

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

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 20-0775.02 Jery Payne x2157

**SENATE BILL 20-167**

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**SENATE SPONSORSHIP**

**Hansen and Priola**, Bridges, Fenberg, Winter, Fields, Foote, Ginal, Hill, Lee, Moreno, Story, Todd, Williams A.

**HOUSE SPONSORSHIP**

**Becker**,

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**Senate Committees**  
Transportation & Energy

**House Committees**  
Energy & Environment

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**A BILL FOR AN ACT**

101      **CONCERNING INCREASING CONSUMER ACCESS TO ELECTRIC MOTOR**  
102                    **VEHICLES BY ALLOWING MANUFACTURERS TO SELL THEIR OWN**  
103                    **ELECTRIC MOTOR VEHICLES DIRECTLY TO CONSUMERS.**

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**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>.)*

Current law states that, with certain exceptions, a motor vehicle manufacturer may not own, operate, or control any motor vehicle dealer or used motor vehicle dealer in Colorado. The bill creates a new exception that allows the ownership, operation, or control of a motor vehicle dealer that sells electric motor vehicles of a manufacturer's

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

HOUSE  
Amended 2nd Reading  
March 11, 2020

SENATE  
Amended 3rd Reading  
February 28, 2020

SENATE  
Amended 2nd Reading  
February 21, 2020

line-make. An "electric motor vehicle" is a motor vehicle that can operate entirely on electrical power.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-20-126, **amend**  
3 **(2)(d); repeal (2)(e) and (2)(f); and add (2)(g) as follows:**

4 **44-20-126. Independent control of dealer - definitions.**  
5 **(2) Notwithstanding subsection (1) of this section, the following**  
6 **activities are not prohibited:**

7 (d) Operation of a motor vehicle dealer if the manufacturer has no  
8 other dealers of the same line-make in this state; OR

9 ~~(e) Ownership, operation, or control of a used motor vehicle~~  
10 ~~dealer if the manufacturer owned, operated, or controlled the used motor~~  
11 ~~vehicle dealer on January 1, 2009, and has continuously operated or~~  
12 ~~controlled the used motor vehicle facilities after January 1, 2009; and~~

13 ~~(f) Operation of a motor vehicle dealer if the manufacturer was~~  
14 ~~operating the dealer on January 1, 2009, so long as the dealer is in~~  
15 ~~continuous operation after January 1, 2009.~~

16 (g) OWNERSHIP, OPERATION, OR CONTROL OF ONE OR MORE MOTOR  
17 VEHICLE DEALERS IF THE MANUFACTURER MANUFACTURES ONLY ELECTRIC  
18 VEHICLES AND HAS NO FRANCHISED DEALERS OF THE SAME LINE-MAKE IN  
19 THIS STATE.

20 **SECTION 2. Act subject to petition - effective date -**  
21 **applicability.** (1) **This act takes effect at 12:01 a.m. on the day following**  
22 **the expiration of the ninety-day period after final adjournment of the**  
23 **general assembly (August 5, 2020, if adjournment sine die is on May 6,**  
24 **2020); except that, if a referendum petition is filed pursuant to section 1**  
25 **(3) of article V of the state constitution against this act or an item, section,**

1 or part of this act within such period, then the act, item, section, or part  
2 will not take effect unless approved by the people at the general election  
3 to be held in November 2020 and, in such case, will take effect on the  
4 date of the official declaration of the vote thereon by the governor.

5 (2) This act applies to ownership, operation, or control of a motor  
6 vehicle dealer on or after the applicable effective date of this act.