

CHAPTER 71

REVENUE - ACTIVITIES REGULATION

SENATE BILL 20-167

BY SENATOR(S) Hansen and Priola, Bridges, Fenberg, Winter, Fields, Foote, Ginal, Hill, Lee, Moreno, Story, Todd, Williams A.;
 also REPRESENTATIVE(S) Becker, Bird, Buckner, Buentello, Cutter, Garnett, Gray, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Michaelson Jenet, Mullica, Roberts, Sirota, Tipper, Titone, Valdez A., Weissman, Woodrow.

AN ACT

CONCERNING INCREASING CONSUMER ACCESS TO ELECTRIC MOTOR VEHICLES BY ALLOWING MANUFACTURERS TO SELL THEIR OWN ELECTRIC MOTOR VEHICLES DIRECTLY TO CONSUMERS.

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

SECTION 1. In Colorado Revised Statutes, 44-20-126, **amend** (2)(d); **repeal** (2)(e) and (2)(f); and **add** (2)(g) as follows:

44-20-126. Independent control of dealer - definitions. (2) Notwithstanding subsection (1) of this section, the following activities are not prohibited:

(d) Operation of a motor vehicle dealer if the manufacturer has no other dealers of the same line-make in this state; OR

~~(e) Ownership, operation, or control of a used motor vehicle dealer if the manufacturer owned, operated, or controlled the used motor vehicle dealer on January 1, 2009, and has continuously operated or controlled the used motor vehicle facilities after January 1, 2009; and~~

~~(f) Operation of a motor vehicle dealer if the manufacturer was operating the dealer on January 1, 2009, so long as the dealer is in continuous operation after January 1, 2009.~~

(g) OWNERSHIP, OPERATION, OR CONTROL OF ONE OR MORE MOTOR VEHICLE DEALERS IF THE MANUFACTURER MANUFACTURES ONLY ELECTRIC VEHICLES AND HAS NO FRANCHISED DEALERS OF THE SAME LINE-MAKE IN THIS STATE.

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

SECTION 2. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2020, if adjournment sine die is on May 6, 2020); 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 such period, 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to ownership, operation, or control of a motor vehicle dealer on or after the applicable effective date of this act.

Approved: March 23, 2020