

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 1, 2018

Date

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

SB18-073 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, line 8, strike "PERSON." and substitute
- 2 "PERSON IN ACCORDANCE WITH SUBSECTIONS (1) AND (2) OF THIS
- 3 SECTION."

- 4 Page 2, line 12, strike "SEVENTY-TWO HOURS" and substitute "FIVE
- 5 BUSINESS DAYS".

- 6 Page 2, line 14, after "DATE" insert "AND TIME".

- 7 Page 2, strike lines 18 through 22 and substitute "VEHICLE; AND
- 8 (IV) AN AFFIDAVIT, SIGNED UNDER PENALTY OF PERJURY, THAT
- 9 THE REQUIREMENTS FOR THE TRANSFER OF OWNERSHIP IN SUBSECTIONS (1)
- 10 AND (2) OF THIS SECTION HAVE BEEN SATISFIED."

- 11 Page 3, line 5, strike "AND".

- 12 Page 3, line 8, strike "VEHICLE." and substitute "VEHICLE; AND
- 13 (V) FORWARD A COPY OF THE REPORT TO EACH LIENHOLDER OF
- 14 RECORD."

- 15 Page 3, line 9, strike "(d)" and substitute "(d) (I)".

- 16 Page 3, line 13, strike "(I)" and substitute "(A)".

1 Page 3, line 15, strike "(II)" and substitute "(B)".

2 Page 3, after line 15 insert:

3 "(II) THIS SUBSECTION (3)(d) DOES NOT APPLY TO A CIVIL OR CRIMINAL
4 ACTION IF THE ACTION IS BROUGHT AGAINST THE OWNER FOR THE
5 OWNER'S:

6 (A) NEGLIGENCE IN PERMITTING THE PURCHASER TO DRIVE THE
7 MOTOR VEHICLE AT THE TIME OF SALE;

8 (B) FAILURE TO COMPLY WITH ANY LAW GOVERNING THE SALE OF
9 THE MOTOR VEHICLE;

10 (C) NEGLIGENCE IN SELLING THE MOTOR VEHICLE;

11 (D) MATERIAL MISSTATEMENT OR OMISSION ABOUT THE
12 CONDITION OF THE MOTOR VEHICLE; OR

13 (E) FAILURE TO MAKE ANY DISCLOSURE REQUIRED BY LAW.

14 (e) A REPORT FILED UNDER THIS SUBSECTION (3) DOES NOT
15 EXTINGUISH OR IMPAIR THE RIGHTS OF ANY LIENHOLDER."

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