

SB20-115

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Crowder

1 Amend printed bill, page 2, line 2, before "**add**" insert "**amend** (58);
2 and".

3 Page 2, after line 5 insert:

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

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

11 (c) For the purposes of the offenses described in sections
12 42-2-128, 42-4-1301, 42-4-1301.1, and 42-4-1401 for farm tractors and
13 off-highway vehicles, as defined in section 33-14.5-101 (3), operated on
14 streets and highways, "motor vehicle" includes a farm tractor or an
15 off-highway vehicle that is not otherwise classified as a motor vehicle.

16 (d) "MOTOR VEHICLE" INCLUDES A SURPLUS MILITARY VEHICLE
17 FOR THE PURPOSE OF REGISTERING THE VEHICLE AS A FARM VEHICLE
18 UNDER SECTION 42-3-306 (4) AND FOR THE PURPOSE OF DRIVING A
19 SURPLUS MILITARY VEHICLE AS A FARM VEHICLE ON A ROADWAY.

20 (e) For the purposes of sections 42-2-127, 42-2-127.7, 42-2-128,
21 42-2-138, 42-2-206, 42-4-1301, and 42-4-1301.1, "motor vehicle"
22 includes a low-power scooter."

23 Page 2, after line 9 insert:

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

26 **42-3-120. Department may cancel or deny registration.**

27 (1) The department shall cancel the registration of any vehicle that the
28 department determines is unsafe or unfit to be operated or is not equipped
29 as required by law; EXCEPT THAT THE DEPARTMENT SHALL NOT CANCEL
30 THE REGISTRATION MERELY BECAUSE THE VEHICLE IS A SURPLUS MILITARY
31 VEHICLE."

32 Renumber succeeding sections accordingly.

33 Page 3, line 10, after the period add "THIS SUBSECTION (4) DOES NOT
34 AUTHORIZE A PERSON WHO IS NOT A FARMER OR RANCHER AND WHO DOES
35 NOT MEET THE QUALIFICATIONS IN THE SUBSECTION (4) TO REGISTER A

1 SURPLUS MILITARY VEHICLE AS A FARM VEHICLE, REGARDLESS OF
2 WHETHER THE SURPLUS MILITARY VEHICLE HAS PREVIOUSLY BEEN
3 REGISTERED AS A FARM VEHICLE."

4 Page 3, strike lines 11 through 20 and substitute:

5 "SECTION 4. In Colorado Revised Statutes, **add** 42-6-149 as
6 follows:

7 **42-6-149. Surplus military vehicles.** (1) A SURPLUS MILITARY
8 VEHICLE MAY BE ISSUED A TITLE AS A MOTOR VEHICLE IF:

9 (a) IT MEETS THE REQUIREMENTS TO BE REGISTERED AS A FARM
10 VEHICLE IN ACCORDANCE WITH SECTION 42-3-306 (4); AND

11 (b) THE FARMER OR RANCHER WHO OWNS THE SURPLUS MILITARY
12 VEHICLE REGISTERS THE VEHICLE AS A FARM VEHICLE IN ACCORDANCE
13 WITH SECTION 42-3-306 (4).

14 (2) THE DEPARTMENT SHALL ISSUE A CERTIFICATE OF TITLE FOR A
15 SURPLUS MILITARY VEHICLE AS AN OFF-HIGHWAY VEHICLE IF THE SURPLUS
16 MILITARY VEHICLE:

17 (a) HAS BEEN TRANSFERRED TO ANOTHER PERSON;

18 (b) HAS BEEN ISSUED A TITLE AS A MOTOR VEHICLE IN
19 ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION; AND

20 (c) IS NOT BEING REGISTERED BY THE TRANSFEREE AS A FARM
21 VEHICLE UNDER SUBSECTION (1) OF THIS SECTION.

22 **SECTION 5. Act subject to petition - effective date.** This act
23 takes effect January 1, 2021; except that, if a referendum petition is filed
24 pursuant to section 1 (3) of article V of the state constitution against this
25 act or an item, section, or part of this act within the ninety-day period
26 after final adjournment of the general assembly, then the act, item,
27 section, or part will not take effect unless approved by the people at the
28 general election to be held in November 2020 and, in such case, will take
29 effect January 1, 2021, or on the date of the official declaration of the
30 vote thereon by the governor, whichever is later."

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