

DEPARTMENT OF REVENUE

Division of Motor Vehicles – Title and Registration Sections

1 CCR 204-10

Rule 16. GROUP SPECIAL LICENSE PLATES

Basis: The statutory bases for this ~~regulation rule~~ are 42-1-102(41.5), ~~42-1-201~~, 42-1-204, 42-3-207, 42-3-208 and 42-3-301, C.R.S.

Purpose: ~~The following rules and regulations are~~ This rule is promulgated to establish criteria for the application, responsibilities, and processes for ~~Group Special License Plates~~ group special license plates.

1.0 Definitions

- 1.1 “Approval Notification” means ~~the Department certification that the non-profit has met statutory and regulatory requirements for proposal of the creation of a Group Special License Plate~~ the written notification issued by the Executive Director of the Department of Revenue to a Nonprofit, that the Nonprofit has complied with the statutory and regulatory requirements to seek legislative action to authorize a new group special license plate.
- 1.2 “Certificate” for the purpose of this ~~regulation rule~~ means ~~the Department approved letters, vouchers, or certificates~~ other document issued by ~~the non-profit~~ a Nonprofit ~~to a person~~ as evidence that ~~the a person has met the pre-certification qualifier~~ is qualified to receive ~~a for their associated Group Special License Plate~~ group special license plate. Upon approval by the Department a Certificate may be in paper, electronic, or digital format.
- ~~1.3 —“Department” for the purpose of this regulation means the Department of Revenue, Division of Motor Vehicles, Title and Registration Sections.~~
- ~~1.4 —“Group Special License Plate” means a special license plate that is not a distinctive plate and is issued to a group of people because such people have a common interest or affinity.~~
- 1.53 “Group Special License Plates Created Through Rule” means ~~those Group Special License Plates created and approved for registration to motor vehicles prior to January 1, 2001. These plates include 40th Mountain Division, the Air Force Commemorative, Benevolent and Protective Order of the Elks, Columbine, Denver Firefighter, Firefighters, Greyhound Lovers, Knights of Columbus, Masonic Family, Naval Reserve, Pioneer, and Raptor Education Foundation license plates.~~
- 1.64 “Group Special License Plates Created Through Statute” means ~~those Group Special License Plates~~ a group special license plate created on or after January 1, 2001 through enacting legislation.
- 1.75 “Non-Profit Nonprofit” means ~~a tax-exempt entity described in Internal Revenue Code (IRC) Section 501(c)(3). An organization must be organized and operated exclusively for one or more of the purposes set forth in IRC Section 501(c)(3) and none of the earnings of the organization may inure to any private shareholder or individual. In addition, it may not attempt to influence legislation as a substantial part of its activities and it may not~~

~~participate at all in campaign activity for or against political candidates.~~ an entity holding nonprofit status with the Colorado Secretary of State, or that provides documentation that the Department deems sufficient to demonstrate that the entity does not conduct business for a profit.

- 1.86 “Pre-Certification Qualifier” means ~~a condition(s) that must be met prior to the~~ in order to qualify for issuance of a ~~Group Special License Plate~~ group special license plate. ~~Pre-certification qualifiers~~ Pre-Certification Qualifiers may be, but are not limited to, monetary donation or, membership with the ~~non-profit Nonprofit, or meeting of non-profit specific criteria.~~
- 1.97 “Registered” for the purpose of this ~~regulation rule~~ means a vehicle with an unexpired registration ~~as provided in sections 42-3-102 and 42-3-114, C.R.S., that is currently issued the~~ ~~Group Special License Plate~~ group special license plate ~~pursuant to 42-3-102 and 42-3-114, C.R.S.~~
- 1.408 “Retire” means the discontinuation of the production and issuance of the ~~Group Special License Plate~~ group special license plate.
- 1.449 “Secure and Verifiable Identification” means an identification document ~~reflected listed on the Department’s Form~~ form DR 2841 Secure and Verifiable ID.

