



**Report to the  
Colorado General Assembly**

**Transportation Legislation  
Review Committee**

*Prepared by*

*The Colorado Legislative Council  
Research Publication No. 661  
December 2015*



# **Transportation Legislation Review Committee**

## **Members of the Committee**

Representative Max Tyler, Chair  
Senator Randy Baumgardner, Vice-chair

Senator John Cooke  
Senator Leroy Garcia  
Senator Ray Scott  
Senator Nancy Todd

Representative Jon Becker  
Representative Perry Buck  
Representative Terri Carver  
Representative Don Coram  
Representative Daneya Esgar  
Representative Tracy Kraft-Tharp  
Representative Jovan Melton  
Representative Diane Mitsch Bush  
Representative Dominick Moreno  
Representative Patrick Neville  
Representative Dan Nordberg  
Representative Faith Winter

## **Legislative Council Staff**

Matt Kiszka, Research Analyst  
Erin Reynolds, Fiscal Analyst

## **Office of Legislative Legal Services**

Jason Gelender, Managing Senior Attorney  
Jery Payne, Senior Attorney

*December 2015*



# COLORADO GENERAL ASSEMBLY

## EXECUTIVE COMMITTEE

Sen. Bill Cadman, Chairman  
Rep. Dickey Lee Hullinghorst, Vice-Chairman  
Sen. Lucia Guzman  
Sen. Mark Scheffel  
Rep. Brian DelGrosso  
Rep. Crisanta Duran

## STAFF

Mike Mauer, Director  
Cathy Eslinger, Research Manager  
Manish Jani, IT Manager



## COMMITTEE

Sen. Rollie Heath  
Sen. Matt Jones  
Sen. Kevin Lundberg  
Sen. Vicki Marble  
Sen. Ellen Roberts  
Sen. Jessie Ulibarri  
Rep. Perry Buck  
Rep. Lois Court  
Rep. Lois Landgraf  
Rep. Polly Lawrence  
Rep. Jovan Melton  
Rep. Angela Williams

## LEGISLATIVE COUNCIL

ROOM 029 STATE CAPITOL  
DENVER, COLORADO 80203-1784

E-mail: [lcs.ga@state.co.us](mailto:lcs.ga@state.co.us)

303-866-3521 FAX: 303-866-3855 TDD: 303-866-3472

December 2015

To Members of the Seventieth General Assembly:

Submitted herewith is the final report of the Transportation Legislation Review Committee. This committee was created pursuant to Section 43-2-145, C.R.S. The purpose of this committee is to give guidance and direction to the state Department of Transportation in the development of the state transportation system, and to provide legislative oversight of and input into such development.

At its meeting on November 10, 2015, the Legislative Council reviewed the report of this committee. A motion to forward this report and the bills therein for consideration in the 2016 session was approved.

Sincerely,

/s/ Senator Bill L. Cadman  
Chairman



## Table of Contents

<b>Committee Charge</b> .....	1
<b>Committee Activities</b> .....	2
Transportation Infrastructure Funding .....	2
Transportation Infrastructure Planning .....	3
Highway Corridor Maintenance and Construction .....	3
Contracting and Intergovernmental Agreements.....	4
I-70 Mountain Corridor Traction and Congestion Issues .....	4
Traffic Safety Data Gathering.....	5
Definition of a Motor Vehicle .....	5
Regulation of Motor Carriers .....	5
Regional Transportation Authorities .....	5
Low-income Transit Fares .....	6
Other Policy Areas .....	6
Field Hearings .....	7
<b>Summary of Recommendations</b> .....	9
Bill A — Interstate 70 Motor Vehicle Traction Equipment.....	9
Text of Bill A.....	13
Bill B — Transportation Advisory Committee Procedures .....	9
Text of Bill B.....	19
Bill C — Modify Transportation Commission Membership .....	9
Text of Bill C .....	23
Bill D — Register Title Kei Vehicle for Roadway .....	10
Text of Bill D .....	27
Bill E — Abandoned Motor Vehicle National Title Search.....	10
Text of Bill E.....	43
<b>Resource Materials</b> .....	11

*This report is also available online at:*

<https://www.colorado.gov/pacific/cga-legislativecouncil/2015-transportation-legislation-review-committee>





## Committee Charge

The Transportation Legislation Review Committee (TLRC) is comprised of the 18 members of the House Transportation and Energy Committee and the Senate Transportation Committee. The TLRC is granted statutory oversight responsibilities for certain activities of the Colorado Department of Transportation, regional transportation authorities, public highway authorities, and the Regional Transportation District. In addition, the TLRC monitors the activities of the Colorado Department of Revenue relating to the regulation of motor vehicles and driver control, the impact of Colorado's transportation system on air quality, and the effect of traffic law enforcement on transportation in the state.

**Colorado Department of Transportation.** Section 43-2-145 (1), C.R.S., authorizes the TLRC to:

- give guidance and direction to the Colorado Department of Transportation (CDOT) in the development of the state transportation system;
- provide legislative oversight of and input into such development;
- make recommendations concerning the financing of the state's transportation system;
- review any phase of the CDOT's operations, including the planning and construction of highway projects;
- review such projects upon completion to determine whether a project was completed in the most cost-effective and efficient manner;
- require the CDOT to conduct long-term planning efforts for the state transportation system, and may require financial and performance audits to be conducted; and
- recommend legislation to the General Assembly and Governor resulting from these oversight responsibilities.

**Colorado Department of Revenue.** The oversight responsibilities of the TLRC include certain activities of the Colorado Department of Revenue (DOR), including driver licensing and registration and titling of motor vehicles. The TLRC's purview includes oversight of any state department or agency that administers laws related to traffic regulation or penalties imposed for traffic law violations.

**Regional transportation authorities.** The TLRC is granted the authority to review the operations of regional transportation authorities in Colorado, including the planning and construction of regional transportation systems (Section 43-2-145 (1.9), C.R.S.). The TLRC may review the authorities' projects to ensure completion in the most cost-effective and efficient manner. The TLRC is authorized to require long-range planning by regional transportation authorities, and may require financial and performance audits of these entities.

**Public highway authorities.** The TLRC is authorized to review the operations of public highway authorities in the state, including the planning and construction of public highway projects by these authorities (Section 43-2-145 (1.5), C.R.S.). The TLRC may review public highway authority projects upon completion to ensure that they were constructed in the most cost-effective and efficient manner. The TLRC may also require public highway authorities to develop long-range plans, and may require financial or performance audits of these entities.

**Regional Transportation District.** The Regional Transportation District (RTD) is authorized to contract up to 58 percent of its transportation services to private businesses through competitive bidding. The RTD must ensure that these contracted companies meet certain standards relating to experience, safety, and financial responsibility. The TLRC is required to monitor the RTD's implementation of this statutory requirement and recommend any necessary changes to the General Assembly (Section 32-9-119.5 (8)(a), C.R.S.). The RTD is also required to ensure that at least 30 percent of its operating costs are funded by farebox revenue, and must prepare its annual budget based on this percentage (Section 32-9-119.7 (3)(d), C.R.S.). In this regard, the RTD is required to submit to the TLRC any information, data, testimony, or audits that the committee may request.

## **Committee Activities**

The committee held four meetings during the 2015 interim. Briefings and presentations were made by state departments, local governments, transit authorities, public highway authorities, transportation industry associations and organizations, and members of the public on a wide range of subjects, including:

- local, state, and nationwide transportation infrastructure funding and planning;
- highway corridor maintenance and construction;
- transportation construction contracting and intergovernmental agreements (IGAs);
- traction and congestion issues on I-70;
- law enforcement data gathering for enhanced traffic safety;
- laws surrounding impeding traffic;
- challenges of current statutory definitions of motor vehicles;
- regulation of transportation network companies (TNCs) by the Public Utilities Commission (PUC);
- public highway authorities;
- regional transportation authorities; and
- low-income fare options on public transit systems.

This interim, the TLRC toured the southwest region of the state to hear feedback from the Transportation Commission, representatives of CDOT, county commissioners, local elected officials, representatives of Native American tribes, regional transit organizations, and constituents about transportation needs in their respective areas. The committee visited a number of infrastructure projects and transportation facilities throughout the southwest and held field hearings in the cities of Alamosa, Durango, and Montrose.

The committee also toured CDOT's I-70 East project and the Lockheed Martin campus in Littleton.

The following subsections discuss the TLRC's activities during the 2015 interim.

### **Transportation Infrastructure Funding**

Representatives of CDOT gave an overview of CDOT's budget on the federal, state, and local levels. They discussed how inflation has impacted the federal and state gas taxes, which have not been adjusted since the early 1990s, and noted that per capita spending on transportation infrastructure in Colorado was \$125.70 in 1991 versus \$68.94 in 2015. The

committee heard information on CDOT's sources of revenue, its estimated funding shortfall of \$1 billion per year for the next 20 years, and the negative impact that uncertainty of funding can have on multi-year projects. The committee also heard about CDOT's asset management goals and the innovative ideas that its leadership has for alternative transportation funding solutions.

A representative of the National Conference of State Legislatures presented on nationwide transportation funding, noting that nearly every state considered a transportation funding bill in 2015, with over 500 of such bills being introduced, as well as over 700 similar bills being considered by state legislatures in 2013 and 2014. The committee heard about the states that have either increased their gas taxes or added a fee for electric and alternative fuel vehicles since 2013. It also heard about the bond packages and other transportation financing legislation enacted by states in 2015, upcoming ballot measures across the states that are related to transportation funding, and states that have entered into public-private partnerships (P3s) for transportation projects.

### **Transportation Infrastructure Planning**

Representatives of CDOT's Transportation Commission, several Transportation Planning Regions (TPRs), and the Statewide Transportation Advisory Committee (STAC) presented on the state and local transportation planning process. The Transportation Commission representative discussed the process through which the commission sets its policy direction and budgets and allocates funds, stating that it does not generally choose projects, but rather sets policy goals and performance objectives for CDOT. The committee heard about the work of the Intermountain TPR and the Denver Regional Council of Governments, funding and transportation planning challenges faced by the TPRs, and public-public partnership strategies being employed in the state. The committee also heard an overview of the STAC, which reviews and comments on statewide transportation plan development, conflicts between TPRs and CDOT, and the integration of regional plans into the statewide plan.

