

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

INTRODUCED

LLS NO. 19-0718.02 Jason Gelender x4330

HOUSE BILL 19-1157

HOUSE SPONSORSHIP

Liston,

SENATE SPONSORSHIP

(None),

House Committees

Transportation & Local Government
Finance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE MODIFICATION OF SPECIFIC OWNERSHIP TAX RATES,**
102 **AND, IN CONNECTION THEREWITH, REQUIRING ADDITIONAL**
103 **SPECIFIC OWNERSHIP TAX REVENUE GENERATED BY THE RATE**
104 **MODIFICATIONS TO BE CREDITED TO THE HIGHWAY USERS TAX**
105 **FUND AND ALLOCATED TO THE STATE HIGHWAY FUND,**
106 **COUNTIES, AND MUNICIPALITIES IN ACCORDANCE WITH AN**
107 **EXISTING STATUTORY FORMULA.**

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>.)

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

On and after July 1, 2020, the bill modifies the rates of specific ownership tax imposed on motor vehicles, commercial trailers, and special mobile machinery that is less than 25 years old, increasing the total amount of specific ownership tax revenue collected. Additional specific ownership tax revenue generated by the specific ownership tax rate modifications is transferred to the highway users tax fund (HUTF) for allocation to the state, counties, and municipalities in accordance with the existing "second stream" statutory formula for the allocation of HUTF money. The state, counties, and municipalities may expend the revenue only for construction, reconstruction, repairs, improvement, planning, supervision, and maintenance of state highways, county roads, and municipal streets, including the acquisition of rights-of-way and access rights.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-3-107, **amend** (2),
3 (7), (8)(a), (8)(b)(I), (8)(b)(III), (8)(b)(IV), (10)(a), (10)(b)(I), (10)(b)(III),
4 (10)(b)(IV), (13), and (15)(e); and **add** (2.5), (7.5), (8)(a.5), (10)(a.5), and
5 (15)(e.5) as follows:

6 **42-3-107. Taxable value of classes of property - rate of tax -**
7 **when and where payable - department duties - apportionment of tax**
8 **collections - definitions - rules - repeal.** (2) BEFORE JULY 1, 2020, the
9 annual specific ownership tax payable on every item of Class A personal
10 property shall be computed in accordance with the following schedule:

11 Year of service	Rate of tax
12 First year	2.10% of taxable value
13 Second year	1.50% of taxable value
14 Third year	1.20% of taxable value
15 Fourth year	.90% of taxable value
16 Fifth, sixth, seventh, eighth,	
17 and ninth years	.45% of taxable value or \$10,

1 REGISTERED AS BEING IN ITS TENTH YEAR OR A LATER YEAR OF SERVICE AS
2 OF THE EFFECTIVE DATE OF THIS SUBSECTION (2.5)(b) AND HAS NOT, ON OR
3 AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (2.5)(b), BEEN NEWLY
4 REGISTERED IN THE STATE AFTER PREVIOUSLY BEING REGISTERED IN
5 ANOTHER STATE OR A FOREIGN COUNTRY OR BEEN SOLD OR TRANSFERRED.

6 (7) WITH RESPECT TO SPECIFIC OWNERSHIP TAXES COLLECTED
7 BEFORE JULY 1, 2020, the department shall transmit all specific ownership
8 taxes collected on items of Class A and Class F personal property to the
9 state treasurer and shall advise the treasurer on the last day of each month
10 of the amounts apportioned to each county from the preceding month's
11 collections. The state treasurer shall pay ~~such~~ THE amounts to the
12 respective treasurers of each county.

