

NOTE: The governor signed this measure on 4/26/2013.

An Act

HOUSE BILL 13-1022

BY REPRESENTATIVE(S) Holbert, Gardner, Kagan, Labuda, Pabon,
Rosenthal, Schafer, Singer;
also SENATOR(S) Jahn, Cadman, Newell.

CONCERNING PROOF OF MOTOR VEHICLE INSURANCE, 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, 42-4-1409, **amend** (6)
as follows:

42-4-1409. Compulsory insurance - penalty - legislative intent.
(6) ~~No~~ A person charged with violating subsection (1), (2), or (3) of this
section shall NOT be convicted if the person produces in court a bona fide
complying policy or certificate of self-insurance that was in full force and
effect as required by law at the time of the alleged violation. THE COURT
CLERK'S OFFICE MAY DISMISS THE CHARGE IF IT VERIFIES THAT THE PERSON
HAD A VALID POLICY IN EFFECT AT THE TIME OF THE ALLEGED VIOLATION
USING THE UNINSURED MOTORIST IDENTIFICATION DATABASE CREATED IN
SECTION 42-7-602.

SECTION 2. In Colorado Revised Statutes, **add** 42-4-1410.5 as

*Capital letters indicate new material added to existing statutes; dashes through words indicate
deletions from existing statutes and such material not part of act.*

follows:

42-4-1410.5. Providing false evidence of proof of motor vehicle insurance - penalty. (1) IT IS UNLAWFUL FOR ANY PERSON TO OFFER, USE, OR ATTEMPT TO OFFER OR USE ANY MEANS, MANNER, TYPE OF PAPER, DOCUMENT, CARD, DIGITAL IMAGE, OR ANY OTHER PROOF OF MOTOR VEHICLE LIABILITY INSURANCE REQUIRED BY STATE LAW TO A LAW ENFORCEMENT OFFICER, JUDGE, MAGISTRATE, PROSECUTOR, OR EMPLOYEE OF A COURT CLERK'S OFFICE WITH THE INTENT TO MISLEAD THAT OFFICIAL REGARDING THE STATUS OF ANY MOTOR VEHICLE LIABILITY INSURANCE POLICY IN THE COURSE OF AN OFFICIAL INVESTIGATION, OR FOR PURPOSES OF DISMISSING ANY CHARGE UNDER SECTION 42-4-1409 OR REDUCING ANY PENALTY IMPOSED UNDER SECTION 42-4-1409, WHERE SUCH MEANS, MANNER, TYPE, OR KIND OF PROOF OF INSURANCE OFFERED OR USED, OR THAT IS ATTEMPTED TO BE OFFERED OR USED, IS KNOWN OR SHOULD BE KNOWN BY THE PERSON TO BE FALSE, FRAUDULENT, OR INCORRECT IN ANY MATERIAL MANNER OR WAY, OR WHICH IS KNOWN OR SHOULD BE KNOWN BY THE PERSON TO BE ALTERED, FORGED, DEFACED, OR CHANGED IN ANY MATERIAL RESPECT, UNLESS SUCH CHANGES ARE REQUIRED OR AUTHORIZED BY LAW.

(2) VIOLATION OF THIS SECTION IS A CLASS B TRAFFIC INFRACTION, PUNISHABLE BY A FINE OF UP TO FIVE HUNDRED DOLLARS.

(3) A PERSON WHO IS CONVICTED OF, WHO ADMITS LIABILITY FOR, OR AGAINST WHOM A JUDGMENT IS ENTERED FOR A VIOLATION OF THIS SECTION SHALL BE DEEMED, BUT ONLY FOR PURPOSES OF SECTION 18-1-408, C.R.S., TO HAVE BEEN CONVICTED OF A CRIMINAL OFFENSE.

SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the motorist insurance identification account of the highway users tax fund created in section 42-3-304 (18) (d) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2013, the sum of \$5,000, or so much thereof as may be necessary, for allocation to division of motor vehicles for computer programming services related to the implementation of this act.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the

ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Mark Ferrandino
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

John P. Morse
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO