

CHAPTER 240

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 20-035

BY SENATOR(S) Scott and Ginal, Cooke, Donovan, Gardner, Hansen, Hisey, Lundeen, Moreno, Priola, Story, Tate, Todd, Garcia;
 also REPRESENTATIVE(S) Gray and Carver, Arndt, Bird, Bockenfeld, Catlin, Cutter, Duran, Esgar, Geitner, Kipp, Liston, McLachlan, Neville, Rich, Snyder, Soper, Titone, Valdez A., Valdez D., Young, Becker.

AN ACT

CONCERNING THE KIOSK PROGRAM THAT AUTHORIZES PRIVATE PROVIDERS TO OFFER SERVICES ON BEHALF OF THE DEPARTMENT OF REVENUE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 42-1-231, **amend** (1), (2)(b), (3)(a), (4), and (5); and **add** (6) and (7) as follows:

42-1-231. Kiosk program - repeal. (1) An authorized agent may conduct a kiosk ~~pilot~~ program using a private provider to provide services concerning ~~motor vehicle registration, issuing certificates of title, or issuing driver's licenses, using the offices of an authorized agent~~ ANY FUNCTION THE AUTHORIZED AGENT PERFORMS UNDER ARTICLE 2, 3, OR 6 OF THIS TITLE 42, NOT INCLUDING PART 5 OF ARTICLE 2 OF THIS TITLE 42. THE KIOSK PROGRAM MAY INCLUDE MOBILE TELEPHONE AND WEB SOLUTIONS TO PROVIDE SERVICES. AN AUTHORIZED AGENT SHALL:

(a) ALLOW A RESIDENT IN THE COUNTY'S JURISDICTION TO USE A KIOSK IN ANOTHER COUNTY FOR ANY PURPOSE AUTHORIZED UNDER THIS SECTION; AND

(b) ALLOW A RESIDENT OF ANOTHER COUNTY TO USE A KIOSK IN THE COUNTY'S JURISDICTION FOR ANY PURPOSE AUTHORIZED UNDER THIS SECTION.

(2) (b) The authorized agent may assess a convenience fee, ~~not to exceed three dollars~~ AS NEGOTIATED BETWEEN THE AUTHORIZED AGENT AND THE PRIVATE PROVIDER, for the services provided in the kiosk ~~pilot~~ program. The authorized agent may authorize the private provider to retain a portion or all of the convenience

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

fee.

(3) (a) The department may accept financial assistance from an authorized agent or a private party to implement this program, so long as the financial assistance is directly related to the kiosk ~~pilot~~ program and does not stipulate a condition that conflicts with state law.

(4) To implement this ~~pilot~~ program, the authorized agent and the department of revenue shall coordinate with each other to ensure that the ~~pilot~~ program will operate successfully and in accordance with state law.

(5) Any private provider participating in the kiosk ~~pilot~~ program is not excluded from any competitive bid process associated with motor vehicle registration, issuing certificates of title, or issuing driver's licenses.

(6) TO BE QUALIFIED TO BE A PRIVATE PROVIDER, A PERSON MUST:

(a) MEET THE SECURITY REQUIREMENTS ESTABLISHED BY RULE BY THE OFFICE OF INFORMATION TECHNOLOGY; AND

(b) OPERATE IN ACCORDANCE WITH A SERVICE-LEVEL AGREEMENT WITH THE AUTHORIZED AGENT.

(7) (a) THE PRIVATE PROVIDER SHALL NOT RETAIN THE INFORMATION OBTAINED FROM A TRANSACTION AUTHORIZED UNDER THIS SECTION FOR ANY PURPOSE OTHER THAN THE PURPOSES OF THIS SECTION AND AS REQUIRED IN THE SERVICE-LEVEL AGREEMENT WITH THE AUTHORIZED AGENT.

(b) THE PRIVATE PROVIDER SHALL NOT TRANSFER TO ANOTHER PERSON OR USE OR COPY INFORMATION OBTAINED FROM A TRANSACTION AUTHORIZED UNDER THIS SECTION FOR ANY PURPOSE OTHER THAN THE PURPOSES OF THIS SECTION AND AS REQUIRED IN THE SERVICE-LEVEL AGREEMENT WITH THE AUTHORIZED AGENT.

SECTION 2. Appropriation. For the 2020-21 state fiscal year, \$112,500 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation is from the Colorado DRIVES vehicle services account in the highway users tax fund created in section 42-1-211 (2)(b)(I), C.R.S. To implement this act, the division may use this appropriation for DRIVES maintenance and support.

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

Approved: July 6, 2020