13 (7.5) WITH RESPECT TO SPECIFIC OWNERSHIP TAXES COLLECTED ON
14 OR AFTER JULY 1, 2020, THE DEPARTMENT SHALL TRANSMIT ALL SPECIFIC
15 OWNERSHIP TAXES COLLECTED ON ITEMS OF CLASS A, CLASS B, CLASS C,
16 CLASS D, AND CLASS F PERSONAL PROPERTY TO THE STATE TREASURER
17 AND SHALL ADVISE THE STATE TREASURER ON THE LAST DAY OF EACH
18 MONTH OF BOTH THE AMOUNTS ACTUALLY APPORTIONED TO EACH
19 COUNTY FROM THE PRECEDING MONTH'S COLLECTIONS PURSUANT TO
20 SUBSECTIONS (2.5), (8)(a.5), (10)(a.5), (13)(b), AND (15)(e.5) OF THIS
21 SECTION AND THE AMOUNTS THAT WOULD HAVE BEEN APPORTIONED TO
22 EACH COUNTY FROM THE PRECEDING MONTH'S COLLECTIONS UNDER
23 SUBSECTIONS (2), (8)(a), (10)(a), (13)(a), AND (15)(e) OF THIS SECTION IF
24 THE SPECIFIC OWNERSHIP TAX SCHEDULES SET FORTH IN THOSE
25 SUBSECTIONS HAD CONTINUED TO APPLY ON AND AFTER JULY 1, 2020. THE
26 STATE TREASURER SHALL PAY THE AMOUNTS THAT WOULD HAVE BEEN
27 APPORTIONED TO EACH COUNTY UNDER SUBSECTIONS (2), (8)(a), (10)(a),

1 (13)(a), AND (15)(e) OF THIS SECTION IF THE SPECIFIC OWNERSHIP TAX
 2 SCHEDULES SET FORTH IN THOSE SUBSECTIONS HAD CONTINUED TO APPLY
 3 ON AND AFTER JULY 1, 2020, TO EACH COUNTY AND SHALL CREDIT ALL
 4 REMAINING SPECIFIC OWNERSHIP TAXES TO THE HIGHWAY USERS TAX
 5 FUND CREATED IN SECTION 43-4-201 (1)(a) FOR ALLOCATION TO THE
 6 STATE HIGHWAY FUND, THE COUNTY TREASURERS OF THE RESPECTIVE
 7 COUNTIES, AND CITIES AND INCORPORATED TOWNS AS SPECIFIED IN
 8 SECTION 43-4-205 (6.8).

9 (8) (a) Except as OTHERWISE provided in ~~paragraph (b) of this~~
 10 ~~subsection (8)~~ SUBSECTION (8)(b) OF THIS SECTION, BEFORE JULY 1, 2020,
 11 the annual specific ownership tax payable on every item of Class B
 12 personal property is:

Year of service	Rate of tax
14 First year	2.10% of taxable value
15 Second year	1.50% of taxable value
16 Third year	1.20% of taxable value
17 Fourth year	.90% of taxable value
18 Fifth, sixth, seventh, eighth, 19 and ninth years	.45% of taxable value or \$10, 20 whichever is greater
21 Tenth and each later year	\$ 3

22 (a.5) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS
 23 (8)(a.5)(II) AND (8)(b) OF THIS SECTION, ON AND AFTER JULY 1, 2020, THE
 24 ANNUAL SPECIFIC OWNERSHIP TAX PAYABLE ON EVERY ITEM OF CLASS B
 25 PERSONAL PROPERTY IS:

YEAR OF SERVICE	RATE OF TAX
26 FIRST YEAR	2.10% OF TAXABLE VALUE

1	SECOND YEAR	1.50% OF TAXABLE VALUE
2	THIRD YEAR	1.20% OF TAXABLE VALUE
3	FOURTH YEAR	.90% OF TAXABLE VALUE
4	FIFTH YEAR	.80% OF TAXABLE VALUE
5	SIXTH YEAR	.70% OF TAXABLE VALUE
6	SEVENTH YEAR	.60% OF TAXABLE VALUE
7	EIGHTH YEAR	.50% OF TAXABLE VALUE
8	NINTH YEAR	.45% OF TAXABLE VALUE
9	TENTH THROUGH	
10	FIFTEENTH YEARS	.35% OF TAXABLE VALUE
11	SIXTEENTH THROUGH	
12	TWENTY-FOURTH YEARS	.25% OF TAXABLE VALUE
13	TWENTY-FIFTH YEAR AND	
14	EACH LATER YEAR	\$ 3

15 (II) NOTWITHSTANDING THE SPECIFIC OWNERSHIP TAX SCHEDULE
16 SPECIFIED IN SUBSECTION (8)(a.5)(I) OF THIS SECTION, ON AND AFTER JULY
17 1, 2020, THE ANNUAL SPECIFIC OWNERSHIP TAX PAYABLE ON AN ITEM OF
18 CLASS B PERSONAL PROPERTY IS THREE DOLLARS IF THE ITEM WAS
19 REGISTERED AS BEING IN ITS TENTH YEAR OR A LATER YEAR OF SERVICE AS
20 OF THE EFFECTIVE DATE OF THIS SUBSECTION (8)(a.5)(II) AND HAS NOT, ON
21 OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (8)(a.5)(II), BEEN
22 NEWLY REGISTERED IN THE STATE AFTER PREVIOUSLY BEING REGISTERED
23 IN ANOTHER STATE OR A FOREIGN COUNTRY OR BEEN SOLD OR
24 TRANSFERRED.

25 (b) (I) In lieu of paying the specific ownership tax required in
26 ~~paragraph (a) of this subsection (8)~~ BY SUBSECTION (8)(a) OR (8)(a.5) OF
27 THIS SECTION, an owner who qualifies may pay ownership tax under this

1 ~~paragraph (b)~~ SUBSECTION (8)(b). The specific ownership tax payable on
2 Class B personal property under sixteen thousand pounds empty weight
3 is one dollar for each full year while the owner is a member of the United
4 States armed forces and has orders to serve outside the United States. If
5 the owner serves less than a full year outside the United States, the tax is
6 the amount established by ~~paragraph (a) of this subsection (8)~~
7 SUBSECTION (8)(a) OR (8)(a.5) OF THIS SECTION, prorated according to the
8 number of months the owner was in the United States.

9 (III) If a person has already paid taxes at the rate required in
10 ~~paragraph (a) of this subsection (8)~~ BY SUBSECTION (8)(a) OR (8)(a.5) OF
11 THIS SECTION but is eligible to pay taxes under this ~~paragraph (b)~~
12 SUBSECTION (8)(b), the department shall credit the person the difference
13 between the rate in ~~paragraph (a) of this subsection (8)~~ SUBSECTION (8)(a)
14 OR (8)(a.5) OF THIS SECTION and the prorated rate imposed in this
15 ~~paragraph (b)~~ SUBSECTION (8)(b) towards the person's specific ownership
16 taxes for succeeding years.

17 (IV) This ~~paragraph (b)~~ SUBSECTION (8)(b)(IV) only applies to a
18 motor vehicle that is less than ~~ten~~ TWENTY-FIVE model-years old and less
19 than sixteen thousand pounds empty weight.

20 (10) (a) Except as OTHERWISE provided in ~~paragraph (b) of this~~
21 ~~subsection (10)~~ SUBSECTION (10)(b) OF THIS SECTION, BEFORE JULY 1,
22 2020, the annual specific ownership tax payable on every item of Class
23 C personal property is:

24 Year of service	Rate of tax
25 First year	2.10% of taxable value
26 Second year	1.50% of taxable value
27 Third year	1.20% of taxable value

1	Fourth year	.90% of taxable value
2	Fifth, sixth, seventh, eighth,	
3	and ninth years	.45% of taxable value
4	Tenth and each later year	\$ 3

5 (a.5) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS
6 (10)(a.5)(II) AND (10)(b) OF THIS SECTION, ON AND AFTER JULY 1, 2020,
7 THE ANNUAL SPECIFIC OWNERSHIP TAX PAYABLE ON EVERY ITEM OF CLASS
8 C PERSONAL PROPERTY IS:

9	YEAR OF SERVICE	RATE OF TAX
10	FIRST YEAR	2.10% OF TAXABLE VALUE
11	SECOND YEAR	1.50% OF TAXABLE VALUE
12	THIRD YEAR	1.20% OF TAXABLE VALUE
13	FOURTH YEAR	.90% OF TAXABLE VALUE
14	FIFTH YEAR	.80% OF TAXABLE VALUE
15	SIXTH YEAR	.70% OF TAXABLE VALUE
16	SEVENTH YEAR	.60% OF TAXABLE VALUE
17	EIGHTH YEAR	.50% OF TAXABLE VALUE
18	NINTH YEAR	.45% OF TAXABLE VALUE
19	TENTH THROUGH	
20	FIFTEENTH YEARS	.35% OF TAXABLE VALUE
21	SIXTEENTH THROUGH	
22	TWENTY-FOURTH YEARS	.25% OF TAXABLE VALUE
23	TWENTY-FIFTH YEAR AND	
24	EACH LATER YEAR	\$ 3

