

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

BILL D

LLS NO. 16-0365.01 Jery Payne x2157

HOUSE BILL

HOUSE SPONSORSHIP

Becker,

SENATE SPONSORSHIP

Cooke,

House Committees

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZATION TO DRIVE A KEI VEHICLE ON PUBLIC**
102 **ROADWAYS IF THE KEI VEHICLE IS REGISTERED WITH THE**
103 **STATE.**

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 authorizes a person to drive a kei vehicle on a roadway if it is registered with the division of motor vehicles. A person must be licensed to drive a

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.

kei vehicle. The registration costs \$15, specific ownership tax is \$3, and the kei vehicle is issued a license plate. Kei vehicles must follow the rules of the road and cannot be driven on limited-access highways or roads with a speed limit that is greater than 55 miles per hour. Kei vehicles must have insurance. To be used on the road, a kei vehicle must have, in good working order:

- Brakes;
- Headlamps and tail lights;
- Turn signals;
- A windshield and windshield wipers;
- Rear-view mirrors; and
- Seatbelts.

The bill provides for titling kei vehicles as off-highway vehicles. The bill also clarifies that a dealer in kei vehicles has to be licensed, but current dealers are exempt.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-1-102, **add** (45.3)
3 as follows:

4 **42-1-102. Definitions.** As used in articles 1 to 4 of this title,
5 unless the context otherwise requires:

6 (45.3) (a) "KEI VEHICLE" MEANS A VEHICLE, INCLUDING TRUCKS
7 OR VANS, THAT:

8 (I) IS POWERED BY AN INTERNAL COMBUSTION ENGINE WITH A
9 DISPLACEMENT OF ONE THOUSAND CUBIC CENTIMETERS OR LESS OR AN
10 ELECTRICAL MOTOR OF FIFTY-SIX THOUSAND WATTS OR LESS;

11 (II) IS SIXTY-SEVEN INCHES OR LESS IN WIDTH;

12 (III) HAS AN EMPTY WEIGHT OF TWO THOUSAND POUNDS OR LESS;

13 (IV) TRAVELS ON FOUR OR MORE TIRES;

14 (V) HAS A TOP SPEED OF APPROXIMATELY FIFTY-FIVE MILES PER
15 HOUR;

16 (VI) IS EQUIPPED WITH A COMPARTMENT THAT IS AT LEAST
17 TWENTY-FOUR INCHES BY FIFTY INCHES OR A BED FOR HAULING;

1 (VII) HAS AN ENCLOSED PASSENGER CAB; AND

2 (VIII) IS NOT SOLD IN THE UNITED STATES FOR OPERATION ON
3 ROADWAYS.

4 (b) "KEI VEHICLES" ARE ALSO KNOWN AS "KEI TRUCKS",
5 "MICROTRUCKS", "MINITRUCKS", AND "UTILITY TRANSPORTATION
6 VEHICLES".

7 (c) A KEI VEHICLE IS NOT A MOTOR VEHICLE.

8 **SECTION 2.** In Colorado Revised Statutes, 42-1-210, **amend** (1)
9 (a) as follows:

10 **42-1-210. County clerk and recorders and manager of revenue**
11 **or other appointed official as agents - legislative declaration - fee.**

12 (1) (a) The county clerk and recorder in each county in the state of
13 Colorado, the clerk and recorder in the city and county of Broomfield,
14 and, in the city and county of Denver, the manager of revenue or such
15 other official of the city and county of Denver as may be appointed by the
16 mayor to perform functions related to the registration of motor vehicles
17 are hereby designated as the authorized agents of the department for the
18 administration of the provisions of articles 3 and 6 of this title relating to
19 registrations of motor vehicles in such counties; and for the enforcement
20 of the provisions of section 42-6-139 relating to the registering and titling
21 of motor vehicles in such counties; and for the enforcement of the
22 provisions of section 38-29-120, C.R.S., relating to the titling of
23 manufactured homes; but any such authorized agent in a county has the
24 power to appoint and employ such motor vehicle registration and license
25 clerks as are actually necessary in the issuance of motor vehicle licenses
26 and shall retain for the purpose of defraying such expenses, including
27 mailing, a sum equal to four dollars per paid motor vehicle registration,

