IS NOT EXPECTED TO
11 CHANGE WITHIN THIRTY MONTHS AFTER THE ISSUANCE OF AN IDENTIFYING
12 FIGURE, GIVEN THE CURRENT STATE OF MEDICAL OR ADAPTIVE
13 TECHNOLOGY.

14 (c) "IDENTIFICATION NUMBER" MEANS THE NUMBER ON A
15 COLORADO DRIVER'S LICENSE, A COLORADO IDENTIFICATION DOCUMENT,
16 OR AN IDENTIFICATION DOCUMENT ISSUED BY THE UNITED STATES.

17 (d) "IDENTIFYING FIGURE" MEANS A FIGURE THAT PROVIDES
18 NOTICE THAT A PERSON IS AUTHORIZED TO USE A RESERVED PARKING
19 SPACE.

20 (e) "IDENTIFYING PLACARD" MEANS A PLACARD BEARING AN
21 IDENTIFYING FIGURE ISSUED UNDER THIS SECTION OR A SIMILAR PROVISION
22 IN ANOTHER STATE AND REFERS TO A TEMPORARY, EXTENDED, OR
23 PERMANENT PLACARD.

24 (f) "IDENTIFYING PLATE" MEANS A LICENSE PLATE BEARING AN
25 IDENTIFYING FIGURE ISSUED UNDER THIS SECTION OR A SIMILAR PROVISION
26 IN ANOTHER STATE AND REFERS TO EITHER AN EXTENDED OR PERMANENT
27 LICENSE PLATE.

1 (g) "PERMANENT" MEANS A CONDITION THAT IS NOT EXPECTED TO
2 CHANGE WITHIN A PERSON'S LIFETIME, GIVEN THE CURRENT STATE OF
3 MEDICAL OR ADAPTIVE TECHNOLOGY.

4 (h) "PROFESSIONAL" MEANS A PHYSICIAN LICENSED TO PRACTICE
5 MEDICINE OR PRACTICING MEDICINE PURSUANT TO SECTION 12-36-106(3)

6 (i), C.R.S., A PHYSICIAN ASSISTANT LICENSED PURSUANT TO SECTION
7 12-36-107.4, C.R.S., A PODIATRIST LICENSED UNDER ARTICLE 32 OF TITLE
8 12, C.R.S., AN ADVANCED PRACTICE NURSE REGISTERED PURSUANT TO
9 SECTION 12-38-111.5, C.R.S., OR A PHYSICIAN, PHYSICIAN ASSISTANT,
10 PODIATRIST, OR ADVANCED PRACTICE NURSE AUTHORIZED TO PRACTICE
11 PROFESSIONALLY BY ANOTHER STATE THAT SHARES A COMMON BORDER
12 WITH COLORADO. FOR THE PURPOSES OF ISSUANCE OF A TEMPORARY
13 PLACARD ONLY, "PROFESSIONAL" INCLUDES A CHIROPRACTOR OR
14 PHYSICAL THERAPIST.

15 (i) "RESERVED PARKING" MEANS A PARKING SPACE RESERVED FOR
16 A PERSON WITH A DISABILITY AS SET FORTH IN PARAGRAPH (a) OF THIS
17 SUBSECTION (1).

18 (j) "TEMPORARY" MEANS A CONDITION THAT IS EXPECTED TO LAST
19 LESS THAN THIRTY MONTHS AFTER THE ISSUANCE OF AN IDENTIFYING
20 PLATE OR PLACARD, GIVEN THE CURRENT STATE OF MEDICAL OR ADAPTIVE
21 TECHNOLOGY.

22 (2) **Administration by the department.** (a) **Records.** THE
23 DEPARTMENT SHALL MAINTAIN IN ITS RECORDS FOR AT LEAST THREE
24 YEARS:

25 (I) THE REGISTRATION INFORMATION USED TO ISSUE AN
26 IDENTIFYING PLATE OR PLACARD;

27 (II) ANY VIOLATIONS OF SECTION 42-4-1208 BY THE HOLDER OF AN

1 IDENTIFYING PLATE OR PLACARD; AND

2 (III) THE APPLICATION FOR AN IDENTIFYING PLATE OR PLACARD OR
3 AN ELECTRONIC OR DIGITAL REPRODUCTION OF THE APPLICATION.

4 (b) **Peace officers may access records.** UPON THE MONEYS BEING
5 AVAILABLE AND APPROPRIATED FROM THE DISABLED PARKING EDUCATION
6 AND ENFORCEMENT FUND CREATED IN SECTION 42-1-226, THE
7 DEPARTMENT SHALL PROVIDE IMMEDIATE ELECTRONIC ACCESS TO THE
8 RECORDS UNDER THIS SUBSECTION (2) TO A PEACE OFFICER WORKING
9 WITHIN THE COURSE AND SCOPE OF THE OFFICER'S OFFICIAL DUTIES.

10 (c) **Records confidential.** IDENTIFYING INFORMATION ABOUT THE
11 PERSON WITH THE DISABILITY FOR WHOM AN IDENTIFYING PLATE OR
12 PLACARD IS ISSUED IS STRICTLY CONFIDENTIAL AND ONLY AVAILABLE TO:

13 (I) A PEACE OFFICER ACTING WITHIN THE COURSE AND SCOPE OF
14 THE OFFICER'S DUTIES; OR

15 (II) PERSONNEL WITHIN THE DEPARTMENT FOR OFFICIAL BUSINESS
16 RELATED TO THE IDENTIFYING PLATE OR PLACARD.

17 (d) **Department to establish forms - rules.** THE DEPARTMENT, IN
18 CONSULTATION WITH THE COLORADO ADVISORY COUNCIL FOR PERSONS
19 WITH DISABILITIES, CREATED IN SECTION 24-45.5-103, C.R.S., SHALL
20 PROMULGATE A RULE CREATING A FORM THAT:

21 (I) MAY BE SIGNED BY A PROFESSIONAL, UNDER PENALTY OF
22 PERJURY, TO AFFIRM THAT AN APPLICANT MEETS THE ELIGIBILITY
23 REQUIREMENTS FOR AN IDENTIFYING PLATE OR PLACARD AND SETTING OUT
24 THE PENALTIES FOR AUTHORIZING AN IDENTIFYING PLATE OR PLACARD
25 WHEN AN APPLICANT IS INELIGIBLE OR BEFORE VERIFYING THAT A PERSON
26 HAS A DISABILITY; AND

27 (II) CONTAINS A NOTICE OF THE ELIGIBILITY REQUIREMENTS TO

1 OBTAIN AN IDENTIFYING PLATE OR PLACARD.

2 (3) **Types of plates or placards.** (a) **Authorization.** THE
3 DEPARTMENT MAY ISSUE THE FOLLOWING DISABLED PLATES AND
4 PLACARDS THAT NOTIFY THE PUBLIC THAT THE VEHICLE TRANSPORTS A
5 PERSON WHO MAY USE RESERVED PARKING:

6 (I) A TEMPORARY IDENTIFYING PLACARD;

7 (II) AN EXTENDED IDENTIFYING PLACARD;

8 (III) A PERMANENT IDENTIFYING PLACARD;

9 (IV) AN EXTENDED IDENTIFYING PLATE;

10 (V) A PERMANENT IDENTIFYING PLATE;

11 (VI) A DISABLED VETERAN LICENSE PLATE WITH AN ADDITIONAL
12 IDENTIFYING FIGURE, AS DETERMINED BY THE DEPARTMENT, TO INDICATE
13 THAT THE OWNER OF THE VEHICLE IS AUTHORIZED TO MAKE USE OF
14 RESERVED PARKING FOR PERSONS WITH DISABILITIES.

