



# Legislative Council Staff

## Research Note

Version: House  
Transportation  
Date: 1/13/2016

### Bill Number

**House Bill 16-1056**

### Sponsors

**Representative Tyler  
Senator Baumgardner &  
Senator Todd**

### Short Title

***Tow Operator Abandoned  
Vehicle Title Search***

### Research Analyst

**Jessika Shipley (x.3528)**

### Status

This bill is currently pending before the House Transportation and Energy Committee. This research note reflects the introduced version of the bill.

### Summary

The bill, recommended by the Transportation Legislation Review Committee, broadens the records search employed by the Division of Motor Vehicles (DMV) in the Department of Revenue (DOR) to locate owners and lienholders of abandoned motor vehicles.

Under current law, only Colorado records are searched in order to locate the owner or lienholder of an abandoned vehicle. Under the bill, when a vehicle does not have a Colorado record, the DMV must perform a title search using a qualified entity that has a national database and that can retrieve records based both on the vehicle identification number (VIN) and registration number (license plate). The entity also must be able to provide appropriate vehicle and owner contact information.

The bill also increases the notification deadline, from three to five days, in which tow operators must determine whether there is an owner and/or lienholder registered with the DMV and send notice to those parties. For vehicles abandoned on private property, the bill requires that the DMV completes its search and transmits the report to the responsible law enforcement or tow operator within ten working days following receipt of the tow report. This provision aligns with current law for vehicles abandoned on public land.

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## **Background**

Under current law, the DMV provides a system for tow operators and law enforcement to perform abandoned vehicle searches. This information is used to return stolen vehicles and to notify relevant parties that the vehicle will be sold at auction if not claimed. The system searches Colorado records only. When towing an abandoned vehicle, tow operators notify local law enforcement which then completes a search to determine if the vehicle is stolen. If the vehicle is reported stolen, the tow operator turns the vehicle over to local law enforcement.

If it is determined that the vehicle is not stolen, the tow operator is required to perform a record search and provide to the DMV documents and proof that all required steps were followed. This allows the tow operator to take title and sell the abandoned vehicle. Tow operators are required to pay a fee of \$2.20 for each vehicle search performed.