1 ~~and~~ KEI VEHICLE REGISTRATION, registration requiring a metallic plate,
2 plates, individual temporary registration number plates, or validation tab
3 or sticker as provided in section 42-3-201. This fee of four dollars shall
4 apply to every registration of a motor vehicle that is designed primarily
5 to be operated or drawn on any highway of this state OR KEI VEHICLE,
6 except such vehicles as are specifically exempted from payment of any
7 registration fee by the provisions of article 3 of this title, and shall be in
8 addition to the annual registration fee prescribed by law for such vehicle.
9 The fee of four dollars, when collected by the department, shall be
10 credited to the same fund as registration fees collected by the department.
11 The county clerk and recorders, the clerk and recorder in the city and
12 county of Broomfield, and the manager of revenue or such other official
13 of the city and county of Denver as may be appointed by the mayor to
14 perform functions related to the registration of motor vehicles in the city
15 and county of Denver so designated as the authorized agents of the
16 department, as provided in this section, shall serve as such authorized
17 agents under the provisions of this part 2 without additional remuneration
18 or fees, except as otherwise provided in articles 1 to 6 of this title.

19 **SECTION 3.** In Colorado Revised Statutes, 42-1-211, **amend** (2)
20 as follows:

21 **42-1-211. Colorado state titling and registration system.**

22 (2) There is hereby created the Colorado state titling and registration
23 account in the highway users tax fund for the purpose of providing funds
24 for the development and operation of the Colorado state titling and
25 registration system, including: Operations performed under article 6 of
26 this title; THE REGISTRATION OF KEI VEHICLES; and to cover the costs of
27 administration and enforcement of the motorist insurance identification

1 database program created in section 42-7-604. Moneys received from the
2 fees imposed by section 38-29-138 (1), (2), (4), and (5), C.R.S., and
3 sections 42-1-206 (2) (a), 42-3-107 (22), ~~42-3-213 (1) (b) (IV), 42-6-137~~
4 ~~(1), (2), (4), (5), and (6), and 42-3-304 (18) (d)~~ 42-3-213 (1) (B) (IV),
5 42-3-304 (18) (d), 42-3-315, AND 42-6-137 (1), (2), (4), (5), AND (6), as
6 well as any moneys received through gifts, grants, and donations to the
7 account from private or public sources for the purposes of this section,
8 shall be credited by the state treasurer to the Colorado state titling and
9 registration account. The general assembly shall appropriate annually the
10 moneys in the Colorado state titling and registration account for the
11 purposes of this subsection (2). If any unexpended and unencumbered
12 moneys remain in the account at the end of a fiscal year, the balance
13 remains in the fund and is not transferred to the general fund or any other
14 fund.

15 **SECTION 4.** In Colorado Revised Statutes, 42-2-103, **add** (2.5)
16 as follows:

17 **42-2-103. Motorcycles - low-power scooters - kei vehicles -**
18 **driver's license required.** (2.5) A PERSON SHALL NOT DRIVE A KEI
19 VEHICLE ON A ROADWAY UNLESS THE PERSON POSSESSES A VALID DRIVER'S
20 LICENSE.

21 **SECTION 5.** In Colorado Revised Statutes, 42-3-103, **add** (6) as
22 follows:

23 **42-3-103. Registration required - exemptions - rules.** (6) (a) A
24 PERSON SHALL NOT DRIVE A KEI VEHICLE ON A ROADWAY UNLESS THE
25 OWNER REGISTERS THE KEI VEHICLE WITH THE DEPARTMENT OR THE KEI
26 VEHICLE IS BEING USED AS AUTHORIZED BY SECTION 33-14.5-108, C.R.S.
27 THE REGISTRATION EXPIRES ANNUALLY IF OWNERSHIP OF THE KEI VEHICLE

1 IS NOT TRANSFERRED TO ANOTHER PERSON OR UPON TRANSFER IF
2 OWNERSHIP OF THE KEI VEHICLE IS TRANSFERRED TO ANOTHER PERSON.