15 (b) **Number of placards and license plates allowed.** (I) THE
16 DEPARTMENT MAY ISSUE TWO IDENTIFYING PLACARDS, TWO IDENTIFYING
17 PLATES, OR ONE PLATE AND ONE PLACARD TO AN ELIGIBLE INDIVIDUAL.

18 (II) THE DEPARTMENT MAY ISSUE A DISABLED VETERAN LICENSE
19 PLATE WITH AN ADDITIONAL IDENTIFYING FIGURE AND ONE PLACARD TO
20 AN INDIVIDUAL.

21 (III) THE DEPARTMENT MAY ISSUE ONE IDENTIFYING PLATE OR
22 PLACARD TO EACH PARENT OR GUARDIAN OF A CHILD WITH A DISABILITY
23 WHO IS UNDER SIXTEEN YEARS OF THE AGE.

24 (4) **Cost.** THE COST FOR ISSUANCE OF AN IDENTIFYING PLATE IS
25 THE SAME AS FOR A STANDARD PLATE. THERE IS NO FEE FOR AN
26 IDENTIFYING PLACARD.

27 (5) **Issuance of plate or placard - rules.** (a) **Department to**

1 **issue.** THE DEPARTMENT SHALL ISSUE AN IDENTIFYING PLATE OR PLACARD
2 TO AN APPLICANT THAT PAYS ANY REQUIRED FEES AND IS QUALIFIED FOR
3 THE PLATE OR PLACARD UNDER PARAGRAPH (h) OF THIS SUBSECTION (5).

4 (b) **Identification number on placard.** THE DEPARTMENT SHALL
5 PLACE THE LAST FOUR DIGITS OF THE HOLDER'S IDENTIFICATION NUMBER
6 ON THE FACE OF AN IDENTIFYING PLACARD. IF AN ENTITY THAT
7 TRANSPORTS PERSONS WITH DISABILITIES OBTAINS A PLACARD, THE
8 PLACARD SHALL BEAR THE TRUE NAME OF THE ENTITY PROVIDING THE
9 SERVICE RATHER THAN THE IDENTIFICATION NUMBER.

10 (c) **Expiration date on placard.** THE DEPARTMENT SHALL PLACE
11 THE EXPIRATION DATE ON AN IDENTIFYING PLACARD USING A DATE
12 SYSTEM THAT REMOVES A PORTION OF THE PLACARD TO INDICATE THE
13 EXPIRATION DATE. THE DEPARTMENT SHALL AFFIX TO AN IDENTIFYING
14 PLACARD A VALIDATING STICKER INDICATING THE EXPIRATION DATE.

15 (d) **Department to give notice of rights and responsibilities.**
16 WHEN A PERSON FILES AN APPLICATION FOR ISSUANCE OR RENEWAL OF AN
17 IDENTIFYING PLATE OR PLACARD UNDER THIS SECTION, THE DEPARTMENT
18 SHALL PROVIDE TO THE APPLICANT AN INFORMATIONAL PAMPHLET OR
19 OTHER INFORMATIONAL SOURCE THAT DESCRIBES RESERVED PARKING AND
20 THE RIGHTS AND RESPONSIBILITIES OF THE HOLDERS OF IDENTIFYING
21 PLATES OR PLACARDS. THE PAMPHLET OR OTHER INFORMATIONAL SOURCE
22 SHALL BE DEVELOPED BY THE DEPARTMENT IN CONSULTATION WITH THE
23 COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES, CREATED
24 IN SECTION 24-45.5-103, C.R.S.

25 (e) **Personalized and other specialty plates authorized.** AN
26 APPLICANT MAY APPLY FOR A PERSONALIZED IDENTIFYING PLATE. UPON
27 PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6) (a)

1 FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE SUCH
2 PLATES IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN
3 APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR
4 VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS
5 OR NUMBERS TO A NEW SET OF IDENTIFYING PLATES FOR THE VEHICLE
6 UPON PAYMENT OF THE FEE IMPOSED BY SECTION 42-3-211 (6) AND UPON
7 TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO
8 HAS OBTAINED PERSONALIZED IDENTIFYING PLATES UNDER THIS
9 PARAGRAPH (e) SHALL PAY THE ANNUAL FEE IMPOSED BY SECTION
10 42-3-211 (6) (b) FOR RENEWAL OF PERSONALIZED PLATES. THE FEES
11 UNDER THIS PARAGRAPH (e) ARE IN ADDITION TO ALL OTHER TAXES AND
12 FEES IMPOSED FOR PERSONALIZED IDENTIFYING PLATES.

13 (f) **Trusts may use.** A PERSON MAY USE AN IDENTIFYING PLATE OR
14 PLACARD ON A MOTOR VEHICLE THAT IS OWNED BY A TRUST CREATED FOR
15 THE BENEFIT OF AND IN THE NAME OF A PERSON WHO IS ELIGIBLE FOR
16 RESERVED PARKING.

17 (g) **Placards and license plates issued by other states.** AN
18 IDENTIFYING PLACARD ISSUED IN ANOTHER STATE OR COUNTRY IS NOT
19 VALID FOR MORE THAN NINETY DAYS AFTER THE HOLDER BECOMES A
20 RESIDENT OF COLORADO. A PERSON MUST SURRENDER ANY CURRENTLY
21 HELD IDENTIFYING PLACARD ISSUED IN ANOTHER STATE OR COUNTRY TO
22 BE ISSUED AN IDENTIFYING PLACARD IN COLORADO.

23 (h) **Requirements for issuance of identifying placards or**
24 **plates.** (I) TO QUALIFY FOR AN IDENTIFYING PLACARD OR PLATE, AN
25 INDIVIDUAL MUST SUBMIT:

26 (A) A WRITTEN STATEMENT, MADE BY A PROFESSIONAL ON A FORM
27 PUBLISHED BY THE DEPARTMENT, THAT THE PERSON HAS A PHYSICAL

1 IMPAIRMENT MEETING THE STANDARDS OF 23 CFR 1235 AND THAT THE
2 IMPAIRMENT IS EXPECTED TO BE TEMPORARY, LAST THIRTY MONTHS, OR
3 BE PERMANENT, AS THE CASE MAY BE;

4 (B) A SIGNED AFFIDAVIT AFFIRMING: KNOWLEDGE OF THE
5 ELIGIBILITY REQUIREMENTS; THAT THE PERSON TO WHOM THE PLACARD OR
6 PLATE IS ISSUED IS AND REMAINS ELIGIBLE TO USE THE PLACARD OR PLATE;
7 AND KNOWLEDGE OF THE PENALTIES FOR OBTAINING A PLATE OR PLACARD
8 WHEN INELIGIBLE; AND

9 (C) A COLORADO DRIVER'S LICENSE OR IDENTIFICATION
10 DOCUMENT, OR AN IDENTIFICATION DOCUMENT ISSUED BY THE UNITED
11 STATES GOVERNMENT, FOR THE PERSON WHO IS ENTITLED TO USE
12 RESERVED PARKING.

