

Second Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

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.**

Bill Summary

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

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

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.*

HOUSE
Amended 2nd Reading
February 13, 2006

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.

18 **SECTION 2.** 42-4-2109 (1) (b), Colorado Revised Statutes, is
19 amended to read:

20 **42-4-2109. Transfer and purge of certificates of title.**

1 (1) Whenever any motor vehicle is abandoned and removed and sold in
2 accordance with the procedures set forth in this part 21, the department
3 shall transfer the certificate of title or issue a new certificate of title or
4 shall purge such certificate of title in either of the following cases:

5 (b) Upon a person's submission of documents indicating the
6 abandonment, removal, and subsequent wrecking or dismantling of a
7 motor vehicle, including all sales of abandoned motor vehicles with an
8 appraised value of two hundred dollars or less that are conducted pursuant
9 to section 42-4-2104 (2) and all sales of abandoned motor vehicles, as
10 defined in section 42-4-2104.5 (2) (a), with an appraised value of two
11 hundred dollars or less that are conducted pursuant to section 42-4-2104.5
12 (4) (e) (II), the department shall KEEP THE RECORDS FOR ONE YEAR AND
13 THEN purge the records for such abandoned motor vehicle; EXCEPT THAT
14 THE DEPARTMENT SHALL NOT BE REQUIRED TO WAIT BEFORE PURGING THE
15 RECORDS IF THE PURCHASER IS A LICENSED MOTOR VEHICLE DEALER.

16 **SECTION 3.** Article 4 of title 42, Colorado Revised Statutes, is
17 amended BY THE ADDITION OF A NEW PART to read:

18 PART 22

19 SCRAPPING MOTOR VEHICLES

20 **42-4-2201. Definitions.** AS USED IN THIS PART 22, UNLESS THE
21 CONTEXT OTHERWISE REQUIRES:

22

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

26 (2) "OPERATOR" MEANS A PERSON OR A FIRM LICENSED BY THE
27 PUBLIC UTILITIES COMMISSION AS A TOWING CARRIER.

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

2

3 **42-4-2202. Disposal for scrapping.** (1) NO PERSON WHO IS NOT
4 A LICENSED MOTOR VEHICLE DEALER SHALL PURCHASE OR OTHERWISE
5 RECEIVE A MOTOR VEHICLE FOR THE PURPOSE OF SCRAPPING THE
6 VEHICLE, UNLESS THE SELLER OR TRANSFEROR IS THE OWNER ON THE
7 CERTIFICATE OF TITLE, AN OPERATOR, OR A LICENSED MOTOR VEHICLE
8 DEALER.

9 (2) ANY PERSON VIOLATING ANY PROVISION OF THIS SECTION IS
10 GUILTY OF A MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE
11 PUNISHED BY A FINE OF NOT MORE THAN FIVE HUNDRED DOLLARS FOR THE
12 FIRST OFFENSE AND ONE THOUSAND DOLLARS FOR EACH SUBSEQUENT
13 OFFENSE.

14

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

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