25 (II) NOTWITHSTANDING THE SPECIFIC OWNERSHIP TAX SCHEDULE
26 SPECIFIED IN SUBSECTION (10)(a.5)(I) OF THIS SECTION, ON AND AFTER
27 JULY 1, 2020, THE ANNUAL SPECIFIC OWNERSHIP TAX PAYABLE ON AN ITEM

1 OF CLASS C PERSONAL PROPERTY IS THREE DOLLARS IF THE ITEM WAS
2 REGISTERED AS BEING IN ITS TENTH YEAR OR A LATER YEAR OF SERVICE AS
3 OF THE EFFECTIVE DATE OF THIS SUBSECTION (10)(a.5)(II) AND HAS NOT,
4 ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (10)(a.5)(II), BEEN
5 NEWLY REGISTERED IN THE STATE AFTER PREVIOUSLY BEING REGISTERED
6 IN ANOTHER STATE OR A FOREIGN COUNTRY OR BEEN SOLD OR
7 TRANSFERRED.

8 (b) (I) In lieu of paying the specific ownership tax required in
9 ~~paragraph (a) of this subsection (10)~~ BY SUBSECTION (10)(a) OF THIS
10 SECTION, an owner who qualifies may pay ownership tax under this
11 ~~paragraph (b)~~ SUBSECTION (10)(b). The specific ownership tax payable on
12 Class C personal property is one dollar for each full year while the owner
13 is a member of the United States armed forces and has orders to serve
14 outside the United States. If the owner serves less than a full year outside
15 the United States, the tax is the amount established by ~~paragraph (a) of~~
16 ~~this subsection (10)~~ SUBSECTION (10)(a) OR (10)(a.5) OF THIS SECTION,
17 prorated according to the number of months the owner was in the United
18 States.

19 (III) If a person has already paid taxes at the rate required in
20 ~~paragraph (a) of this subsection (10)~~ BY SUBSECTION (10)(a) OR (10)(a.5)
21 OF THIS SECTION, but is eligible to pay taxes under this ~~paragraph (b)~~
22 SUBSECTION (10)(b), the department shall credit the person the difference
23 between the rate in ~~paragraph (a) of this subsection (10)~~ SUBSECTION
24 (10)(a) OR (10)(a.5) OF THIS SECTION and the prorated rate imposed in this
25 ~~paragraph (b)~~ SUBSECTION (10)(b) towards the person's specific
26 ownership taxes for succeeding years.

27 (IV) This ~~paragraph (b)~~ SUBSECTION (10)(b) only applies to a

1 motor vehicle that is less than ~~ten~~ TWENTY-FIVE model-years old.

2 (13) (a) BEFORE JULY 1, 2020, the annual specific ownership tax
3 payable on every item of Class D personal property ~~shall be~~ IS computed
4 in accordance with the following schedule:

5 Year of service	Rate of tax
6 First year	2.10% of taxable value
7 Second year	1.50% of taxable value
8 Third year	1.20% of taxable value
9 Fourth year	.90% of taxable value
10 Fifth, sixth, seventh, eighth, 11 and ninth years	.45% of taxable value
12 Tenth and each later year	.45% of taxable value or \$ 3, 13 whichever is greater

14 (b) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (13)(b)(II)
15 OF THIS SECTION, ON AND AFTER JULY 1, 2020, THE ANNUAL SPECIFIC
16 OWNERSHIP TAX PAYABLE ON EVERY ITEM OF CLASS D PERSONAL
17 PROPERTY SHALL BE COMPUTED IN ACCORDANCE WITH THE FOLLOWING
18 SCHEDULE:

19 YEAR OF SERVICE	RATE OF TAX
20 FIRST YEAR	2.10% OF TAXABLE VALUE
21 SECOND YEAR	1.50% OF TAXABLE VALUE
22 THIRD YEAR	1.20% OF TAXABLE VALUE
23 FOURTH YEAR	.90% OF TAXABLE VALUE
24 FIFTH YEAR	.80% OF TAXABLE VALUE
25 SIXTH YEAR	.70% OF TAXABLE VALUE
26 SEVENTH YEAR	.60% OF TAXABLE VALUE
27 EIGHTH YEAR	.50% OF TAXABLE VALUE

