

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0843.01 Pierce Lively x2059

HOUSE BILL 22-1253

HOUSE SPONSORSHIP

Ortiz,

SENATE SPONSORSHIP

(None),

House Committees

Transportation & Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE PROVISION OF ADAPTIVE EQUIPMENT IN RENTAL
102 MOTOR 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>.)

The bill provides a lessee, including a person with a disability, the right to request adaptive equipment in rental motor vehicles. The bill also:

- Requires lessors to provide lessees the option to request the installation of adaptive equipment during online, telephone, or in-person reservations;
- Requires lessors of motor vehicles to display certain

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.

- information in any reservation or reservation confirmation that includes a request for adaptive equipment;
- Prohibits lessors of motor vehicles from restricting how a person with a disability may request a rental motor vehicle with adaptive equipment; and
- Beginning July 1, 2025, provides a civil remedy for lessees who are subject to a violation of the requirements of the bill.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 6-1-207** as
3 follows:

4 **6-1-207. Adaptive equipment in rental motor vehicles -**
5 **requirements - failure to comply - definitions.** (1) AS USED IN THIS
6 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 (a) "ADAPTIVE EQUIPMENT" MEANS HAND CONTROLS, LEFT FOOT
8 ACCELERATORS, SPINNER KNOBS, AND PEDAL EXTENDERS.

9 (b) "LESSEE" MEANS ANY PERSON OR ORGANIZATION OBTAINING,
10 OR ATTEMPTING TO OBTAIN, THE USE OF A RENTAL MOTOR VEHICLE FROM
11 A LESSOR UNDER THE TERMS OF A RENTAL AGREEMENT.

12 (c) "LESSOR" MEANS ANY PERSON OR ORGANIZATION IN THE
13 BUSINESS OF PROVIDING RENTAL MOTOR VEHICLES TO THE PUBLIC OR A
14 PERSON OR ORGANIZATION THAT IS IN THE BUSINESS OF OPERATING AN
15 ONLINE PLATFORM TO CONNECT THIRD-PARTY VEHICLE OWNERS WITH
16 THIRD-PARTY VEHICLE DRIVERS TO ENABLE PEER-TO-PEER CAR SHARING,
17 AS DEFINED IN SECTION 6-1-1202 (2), WITHIN COLORADO.

18 (d) "PERSON WITH A DISABILITY" MEANS A PERSON WHO IS
19 CONSIDERED TO HAVE A PHYSICAL DISABILITY, IMPAIRMENT, OR HANDICAP
20 FOR PURPOSES OF ANY OTHER LAW OF THIS STATE OR OF THE UNITED
21 STATES, INCLUDING ANY RULE OR REGULATION.

1 (2) LESSORS SHALL PROVIDE AN OPTION FOR LESSEES TO REQUEST
2 THE INSTALLATION OF ADAPTIVE EQUIPMENT WHILE MAKING RENTAL
3 MOTOR VEHICLE RESERVATIONS ON THE LESSOR'S WEBSITE AS WELL AS
4 DURING TELEPHONE AND IN-PERSON RESERVATIONS.

5 (3) (a) LESSORS SHALL CONSPICUOUSLY INCORPORATE INTO ANY
6 RESERVATION OR RESERVATION CONFIRMATION THAT INCLUDES A
7 REQUEST FOR ADAPTIVE EQUIPMENT:

8 (I) A LIST OF THE ADAPTIVE EQUIPMENT REQUESTED BY THE
9 LESSEE;

10 (II) ACKNOWLEDGMENT BY THE LESSOR THAT IT WILL PROVIDE
11 THE ADAPTIVE EQUIPMENT REQUESTED BY THE LESSEE; AND

12 (III) THE DATE AND TIME THAT THE LESSOR WILL PROVIDE THE
13 LESSEE WITH A RENTAL MOTOR VEHICLE WITH ADAPTIVE EQUIPMENT
14 INSTALLED AND READY FOR USE.

15 (b) IF THE LESSOR INCLUDES THE INFORMATION DESCRIBED IN THIS
16 SUBSECTION (3) IN A RESERVATION OR RESERVATION CONFIRMATION THAT
17 IS IN A PHYSICAL FORMAT, THE LESSOR SHALL SET APART THE
18 INFORMATION IN BOLD-FACED TYPE AT LEAST AS LARGE AS TEN-POINT
19 TYPE. IF THE LESSOR INCLUDES THE INFORMATION DESCRIBED IN THIS
20 SUBSECTION (3) IN A RESERVATION OR RESERVATION CONFIRMATION THAT
21 IS IN A DIGITAL FORMAT, THE LESSOR SHALL INCLUDE THE INFORMATION
22 IN A FORMAT, FONT, AND SIZE THAT IS ACCESSIBLE, AS DEFINED IN SECTION
23 24-85-102 (1.5).

24 (4) LESSORS MAY NOT REQUIRE PERSONS WITH A DISABILITY TO
25 MAKE RESERVATIONS FOR RENTAL MOTOR VEHICLES WITH ADAPTIVE
26 EQUIPMENT BY ANY MEANS OR METHOD OFFERED BY THE LESSOR THAT IS
27 NOT CHOSEN BY THE PERSON WITH A DISABILITY, INCLUDING BY

1 REQUIRING THE PERSON WITH A DISABILITY TO CONTACT THE LESSOR BY
2 A SEPARATE WEBSITE, A SEPARATE TELEPHONE NUMBER, OR AT A
3 SEPARATE LOCATION TO:

- 4 (a) MAKE RESERVATIONS;
- 5 (b) CONFIRM RESERVATIONS;
- 6 (c) REQUEST THAT ADAPTIVE EQUIPMENT BE INSTALLED FOR A
7 RESERVATION; OR
- 8 (d) USE A RENTAL MOTOR VEHICLE.

9 (5) BEGINNING JULY 1, 2025, A LESSEE WHO IS SUBJECT TO A
10 VIOLATION OF THIS SECTION OCCURRING ON OR AFTER JULY 1, 2025, MAY
11 BRING A CIVIL SUIT IN A COURT OF COMPETENT JURISDICTION AND IS
12 ENTITLED TO ANY OF THE FOLLOWING REMEDIES:

- 13 (a) A COURT ORDER REQUIRING COMPLIANCE WITH THE
14 APPLICABLE PROVISIONS OF THIS SECTION;
- 15 (b) THE RECOVERY OF ACTUAL MONETARY DAMAGES;
- 16 (c) A STATUTORY FINE OF THREE THOUSAND FIVE HUNDRED
17 DOLLARS, PAYABLE TO EACH PLAINTIFF FOR EACH VIOLATION; AND
- 18 (d) AN AWARD OF ATTORNEY FEES AND COSTS TO A LESSEE WHO
19 PREVAILS UNDER THIS SUBSECTION (5).

20 (6) NOTHING IN THIS SECTION LIMITS THE RIGHTS OF PERSONS WITH
21 A DISABILITY PROVIDED UNDER STATE OR FEDERAL LAW RELATED TO
22 DISCRIMINATION.

23 **SECTION 2. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly; except
26 that, if a referendum petition is filed pursuant to section 1 (3) of article V
27 of the state constitution against this act or an item, section, or part of this

1 act within such period, then the act, item, section, or part will not take
2 effect unless approved by the people at the general election to be held in
3 November 2022 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.