13 (II) TO QUALIFY FOR A TEMPORARY IDENTIFYING PLACARD, A
14 RESIDENT OF ANOTHER STATE WHO BECOMES DISABLED WHILE IN THIS
15 STATE MUST SUBMIT A DRIVER'S LICENSE OR IDENTIFICATION DOCUMENT
16 ISSUED BY THE STATE OF RESIDENCE OR THE UNITED STATES
17 GOVERNMENT ALONG WITH THE DOCUMENTS REQUIRED BY
18 SUB-SUBPARAGRAPHS (A) AND (B) OF SUBPARAGRAPH (I) OF THIS
19 PARAGRAPH (h).

20 (III) A PLACARD ISSUED FOR A PERSON UNDER SIXTEEN YEARS OF
21 AGE MAY BEAR THE PARENT'S OR GUARDIAN'S IDENTIFICATION NUMBER IN
22 LIEU OF THE HOLDER'S NUMBER. IF THE PLACARD BEARS THE LAST FOUR
23 DIGITS OF A PARENT'S OR GUARDIAN'S IDENTIFICATION NUMBER, THE
24 DEPARTMENT SHALL ALSO PLACE THE LETTER "C" AS A DESIGNATOR ON
25 THE PLACARD.

26 (IV) A STATE AGENCY OR BUSINESS ENTITY THAT TRANSPORTS
27 PERSONS WITH DISABILITIES MAY OBTAIN A PERMANENT IDENTIFYING

1 PLATE OR PLACARD FOR RESERVED PARKING. TO QUALIFY FOR AN
2 EXTENDED OR PERMANENT IDENTIFYING PLATE OR PLACARD, THE AGENCY
3 OR BUSINESS ENTITY MUST:

- 4 (A) SHOW THAT IT TRANSPORTS PERSONS WITH DISABILITIES;
- 5 (B) PROVIDE A DRIVER'S LICENSE OR IDENTIFICATION DOCUMENT
6 OF ITS EXECUTIVE DIRECTOR OR CHIEF EXECUTIVE OFFICER;
- 7 (C) PROVIDE ITS EMPLOYEE IDENTIFICATION NUMBER; AND
- 8 (D) PROVIDE ANY OTHER INFORMATION REQUIRED BY THE
9 DEPARTMENT BY RULE.

10 (i) **Requirements for identifying figure on disabled veteran**
11 **license plate.** TO QUALIFY FOR A DISABLED VETERAN LICENSE PLATE WITH
12 AN IDENTIFYING FIGURE, THE APPLICANT MUST QUALIFY FOR A
13 PERMANENT IDENTIFYING PLATE UNDER SUBPARAGRAPH (I) OF
14 PARAGRAPH (h) OF THIS SUBSECTION (5) AND MEET THE ELIGIBILITY
15 CRITERIA IN SECTION 42-3-213 (5) FOR A DISABLED VETERAN LICENSE
16 PLATE. A DISABLED VETERAN LICENSE PLATE WITH AN IDENTIFYING
17 FIGURE EXPIRES IN ACCORDANCE WITH THE SCHEDULE ESTABLISHED BY
18 THE DEPARTMENT FOR PERIODIC REGISTRATION UNDER SECTION 42-3-102
19 (1) (a). EVERY NINE YEARS, THE HOLDER MAY RESUBMIT THE STATEMENT
20 REQUIRED IN SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF
21 PARAGRAPH (h) OF THIS SUBSECTION (5) TO RENEW THE LICENSE PLATE.

22 (6) **Expiration and renewal.** (a) **Temporary placards.** A
23 TEMPORARY IDENTIFYING PLACARD EXPIRES ON THE LAST DAY OF THE
24 MONTH IN WHICH THE NINETIETH DAY AFTER ISSUANCE OCCURS. THE
25 HOLDER MAY APPLY FOR OR RENEW THE PLACARD BY MEETING THE
26 REQUIREMENTS OF PARAGRAPH (h) OF SUBSECTION (5) OF THIS SECTION TO
27 QUALIFY FOR THE PLACARD.

1 **(b) Extended placards.** AN EXTENDED IDENTIFYING PLACARD
2 EXPIRES ON THE LAST DAY OF THE THIRTY-SIXTH FULL MONTH AFTER THE
3 DATE OF ISSUANCE OR RENEWAL. THE HOLDER MAY APPLY FOR OR RENEW
4 THE PLACARD BY MEETING THE REQUIREMENTS OF SUBPARAGRAPH (I) OF
5 PARAGRAPH (h) OF SUBSECTION (5) OF THIS SECTION TO QUALIFY FOR THE
6 PLACARD.

7 **(c) Permanent placards. (I)** A PERMANENT IDENTIFYING
8 PLACARD EXPIRES ON THE LAST DAY OF THE THIRTY-SIXTH FULL MONTH
9 AFTER THE DATE OF ISSUANCE OR RENEWAL. THE HOLDER MAY RENEW THE
10 PLACARD BY SUBMITTING:

11 **(A)** A WRITTEN STATEMENT REQUIRED BY SUB-SUBPARAGRAPH (A)
12 OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF SUBSECTION (5) OF THIS
13 SECTION TO QUALIFY FOR THE PLACARD BY MAIL OR A COLORADO
14 DRIVER'S LICENSE, A COLORADO IDENTIFICATION DOCUMENT, OR AN
15 IDENTIFICATION DOCUMENT ISSUED BY THE UNITED STATES IN PERSON IN
16 THE OFFICE OF THE DEPARTMENT;

17 **(B)** AN AFFIDAVIT, MADE UNDER PENALTY OF PERJURY, THAT THE
18 PERSON TO WHOM THE PLACARD IS ISSUED REMAINS ELIGIBLE TO USE THE
19 PLACARD;

20 **(C)** THE DATE OF BIRTH AND COLORADO DRIVER'S LICENSE OR
21 IDENTIFICATION CARD NUMBER OF THE PERSON WHO MAY USE RESERVED
22 PARKING; AND

23 **(D)** EVERY THIRD RENEWAL, A WRITTEN STATEMENT REQUIRED BY
24 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF
25 SUBSECTION (5) OF THIS SECTION TO QUALIFY FOR THE PLACARD.

