

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

ENGROSSED

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

LLS NO. 25-0415.01 Jery Payne x2157

HOUSE BILL 25-1117

HOUSE SPONSORSHIP

Joseph and Boesenecker,

SENATE SPONSORSHIP

Gonzales J. and Weissman,

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE REGULATION OF VEHICLE IMMOBILIZATION**
102 **COMPANIES.**

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 amends the statutes requiring a permit to boot a vehicle to broaden the permit requirement to include any application, without the appropriate consent, of a device intended to prevent the normal operation of a motor vehicle.

Under current law, a permit holder may be denied a permit to boot a vehicle upon application when the permit holder or owner has been

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

HOUSE
Amended 2nd Reading
March 25, 2025

convicted of a felony within the last 5 years. The bill allows the public utilities commission (commission) to suspend, revoke, or refuse to renew a permit to immobilize a vehicle for felonies and immobilization-related offenses. An applicant must disclose each person that is a principal owner in the vehicle immobilization company (company) in an application.

The commission is authorized to deny an application for or suspend, revoke, or refuse to renew a permit of a company based on a determination that it is not in the public interest for the company to possess a permit. The determination is subject to appeal. Possession of a permit is rebuttably presumed to be not in the public interest if a company has willfully and repeatedly failed to comply with the relevant law.

The bill adds the following new duties for companies:

- Before immobilizing a vehicle, the company must document the vehicle's condition and the reason for the immobilization. Standards are set for the documentation, including taking photographs.
- Upon demand by an authorized or interested person, the company must provide copies of the photographs, and if the company does not provide the photographs and a vehicle is damaged, it creates a rebuttable presumption that the company damaged the vehicle or did not have authority to immobilize the vehicle;
- When an immobilization device is being removed from a vehicle, a company must provide adequate lighting to inspect the vehicle for damage;
- A company shall display its name, the permit number, and a phone number of the company on each company vehicle used in immobilization. Standards are set for the display.
- The representative of a company must have business identification visibly worn at all times while immobilizing a vehicle or accepting payment;
- If a vehicle has been immobilized by a company, another company must not immobilize the vehicle;
- If a company applies more than one immobilization device to a vehicle, the company may not charge more than once for the removal of all the immobilization devices;
- A company must provide, upon request, evidence of the company's commercial liability insurance coverage;
- A company must immediately accept payment and release the vehicle if offered in cash or by valid major credit card;
- Upon request, a company must disclose accepted forms of payment;
- A company must provide an itemized bill showing each charge and the rate for each fee incurred as a result of an immobilization and any fee that caused the immobilization;

and

- A company may not pay money or provide other valuable consideration for the privilege of immobilizing vehicles.

A company is prohibited from immobilizing a vehicle on private property unless:

- The immobilization is ordered or authorized by a court order, an administrative order, or a peace officer or by operation of law; or
- The company has received permission for each individual immobilization, within the 24 hours immediately preceding the immobilization, from a specified person. The company must retain the permission for 3 years.

A property owner with tenants must give each tenant adequate notice of parking regulations as outlined in the bill. A company may not immobilize a vehicle in a parking space or common parking area without the company or property owner giving 24 hours' written notice at least 24 hours before immobilizing the vehicle, unless the vehicle owner or operator has received 2 or more previous notices for parking inappropriately in the same manner. Standards are set for the notice.

If a vehicle parks 3 or more times in the same inappropriate manner, the company or property owner need not give the notice, but the company must place a notice on the immobilized vehicle that contains the phone number of the company, the normal operating hours of the company, and the phone number to contact the company outside of normal operating hours.

To immobilize a vehicle on private property normally used for parking, the following must be provided upon entering the private property:

- Notice of the parking regulations; and
- Notice that a violation of the regulations subjects the vehicle to immobilization at the vehicle owner's expense.

Unless the immobilization is based on an order given by a peace officer, a company may not immobilize a vehicle on private property because the vehicle's registration has expired.

For a company to immobilize a vehicle, the property owner must have posted signage that meets the size, visibility, and placement standards of the bill and contains the following information:

- The restriction or prohibition on parking;
- The times of the day and days that the restriction is applicable, but, if the restriction applies 24 hours per day, 7 days per week, the sign must say "Authorized Parking Only";
- Notice that violating the regulation subjects the violating vehicle to be immobilized at the vehicle owner's expense; and

- The name and telephone number of the company authorized to perform immobilization on the private property.

A company may not patrol or monitor property to enforce parking restrictions on behalf of a property owner.

If a company has immobilized a vehicle on private property, the company must give a written notice of the person's ability to make a complaint to the commission in accordance with the standards of the bill.

A company must release a motor vehicle either within 120 minutes after being contacted outside the company's normal business hours or within 90 minutes during the company's normal business hours. A company must immediately release a vehicle without charge to a towing carrier when evidence is presented that the towing carrier has authorization to conduct a nonconsensual tow or law-enforcement-directed tow. A company must immediately release an immobilized vehicle if the person retrieving the vehicle pays at least 15% of the fees, not to exceed \$60, and the person signs a form affirming that the authorized or interested person owes the company payment for the appropriate fees.

A company must charge a reduced release charge set by the commission and immediately release the vehicle if the vehicle is released after an employee of or agent of the company starts to immobilize the vehicle but before the agent or employee leaves the private property.

A company must retain evidence of giving the notices and disclosures required in the bill for 3 years and provide the evidence to the commission or an enforcement official upon request.

Generally, the bill does not apply to an immobilization ordered by a peace officer or technician directed by a peace officer, an immobilization in a parking space that serves a business if the parking space is on commercial real estate, or an immobilization ordered by a municipality, county, or city and county.

