

FINAL REGULATIONS - CHAPTER W-15 - DIVISION AGENTS

See also § 33-4-101, C.R.S. and §33-12-104(1) C.R.S., for statutory provisions applicable to Division agents.

ARTICLE VI - AGENT COMMISSION RATES

#1510 - Agent Commission Rates

See also §33-4-101 C.R.S. relative to Division agents and §33-4-102(1.6)(b) C.R.S. for price indexing information for nonresident big game licenses.

- A. Commission Rates for Retail Agents:
1. Division agents shall be paid a 4.75% commission for each license sold electronically, except for those licenses with ~~fixed~~-commissions as shown below in Table A.4.
 2. Division agents shall be paid a 5% commission for each pass sold electronically.
 3. Division agents who sell registrations shall be paid a flat rate of \$1.00 per registration issued.
 4. ~~Other~~Fixed Commissions Rates:

Table A.4: Division Product Type	2018 <u>2017</u> Commission	<u>% of license price in 2018</u>	2019 <u>2018</u> Commission	<u>% of license price in 2019</u>
Second Rod Stamp	\$.31	<u>6.20%</u>	\$.60 <u>.31</u>	<u>6.7%</u>
<u>Resident</u> Fishing - 1 day	\$.62	<u>7.75%</u>	\$.80 <u>.62</u>	<u>6.7%</u>
<u>Nonresident Fishing – 1 day</u>	<u>\$.62</u>	<u>7.75%</u>	<u>\$1.00</u>	<u>6.7%</u>
Fishing - 5 day	\$1.23	<u>6.15%</u>	\$2.01 <u>1.23</u>	<u>6.7%</u>
<u>Resident</u> Small Game - 1 day	\$.62	<u>6.20%</u>	\$.80 <u>.62</u>	<u>6.7%</u>
<u>Nonresident Small Game – 1 day</u>	<u>\$.62</u>	<u>6.20%</u>	<u>\$1.00</u>	<u>6.7%</u>
Nonresident Deer	\$13.90 <u>13.50</u>	<u>3.52%</u>	\$14.22 <u>13.90</u>	<u>3.6%</u>
Nonresident Pronghorn	\$13.90 <u>13.50</u>	<u>3.52%</u>	\$14.22 <u>13.90</u>	<u>3.6%</u>
Nonresident Bear	\$12.95	<u>3.70%</u>	\$3.60 <u>12.95</u>	<u>3.6%</u>
Nonresident Mountain Lion	\$12.95	<u>3.70%</u>	\$12.60 <u>12.95</u>	<u>3.6%</u>
Nonresident Antlerless Elk	\$17.55 <u>13.50</u>	<u>3.55%</u>	\$17.82 <u>17.55</u>	<u>3.6%</u>
Nonresident Either-sex Elk	\$23.40 <u>22.70</u>	<u>3.55%</u>	\$23.76 <u>23.40</u>	<u>3.6%</u>

Nonresident Antlered Elk	\$23.40 \$22.70	<u>3.55%</u>	\$23.76 \$23.40	<u>3.6%</u>
Nonresident Rocky Mtn Bighorn Sheep	\$77.25 \$74.95	<u>3.50%</u>	\$79.56 \$77.25	<u>3.6%</u>
Nonresident Desert Bighorn Sheep	\$51.60 \$50.05	<u>3.51%</u>	\$79.56 \$51.60	<u>3.6%</u>
Nonresident Goat	\$77.25 \$74.95	<u>3.50%</u>	\$79.56 \$77.25	<u>3.6%</u>
Nonresident Moose	\$77.25 \$74.95	<u>3.50%</u>	\$79.56 \$77.25	<u>3.6%</u>

All 2018 licenses sold through March 2019 shall be sold at the 2018 license fee and commission rates.