26 **(II)** IF THE HOLDER IS AN ENTITY, THE HOLDER MAY RENEW THE
27 PLACARD UPON RESUBMITTING AND UPDATING THE INFORMATION

1 NECESSARY TO BE ISSUED THE PLACARD UNDER SUBPARAGRAPH (IV) OF
2 PARAGRAPH (h) OF SUBSECTION (5) OF THIS SECTION.

3 (d) **Extended identifying plates.** (I) AN EXTENDED IDENTIFYING
4 PLATE EXPIRES IN ACCORDANCE WITH THE SCHEDULE ESTABLISHED BY THE
5 DEPARTMENT FOR PERIODIC REGISTRATION UNDER SECTION 42-3-102 (1)
6 (a). ELIGIBILITY FOR AN EXTENDED IDENTIFYING PLATE EXPIRES ON THE
7 LAST DAY OF THE THIRTY-SIXTH FULL MONTH AFTER THE DATE OF
8 ISSUANCE OR RENEWAL. THE HOLDER MAY RENEW THE PLATE BY MEETING
9 THE REQUIREMENTS OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF
10 SUBSECTION (5) OF THIS SECTION TO QUALIFY FOR THE PLATE.

11 (II) IF AN EXTENDED IDENTIFYING PLATE IS ISSUED FOR A PERSON
12 UNDER SIXTEEN YEARS OF AGE USING A PARENT'S OR GUARDIAN'S
13 IDENTIFICATION DOCUMENT, THE DEPARTMENT SHALL PLACE A "C" ON THE
14 REGISTRATION CARD ISSUED UNDER SECTION 42-3-113 (2).

15 (e) **Permanent identifying plates.** (I) A PERMANENT
16 IDENTIFYING PLATE EXPIRES IN ACCORDANCE WITH THE SCHEDULE
17 ESTABLISHED BY THE DEPARTMENT FOR PERIODIC REGISTRATION UNDER
18 SECTION 42-3-102 (1) (a). ELIGIBILITY FOR AN PERMANENT IDENTIFYING
19 PLATE EXPIRES ON THE LAST DAY OF THE THIRTY-SIXTH FULL MONTH
20 AFTER THE DATE OF ISSUANCE OR RENEWAL. THE HOLDER MAY RENEW THE
21 PLATE BY SUBMITTING:

22 (A) A CURRENT VERIFICATION FORM BY MAIL OR IN PERSON IN THE
23 OFFICE OF AN AUTHORIZED AGENT;

24 (B) AN AFFIDAVIT, MADE UNDER PENALTY OF PERJURY, THAT THE
25 PERSON TO WHOM THE PLATE IS ISSUED REMAINS ELIGIBLE TO USE THE
26 PLATE;

27 (C) THE DATE OF BIRTH AND COLORADO DRIVER'S LICENSE OR

1 IDENTIFICATION CARD NUMBER OF THE PERSON WHO MAY USE RESERVED
2 PARKING; AND

3 (D) EVERY THIRD RENEWAL, A WRITTEN STATEMENT REQUIRED BY
4 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (h) OF
5 SUBSECTION (5) OF THIS SECTION TO QUALIFY FOR THE PLATE.

6 (II) IF THE PLATE IS ISSUED FOR A PERSON UNDER SIXTEEN YEARS
7 OF AGE USING A PARENT'S OR GUARDIAN'S IDENTIFICATION DOCUMENT,
8 THE DEPARTMENT SHALL PLACE A "C" ON THE REGISTRATION CARD ISSUED
9 UNDER SECTION 42-3-113 (2).

10 (III) IF THE HOLDER IS AN ENTITY, THE HOLDER MAY RENEW THE
11 PLATE UPON RESUBMITTING AND UPDATING THE INFORMATION NECESSARY
12 TO BE ISSUED THE PLATE UNDER SUBPARAGRAPH (IV) OF PARAGRAPH (h)
13 OF SUBSECTION (5) OF THIS SECTION.

14 (7) **Violations - department may revoke.** (a) (I) UPON RECEIPT
15 OF A SWORN STATEMENT FROM A PEACE OFFICER OR AN AUTHORIZED
16 PARKING ENFORCEMENT OFFICIAL THAT A PERSON HAS IMPROPERLY USED
17 RESERVED PARKING IN VIOLATION OF SECTION 42-4-1208, AN IDENTIFYING
18 PLATE OR PLACARD MAY BE REVOKED BY THE DEPARTMENT. TO BE
19 ACCEPTED BY THE DEPARTMENT, THE PEACE OFFICER OR AUTHORIZED
20 PARKING ENFORCEMENT OFFICIAL MUST INCLUDE WITH THE STATEMENT
21 THE NAME OF THE PERSON WHO MISUSED THE IDENTIFYING PLATE OR
22 PLACARD AND EITHER THE IDENTIFYING PLATE OR PLACARD NUMBER OR
23 THE LAST FOUR DIGITS OF THE DRIVER'S LICENSE OR IDENTIFICATION
24 DOCUMENT NUMBER PRINTED ON THE PLACARD.

25 (II) THE REVOCATION IS EFFECTIVE FORTY-FIVE DAYS AFTER THE
26 DEPARTMENT RECEIVES THE SWORN STATEMENT UNLESS A HEARING IS
27 REQUESTED IN ACCORDANCE WITH PARAGRAPH (e) OF THIS SUBSECTION

1 (7).

2 (b) UPON RECEIPT OF A NOTICE THAT THE HOLDER OF AN
3 IDENTIFYING PLATE OR PLACARD WAS CONVICTED OF, OR PLED NOLO
4 CONTENDERE TO, A VIOLATION OF SECTION 42-4-1208, THE DEPARTMENT
5 SHALL REVOKE EACH IDENTIFYING PLACARD OR PLATE HELD BY THE
6 PERSON.

7 (c) **Revocation period.** (I) UPON A FIRST VIOLATION OF SECTION
8 42-4-1208, THE DEPARTMENT SHALL DENY REISSUANCE OF THE
9 IDENTIFYING PLATE OR PLACARD FOR TWELVE MONTHS AFTER THE DATE
10 OF REVOCATION.

11 (II) UPON A SECOND OR SUBSEQUENT VIOLATION OF SECTION
12 42-4-1208, THE DEPARTMENT SHALL DENY REISSUANCE OF THE
13 IDENTIFYING PLATE OR PLACARD FOR A PERIOD OF AT LEAST FIVE YEARS
14 AFTER THE DATE OF THE SECOND OR MOST RECENT SUBSEQUENT
15 REVOCATION.

16 (d) **Written notice of revocation.** THE DEPARTMENT SHALL
17 NOTIFY IN WRITING THE PERSON ISSUED THE IDENTIFYING PLATE OR
18 PLACARD OF THE REVOCATION. THE DEPARTMENT SHALL INCLUDE IN THE
19 NOTICE:

20 (I) A DEMAND FOR THE RETURN OF THE IDENTIFYING PLATE OR
21 PLACARD;

22 (II) A WARNING THAT CONTINUED USE OF THE IDENTIFYING PLATE
23 OR PLACARD BY ANY PERSON IS SUBJECT TO THE PENALTY SET FORTH IN
24 SECTION 42-4-1208 (7); AND

25 (III) A STATEMENT THAT THE PERSON MAY APPEAL THE
26 REVOCATION BY FILING A WRITTEN REQUEST WITH THE DEPARTMENT
27 WITHIN THIRTY DAYS AFTER THE DEPARTMENT ISSUED THE NOTICE.

