

Second Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 06-0392.02 Ed DeCecco

HOUSE BILL 06-1007

HOUSE SPONSORSHIP

Decker,

SENATE SPONSORSHIP

(None),

House Committees
Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE TRANSFER OF A MOTOR VEHICLE TO A PERSON NOT**
102 **LICENSED AS A MOTOR VEHICLE DEALER FOR THE PURPOSE OF**
103 **SCRAPPING THE MOTOR VEHICLE, AND, IN CONNECTION**
104 **THEREWITH, ESTABLISHING REQUIREMENTS FOR SUCH PERSON**
105 **TO PURCHASE OR OTHERWISE RECEIVE A MOTOR VEHICLE, OR**
106 **PARTS THEREOF, AND REQUIRING A WAITING PERIOD BEFORE**
107 **SCRAPPING AN ABANDONED MOTOR VEHICLE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

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.

Prohibits a person who purchases or otherwise receives a motor vehicle or a numbered motor vehicle part for the purpose of scrapping the motor vehicle or part, unless the person receives specified documents. Requires the person to contact a local law enforcement agency to see if the motor vehicle or part was stolen. Requires the person to send certain documents to the department of revenue (department) within a specified time. Requires the person to keep an abandoned motor vehicle for a specified time before scrapping it. Establishes a penalty for a person who fails to comply with these requirements. Exempts a licensed motor vehicle dealer from these requirements.

Requires the department to keep records related to abandoned vehicles that are wrecked or dismantled for a specified time. Requires the executive director of the department to establish a form to be used for motor vehicles sold or transferred to a salvage yard.

Defines terms.

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

2 **SECTION 1.** 42-4-1810 (1) (b), Colorado Revised Statutes, is
3 amended to read:

4 **42-4-1810. Transfer and purge of certificates of title.**

5 (1) Whenever any motor vehicle is abandoned and removed and sold in
6 accordance with the procedures set forth in this part 18, the department
7 shall transfer the certificate of title or issue a new certificate of title or
8 shall purge such certificate of title in either of the following cases:

9 (b) Upon a person's submission of documents indicating the
10 abandonment, removal, and subsequent wrecking or dismantling of a
11 motor vehicle, including all sales of abandoned motor vehicles with an
12 appraised value under two hundred dollars that are conducted pursuant to
13 section 42-4-1805 (2), the department shall KEEP THE RECORDS FOR ONE
14 YEAR AND THEN purge the records for such abandoned motor vehicle;
15 EXCEPT THAT THE DEPARTMENT SHALL NOT BE REQUIRED TO WAIT BEFORE
16 PURGING THE RECORDS IF THE PURCHASER IS A LICENSED MOTOR VEHICLE
17 DEALER.

1 (2) "LICENSED MOTOR VEHICLE DEALER" MEANS A MOTOR VEHICLE
2 DEALER THAT IS LICENSED PURSUANT TO PART 1 OF ARTICLE 6 OF TITLE 12,
3 C.R.S.

4 (3) "SCRAPPING" MEANS SCRAPPING, CRUSHING, OR DISMANTLING.

5 (4) "SECURE AND VERIFIABLE DOCUMENT" SHALL HAVE THE SAME
6 MEANING AS SET FORTH IN SECTION 24-72.1-102 (5), C.R.S.

7 **42-4-2202. Disposal to salvage yard.** (1) (a) NO PERSON SHALL
8 PURCHASE OR OTHERWISE RECEIVE A MOTOR VEHICLE FOR THE PURPOSE
9 OF SCRAPPING THE VEHICLE, UNLESS THE SELLER OR TRANSFEROR:

10 (I) GIVES THE PERSON A CERTIFICATE OF TITLE; OTHER BONAFIDE
11 PROOF OF OWNERSHIP; OR A COMPLETED VEHICLE IDENTIFICATION NUMBER
12 VERIFICATION FORM; AND

13 (II) SHOWS A PHOTO IDENTIFICATION DOCUMENT THAT IS A SECURE
14 AND VERIFIABLE DOCUMENT, WHICH THE PERSON SHALL PHOTOCOPY AND
15 RETAIN FOR ONE YEAR.