A violation of the bill is generally a deceptive trade practice and is subject to enforcement by the attorney general's office or a district attorney.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) Fair and just enforcement of parking regulations is an essential
5 component of maintaining the order and integrity of public spaces and

1 residential communities, fostering a sense of responsibility and respect
2 among all community members;

3 (b) Vehicle immobilization practices, when improperly applied or
4 enforced, can create undue burdens on consumers, particularly those who
5 may face financial or personal challenges;

6 (c) Improper immobilization can undermine public trust in the
7 system and, at times, may result in the disproportionate penalization of
8 individuals for minor or unintentional infractions;

9 (d) Vehicle immobilization practices and related fees
10 disproportionately affect low-income individuals and marginalized
11 communities, exacerbating existing social and economic disparities, and
12 in these instances, individuals often lack access to legal recourse, and the
13 resulting financial strain may hinder their ability to secure basic
14 necessities, such as housing, healthcare, or transportation;

15 (e) Clear and transparent communication regarding parking
16 regulations, including proper signs and timely notices, is crucial to
17 ensuring that consumers are fully informed of their rights and
18 responsibilities and are given reasonable opportunities to rectify minor
19 violations without the threat of excessive penalties or hardship;

20 (f) The state must ensure that vehicle immobilization practices are
21 carried out in a manner that upholds the dignity of all individuals, protects
22 consumers from unnecessary financial strain, and promotes fairness by
23 providing avenues for dispute resolution and mitigation of penalties
24 where appropriate;

25 (g) Vehicle immobilization companies and property owners must
26 be held accountable to the highest ethical standards, with a commitment
27 to transparency, honesty, and fairness in the provision of services. This

1 includes clear, itemized billing, proper safeguards to prevent abuse, and
2 accountability for any damages or mistakes that may arise from the
3 immobilization process.

4 (h) A fair and just system for addressing vehicle immobilization
5 disputes is integral to maintaining public confidence in the regulatory
6 framework. Consumers must have access to effective mechanisms for
7 challenging fees, seeking timely release of immobilized vehicles, and
8 receiving a fair hearing for their cases.

9 (i) Vehicle immobilization should not be a mechanism for unjustly
10 enriching private companies or imposing financial hardship on vulnerable
11 individuals. Kickbacks, improper financial incentives, or the pursuit of
12 unfair profits at the expense of consumers undermine the integrity of the
13 system and erode public trust.

14 (j) This legislation is intended to create a fair, transparent, and
15 equitable framework for vehicle immobilization that balances the need for
16 effective enforcement with the protection of consumers' rights, ensuring
17 that no person is unfairly penalized or unduly burdened by the system;
18 and

19 (k) By establishing clear guidelines for vehicle immobilization,
20 providing transparency, and offering opportunities for consumers to
21 address minor infractions in a reasonable and timely manner, this
22 legislation promotes the values of fairness and justice, strengthening the
23 trust between the public and those entrusted with enforcement
24 responsibilities.

25 (2) Therefore, the general assembly declares that:

26 (a) Ensuring the fair and just implementation of vehicle
27 immobilization practices is a matter of paramount importance to the

1 well-being of Colorado's communities, and enacts this legislation to
2 promote equity, transparency, and accountability in the enforcement of
3 parking regulations; and

4 (b) Fairness, accountability, and ethical conduct must guide every
5 aspect of the enforcement process.

6 **SECTION 2.** In Colorado Revised Statutes, 40-10.1-101, **amend**
7 (10), (11), (14), and (22); and **add** (8.5) as follows:

8 **40-10.1-101. Definitions.** As used in this article 10.1, unless the
9 context otherwise requires:

10 (8.5) "IMMOBILIZE", "IMMOBILIZATION", OR "IMMOBILIZING"
11 MEANS THE APPLICATION WITHOUT THE CONSENT OF AN AUTHORIZED OR
12 INTERESTED PERSON OF A DEVICE INTENDED TO PREVENT THE NORMAL
13 OPERATION OF A MOTOR VEHICLE.

14 (10) (a) "Motor carrier" means:

15 (I) ~~any~~ A person owning, controlling, operating, or managing a
16 motor vehicle that provides transportation in intrastate commerce
17 pursuant to this ~~article~~ ARTICLE 10.1; OR

18 (II) A VEHICLE IMMOBILIZATION COMPANY.

19 (b) ~~except that the term~~ "MOTOR CARRIER" does not include a
20 transportation network company, as defined in section 40-10.1-602 (3),
21 or a transportation network company driver, as defined in section
22 40-10.1-602 (4).

23 (11) "Motor vehicle" OR "VEHICLE" means any automobile, truck,
24 tractor, motor bus, or other self-propelled vehicle or ~~any~~ A trailer
25 DESIGNED TO BE drawn ~~thereby~~ BY A SELF-PROPELLED VEHICLE.

26 (14) "Permit" means the permit issued to a contract carrier under
27 part 2 of this article 10.1, ~~or~~ to a motor carrier under part 3, 4, 5, or 7 of

1 this article 10.1, OR TO A VEHICLE IMMOBILIZATION COMPANY UNDER PART
2 8 OF THIS ARTICLE 10.1.

3 (22) (a) "Vehicle ~~booting~~ IMMOBILIZATION company" means a
4 private ~~corporation, partnership, or sole proprietor in the business of~~
5 ~~immobilizing a motor vehicle through use of a boot~~ PERSON THAT
6 IMMOBILIZES A MOTOR VEHICLE OF ANOTHER PERSON.