3 (b) A KEI VEHICLE IS NOT SUBJECT TO ANY MOTOR VEHICLE
4 REGISTRATION FEE UNLESS THE FEE IS EXPRESSLY AUTHORIZED FOR A KEI
5 VEHICLE BY ARTICLE 3 OF THIS TITLE.

6 (c) WHEN REGISTERING A KEI VEHICLE, THE OWNER SHALL, IN
7 ACCORDANCE WITH SECTION 42-3-105, SHOW PROOF OF INSURANCE OR
8 SIGN A STATEMENT OF NONUSE.

9 (d) A VIOLATION OF THIS SUBSECTION (6) IS A CLASS B TRAFFIC
10 INFRACTION.

11 **SECTION 6.** In Colorado Revised Statutes, 42-3-107, **add** (29)
12 as follows:

13 **42-3-107. Taxable value of classes of property - rate of tax -**
14 **when and where payable - department duties - apportionment of tax**
15 **collections - definitions - rules - repeal.** (29) THE ANNUAL SPECIFIC
16 OWNERSHIP TAX FOR A KEI VEHICLE IS THE SAME AS FOR CLASS C
17 PERSONAL PROPERTY.

18 **SECTION 7.** In Colorado Revised Statutes, 42-3-201, **amend** (1)
19 (a) (I) (E) and (1) (a) (I) (F); and **add** (1) (a) (I) (G) as follows:

20 **42-3-201. Number plates furnished - style - periodic reissuance**
21 **- tabs - rules.** (1) (a) (I) The department shall issue to every owner
22 whose vehicle is registered two number plates; except that the department
23 shall issue one number plate for the following:

24 (E) An item of special mobile machinery; ~~or~~

25 (F) An autocycle; OR

26 (G) A KEI VEHICLE.

27 **SECTION 8.** In Colorado Revised Statutes, 42-3-202, **amend** (1)

1 (a) as follows:

2 **42-3-202. Number plates to be attached.** (1) (a) The owner shall
3 attach the number plates assigned to a self-propelled vehicle, other than
4 a motorcycle, auticycle, KEI VEHICLE, or street rod vehicle, to the vehicle
5 with one in the front and the other in the rear. The owner shall attach the
6 number plate assigned to a motorcycle, auticycle, KEI VEHICLE, street rod
7 vehicle, trailer, semitrailer, other vehicle drawn by a motor vehicle, or
8 special mobile machinery to the rear of the vehicle. The owner shall
9 display number plates during the current registration year, except as
10 otherwise provided in this article.

11 **SECTION 9.** In Colorado Revised Statutes, 42-3-203, **amend** (3)
12 (a) (I) and (3) (b) as follows:

13 **42-3-203. Standardized plates - rules.** (3) (a) (I) The department
14 may issue individual temporary registration number plates and certificates
15 good for a period not to exceed sixty days upon application by an owner
16 of a motor vehicle OR KEI VEHICLE, or the owner's agent, and the payment
17 of a registration fee of two dollars, one dollar and sixty cents to be
18 retained by the authorized agent or department issuing the plates and
19 certificates and the remainder to be remitted monthly to the department
20 to be transmitted to the state treasurer for credit to the highway users tax
21 fund.