1	NINTH YEAR	.45% OF TAXABLE VALUE
2	TENTH THROUGH	
3	FIFTEENTH YEARS	.35% OF TAXABLE VALUE
4	SIXTEENTH THROUGH	
5	TWENTY-FOURTH YEARS	.25% OF TAXABLE VALUE
6	TWENTY-FIFTH YEAR AND	
7	EACH LATER YEAR	\$ 3

8 (II) NOTWITHSTANDING THE SPECIFIC OWNERSHIP TAX SCHEDULE
9 SPECIFIED IN SUBSECTION (13)(b)(I) OF THIS SECTION, ON AND AFTER JULY
10 1, 2020, THE ANNUAL SPECIFIC OWNERSHIP TAX PAYABLE ON AN ITEM OF
11 CLASS D PERSONAL PROPERTY IS THREE DOLLARS IF THE ITEM WAS
12 REGISTERED AS BEING IN ITS TENTH YEAR OR A LATER YEAR OF SERVICE AS
13 OF THE EFFECTIVE DATE OF THIS SUBSECTION (13)(b)(II) AND HAS NOT, ON
14 OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (13)(b)(II), BEEN
15 NEWLY REGISTERED IN THE STATE AFTER PREVIOUSLY BEING REGISTERED
16 IN ANOTHER STATE OR A FOREIGN COUNTRY OR BEEN SOLD OR
17 TRANSFERRED.

18 (15) (e) BEFORE JULY 1, 2020, the annual specific ownership tax
19 payable on each item of Class F personal property ~~shall be~~ IS computed
20 in accordance with the following schedule:

21	Year of service	Rate of tax
22	First year	2.10% of taxable value
23	Second year	1.50% of taxable value
24	Third year	1.25% of taxable value
25	Fourth year	1.00% of taxable value
26	Fifth year	.75% of taxable value
27	Sixth and each later year	.50% of taxable value,

1 but not less than \$ 5
 2 (e.5) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION
 3 (15)(e.5)(II) OF THIS SECTION, ON AND AFTER JULY 1, 2020, THE ANNUAL
 4 SPECIFIC OWNERSHIP TAX PAYABLE ON EVERY ITEM OF CLASS F PERSONAL
 5 PROPERTY IS:

6	YEAR OF SERVICE	RATE OF TAX
7	FIRST YEAR	2.10% OF TAXABLE VALUE
8	SECOND YEAR	1.50% OF TAXABLE VALUE
9	THIRD YEAR	1.20% OF TAXABLE VALUE
10	FOURTH YEAR	.90% OF TAXABLE VALUE
11	FIFTH YEAR	.80% OF TAXABLE VALUE
12	SIXTH YEAR	.70% OF TAXABLE VALUE
13	SEVENTH YEAR	.60% OF TAXABLE VALUE
14	EIGHTH YEAR	.50% OF TAXABLE VALUE
15	NINTH YEAR	.45% OF TAXABLE VALUE
16	TENTH THROUGH	
17	FIFTEENTH YEARS	.35% OF TAXABLE VALUE
18	SIXTEENTH THROUGH	
19	TWENTY-FOURTH YEARS	.25% OF TAXABLE VALUE
20	TWENTY-FIFTH YEAR AND	
21	EACH LATER YEAR	\$ 3

22 (II) NOTWITHSTANDING THE SPECIFIC OWNERSHIP TAX SCHEDULE
 23 SPECIFIED IN SUBSECTION (15)(e.5)(I) OF THIS SECTION, ON AND AFTER
 24 JULY 1, 2020, THE ANNUAL SPECIFIC OWNERSHIP TAX PAYABLE ON AN ITEM
 25 OF CLASS F PERSONAL PROPERTY IS THREE DOLLARS IF THE ITEM WAS
 26 REGISTERED AS BEING IN ITS TENTH YEAR OR A LATER YEAR OF SERVICE AS
 27 OF THE EFFECTIVE DATE OF THIS SUBSECTION (15)(e.5)(II) AND HAS NOT,

1 ONOR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (15)(e.5)(II), BEEN
2 NEWLY REGISTERED IN THE STATE AFTER PREVIOUSLY BEING REGISTERED
3 IN ANOTHER STATE OR A FOREIGN COUNTRY OR BEEN SOLD OR
4 TRANSFERRED.