7 (b) "VEHICLE IMMOBILIZATION COMPANY" DOES NOT INCLUDE A
8 MUNICIPALITY, A COUNTY, A CITY AND COUNTY, OR OTHER POLITICAL
9 SUBDIVISION OF THE STATE.

10 **SECTION 3.** In Colorado Revised Statutes, **amend** part 8 of
11 article 10.1 of title 40 as follows:

12 **40-10.1-801. Permit requirements - fund.** (1) (a) ~~Effective~~
13 ~~January 1, 2020;~~ A person shall not operate or offer to operate as a
14 vehicle ~~booting~~ IMMOBILIZATION company in intrastate commerce without
15 first having obtained a permit from the commission in accordance with
16 this article 10.1.

17 (b) A person may apply for a permit under this part 8 to the
18 commission in the form and with the information as the commission
19 requires. Permits are valid for one year after the date of issuance.

20 (2) (a) (I) The commission may deny an application FOR OR
21 SUSPEND, REVOKE, OR REFUSE TO RENEW A PERMIT ISSUED under this part
22 8 of a person who has, within the immediately preceding five years, been
23 convicted of, ~~or~~ pled guilty TO, or PLED nolo contendere to a felony OR
24 IMMOBILIZATION-RELATED OFFENSE. The commission may also deny an
25 application ~~under this part 8~~ FOR OR SUSPEND, REVOKE, or refuse to renew
26 ~~the~~ A permit of a vehicle ~~booting~~ IMMOBILIZATION company based upon
27 a determination that the vehicle ~~booting~~ IMMOBILIZATION company or any

1 of its owners, principals, officers, members, partners, or directors has not
2 satisfied a civil penalty arising out of ~~any~~ AN administrative or
3 enforcement action brought by the commission.

4 (II) A VEHICLE IMMOBILIZATION COMPANY THAT APPLIES FOR A
5 PERMIT OR THAT APPLIES TO RENEW A PERMIT SHALL DISCLOSE TO THE
6 COMMISSION EACH PERSON THAT IS AN OWNER OF, PRINCIPAL OF, OFFICER
7 OF, MEMBER OF, PARTNER OF, OR DIRECTOR OF THE VEHICLE
8 IMMOBILIZATION COMPANY IN ACCORDANCE WITH RULES ADOPTED BY THE
9 COMMISSION.

10 (b) THE COMMISSION MAY DENY AN APPLICATION FOR OR SUSPEND,
11 REVOKE, OR REFUSE TO RENEW A PERMIT OF A VEHICLE IMMOBILIZATION
12 COMPANY BASED ON A DETERMINATION THAT IT IS NOT IN THE PUBLIC
13 INTEREST FOR THE VEHICLE IMMOBILIZATION COMPANY TO POSSESS A
14 PERMIT. THE DETERMINATION IS SUBJECT TO APPEAL IN ACCORDANCE
15 WITH COMMISSION RULES. A VEHICLE IMMOBILIZATION COMPANY'S
16 POSSESSION OF A PERMIT IS REBUTTABLY PRESUMED TO BE NOT IN THE
17 PUBLIC INTEREST IF THE VEHICLE IMMOBILIZATION COMPANY HAS
18 WILLFULLY AND REPEATEDLY FAILED TO COMPLY WITH THIS ARTICLE 10.1.

19 (3) (a) Except as otherwise provided in subsection (2) of this
20 section and section 40-10.1-112 (4), the commission shall issue a permit
21 to a vehicle ~~booting~~ IMMOBILIZATION company upon completion of the
22 application and the filing of proof of workers' compensation insurance
23 coverage in accordance with the "Workers' Compensation Act of
24 Colorado", articles 40 to 47 of title 8, and with the financial responsibility
25 requirements of this title 40 and may attach to the permit and to the
26 exercise of the rights granted by the permit any restrictions, terms, and
27 conditions, including altering the rates and charges of the applicant, as are

1 reasonably deemed necessary for the protection of the property of the
2 public.

3 (b) If a vehicle ~~booting~~ IMMOBILIZATION company violates this
4 article 10.1, any other applicable provision of law, or ~~any~~ A COMMISSION
5 rule ADOPTED or COMMISSION order ~~of the commission~~ issued under this
6 article 10.1 and as a result is ordered by a court or by the commission to
7 pay a fine or civil penalty that the vehicle ~~booting~~ IMMOBILIZATION
8 company subsequently fails to pay in full within the time prescribed for
9 payment, and not before the decision imposing the fine or civil penalty
10 becomes a final decision by the commission, then:

11 (I) The vehicle ~~booting~~ IMMOBILIZATION company's permit is
12 revoked; ~~immediately~~; and

13 (II) The vehicle ~~booting~~ IMMOBILIZATION company, its owners,
14 principals, officers, members, partners, and directors, and any other entity
15 owned or operated by one or more of those owners, principals, officers,
16 members, partners, or directors, may be disqualified from obtaining or
17 renewing any operating authority under this title 40 for a period of five
18 years after the date on which the fine or civil penalty was due. The period
19 of disqualification ~~pursuant to~~ DESCRIBED IN this subsection (3)(b)(II) is
20 in addition to, and not in lieu of, and does not affect any other penalty or
21 period of disqualification, including the period of disqualification
22 specified in section 40-10.1-112 (4).

23 (c) A vehicle ~~booting~~ IMMOBILIZATION company's facilities and
24 vehicles are subject to inspection by the commission and by authorized
25 personnel of the Colorado state patrol, which agency shall promptly
26 report to the commission concerning any violations revealed by an
27 inspection.