22 (b) The department may issue to licensed motor vehicle dealers
23 AND POWERSPORTS VEHICLE DEALERS temporary registration number
24 plates and certificates in blocks of twenty-five upon payment of a fee of
25 six dollars and twenty-five cents for each block of twenty-five. The
26 department shall transmit any money it receives from this sale to the state
27 treasurer for credit to the highway users tax fund and allocation and

1 expenditure as specified in section 43-4-205 (5.5) (b), C.R.S. The
2 department may promulgate rules creating a system for the dealer to:

3 (I) Print on the temporary plates the temporary registration
4 number, vehicle identification number, and other information required by
5 the department; and

6 (II) Print temporary registration certificates with the information
7 required by the department.

8 **SECTION 10.** In Colorado Revised Statutes, 42-3-301, **amend**
9 (1) (a) as follows:

10 **42-3-301. License plate cash fund - license plate fees.** (1) (a) In
11 addition to the payment of any fees for motor vehicle registration or for
12 the issuance of license plates, decals, or validating tabs, each owner of a
13 motor vehicle OR KEI VEHICLE issued a license plate, decal, or validating
14 tab for a motor vehicle pursuant to UNDER this article shall also pay a fee
15 to cover the direct costs of such THE plates, decals, or tabs. ~~The amount~~
16 ~~of the fee imposed pursuant to this section shall be as specified in~~
17 ~~paragraph (b) of subsection (2) of this section.~~

18 **SECTION 11.** In Colorado Revised Statutes, **add** 42-3-315 as
19 follows:

20 **42-3-315. Kei vehicle registration fee.** THE OWNER SHALL PAY
21 A FIFTEEN-DOLLAR FEE TO REGISTER A KEI VEHICLE WITH THE
22 DEPARTMENT. THE DEPARTMENT SHALL TRANSFER THE FEE TO THE STATE
23 TREASURER, WHO SHALL CREDIT THE FEE TO THE COLORADO STATE
24 TITLING AND REGISTRATION ACCOUNT CREATED IN SECTION 42-1-211 (2).

25 **SECTION 12.** In Colorado Revised Statutes, **add** 42-4-109.7 as
26 follows:

27 **42-4-109.7. Kei vehicles - rules.** (1) A PERSON DRIVING A KEI

1 VEHICLE UPON A ROADWAY HAS ALL OF THE RIGHTS AND IS SUBJECT TO
2 ALL OF THE DUTIES OF A DRIVER OF A MOTOR VEHICLE UNDER ARTICLES 1
3 TO 4 OF THIS TITLE EXCEPT THOSE PROVISIONS OF THIS ARTICLE THAT BY
4 THEIR NATURE HAVE NO APPLICATION. UNLESS THE STATUTE SETTING
5 FORTH A PENALTY FOR VIOLATION OF A DUTY SPECIFIES THAT THE
6 PENALTY APPLIES TO A KEI VEHICLE, A VIOLATION OF ANY DUTY IMPOSED
7 UNDER ARTICLES 1 TO 4 OF THIS TITLE IS A CLASS B TRAFFIC INFRACTION.

8 (2) (a) (I) EXCEPT AS PROHIBITED BY THIS SECTION AND SECTION
9 42-3-103, A PERSON MAY DRIVE A KEI VEHICLE ON A ROADWAY THAT HAS
10 A SPEED LIMIT OF FIFTY-FIVE MILES PER HOUR OR LESS.

11 (II) PROHIBITING A PERSON FROM DRIVING A KEI VEHICLE ON A
12 ROADWAY DOES NOT PROHIBIT THE PERSON FROM DRIVING ACROSS THE
13 ROADWAY AT AN AT-GRADE INTERSECTION WITH AN AUTHORIZED
14 ROADWAY.

15 (b) A PERSON SHALL NOT DRIVE A KEI VEHICLE ON A
16 LIMITED-ACCESS HIGHWAY.

17 (3) A VIOLATION OF THIS SECTION IS A CLASS B TRAFFIC
18 INFRACTION.

