

## ~~DEPARTMENT OF REVENUE~~

### ~~Division of Motor Vehicles — Title and Registration Section~~

#### ~~1 CCR 204-10~~

#### ~~RULE 15. FALLEN SERVICE MEMBER LICENSE PLATES~~

~~**BASIS** : This regulation is promulgated under the authority of 42-1-102(24.5), 42-1-204, 42-3-213(1)(a)(XIV), 42-3-213(1)(f) and 42-3-213(15), C.R.S.~~

~~**PURPOSE** : The purpose of this regulation is to establish processes for the application and issuance of the Fallen Service Member license plate.~~

#### ~~1.0 Definitions~~

~~1.1 “Applicant” and “Authorized Family Member” mean the current or past spouse, child, sibling, grandparent, or parent of a person who has died in the line of duty while serving in the United States Armed Forces while deployed to a combat zone. The term “child” shall include adopted children and the term “parent” shall include parents of adopted children.~~

~~a. Statutorily foster parents, foster children, step parents, step children, aunts, uncles, nieces, nephews, cousins, fiancée, and friends or associates of the fallen service member may not be considered an authorized family member for the issuance of a Fallen Service Member license plate.~~

~~1.2 “Department” for the purpose of this regulation means the Department of Revenue, Title and Registration Sections.~~

~~1.3 “Fallen Service Member License Plate” means a distinctive special license plate that honors service in the armed forces of the United States, and may be issued to an authorized family member of a person who has died in the line of duty while serving in the United States Armed Forces while deployed to a combat zone.~~

#### ~~2.0 Requirements~~

~~2.1 Eligibility for issuance of a Fallen Service Member license plate is based on an application process with the Department.~~

~~a. Applicants shall provide a photocopy of a DD214 Form issued by the United States Government and any other evidence sufficient to demonstrate that the service member was serving in the U.S. Armed Forces and died in the line of duty while deployed to a combat zone.~~

~~b. Applicants must provide documentation to the Department indicating that they are an authorized family member of the service member identified in~~

- ~~regulation 2.1a. This documentation may include but not be limited to photocopies of birth certificates, death certificates, census records, obituaries, historical archives, naturalization records, military records, adoption records, marriage certificates, any combination thereof.~~
- ~~2.2 Vehicles eligible for Fallen Service Member license plates shall be limited to trucks that do not exceed sixteen thousand pounds empty weight, passenger cars, motorcycles, or noncommercial or recreational vehicles. Applicant's must be listed as an owner of the vehicle for which he/she intends to register the Fallen Service Member license plates to.~~
- ~~2.3 The type of Fallen Service Member license plate issued will be based on the branch of the Armed Forces in which the service member was serving when he or she died in the line of duty in a combat zone. The approved Fallen Service Member license plates are designated as Fallen Airman (Air Force), Fallen Soldier (Army), Fallen Guardsman (Coast Guard), Fallen Marine (Marine Corps), and Fallen Sailor (Navy). An approved family member of a Reserve or National Guard service members that died in the line of duty while deployed in to a combat zone will be issued a Fallen Service Member license plate based on their parent service (i.e., Air Force, Army, Coast Guard, Navy, and Marine) of the Reserve or National Guard that service member served under.~~

### **3.0 Process**

- ~~3.1 The Department will review and verify the accuracy of the information and documentation identified in regulation 2.1 above.~~
- ~~3.2 After review and verification, the Department will either approve or deny an application for a Fallen Service Member license plates. The applicant will be notified, in writing, of approval or denial.~~
- ~~a. If approved, the Department will notify the applicant of the approval via postal mail detailing payment of special plate fees, normal taxes and fees and issuance of the Fallen Service Members license plate.~~
- ~~b. Approved applicants shall pay all statutorily required taxes and fees associated with registering and renewing the Fallen Service Member license plate. Authorization shall not be construed to allow the authorized family member to receive a license plate without paying all applicable taxes and fees.~~
- ~~1) Any one-time and issuance fees will be collected by the Department prior to providing the Fallen Service Member license plate to the applicants County Motor Vehicle office for issuance and registration to the applicants vehicle.~~
- ~~2) Any taxes and fees required to register the applicants' vehicle will be collected by the applicants' county of residence upon issuance.~~

- ~~c.— All renewal transactions will be performed by the applicants' county of residence.~~
- ~~d.— The Department will only retain electronic copies of the original application and supporting documents. All original documents will be properly destroyed unless request for return of this documentation is specified by the applicant and a pre-paid envelope is provided for the return of the documents.~~
- ~~e.— The Department will make an effort to work with applicants to correct applications or submitted paperwork prior to denying an application. If an application is denied, the Department will notify the applicant in writing, via postal mail, with the original application and submitted paperwork attached explaining the reason for denial.~~

#### **~~4.0— Denied Applicants~~**

- ~~4.1— Applicants who have been denied issuance of Fallen Service Member license plates may request a hearing, in writing, within thirty days after the denial notice is issued. Written hearing requests shall be submitted to the Department of Revenue, Enforcement Unit, Hearings Section, 1881 Pierce Street, Room #106, Lakewood, CO 80214.~~
- ~~4.2— The hearing shall be held at the Department of Revenue, Enforcement Unit, Hearing Section, 1881 Pierce Street, Room #106, Lakewood, CO 80214. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The Department's representative need not be present at the hearing unless his or her presence is required by the presiding officer, or requested by the applicant at the time the written request for hearing is submitted. If the Department's representative is not present at the hearing, any written documents and affidavits submitted by the Department may be considered at the discretion of the hearing officer.~~