

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 15-1061.01 Yelana Love x2295

SENATE BILL 15-266

SENATE SPONSORSHIP

Sonnenberg, Crowder, Balmer, Holbert, Jahn, Todd

HOUSE SPONSORSHIP

Kraft-Tharp, Becker J., Landgraf, Primavera, Roupe

Senate Committees

Transportation

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE REQUIREMENT THAT A MOTOR VEHICLE DEALER**
102 **DELIVER A CERTIFICATE OF TITLE ON A VEHICLE WITHIN THIRTY**
103 **DAYS AFTER IT IS SOLD.**

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/bills summaries>.)

Currently, a motor vehicle dealer has thirty days to deliver a certificate of title to the purchaser. The bill clarifies that days do not count if the dealer is waiting for action by another person when the action is necessary to deliver the certificate.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 42-6-112 as
3 follows:

4 **42-6-112. Initial registration of a vehicle - dealer responsibility**
5 **to timely forward certificate of title to purchaser or holder of a**
6 **chattel mortgage.** A dealer of motor or off-highway vehicles shall ~~within~~
7 ~~thirty days after the sale,~~ deliver or facilitate the delivery of the certificate
8 of title to a purchaser or the holder of a chattel mortgage on the motor or
9 off-highway vehicle subject to section 42-6-109 WITHIN THIRTY DAYS
10 AFTER THE SALE; EXCEPT THAT THE PERIOD DURING WHICH A DEALER IS
11 AWAITING RECEIPT OF THE TITLE FROM ANOTHER PERSON OR ENTITY AS
12 REQUIRED BY THIS SECTION DOES NOT COUNT AGAINST THE THIRTY-DAY
13 PERIOD, PROVIDED THAT ALL LIENS AND CHATTEL MORTGAGES HAVE BEEN
14 SATISFIED AND ANY OTHER CUSTOMARY DOCUMENTS REQUIRED TO
15 OBTAIN THE TITLE HAVE BEEN SUBMITTED IN A TIMELY MANNER TO THE
16 PERSON OR ENTITIES HOLDING OR FACILITATING THE DELIVERY OF THE
17 TITLE TO THE DEALER.

18 **SECTION 2.** In Colorado Revised Statutes, 42-6-119, **amend** (3)
19 introductory portion as follows:

20 **42-6-119. Certificates for vehicles registered in other states.**
21 (3) Upon the sale by a dealer of a motor or off-highway vehicle, the
22 certificate of title to which was issued in a state other than Colorado, the
23 dealer shall ~~within thirty days after the sale,~~ deliver or facilitate the
24 delivery to the purchaser the certificate of title duly and properly endorsed
25 or assigned to the purchaser ~~with~~ WITHIN THIRTY DAYS AFTER THE SALE;
26 EXCEPT THAT THE PERIOD DURING WHICH A DEALER IS AWAITING RECEIPT

1 OF THE TITLE FROM ANOTHER PERSON OR ENTITY AS REQUIRED BY THIS
2 SECTION DOES NOT COUNT AGAINST THE THIRTY-DAY PERIOD, PROVIDED
3 THAT ALL LIENS AND CHATTEL MORTGAGES HAVE BEEN SATISFIED AND
4 ANY OTHER CUSTOMARY DOCUMENTS REQUIRED TO OBTAIN THE TITLE
5 HAVE BEEN SUBMITTED IN A TIMELY MANNER TO THE PERSON OR ENTITIES
6 HOLDING OR FACILITATING THE DELIVERY OF THE TITLE TO THE DEALER.
7 WHEN DELIVERING OR FACILITATING THE DELIVERY OF THE CERTIFICATE
8 OF TITLE, THE DEALER SHALL ALSO GIVE THE PURCHASER a statement by
9 the dealer containing or accompanied by a written declaration that it is
10 made under the penalties of perjury in the second degree, as defined in
11 section 18-8-503, C.R.S., and setting forth the following:

12 **SECTION 3. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly (August
15 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a
16 referendum petition is filed pursuant to section 1 (3) of article V of the
17 state constitution against this act or an item, section, or part of this act
18 within such period, then the act, item, section, or part will not take effect
19 unless approved by the people at the general election to be held in
20 November 2016 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.