1 (e) **Request for hearing.** IF A PERSON REQUESTS A HEARING ON
2 THE REVOCATION OF AN IDENTIFYING PLATE OR PLACARD WITHIN THIRTY
3 DAYS AFTER THE DEPARTMENT ISSUED THE NOTICE, THE DEPARTMENT
4 SHALL HOLD A HEARING BEFORE REVOKING THE PLATE OR PLACARD. IF A
5 HEARING IS HELD AND THE HEARING OFFICER UPHOLDS THE REVOCATION,
6 THE REVOCATION TAKES EFFECT IMMEDIATELY.

7 (f) **Penalty.** A PERSON WHO FAILS TO RETURN A REVOKED
8 IDENTIFYING PLACARD OR PLATE, OR WHO ATTEMPTS TO OBTAIN AN
9 IDENTIFYING PLATE OR PLACARD WHEN UNDER REVOCATION PURSUANT TO
10 THIS SUBSECTION (7), COMMITS A CLASS B TRAFFIC INFRACTION.

11 **SECTION 3.** In Colorado Revised Statutes, **repeal and reenact,**
12 **with amendments,** 42-4-1208 as follows:

13 **42-4-1208. Reserved parking for persons with disabilities -**
14 **applicability - rules. (1) Definitions.** AS USED IN THIS SECTION:

15 (a) "DISABILITY" OR "DISABLED" HAS THE SAME MEANING AS SET
16 FORTH IN SECTION 42-3-204.

17 (b) "HOLDER" MEANS A PERSON WITH A DISABILITY WHO HAS
18 LAWFULLY OBTAINED AN IDENTIFYING PLATE OR PLACARD.

19 (c) "IDENTIFYING FIGURE" HAS THE SAME MEANING AS SET FORTH
20 IN SECTION 42-3-204.

21 (d) "IDENTIFYING PLACARD" HAS THE SAME MEANING AS SET
22 FORTH IN SECTION 42-3-204.

23 (e) "IDENTIFYING PLATE" HAS THE SAME MEANING AS SET FORTH
24 IN SECTION 42-3-204.

25 (f) "PROFESSIONAL" HAS THE SAME MEANING AS SET FORTH IN
26 SECTION 42-3-204.

27 (g) "RESERVED PARKING" MEANS A PARKING SPACE RESERVED FOR

1 A PERSON WITH A DISABILITY.

2 (2) **Use of plate or placard.** (a) A PERSON WITH A DISABILITY
3 MAY USE RESERVED PARKING ON PUBLIC PROPERTY OR PRIVATE PROPERTY
4 AVAILABLE FOR PUBLIC USE IF THE PERSON DISPLAYS AN IDENTIFYING
5 PLATE OR PLACARD WHILE USING RESERVED PARKING.

6 (b) WHEN AN IDENTIFYING PLACARD IS USED FOR RESERVED
7 PARKING, THE DRIVER OF THE PARKED MOTOR VEHICLE SHALL ENSURE
8 THAT THE FRONT OF THE IDENTIFYING PLACARD IS LEGIBLE AND VISIBLE
9 THROUGH THE WINDSHIELD WHEN VIEWED FROM OUTSIDE THE VEHICLE.
10 THE DRIVER SHALL HANG THE PLACARD FROM THE REAR-VIEW MIRROR
11 UNLESS A REAR-VIEW MIRROR IS NOT AVAILABLE OR THE INDIVIDUAL IS
12 PHYSICALLY UNABLE TO HANG THE PLACARD FROM THE REAR-VIEW
13 MIRROR. IF THE TAG IS NOT HUNG FROM THE REAR-VIEW MIRROR, THE
14 DRIVER SHALL DISPLAY IT ON THE DASHBOARD.

15 (c) A PERSON WITH A DISABILITY WHO IS A RESIDENT OF A STATE
16 OTHER THAN COLORADO MAY USE RESERVED PARKING IN COLORADO IF
17 THE MOTOR VEHICLE DISPLAYS AN IDENTIFYING PLATE OR PLACARD ISSUED
18 BY A STATE OTHER THAN COLORADO, AND IF:

19 (I) THE IDENTIFYING PLATE OR PLACARD IS CURRENTLY VALID IN
20 THE STATE OF ISSUANCE AND MEETS THE REQUIREMENTS OF 23 CFR 1235;
21 AND

22 (II) THE HOLDER HAS NOT BEEN A RESIDENT IN COLORADO FOR
23 MORE THAN NINETY DAYS.

24 (d) A MOTOR VEHICLE WITH AN IDENTIFYING PLATE OR A PLACARD
25 MAY BE PARKED IN PUBLIC PARKING AREAS ALONG PUBLIC STREETS OR IN
26 PRIVATE PARKING LOTS REGARDLESS OF ANY TIME LIMITATION IMPOSED
27 UPON PARKING IN THE AREA; EXCEPT THAT A JURISDICTION MAY

1 SPECIFICALLY LIMIT RESERVED PARKING ON ANY PUBLIC STREET TO NO
2 LESS THAN FOUR HOURS. TO LIMIT RESERVED PARKING, THE JURISDICTION
3 MUST CLEARLY POST THE APPROPRIATE TIME LIMITS IN THE AREA. THE
4 ABILITY TO PARK NOTWITHSTANDING PARKING LIMITATIONS DOES NOT
5 APPLY TO AREAS IN WHICH:

6 (I) STOPPING, STANDING, OR PARKING OF ALL VEHICLES IS
7 PROHIBITED;

8 (II) ONLY SPECIAL VEHICLES MAY BE PARKED; OR

9 (III) PARKING IS NOT ALLOWED DURING SPECIFIC PERIODS OF THE
10 DAY IN ORDER TO ACCOMMODATE HEAVY TRAFFIC.

11 (3) **Misuse of reserved parking.** (a) A PERSON WITHOUT A
12 DISABILITY SHALL NOT PARK IN A PARKING SPACE ON PUBLIC OR PRIVATE
13 PROPERTY THAT IS CLEARLY IDENTIFIED BY AN OFFICIAL SIGN AS BEING
14 RESERVED PARKING UNLESS:

15 (I) THE PERSON IS PARKING THE VEHICLE FOR THE DIRECT BENEFIT
16 OF A PERSON WITH A DISABILITY TO ENTER OR EXIT THE VEHICLE WHILE IT
17 IS PARKED IN THE RESERVED PARKING SPACE; AND

18 (II) AN IDENTIFYING PLATE OR PLACARD OBTAINED UNDER OR
19 AUTHORIZED BY SECTION 42-3-204 IS DISPLAYED IN OR ON THE VEHICLE.

20 (b) (I) A PERSON, AFTER USING A RESERVED PARKING SPACE THAT
21 HAS A TIME LIMIT, SHALL NOT SWITCH MOTOR VEHICLES OR MOVE THE
22 MOTOR VEHICLE TO ANOTHER RESERVED PARKING SPACE WITHIN ONE
23 HUNDRED YARDS OF THE ORIGINAL PARKING SPACE WITHIN THE SAME
24 EIGHT HOURS IN ORDER TO EXCEED THE TIME LIMIT.