As a result of the testimony and discussion, the committee recommends Bill B, which requires the STAC to provide advice and comments to both CDOT and the Transportation Commission, rather than only to CDOT. The bill also specifies that the STAC will provide advice on budgets and transportation policy, programming, and planning.

The committee also recommends Bill C, which requires the TLRC and Legislative Council Staff, with the input of CDOT, to study the current statutory Transportation Commission districts during the 2016 interim to determine whether the number and boundaries of the districts are appropriate or should be changed.

### **Highway Corridor Maintenance and Construction**

The committee heard from a representative of CDOT's High Performance Transportation Enterprise (HPTE), who discussed the grand opening of the US-36 Express Lane project in the summer of 2015, the procurement schedule for the I-70 East project, and the I-70 Mountain Express Lane project, which adds a third travel lane to the I-70 mountain corridor at peak travel periods and is scheduled to open for the 2015 ski season.

## **Contracting and Intergovernmental Agreements**

---

Representatives of CDOT presented on the state's transportation construction contracting process and use of IGAs. The committee heard about challenges faced by smaller construction companies in the contracting and bonding process; CDOT's contracting with minority-owned, women-owned, and local businesses; and how CDOT plans to address payment issues that some contractors have experienced. The committee also heard how CDOT has so far issued \$250 million worth of IGAs, which it uses for any agreement with a non-state governmental entity, and how the Safe Routes to School program is an example of one such situation where IGAs are necessary because of the funneling of Federal Highway Administration revenue.

## **I-70 Mountain Corridor Traction and Congestion Issues**

---

Per the requirements of House Bill 15-1173, the committee studied the use of adequate and appropriate tire tread or traction equipment to reduce congestion, lane closures, and accidents in the I-70 mountain corridor. It heard from representatives of CDOT, the Colorado State Patrol (CSP), the I-70 Coalition, the Colorado Motor Carriers Association (CMCA), and the American Car Rental Association on these issues. Discussion focused on the challenges for CDOT and CSP pertaining to current state chain laws for passenger and commercial vehicles, which cannot be called into effect expediently by CDOT and CSP, and which require statutory clarity for CSP to be able to enforce with passenger vehicles. The committee also heard how congestion and closures of the corridor are a major issue for the region and can cost up to \$800,000 for every hour of closure. Congestion and closure data were provided to the committee, as well as information on the strategies and campaigns that have been implemented by various entities in recent years throughout the mountain corridor to reduce traffic congestion and accidents and promote winter driving preparedness. The committee also heard about the impact of the trucking industry on traffic congestion along I-70 and the attempts made by the industry to mitigate delays caused by freight in the region. Committee concerns were raised about traction control equipment cost burdens for drivers and the rental car industry that could result from a clarification of the state's chain laws.

As a result of the testimony and discussion, the committee recommends Bill A, which will be introduced as a TLRC-recommended bill in the 2016 session, per the requirements of House Bill 15-1173. Pursuant to HB 15-1173, this bill was not subject to review or approval by the Legislative Council. The bill requires motor vehicles driving on Interstate 70 between milepost 133 (Dotsero) and milepost 259 (Morrison), when icy or snow-packed conditions are present, to be equipped with:

- tire chains or an equivalent traction control device (i.e. cable chains);
- four-wheel drive or all-wheel drive, and tires with a tread depth of one-eighth of an inch; or
- tires with any form of the mountain-snowflake symbol or "mud and snow" lettering (i.e., M/S and M+S) on the side wall of the tire and a tread depth of one-eighth of an inch.

A noncommercial violator of these requirements commits a class B traffic infraction and is subject to a \$100 fine and a \$32 surcharge. If a violation results in the closure of at least one lane of traffic, the violator is subject to an enhanced penalty of \$500 and a \$156 surcharge.

## **Traffic Safety Data Gathering**

---

Representatives of CDOT, CSP, the Office of Information Technology (OIT), the Department of Revenue (DOR), and the Judicial Department gave an overview of how traffic accident data is collected and analyzed in the state, and the ways that this data can be used by and shared among agencies to reduce the number of accidents and fatalities on Colorado's roads. The committee learned about the information that goes into a crash report form that is collected by CSP, data reporting standards in the state, and the software used by CSP to collect data. Agency representatives explained that data is often shared with county and municipal governments, is used for criminal investigations in the state and nationally, and is also shared with the legislative branch of the Colorado General Assembly. It was noted that individual traffic accident reports are available to the general public, and are aggregated by CDOT into a data warehouse for both federal government and state agency use. Representatives of CDOT explained how it is using data analytics with state crash data for its "Moving Towards Zero Deaths" program, and how cyber security is taken into account with this data.

## **Definition of a Motor Vehicle**

---

The committee heard from representatives of CSP, DOR, the Colorado Automobile Dealers Association, and the motorcycle industry on how current statutory definitions of a motor vehicle need to be studied to ensure that certain vehicle types, such as tuk-tuks and kei vehicles, are not misclassified, which can result in improper taxation, the bypassing of emissions standards and safety requirements, and inaccurate traffic accident data collection.

## **Regulation of Motor Carriers**

---

Representatives of the PUC gave an overview of the commission and discussed the regulation of TNCs by the PUC since the passage of Senate Bill 14-125, which created a limited regulatory structure for such companies, versus the PUC's established common carrier (taxicab) regulation system. The need for regulatory equity between taxis and TNCs was discussed, along with the PUC's plan to work with taxicab companies in revising its rules for their industry. The committee heard from representatives of the taxicab industry on how TNCs have a weaker regulatory structure than taxicab companies, and how robust regulation of both industries can help ensure public safety. A representative of the Colorado Cross-Disability Coalition also raised concerns about the number of taxicab companies and TNCs in the area that have accessible vehicles in their fleets.

## **Regional Transportation Authorities (RTAs)**

---

The committee heard from representatives of the Roaring Fork Transportation Authority and the Pikes Peak Rural Transportation Authority about how RTAs fund local transportation infrastructure projects and provide regional transit services within their boundaries through local sales taxes that have been approved by their voters. The committee heard how such services include transportation capital projects, roadway maintenance, bus rapid transit, and other transit services. The RTAs requested that the committee extend a provision of statute, which sunsets in 2019, allowing them to levy local property taxes with voter approval. The committee considered, but did not approve, a bill that would have extended the authority of RTAs to impose a property tax of five mills until January 1, 2029, if approved by voters.

## **Low-income Transit Fares**

---

Representatives of RTD and Mile High Connects presented to the committee on the availability of reduced fares for the low-income community in the metro Denver area. The committee heard about RTD's nonprofit agency reduced fare program; new 2016 RTD fare policies that make lower fares available for seniors, persons with disabilities, Medicare recipients, and students ages 6 through 19; and Mile High Connects' collaboration with various philanthropic organizations to subsidize low-income fare programs in and around Denver.

## **Other Policy Areas**

---

The committee heard testimony on other topics, including the role of the HPTE as a financing entity; the success of public highway authorities in managing toll roads in the state; the various rail lines and transit services provided by RTD under FasTracks; and the primary oversight responsibility the PUC has over RTD's light rail system.

**High-Performance Transportation Enterprise.** A representative of the HPTE provided an overview of the organization, stating that it operates as a government-owned business within CDOT, working with the agency to identify infrastructure construction projects and funding for those projects. According to the HPTE representative, when a new project is identified, the HPTE analyzes CDOT's project idea to identify innovative delivery options and pursues financing that leverages funding, guarantees high levels of service and maintenance, and is transparent to the public. The committee also heard information on the HPTE's public engagement process, the need for more town hall meetings, and public and stakeholder participation. Project updates were also provided for U.S. Highway 36, I-70 East, C-470, I-70 West, and North I-25.

**Public Highway Authorities (PHAs).** The committee heard from representatives of the E-470 PHA and the Northwest PHA on the successful management of certain toll roads in the state by PHAs. The E-470 PHA representative described E-470's tolling process, the services offered by ExpressToll, the current transponders being used on highways and toll roads in the state, roadway use and the growth of E-470 in recent years, E-470 debt obligations, unbillable toll revenue, and the increased need for CSP services on E-470. The Northwest PHA representative discussed possibilities for expansion of the parkway, traffic trends on the parkway, tolls on the parkway, and its contracted use of E-470's ExpressToll service.

**RTD transit services.** A representative of RTD presented to the committee on RTD's key upcoming projects, which include: Bus Rapid Transit (BRT) service between Boulder and Denver; the "A" line between Denver Union Station and Denver International Airport (DIA); services between Westminster and Denver; the Gold Line between Union Station and Arvada; and the "R" Line, which connects Aurora to the A Line.

**PUC oversight of RTD.** Committee members heard how the PUC has primary oversight responsibility over RTD's light rail system, but that the federal Moving Ahead for Progress in the 21st Century Act (MAP-21) of 2012 eliminated the PUC's ability to collect money from RTD to cover the costs of the oversight of this system. The PUC representatives explained how it does not currently have sufficient funds to cover its oversight of RTD's light rail system, but said that it must stay in compliance with federal oversight requirements, or risk losing \$250 million in federal funding. Alternative oversight funding options were provided, including from fees that the PUC collects from utility companies.

**DOR motor vehicle functions.** The committee discussed a number of issues related to the motor vehicle functions (licensing, titling, and registration) of DOR. As a result of these discussions, the committee recommends Bill D, which allows the DOR to title, register, and issue a rear license plate to kei vehicles. Kei vehicles, often referred to as mini trucks, are sold as off-road vehicles for farms and construction sites and are far smaller than conventional small trucks sold for on-the-road use. Kei vehicles have the capacity to reach top speeds of 55 mph or more, but many are sold with devices that limit their speed to 25 mph. The bill allows a person with a valid driver's license and insurance to operate a registered kei vehicle on a roadway with a posted speed limit of 55 miles per hour or less, unless it is a limited access highway. Under the bill, it is a class B traffic infraction to operate a kei vehicle on an unauthorized roadway, without proper registration, or without the required safety equipment.