1 (4) ~~The commission may promulgate rules as necessary and~~
2 ~~reasonable to implement this part 8, including rules regarding signage and~~
3 ~~drop fees.~~

4 (5) There is hereby created in the state treasury the vehicle booting
5 cash fund, referred to in this ~~section~~ SUBSECTION (5) as the "fund",
6 consisting of any fee revenue collected by the commission pursuant to
7 this part 8 and ~~transmitted to the state treasurer for credit~~ CREDITED BY
8 THE STATE TREASURER into the fund and any other money that the general
9 assembly may appropriate or transfer to the fund. The money in the fund
10 is continuously appropriated to the commission for its implementation of
11 this part 8. The state treasurer shall credit all interest and income derived
12 from the deposit and investment of money in the fund to the fund.

13 **40-10.1-802. Vehicle immobilization company document**
14 **vehicle's condition and reason for immobilization - adequate**
15 **illumination.** (1) BEFORE A VEHICLE IMMOBILIZATION COMPANY
16 IMMOBILIZES A VEHICLE, THE COMPANY SHALL DOCUMENT THE VEHICLE'S
17 CONDITION AND THE REASON FOR THE IMMOBILIZATION BY:

18 (a) TAKING AT LEAST ONE PHOTOGRAPH WITH A RESOLUTION OF AT
19 LEAST TWO THOUSAND PIXELS BY AT LEAST TWO THOUSAND PIXELS THAT
20 SHOWS THE VEHICLE IMMOBILIZATION DEVICE AND THE ENTIRE PORTION
21 OF THE VEHICLE TO WHICH IT IS ATTACHED; AND

22 (b) TAKING AT LEAST ONE PHOTOGRAPH THAT SHOWS THE REASON
23 FOR THE VEHICLE BEING IMMOBILIZED. THE PHOTOGRAPH MUST:

24 (I) SHOW THE POSITION OF THE VEHICLE IN RELATION TO THE
25 REASON, INCLUDING ANY SIGN, THAT THE VEHICLE WAS IMMOBILIZED; AND

26 (II) BE RENDERED IN A RESOLUTION OF AT LEAST TWO THOUSAND
27 PIXELS BY AT LEAST TWO THOUSAND PIXELS.

1 (2)(a) UPON DEMAND BY AN AUTHORIZED OR INTERESTED PERSON,
2 THE VEHICLE IMMOBILIZATION COMPANY SHALL PROVIDE COPIES OF THE
3 PHOTOGRAPHS REQUIRED TO BE TAKEN BY SUBSECTION (1) OF THIS
4 SECTION TO THE AUTHORIZED OR INTERESTED PERSON.

5 (b) (I) A REBUTTABLE PRESUMPTION THAT A VEHICLE
6 IMMOBILIZATION COMPANY DAMAGED A VEHICLE IS CREATED BY
7 EVIDENCE THAT:

8 (A) THE VEHICLE IMMOBILIZATION COMPANY HAS FAILED TO
9 PRODUCE PHOTOGRAPHS OF THE VEHICLE'S CONDITION IN COMPLIANCE
10 WITH SUBSECTION (2)(a) OF THIS SECTION; AND

11 (B) THE VEHICLE HAS SUFFERED DAMAGE.

12 (II) A VEHICLE IMMOBILIZATION COMPANY'S FAILURE TO PRODUCE
13 A PHOTOGRAPH OF THE REASON FOR THE IMMOBILIZATION IN COMPLIANCE
14 WITH SUBSECTION (2)(a) OF THIS SECTION CREATES A REBUTTABLE
15 PRESUMPTION THAT THE VEHICLE IMMOBILIZATION COMPANY DID NOT
16 HAVE AUTHORIZATION TO IMMOBILIZE A VEHICLE.

17



18 **40-10.1-803. Vehicle immobilization company must display**
19 **name.** (1)(a) A VEHICLE IMMOBILIZATION COMPANY SHALL DISPLAY THE
20 NAME OF THE COMPANY, THE PERMIT NUMBER, AND A PHONE NUMBER OF
21 THE COMPANY ON EACH COMPANY VEHICLE USED IN IMMOBILIZATION.

22 (b) THE DISPLAY REQUIRED IN SUBSECTION (1)(a) OF THIS SECTION
23 MUST BE DISPLAYED:

24 (I) ON EACH SIDE OF THE COMPANY VEHICLE IN PLAIN VIEW; AND

25 (II) WHEN IMMOBILIZING A VEHICLE, DRIVING TO IMMOBILIZE A
26 VEHICLE, OR DRIVING FROM IMMOBILIZING A VEHICLE, BUT THE DISPLAY
27 NEED NOT BE PERMANENTLY AFFIXED TO THE COMPANY VEHICLE.

1 (c) THE LETTERING ON THE DISPLAY REQUIRED IN SUBSECTION
2 (1)(a) OF THIS SECTION MUST BE:

3 (I) LEGIBLE DURING DAYLIGHT HOURS FROM A MINIMUM DISTANCE
4 OF FIFTY FEET; AND

5 (II) AT LEAST THREE INCHES TALL.

6 (2) THE REPRESENTATIVE OF A VEHICLE IMMOBILIZATION
7 COMPANY SHALL HAVE BUSINESS IDENTIFICATION VISIBLY WORN AT ALL
8 TIMES WHILE IMMOBILIZING A VEHICLE OR ACCEPTING PAYMENT.

9 **40-10.1-804. Immobilization - multiple devices.** IF A VEHICLE
10 HAS BEEN IMMOBILIZED BY A VEHICLE IMMOBILIZATION COMPANY,
11 ANOTHER VEHICLE IMMOBILIZATION COMPANY SHALL NOT IMMOBILIZE
12 THE VEHICLE UNTIL THE FIRST IMMOBILIZATION DEVICE HAS BEEN
13 REMOVED. IF A VEHICLE IMMOBILIZATION COMPANY APPLIES MORE THAN
14 ONE IMMOBILIZATION DEVICE TO A VEHICLE, THE COMPANY SHALL NOT
15 CHARGE MORE THAN ONCE FOR THE REMOVAL OF ALL THE
16 IMMOBILIZATION DEVICES.

17 **40-10.1-805. Immobilization requirements and limitations -**
18 **notice to vehicle owner or operator required.** (1) (a) A VEHICLE
19 IMMOBILIZATION COMPANY SHALL NOT IMMOBILIZE A VEHICLE ON PRIVATE
20 PROPERTY UNLESS:

21 (I) THE IMMOBILIZATION IS EXPRESSLY ORDERED OR AUTHORIZED
22 BY A COURT ORDER, AN ADMINISTRATIVE ORDER, OR A PEACE OFFICER OR
23 BY OPERATION OF LAW; OR

24 (II) THE VEHICLE IMMOBILIZATION COMPANY HAS RECEIVED
25 DOCUMENTED PERMISSION, WHICH MUST NOT BE AUTOMATED OR
26 PREAPPROVED, FOR EACH INDIVIDUAL IMMOBILIZATION, WITHIN THE
27 TWENTY-FOUR HOURS IMMEDIATELY PRECEDING THE IMMOBILIZATION,

1 FROM THE FOLLOWING PERSON THAT MUST DOCUMENT THE PERMISSION BY
2 SIGNING THE FORM CREATED IN ACCORDANCE WITH SUBSECTION (1)(b)(I)
3 OF THIS SECTION:

4 (A) THE OWNER OF OR LEASEHOLDER OF THE PRIVATE PROPERTY;
5 EXCEPT THAT, IF THE OWNER OR LEASEHOLDER WOULD EARN INCOME
6 FROM THE IMMOBILIZATION, THE VEHICLE IMMOBILIZATION COMPANY
7 SHALL NOT PERFORM THE IMMOBILIZATION BUT MAY AUTHORIZE ANOTHER
8 VEHICLE IMMOBILIZATION COMPANY TO PERFORM THE IMMOBILIZATION;

9 (B) A PERSON SUBJECT TO THE "COLORADO COMMON INTEREST
10 OWNERSHIP ACT", ARTICLE 33.3 OF TITLE 38, IF THE PRIVATE PROPERTY
11 IS LOCATED WITHIN THE BOUNDARIES OF THE PERSON'S AREA OF
12 OPERATION; OR

13 (C) AN EMPLOYEE OF A PERSON DESCRIBED IN SUBSECTION
14 (1)(a)(II)(A) OR (1)(a)(II)(B) OF THIS SECTION OR AN EMPLOYEE OF A
15 PROPERTY MANAGEMENT COMPANY RETAINED TO COLLECT RENT AND
16 PERFORM RESIDENTIAL SERVICES; EXCEPT THAT THE EMPLOYEE WHO HAS
17 A FINANCIAL INTEREST IN OR RELATIONSHIP WITH THE VEHICLE
18 IMMOBILIZATION COMPANY OR A PARKING LOT MANAGEMENT COMPANY
19 THAT EARNS INCOME FROM MANAGING OR CONTROLLING PARKING OR
20 PERMISSION TO PARK OR THAT EARNS INCOME FROM IMMOBILIZATIONS
21 SHALL NOT GRANT PERMISSION TO AUTHORIZE THE IMMOBILIZATION.

22 (b) (I) THE COMMISSION SHALL CREATE A FORM THAT IMPLEMENTS
23 SUBSECTION (1)(a)(II) OF THIS SECTION.

24 (II) THE VEHICLE IMMOBILIZATION COMPANY MUST RETAIN FOR
25 THREE YEARS AFTER THE IMMOBILIZATION THE SIGNED FORM REQUIRED BY
26 SUBSECTION (1)(a)(II) OF THIS SECTION AND, UPON REQUEST, PROVIDE THE
27 SIGNED FORM TO THE AUTHORIZED OR INTERESTED PERSON.

1 (2) A PROPERTY OWNER WITH TENANTS SHALL ISSUE EACH TENANT
2 A WRITTEN DOCUMENT CONTAINING ANY APPLICABLE PARKING
3 REGULATIONS BEFORE THE REGULATIONS ARE ADOPTED OR AMENDED OR
4 BEFORE THE PERSON AGREES TO BE A TENANT.

5 (3) (a) EXCEPT AS PROVIDED IN SUBSECTION (3)(d) OF THIS
6 SECTION, A VEHICLE IMMOBILIZATION COMPANY SHALL NOT IMMOBILIZE
7 A VEHICLE IN A PARKING SPACE OR COMMON PARKING AREA WITHOUT THE
8 VEHICLE IMMOBILIZATION COMPANY OR PROPERTY OWNER GIVING THE
9 VEHICLE OWNER OR OPERATOR TWENTY-FOUR HOURS' WRITTEN NOTICE,
10 UNLESS THE VEHICLE OWNER OR OPERATOR HAS RECEIVED A PREVIOUS
11 NOTICE FOR PARKING INAPPROPRIATELY IN THE SAME MANNER.

