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HOUSE BILL 25-1112

BY REPRESENTATIVE(S) Titone and Hamrick, Clifford, Froelich, Lindsay, McCormick;
also SENATOR(S) Exum and Frizell, Bridges, Cutter, Hinrichsen, Kipp, Michaelson Jenet, Coleman.

CONCERNING THE ENFORCEMENT OF CERTAIN MOTOR VEHICLE STATUTES
RELATED TO THE FAILURE TO REGISTER A VEHICLE.

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

SECTION 1. In Colorado Revised Statutes, 42-4-110, **amend** (1) introductory portion, (1)(d), and (3) as follows:

42-4-110. Provisions uniform throughout state - legislative declaration. (1) ~~The provisions of this article shall~~ THIS ARTICLE 4 MUST be applicable and uniform throughout this state and in all political subdivisions and municipalities. ~~therein.~~ Cities and counties, incorporated cities and towns, and counties shall regulate and enforce all traffic and parking restrictions on streets ~~which~~ THAT are state highways as provided in section 43-2-135 (1)(g), ~~C.R.S.~~, and all local authorities may enact and enforce traffic regulations on other roads and streets within their respective jurisdictions. All such regulations ~~shall be~~ ARE subject to the following

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

conditions and limitations:

(d) (I) ~~In no event shall~~ Local authorities DO NOT have the power to enact ~~by ordinance~~ regulations governing:

(A) The driving of ~~vehicles by persons~~ A VEHICLE BY A PERSON under the influence of alcohol or of a controlled substance, as defined in section 18-18-102 (5), ~~C.R.S.~~, or under the influence of any other drug to a degree that renders ~~any such~~ THE person incapable of safely operating a vehicle, or BY A PERSON whose ability to operate a vehicle is impaired by the consumption of alcohol or by the use of a controlled substance, as defined in section 18-18-102 (5), ~~C.R.S.~~, or any other drug;

(B) The ~~registration of vehicles and the~~ licensing of drivers;

(C) The duties and obligations of persons involved in traffic accidents; and

(D) Vehicle equipment requirements in conflict with the provisions of this ~~article~~; ARTICLE 4.

(II) ~~but said~~ Local authorities, within their respective jurisdictions, shall enforce the state laws pertaining to ~~these~~ THE subjects DESCRIBED IN SUBSECTION (1)(d)(I) OF THIS SECTION, and in every charge of violation the complaint ~~shall~~ MUST specify the section of state law under which the charge is made and the state court having jurisdiction.

(3) ~~No~~ A person convicted of ~~or pleading guilty to~~ a violation of a municipal traffic ordinance ~~shall~~ IS NOT SUBJECT TO be charged or tried in a state court for the same or a similar offense ARISING FROM THE SAME EVENT.

SECTION 2. In Colorado Revised Statutes, 42-4-111, **add** (1)(gg) as follows:

42-4-111. Powers of local authorities. (1) Except as otherwise provided in subsection (2) of this section, this article 4 does not prevent local authorities, with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power, from:

(gg) ENFORCING THE REQUIREMENT THAT A VEHICLE, TRAILER, SEMITRAILER, OR MOTOR VEHICLE BE REGISTERED AS REQUIRED IN ARTICLE 3 OF THIS TITLE 42. THIS SUBSECTION (1)(gg) DOES NOT AUTHORIZE A LOCAL AUTHORITY TO ENACT AN ORDINANCE OR RESOLUTION THAT REQUIRES THE OWNER OF A MOTOR VEHICLE, TRAILER, SEMITRAILER, OR VEHICLE TO REGISTER THE MOTOR VEHICLE, TRAILER, SEMITRAILER, OR VEHICLE WITH THE LOCAL AUTHORITY.

SECTION 3. In Colorado Revised Statutes, **add** 42-4-1720 as follows:

42-4-1720. Registration violations - dismissal upon compliance - notice required. (1) A COURT MAY DISMISS A VIOLATION FOR FAILING TO REGISTER A VEHICLE, TRAILER, SEMITRAILER, OR MOTOR VEHICLE IN VIOLATION OF SECTION 42-3-103 (1) OR (4), 42-3-114, 42-3-115, OR 42-6-140 OR OF THE RULES OF THE DEPARTMENT IMPLEMENTING SECTION 42-3-102 IF:

(a) THE VEHICLE, TRAILER, SEMITRAILER, OR MOTOR VEHICLE WAS UNREGISTERED FOR NO MORE THAN FOUR MONTHS AT THE TIME OF THE VIOLATION;

(b) THE OWNER REGISTERED THE VEHICLE, TRAILER, SEMITRAILER, OR MOTOR VEHICLE BEFORE THE OWNER'S FIRST COURT DATE AS LISTED ON THE CITATION OR SUMMONS; AND

(c) THE OWNER PAYS TO THE COURT A THIRTY-DOLLAR ADMINISTRATIVE DISMISSAL FEE IF THE COURT IS A MUNICIPAL COURT.

(2) A PEACE OFFICER WHO CHARGES A PERSON FOR A VIOLATION DESCRIBED IN THE INTRODUCTORY PORTION OF SUBSECTION (1) OF THIS SECTION MUST NOTIFY THE DEFENDANT OF THE OPPORTUNITY TO HAVE THE CHARGE DISMISSED BY THE COURT, IF THE REGISTRATION THAT LED TO THE CITATION OR SUMMONS IS EXPIRED FOR FOUR MONTHS OR LESS AT THE TIME OF THE VIOLATION AND IF REGISTRATION IS RENEWED PRIOR TO THE FIRST COURT DATE LISTED ON THE CITATION OR SUMMONS, BY EITHER:

(a) ORAL MEANS IF NOTIFICATION BY ELECTRONIC MEANS ON THE CITATION IS NOT IMPLEMENTED; OR

(b) ELECTRONIC MEANS ON THE CITATION IF IMPLEMENTED.

SECTION 4. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to offenses committed on or after the applicable effective date of this act.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO