



Legislative Council Staff

Research Note

Version: Final

Date: 10/6/2016

Bill Number

House Bill 16-1051

Sponsors

***Representative Van Winkle
Senator Holbert***

Short Title

***Forms To Transfer Vehicle
Ownership Upon Death***

Research Analyst

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Status

This research note reflects the final version of the bill, which became effective on August 10, 2016.

Summary

This bill requires the Department of Revenue (DOR) to create and provide a beneficiary designation form that allows a vehicle owner or joint vehicle owners to arrange a transfer of vehicle ownership to a named beneficiary upon the owner's or owners' death. Upon death of the owner or last surviving joint owner, the beneficiary presents the notarized form, as well as proof of death and the auto title transfer fee, to DOR to request a new title of vehicle ownership in his or her name. The transfer is not subject to the Colorado Probate Code. During the lifetime of the vehicle owner, the signature or consent of the beneficiary is not required to sell the vehicle and the beneficiary designation can be changed or revoked at any time. Transferring the certificate of title to another person voids the beneficiary designation.

Background

There are approximately 15 other states that provide transfer-on-death vehicle registrations or a way to designate a beneficiary for the vehicle. In Colorado, beneficiaries can currently be designated on a variety of different assets, including bank accounts, investment accounts, insurance policies, and home deeds. Allowing assets to transfer directly to assigned beneficiaries upon the death of the owner can help to keep the estate's asset value under \$64,000, which keeps the estate from having to be settled in probate court.

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House Action

House Business Affairs and Labor Committee (January 21, 2016). At the hearing, one private citizen testified in support of the bill. The committee referred the bill, unamended, to the House Committee of the Whole.

House second reading (January 27, 2016). The House passed the bill, unamended, on second reading.

House third reading (January 28, 2016). The House passed the bill, unamended, on third reading.

Senate Action

Senate Judiciary Committee (March 2, 2016). At the hearing, one private citizen testified in support of the bill. The committee referred the bill, unamended, to the Senate Committee of the Whole with a recommendation that it be placed on the consent calendar.

Senate second reading (March 7, 2016). The Senate passed the bill, unamended, on second reading.

Senate third reading (March 8, 2016). The Senate passed the bill, unamended, on third reading.