

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 23-0758.01 Jery Payne x2157

HOUSE BILL 23-1140

HOUSE SPONSORSHIP

Snyder,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE REQUIREMENT THAT BUSINESSES LICENSED TO SELL**
102 **POWERSPORTS VEHICLES HAVE A PRINCIPAL PLACE OF**
103 **BUSINESS.**

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 requires a powersports vehicle dealer or a used powersports vehicle dealer to maintain a principal place of business and sets minimum standards for the principal place of business. The bill clarifies that the following acts are not a violation of this requirement:

- Delivering a powersports vehicle to a customer for a test

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.

- drive away from the dealer's principal place of business;
- Delivering documents for a customer to sign or delivering documents to, or obtaining documents from, a customer away from the dealer's principal place of business; or
- Delivering a powersports vehicle to a customer away from the dealer's principal place of business.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-20-419, **amend**
3 (2) as follows:

4 **44-20-419. Principal place of business - requirements -**
5 **exceptions.** (2) (a) A room in a hotel, rooming house, or apartment ~~house~~
6 building or a part of any single or multiple unit dwelling house ~~shall~~ MUST
7 not be used as a principal place of business unless:

8 (I) The entire ground floor of the hotel, ROOMING HOUSE,
9 apartment ~~house, or rooming house~~ building, or the dwelling house is
10 devoted principally to and occupied for commercial purposes; and

11 (II) The office of the dealer is located on the ground floor ~~thereof~~
12 OF THE HOTEL, ROOMING HOUSE, APARTMENT BUILDING, OR DWELLING
13 HOUSE.

14 (b) IT IS NOT A VIOLATION OF THIS PART 4 OR ANY RULE
15 PROMULGATED UNDER THIS PART 4 FOR A POWERSPORTS VEHICLE DEALER
16 OR USED POWERSPORTS VEHICLE DEALER TO:

17 (I) DELIVER A POWERSPORTS VEHICLE TO A CUSTOMER FOR A TEST
18 DRIVE AT A LOCATION THAT IS AWAY FROM THE DEALER'S PRINCIPAL
19 PLACE OF BUSINESS;

20 (II) DELIVER DOCUMENTS FOR A CUSTOMER TO SIGN AT A
21 LOCATION THAT IS AWAY FROM THE DEALER'S PRINCIPAL PLACE OF
22 BUSINESS;

1 (III) DELIVER DOCUMENTS TO, OR OBTAIN DOCUMENTS FROM, A
2 CUSTOMER AT A LOCATION THAT IS AWAY FROM THE DEALER'S PRINCIPAL
3 PLACE OF BUSINESS; OR

4 (IV) DELIVER A POWERSPORTS VEHICLE TO A CUSTOMER AT A
5 LOCATION THAT IS AWAY FROM THE DEALER'S PRINCIPAL PLACE OF
6 BUSINESS.

7 **SECTION 2.** In Colorado Revised Statutes, 44-20-420, **amend**
8 (3)(k) as follows:

9 **44-20-420. Licenses - grounds for denial, suspension, or**
10 **revocation.** (3) A wholesaler's license, powersports vehicle dealer's
11 license, or a used powersports vehicle dealer's license may be denied,
12 suspended, or revoked on the following grounds:

13 (k) Engaging in the business for which the dealer is licensed
14 without at all times maintaining a principal place of business as required
15 by this part 4 during reasonable business hours; EXCEPT THAT THE
16 LICENSE OF A POWERSPORTS VEHICLE DEALER OR USED POWERSPORTS
17 VEHICLE DEALER IS NOT SUBJECT TO DENIAL, SUSPENSION, OR REVOCATION
18 FOR ENGAGING IN ACTIVITIES AT LOCATIONS AWAY FROM THE PRINCIPAL
19 PLACE OF BUSINESS AS DESCRIBED IN SECTION 44-20-419 (2)(b);

20 **SECTION 3. Applicability.** This act applies to conduct occurring
21 on or after the effective date of this act.

22 **SECTION 4. Safety clause.** The general assembly hereby finds,
23 determines, and declares that this act is necessary for the immediate
24 preservation of the public peace, health, or safety.