19 **SECTION 13.** In Colorado Revised Statutes, **add** 42-4-242 as
20 follows:

21 **42-4-242. Equipment - kei vehicles.** (1) A PERSON SHALL NOT
22 DRIVE A KEI VEHICLE ON A ROADWAY UNLESS THE VEHICLE IS EQUIPPED
23 WITH THE FOLLOWING IN GOOD WORKING ORDER:

24 (a) BRAKES THAT ENABLE THE OPERATOR TO MAKE THE WHEELS
25 SKID ON DRY, LEVEL, AND CLEAN PAVEMENT;

26 (b) A HEAD LAMP AIMED AND SUFFICIENTLY INTENSE TO REVEAL
27 PERSONS AND VEHICLES AT NIGHT AT A DISTANCE OF ONE HUNDRED FEET

1 AHEAD ON A STRAIGHT, LEVEL ROAD;

2 (c) TWO TAIL LIGHTS THAT EMIT A RED LIGHT WHEN THE HEAD
3 LAMPS ARE LIGHTED AND THAT ARE:

4 (I) VISIBLE FROM A DISTANCE OF FIVE HUNDRED FEET TO THE
5 REAR;

6 (II) MOUNTED ON THE REAR OF THE VEHICLE ON THE SAME LEVEL
7 AND AS WIDELY SPACED Laterally AS PRACTICABLE; AND

8 (III) LOCATED AT A HEIGHT OF NOT MORE THAN SEVENTY-TWO
9 INCHES NOR LESS THAN TWENTY INCHES OFF THE GROUND;

10 (d) LAMPS ON THE FRONT AND REAR OF THE VEHICLE THAT
11 INDICATE AN INTENTION TO TURN EITHER TO THE RIGHT OR TO THE LEFT BY
12 FLASHING THE LAMP ON AND OFF AND THAT:

13 (I) ARE LOCATED ON THE SAME LEVEL AND AS WIDELY SPACED
14 Laterally AS PRACTICABLE;

15 (II) DISPLAY A WHITE OR AMBER LIGHT ON THE FRONT; AND

16 (III) DISPLAY RED, ORANGE, OR AMBER LIGHT ON THE REAR;

17 (e) SAFETY GLAZING MATERIAL AT THE FRONT OF THE VEHICLE SO
18 AS TO SERVE AS A WINDSHIELD AND AS EYE PROTECTION FOR THE DRIVER;

19 (f) A DEVICE CONTROLLED BY THE DRIVER OF THE VEHICLE FOR
20 CLEANING MOISTURE FROM THE WINDSHIELD;

21 (g) A MIRROR THAT REFLECTS TO THE DRIVER AN UNOBSTRUCTED
22 VIEW OF THE ROADWAY FOR AT LEAST TWO HUNDRED FEET BEHIND THE
23 REAR OF THE VEHICLE;

24 (h) SAFETY BELTS FOR EACH PASSENGER OF THE VEHICLE; AND

25 (i) A HORN.

26 (2) A VIOLATION OF THIS SECTION IS A CLASS B TRAFFIC
27 INFRACTION.

1 **SECTION 14.** In Colorado Revised Statutes, 42-4-1409, **amend**
2 (2), (3) (a), and (5) as follows:

3 **42-4-1409. Compulsory insurance - penalty - legislative intent.**

4 (2) ~~No~~ A person shall ~~operate~~ NOT DRIVE a motor vehicle, KEI VEHICLE,
5 or low-power scooter on ~~the~~ A public ~~highways of this state~~ ROADWAY
6 without a complying policy or certificate of self-insurance in full force
7 and effect as required by law.

8 (3) (a) When an accident occurs or when requested to do so
9 following ~~any lawful~~ A traffic contact or during ~~any~~ A traffic investigation
10 by a peace officer, ~~an owner or operator~~ THE DRIVER of a motor vehicle,
11 KEI VEHICLE, or low-power scooter shall IMMEDIATELY present to the
12 requesting officer ~~immediate~~ evidence of a complying policy or certificate
13 of self-insurance in full force and effect as required by law.