The committee also recommends Bill E, which broadens the records used in a title search by the DOR of an abandoned vehicle to include those that can be obtained through a national title search. The bill also extends the period for a tow operator to notify the owner and any lienholder of the pending sale of an abandoned vehicle from three days to five days.

Finally, the committee discussed, but did not recommend, a bill that would have allowed the DOR to contract with private entities certified by the executive director of DOR to perform certain motor vehicle functions, such as issuing driver's licenses and motor vehicle registrations.

## **Field Hearings**

---

The TLRC toured the southwest region of the state to hear feedback from the Transportation Commission, representatives of CDOT, county commissioners, local elected officials, and constituents about transportation needs in their respective areas. The committee held field hearings in Alamosa, Durango, and Montrose.

**Alamosa.** The committee received briefings from the Transportation Commission, CDOT, the city of Alamosa, and Alamosa County. During the hearing, the following topics were addressed: the importance of state highways in south central Colorado to agriculture, tourism, and mobility; road maintenance and a lack of funding for maintenance in the region; road resurfacing projects and extending the life of roads as much as possible; passing lane needs in the region; and challenges around keeping regional mountain roads open in the winter.

**Durango.** Representatives of the Transportation Commission, CDOT, the city of Durango, La Plata County, Montezuma County, Southern Ute Community Action Programs, Inc., the Ute Mountain Ute Tribe, and the Tracks Across Border Byway briefed the committee on several topics, including: completed, planned, and needed regional infrastructure projects; the importance of the Durango-La Plata airport to the region's economy; the use of collaboration and intergovernmental agreements to generate funding for local transportation projects; the use of property tax increases in Montezuma County to fund regional projects; the importance of planning and partnership between local jurisdictions and CDOT; the importance of transit in helping people access work and shopping, promoting tourism, and allowing communities to grow; how the frequent maintenance of rural roads is critical; and the transit services offered by various organizations throughout the region.

**Montrose.** The committee was briefed by representatives of the Transportation Commission, CDOT, Montrose County, San Miguel County, Delta County, and All Points Transit. Discussion topics included: local transportation issues and challenges; significant regional projects and transportation funding needs; safety concerns for regional roads including

accidents involving wildlife and use of roads with minimal shoulders by cyclists; transit services available throughout the region and the increased demand for such services in recent times due to a growth in the area's senior population; the importance of Funding Advancements for Surface Transportation and Economic Recovery (FASTER) Act moneys for transit services and the region's roadways; economic problems seen in the region due to lost coal and dairy industry jobs; and the migration of the area's younger individuals to the Front Range.



## Summary of Recommendations

As a result of the committee's activities, five bills were recommended to the Legislative Council for consideration in the 2016 session. At its meeting on November 10, 2015, the Legislative Council approved all of the TLRC's recommended bills for introduction. The bills are described below.

### **Bill A — Interstate 70 Motor Vehicle Traction Equipment**

---

Bill A requires motor vehicles driving on Interstate 70 between milepost 133 (Dotsero) and milepost 259 (Morrison), when icy or snow-packed conditions are present, to be equipped with:

- tire chains or an equivalent traction control device (i.e. cable chains);
- four-wheel drive or all-wheel drive, and tires with a tread depth of one-eighth of an inch; or
- tires with any form of the mountain-snowflake symbol or "mud and snow" lettering (i.e., M/S and M+S) on the side wall of the tire and a tread depth of one-eighth of an inch.

A noncommercial violator of these requirements commits a class B traffic infraction and is subject to a \$100 fine and a \$32 surcharge. If a violation results in the closure of at least one lane of traffic, the violator is subject to an enhanced penalty of \$500 and a \$156 surcharge.

Pursuant to HB 15-1173, this bill was not subject to review or approval by the Legislative Council.

### **Bill B — Transportation Advisory Committee Procedures**

---

Bill B requires the STAC to provide advice and comments to both CDOT and the Transportation Commission, rather than only to CDOT. The bill also specifies that the STAC will provide advice on budgets and transportation policy, programming, and planning.

### **Bill C — Modify Transportation Commission Membership**

---

Bill C requires the TLRC to study the current statutory Transportation Commission districts during the 2016 interim to determine whether the number and boundaries of the districts should be modified. To assist the TLRC in its work, by August 1, 2016, Legislative Council Staff (LCS), with the cooperation of CDOT, must present a research study to the TLRC that documents changes in the current 11 Transportation Commission districts since the last time the General Assembly modified the districts, to include population, number of lane miles, and annual vehicle miles traveled in each of the districts. In doing so, LCS must take into account existing county and municipal boundaries, regional transportation areas and districts, and Transportation Planning Regions. The TLRC must also hold public hearings in the major geographical regions of the state regarding potential district modifications. The committee may recommend legislation to modify the Transportation Commission districts, which will not be subject to review by or approval of the Legislative Council.

### **Bill D — Register Title Kei Vehicle for Roadway**

Bill D allows the DOR to title, register, and issue a rear license plate to kei vehicles. A person with a valid driver's license and insurance may operate a registered kei vehicle on a roadway with a posted speed limit of 55 miles per hour (MPH) or less, unless it is a limited access highway. Under the bill, it is a class B traffic infraction to operate a kei vehicle on an unauthorized roadway, without proper registration, or without the required safety equipment.

### **Bill E — Abandoned Motor Vehicle National Title Search**

Currently, when an abandoned motor vehicle has been towed, the responsible law enforcement agency and tow operator notify the DOR, which searches its records to determine who owns the vehicle and if there is a lienholder. This information is used to return stolen vehicles and to notify the owner and any lienholder that the vehicle will be sold at an auction if it is not claimed. Bill E broadens the records used in the search to include those that can be obtained through a national title search. The bill also extends the period for a tow operator to notify the owner and any lienholder from three days to five days.

## Resource Materials

Summaries are prepared for each meeting of the committee and contain all handouts provided to the committee. The summaries and attachments are available at the Division of Archives, 1313 Sherman Street, Denver (303-866-2055). The listing below contains the dates of committee meetings and the topics discussed at those meetings. The meeting summaries are also available on the TLRC's website at:

<https://www.colorado.gov/pacific/cga-legislativecouncil/2015-transportation-legislation-review-committee>

### Meeting Dates and Topics Discussed

---

#### **June 7, 2015**

- ◆ Presentation on transportation infrastructure funding
- ◆ Presentation on transportation infrastructure planning
- ◆ Presentation by the High Performance Transportation Enterprise
- ◆ Presentation on contracting and intergovernmental agreements
- ◆ Presentation by the Division of Motor Vehicles
- ◆ Presentation by the Regional Transportation District

#### **July 8, 2015**

- ◆ Discussion of chain laws and I-70 mountain corridor congestion, pursuant to HB 15-1173
- ◆ Discussion of impeding traffic laws
- ◆ Discussion of traffic safety data gathering
- ◆ Discussion of the definition of a motor vehicle
- ◆ Presentation by the Public Utilities Commission
- ◆ Presentation on common carrier regulation

#### **September 23-25, 2015**

- ◆ Southwestern Colorado tour

**September 29, 2015**

- ◆ Tour of I-70 East project
- ◆ Tour of Lockheed Martin Campus in Littleton, CO

**September 30, 2015**

- ◆ Presentation on nationwide transportation funding
- ◆ Presentation by Regional Transportation Authorities
- ◆ Presentation by Public Highway Authorities
- ◆ Discussion of proposed legislation and drafting requests

**November 2, 2015**

- ◆ Presentation on low-income transit fares
- ◆ Discussion and approval of draft legislation

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

**BILL A**

LLS NO. 16-0368.01 Jery Payne x2157

**HOUSE BILL**

---

**HOUSE SPONSORSHIP**

**Mitsch Bush and Rankin,**

**SENATE SPONSORSHIP**

**Todd and Donovan,**

---

**House Committees**

**Senate Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING A REQUIREMENT THAT NONCOMMERCIAL MOTOR**  
102 **VEHICLES BE APPROPRIATELY EQUIPPED WHEN DRIVING ON THE**  
103 **INTERSTATE 70 MOUNTAIN CORRIDOR DURING WINTER STORM**  
104 **CONDITIONS.**

---

**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://www.leg.state.co.us/billsummaries>.)*

**Transportation Legislation Review Committee.** Currently, a

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*

*DRAFT Dashes through the words indicate deletions from existing statute.*

person is required to use certain traction control equipment, such as chains or snow-rated tires, when the Colorado department of transportation restricts road use due to a winter storm. The bill broadens this law to require the traction equipment to be carried on I-70 between milepost 133 (Dotsero) and milepost 259 (Morrison) when icy or snow-packed conditions are present. The bill also requires that this traction control equipment be used when icy or snowy conditions are present.

---

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

2 **SECTION 1. Legislative declaration.** The general assembly  
3 hereby finds, determines, and declares that:

4 (1) During heavy snow and inclement weather, both Vail Pass and  
5 the Eisenhower-Johnson Memorial Tunnels, as well as other portions of  
6 the Interstate 70 (I-70) mountain corridor from Idaho Springs to Dotsero,  
7 have been reduced to one lane or completely closed because of passenger  
8 vehicles using inadequate winter driving equipment.

9 (2) Winter closures on the I-70 mountain corridor caused by  
10 passenger vehicles not equipped with either adequate tires, chains, or  
11 alternative traction devices cause severe problems for mountain  
12 community workers, who typically drive properly equipped vehicles  
13 while commuting to their jobs. Mountain community workers who use  
14 public transit to get to work along the mountain corridor are also  
15 negatively affected when a lane closure occurs. Missing even a few hours'  
16 pay causes hardship.

17 (3) Economic losses for communities along the I-70 mountain  
18 corridor and for the entire state are estimated at \$800,000 per hour of  
19 closure.

20 (4) Inadequate traction use on the I-70 mountain corridor risks  
21 public safety.

1 (5) Lane closures create a competitive disadvantage for Colorado  
2 businesses.

