

**NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

SENATE BILL 08-105

BY SENATOR(S) Johnson;  
also REPRESENTATIVE(S) Levy.

CONCERNING CLASSIFICATION OF CERTAIN TRAILERS.

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

**SECTION 1.** 42-1-102 (105) and (106) (a), Colorado Revised Statutes, are amended, and the said 42-1-102 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**42-1-102. Definitions.** As used in articles 1 to 4 of this title, unless the context otherwise requires:

(60.3) "MULTIPURPOSE TRAILER" MEANS A WHEELED VEHICLE, WITHOUT MOTIVE POWER, THAT IS DESIGNED TO BE DRAWN BY A MOTOR VEHICLE OVER THE PUBLIC HIGHWAYS. A "MULTIPURPOSE TRAILER" IS GENERALLY AND COMMONLY USED FOR TEMPORARY LIVING OR SLEEPING ACCOMMODATION AND TRANSPORTING PROPERTY WHOLLY UPON ITS OWN STRUCTURE AND IS REGISTERED AS A VEHICLE.

(105) "Trailer" means any wheeled vehicle, without motive power, ~~and having an empty weight of more than two thousand pounds,~~ which is

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

designed to be drawn by a motor vehicle and to carry its cargo load wholly upon its own structure and ~~which~~ THAT is generally and commonly used to carry and transport property over the public highways. THE TERM INCLUDES, BUT IS NOT LIMITED TO, MULTIPURPOSE TRAILERS AS DEFINED IN SUBSECTION (60.3) OF THIS SECTION.

(106) (a) "Trailer coach" means ~~any~~ A wheeled vehicle having an ~~overall width not exceeding eight feet and an~~ overall length, excluding towing gear and bumpers, of not less than twenty-six feet, ~~and not more than forty feet~~, without motive power, ~~which~~ THAT is designed and generally and commonly used for occupancy by persons for residential purposes, in temporary locations, and ~~which~~ THAT may occasionally be drawn over the public highways by a motor vehicle and is licensed as a vehicle.

**SECTION 2.** 42-3-106 (2) (b) and (2) (d), Colorado Revised Statutes, are amended to read:

**42-3-106. Tax imposed - classification - taxable value.** (2) For the purpose of imposing graduated annual specific ownership taxes, the personal property specified in section 6 of article X of the state constitution is classified as follows:

(b) Every truck, laden or unladen truck tractor, trailer, and semitrailer used for the purpose of transporting property over any public highway in this state and not included in Class A shall be Class B personal property; EXCEPT THAT MULTIPURPOSE TRAILERS SHALL BE CLASS D PERSONAL PROPERTY.

(d) Every utility trailer, camper trailer, MULTIPURPOSE TRAILER, and trailer coach shall be Class D personal property.

**SECTION 3.** 42-3-121 (1) (a), Colorado Revised Statutes, is amended to read:

**42-3-121. Violation of registration provisions - penalty.** (1) It is unlawful to commit any of the following acts:

(a) To operate or permit the operation, upon a highway, of a motor vehicle subject to registration under this article or to possess or control a

trailer coach OR TRAILER that is not registered and does not display the number plates issued for such vehicle or trailer coach for the current year, except for trailer coaches OR TRAILERS owned by a licensed dealer or licensed manufacturer while being held for sale or resale or while operated on the streets or highways with dealer plates or depot tags authorized pursuant to section 42-3-116;

**SECTION 4.** 42-4-502 (5) (b), Colorado Revised Statutes, is amended to read:

**42-4-502. Width of vehicles.** (5) (b) The width requirements imposed by subsection (1) of this section shall not include appurtenances on recreational vehicles, including but not limited to motor homes, travel trailers, fifth wheel trailers, camping trailers, recreational park trailers, MULTIPURPOSE TRAILERS, and truck campers, all as defined in section 24-32-902, C.R.S., so long as such recreational vehicle, including such appurtenances, does not exceed a total outside width of nine feet six inches.

**SECTION 5.** 12-6-102 (16.5), Colorado Revised Statutes, is amended to read:

**12-6-102. Definitions.** As used in this part 1 and in part 5 of this article, unless the context or section 12-6-502 otherwise requires:

(16.5) "Recreational vehicle" means a camping trailer, fifth wheel trailer, motor home, recreational park trailer, travel trailer, or truck camper, all as defined in section 24-32-902, C.R.S., OR MULTIPURPOSE TRAILER, AS DEFINED IN SECTION 42-1-102, C.R.S.

**SECTION 6.** 24-32-902 (9), Colorado Revised Statutes, is amended to read:

**24-32-902. Definitions.** As used in this part 9, unless the context otherwise requires:

(9) "Recreational vehicle" means a vehicle designed to be used primarily as temporary living quarters for recreational, camping, travel, or seasonal use that either has its own motor power or is mounted on or towed by another vehicle. "Recreational vehicle" includes camping trailers, fifth wheel trailers, motor homes, travel trailers, MULTIPURPOSE TRAILERS, and

truck campers.

**SECTION 7. Effective date - applicability.** (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) The provisions of this act shall apply to trailers registered with the department of revenue on or after the applicable effective date of this act.

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Peter C. Groff  
PRESIDENT OF  
THE SENATE

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Andrew Romanoff  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Karen Goldman  
SECRETARY OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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Bill Ritter, Jr.  
GOVERNOR OF THE STATE OF COLORADO