

CHAPTER 349

PROFESSIONS AND OCCUPATIONS

HOUSE BILL 18-1354

BY REPRESENTATIVE(S) McKean, Arndt, Hooton, Thurlow, Becker K., Valdez;
also SENATOR(S) Zenzinger, Martinez Humenik, Moreno, Garcia, Kagan, Tate, Todd.

AN ACT**CONCERNING A REQUIREMENT THAT WRITTEN WARRANTIES FOR POWERSPORTS VEHICLES BE HONORED.**

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

SECTION 1. Legislative declaration. The purpose of this legislation, enacted in 2018, is to clarify that it is unlawful for a powersports vehicle manufacturer or distributor to fail to perform written warranties on the powersports vehicle.

SECTION 2. In Colorado Revised Statutes, 12-6-523, **amend** (1)(a) and (1)(x)(I) introductory portion as follows:

12-6-523. Unlawful acts. (1) It is unlawful and a violation of this part 5 for any powersports vehicle manufacturer, distributor, or manufacturer representative:

(a) To willfully fail to **PERFORM OR** cause to ~~not~~ be performed any written warranties made with respect to a powersports vehicle or parts thereof;

(x) (I) To sell or offer to sell new powersports vehicles to a franchised ~~motor~~ POWERSPORTS vehicle dealer with whom the manufacturer has a franchise agreement at a lower actual price than the actual price offered to any other powersports vehicle dealer with whom the manufacturer has a franchise agreement for the same ~~motor~~ POWERSPORTS vehicle similarly equipped; except that this subsection (1)(x) does not apply to:

SECTION 3. Act subject to petition - effective date. This act takes effect October 1, 2018; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 30, 2018