3 **SECTION 2.** In Colorado Revised Statutes, 42-4-106, **amend** (5)  
4 (a) (I) as follows:

5 **42-4-106. Who may restrict right to use highways - repeal.**

6 (5) (a) (I) (A) The department of transportation ~~shall also have authority~~  
7 ~~to~~ MAY close any portion of a state highway ~~to public travel or to prohibit~~  
8 ~~the use thereof~~ FOR USE DURING STORMS OR OTHER DANGEROUS DRIVING  
9 CONDITIONS, DURING CONSTRUCTION OR MAINTENANCE OPERATIONS, OR  
10 WHENEVER THE DEPARTMENT CONSIDERS A ROAD CLOSURE NECESSARY  
11 FOR THE PROTECTION AND SAFETY OF THE PUBLIC.

12 (B) ~~unless motor vehicles using the same are equipped with tire~~  
13 ~~chains, four-wheel drive with adequate tires for the existing conditions,~~  
14 ~~or snow tires with a "mud and snow" or all weather rating from the~~  
15 ~~manufacturer having a tread of sufficient abrasive or skid-resistant design~~  
16 ~~or composition and depth to provide adequate traction under existing~~  
17 ~~driving conditions. during storms or when other dangerous driving~~  
18 ~~conditions exist or during construction or maintenance operations~~  
19 ~~whenever the department considers such closing or restriction of use~~  
20 ~~necessary for the protection and safety of the public~~ THE DEPARTMENT  
21 MAY RESTRICT ANY PORTION OF A STATE HIGHWAY TO TRAVEL BY ANY  
22 MOTOR VEHICLE UNLESS THE MOTOR VEHICLE IS EQUIPPED WITH THE  
23 FOLLOWING: TIRE CHAINS OR AN APPROVED TRACTION-CONTROL DEVICE;  
24 FOUR-WHEEL DRIVE WITH TIRES THAT HAVE A TREAD DEPTH OF FOUR  
25 THIRTY-SECONDS OF AN INCH; ALL-WHEEL DRIVE WITH TIRES THAT HAVE  
26 A TREAD DEPTH OF FOUR THIRTY-SECONDS OF AN INCH; OR TIRES THAT ARE  
27 IMPRINTED BY A MANUFACTURER WITH A MOUNTAIN-SNOWFLAKE, "M&S",  
28 "M+S", OR "M/S" SYMBOL AND THAT HAVE A TREAD DEPTH OF FOUR

1 THIRTY-SECONDS OF AN INCH.

2 (C) ~~Such~~ A prohibition or restriction ~~of use shall be~~ UNDER THIS  
3 SUBSECTION (5) IS effective when signs, including temporary or electronic  
4 signs, ~~giving notice thereof~~ THAT NOTIFY THE PUBLIC OF THE PROHIBITION  
5 OR RESTRICTION are erected upon ~~such portion of said~~ THE highway, ~~and~~  
6 ~~it shall be unlawful to proceed in violation of such notice~~ AND THE  
7 RESTRICTION IN SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (I) IS  
8 EFFECTIVE ON INTERSTATE 70 BETWEEN MILEPOST 133 (DOTSERO) AND  
9 MILEPOST 259 (MORRISON) WHEN ICY OR SNOW-PACKED CONDITIONS ARE  
10 PRESENT.

11 (D) The Colorado state patrol shall cooperate with the department  
12 of transportation in the enforcement of ~~any such~~ A closing or restriction.  
13 ~~of use. "Tire chains", as used in this subsection (5), means metal chains~~  
14 ~~which consist of two circular metal loops, one on each side of the tire,~~  
15 ~~connected by not less than nine evenly spaced chains across the tire tread~~  
16 ~~and any other traction devices differing from such metal chains in~~  
17 ~~construction, material, or design but capable of providing traction equal~~  
18 ~~to or exceeding that of such metal chains under similar conditions.~~

19 (E) The ~~operator~~ DRIVER of a commercial vehicle with four or  
20 more drive wheels, other than a bus, shall affix tire chains to at least four  
21 of the drive wheel tires ~~of such vehicle~~ when ~~such~~ THE vehicle is required  
22 to be equipped with tire chains under this subsection (5). The ~~operator~~  
23 DRIVER of a bus shall affix tire chains to at least two of the drive wheel  
24 tires ~~of such vehicle~~ when ~~such~~ THE vehicle is required to be equipped  
25 with tire chains under this subsection (5).

26 (F) "EQUIPPED", AS USED IN THIS SUBSECTION (5), MEANS THAT A  
27 MOTOR VEHICLE USES OR CARRIES THE APPROPRIATE TRACTION  
28 EQUIPMENT IF ICY OR SNOW-PACKED CONDITIONS ARE NOT PRESENT AND



1 THAT A MOTOR VEHICLE USES THE APPROPRIATE TRACTION EQUIPMENT IF  
2 ICY OR SNOW-PACKED CONDITIONS ARE PRESENT.

3 (G) "TIRE CHAINS", AS USED IN THIS SUBSECTION (5), MEANS  
4 METAL CHAINS CONSISTING OF TWO CIRCULAR METAL LOOPS, ONE ON EACH  
5 SIDE OF THE TIRE, CONNECTED BY NO FEWER THAN NINE EVENLY SPACED  
6 CHAINS ACROSS THE TIRE TREAD.

7 (H) "TRACTION CONTROL DEVICE", AS USED IN THIS SUBSECTION  
8 (5), MEANS A DEVICE AFFIXED TO A WHEEL OR TIRE THAT IS APPROVED BY  
9 THE COLORADO DEPARTMENT OF TRANSPORTATION AS CAPABLE OF  
10 PROVIDING TRACTION EQUAL TO OR EXCEEDING THAT OF METAL CHAINS  
11 UNDER SIMILAR CONDITIONS.

12 (I) A PERSON WHO VIOLATES THIS SUBPARAGRAPH (I) COMMITS A  
13 TRAFFIC INFRACTION AND IS SUBJECT TO THE PENALTIES IN SECTION  
14 42-4-1701 (4) (a) (I) (F).

15 **SECTION 3. Act subject to petition - effective date -**  
16 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
17 the expiration of the ninety-day period after final adjournment of the  
18 general assembly (August 10, 2016, if adjournment sine die is on May 11,  
19 2016); except that, if a referendum petition is filed pursuant to section 1  
20 (3) of article V of the state constitution against this act or an item, section,  
21 or part of this act within such period, then the act, item, section, or part  
22 will not take effect unless approved by the people at the general election  
23 to be held in November 2016 and, in such case, will take effect on the  
24 date of the official declaration of the vote thereon by the governor.

25 (2) This act applies to offenses committed on or after the effective  
26 date of this act.

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

**BILL B**

LLS NO. 16-0367.01 Jason Gelender x4330

**HOUSE BILL**

---

**HOUSE SPONSORSHIP**

**Carver and Mitsch Bush,**

**SENATE SPONSORSHIP**

**Todd,**

---

**House Committees**

**Senate Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING A REQUIREMENT THAT THE STATEWIDE**  
102 **TRANSPORTATION ADVISORY COMMITTEE PROVIDE ADVICE AND**  
103 **COMMENTS REGARDING TRANSPORTATION-RELATED MATTERS**  
104 **TO BOTH THE DEPARTMENT OF TRANSPORTATION AND THE**  
105 **TRANSPORTATION COMMISSION RATHER THAN TO THE**  
106 **DEPARTMENT ONLY.**

---

**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://www.leg.state.co.us/billsummaries>.)*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*

**DRAFT** *Dashes through the words indicate deletions from existing statute.*

**Transportation Legislation Review Committee.** Current law requires the statewide transportation advisory committee to advise the department of transportation on the needs of the transportation systems in the state and to review and comment on all regional transportation plans submitted for the transportation planning regions of the state. The bill more precisely specifies the matters on which advice is to be provided and requires the committee to provide its advice and comments to both the department of transportation and the transportation commission.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, 43-1-1104, **amend**  
3 (2) as follows:

4 **43-1-1104. Transportation advisory committee.** (2) The  
5 committee shall provide advice to BOTH the department AND THE  
6 COMMISSION on the needs of the transportation systems in Colorado,  
7 INCLUDING BUT NOT LIMITED TO BUDGETS, TRANSPORTATION  
8 IMPROVEMENT PROGRAMS, THE STATEWIDE TRANSPORTATION  
9 IMPROVEMENT PROGRAM, TRANSPORTATION PLANS, AND STATE  
10 TRANSPORTATION POLICIES, and shall review and PROVIDE comment TO  
11 BOTH THE DEPARTMENT AND THE COMMISSION on all regional  
12 transportation plans submitted for the transportation planning regions.  
13 The activities of the committee shall not be construed to constrain or  
14 replace the county hearing process.

15 **SECTION 2. Act subject to petition - effective date.** This act  
16 takes effect at 12:01 a.m. on the day following the expiration of the  
17 ninety-day period after final adjournment of the general assembly (August  
18 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a  
19 referendum petition is filed pursuant to section 1 (3) of article V of the  
20 state constitution against this act or an item, section, or part of this act  
21 within such period, then the act, item, section, or part will not take effect

1 unless approved by the people at the general election to be held in  
2 November 2016 and, in such case, will take effect on the date of the  
3 official declaration of the vote thereon by the governor.

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

BILL C

LLS NO. 16-0369.01 Jason Gelender x4330

HOUSE BILL

---

HOUSE SPONSORSHIP

Carver,

SENATE SPONSORSHIP

(None),

---

House Committees

Senate Committees

---

A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT THE TRANSPORTATION  
102 LEGISLATION REVIEW COMMITTEE STUDY THE  
103 TRANSPORTATION COMMISSION DISTRICTS OF THE STATE TO  
104 DETERMINE WHETHER THEY SHOULD BE MODIFIED.

---

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://www.leg.state.co.us/billsummaries>.)*

**Transportation Legislation Review Committee.** Transportation

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*

DRAFT *Dashes through the words indicate deletions from existing statute.*

23

commission members are appointed from 11 statutorily defined transportation commission districts (districts), and the general assembly has not modified the number or boundaries of the districts since 1991. The bill requires the transportation legislation review committee (TLRC) to study the districts during the 2016 legislative interim to determine whether the number and boundaries of the districts should be modified and, if so, what specific modifications should be made.