5 **SECTION 2.** In Colorado Revised Statutes, 43-4-205, **amend**
6 (6.5)(a); and **add** (6.8) as follows:

7 **43-4-205. Allocation of fund.** (6.5) (a) The ~~revenues~~ REVENUE
8 accrued to and transferred to the highway users tax fund pursuant to
9 section 39-26-123 (4)(a) ~~or 24-75-219, C.R.S., or appropriated to the~~
10 ~~highway users tax fund pursuant to House Bill 02-1389, enacted during~~
11 ~~the second regular session of the sixty-third general assembly,~~ shall be
12 paid to the state highway fund for allocation to the department of
13 transportation and shall be expended as provided in section 43-4-206 (2).

14 (6.8) SPECIFIC OWNERSHIP TAX REVENUE THAT IS CREDITED TO THE
15 HIGHWAY USERS TAX FUND PURSUANT TO SECTION 42-3-107 (7.5) IS
16 ALLOCATED TO THE STATE HIGHWAY FUND, THE COUNTY TREASURERS OF
17 THE RESPECTIVE COUNTIES, AND CITIES AND INCORPORATED TOWNS FOR
18 EXPENDITURE IN ACCORDANCE WITH THE FORMULA SPECIFIED IN
19 SUBSECTION (6)(b) OF THIS SECTION.

20 **SECTION 3.** In Colorado Revised Statutes, 43-4-206, **amend** (1)
21 introductory portion and (2)(a) introductory portion as follows:

22 **43-4-206. State allocation.** (1) Except as otherwise provided in
23 subsections (1)(b)(V), (2), and (3) of this section, after paying the costs
24 of the Colorado state patrol and any other costs of the department,
25 exclusive of highway construction, highway improvements, or highway
26 maintenance, that are appropriated by the general assembly, money in the
27 highway users tax fund THAT IS REQUIRED BY SECTION 43-4-205 TO BE

1 PAID TO THE STATE HIGHWAY FUND shall be paid to the state highway fund
2 and expended for the following purposes:

3 (2) (a) SPECIFIC OWNERSHIP TAX REVENUE THAT IS CREDITED TO
4 THE HIGHWAY USERS TAX FUND PURSUANT TO SECTION 42-3-107 (7.5) AND
5 ALLOCATED TO THE STATE HIGHWAY FUND AS REQUIRED BY SECTION
6 43-4-205 (6.8) SHALL BE EXPENDED FOR THE CONSTRUCTION,
7 RECONSTRUCTION, REPAIRS, IMPROVEMENT, PLANNING, SUPERVISION, AND
8 MAINTENANCE OF THE STATE HIGHWAY SYSTEM, INCLUDING ANY COUNTY
9 AND MUNICIPAL ROADS AND HIGHWAYS AND THE ACQUISITION OF
10 RIGHTS-OF-WAY AND ACCESS RIGHTS FOR THE SYSTEM. Revenue accrued
11 to and transferred to the highway users tax fund pursuant to section
12 39-26-123 (4)(a) or appropriated to the highway users tax fund pursuant
13 to House Bill 02-1389, enacted at the second regular session of the
14 sixty-third general assembly, and credited to the state highway fund
15 pursuant to section 43-4-205 (6.5) shall be expended by the department
16 of transportation for the implementation of the strategic transportation
17 project investment ~~program~~ AS FOLLOWS:

18 **SECTION 4.** In Colorado Revised Statutes, 43-4-207, **amend** (1)
19 and (2)(b) introductory portion as follows:

20 **43-4-207. County allocation.** (1) After paying the costs of the
21 Colorado state patrol and any other costs of the department, exclusive of
22 highway construction, highway improvements, or highway maintenance,
23 that are appropriated by the general assembly, the money, including
24 money transferred from the general fund to the highway users tax fund
25 pursuant to section 24-75-219 (5)(a)(II) and (5)(b)(II) AND SPECIFIC
26 OWNERSHIP TAX REVENUE THAT IS CREDITED TO THE HIGHWAY USERS TAX
27 FUND PURSUANT TO SECTION 42-3-107 (7.5), that section 43-4-205

