

HB1170_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Local Government.

HB20-1170 be amended as follows:

1 Amend printed bill, page 1, strike line 2 and substitute:

2 **"SECTION 1.** In Colorado Revised Statutes, 42-1-102, **amend**
3 (58); **repeal** (52.5); and **add** (43.1) and (102.6) as follows:".

4 Page 2, strike line 1.

5 Page 2, after line 3 insert:

6 "(43.1) "HISTORICAL MILITARY VEHICLE" HAS THE SAME MEANING
7 AS SET FORTH IN SECTION 42-12-101.

8 (52.5) ~~"Military vehicle" means a vehicle of any size or weight~~
9 ~~that is valued for historical purposes, that was manufactured for use by~~
10 ~~any nation's armed forces, and that is maintained in a condition that~~
11 ~~represents its military design and markings.~~

12 (58) (a) "Motor vehicle" means any self-propelled vehicle that is
13 designed primarily for travel on the public highways and that is generally
14 and commonly used to transport persons and property over the public
15 highways or a low-speed electric vehicle.

16 (b) ~~except that the term~~ "MOTOR VEHICLE" does not include
17 electrical assisted bicycles, electric scooters, low-power scooters,
18 wheelchairs, or vehicles moved solely by human power.

19 (c) For the purposes of the offenses described in sections
20 42-2-128, 42-4-1301, 42-4-1301.1, and 42-4-1401 for farm tractors and
21 off-highway vehicles, as defined in section 33-14.5-101 (3), operated on
22 streets and highways, "motor vehicle" includes a farm tractor or an
23 off-highway vehicle that is not otherwise classified as a motor vehicle.

24 (d) "MOTOR VEHICLE" INCLUDES A HISTORICAL MILITARY VEHICLE
25 FOR THE PURPOSE OF REGISTRATION IN ACCORDANCE WITH PART 5 OF
26 ARTICLE 12 OF THIS TITLE 42 AND DRIVING ON A HIGHWAY.

27 (e) For the purposes of sections 42-2-127, 42-2-127.7, 42-2-128,
28 42-2-138, 42-2-206, 42-4-1301, and 42-4-1301.1, "motor vehicle"
29 includes a low-power scooter."

30 Page 2, strike lines 6 and 7 and substitute "VEHICLE" DOES NOT INCLUDE
31 A HISTORICAL MILITARY VEHICLE."

32 Page 2, line 10, strike "**Military**" and substitute "**Surplus military**".

33 Page 2, lines 10 and 11, strike "OR A MILITARY VEHICLE".

1 Page 2, after line 11 insert:

2 "SECTION 3. In Colorado Revised Statutes, 42-3-120, **amend**
3 (1) as follows:

4 **42-3-120. Department may cancel or deny registration.**

5 (1) The department shall cancel the registration of any vehicle that the
6 department determines is unsafe or unfit to be operated or is not equipped
7 as required by law; EXCEPT THAT THE DEPARTMENT SHALL NOT CANCEL
8 A REGISTRATION MERELY BECAUSE THE VEHICLE IS A HISTORICAL
9 MILITARY VEHICLE.

10 **SECTION 4.** In Colorado Revised Statutes, 42-3-202, **amend** (4)
11 as follows:

12 **42-3-202. Number plates furnished to be attached.**

13 (4) Notwithstanding subsections (1) to (3) of this section, the owner of
14 a HISTORICAL military vehicle ~~may elect to~~ NEED not display the vehicle's
15 assigned license plate if the license plate is physically in the ~~military~~
16 vehicle and is available for inspection to any peace officer who requests
17 the plate.

18 **SECTION 5.** In Colorado Revised Statutes, 42-6-102, **amend**
19 (6.3) as follows:

20 **42-6-102. Definitions.** As used in this part 1, unless the context
21 otherwise requires:

22 (6.3) "~~Historical military vehicle" means a vehicle of any size or~~
23 ~~weight that is valued for historical purposes, that was manufactured for~~
24 ~~use by any nation's armed forces, and that is maintained in a condition~~
25 ~~that represents its military design and markings~~ HAS THE MEANING SET
26 FORTH IN SECTION 42-12-101.

27 **SECTION 6.** In Colorado Revised Statutes, 42-12-101, **amend**
28 the introductory portion; and **add** (7.5) as follows:

29 **42-12-101. Definitions.** As used in this ~~article~~ ARTICLE 12, unless
30 the context otherwise requires:

31 (7.5) "HISTORICAL MILITARY VEHICLE" MEANS A VEHICLE OF ANY
32 SIZE OR WEIGHT THAT:

33 (a) IS VALUED FOR HISTORICAL PURPOSES;

34 (b) WAS MANUFACTURED FOR USE BY ANY NATION'S ARMED
35 FORCES;

36 (c) IS A MODEL YEAR FORTY OR MORE YEARS OLD; AND

37 (d) IS MAINTAINED IN A CONDITION REPRESENTING ITS MILITARY
38 DESIGN AND HISTORICALLY APPROPRIATE MARKINGS.