16 (b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL
17 APPROVE THE VEHICLE IDENTIFICATION VERIFICATION FORM TO BE USED
18 PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION
19 (1).

20 (c) UPON RECEIPT OF THE DOCUMENTS SET FORTH IN PARAGRAPH
21 (a) OF THIS SUBSECTION (1), A PERSON SHALL IMMEDIATELY CONTACT THE
22 SHERIFF, OR THE SHERIFF'S DESIGNEE, OF THE COUNTY IN WHICH THE
23 PERSON RESIDES OR IS LOCATED, OR THE CHIEF OF POLICE, OR THE CHIEF'S
24 DESIGNEE, OF THE MUNICIPALITY IN WHICH THE PERSON RESIDES OR IS
25 LOCATED, IN ORDER THAT THE LAW ENFORCEMENT AGENCY MAY USE THE
26 VEHICLE IDENTIFICATION NUMBER TO VERIFY THAT THE VEHICLE WAS NOT
27 REPORTED STOLEN.

1 (d) ANY PERSON WHO PURCHASES AN ABANDONED MOTOR
2 VEHICLE FOR THE PURPOSE OF SCRAPPING THE VEHICLE SHALL KEEP THE
3 VEHICLE FOR FIVE BUSINESS DAYS BEFORE SCRAPPING IT.

4 (2) (a) NO PERSON SHALL PURCHASE OR OTHERWISE RECEIVE A
5 NUMBERED MOTOR VEHICLE PART FOR THE PURPOSE OF SCRAPPING THE
6 PART, UNLESS THE SELLER OR TRANSFEROR:

7 (I) GIVES THE PERSON PROOF OF OWNERSHIP OF THE PART; AND

8 (II) SHOWS A PHOTO IDENTIFICATION DOCUMENT THAT IS A SECURE
9 AND VERIFIABLE DOCUMENT, WHICH THE PERSON SHALL PHOTOCOPY AND
10 RETAIN FOR ONE YEAR.

11 (b) UPON RECEIPT OF THE DOCUMENTS SET FORTH IN PARAGRAPH
12 (a) OF THIS SUBSECTION (2), A PERSON SHALL IMMEDIATELY CONTACT THE
13 SHERIFF, OR THE SHERIFF'S DESIGNEE, OF THE COUNTY IN WHICH THE
14 PERSON RESIDES OR IS LOCATED, OR THE CHIEF OF POLICE, OR THE CHIEF'S
15 DESIGNEE, OF THE MUNICIPALITY IN WHICH THE PERSON RESIDES OR IS
16 LOCATED, IN ORDER THAT THE LAW ENFORCEMENT AGENCY MAY USE THE
17 MOTOR VEHICLE PART NUMBER TO VERIFY THAT THE PART WAS NOT FROM
18 A MOTOR VEHICLE THAT WAS REPORTED STOLEN.

19 (3) IF A PERSON RECEIVES A DOCUMENT PURSUANT TO THIS
20 SECTION THAT IS OTHERWISE REQUIRED TO BE SENT TO THE DEPARTMENT,
21 THE PERSON SHALL FORWARD THE DOCUMENT TO THE DEPARTMENT
22 WITHIN THIRTY DAYS OF RECEIVING THE MOTOR VEHICLE.

23 (4) ANY PERSON VIOLATING ANY PROVISION OF THIS SECTION IS
24 GUILTY OF A MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE
25 PUNISHED BY A FINE OF NOT MORE THAN FIVE HUNDRED DOLLARS FOR THE
26 FIRST OFFENSE AND ONE THOUSAND DOLLARS FOR EACH SUBSEQUENT
27 OFFENSE.

1 **42-4-2203. Exemption.** THIS PART 22 SHALL NOT APPLY TO A
2 LICENSED MOTOR VEHICLE DEALER.

3 **SECTION 4. Effective date - applicability.** This act shall take
4 effect July 1, 2006, and shall apply to sales or transfers of motor vehicles,
5 or parts thereof, on or after said date.

6 **SECTION 5. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, and safety.