12 (b) THE VEHICLE IMMOBILIZATION COMPANY OR PROPERTY OWNER
13 SHALL PROVIDE THE NOTICE REQUIRED IN SUBSECTION (3)(a) OF THIS
14 SECTION BY PLACING A WRITTEN NOTICE ON THE WINDSHIELD OF THE
15 VEHICLE AT LEAST TWENTY-FOUR HOURS BEFORE IMMOBILIZING THE
16 VEHICLE.

17 (c) THE NOTICE REQUIRED IN SUBSECTION (3)(a) OF THIS SECTION
18 MUST STATE CLEARLY:

19 (I) THAT THE VEHICLE WILL BE IMMOBILIZED IF THE VEHICLE
20 REMAINS PARKED INAPPROPRIATELY;

21 (II) A DESCRIPTION OF THE INAPPROPRIATE PARKING THAT HAS
22 CAUSED THE NOTICE TO BE GIVEN;

23 (III) THE DATE AND TIME THE VEHICLE WILL BE IMMOBILIZED IF IT
24 IS NOT MOVED TO APPROPRIATE PARKING OR THE INAPPROPRIATE PARKING
25 HAS NOT BEEN CORRECTED; AND

26 (IV) THAT CONTINUING TO PARK INAPPROPRIATELY IN THE SAME
27 MANNER MAY LEAD TO THE VEHICLE BEING IMMOBILIZED WITHOUT

1 NOTICE.

2 (d) (I) A VEHICLE IMMOBILIZATION COMPANY OR PROPERTY
3 OWNER NEED NOT GIVE THE NOTICE REQUIRED IN SUBSECTION (3)(a) OF
4 THIS SECTION BEFORE IMMOBILIZING THE VEHICLE IF THE VEHICLE
5 IMMOBILIZATION COMPANY GIVES THE NOTICE REQUIRED IN SUBSECTION
6 (3)(d)(II) OF THIS SECTION AND IF:

7 (A) THE VEHICLE IS PARKED A SECOND OR SUBSEQUENT TIME IN
8 THE SAME INAPPROPRIATE MANNER THAT CAUSED IT TO RECEIVE PREVIOUS
9 NOTICES;

10 (B) THE VEHICLE IS PARKED IN OR EFFECTIVELY OBSTRUCTING A
11 FIRE HYDRANT OR A DESIGNATED AND MARKED FIRE ZONE;

12 (C) THE VEHICLE IS PARKED IN VIOLATION OF SECTION 42-4-1208
13 (4) OR IN RESERVED PARKING FOR PEOPLE WITH DISABILITIES WITHOUT
14 DISPLAYING AN IDENTIFYING PLACARD OR AN IDENTIFYING PLATE, AS
15 THOSE TERMS ARE DEFINED IN SECTION 42-3-204 (1)(f) AND (1)(g), THAT
16 IS CURRENTLY VALID OR HAS BEEN EXPIRED FOR NO MORE THAN SIXTY
17 DAYS;

18 (D) THE IMMOBILIZATION IS EXPRESSLY ORDERED OR AUTHORIZED
19 BY A COURT ORDER, AN ADMINISTRATIVE ORDER, OR A PEACE OFFICER OR
20 BY OPERATION OF LAW;

21 (E) THE VEHICLE SIGNIFICANTLY BLOCKS A DRIVEWAY OR
22 ROADWAY ENOUGH TO EFFECTIVELY OBSTRUCT A PERSON'S ACCESS TO THE
23 DRIVEWAY OR ROADWAY;

24 (F) THE VEHICLE IS PARKED IN AN INDIVIDUALLY DESIGNATED,
25 RENTED, OR PURCHASED PARKING SPACE OF A RESIDENT; OR

26 (G) THE VEHICLE IS PARKED IN A PARKING LOT MARKED FOR THE
27 EXCLUSIVE USE OF RESIDENTS; EXCEPT THAT THE NOTICE REQUIRED IN

1 SUBSECTION (3)(a) OF THIS SECTION IS REQUIRED FOR PARKING SPACES
2 THAT ARE DESIGNATED AS VISITOR PARKING.

3 (II) TO IMMOBILIZE A VEHICLE UNDER SUBSECTION (3)(d)(I) OF
4 THIS SECTION, THE VEHICLE IMMOBILIZATION COMPANY MUST PLACE A
5 NOTICE ON THE IMMOBILIZED VEHICLE THAT CONTAINS THE PHONE
6 NUMBER OF THE COMPANY, THE NORMAL OPERATING HOURS OF THE
7 COMPANY, AND THE PHONE NUMBER TO CONTACT THE COMPANY OUTSIDE
8 OF NORMAL OPERATING HOURS.

9 (e) FOR PURPOSES OF THIS SUBSECTION (3), A VEHICLE IS PARKED
10 INAPPROPRIATELY WHEN IT IS PARKED IN A MANNER THAT:

11 (I) VIOLATES THE PROCEDURES NECESSARY TO OBTAIN
12 AUTHORIZATION TO PARK IN THE LOT OR SPACE;

13 (II) FAILS TO COMPLY WITH THE PROPERTY OWNER'S SIGNS OR THE
14 AGREEMENTS OF THE TENANTS; OR

15 (III) VIOLATES A STATUTE, RULE, ORDINANCE, OR RESOLUTION OF
16 THE STATE OR A POLITICAL SUBDIVISION OF THE STATE.

