

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0103.01 Jery Payne x2157

HOUSE BILL 25-1112

HOUSE SPONSORSHIP

Titone and Hamrick,

SENATE SPONSORSHIP

Exum,

House Committees

Transportation, Housing & Local Government
Appropriations

Senate Committees

A BILL FOR AN ACT

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

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://leg.colorado.gov>.)

The bill authorizes local authorities to enforce the requirement that a vehicle, trailer, semitrailer, or motor vehicle (vehicle) be registered. A conviction by a local authority does not bar a subsequent state prosecution if the subsequent prosecution does not arise from the same event.

A court will waive the following for a violation concerning a failure to register a vehicle:

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

- The penalties imposed for the violation if the court finds that the failure to register the vehicle was for good cause;
- The past-due specific ownership tax if the person demonstrates that the person's household had an income that was 150% or less below the current federal poverty line when the violation occurred; or
- The past-due fees, past-due specific ownership tax, and penalties if the person demonstrates that the person's household had an income that was 100% or less below the current federal poverty line when the violation occurred.

The department of revenue will adopt forms and rules to implement the bill. Current law requires each court to send an abstract of each conviction to the department for the person's driving record. The bill requires this abstract to include any waivers granted under the bill and the amount of the waivers. The department will include information regarding the number and amount of waivers granted in its "SMART Act" hearing.

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 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

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

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

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

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

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

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

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

23 **42-4-111. Powers of local authorities.** (1) Except as otherwise
24 provided in subsection (2) of this section, this article 4 does not prevent
25 local authorities, with respect to streets and highways under their
26 jurisdiction and within the reasonable exercise of the police power, from:

27 (gg) ENFORCING THE REQUIREMENT THAT A VEHICLE, TRAILER,

1 SEMITRAILER, OR MOTOR VEHICLE BE REGISTERED AS REQUIRED IN
2 ARTICLE 3 OF THIS TITLE 42.

3

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

6 **42-4-1720. Registration violations - dismissal upon compliance**

7 **- notice required.** (1) A COURT MAY DISMISS A VIOLATION FOR FAILING
8 TO REGISTER A VEHICLE, TRAILER, SEMITRAILER, OR MOTOR VEHICLE IN
9 VIOLATION OF SECTION 42-3-103 (1) OR (4), 42-3-114, 42-3-115, OR
10 42-6-140 OR OF THE RULES OF THE DEPARTMENT IMPLEMENTING SECTION
11 42-3-102 IF:

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

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

18 (c) THE OWNER PAYS TO THE COURT A THIRTY-DOLLAR
19 ADMINISTRATIVE DISMISSAL FEE.

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

27 (a) ORAL MEANS IF NOTIFICATION BY ELECTRONIC MEANS ON THE

1 CITATION IS NOT IMPLEMENTED; OR

2 (b) ELECTRONIC MEANS ON THE CITATION IF IMPLEMENTED.

3 **SECTION 4. Act subject to petition - effective date -**

4 **applicability.** (1) This act takes effect July 1, 2027; except that, if a
5 referendum petition is filed pursuant to section 1 (3) of article V of the
6 state constitution against this act or an item, section, or part of this act
7 within the ninety-day period after final adjournment of the general
8 assembly, then the act, item, section, or part will not take effect unless
9 approved by the people at the general election to be held in November
10 2026 and, in such case, will take effect July 1, 2027, or on the date of the
11 official declaration of the vote thereon by the governor, whichever is
12 later.

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