

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

ENGROSSED

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

LLS NO. 20-0347.01 Jason Gelender x4330

SENATE BILL 20-011

SENATE SPONSORSHIP

Hisey and Winter, Donovan, Foote, Moreno, Pettersen, Priola, Scott

HOUSE SPONSORSHIP

Catlin and Valdez D., Duran, Exum, Froelich, Gray, Hooton, Valdez A.

Senate Committees

Transportation & Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING PERMANENT AUTHORIZATION FOR THIRD-PARTY**
102 **PROVIDERS TO PERFORM VEHICLE IDENTIFICATION NUMBER**
103 **VERIFICATION INSPECTIONS FOR COMMERCIAL VEHICLES.**

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://leg.colorado.gov/>.)

Transportation Legislation Review Committee. A pilot program (program) created in 2017 authorized third-party transportation associations or organizations approved by the chief of the Colorado state patrol to perform vehicle identification number (VIN) verification inspections for commercial vehicles. The statute authorizing the program

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
2nd Reading Unamended
January 29, 2020

repealed, in accordance with its provisions as enacted, effective January 1, 2020. The bill recreates the program as a permanent program.

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

2 **SECTION 1.** In Colorado Revised Statutes, **recreate and**
3 **reenact, with amendments,** 42-1-232 as follows:

4 **42-1-232. Third-party VIN inspection program - rules -**
5 **definitions.** (1) FOR THE PURPOSES OF THIS SECTION:

6 (a) "CHIEF" MEANS THE CHIEF OF THE COLORADO STATE PATROL.

7 (b) "CONVICTED" MEANS A CONVICTION OF, OR PLEADING GUILTY
8 OR NOLO CONTENDERE TO, A VIOLATION OF THE LAW.

9 (c) "PERMIT" MEANS AUTHORITY FOR AN ORGANIZATION TO
10 EMPLOY PEOPLE TO VERIFY INFORMATION, INCLUDING A VIN, THAT MAY
11 BE REQUIRED TO REGISTER A COMMERCIAL VEHICLE UNDER ARTICLE 3 OF
12 THIS TITLE 42 OR TO BE ISSUED A CERTIFICATE OF TITLE UNDER ARTICLE 6
13 OF THIS TITLE 42.

14 (d) "VIN" MEANS VEHICLE IDENTIFICATION NUMBER.

15 (2) THE CHIEF SHALL CREATE A PROGRAM THAT AUTHORIZES A
16 TRANSPORTATION ASSOCIATION OR ORGANIZATION TO VERIFY
17 COMMERCIAL VEHICLE INFORMATION, INCLUDING A VIN, AS A
18 VEHICLE-RELATED ENTITY IF THE TRANSPORTATION ASSOCIATION OR
19 ORGANIZATION DEMONSTRATES TO THE SATISFACTION OF THE CHIEF THAT
20 IT AND ANY INDIVIDUALS IT MAY EMPLOY TO VERIFY INFORMATION MEET
21 THE REQUIREMENTS OF THIS SECTION AND ANY RULES PROMULGATED TO
22 IMPLEMENT THIS SECTION. UPON DETERMINING THAT A TRANSPORTATION
23 ASSOCIATION OR ORGANIZATION MEETS THE REQUIREMENTS OF THIS
24 SECTION AND ANY RULES PROMULGATED TO IMPLEMENT THIS SECTION,
25 THE CHIEF MAY ISSUE A PERMIT TO THE APPLICANT.

1 (3) TO BE ISSUED A PERMIT TO VERIFY INFORMATION, INCLUDING
2 A VIN, AS A VEHICLE-RELATED ENTITY, AN APPLICANT MUST:

3 (a) EMPLOY VERIFIERS WHO DEMONSTRATE KNOWLEDGE OF THE
4 PROCESS AND STANDARDS AND WHO HAVE NOT BEEN CONVICTED OF
5 VIOLATING ARTICLE 4 OF TITLE 18 WITHIN THE LAST TEN YEARS;