17 (4) (a) A VEHICLE IMMOBILIZATION COMPANY SHALL NOT
18 IMMOBILIZE A VEHICLE ON PRIVATE PROPERTY NORMALLY USED FOR
19 PARKING UNLESS:

20 (I) NOTICE OF THE PARKING REGULATIONS WAS PROVIDED TO THE
21 VEHICLE OPERATOR UPON ENTERING THE PRIVATE PROPERTY AND PARKING
22 THE VEHICLE; AND

23 (II) NOTICE THAT A VEHICLE PARKED IN VIOLATION OF THE
24 REGULATIONS IS SUBJECT TO IMMOBILIZATION AT THE VEHICLE OWNER'S
25 EXPENSE WAS PROVIDED TO THE VEHICLE OPERATOR UPON ENTERING THE
26 PRIVATE PROPERTY AND PARKING THE VEHICLE.

27 (b) A PROPERTY OWNER WITH TENANTS SHALL PROVIDE THE

1 NOTICE DESCRIBED IN THIS SUBSECTION (4) BY ISSUING EACH TENANT A
2 WRITTEN DOCUMENT CONTAINING THE APPLICABLE PARKING REGULATIONS
3 BEFORE THE REGULATIONS ARE ADOPTED OR AMENDED OR BEFORE THE
4 PERSON AGREES TO BE A TENANT.

5 (5) UNLESS THE IMMOBILIZATION IS BASED ON AN ORDER GIVEN BY
6 A PEACE OFFICER, A VEHICLE IMMOBILIZATION COMPANY SHALL NOT
7 IMMOBILIZE A VEHICLE ON PRIVATE PROPERTY BECAUSE THE REAR LICENSE
8 PLATE OF THE VEHICLE OR THE RECORD OBTAINED USING THE SYSTEM
9 DESCRIBED IN SECTION 42-4-2103 (3)(c)(III) INDICATES THAT THE
10 VEHICLE'S REGISTRATION HAS EXPIRED.

11 (6) A VEHICLE IMMOBILIZATION COMPANY SHALL NOT IMMOBILIZE
12 A VEHICLE BECAUSE THE VEHICLE IS INOPERABLE IF THE VEHICLE IS OWNED
13 BY A RESIDENT AND IS PARKED IN THE RESIDENT'S DESIGNATED, RENTED,
14 OR PURCHASED PARKING SPACE OR DRIVEWAY OR IN A MOBILE HOME LOT
15 THAT IS LEASED OR OWNED BY THE RESIDENT.

16 **40-10.1-806. Signage required to immobilize a vehicle -**
17 **effective date.** (1) IN ORDER FOR A VEHICLE IMMOBILIZATION COMPANY
18 TO IMMOBILIZE A VEHICLE, THE PROPERTY OWNER MUST HAVE POSTED
19 SIGNAGE THAT:

- 20 (a) IS NOT LESS THAN TWO SQUARE FEET IN SIZE;
- 21 (b) HAS LETTERING NOT LESS THAN ONE INCH IN HEIGHT;
- 22 (c) HAS LETTERING THAT CONTRASTS SHARPLY IN COLOR WITH THE
23 BACKGROUND ON WHICH THE LETTERS ARE PLACED AND CONTRASTS
24 SHARPLY WITH THE STRUCTURE THE SIGNS ARE PLACED ON;
- 25 (d) CONTAINS THE FOLLOWING INFORMATION IN THE ORDER LISTED
26 BELOW:
 - 27 (I) THE RESTRICTION OR PROHIBITION ON PARKING;

1 (II) THE TIMES OF THE DAY AND DAYS THAT THE RESTRICTION IS
2 APPLICABLE, BUT, IF THE RESTRICTION APPLIES TWENTY-FOUR HOURS PER
3 DAY, SEVEN DAYS PER WEEK, THE SIGN MUST SAY "AUTHORIZED PARKING
4 ONLY";

5 (III) NOTICE THAT VIOLATING THE REGULATION SUBJECTS THE
6 VIOLATING VEHICLE TO BE IMMOBILIZED AT THE VEHICLE OWNER'S
7 EXPENSE; AND

8 (IV) THE NAME AND TELEPHONE NUMBER OF THE VEHICLE
9 IMMOBILIZATION COMPANY AUTHORIZED TO PERFORM IMMOBILIZATIONS
10 ON THE PRIVATE PROPERTY;

11 (e) IS PRINTED IN ENGLISH AND SPANISH;

12 (f) IS PERMANENTLY MOUNTED BOTH:

13 (I) AT EACH ENTRANCE TO THE PRIVATE PROPERTY SO THAT THE
14 SIGN FACES OUTWARD TOWARD THE STREET AND IS VISIBLE BEFORE AND
15 UPON ENTERING THE PRIVATE PROPERTY; AND

16 (II) INSIDE THE PRIVATE PROPERTY SO THAT THE SIGN FACES
17 OUTWARD TOWARD THE PARKING AREA;

18 (g) IS NOT OBSTRUCTED FROM VIEW OR PLACED IN A MANNER THAT
19 PREVENTS DIRECT VISIBILITY;

20 (h) IS NOT PLACED HIGHER THAN TEN FEET OR LOWER THAN THREE
21 FEET FROM THE SURFACE CLOSEST TO THE SIGN'S PLACEMENT;

22 (i) HAS THE SAME NUMBER OF SIGNS AS THE NUMBER OF
23 LAMPPOSTS IF THE PARKING AREA HAS MORE THAN TEN FREESTANDING
24 LAMPPOSTS ON THE PROPERTY, AND:

25 (I) A SIGN IS POSTED ON EACH LAMPPOST; OR

26 (II) A SIGN IS POSTED UPRIGHT IN CONSPICUOUS LOCATIONS
27 EVENLY DISTRIBUTED ACROSS THE PARKING AREA.