1 requires to be paid from the highway users tax fund to the county
2 treasurers of the respective counties shall be paid to the county treasurers
3 of the respective counties, subject to annual appropriation by the general
4 assembly, and shall be allocated and expended as provided in this section.
5 The money received is allocated to the counties as provided by law and
6 shall be expended by the counties only on the construction, engineering,
7 reconstruction, maintenance, repair, equipment, improvement, and
8 administration of the county highway systems and any other public
9 highways, including any state highways, together with acquisition of
10 rights-of-way and access rights for the same, for the planning, designing,
11 engineering, acquisition, installation, construction, repair, reconstruction,
12 maintenance, operation, or administration of transit-related projects,
13 including, but not limited to, designated bicycle or pedestrian lanes of
14 highway and infrastructure needed to integrate different transportation
15 modes within a multimodal transportation system, and for no other
16 purpose; except that money received pursuant to section 43-4-205 (6.3)
17 shall be expended by the counties only for road safety projects, as defined
18 in section 43-4-803 (21) AND SPECIFIC OWNERSHIP TAX REVENUE
19 RECEIVED PURSUANT TO SECTION 43-4-205 (6.8) SHALL BE EXPENDED BY
20 THE COUNTIES ONLY FOR THE CONSTRUCTION, ENGINEERING,
21 RECONSTRUCTION, MAINTENANCE, REPAIR, EQUIPMENT, IMPROVEMENT,
22 AND ADMINISTRATION OF THE COUNTY HIGHWAY SYSTEMS AND ANY
23 OTHER PUBLIC HIGHWAYS, INCLUDING ANY STATE HIGHWAYS AND
24 INCLUDING ACQUISITION OF RIGHTS-OF-WAY AND ACCESS RIGHTS FOR THE
25 HIGHWAYS. The amount expended for administrative purposes shall not
26 exceed five percent of each county's share of the funds available.

27 (2) For the fiscal year commencing July 1, 1989, and each fiscal

1 year thereafter, for the purpose of allocating money in the highway users
2 tax fund to the various counties throughout the state, the following
3 method is adopted:

4 (b) All money credited to the fund in excess of eighty-six million
5 seven hundred thousand dollars, ~~and~~ all money transferred to the fund
6 pursuant to section 24-75-219 (5)(a)(II) and (5)(b)(II) that is required by
7 section 43-4-205 (6.4)(a) and subsection (1) of this section to be paid to
8 the county treasurers of the respective counties, AND ALL SPECIFIC
9 OWNERSHIP TAX REVENUE THAT IS CREDITED TO THE FUND PURSUANT TO
10 SECTION 42-3-107 (7.5) AND THAT IS REQUIRED BY SECTION 43-4-205 (6.8)
11 AND SUBSECTION (1) OF THIS SECTION TO BE PAID TO THE COUNTY
12 TREASURERS OF THE RESPECTIVE COUNTIES is allocated to the counties in
13 the following manner:

14 **SECTION 5.** In Colorado Revised Statutes, 43-4-208, **amend** (1)
15 and (6)(a) as follows:

16 **43-4-208. Municipal allocation.** (1) After paying the costs of
17 the Colorado state patrol and any other costs of the department, exclusive
18 of highway construction, highway improvements, or highway
19 maintenance, that are appropriated by the general assembly, the money,
20 including money transferred from the general fund to the highway users
21 tax fund pursuant to section 24-75-219 (5)(a)(II) and (5)(b)(II) AND
22 SPECIFIC OWNERSHIP TAX REVENUE THAT IS CREDITED TO THE HIGHWAY
23 USERS TAX FUND PURSUANT TO SECTION 42-3-107 (7.5), that section
24 43-4-205 requires to be paid from the highway users tax fund to cities and
25 incorporated towns shall be paid to the cities and incorporated towns
26 within the limits of the respective counties, subject to annual
27 appropriation by the general assembly, and shall be allocated and

