

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**



HOUSE BILL 18-1354

BY REPRESENTATIVE(S) McKean, Arndt, Hooton, Thurlow, Becker K., Valdez;  
also SENATOR(S) Zenzinger, Martinez Humenik, Moreno, Garcia, Kagan, Tate, Todd.

CONCERNING A REQUIREMENT THAT WRITTEN WARRANTIES FOR POWERSPORTS VEHICLES BE HONORED.

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

**SECTION 1. Legislative declaration.** The purpose of this legislation, enacted in 2018, is to clarify that it is unlawful for a powersports vehicle manufacturer or distributor to fail to perform written warranties on the powersports vehicle.

**SECTION 2.** In Colorado Revised Statutes, 12-6-523, **amend** (1)(a) and (1)(x)(I) introductory portion as follows:

**12-6-523. Unlawful acts.** (1) It is unlawful and a violation of this part 5 for any powersports vehicle manufacturer, distributor, or manufacturer representative:

(a) To willfully fail to PERFORM OR cause to ~~not~~ be performed any

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*Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

written warranties made with respect to a powersports vehicle or parts thereof;

(x) (I) To sell or offer to sell new powersports vehicles to a franchised ~~motor~~ POWERSPORTS vehicle dealer with whom the manufacturer has a franchise agreement at a lower actual price than the actual price offered to any other powersports vehicle dealer with whom the manufacturer has a franchise agreement for the same ~~motor~~ POWERSPORTS vehicle similarly equipped; except that this subsection (1)(x) does not apply to:

**SECTION 3. Act subject to petition - effective date.** This act takes effect October 1, 2018; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be

held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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Crisanta Duran  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Kevin J. Grantham  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Effie Ameen  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO