

**First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 13-0086.0 Chuck Brackney x2295

**HOUSE BILL 13-1022**

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**HOUSE SPONSORSHIP**

**Holbert,**

**SENATE SPONSORSHIP**

**Jahn,**

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**House Committees**

Judiciary  
Appropriations

**Senate Committees**

Transportation  
Appropriations

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**A BILL FOR AN ACT**

101 **CONCERNING PROOF OF MOTOR VEHICLE INSURANCE, AND, IN**  
102 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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**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>.)*

The bill makes providing false evidence of proof of motor vehicle insurance a class B traffic infraction punishable by a fine of \$500. The bill also allows a court clerk's office to dismiss a charge of violation of the compulsory auto insurance requirement if it verifies there was a policy in effect at the time of the alleged violation using the uninsured motorist

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

SENATE  
3rd Reading Unamended  
April 17, 2013

SENATE  
2nd Reading Unamended  
April 16, 2013

HOUSE  
3rd Reading Unamended  
February 4, 2013

HOUSE  
2nd Reading Unamended  
February 1, 2013

database.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-1409, **amend**  
3 (6) as follows:

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

13 **SECTION 2.** In Colorado Revised Statutes, **add** 42-4-1410.5 as  
14 follows:

15 **42-4-1410.5. Providing false evidence of proof of motor vehicle**  
16 **insurance - penalty.** (1) IT IS UNLAWFUL FOR ANY PERSON TO OFFER, USE,  
17 OR ATTEMPT TO OFFER OR USE ANY MEANS, MANNER, TYPE OF PAPER,  
18 DOCUMENT, CARD, DIGITAL IMAGE, OR ANY OTHER PROOF OF MOTOR  
19 VEHICLE LIABILITY INSURANCE REQUIRED BY STATE LAW TO A LAW  
20 ENFORCEMENT OFFICER, JUDGE, MAGISTRATE, PROSECUTOR, OR EMPLOYEE  
21 OF A COURT CLERK'S OFFICE **WITH THE INTENT** TO MISLEAD THAT OFFICIAL  
22 REGARDING THE STATUS OF ANY MOTOR VEHICLE LIABILITY INSURANCE  
23 POLICY IN THE COURSE OF AN OFFICIAL INVESTIGATION, OR FOR PURPOSES  
24 OF DISMISSING ANY CHARGE UNDER SECTION 42-4-1409 OR REDUCING ANY  
25 PENALTY IMPOSED UNDER SECTION 42-4-1409, WHERE SUCH MEANS,

1 MANNER, TYPE, OR KIND OF PROOF OF INSURANCE OFFERED OR USED, OR  
2 THAT IS ATTEMPTED TO BE OFFERED OR USED, IS KNOWN OR SHOULD BE  
3 KNOWN BY THE PERSON TO BE FALSE, FRAUDULENT, OR INCORRECT IN ANY  
4 MATERIAL MANNER OR WAY, OR WHICH IS KNOWN OR SHOULD BE KNOWN  
5 BY THE PERSON TO BE ALTERED, FORGED, DEFACED, OR CHANGED IN ANY  
6 MATERIAL RESPECT, UNLESS SUCH CHANGES ARE REQUIRED OR  
7 AUTHORIZED BY LAW. ■

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

10 (3) A PERSON WHO IS CONVICTED OF, WHO ADMITS LIABILITY FOR,  
11 OR AGAINST WHOM A JUDGMENT IS ENTERED FOR A VIOLATION OF THIS  
12 SECTION SHALL BE DEEMED, BUT ONLY FOR PURPOSES OF SECTION  
13 18-1-408, C.R.S., TO HAVE BEEN CONVICTED OF A CRIMINAL OFFENSE.

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

23 **SECTION 4. Act subject to petition - effective date.** This act  
24 takes effect at 12:01 a.m. on the day following the expiration of the  
25 ninety-day period after final adjournment of the general assembly (August  
26 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a  
27 referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act  
2 within such period, then the act, item, section, or part will not take effect  
3 unless approved by the people at the general election to be held in  
4 November 2014 and, in such case, will take effect on the date of the  
5 official declaration of the vote thereon by the governor.