1 expended as provided in this section. Each city treasurer shall account for
2 the money received as provided in this part 2. Money so allocated shall
3 be expended by the cities and incorporated towns for the construction,
4 engineering, reconstruction, maintenance, repair, equipment,
5 improvement, and administration of the system of streets of such city or
6 incorporated town or of any public highways located within such city or
7 incorporated town, including any state highways, together with the
8 acquisition of rights-of-way and access rights for the same, and for the
9 planning, designing, engineering, acquisition, installation, construction,
10 repair, reconstruction, maintenance, operation, or administration of
11 transit-related projects, including, but not limited to, designated bicycle
12 or pedestrian lanes of highway and infrastructure needed to integrate
13 different transportation modes within a multimodal transportation system,
14 and for no other purpose; except that money paid to the cities and
15 incorporated towns pursuant to section 43-4-205 (6.3) shall be expended
16 by the cities and incorporated towns only for road safety projects, as
17 defined in section 43-4-803 (21) AND SPECIFIC OWNERSHIP TAX REVENUE
18 RECEIVED PURSUANT TO SECTION 43-4-205 (6.8) SHALL BE EXPENDED BY
19 THE CITIES AND INCORPORATED TOWNS ONLY FOR THE CONSTRUCTION,
20 ENGINEERING, RECONSTRUCTION, MAINTENANCE, REPAIR, EQUIPMENT,
21 IMPROVEMENT, AND ADMINISTRATION OF THE SYSTEM OF STREETS OF A
22 CITY OR INCORPORATED TOWN OR OF ANY PUBLIC HIGHWAYS LOCATED
23 WITHIN A CITY OR INCORPORATED TOWN, INCLUDING ANY STATE
24 HIGHWAYS AND INCLUDING ACQUISITION OF RIGHTS-OF-WAY AND ACCESS
25 RIGHTS FOR THE SYSTEM. The amount expended for administrative
26 purposes shall not exceed five percent of each city's share of the funds
27 available.

1 (6) (a) In addition to the provisions of subsection (2)(a) of this
2 section, on or after July 1, 1979, eighty percent of all additional money
3 becoming available to cities and incorporated towns from the highway
4 users tax fund pursuant to sections 24-75-215 and 43-4-205 (6)(b)(III)
5 and, on and after July 1, 2018, eighty percent of the ~~general fund~~ money
6 transferred from the general fund to the highway users tax fund pursuant
7 to section 24-75-219 (5)(a)(II) and (5)(b)(II) that is required by section
8 43-4-205 (6.4)(b) and subsection (1) of this section to be allocated to the
9 cities and incorporated towns AND, ON AND AFTER JULY 1, 2020, EIGHTY
10 PERCENT OF THE SPECIFIC OWNERSHIP TAX REVENUE THAT IS CREDITED TO
11 THE HIGHWAY USERS TAX FUND PURSUANT TO SECTION 42-3-107 (7.5) AND
12 THAT IS REQUIRED BY SECTION 43-4-205 (6.8) AND SUBSECTION (1) OF THIS
13 SECTION TO BE PAID TO THE CITIES AND INCORPORATED TOWNS is allocated
14 to the cities and incorporated towns in proportion to the adjusted urban
15 motor vehicle registration in each city and incorporated town. The term
16 "urban motor vehicle registration", as used in this section, includes all
17 passenger, truck, truck-tractor, and motorcycle registrations. The number
18 of registrations used in computing the percentage shall be those certified
19 to the state treasurer by the department of revenue as constituting the
20 urban motor vehicle registration for the last preceding year. The adjusted
21 registration shall be computed by applying a factor to the actual number
22 of such registrations to reflect the increased standards and costs of
23 construction resulting from the concentration of vehicles in cities and
24 incorporated places. For this purpose the following table of actual
25 registration numbers and factors shall be employed:

26	Actual registrations	Factor
27	1 -- 500	1.0

1	501 -- 1,250	1.1
2	1,251 -- 2,500	1.2
3	2,501 -- 5,000	1.3
4	5,001 -- 12,500	1.4
5	12,501 -- 25,000	1.5
6	25,001 -- 50,000	1.6
7	50,001 -- 85,000	1.7
8	85,001 -- 125,000	1.8
9	125,001 -- 165,000	1.9
10	165,001 -- 205,000	2.0
11	205,001 -- 245,000	2.1
12	245,001 -- 285,000	2.2
13	285,001 -- 325,000	2.3
14	325,001 -- 365,000	2.4
15	365,001 -- 405,000	2.5
16	405,001 -- 445,000	2.6
17	445,001 -- 485,000	2.7
18	485,001 -- 525,000	2.8
19	525,001 -- 565,000	2.9
20	565,001 -- 605,000	3.0

21 **SECTION 6. Act subject to petition - effective date.** This act
22 takes effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly (August
24 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
25 referendum petition is filed pursuant to section 1 (3) of article V of the
26 state constitution against this act or an item, section, or part of this act
27 within such period, then the act, item, section, or part will not take effect

1 unless approved by the people at the general election to be held in
2 November 2020 and, in such case, will take effect on the date of the
3 official declaration of the vote thereon by the governor.