Legislative council staff, with the cooperation of the department of transportation, must assist the TLRC in conducting the study by preparing and presenting to the TLRC no later than August 1, 2016, a research study that documents changes since the last time the general assembly modified the number and boundaries of the districts, to include population, number of lane miles, and annual vehicle miles traveled for each of the districts and taking into account existing county and municipal boundaries, regional transportation areas and districts, and transportation planning regions. The committee must hold public hearings in the major geographical regions of the state regarding potential modifications to the number and boundaries of the districts and may recommend legislation to modify the number and boundaries of the districts based on the results of the research study and public comments received about the study.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 43-2-145.7 as  
3 follows:

4 **43-2-145.7. Transportation legislation review committee -**  
5 **study of transportation commission districts.** (1) IN ADDITION TO ITS  
6 OTHER DUTIES, DURING THE 2016 LEGISLATIVE INTERIM THE  
7 TRANSPORTATION LEGISLATION REVIEW COMMITTEE SHALL STUDY THE  
8 TRANSPORTATION COMMISSION DISTRICTS ESTABLISHED IN SECTION  
9 43-1-106 (2) TO DETERMINE:

10 (a) WHETHER THE NUMBER AND BOUNDARIES OF THE DISTRICTS  
11 SHOULD BE MODIFIED TO ENSURE THAT THE COMMISSION IS ABLE TO  
12 CARRY OUT ITS FUNCTIONS IN PROVIDING A SAFE AND EFFICIENT  
13 TRANSPORTATION SYSTEM THAT SERVES THE NEEDS OF THE ENTIRE STATE;

1 AND

2 (b) IF MODIFICATIONS ARE APPROPRIATE, WHAT SPECIFIC  
3 MODIFICATIONS SHOULD BE MADE.

4 (2) LEGISLATIVE COUNCIL STAFF SHALL ASSIST THE  
5 TRANSPORTATION LEGISLATION REVIEW COMMITTEE IN CONDUCTING THE  
6 STUDY REQUIRED BY SUBSECTION (1) OF THIS SECTION. SPECIFICALLY, NO  
7 LATER THAN AUGUST 1, 2016, LEGISLATIVE COUNCIL STAFF, WITH THE  
8 COOPERATION OF THE DEPARTMENT OF TRANSPORTATION, SHALL PREPARE  
9 AND PRESENT TO THE COMMITTEE A RESEARCH STUDY THAT DOCUMENTS  
10 CHANGES SINCE THE LAST TIME THE GENERAL ASSEMBLY MODIFIED THE  
11 NUMBER AND BOUNDARIES OF THE TRANSPORTATION COMMISSION  
12 DISTRICTS, TO INCLUDE POPULATION, NUMBER OF LANE MILES, AND  
13 ANNUAL VEHICLE MILES TRAVELED FOR EACH OF THE DISTRICTS AND  
14 TAKING INTO ACCOUNT EXISTING COUNTY AND MUNICIPAL BOUNDARIES,  
15 REGIONAL TRANSPORTATION AREAS AND DISTRICTS, AND  
16 TRANSPORTATION PLANNING REGIONS. THE COMMITTEE SHALL HOLD  
17 PUBLIC HEARINGS IN THE MAJOR GEOGRAPHICAL REGIONS OF THE STATE  
18 REGARDING POTENTIAL MODIFICATIONS TO THE NUMBER AND  
19 BOUNDARIES OF THE DISTRICTS.

20 (3) THE COMMITTEE MAY RECOMMEND LEGISLATION TO MODIFY  
21 THE NUMBER AND BOUNDARIES OF THE TRANSPORTATION COMMISSION  
22 DISTRICTS BASED ON THE RESULTS OF THE RESEARCH STUDY AND PUBLIC  
23 COMMENTS RECEIVED ABOUT THE STUDY. SUCH LEGISLATION IS DEEMED  
24 LEGISLATION RECOMMENDED BY AN INTERIM LEGISLATIVE COMMITTEE  
25 FOR PURPOSES OF ANY INTRODUCTION DEADLINES OR BILL LIMITATIONS  
26 IMPOSED BY THE JOINT RULES OF THE GENERAL ASSEMBLY; EXCEPT THAT  
27 THE LEGISLATION IS NOT SUBJECT TO REVIEW BY OR APPROVAL OF THE  
28 LEGISLATIVE COUNCIL.

1           **SECTION 2. Safety clause.** The general assembly hereby finds,  
2 determines, and declares that this act is necessary for the immediate  
3 preservation of the public peace, health, and safety.



Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

**BILL D**

LLS NO. 16-0365.01 Jery Payne x2157

**HOUSE BILL**

---

**HOUSE SPONSORSHIP**

**Becker,**

**SENATE SPONSORSHIP**

**Cooke,**

---

**House Committees**

**Senate Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING AUTHORIZATION TO DRIVE A KEI VEHICLE ON PUBLIC**  
102 **ROADWAYS IF THE KEI VEHICLE IS REGISTERED WITH THE**  
103 **STATE.**

---

**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://www.leg.state.co.us/billsummaries>.)*

**Transportation Legislation Review Committee.** The bill authorizes a person to drive a kei vehicle on a roadway if it is registered with the division of motor vehicles. A person must be licensed to drive a

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*

**DRAFT** *Dashes through the words indicate deletions from existing statute.*

27

kei vehicle. The registration costs \$15, specific ownership tax is \$3, and the kei vehicle is issued a license plate. Kei vehicles must follow the rules of the road and cannot be driven on limited-access highways or roads with a speed limit that is greater than 55 miles per hour. Kei vehicles must have insurance. To be used on the road, a kei vehicle must have, in good working order:

- Brakes;
- Headlamps and tail lights;
- Turn signals;
- A windshield and windshield wipers;
- Rear-view mirrors; and
- Seatbelts.

The bill provides for titling kei vehicles as off-highway vehicles. The bill also clarifies that a dealer in kei vehicles has to be licensed, but current dealers are exempt.

---

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

2           **SECTION 1.** In Colorado Revised Statutes, 42-1-102, **add** (45.3)  
3 as follows:

4           **42-1-102. Definitions.** As used in articles 1 to 4 of this title,  
5 unless the context otherwise requires:

6           (45.3) (a) "KEI VEHICLE" MEANS A VEHICLE, INCLUDING TRUCKS  
7 OR VANS, THAT:

8           (I) IS POWERED BY AN INTERNAL COMBUSTION ENGINE WITH A  
9 DISPLACEMENT OF ONE THOUSAND CUBIC CENTIMETERS OR LESS OR AN  
10 ELECTRICAL MOTOR OF FIFTY-SIX THOUSAND WATTS OR LESS;

11           (II) IS SIXTY-SEVEN INCHES OR LESS IN WIDTH;

12           (III) HAS AN EMPTY WEIGHT OF TWO THOUSAND POUNDS OR LESS;

13           (IV) TRAVELS ON FOUR OR MORE TIRES;

14           (V) HAS A TOP SPEED OF APPROXIMATELY FIFTY-FIVE MILES PER  
15 HOUR;

16           (VI) IS EQUIPPED WITH A COMPARTMENT THAT IS AT LEAST  
17 TWENTY-FOUR INCHES BY FIFTY INCHES OR A BED FOR HAULING;

1 (VII) HAS AN ENCLOSED PASSENGER CAB; AND

2 (VIII) IS NOT SOLD IN THE UNITED STATES FOR OPERATION ON  
3 ROADWAYS.

4 (b) "KEI VEHICLES" ARE ALSO KNOWN AS "KEI TRUCKS",  
5 "MICROTRUCKS", "MINITRUCKS", AND "UTILITY TRANSPORTATION  
6 VEHICLES".

7 (c) A KEI VEHICLE IS NOT A MOTOR VEHICLE.

8 **SECTION 2.** In Colorado Revised Statutes, 42-1-210, **amend** (1)  
9 (a) as follows:

10 **42-1-210. County clerk and recorders and manager of revenue**  
11 **or other appointed official as agents - legislative declaration - fee.**

12 (1) (a) The county clerk and recorder in each county in the state of  
13 Colorado, the clerk and recorder in the city and county of Broomfield,  
14 and, in the city and county of Denver, the manager of revenue or such  
15 other official of the city and county of Denver as may be appointed by the  
16 mayor to perform functions related to the registration of motor vehicles  
17 are hereby designated as the authorized agents of the department for the  
18 administration of the provisions of articles 3 and 6 of this title relating to  
19 registrations of motor vehicles in such counties; and for the enforcement  
20 of the provisions of section 42-6-139 relating to the registering and titling  
21 of motor vehicles in such counties; and for the enforcement of the  
22 provisions of section 38-29-120, C.R.S., relating to the titling of  
23 manufactured homes; but any such authorized agent in a county has the  
24 power to appoint and employ such motor vehicle registration and license  
25 clerks as are actually necessary in the issuance of motor vehicle licenses  
26 and shall retain for the purpose of defraying such expenses, including  
27 mailing, a sum equal to four dollars per paid motor vehicle registration,  
28 ~~and~~ KEI VEHICLE REGISTRATION, registration requiring a metallic plate,

1 plates, individual temporary registration number plates, or validation tab  
2 or sticker as provided in section 42-3-201. This fee of four dollars shall  
3 apply to every registration of a motor vehicle that is designed primarily  
4 to be operated or drawn on any highway of this state OR KEI VEHICLE,  
5 except such vehicles as are specifically exempted from payment of any  
6 registration fee by the provisions of article 3 of this title, and shall be in  
7 addition to the annual registration fee prescribed by law for such vehicle.  
8 The fee of four dollars, when collected by the department, shall be  
9 credited to the same fund as registration fees collected by the department.  
10 The county clerk and recorders, the clerk and recorder in the city and  
11 county of Broomfield, and the manager of revenue or such other official  
12 of the city and county of Denver as may be appointed by the mayor to  
13 perform functions related to the registration of motor vehicles in the city  
14 and county of Denver so designated as the authorized agents of the  
15 department, as provided in this section, shall serve as such authorized  
16 agents under the provisions of this part 2 without additional remuneration  
17 or fees, except as otherwise provided in articles 1 to 6 of this title.