25 (II) (A) PARKING IN A TIME-LIMITED RESERVED PARKING SPACE
26 FOR MORE THAN THREE HOURS FOR AT LEAST THREE DAYS A WEEK FOR AT
27 LEAST TWO WEEKS CREATES A REBUTTABLE PRESUMPTION THAT THE

1 PERSON IS VIOLATING THIS PARAGRAPH (b).

2 (B) THIS SUBPARAGRAPH (II) DOES NOT APPLY TO PRIVATELY
3 OWNED PARKING SPACES.

4 (c) A PERSON SHALL NOT USE RESERVED PARKING FOR A
5 COMMERCIAL PURPOSE UNLESS:

6 (I) THE PURPOSE RELATES TO TRANSACTING BUSINESS WITH A
7 BUSINESS THE RESERVED PARKING IS INTENDED TO SERVE; OR

8 (II) THE OWNER OF PRIVATE PROPERTY CONSENTS TO ALLOW THE
9 USE.

10 (d) (I) AN EMPLOYEE OF AN ENTITY SHALL NOT USE AN
11 IDENTIFYING PLACARD ISSUED TO THE ENTITY UNLESS THE EMPLOYEE IS
12 TRANSPORTING PERSONS WITH DISABILITIES.

13 (II) FOR A VIOLATION OF THIS PARAGRAPH (d), THE EXECUTIVE
14 DIRECTOR OR OFFICER OF THE ENTITY TO WHOM THE PLACARD OR PLATE
15 WAS ISSUED AND THE OFFENDING EMPLOYEE ARE EACH SUBJECT TO THE
16 PENALTIES IN PARAGRAPH (a) OR (b) OF SUBSECTION (7) OF THIS SECTION.

17 (e) A PERSON WHO VIOLATES THIS SUBSECTION (3) IS SUBJECT TO
18 THE PENALTIES IN PARAGRAPH (a) OR (b) OF SUBSECTION (7) OF THIS
19 SECTION.

20 (4) **Blocking access.** (a) REGARDLESS OF WHETHER A PERSON
21 DISPLAYS AN IDENTIFYING PLATE OR PLACARD, A PERSON SHALL NOT PARK
22 A VEHICLE SO AS TO BLOCK REASONABLE ACCESS TO CURB RAMPS,
23 PASSENGER LOADING ZONES, OR ACCESSIBLE ROUTES, AS IDENTIFIED IN 28
24 CFR PART 36 APPENDIX A, THAT ARE CLEARLY IDENTIFIED UNLESS THE
25 PERSON IS ACTIVELY LOADING OR UNLOADING A PERSON WITH A
26 DISABILITY.

27 (b) A PERSON WHO VIOLATES THIS SUBSECTION (4) IS SUBJECT TO

1 THE PENALTIES IN PARAGRAPH (c) OF SUBSECTION (7) OF THIS SECTION.

2 (5) **Fraud and trafficking.** A PERSON IS GUILTY OF A
3 MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED AS PROVIDED
4 IN PARAGRAPH (d) OF SUBSECTION (7) OF THIS SECTION IF THE PERSON:

5 (a) KNOWINGLY AND FRAUDULENTLY OBTAINS, POSSESSES, USES,
6 OR TRANSFERS AN IDENTIFYING PLACARD ISSUED TO A PERSON WITH A
7 DISABILITY;

8 (b) KNOWINGLY MAKES, POSSESSES, USES, ALTERS, OR TRANSFERS
9 WHAT PURPORTS TO BE, BUT IS NOT, AN IDENTIFYING PLACARD; OR

10 (c) KNOWINGLY CREATES OR USES A DEVICE INTENDED TO GIVE
11 THE IMPRESSION THAT IT IS AN IDENTIFYING PLACARD WHEN VIEWED FROM
12 OUTSIDE THE VEHICLE.

13 (6) **Enforcement of reserved parking.** (a) A PEACE OFFICER OR
14 AUTHORIZED AND UNIFORMED PARKING ENFORCEMENT OFFICIAL MAY
15 CHECK THE IDENTIFICATION OF A PERSON USING AN IDENTIFYING PLATE OR
16 PLACARD IN ORDER TO DETERMINE WHETHER THE USE IS AUTHORIZED.

17 (b) (I) A PEACE OFFICER OR AUTHORIZED AND UNIFORMED
18 PARKING ENFORCEMENT OFFICIAL MAY CONFISCATE AN IDENTIFYING
19 PLACARD THAT IS BEING USED IN VIOLATION OF THIS SECTION.

20 (II) THE PEACE OFFICER OR PARKING ENFORCEMENT OFFICIAL
21 SHALL SEND A CONFISCATED PLACARD TO THE DEPARTMENT UNLESS IT IS
22 BEING HELD AS EVIDENCE FOR PROSECUTION OF A VIOLATION OF THIS
23 SECTION. IF THE TAG IS BEING HELD AS EVIDENCE, THE PEACE OFFICER OR
24 PARKING ENFORCEMENT OFFICIAL SHALL NOTIFY THE DEPARTMENT OF THE
25 CONFISCATION AND PENDING CHARGES.

26 (III) THE DEPARTMENT SHALL HOLD A CONFISCATED PLACARD FOR
27 THIRTY DAYS AND MAY DISPOSE OF THE PLACARD AFTER THIRTY DAYS.

1 THE DEPARTMENT SHALL RELEASE THE PLACARD TO THE PERSON WITH A
2 DISABILITY TO WHOM IT WAS ISSUED WHEN THE PERSON SIGNS A
3 STATEMENT UNDER PENALTY OF PERJURY THAT HE OR SHE WAS UNAWARE
4 THAT THE VIOLATOR USED, OR INTENDED TO USE, THE PLACARD IN
5 VIOLATION OF THIS SECTION.

6 (c) A PEACE OFFICER AND THE DEPARTMENT MAY INVESTIGATE AN
7 ALLEGATION THAT A PERSON IS VIOLATING THIS SECTION.

8 (d) A PERSON WHO OBSERVES A VIOLATION OF THIS SECTION MAY
9 SUBMIT EVIDENCE, INCLUDING A SWORN STATEMENT, CONCERNING THE
10 VIOLATION TO ANY LAW ENFORCEMENT AGENCY.

11 (e) (I) A PEACE OFFICER MAY ISSUE A PENALTY ASSESSMENT
12 NOTICE FOR A VIOLATION OF PARAGRAPH (b), (c), OR (d) OF SUBSECTION
13 (3) OF THIS SECTION BY SENDING IT BY CERTIFIED MAIL TO THE
14 REGISTERED OWNER OF THE MOTOR VEHICLE. THE PEACE OFFICER SHALL
15 INCLUDE IN THE PENALTY ASSESSMENT NOTICE THE OFFENSE OR
16 INFRACTION, THE TIME AND PLACE WHERE IT OCCURRED, AND A
17 STATEMENT THAT THE PAYMENT OF THE PENALTY ASSESSMENT AND A
18 SURCHARGE IS DUE WITHIN TWENTY DAYS AFTER THE ISSUANCE OF THE
19 NOTICE. THE DEPARTMENT RECEIVES PAYMENT OF THE PENALTY
20 ASSESSMENT BY THE DUE DATE IF THE PAYMENT IS RECEIVED OR
21 POSTMARKED BY THE TWENTIETH DAY AFTER THE VEHICLE OWNER
22 RECEIVED THE PENALTY ASSESSMENT NOTICE.