14 (5) Testimony of the failure of ~~any~~ AN owner or operator of a
15 motor vehicle, KEI VEHICLE, or low-power scooter to present ~~immediate~~
16 evidence of a complying policy or certificate of self-insurance in full
17 force and effect as required by law, when requested to do so by a peace
18 officer, ~~shall constitute~~ IS prima facie evidence at a trial concerning a
19 violation charged under subsection (1) or (2) of this section that ~~such~~ THE
20 owner or operator ~~of a motor vehicle~~ violated subsection (1) or (2) of this
21 section.

22 **SECTION 15.** In Colorado Revised Statutes, 42-6-102, **amend**
23 (6.5), (11.5) (a) (III), and (11.5) (b) introductory portion; and **add** (6.6)
24 as follows:

25 **42-6-102. Definitions.** As used in this part 1, unless the context
26 otherwise requires:

27 (6.5) ~~"Kit vehicle" means a passenger-type motor vehicle~~

1 ~~assembled, by other than a licensed manufacturer, from a manufactured~~
2 ~~kit that includes a prefabricated body and chassis and is accompanied by~~
3 ~~a manufacturer's statement of origin. "KEI VEHICLE" HAS THE MEANING~~
4 SET FORTH IN SECTION 42-1-102.

5 (6.6) "KIT VEHICLE" MEANS A PASSENGER-TYPE MOTOR VEHICLE
6 ASSEMBLED, BY OTHER THAN A LICENSED MANUFACTURER, FROM A
7 MANUFACTURED KIT THAT INCLUDES A PREFABRICATED BODY AND
8 CHASSIS AND IS ACCOMPANIED BY A MANUFACTURER'S STATEMENT OF
9 ORIGIN.

10 (11.5) (a) "Off-highway vehicle" means a self-propelled vehicle
11 that is:

12 (III) Generally and commonly used to transport persons for
13 recreational OR OCCUPATIONAL purposes.

14 (b) "Off-highway vehicle" includes vehicles commonly known as
15 all-terrain vehicles, KEI VEHICLES, and snowmobiles but does not include:

16 **SECTION 16.** In Colorado Revised Statutes, 42-6-148, **amend**
17 (2) as follows:

18 **42-6-148. Off-highway vehicles - sales.** (2) (a) A current
19 off-highway vehicle registration issued under article 14.5 of title 33,
20 C.R.S., is sufficient evidence of ownership to issue a certificate of title
21 under this part 1.

22 (b) IF A KEI VEHICLE DOES NOT HAVE A MANUFACTURER'S VEHICLE
23 IDENTIFICATION NUMBER, THE DEPARTMENT MAY ISSUE A CERTIFICATE OF
24 TITLE BASED UPON:

25 (I) A MANUFACTURER'S STATEMENT OF ORIGIN;

26 (II) A PHYSICAL INSPECTION IN ACCORDANCE WITH SECTION
27 42-6-107 (1) (b);

1 (III) A BILL OF SALE; OR

2 (IV) (A) A MANUFACTURER'S CERTIFICATE, IMPORTER'S
3 CERTIFICATE, OR EXPORT CERTIFICATE FOR A KEI VEHICLE; AND

4 (B) AN AFFIDAVIT BY THE OWNER AFFIRMING OWNERSHIP.

5 **SECTION 17.** In Colorado Revised Statutes, 10-4-601, **amend**
6 (6) and (10) introductory portion; and **add** (5.3) as follows:

7 **10-4-601. Definitions.** As used in this part 6, unless the context
8 otherwise requires:

9 (5.3) "KEI VEHICLE" HAS THE MEANING SET FORTH IN SECTION
10 42-1-102, C.R.S.

11 (6) "Motor vehicle" OR "AUTOMOBILE" means a motor vehicle, ~~and~~
12 a low-power scooter, OR A KEI VEHICLE as ~~both terms are~~ EACH TERM IS
13 defined in section 42-1-102, C.R.S.; except that "motor vehicle" OR
14 "AUTOMOBILE" does not include a toy vehicle, KEI VEHICLE, snowmobile,
15 OTHER off-highway vehicle, or vehicle designed primarily for use on rails.

