

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0205.01 Rebecca Bayetti x4348

HOUSE BILL 26-1041

HOUSE SPONSORSHIP

Boesenecker and Paschal, Froelich, Jackson, Lindsay, Stewart R.

SENATE SPONSORSHIP

Pelton B., Carson, Cutter, Exum, Sullivan

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE USE OF AN ELECTRONIC VEHICLE RECORD FOR A**
102 **CERTIFICATE OF TITLE, AND, IN CONNECTION THEREWITH,**
103 **REPEALING THE REQUIREMENT FOR A PAPER CERTIFICATE OF**
104 **TITLE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Transportation Legislation Review Committee. The bill repeals the existing requirement that a paper certificate of title be used for specific vehicle transactions, thereby allowing the use of a certificate of

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

title in an electronic format in all circumstances.

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

SECTION 1. In Colorado Revised Statutes, 42-6-109, **amend** (1), (3)(a), and (3)(b)(IV); and **repeal** (2) as follows:

42-6-109. Sale or transfer of vehicle - program.

(1) Except as provided in section 42-6-113, a person shall not sell or otherwise transfer a motor or off-highway vehicle to a purchaser or transferee without delivering to the purchaser or transferee a certificate of title to the vehicle duly transferred in the manner prescribed in section 42-6-110. ~~Except as provided in subsection (2) of this section, the~~ THE certificate of title may be in an electronic format. Except as provided in section 42-6-115, a purchaser or transferee does not acquire any right, title, or interest in and to a motor or off-highway vehicle purchased by the purchaser or transferee unless and until ~~he or she~~ THE PURCHASER OR TRANSFeree obtains from the transferor the certificate of title duly transferred in accordance with this part 1. ~~A lienholder~~ ANY PARTY TO THE TRANSACTION may request either a paper or electronic version of a certificate of title.

~~(2) Except as provided in section 42-6-115, a paper copy of a certificate of title is necessary for a transaction in which:~~

~~(a) Either party to the transaction is located outside Colorado; or~~

~~(b) The purchaser pays for a motor or off-highway vehicle entirely with cash.~~

(3)(a) Beginning January 1, 2019, the department shall implement a voluntary program for an owner of a motor vehicle to notify the department or an authorized agent after ownership of the motor vehicle

1 is transferred to another person in accordance with ~~subsections (1) and (2)~~
2 SUBSECTION (1) of this section.

3 (b) A report of ownership transfer is properly filed if the report is
4 made in a manner, which may include by electronic means, approved by
5 the department and received by the department or authorized agent within
6 five business days after the transfer of ownership, and includes the
7 following:

8 (IV) An affidavit, signed under penalty of perjury, that the
9 requirements for the transfer of ownership in ~~subsections (1) and (2)~~
10 SUBSECTION (1) of this section have been satisfied.

11 **SECTION 2. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly (August
14 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
15 referendum petition is filed pursuant to section 1 (3) of article V of the
16 state constitution against this act or an item, section, or part of this act
17 within such period, then the act, item, section, or part will not take effect
18 unless approved by the people at the general election to be held in
19 November 2026 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.