23 (II) IF THE PENALTY ASSESSMENT AND SURCHARGE ARE NOT PAID
24 WITHIN TWENTY DAYS AFTER THE DATE THE VEHICLE OWNER RECEIVES
25 THE ASSESSMENT NOTICE SPECIFIED IN SUBPARAGRAPH (I) OF THIS
26 PARAGRAPH (e), THE PEACE OFFICER WHO ISSUED THE ORIGINAL PENALTY
27 ASSESSMENT NOTICE SHALL FILE A COMPLAINT WITH A COURT HAVING

1 JURISDICTION AND ISSUE AND SERVE UPON THE REGISTERED OWNER OF THE
2 VEHICLE A SUMMONS TO APPEAR IN COURT AT THE TIME AND PLACE
3 SPECIFIED.

4 (f) (I) THE ENTERING COURT SHALL SEND CERTIFICATION OF THE
5 ENTRY OF JUDGMENT FOR EACH VIOLATION OF PARAGRAPH (b), (c), OR (d)
6 OF SUBSECTION (3) OF THIS SECTION TO THE DEPARTMENT.

7 (II) UPON RECEIPT OF CERTIFICATION OF AN ENTRY OF JUDGMENT
8 FOR A VIOLATION OF PARAGRAPH (b), (c), OR (d) OF SUBSECTION (3) OF
9 THIS SECTION, THE DEPARTMENT SHALL NOT REGISTER THE PERSON'S
10 VEHICLE UNTIL ALL FINES IMPOSED FOR THE VIOLATIONS HAVE BEEN PAID.

11 (III) UPON RECEIPT OF CERTIFICATION OR INDEPENDENT
12 VERIFICATION OF AN ENTRY OF JUDGMENT, THE DEPARTMENT SHALL
13 REVOKE AN IDENTIFYING PLATE OR PLACARD AS PROVIDED IN SECTION
14 42-3-204 (7) (d).

15 (g) (I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION
16 TO THE CONTRARY, A HOLDER IS LIABLE FOR ANY PENALTY OR FINE AS SET
17 FORTH IN THIS SECTION OR SECTION 42-3-204 OR FOR ANY MISUSE OF AN
18 IDENTIFYING PLATE OR PLACARD, INCLUDING THE USE OF SUCH PLATE OR
19 PLACARD BY ANY PERSON OTHER THAN A HOLDER, UNLESS THE HOLDER
20 FURNISHES SUFFICIENT EVIDENCE THAT THE IDENTIFYING PLATE OR
21 PLACARD WAS, AT THE TIME OF THE VIOLATION, IN THE CARE, CUSTODY,
22 OR CONTROL OF ANOTHER PERSON WITHOUT THE HOLDER'S KNOWLEDGE
23 OR CONSENT.

24 (II) A HOLDER MAY AVOID THE LIABILITY DESCRIBED IN
25 SUBPARAGRAPH (I) OF THIS PARAGRAPH (g) IF, WITHIN A REASONABLE
26 TIME AFTER NOTIFICATION OF THE VIOLATION, THE HOLDER FURNISHES TO
27 THE PROSECUTORIAL DIVISION OF THE APPROPRIATE JURISDICTION THE

1 NAME AND ADDRESS OF THE PERSON WHO HAD THE CARE, CUSTODY, OR
2 CONTROL OF THE IDENTIFYING PLATE OR PLACARD AT THE TIME OF THE
3 VIOLATION OR THE HOLDER REPORTS THE LICENSE PLATE OR PLACARD
4 LOST OR STOLEN TO BOTH THE APPROPRIATE LOCAL LAW ENFORCEMENT
5 AGENCY AND THE DEPARTMENT.

6 (h) AN EMPLOYER SHALL NOT FORBID AN EMPLOYEE FROM
7 REPORTING VIOLATIONS OF THIS SECTION. A PERSON SHALL NOT INITIATE
8 OR ADMINISTER ANY DISCIPLINARY ACTION AGAINST AN EMPLOYEE
9 BECAUSE THE EMPLOYEE NOTIFIED THE AUTHORITIES OF A POSSIBLE
10 VIOLATION OF THIS SECTION IF THE EMPLOYEE HAS A GOOD-FAITH BELIEF
11 THAT A VIOLATION HAS OCCURRED.

12 (i) A LANDLORD SHALL NOT RETALIATE AGAINST A TENANT
13 BECAUSE THE TENANT NOTIFIED THE AUTHORITIES OF A POSSIBLE
14 VIOLATION OF THIS SECTION IF THE TENANT HAS A GOOD-FAITH BELIEF
15 THAT A VIOLATION HAS OCCURRED.

16 (7) **Penalties.** (a) ANY PERSON WHO VIOLATES SUBSECTION (3) OF
17 THIS SECTION COMMITS A MISDEMEANOR AND, UPON CONVICTION, SHALL
18 BE PUNISHED BY A SURCHARGE OF THIRTY-TWO DOLLARS PURSUANT TO
19 SECTIONS 24-4.1-119 (1) (f) AND 24-4.2-104 (1) (b) (I), C.R.S., AND:

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

22 (II) A FINE OF NOT LESS THAN SIX HUNDRED DOLLARS BUT NOT
23 MORE THAN ONE THOUSAND DOLLARS FOR A SECOND OFFENSE; AND

24 (III) A FINE OF NOT LESS THAN ONE THOUSAND DOLLARS BUT NOT
25 MORE THAN FIVE THOUSAND DOLLARS, IN ADDITION TO NOT MORE THAN
26 TEN HOURS OF COMMUNITY SERVICE, FOR A THIRD OR SUBSEQUENT
27 OFFENSE.

1 (b) A PERSON WHO VIOLATES SUBSECTION (3) OF THIS SECTION BY
2 PARKING A VEHICLE OWNED BY A COMMERCIAL CARRIER IS GUILTY OF A
3 MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED BY THE
4 SURCHARGE AND A FINE OF UP TO TWICE THE PENALTY IMPOSED IN
5 PARAGRAPH (a) OF THIS SUBSECTION (7).

6 (c) (I) A PERSON WHO VIOLATES SUBSECTION (4) OF THIS SECTION
7 COMMITS A CLASS B TRAFFIC INFRACTION AND IS SUBJECT TO A FINE OF
8 ONE HUNDRED FIFTY DOLLARS. UPON CONVICTION OR A PLEA OF GUILTY
9 OR NOLO CONTENDERE FOR A VIOLATION OF SUBSECTION (4), OF THIS
10 SECTION THE COURT SHALL SEND A CERTIFICATION OF THE ENTRY OF
11 JUDGMENT TO THE DEPARTMENT.

12 (II) A PERSON WHO VIOLATES SUBSECTION (3) OF THIS SECTION BY
13 PARKING A VEHICLE OWNED BY A COMMERCIAL CARRIER IS GUILTY OF A
14 MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED BY A FINE OF
15 UP TO TWICE THE PENALTY IMPOSED IN THIS PARAGRAPH (c).

