

CHAPTER 339

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 21-1141

BY REPRESENTATIVE(S) Hooton and Valdez A., Bennett, Boesenecker, Cutter, Kipp, McCormick, Michaelson Jenet, Mullica, Ricks, Titone, Duran, Jodeh, Woodrow, Garnett;
also SENATOR(S) Bridges, Winter.

AN ACT

**CONCERNING THE CREATION OF A LICENSE PLATE FOR PLUG-IN ELECTRIC MOTOR VEHICLES, AND,
IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds that:

(a) Colorado has an ambitious carbon reduction goal, and the transportation sector accounts for the highest amount of greenhouse gas emissions of any sector;

(b) To support its clean energy and carbon reduction goals, the state has an aggressive goal of nine hundred forty thousand electric vehicles in use by 2030;

(c) Awareness of electric vehicles in Colorado is low. In the market research study commissioned by the Colorado energy office, only nine percent of Coloradans are "very familiar" with electric vehicles. Without this familiarity, a person will be unlikely to consider an electric vehicle as his or her next vehicle purchase.

(d) In that same research study, respondents had difficulty recognizing electric vehicle models. This lack of awareness translates into people not considering an electric vehicle in their upcoming purchase decisions.

(e) Behavior and social science recognize that buyers are strongly influenced by what they see as social norms. As people see more electric vehicles on the road, with people like themselves driving them, these social, and sometimes subconscious, nudges can move markets forward in powerful ways.

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.

(f) Because people do not readily recognize electric vehicles on the road, where their existence promotes their wider use, it would benefit Colorado to provide obvious and practical identification of electric vehicles. Electric vehicle license plates stand out as unique and practical identifiers of electric vehicles.

(2) The general assembly hereby declares that:

(a) Clear identification of electric vehicles with a dedicated license plate is a low-cost and practical way to reap the benefits of greater public awareness of electric vehicles;

(b) Electric vehicle license plates will make it easier for the public and law enforcement to regulate who parks in electric vehicle parking places that are dedicated charging stations; and

(c) Electric vehicles can be driven in special lanes as an incentive to buy cleaner energy, and cities may designate roadways where only electric vehicles are allowed to mitigate local noise and pollution issues.

SECTION 2. In Colorado Revised Statutes, **add** 42-3-259 as follows:

42-3-259. Electric vehicle license plates. (1) THE ELECTRIC VEHICLE LICENSE PLATE IS HEREBY ESTABLISHED. ON OR AFTER JANUARY 1, 2022, THE DEPARTMENT SHALL DESIGN THE PLATE TO INDICATE THAT THE MOTOR VEHICLE TO WHICH THE PLATE IS ATTACHED IS A PLUG-IN ELECTRIC MOTOR VEHICLE.

(2) (a) UPON REGISTERING A PLUG-IN ELECTRIC MOTOR VEHICLE, THE DEPARTMENT SHALL ISSUE ELECTRIC VEHICLE LICENSE PLATES FOR THE MOTOR VEHICLE UNLESS THE OWNER ELECTS TO USE DIFFERENT LICENSE PLATES IN ACCORDANCE WITH SUBSECTION (2)(b) OF THIS SECTION. AN OWNER THAT IS ISSUED THE PLATES SHALL DISPLAY THE PLATES ON THE MOTOR VEHICLE IN ACCORDANCE WITH SECTION 42-3-202.

(b) THE OWNER OF THE PLUG-IN ELECTRIC MOTOR VEHICLE MAY ELECT TO USE DIFFERENT LICENSE PLATES ISSUED UNDER THIS ARTICLE 3 OR THE RULES PROMULGATED UNDER THIS ARTICLE 3, NOT INCLUDING THE LICENSE PLATES ISSUED IN ACCORDANCE WITH SECTION 42-3-203. IF THIS ARTICLE 3 OR THE RULES PROMULGATED UNDER THIS ARTICLE 3 REQUIRE DIFFERENT LICENSE PLATES TO BE ISSUED FOR A MOTOR VEHICLE, THE DEPARTMENT SHALL ISSUE THE DIFFERENT LICENSE PLATES FOR THE MOTOR VEHICLE. IF A PLUG-IN ELECTRIC MOTOR VEHICLE IS NOT ISSUED ELECTRIC VEHICLE LICENSE PLATES, THE OWNER SHALL USE THE DECAL ISSUED IN SECTION 42-3-304 (25) TO IDENTIFY THE PLUG-IN ELECTRIC MOTOR VEHICLE.

(3) EXCEPT AS PROVIDED IN SECTION 42-3-304 (25)(a), THE AMOUNT OF THE TAXES AND FEES FOR THE ELECTRIC VEHICLE LICENSE PLATES ISSUED UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES.

(4) AN OWNER MAY APPLY FOR PERSONALIZED ELECTRIC VEHICLE LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211

(6)(a) FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE THE PLATES IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET OF ELECTRIC VEHICLE LICENSE PLATES FOR THE PLUG-IN ELECTRIC MOTOR VEHICLE UPON PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6)(a) AND UPON TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. AN OWNER THAT HAS OBTAINED PERSONALIZED LICENSE PLATES UNDER THIS SUBSECTION (4) MUST PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6)(b) FOR RENEWAL OF THE PERSONALIZED PLATES. THE FEES UNDER THIS SUBSECTION (4) ARE IN ADDITION TO ALL OTHER APPLICABLE TAXES AND FEES.