6 (b) SUBMIT THE NAME, BACKGROUND, EXPERIENCE, LOCATION OF
7 OPERATION, CONTACT INFORMATION, AND ANY OTHER INFORMATION
8 REQUIRED BY THE CHIEF OF EACH EMPLOYED VERIFIER;

9 (c) FURNISH EVIDENCE OF A SAVINGS ACCOUNT OR DEPOSIT IN A
10 CERTIFICATE OF DEPOSIT MEETING THE REQUIREMENTS OF SECTION
11 11-35-101 OR A SURETY BOND THAT:

12 (I) HOLDS HARMLESS ANY PERSON WHO SUFFERS LOSS OR DAMAGE
13 ARISING FROM THE ISSUANCE OF A CERTIFICATE OF TITLE THAT INCLUDED
14 A VERIFICATION DONE BY THE PERMIT HOLDER; AND

15 (II) IS IN THE AMOUNT OF AT LEAST TEN THOUSAND DOLLARS.

16 (4) A VEHICLE-RELATED ENTITY SHALL NOT EMPLOY A VERIFIER
17 UNTIL THE CHIEF HAS APPROVED THE VERIFIER. THE PERMIT HOLDER
18 SHALL SUBMIT TO THE CHIEF THE NAME, BACKGROUND, EXPERIENCE,
19 LOCATION OF OPERATION, CONTACT INFORMATION, AND ANY OTHER
20 INFORMATION REQUIRED BY THE CHIEF OF EACH VERIFIER. WITHIN SEVEN
21 DAYS AFTER CEASING TO EMPLOY A VERIFIER, THE VEHICLE-RELATED
22 ENTITY SHALL NOTIFY THE CHIEF THAT THE INDIVIDUAL NO LONGER
23 VERIFIES INFORMATION FOR THE VEHICLE-RELATED ENTITY.

24 (5) A VEHICLE-RELATED ENTITY SHALL NOT CHARGE MORE THAN
25 TWENTY-FIVE DOLLARS PER TRANSACTION TO VERIFY INFORMATION.

26 (6) THE CHIEF MAY DENY OR CANCEL A PERMIT FOR:

27 (a) FAILING TO COMPLY WITH THIS SECTION;

1 (b) FAILING TO MAINTAIN IN FULL FORCE THE SAVINGS ACCOUNT,
2 DEPOSIT IN A CERTIFICATE OF DEPOSIT, OR SURETY BOND REQUIRED BY
3 SUBSECTION (3) OF THIS SECTION;

4 (c) MISREPRESENTATIONS IN APPLYING FOR A PERMIT;

5 (d) BEING CONVICTED UNDER, OR EMPLOYING A VERIFIER WHO IS
6 CONVICTED UNDER, ARTICLE 4 OF TITLE 18;

7 (e) INCOMPETENCE OR FAILING TO ADEQUATELY VERIFY
8 INFORMATION, INCLUDING A VIN, AS A VEHICLE-RELATED ENTITY.

9 (7) THE CHIEF MAY PROMULGATE RULES REASONABLY NECESSARY
10 TO IMPLEMENT THIS SECTION, INCLUDING ESTABLISHING APPLICATION
11 PROCEDURES AND ANY REQUIRED FORMS AND ESTABLISHING PROCEDURES,
12 IN COMPLIANCE WITH ARTICLE 4 OF TITLE 24, FOR CANCELING A PERMIT.
13 THE CHIEF MAY SUMMARILY SUSPEND A PERMIT FOR UP TO SIXTY DAYS
14 PENDING A HEARING TO CANCEL A PERMIT IF THE CHIEF DETERMINES THAT
15 IRREPARABLE HARM MAY OCCUR IF THE PERMIT HOLDER CONTINUES TO
16 VERIFY INFORMATION, INCLUDING A VIN, AS A VEHICLE-RELATED ENTITY.

17 (8) FOR THE PURPOSES OF VERIFYING INFORMATION IN
18 ACCORDANCE WITH ARTICLES 1 TO 5 OF THIS TITLE 42, A PERMIT HOLDER
19 IS A VEHICLE-RELATED ENTITY.

20 **SECTION 2. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, or safety.