2.0 Application for Creation of Group Special License Plates

- 2.1 ~~Non-profits~~ Any Nonprofit ~~operating in the State of Colorado shall be eligible to~~ as defined herein may apply for the creation of a ~~Group Special License Plate~~ group special license plate.
- 2.2 A Nonprofit that has satisfied ~~Upon completion of~~ all statutory and regulatory requirements for ~~the proposal to create~~ proposing the creation of a ~~Group Special License Plate~~ group special license plate may ~~by the non-profit~~ submit an application, on the ~~forms~~ documents supplied by the Department, ~~shall be submitted~~ to the ~~Public Relations Manager,~~ Title and Registration Sections, Division of Motor Vehicles. Incomplete applications will not be accepted or retained.
- A. Applications ~~shall~~ must be signed by the ~~non-profit Nonprofit’s~~ designated representative affirming agreement to this ~~regulation rule~~. In addition to the signed application, the ~~non-profit Nonprofit shall~~ must submit:
1. Petition sheets with the names, addresses, ~~and~~ county of residence, and signature ~~for~~ of at least three thousand (3,000) Colorado registered vehicle owners ~~requesting the Group Special License Plate~~ committing to purchase the proposed group special license plate. Petition sheets ~~are required~~ must be ~~to be~~ provided submitted in either ~~both~~ paper ~~and~~ or electronic format, as required by the Department. Petitions are not transferable between applications for different ~~Group Special License Plates~~ group special license plates. Petitions are valid for ~~a period of~~ two years from the date submitted with the application to the Department.
 - a. With prior approval ~~by~~ of the Department, ~~the non-profit~~ a Nonprofit may ~~be permitted to~~ use electronic methods ~~for collection of petitions to obtain commitments to purchase the group special license plate~~. Electronic methods may include, but are not limited to, web petitions or electronic mail.
 2. Proof of ~~non-profit Nonprofit~~ status ~~verification shall be~~ by submitted through submitting a current copy of ~~the 501(c)(3) letter from the Internal Revenue~~

~~Service, or a letter~~ a document from the ~~State Of~~ Colorado, Secretary of State Office confirming the ~~non-profit~~ entity's' Nonprofit status under State law, or such other documentation that the Department deems sufficient to demonstrate that the entity does not conduct business for profit.

3. A sample ~~certificate~~ Certificate with a written description of security features (serialization, watermarks, holograms etc.) incorporated into the ~~certificate~~ Certificate. ~~Certificate design requires~~ The Department ~~approval~~ must approve the Certificate prior to issuance. Sample ~~certificates~~ Certificates shall must be provided to the Department ~~for distribution to Motor Vehicle offices~~ prior to issuance of ~~certificates~~ issuing Certificates to qualified individuals. Certificates shall must not be issued by the ~~non-profit~~ prior to the effective date of the enabling legislation. An individual's name on a ~~Certificate~~ shall must be ~~issued in the name of the person as listed on that persons' secure and verifiable identification~~ identical to that listed on the individual's Secure and Verifiable Identification. Certificates are not transferable and ~~shall be~~ are valid for the issuance and registration of one set (single if a motorcycle) of ~~Group Special License Plates~~ group special license plates. Certificates ~~shall be~~ destroyed upon ~~issuance of~~ issuing the ~~Group Special License Plate~~ group special license plate.
 - a. A Nonprofit that the Department has been approved to issue an electronic or digital Certificate must also submit a sample Certificate prior to distributing a Certificate to persons desiring the group special license plate.
4. ~~Logo permission letter must include written~~ Written permission ~~for to~~ use of all logos, designs, and colors used in ~~designing, production, and the~~ manufacture of the ~~Group Special License Plate~~ a group special license plate, or provide documentation that the ~~The~~ logos, design, and colors provided by the ~~non-profit~~ Nonprofit entity ~~organization must be~~ are owned, copyrighted, and/or registered to the ~~non-profit~~ Nonprofit.
5. ~~Design payment~~ Payment for the design in the form of a check or money order, which must be submitted directly to Colorado Correctional Industries ~~prior to manufacture of the Group Special License Plate~~.
6. A ~~pre-certification~~ list of all conditions required by the Pre-Certification Qualifier process ~~description document that details the process that a Colorado resident must meet to be qualified to receive a certificate from the non-profit. In the event that~~ If there is no ~~pre-certification~~ Pre-Certification Qualifier, the ~~non-profit~~ Nonprofit shall must provide a written statement of this fact.
 - a. If a monetary ~~exchange~~ donation is required, the Nonprofit must provide a ~~funds description~~ document ~~shall detail~~ that demonstrates that the use of those funds ~~meeting~~ meets statutory and regulatory requirements.