18 **SECTION 3.** In Colorado Revised Statutes, 42-1-211, **amend** (2)  
19 as follows:

20 **42-1-211. Colorado state titling and registration system.**

21 (2) There is hereby created the Colorado state titling and registration  
22 account in the highway users tax fund for the purpose of providing funds  
23 for the development and operation of the Colorado state titling and  
24 registration system, including: Operations performed under article 6 of  
25 this title; THE REGISTRATION OF KEI VEHICLES; and to cover the costs of  
26 administration and enforcement of the motorist insurance identification  
27 database program created in section 42-7-604. Moneys received from the  
28 fees imposed by section 38-29-138 (1), (2), (4), and (5), C.R.S., and

1 sections 42-1-206 (2) (a), 42-3-107 (22), ~~42-3-213 (1) (b) (IV), 42-6-137~~  
2 ~~(1), (2), (4), (5), and (6), and 42-3-304 (18) (d)~~ 42-3-213 (1) (B) (IV),  
3 42-3-304 (18) (d), 42-3-315, AND 42-6-137 (1), (2), (4), (5), AND (6), as  
4 well as any moneys received through gifts, grants, and donations to the  
5 account from private or public sources for the purposes of this section,  
6 shall be credited by the state treasurer to the Colorado state titling and  
7 registration account. The general assembly shall appropriate annually the  
8 moneys in the Colorado state titling and registration account for the  
9 purposes of this subsection (2). If any unexpended and unencumbered  
10 moneys remain in the account at the end of a fiscal year, the balance  
11 remains in the fund and is not transferred to the general fund or any other  
12 fund.

13 **SECTION 4.** In Colorado Revised Statutes, 42-2-103, **add** (2.5)  
14 as follows:

15 **42-2-103. Motorcycles - low-power scooters - kei vehicles -**  
16 **driver's license required.** (2.5) A PERSON SHALL NOT DRIVE A KEI  
17 VEHICLE ON A ROADWAY UNLESS THE PERSON POSSESSES A VALID DRIVER'S  
18 LICENSE.

19 **SECTION 5.** In Colorado Revised Statutes, 42-3-103, **add** (6) as  
20 follows:

21 **42-3-103. Registration required - exemptions - rules.** (6) (a) A  
22 PERSON SHALL NOT DRIVE A KEI VEHICLE ON A ROADWAY UNLESS THE  
23 OWNER REGISTERS THE KEI VEHICLE WITH THE DEPARTMENT OR THE KEI  
24 VEHICLE IS BEING USED AS AUTHORIZED BY SECTION 33-14.5-108, C.R.S.  
25 THE REGISTRATION EXPIRES ANNUALLY IF OWNERSHIP OF THE KEI VEHICLE  
26 IS NOT TRANSFERRED TO ANOTHER PERSON OR UPON TRANSFER IF  
27 OWNERSHIP OF THE KEI VEHICLE IS TRANSFERRED TO ANOTHER PERSON.

28 (b) A KEI VEHICLE IS NOT SUBJECT TO ANY MOTOR VEHICLE

1 REGISTRATION FEE UNLESS THE FEE IS EXPRESSLY AUTHORIZED FOR A KEI  
2 VEHICLE BY ARTICLE 3 OF THIS TITLE.

3 (c) WHEN REGISTERING A KEI VEHICLE, THE OWNER SHALL, IN  
4 ACCORDANCE WITH SECTION 42-3-105, SHOW PROOF OF INSURANCE OR  
5 SIGN A STATEMENT OF NONUSE.

6 (d) A VIOLATION OF THIS SUBSECTION (6) IS A CLASS B TRAFFIC  
7 INFRACTION.

8 **SECTION 6.** In Colorado Revised Statutes, 42-3-107, **add** (29)  
9 as follows:

10 **42-3-107. Taxable value of classes of property - rate of tax -**  
11 **when and where payable - department duties - apportionment of tax**  
12 **collections - definitions - rules - repeal.** (29) THE ANNUAL SPECIFIC  
13 OWNERSHIP TAX FOR A KEI VEHICLE IS THE SAME AS FOR CLASS C  
14 PERSONAL PROPERTY.

15 **SECTION 7.** In Colorado Revised Statutes, 42-3-201, **amend** (1)  
16 (a) (I) (E) and (1) (a) (I) (F); and **add** (1) (a) (I) (G) as follows:

17 **42-3-201. Number plates furnished - style - periodic reissuance**  
18 **- tabs - rules.** (1) (a) (I) The department shall issue to every owner  
19 whose vehicle is registered two number plates; except that the department  
20 shall issue one number plate for the following:

21 (E) An item of special mobile machinery; ~~or~~

22 (F) An auticycle; OR

23 (G) A KEI VEHICLE.

24 **SECTION 8.** In Colorado Revised Statutes, 42-3-202, **amend** (1)  
25 (a) as follows:

26 **42-3-202. Number plates to be attached.** (1) (a) The owner shall  
27 attach the number plates assigned to a self-propelled vehicle, other than  
28 a motorcycle, auticycle, KEI VEHICLE, or street rod vehicle, to the vehicle

1 with one in the front and the other in the rear. The owner shall attach the  
2 number plate assigned to a motorcycle, autocycle, KEI VEHICLE, street rod  
3 vehicle, trailer, semitrailer, other vehicle drawn by a motor vehicle, or  
4 special mobile machinery to the rear of the vehicle. The owner shall  
5 display number plates during the current registration year, except as  
6 otherwise provided in this article.

7 **SECTION 9.** In Colorado Revised Statutes, 42-3-203, **amend** (3)  
8 (a) (I) and (3) (b) as follows:

9 **42-3-203. Standardized plates - rules.** (3) (a) (I) The department  
10 may issue individual temporary registration number plates and certificates  
11 good for a period not to exceed sixty days upon application by an owner  
12 of a motor vehicle OR KEI VEHICLE, or the owner's agent, and the payment  
13 of a registration fee of two dollars, one dollar and sixty cents to be  
14 retained by the authorized agent or department issuing the plates and  
15 certificates and the remainder to be remitted monthly to the department  
16 to be transmitted to the state treasurer for credit to the highway users tax  
17 fund.

18 (b) The department may issue to licensed motor vehicle dealers  
19 AND POWERSPORTS VEHICLE DEALERS temporary registration number  
20 plates and certificates in blocks of twenty-five upon payment of a fee of  
21 six dollars and twenty-five cents for each block of twenty-five. The  
22 department shall transmit any money it receives from this sale to the state  
23 treasurer for credit to the highway users tax fund and allocation and  
24 expenditure as specified in section 43-4-205 (5.5) (b), C.R.S. The  
25 department may promulgate rules creating a system for the dealer to:

26 (I) Print on the temporary plates the temporary registration  
27 number, vehicle identification number, and other information required by  
28 the department; and

1 (II) Print temporary registration certificates with the information  
2 required by the department.

3 **SECTION 10.** In Colorado Revised Statutes, 42-3-301, **amend**  
4 (1) (a) as follows:

5 **42-3-301. License plate cash fund - license plate fees.** (1) (a) In  
6 addition to the payment of any fees for motor vehicle registration or for  
7 the issuance of license plates, decals, or validating tabs, each owner of a  
8 motor vehicle OR KEI VEHICLE issued a license plate, decal, or validating  
9 tab for a motor vehicle pursuant to UNDER this article shall also pay a fee  
10 to cover the direct costs of such THE plates, decals, or tabs. ~~The amount~~  
11 ~~of the fee imposed pursuant to this section shall be as specified in~~  
12 ~~paragraph (b) of subsection (2) of this section.~~

13 **SECTION 11.** In Colorado Revised Statutes, **add** 42-3-315 as  
14 follows:

15 **42-3-315. Kei vehicle registration fee.** THE OWNER SHALL PAY  
16 A FIFTEEN-DOLLAR FEE TO REGISTER A KEI VEHICLE WITH THE  
17 DEPARTMENT. THE DEPARTMENT SHALL TRANSFER THE FEE TO THE STATE  
18 TREASURER, WHO SHALL CREDIT THE FEE TO THE COLORADO STATE  
19 TITLING AND REGISTRATION ACCOUNT CREATED IN SECTION 42-1-211 (2).

20 **SECTION 12.** In Colorado Revised Statutes, **add** 42-4-109.7 as  
21 follows:

22 **42-4-109.7. Kei vehicles - rules.** (1) A PERSON DRIVING A KEI  
23 VEHICLE UPON A ROADWAY HAS ALL OF THE RIGHTS AND IS SUBJECT TO  
24 ALL OF THE DUTIES OF A DRIVER OF A MOTOR VEHICLE UNDER ARTICLES 1  
25 TO 4 OF THIS TITLE EXCEPT THOSE PROVISIONS OF THIS ARTICLE THAT BY  
26 THEIR NATURE HAVE NO APPLICATION. UNLESS THE STATUTE SETTING  
27 FORTH A PENALTY FOR VIOLATION OF A DUTY SPECIFIES THAT THE  
28 PENALTY APPLIES TO A KEI VEHICLE, A VIOLATION OF ANY DUTY IMPOSED



1 UNDER ARTICLES 1 TO 4 OF THIS TITLE IS A CLASS B TRAFFIC INFRACTION.

2 (2) (a) (I) EXCEPT AS PROHIBITED BY THIS SECTION AND SECTION  
3 42-3-103, A PERSON MAY DRIVE A KEI VEHICLE ON A ROADWAY THAT HAS  
4 A SPEED LIMIT OF FIFTY-FIVE MILES PER HOUR OR LESS.

5 (II) PROHIBITING A PERSON FROM DRIVING A KEI VEHICLE ON A  
6 ROADWAY DOES NOT PROHIBIT THE PERSON FROM DRIVING ACROSS THE  
7 ROADWAY AT AN AT-GRADE INTERSECTION WITH AN AUTHORIZED  
8 ROADWAY.

9 (b) A PERSON SHALL NOT DRIVE A KEI VEHICLE ON A  
10 LIMITED-ACCESS HIGHWAY.

11 (3) A VIOLATION OF THIS SECTION IS A CLASS B TRAFFIC  
12 INFRACTION.

