

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0352.01 Jery Payne x2157

SENATE BILL 18-073

SENATE SPONSORSHIP

Smallwood,

HOUSE SPONSORSHIP

(None),

Senate Committees
Finance

House Committees

A BILL FOR AN ACT

101 CONCERNING REPORTING TO THE DEPARTMENT OF REVENUE WHEN
102 OWNERSHIP OF A MOTOR VEHICLE HAS BEEN TRANSFERRED.

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>.)

The bill creates a program administered by the department of revenue that authorizes the owner of a motor vehicle to report a transfer of ownership of the motor vehicle. If the previous owner reports the transfer to the department, the previous owner is not subject to liability for the misuse of the vehicle. The department will notify owners of the option to report a transfer of ownership by placing a notice on registration

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.

renewal information and the title and by notifying the public.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-6-109, **add** (3) as
3 follows:

4 **42-6-109. Sale or transfer of vehicle - program.**

5 (3) (a) BEGINNING JANUARY 1, 2019, THE DEPARTMENT SHALL
6 IMPLEMENT A PROGRAM FOR AN OWNER OF A MOTOR VEHICLE TO NOTIFY
7 THE DEPARTMENT OR AN AUTHORIZED AGENT AFTER OWNERSHIP OF THE
8 MOTOR VEHICLE IS TRANSFERRED TO ANOTHER PERSON.

9 (b) A REPORT OF OWNERSHIP TRANSFER IS PROPERLY FILED IF THE
10 REPORT IS MADE IN A MANNER, WHICH MAY INCLUDE BY ELECTRONIC
11 MEANS, APPROVED BY THE DEPARTMENT AND RECEIVED BY THE
12 DEPARTMENT OR AUTHORIZED AGENT WITHIN SEVENTY-TWO HOURS AFTER
13 THE TRANSFER OF OWNERSHIP, AND INCLUDES THE FOLLOWING:

14 (I) THE DATE OF SALE OR TRANSFER;

15 (II) THE FULL NAME OF THE OWNER OF THE MOTOR VEHICLE
16 BEFORE THE TRANSFER;

17 (III) THE VEHICLE IDENTIFICATION NUMBER OF THE MOTOR
18 VEHICLE;

19 (IV) THE FULL NAME OF THE PERSON ACQUIRING THE MOTOR
20 VEHICLE; AND

21 (V) THE ADDRESS INFORMATION, AS DETERMINED BY THE
22 DEPARTMENT, OF THE PERSON ACQUIRING THE MOTOR VEHICLE.

23 (c) THE DEPARTMENT SHALL:

24 (I) PROVIDE OR APPROVE ONE OR MORE METHODS FOR REPORTING
25 THE TRANSFER OF OWNERSHIP;

1 (II) NOTIFY, WITH THE OWNER'S REGISTRATION RENEWAL
2 INFORMATION, THE OWNER OF A MOTOR VEHICLE OF THE OPTION TO
3 REPORT THE TRANSFER OF OWNERSHIP OF A MOTOR VEHICLE;

4 (III) NOTIFY THE PUBLIC OF THE OPTION TO REPORT A TRANSFER
5 OF OWNERSHIP OF A MOTOR VEHICLE; AND

6 (IV) PLACE INSTRUCTIONS ON EACH CERTIFICATE OF TITLE
7 DOCUMENT ISSUED ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION
8 (3) FOR REPORTING THE TRANSFER OF OWNERSHIP OF A MOTOR VEHICLE.

9 (d) IF AN OWNER REPORTS A BONA FIDE TRANSFER OF OWNERSHIP
10 OF A MOTOR VEHICLE IN ACCORDANCE WITH THIS SECTION, THE OWNER IS
11 NOT LIABLE IN OR SUBJECT TO ANY CIVIL OR CRIMINAL ACTION BROUGHT
12 AGAINST THE FOLLOWING AFTER THE MOTOR VEHICLE WAS TRANSFERRED:

13 (I) THE OPERATOR OF THE MOTOR VEHICLE, ARISING FROM THE USE
14 OF THE MOTOR VEHICLE; AND

15 (II) THE MOTOR VEHICLE.

16 **SECTION 2. Act subject to petition - effective date -**
17 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
18 the expiration of the ninety-day period after final adjournment of the
19 general assembly (August 8, 2018, if adjournment sine die is on May 9,
20 2018); except that, if a referendum petition is filed pursuant to section 1
21 (3) of article V of the state constitution against this act or an item, section,
22 or part of this act within such period, then the act, item, section, or part
23 will not take effect unless approved by the people at the general election
24 to be held in November 2018 and, in such case, will take effect on the
25 date of the official declaration of the vote thereon by the governor.

26 (2) This act applies to motor vehicles sold on or after January 1,
27 2019.