

42-3-202. Number plates to be attached.

(1) (a) Number plates assigned to a self-propelled vehicle other than a motorcycle or street rod vehicle shall be attached thereto, one in the front and the other in the rear. The number plate assigned to a motorcycle, street rod vehicle, trailer, semitrailer, other vehicle drawn by a motor vehicle, or special mobile machinery shall be attached to the rear thereof. Number plates shall be so displayed during the current registration year, except as otherwise provided in this article.

(b) If the department issues a validating tab or sticker to a motor vehicle pursuant to section 42-3-201, the current month validating tab or sticker shall be displayed in the bottom left corner of the rear license plate. The current year validating tab or sticker shall be displayed in the bottom right corner of the rear license plate. The tabs or stickers shall be visible at all times.

(2) (a) Every number plate shall at all times be securely fastened to the vehicle to which it is assigned, so as to prevent the plate from swinging, and shall be horizontal at a height not less than twelve inches from the ground, measuring from the bottom of such plate, in a place and position to be clearly visible, and shall be maintained free from foreign materials and in a condition to be clearly legible.

(b) A person shall not operate a motor vehicle with an affixed device or a substance that causes all or a portion of a license plate to be unreadable by a system used to automatically identify a motor vehicle. Such a device includes, without limitation, a cover that distorts angular visibility; alters the color of the plate; or is smoked, tinted, scratched, or dirty so as to impair the legibility of the license plate.

(3) (a) A person who violates any provision of this section commits a class B traffic infraction.

(b) A person who violates paragraph (b) of subsection (2) of this section commits a class A traffic infraction and shall be punished by a fine of one hundred dollars.

(4) Notwithstanding subsections (1) to (3) of this section, the owner of a military vehicle may elect to not display the vehicle's assigned license plate if the license plate is physically in the military vehicle and is available for inspection to any peace officer who requests the plate.

Source: L. 2005: Entire article amended with relocations, p. 1108, § 2, effective August 8. L. 2008: (1) amended, p. 321, § 2, effective July 1. L. 2010: (4) added, (SB 10-075), ch. 169, p. 597, § 2, effective August 11; (1)(a) amended, (HB 10-1172), ch. 320, p. 1491, § 10, effective October 1.

Editor's note: (1) This section is similar to former § 42-3-123 as it existed prior to 2005.

(2) Section 20 of chapter 320, Session Laws of Colorado 2010, provides that the act amending subsection (1)(a) applies to offenses committed and applications submitted on or after October 1, 2010.

ANNOTATION

Am. Jur.2d. See 7A Am. Jur.2d, Automobiles and Highway Traffic, §§ 58, 59.

C.J.S. See 60 C.J.S., Motor Vehicles, § 221.

Annotator's note. Since § 42-3-202 is similar to § 42-3-123 as it existed prior to the 2005 amendment to article 3 of title 42, which resulted in the relocation of provisions, relevant cases construing that provision and its predecessors have been included in the annotations to this section.

Where the suspect's license plate was obstructed by dirt, in violation of this section, the troopers had a reasonable suspicion that criminal activity was occurring. Although after stopping the vehicle, the troopers could see the plates well enough to discern that they were current, the continued obstruction of the plate constituted an ongoing license plate violation and thus a reasonable purpose for the stop. Because the troopers had a reasonable suspicion and a reasonable stop, they properly initiated an investigatory stop. *People v. Altman*, 938 P.2d 142 (Colo. 1997).

Applied in *People v. Clements*, 665 P.2d 624 (Colo. 1983).