2.3 Upon receipt of the Approval Notification, it is the ~~non-profit~~ sole responsibility of the Nonprofit ~~has the sole responsibility~~ to obtain a bill sponsor to propose legislation. The Department ~~shall will~~ retain the application for two years ~~after issuance of~~ from the date of the Approval Notification.

- A. If the ~~non-profit~~ Nonprofit fails to obtain a bill sponsor within two years of issuance of the Approval Notification, and it desires to continue ~~with the~~ to seek creation of the ~~Group Special License Plate~~ group special license plate, the ~~non-profit~~ Nonprofit shall ~~be required to~~ must re-apply, submit a new application and documents, and meet all statutory and regulatory requirements in effect at that time. Application, documents,

and other materials submitted to satisfy ~~Requirements met with a previous~~ application requirements are not transferable to a the new application.

3.0 Enacted Group Special License Plates Responsibilities and Processes

- 3.1 Group ~~Special License Plates~~ special license plates must be designed within the ~~formats parameters~~ established by the Department ~~who has final approval authority~~. The Department may deny any design ~~violating such parameters, and may deny any design proposal that it considers determines is~~ offensive or misleading.
- A. ~~Use of corporate (for profit) logos shall not be approved for use in the design of the Group Special License Plate~~ A group special license plate design shall not include a logo or other image copyrighted, trademarked, registered, or otherwise commonly associated with a for-profit entity, whether or not the ~~—If the non-profit Nonprofit, or is a division of or otherwise associated with a “for profit” organization the use of that “for profit” logo shall not be approved in the design. The Department shall have final approval authority on all logo designs and placement on the Group Special License Plates.~~ Use of a national or other symbols not subject to trademark, copyright, or other legal protection may ~~shall~~ be approved at the discretion of the Department. The Department shall have final approval authority on all logo designs and placement on the group special license plate.
- B. Design change requests after the design has been approved must be submitted in writing to the Department by the ~~non-profit Nonprofit~~. Supporting documentation required may include, but is not limited to, issuance trends, current inventory levels, and costs associated with changes. If the change request is approved, the ~~non-profit Nonprofit~~ shall prepay all design costs ~~directly to Colorado Correctional Industries~~ prior to manufacture of the new design. Design changes are effective as established by the Department inventory management methodologies. ~~Registered vehicles, as defined in this rule shall be allowed to maintain their current plate design.~~ If approval is granted while existing inventory is in circulation and the ~~non-profit Nonprofit~~ requests new plates to be implemented ~~immediately prior to the sale or existing inventory is exhausted~~, the ~~non-profit Nonprofit~~ shall pay all fees associated with the recall, collection, and destruction of existing inventory. ~~Registered vehicles, as defined in this rule, shall be allowed to maintain their current group special plate design regardless of any subsequent design change.~~
- 3.2. Upon completion of the proposed ~~Group Special License Plate~~ group special license plate design, the ~~non-profit Nonprofit~~ will receive one sample of the approved plate design. Sample plates used in the design approval process are the property of the Department. The ~~non-profit Nonprofit~~ may request up to five samples for marketing and display purposes upon payment of material fees as established in 42-3-301, C.R.S., for each ~~sample~~ plate. Sample plates ~~shall will~~ be produced using the standard passenger size license plate with the standard sample plate numbers assigned by the Department. Non-standard ~~sample~~ plate number requests will not be accepted. ~~Permission from the Department is required prior to use of the plate design, electronic plate images, or graphic plate images outside of usual marketing (website, newsprint etc.).~~ The Department shall be given at least 72 hours prior notice of all news releases, interviews, or mass communications referencing the ~~Group Special License Plate~~ group special license plate.
- 3.3 ~~Group special license plates are typically manufactured through a print on demand process, which does not require pre-stocking of inventory. The~~ However, the Department ~~shall may determine the method~~ utilize methods other than print on demand ~~used and for~~ initial supply and re-stocking of inventory ~~if the Department deems it appropriate.~~