13 **SECTION 13.** In Colorado Revised Statutes, **add** 42-4-242 as  
14 follows:

15 **42-4-242. Equipment - kei vehicles.** (1) A PERSON SHALL NOT  
16 DRIVE A KEI VEHICLE ON A ROADWAY UNLESS THE VEHICLE IS EQUIPPED  
17 WITH THE FOLLOWING IN GOOD WORKING ORDER:

18 (a) BRAKES THAT ENABLE THE OPERATOR TO MAKE THE WHEELS  
19 SKID ON DRY, LEVEL, AND CLEAN PAVEMENT;

20 (b) A HEAD LAMP AIMED AND SUFFICIENTLY INTENSE TO REVEAL  
21 PERSONS AND VEHICLES AT NIGHT AT A DISTANCE OF ONE HUNDRED FEET  
22 AHEAD ON A STRAIGHT, LEVEL ROAD;

23 (c) TWO TAIL LIGHTS THAT EMIT A RED LIGHT WHEN THE HEAD  
24 LAMPS ARE LIGHTED AND THAT ARE:

25 (I) VISIBLE FROM A DISTANCE OF FIVE HUNDRED FEET TO THE  
26 REAR;

27 (II) MOUNTED ON THE REAR OF THE VEHICLE ON THE SAME LEVEL  
28 AND AS WIDELY SPACED Laterally AS PRACTICABLE; AND

1 (III) LOCATED AT A HEIGHT OF NOT MORE THAN SEVENTY-TWO  
2 INCHES NOR LESS THAN TWENTY INCHES OFF THE GROUND;

3 (d) LAMPS ON THE FRONT AND REAR OF THE VEHICLE THAT  
4 INDICATE AN INTENTION TO TURN EITHER TO THE RIGHT OR TO THE LEFT BY  
5 FLASHING THE LAMP ON AND OFF AND THAT:

6 (I) ARE LOCATED ON THE SAME LEVEL AND AS WIDELY SPACED  
7 Laterally as practicable;

8 (II) DISPLAY A WHITE OR AMBER LIGHT ON THE FRONT; AND

9 (III) DISPLAY RED, ORANGE, OR AMBER LIGHT ON THE REAR;

10 (e) SAFETY GLAZING MATERIAL AT THE FRONT OF THE VEHICLE SO  
11 AS TO SERVE AS A WINDSHIELD AND AS EYE PROTECTION FOR THE DRIVER;

12 (f) A DEVICE CONTROLLED BY THE DRIVER OF THE VEHICLE FOR  
13 CLEANING MOISTURE FROM THE WINDSHIELD;

14 (g) A MIRROR THAT REFLECTS TO THE DRIVER AN UNOBSTRUCTED  
15 VIEW OF THE ROADWAY FOR AT LEAST TWO HUNDRED FEET BEHIND THE  
16 REAR OF THE VEHICLE;

17 (h) SAFETY BELTS FOR EACH PASSENGER OF THE VEHICLE; AND

18 (i) A HORN.

19 (2) A VIOLATION OF THIS SECTION IS A CLASS B TRAFFIC  
20 INFRACTION.

21 **SECTION 14.** In Colorado Revised Statutes, 42-4-1409, **amend**  
22 (2), (3) (a), and (5) as follows:

23 **42-4-1409. Compulsory insurance - penalty - legislative intent.**

24 (2) ~~No~~ A person shall ~~operate~~ NOT DRIVE a motor vehicle, KEI VEHICLE,  
25 or low-power scooter on ~~the~~ A public ~~highways of this state~~ ROADWAY  
26 without a complying policy or certificate of self-insurance in full force  
27 and effect as required by law.

28 (3) (a) When an accident occurs or when requested to do so

1 following ~~any lawful~~ A traffic contact or during ~~any~~ A traffic investigation  
2 by a peace officer, ~~an owner or operator~~ THE DRIVER of a motor vehicle,  
3 KEI VEHICLE, or low-power scooter shall IMMEDIATELY present to the  
4 requesting officer ~~immediate~~ evidence of a complying policy or certificate  
5 of self-insurance in full force and effect as required by law.

6 (5) Testimony of the failure of ~~any~~ AN owner or operator of a  
7 motor vehicle, KEI VEHICLE, or low-power scooter to present ~~immediate~~  
8 evidence of a complying policy or certificate of self-insurance in full  
9 force and effect as required by law, when requested to do so by a peace  
10 officer, ~~shall constitute~~ IS prima facie evidence at a trial concerning a  
11 violation charged under subsection (1) or (2) of this section that ~~such~~ THE  
12 owner or operator ~~of a motor vehicle~~ violated subsection (1) or (2) of this  
13 section.

14 **SECTION 15.** In Colorado Revised Statutes, 42-6-102, **amend**  
15 (6.5), (11.5) (a) (III), and (11.5) (b) introductory portion; and **add** (6.6)  
16 as follows:

17 **42-6-102. Definitions.** As used in this part 1, unless the context  
18 otherwise requires:

19 (6.5) ~~"Kit vehicle" means a passenger-type motor vehicle~~  
20 ~~assembled, by other than a licensed manufacturer, from a manufactured~~  
21 ~~kit that includes a prefabricated body and chassis and is accompanied by~~  
22 ~~a manufacturer's statement of origin.~~ "KEI VEHICLE" HAS THE MEANING  
23 SET FORTH IN SECTION 42-1-102.

24 (6.6) "KIT VEHICLE" MEANS A PASSENGER-TYPE MOTOR VEHICLE  
25 ASSEMBLED, BY OTHER THAN A LICENSED MANUFACTURER, FROM A  
26 MANUFACTURED KIT THAT INCLUDES A PREFABRICATED BODY AND  
27 CHASSIS AND IS ACCOMPANIED BY A MANUFACTURER'S STATEMENT OF  
28 ORIGIN.

1 (11.5) (a) "Off-highway vehicle" means a self-propelled vehicle  
2 that is:

3 (III) Generally and commonly used to transport persons for  
4 recreational OR OCCUPATIONAL purposes.

5 (b) "Off-highway vehicle" includes vehicles commonly known as  
6 all-terrain vehicles, KEI VEHICLES, and snowmobiles but does not include:

7 **SECTION 16.** In Colorado Revised Statutes, 42-6-148, **amend**  
8 (2) as follows:

9 **42-6-148. Off-highway vehicles - sales.** (2) (a) A current  
10 off-highway vehicle registration issued under article 14.5 of title 33,  
11 C.R.S., is sufficient evidence of ownership to issue a certificate of title  
12 under this part 1.

13 (b) IF A KEI VEHICLE DOES NOT HAVE A MANUFACTURER'S VEHICLE  
14 IDENTIFICATION NUMBER, THE DEPARTMENT MAY ISSUE A CERTIFICATE OF  
15 TITLE BASED UPON:

- 16 (I) A MANUFACTURER'S STATEMENT OF ORIGIN;
- 17 (II) A PHYSICAL INSPECTION IN ACCORDANCE WITH SECTION  
18 42-6-107 (1) (b);
- 19 (III) A BILL OF SALE; OR
- 20 (IV) (A) A MANUFACTURER'S CERTIFICATE, IMPORTER'S  
21 CERTIFICATE, OR EXPORT CERTIFICATE FOR A KEI VEHICLE; AND  
22 (B) AN AFFIDAVIT BY THE OWNER AFFIRMING OWNERSHIP.

23 **SECTION 17.** In Colorado Revised Statutes, 10-4-601, **amend**  
24 (6) and (10) introductory portion; and **add** (5.3) as follows:

25 **10-4-601. Definitions.** As used in this part 6, unless the context  
26 otherwise requires:

27 (5.3) "KEI VEHICLE" HAS THE MEANING SET FORTH IN SECTION  
28 42-1-102, C.R.S.

1 (6) "Motor vehicle" OR "AUTOMOBILE" means a motor vehicle, ~~and~~  
2 a low-power scooter, OR A KEI VEHICLE as ~~both terms are~~ EACH TERM IS  
3 defined in section 42-1-102, C.R.S.; except that "motor vehicle" OR  
4 "AUTOMOBILE" does not include a toy vehicle, KEI VEHICLE, snowmobile,  
5 OTHER off-highway vehicle, or vehicle designed primarily for use on rails.

6 (10) "Policy" means ~~an automobile~~ A MOTOR VEHICLE insurance  
7 policy providing coverage for all or any of the following coverages:  
8 Collision, comprehensive, bodily injury liability, property damage  
9 liability, medical payments, and uninsured motorist coverage, or a  
10 combination ~~automobile~~ MOTOR VEHICLE policy providing bodily injury  
11 liability, property damage liability, medical payments, uninsured motorist,  
12 and physical damage coverage, delivered or issued for delivery in this  
13 state, insuring a single individual, or ~~husband and wife~~, MARRIED  
14 SPOUSES, or family members residing in the same household, as THE  
15 named insured, and under which the insured vehicles ~~therein~~ designated  
16 IN THE POLICY are of the following types only:

17 **SECTION 18.** In Colorado Revised Statutes, 12-6-502, **amend**  
18 (10); and **add** (5.7) as follows:

19 **12-6-502. Definitions.** As used in this part 5, unless the context  
20 otherwise requires:

21 (5.7) "KEI VEHICLE" HAS THE MEANING SET FORTH IN SECTION  
22 42-1-102, C.R.S.

- 23 (10) "Powersports vehicle" means any of the following:
- 24 (a) An off-highway vehicle;
  - 25 (b) A personal watercraft; ~~or~~
  - 26 (c) A snowmobile; OR
  - 27 (d) A KEI VEHICLE.

28 **SECTION 19.** In Colorado Revised Statutes, 12-6-523, **amend**

1 (2) as follows:

2 **12-6-523. Unlawful acts.** (2) (a) EXCEPT AS PROVIDED BY  
3 SUBSECTION (b) OF THIS SUBSECTION (2), it is unlawful for a person to act  
4 as a wholesaler, powersports vehicle dealer, used powersports vehicle  
5 dealer, powersports vehicle manufacturer, powersports vehicle  
6 distributor, powersports vehicle manufacturer representative, or  
7 powersports vehicle salesperson unless the person has been duly licensed  
8 under the provisions of this part 5.