SECTION 3. In Colorado Revised Statutes, 42-3-304, **amend** (25)(b) as follows:

42-3-304. Registration fees - passenger and passenger-mile taxes - clean screen fund - definitions. (25) (b) The department of revenue shall create an electric vehicle decal, which an authorized agent shall give to each person ~~who~~ THAT pays the fee charged under subsection (25)(a) of this section AND THAT IS NOT ISSUED AN ELECTRIC VEHICLE LICENSE PLATE UNDER SECTION 42-3-259 FOR THE PLUG-IN ELECTRIC MOTOR VEHICLE. The decal must be attached to the upper right-hand corner of the front windshield on the motor vehicle for which it was issued. If there is a change of vehicle ownership, the decal is transferable to the new owner.

SECTION 4. In Colorado Revised Statutes, **add** 42-3-259 as follows:

42-3-259. Electric vehicle license plates. (1) THE ELECTRIC VEHICLE LICENSE PLATE IS HEREBY ESTABLISHED. ON OR AFTER JANUARY 1, 2022, THE DEPARTMENT SHALL DESIGN THE PLATE TO INDICATE THAT THE MOTOR VEHICLE TO WHICH THE PLATE IS ATTACHED IS AN ELECTRIC MOTOR VEHICLE.

(2) (a) UPON REGISTERING AN ELECTRIC MOTOR VEHICLE, THE DEPARTMENT SHALL ISSUE ELECTRIC VEHICLE LICENSE PLATES FOR THE MOTOR VEHICLE UNLESS THE OWNER ELECTS TO USE DIFFERENT LICENSE PLATES IN ACCORDANCE WITH SUBSECTION (2)(b) OF THIS SECTION. AN OWNER THAT IS ISSUED THE PLATES SHALL DISPLAY THE PLATES ON THE ELECTRIC MOTOR VEHICLE IN ACCORDANCE WITH SECTION 42-3-202.

(b) THE OWNER OF THE ELECTRIC MOTOR VEHICLE MAY ELECT TO USE DIFFERENT LICENSE PLATES ISSUED UNDER THIS ARTICLE 3 OR THE RULES PROMULGATED UNDER THIS ARTICLE 3, NOT INCLUDING THE LICENSE PLATES ISSUED IN ACCORDANCE WITH SECTION 42-3-203. IF THIS ARTICLE 3 OR THE RULES PROMULGATED UNDER THIS ARTICLE 3 REQUIRE DIFFERENT LICENSE PLATES TO BE ISSUED FOR A MOTOR VEHICLE, THE DEPARTMENT SHALL ISSUE THE DIFFERENT LICENSE PLATES FOR THE MOTOR VEHICLE. IF AN ELECTRIC MOTOR VEHICLE IS NOT ISSUED ELECTRIC VEHICLE LICENSE PLATES, THE OWNER SHALL USE THE DECAL ISSUED IN SECTION 42-3-304 (25) TO IDENTIFY THE ELECTRIC MOTOR VEHICLE.

(3) EXCEPT AS PROVIDED IN SECTION 42-3-304 (25), THE AMOUNT OF THE TAXES AND FEES FOR THE ELECTRIC VEHICLE LICENSE PLATES ISSUED UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES AND FEES FOR REGULAR MOTOR VEHICLE

LICENSE PLATES.

(4) AN OWNER MAY APPLY FOR PERSONALIZED ELECTRIC VEHICLE LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6)(a) FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE THE PLATES IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET OF ELECTRIC VEHICLE LICENSE PLATES FOR THE ELECTRIC MOTOR VEHICLE UPON PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6)(a) AND UPON TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. AN OWNER THAT HAS OBTAINED PERSONALIZED LICENSE PLATES UNDER THIS SUBSECTION (4) MUST PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6)(b) FOR RENEWAL OF THE PERSONALIZED PLATES. THE FEES UNDER THIS SUBSECTION (4) ARE IN ADDITION TO ALL OTHER APPLICABLE TAXES AND FEES.

SECTION 5. In Colorado Revised Statutes, 42-3-304, **amend** (25)(b) as follows:

42-3-304. Registration fees - passenger and passenger-mile taxes - clean screen fund - definitions. (25) (b) The department of revenue shall create an electric vehicle decal, which an authorized agent shall give to each person ~~who~~ THAT pays the fee charged under subsection (25)(a) of this section AND THAT IS NOT ISSUED AN ELECTRIC VEHICLE LICENSE PLATE UNDER SECTION 42-3-259 FOR THE ELECTRIC MOTOR VEHICLE. The decal must be attached to the upper right-hand corner of the front windshield on the motor vehicle for which it was issued. If there is a change of vehicle ownership, the decal is transferable to the new owner.

SECTION 6. Appropriation. (1) For the 2021-22 state fiscal year, \$91,636 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation consists of \$38,600 from the Colorado DRIVES vehicle services account in the highway users tax fund created in section 42-1-211 (2)(b)(I), C.R.S., and \$53,036 from the license plate cash fund created in section 42-3-301 (1)(b), C.R.S. To implement this act, the division may use this appropriation as follows:

(a) \$38,600 from the Colorado DRIVES vehicle services account in the highway users tax fund for DRIVES maintenance and support; and

(b) \$53,036 from the license plate cash fund for license plate ordering.

SECTION 7. Act subject to petition - effective date. (1) Except as otherwise provided in this section, 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 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) Sections 2 and 3 of this act take effect only if Senate Bill 21-260 does not become law.

(3) Sections 4 and 5 of this act take effect only if Senate Bill 21-260 becomes law and take effect either upon the effective date of this act or Senate Bill 21-260, whichever is later.

Approved: June 25, 2021