39 **SECTION 7.** In Colorado Revised Statutes, **add** part 5 to article
40 12 of title 42 as follows:

41 PART 5

1 HISTORICAL MILITARY VEHICLES

2 **42-12-501. Certificates of title.** (1) THE OWNER OF A HISTORICAL
3 MILITARY VEHICLE MAY ELECT TO BE ISSUED A TITLE AS A MOTOR VEHICLE
4 IF:

5 (a) OTHER THAN THE VEHICLE NOT BEING A MOTOR VEHICLE, THE
6 HISTORICAL MILITARY VEHICLE IS QUALIFIED TO BE ISSUED A CERTIFICATE
7 OF TITLE UNDER ARTICLE 6 OF THIS TITLE 42;

8 (b) THE OWNER PAYS ANY FEES IMPOSED IN ARTICLE 6 OF THIS
9 TITLE 42; AND

10 (c) THE OWNER SIGNS AN AFFIDAVIT THAT THE VEHICLE WILL BE
11 USED ONLY IN ACCORDANCE WITH SECTION 42-12-503.

12 (2) THE DEPARTMENT SHALL ISSUE A CERTIFICATE OF TITLE FOR A
13 SURPLUS MILITARY VEHICLE AS AN OFF-HIGHWAY VEHICLE DESPITE THE
14 VEHICLE BEING TITLED AS A HISTORICAL MILITARY VEHICLE BY THE
15 PREVIOUS OWNER IF THE SURPLUS MILITARY VEHICLE:

16 (a) HAS BEEN TRANSFERRED TO ANOTHER PERSON; AND

17 (b) THE OWNER DOES NOT INTEND TO MAINTAIN AND USE THE
18 VEHICLE IN ACCORDANCE WITH THIS PART 5.

19 **42-12-502. Registration.** THE DEPARTMENT SHALL REGISTER AND
20 ISSUE A LICENSE PLATE TO A HISTORICAL MILITARY VEHICLE IF THE OWNER
21 SIGNS AN AFFIDAVIT THAT THE VEHICLE WILL BE USED IN ACCORDANCE
22 WITH SECTION 42-12-503; THE VEHICLE IS QUALIFIED, OTHER THAN NOT
23 BEING A MOTOR VEHICLE, TO BE REGISTERED UNDER ARTICLE 3 OF THIS
24 TITLE 42; AND THE OWNER PAYS ANY TAXES OR FEES IMPOSED IN ARTICLE
25 3 OF THIS TITLE 42.

26 **42-12-503. Authorized use.** (1) A PERSON MAY DRIVE A
27 REGISTERED HISTORICAL MILITARY VEHICLE ON THE HIGHWAYS, BUT
28 ONLY:

29 (a) TO AND FROM ASSEMBLIES, CONVENTIONS, OR OTHER
30 MEETINGS WHERE HISTORICAL MILITARY VEHICLES AND THEIR OWNERSHIP
31 ARE THE PRIMARY INTEREST;

32 (b) ON SPECIAL OCCASIONS, FOR DEMONSTRATIONS AND PARADES;

33 (c) ON OCCASIONS WHEN THE OPERATION OF THE VEHICLE ON THE
34 HIGHWAYS WILL NOT CONSTITUTE A TRAFFIC HAZARD; AND

35 (d) TO, FROM, AND DURING LOCAL, STATE, OR NATIONAL TOURS
36 HELD PRIMARILY FOR THE EXHIBITION AND ENJOYMENT OF HISTORICAL
37 MILITARY VEHICLES.

38 (2) A PERSON SHALL NOT DRIVE A HISTORICAL MILITARY VEHICLE
39 ON THE HIGHWAYS UNLESS IN COMPLIANCE WITH SUBSECTION (1) OF THIS
40 SECTION.

41 (3) A PERSON WHO VIOLATES SUBSECTION (1) OF THIS SECTION
42 COMMITS A CLASS B TRAFFIC INFRACTION. THE DEPARTMENT MAY CANCEL
43 THE REGISTRATION OF A HISTORICAL MILITARY VEHICLE THAT VIOLATES

1 SUBSECTION (1) OF THIS SECTION.

2 **42-12-504. Emissions.** A HISTORICAL MILITARY VEHICLE IS
3 EXEMPT FROM STATUTES REQUIRING THE INSPECTION AND USE OF
4 EMISSION CONTROLS, AS REQUIRED IN PARTS 3 AND 4 OF ARTICLE 4 OF THIS
5 TITLE 42. TO OPERATE A HISTORICAL MILITARY VEHICLE ON A HIGHWAY,
6 A HISTORICAL MILITARY VEHICLE THAT HAD EMISSION CONTROLS AS
7 STANDARD EQUIPMENT AT THE TIME OF MANUFACTURE MUST HAVE THE
8 EQUIPMENT IN PROPER OPERATING CONDITION."

9 Renumber succeeding section accordingly.

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