- B. Commission Rates for the System Agent: The system agent shall be paid the commissions shown in the Table B.1 below for each license sold through the system:

~~1. Fixed Commissions:~~

Division Product Sale Type	Commission			
	07/01/2008-06/30/2010	07/01/2010-06/30/2011	07/01/2011-06/30/2012	07/01/2012-12/31/2016*
Division products sold through point of sale terminals	\$1.29	\$1.32	\$1.34	\$1.35
Division products sold through the Internet	\$2.00	\$2.00	\$2.00	\$2.00
Division products sold by telephone	\$2.37	\$2.37	\$2.37	\$2.37
Limited Licenses fulfillment	\$1.00	\$1.00	\$1.00	\$1.00

~~*The Commission rates for 2018 will remain as listed until the new IPAWS system goes live.~~

- ~~a. For Internet and telephone sales, the system agent shall receive an additional 2.2 percent of the cost of any wildlife product.~~

~~The Commission rates for the licensing system agent after the IPAWS system goes live will be:~~

~~12. Commission pricing for any CPW Commissionable Product sold through IPAWS~~

<u>Table B.1: Commission Rates</u>	Wildlife Products
a. Contractor Commission Fee percent commission rate to cover AWO System operation and maintenance cost for those products less than \$100 and not listed below in c.	3.7%
b. Contractor Commission Fee flat fee commission rate to cover AWO System operation and maintenance cost for those products \$100 or greater and not listed below in c.	\$4.25
c.1. All Wildlife Applications, regardless of Product Cost.	\$4.25
c.2. Parks variable cost products, regardless of actual Product Cost.	n/a
Breakout Costs	
Contractor credit card fee	2.2%
Contractor fulfillment fee	\$1.45

AS APPROVED – 11/15/2018
Basis and Purpose
Chapter W-15 - Division Agents

Basis and Purpose Statement:

While not required by statute, the Commission has historically modified agent commission rates according to the CPI-based changes made annually in Chapter W-2 to non-resident big game licenses. Previously, only non-resident big game license prices had been adjusted annually with CPI, and correspondingly only agent commission rates on those licenses had been adjusted with CPI. Now that all wildlife license prices can be adjusted annually with the CPI with the passage of the Future Generations Act (SB 18-143), agent commission rates on all license types can be adjusted annually with CPI at the discretion of the Commission.

This change to regulation establishes three fixed commission rate categories that will be used for determining agent commissions into the future. All one-day and five-day fishing and one-day small game licenses as well as second rod stamps will have a set commission of 6.7% of the established license price. All nonresident big game licenses will have a set commission of 3.6% and all other license commissions will remain at the existing 4.75%. This three-category approach is similar to how agent commission rates were set in the past. These percentages were established using a rounded average of the percent of the license price paid in 2018, under the previous regulations. As wildlife licenses are adjusted annually with the CPI for 2020 and beyond, the agent commission rates will also increase accordingly.

Establishing these standardized commission rates will eliminate the need for the agency to manually enter new commission rates into regulation and our licensing and pass system each year.

The statements of basis and purpose for these regulations can be viewed and copies obtained from the Colorado Division of Parks and Wildlife, Office of the Regulations Manager, Policy and Planning Unit, 1313 Sherman, Room 111, Denver, CO 80203.

The primary statutory authority for these regulations can be found in § 24-4-103, C.R.S., and the state Wildlife Act, §§ 33-1-101 to 33-6-209, C.R.S., specifically including, but not limited to: §§ 33-1-106, C.R.S.

EFFECTIVE DATE - THESE REGULATIONS SHALL BECOME EFFECTIVE JANUARY 1, 2019 AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL REPEALED, AMENDED OR SUPERSEDED.

APPROVED AND ADOPTED BY THE PARKS AND WILDLIFE COMMISSION OF THE STATE OF COLORADO THIS 15TH DAY OF NOVEMBER, 2018.

APPROVED:
John V. Howard
Chairman

ATTEST:
James Vigil
Secretary