- 3.4 ~~The Department will not Requests to~~ distribute thank you notes, requests for contributions, or other ~~propaganda with the issuance materials on behalf of the Nonprofit. of the Group Special License Plate will not be accepted.~~
- 3.5 The ~~non-profit Nonprofit shall~~ must continuously maintain ~~non-profit Nonprofit~~ status. A document from the Colorado Secretary of State's Office confirming that the Nonprofit is currently registered as a Nonprofit, or such documentation as the Department deems sufficient to confirm that the entity retains Nonprofit status, ~~Proof of non-profit status shall~~ must be submitted to the Department annually prior to June 1st.
- A. If at any time, it is determined that the ~~non-profit Nonprofit~~ has lost Nonprofit status ~~as a non-profit~~, at the Department's discretion, the ~~group special license plate shall~~ will either be ~~retired Retired~~ or the ~~pre-certification qualifier Pre-Certification Qualifier~~ eliminated. At that time the ~~non-profit Nonprofit will~~ must cease to be associated with the ~~Group Special License Plate group special license plate~~.
- 3.6 ~~The non-profit shall not request resident information or vehicle owner information from the Department concerning the number or expiration months of Group Special License Plates issued.~~
- 3.76 The ~~non-profit Nonprofit~~ must ~~affirm~~ notify the Department in writing ~~to the Department~~ if the authority of the ~~Group Special License Plate group special license plate~~ is transferred to a successor ~~non-profit Nonprofit~~, as provided in its respective statute. Upon acceptance of the transfer of authority by the Department, the successor ~~non-profit Nonprofit shall~~ must meet all statutory and regulatory requirements and ~~shall~~ will be required to affirm in writing agreement to ~~the~~ established regulations in regards to ~~Group Special License Plates group special license plates~~.
- 3.87 ~~Request A Nonprofit may request for changes to certificates its Certificate. Requests must be submitted in writing, and any change must be approved by the Department prior to the Nonprofit issuing the new Certificate. Any changes must meet the requirement of this rule. ensuring sufficient time to disseminate the change to all Motor Vehicle offices. Upon~~ On approval, ~~of the certificate change~~ the Department will work with the Nonprofit to establish an effective date upon which the Non-Profit may begin to issue the new Certificate ~~for the change. Amended certificate shall meet the requirements of Code of Colorado Regulations 1 CCR 204-10 Rule 16 this rule. Previously issued certificates s that have not been presented to the Motor Vehicle office for issuance of the associated Group Special License Plate will be accepted for issuance of a Group Special License Plate. After the effective date of the new Certificate, only a new Certificates will be accepted by the Department; provided however, that the Department will accept an old Certificate if it was issued by the Nonprofit prior to the effective date of the new Certificate.~~
- 3.98 ~~Pursuant to the date establish within each Group Special License Plate statute, and every year thereafter on such date, there shall be the amount specified in statute for the number of motor vehicles registered with the associated Group Special License Plate. If the Group Special License Plate is registered to less than the amount specified in statute, the Department shall retire the Group Special License Plate pursuant to the Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement. If a group special license plate's respective statute provides that the Department "may" stop issuing the group special license plate if the group special license plate has not met its minimum issuance requirement by the date in the group special license plate's respective statute then, if the group special license plate has not met the minimum issuance requirement by that date, the Department may continue issuing the group special license plate for one year from that date. If a group special license plate does not meet the minimum issuance requirement in its respective statute by the end of the second year, then the group~~

special license plate will be retired pursuant to the group special license plates respective statute and Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.