16 (d) (I) A PERSON WHO VIOLATES SUBSECTION (5) OF THIS SECTION
17 IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, SHALL BE
18 PUNISHED BY THE CRIMINAL AND CIVIL PENALTIES PROVIDED UNDER
19 SECTION 42-6-139 (3) AND (4).

20 (II) A PERSON WHO WILLFULLY RECEIVES REMUNERATION FOR
21 VIOLATING SUBSECTION (5) OF THIS SECTION IS GUILTY OF A
22 MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED BY TWICE
23 THE CIVIL AND CRIMINAL PENALTIES THAT WOULD BE IMPOSED UNDER
24 SUBPARAGRAPH (I) OF THIS PARAGRAPH (d).

25 (8) THE STATE OR LOCAL AUTHORITY ISSUING A CITATION UNDER
26 THIS SECTION, OR UNDER ANY LOCAL ORDINANCE DEFINING A
27 SUBSTANTIALLY EQUIVALENT OFFENSE, SHALL TRANSFER ONE-HALF OF

1 THE FINE TO THE STATE TREASURER, WHO SHALL CREDIT THE FINE TO THE
2 DISABLED PARKING EDUCATION AND ENFORCEMENT FUND CREATED IN
3 SECTION 42-1-226.

4 **SECTION 4.** In Colorado Revised Statutes, 42-3-213, **amend** (1)
5 (a) introductory portion, (1) (b) (I), (1) (b) (II) (B), (1) (b) (IV), (1) (b)
6 (V), (1) (c), (1) (g), (5) (a), and (5) (b) as follows:

7 **42-3-213. License plates - military veterans - rules -**
8 **retirement.** (1) (a) The department shall issue one or more sets of ~~special~~
9 license plates to the following persons who own a truck that does not
10 exceed sixteen thousand pounds empty weight, a passenger car, a
11 motorcycle, or a noncommercial or recreational vehicle:

12 (b) (I) Except as provided in subparagraph (II) of this paragraph
13 (b), the amount of taxes and fees for ~~special~~ license plates issued ~~pursuant~~
14 ~~to~~ UNDER this section ~~shall be~~ ARE the same as that specified for regular
15 motor vehicle registration plus an additional one-time issuance or
16 replacement fee. The additional one-time fee ~~shall be~~ IS twenty-five
17 dollars and shall be transmitted to the state treasurer, who shall credit ~~the~~
18 ~~same~~ IT to the highway users tax fund for allocation and expenditure as
19 specified in section 43-4-205 (5.5) (b), C.R.S.

20 (II) Notwithstanding subparagraph (I) of this paragraph (b):

21 (B) No fee shall be charged for one set of disabled veteran ~~special~~
22 license plates issued pursuant to subsection (5) of this section for a
23 passenger car, a truck, a motorcycle, or a noncommercial or recreational
24 vehicle.

25 (IV) One dollar of each additional fee collected from purchasers
26 of ~~special~~ license plates issued pursuant to subsections (4) and (5) of this
27 section shall be retained by the authorized agent, and one dollar and

1 fifteen cents of each ~~such~~ additional fee shall be credited to the special
2 purpose account established under section 42-1-211.

3 (V) One dollar of each additional fee collected from purchasers
4 of ~~special~~ license plates issued pursuant to subsection (8) of this section
5 shall be retained by the authorized agent.

6 (c) All applications for the ~~special~~ license plates described in this
7 section shall be made directly to the department and shall include such
8 information as the department may require.

9 (g) The department shall issue a ~~special~~ license plate authorized
10 pursuant to this section for a motor vehicle owned by a trust if:

11 (I) The trust is created for the benefit of a natural person who is
12 qualified to receive the ~~special~~ license plate under paragraph (a) of this
13 subsection (1); and

14 (II) The trust name includes a natural person who is qualified to
15 receive the ~~special~~ license plate under paragraph (a) of this subsection (1).

16 (5) **Disabled veterans.** (a) (I) The disabled veteran ~~special~~
17 license plate shall indicate that the owner of the motor vehicle to which
18 ~~such~~ THE license plate is attached is a disabled veteran of the United
19 States armed forces.

20 (II) In addition to the requirements of subparagraph (I) of this
21 paragraph (a), if the applicant demonstrates that he or she has a physical
22 impairment affecting mobility under the standards provided in section
23 42-3-204 (1), then ~~such special~~ THE license plate shall have an additional
24 identifying figure, as ~~determined by the department~~ DEFINED IN SECTION
25 42-3-204 (1) (c), to indicate that the ~~owner of the vehicle is authorized to~~
26 ~~make use of parking privileges for persons with disabilities~~ TO
27 TRANSPORT A PERSON WHO IS ELIGIBLE TO USE RESERVED PARKING UNDER

1 SECTION 42-4-1208.

2 (b) A natural person who has received an honorable discharge
3 from a branch of the armed services of the United States and meets the
4 requirements of section 42-3-304 (3) (a) may use a disabled veteran
5 ~~special~~ license plate. When applying for such a license plate, the applicant
6 shall submit proof of honorable discharge from an armed forces branch
7 of the United States.

8 **SECTION 5.** In Colorado Revised Statutes, 42-4-1701, **amend**
9 (4) (a) (I) (M) as follows:

10 **42-4-1701. Traffic offenses and infractions classified -**
11 **penalties - penalty and surcharge schedule - repeal.** (4) (a) (I) Except
12 as provided in paragraph (c) of subsection (5) of this section, every
13 person who is convicted of, who admits liability for, or against whom a
14 judgment is entered for a violation of any provision of this title to which
15 paragraph (a) or (b) of subsection (5) of this section apply shall be fined
16 or penalized, and have a surcharge levied thereon pursuant to sections
17 24-4.1-119 (1) (f) and 24-4.2-104 (1) (b) (I), C.R.S., in accordance with
18 the penalty and surcharge schedule set forth in sub-subparagraphs (A) to
19 (P) of this subparagraph (I); or, if no penalty or surcharge is specified in
20 the schedule, the penalty for class A and class B traffic infractions shall
21 be fifteen dollars, and the surcharge shall be four dollars. These penalties
22 and surcharges shall apply whether the defendant acknowledges the
23 defendant's guilt or liability in accordance with the procedure set forth by
24 paragraph (a) of subsection (5) of this section or is found guilty by a court
25 of competent jurisdiction or has judgment entered against the defendant
26 by a county court magistrate. Penalties and surcharges for violating
27 specific sections shall be as follows:

	Section Violated	Penalty	Surcharge
2	(M) Parking violations:		
3	42-4-1201	\$ 30.00	\$ 6.00
4	42-4-1202	30.00	6.00
5	42-4-1204	15.00	6.00
6	42-4-1205	15.00	6.00
7	42-4-1206	15.00	6.00
8	42-4-1207	15.00	6.00
9	42-4-1208 (9), (15), or (16) (3) (b), (3)		
10	(c), AND (3) (d)	150.00	32.00

11 **SECTION 6. Effective date - applicability.** This act takes effect
12 July 1, 2014, and applies to applications for identifying plates or placards
13 submitted and offenses committed on or after January 1, 2015.

14 **SECTION 7. 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.