9 (b) A PERSON WHO WAS IN THE BUSINESS OF SELLING KEI VEHICLES  
10 BEFORE JULY 1, 2015, MAY CONTINUE TO SELL KEI VEHICLES SO LONG AS  
11 THE PERSON CONTINUES TO OPERATE THE BUSINESS.

12 **SECTION 20.** In Colorado Revised Statutes, 33-14.5-101,  
13 **amend** (3) introductory portion, (3) (d), and (3) (g) as follows:

14 **33-14.5-101. Definitions.** As used in this article, unless the  
15 context otherwise requires:

16 (3) "Off-highway vehicle" means ~~any~~ A self-propelled vehicle  
17 ~~which~~ THAT is designed to travel on wheels or tracks in contact with the  
18 ground, ~~which~~ is designed primarily for use off of the public highways,  
19 and ~~which~~ is generally and commonly used ~~to transport persons~~ for  
20 recreational purposes. "Off-highway vehicle" does not include: ~~the~~  
21 ~~following:~~

22 (d) Golf ~~carts~~ CARS;

23 (g) MOTOR vehicles registered ~~pursuant to~~ UNDER article 3 of title  
24 42, C.R.S.

25 **SECTION 21. Act subject to petition - effective date -**  
26 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
27 the expiration of the ninety-day period after final adjournment of the  
28 general assembly (August 10, 2016, if adjournment sine die is on May 11,

1 2016); except that, if a referendum petition is filed pursuant to section 1  
2 (3) of article V of the state constitution against this act or an item, section,  
3 or part of this act within such period, then the act, item, section, or part  
4 will not take effect unless approved by the people at the general election  
5 to be held in November 2016 and, in such case, will take effect on the  
6 date of the official declaration of the vote thereon by the governor.

7 (2) This act applies to registrations made and offenses committed  
8 on or after January 1, 2017.

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

**BILL E**

LLS NO. 16-0363.02 Jery Payne x2157

**HOUSE BILL**

---

**HOUSE SPONSORSHIP**

**Tyler,**

**SENATE SPONSORSHIP**

**Baumgardner and Todd,**

---

**House Committees**

**Senate Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING A REQUIREMENT THAT THE HOLDER OF AN ABANDONED**  
102 **MOTOR VEHICLE USE THE RECORDS OF A NATIONAL TITLE**  
103 **SEARCH TO NOTIFY PERSONS WITH AN INTEREST IN THE MOTOR**  
104 **VEHICLE THAT THE VEHICLE HAS BEEN TOWED AND IS SUBJECT**  
105 **TO SALE.**

---

**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://www.leg.state.co.us/billsummaries>.)*

**Transportation Legislation Review Committee.** Currently, when

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*

**DRAFT** *Dashes through the words indicate deletions from existing statute.*

43



an abandoned motor vehicle has been towed, the responsible law enforcement agency and tow operator notify the department of revenue, which searches its records to determine who owns the vehicle and if there is a lienholder. This information is used to return stolen vehicles and to notify the owner and any lienholder that the vehicle will be sold at an auction if it is not claimed. The bill broadens the records used in the search to include those that can be obtained through a national title search.

The bill also extends the period for a tow operator to notify the owner and any lienholder from three days to five days.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-1804, **amend**  
3 (2) and (6) (a) introductory portion as follows:

4 **42-4-1804. Report of abandoned motor vehicles - owner's**  
5 **opportunity to request hearing.** (2) (a) Upon its receipt of such A report  
6 MADE UNDER SUBSECTION (1) OR (6) OF THIS SECTION, the department  
7 shall search its records to ascertain the last-known owner of record for the  
8 abandoned motor vehicle and any lienholder as those persons are  
9 represented in department records.

10 (b) ~~In the event IF the vehicle is determined by the department not~~  
11 ~~to be registered in the state of Colorado the report required by this section~~  
12 ~~shall state that no Colorado title record exists regarding the vehicle~~ WITH  
13 THE DEPARTMENT, THE DEPARTMENT SHALL CONDUCT A TITLE SEARCH  
14 WITH AN ENTITY THAT:

15 (I) HAS A NATIONAL DATABASE;

16 (II) MAY RETRIEVE RECORDS BASED ON BOTH THE VEHICLE  
17 IDENTIFICATION NUMBER AND VEHICLE REGISTRATION NUMBER (LICENSE  
18 PLATE NUMBER); AND

19 (III) PROVIDES THE FOLLOWING INFORMATION: THE VEHICLE  
20 IDENTIFICATION NUMBER, THE VEHICLE REGISTRATION NUMBER, THE

1 OWNER'S NAME AND CONTACT INFORMATION, AND THE LIENHOLDER'S  
2 NAME AND CONTACT INFORMATION.

3 (c) Within ten working days after ~~such~~ receipt OF A REPORT MADE  
4 UNDER SUBSECTION (1) OR (6) OF THIS SECTION, the department shall  
5 complete its search and shall transmit ~~such~~ THE report, together with all  
6 relevant information, to the responsible law enforcement agency OR TOW  
7 OPERATOR.

8 (6) (a) An operator or its agent shall, no less than two days, but no  
9 more than ten days after a motor vehicle has been towed, determine if  
10 ~~there is an~~ WHO THE owner IS and IF THERE IS a lienholder ~~represented in~~  
11 ~~department records~~ AND send a notice by certified mail, return receipt  
12 requested, to the last address of the owner ~~as shown on the motor~~  
13 ~~vehicle's registration, and the lienholder, as shown on the title, if either is~~  
14 ~~shown in department records~~ AS DETERMINED FROM RECORDS OF THE  
15 DEPARTMENT, FROM THE NATIONAL SEARCH PERFORMED BY THE  
16 DEPARTMENT, OR BOTH. The cost of complying with this paragraph (a)  
17 ~~shall be considered~~ IS a cost of towing; except that the total of ~~such~~ ALL  
18 costs OF COMPLYING WITH THIS SECTION shall not exceed one hundred  
19 fifty dollars. TO COMPLY WITH THIS SUBSECTION (6), the notice to the  
20 owner and lienholder ~~shall~~ MUST be sent within ~~three~~ FIVE days after the  
21 operator receives the information from the department ~~Such notice shall~~  
22 AND MUST contain the following information:

23 **SECTION 2.** In Colorado Revised Statutes, 42-4-2103, **amend**  
24 (3) (c) (I); and **add** (3) (b.5) as follows:

25 **42-4-2103. Abandonment of motor vehicles - private property.**  
26 (3) (b.5) (I) UPON RECEIPT OF A REPORT MADE UNDER PARAGRAPHS (a)  
27 AND (b) OF THIS SUBSECTION (3), THE DEPARTMENT SHALL SEARCH ITS  
28 RECORDS TO ASCERTAIN THE LAST-KNOWN OWNER OF RECORD FOR THE

1 ABANDONED MOTOR VEHICLE AND ANY LIENHOLDER AS THOSE PERSONS  
2 ARE REPRESENTED IN DEPARTMENT RECORDS.

3 (II) IF THE VEHICLE IS NOT REGISTERED WITH THE DEPARTMENT,  
4 THE DEPARTMENT SHALL CONDUCT A TITLE SEARCH WITH AN ENTITY  
5 THAT:

6 (A) HAS A NATIONAL DATABASE;

7 (B) MAY RETRIEVE RECORDS BASED ON BOTH THE VEHICLE  
8 IDENTIFICATION NUMBER AND VEHICLE REGISTRATION NUMBER (LICENSE  
9 PLATE NUMBER); AND

10 (C) PROVIDES THE FOLLOWING INFORMATION: THE VEHICLE  
11 IDENTIFICATION NUMBER, THE VEHICLE REGISTRATION NUMBER, THE  
12 OWNER'S NAME AND CONTACT INFORMATION, AND THE LIENHOLDER'S  
13 NAME AND CONTACT INFORMATION.

14 (III) WITHIN TEN WORKING DAYS AFTER RECEIPT OF A REPORT  
15 MADE UNDER PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (3), THE  
16 DEPARTMENT SHALL COMPLETE ITS SEARCH AND SHALL TRANSMIT THE  
17 REPORT, TOGETHER WITH ALL RELEVANT INFORMATION, TO THE  
18 RESPONSIBLE LAW ENFORCEMENT AGENCY OR TOW OPERATOR.

19 (c) (I) An operator or its agent shall, no less than two days, but no  
20 more than ten days after a motor vehicle has been towed or abandoned,  
21 determine ~~if there is an~~ WHO THE owner IS and IF THERE IS a lienholder  
22 ~~represented in department records~~ and send a notice by certified mail,  
23 return receipt requested, to the address of the owner ~~as shown on the~~  
24 ~~motor vehicle's registration, and the lienholder if either is shown in~~  
25 ~~department records.~~ Such AS DETERMINED FROM RECORDS OF THE  
26 DEPARTMENT, FROM THE NATIONAL SEARCH PERFORMED BY THE  
27 DEPARTMENT, OR BOTH. THE notice ~~shall~~ MUST include the information  
28 required by the report set forth in paragraph (b) of this subsection (3). The

1 cost of complying with ~~the provisions of~~ this paragraph (c) shall be  
2 considered a cost of towing; except that the total of ~~such~~ ALL COSTS OF  
3 COMPLYING WITH THIS SECTION shall not exceed one hundred fifty dollars.  
4 The TOW OPERATOR SHALL SEND THE notice to the owner and lienholder  
5 ~~shall be sent within three~~ WITHIN FIVE days after receiving the information  
6 from the department.

7           **SECTION 3. Act subject to petition - effective date -**  
8 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
9 the expiration of the ninety-day period after final adjournment of the  
10 general assembly (August 10, 2016, if adjournment sine die is on May 11,  
11 2016); except that, if a referendum petition is filed pursuant to section 1  
12 (3) of article V of the state constitution against this act or an item, section,  
13 or part of this act within such period, then the act, item, section, or part  
14 will not take effect unless approved by the people at the general election  
15 to be held in November 2016 and, in such case, will take effect on the  
16 date of the official declaration of the vote thereon by the governor.

17           (2) This act applies to vehicles towed on or after January 1, 2017.