3.09 If a group special license plate's respective statute provides that the Department "shall" retire the plate if the plate has not met its minimum issuance requirement by the date provided in that statute, then the group special license plate will be retired pursuant to the group special license plates respective statute and Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.

3.10 The Department may require an audit of the ~~non-profit Nonprofit~~ associated with a group special license plate. ~~monies collected and efforts made in the name of the Group Special License Plate. This~~ The audit may include, but is not limited to, accounting, financial, ~~procedures,~~ tax, and ~~pre-certification-qualifier Pre-Certification Qualifiers audits.~~

A. If an audit results in adverse findings, the Department may require additional information ~~to support the non-profit's claims and~~ or may ~~retire Retire~~ the ~~Group Special License Plate~~ group special license plate pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement, ~~based on the adverse findings.~~

B. If the Department requires additional information, and such information is not provided or does not resolve the adverse audit findings, the Department may Retire the group special license plate pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.

3.11 If the Department ~~retires Retires~~ a ~~Group Special License Plate~~ group special license plate ~~the retirement of the Group Special License Plate requires:~~

A. ~~The discontinuation of the production~~ Production and issuance of the ~~Group Special License Plate~~ group special license plate will cease immediately.

B. The Department will provide written ~~Written~~ notice of retirement, ~~sent~~ via ~~regular~~ certified postal mail, to the ~~non-profit Nonprofit~~ associated with the ~~Group Special License Plate~~ group special license plate. This notice will be mailed to the last address provided in writing to the Department. This ~~retirement~~ notice shall also act as ~~the~~ official notice that the ~~non-profit Nonprofit~~ is no longer associated with the ~~Group Special License Plate~~ group special license plate. Upon receipt of the ~~retirement~~ retirement notice the ~~non-profit Nonprofit shall must:~~

1. ~~Discontinue collection of~~ Immediately ~~cease collecting~~ donations and ~~issuance of certificates~~ issuing Certificates.

2. Within 72 hours, remove any references to the ~~Group Special License Plate~~ group special license plate from the ~~non-profits Nonprofit's~~ website, newsprint, or other publicly accessible media.

C. A person, whose vehicle is ~~registered Registered~~ with a ~~retired Retired Group Special License Plate~~ group special license plate, ~~shall be permitted to~~ may continue ~~registration~~ Registration with the ~~Group Special License plate~~ group special license plate, ~~provided so long as the registration~~ Registration remains current and the license plate is not damaged, lost, or stolen. The Department will not replace a Retired group special license plate.

~~D. The non-profit is required to provide refunds to persons who were issued certificates from the non-profit within the last 13 months and who have not been issued the Group Special License Plate prior to the retirement date~~

~~1. A person who has received a certificate from the non-profit that has been approved for a personalized plate and has not been issued the personalized plate prior to the retirement date shall be permitted to register their vehicle with the Group Special License Plate provided the issuance and registration is completed within 13 months of the personalized plate approval date~~

~~3.121 Applications for the proposal of a new Group Special License Plate will be accepted 5 years from the date of the last retirement of a Group Special License Plate by the same non-profit who will be required to meet the statutory and regulatory requirements at the time of submitting the new application.~~

~~3.132 Non-profits Nonprofits associated with Group Special License Plates created through rule Created Through Rule shall must meet the requirements of this regulation rule unless such rule and/or other except as otherwise provided herein and/or pursuant to a contract between non-profit the Nonprofit and the Department that establishes requirements that differ from this regulation rule. In any event, that such rule and/or other agreement are in place and it does not specifically address items in this regulation, this regulation shall apply and be in full effect.~~

3.13 A Nonprofit associated with a Group Special License Plates Created Through Statute must meet the requirements of the enacting legislation and this rule.

3.14 An Approval Notification issued by the Department does not constitute an agreement to create the proposed group special license plate or support legislation that would create the proposed group special license plate.