16 (10) "Policy" means ~~an automobile~~ A MOTOR VEHICLE insurance
17 policy providing coverage for all or any of the following coverages:
18 Collision, comprehensive, bodily injury liability, property damage
19 liability, medical payments, and uninsured motorist coverage, or a
20 combination ~~automobile~~ MOTOR VEHICLE policy providing bodily injury
21 liability, property damage liability, medical payments, uninsured motorist,
22 and physical damage coverage, delivered or issued for delivery in this
23 state, insuring a single individual, or ~~husband and wife~~, MARRIED
24 SPOUSES, or family members residing in the same household, as THE
25 named insured, and under which the insured vehicles ~~therein~~ designated
26 IN THE POLICY are of the following types only:

27 **SECTION 18.** In Colorado Revised Statutes, 12-6-502, **amend**

1 (10); and **add** (5.7) as follows:

2 **12-6-502. Definitions.** As used in this part 5, unless the context
3 otherwise requires:

4 (5.7) "KEI VEHICLE" HAS THE MEANING SET FORTH IN SECTION
5 42-1-102, C.R.S.

6 (10) "Powersports vehicle" means any of the following:

7 (a) An off-highway vehicle;

8 (b) A personal watercraft; ~~or~~

9 (c) A snowmobile; OR

10 (d) A KEI VEHICLE.

11 **SECTION 19.** In Colorado Revised Statutes, 12-6-523, **amend**
12 (2) as follows:

13 **12-6-523. Unlawful acts.** (2) (a) EXCEPT AS PROVIDED BY
14 SUBSECTION (b) OF THIS SUBSECTION (2), it is unlawful for a person to act
15 as a wholesaler, powersports vehicle dealer, used powersports vehicle
16 dealer, powersports vehicle manufacturer, powersports vehicle
17 distributor, powersports vehicle manufacturer representative, or
18 powersports vehicle salesperson unless the person has been duly licensed
19 under the provisions of this part 5.

20 (b) A PERSON WHO WAS IN THE BUSINESS OF SELLING KEI VEHICLES
21 BEFORE JULY 1, 2015, MAY CONTINUE TO SELL KEI VEHICLES SO LONG AS
22 THE PERSON CONTINUES TO OPERATE THE BUSINESS.

23 **SECTION 20.** In Colorado Revised Statutes, 33-14.5-101,
24 **amend** (3) introductory portion, (3) (d), and (3) (g) as follows:

25 **33-14.5-101. Definitions.** As used in this article, unless the
26 context otherwise requires:

27 (3) "Off-highway vehicle" means ~~any~~ A self-propelled vehicle

1 ~~which~~ THAT is designed to travel on wheels or tracks in contact with the
2 ground, ~~which~~ is designed primarily for use off of the public highways,
3 and ~~which~~ is generally and commonly used ~~to transport persons~~ for
4 recreational purposes. "Off-highway vehicle" does not include: ~~the~~
5 following:

6 (d) Golf ~~carts~~ CARS;

7 (g) MOTOR vehicles registered ~~pursuant to~~ UNDER article 3 of title
8 42, C.R.S.

9 **SECTION 21. Act subject to petition - effective date -**
10 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
11 the expiration of the ninety-day period after final adjournment of the
12 general assembly (August 10, 2016, if adjournment sine die is on May 11,
13 2016); except that, if a referendum petition is filed pursuant to section 1
14 (3) of article V of the state constitution against this act or an item, section,
15 or part of this act within such period, then the act, item, section, or part
16 will not take effect unless approved by the people at the general election
17 to be held in November 2016 and, in such case, will take effect on the
18 date of the official declaration of the vote thereon by the governor.

19 (2) This act applies to registrations made and offenses committed
20 on or after January 1, 2017.