1 (2) THE SIGNAGE REQUIRED BY THIS SECTION MAY BE COMBINED
2 WITH THE SIGNAGE REQUIRED IN SECTION 40-10.1-405.

3 (3) (a) THIS SECTION IS EFFECTIVE JANUARY 1, 2026.

4 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 2, 2026.

5 **40-10.1-807. Patrolling prohibited.** A VEHICLE IMMOBILIZATION
6 COMPANY SHALL NOT PATROL OR MONITOR PROPERTY TO ENFORCE
7 PARKING RESTRICTIONS ON BEHALF OF A PROPERTY OWNER.

8 **40-10.1-808. Insurance must be provided.** IN CONNECTION WITH
9 AN IMMOBILIZATION, A VEHICLE IMMOBILIZATION COMPANY SHALL
10 PROVIDE, UPON REQUEST, EVIDENCE OF THE VEHICLE IMMOBILIZATION
11 COMPANY'S COMMERCIAL LIABILITY INSURANCE COVERAGE, INCLUDING
12 MOTOR VEHICLE LIABILITY COVERAGE, TO AN AUTHORIZED OR INTERESTED
13 PERSON.

14 **40-10.1-809. Payment requirements - itemized bills.** (1) (a) A
15 VEHICLE IMMOBILIZATION COMPANY SHALL IMMEDIATELY ACCEPT
16 PAYMENT IF OFFERED IN CASH OR BY VALID MAJOR CREDIT CARD. UPON
17 PAYMENT, THE VEHICLE IMMOBILIZATION COMPANY SHALL RELEASE THE
18 VEHICLE TO AN AUTHORIZED OR INTERESTED PERSON.

19 (b) A VEHICLE IMMOBILIZATION COMPANY SHALL DISCLOSE
20 ACCEPTED FORMS OF PAYMENT, INCLUDING THOSE FORMS REQUIRED TO BE
21 ACCEPTED IN ACCORDANCE WITH SUBSECTION (1)(a) OF THIS SECTION.

22 (2) A VEHICLE IMMOBILIZATION COMPANY SHALL PROVIDE TO AN
23 AUTHORIZED OR INTERESTED PERSON AN ITEMIZED BILL SHOWING EACH
24 CHARGE AND THE RATE FOR EACH FEE INCURRED AS A RESULT OF AN
25 IMMOBILIZATION AND ANY FEE THAT CAUSED THE IMMOBILIZATION.

26 **40-10.1-810. Release requirements - notice - private property**
27 **- release for nonconsensual tow.** (1) IF A VEHICLE IMMOBILIZATION

1 COMPANY HAS IMMOBILIZED A VEHICLE ON PRIVATE PROPERTY, THE
2 VEHICLE IMMOBILIZATION COMPANY SHALL GIVE THE AUTHORIZED OR
3 INTERESTED PERSON THAT IS HAVING THE VEHICLE RELEASED A WRITTEN
4 NOTICE OF THE PERSON'S ABILITY TO MAKE A COMPLAINT TO THE
5 COMMISSION. THE NOTICE:

6 (a) MUST BE WRITTEN IN A CONSPICUOUS TYPEFACE AND FONT ON
7 THE INVOICE, RECEIPT, AND BILL FOR RELEASING THE VEHICLE; AND

8 (b) MUST NOT BE IN A TYPEFACE OR FONT THAT IS SMALLER THAN
9 THE OTHER NUMBERS OR WORDS ON THE INVOICE, RECEIPT, OR BILL, AS
10 APPLICABLE.

11 (2) A VEHICLE IMMOBILIZATION COMPANY SHALL RELEASE THE
12 MOTOR VEHICLE TO AN AUTHORIZED OR INTERESTED PERSON EITHER:

13 (a) WITHIN ONE HUNDRED TWENTY MINUTES AFTER BEING
14 CONTACTED BY THE AUTHORIZED OR INTERESTED PERSON OUTSIDE OF THE
15 VEHICLE IMMOBILIZATION COMPANY'S NORMAL BUSINESS HOURS; OR

16 (b) WITHIN NINETY MINUTES AFTER BEING CONTACTED BY THE
17 AUTHORIZED OR INTERESTED PERSON DURING THE VEHICLE
18 IMMOBILIZATION COMPANY'S NORMAL BUSINESS HOURS.

19 (3) A VEHICLE IMMOBILIZATION COMPANY SHALL IMMEDIATELY
20 RELEASE A VEHICLE AND REMOVE THE IMMOBILIZATION DEVICE WITHOUT
21 CHARGE TO A TOWING CARRIER WHEN EVIDENCE IS PRESENTED THAT THE
22 TOWING CARRIER HAS AUTHORIZATION TO CONDUCT A NONCONSENSUAL
23 TOW OR LAW-ENFORCEMENT-DIRECTED TOW.

24 (4) (a) A VEHICLE IMMOBILIZATION COMPANY MAY REMOTELY
25 RELEASE AN IMMOBILIZATION DEVICE FROM A VEHICLE. THE VEHICLE
26 IMMOBILIZATION COMPANY SHALL RETRIEVE THE IMMOBILIZATION DEVICE
27 WITHIN ONE HUNDRED TWENTY MINUTES AFTER RELEASING IT.

1 (b) THE DRIVER OF A REMOTELY RELEASED VEHICLE SHALL MOVE
2 THE IMMOBILIZATION DEVICE FROM THE ROAD SO THAT IT IS NOT A
3 HAZARD TO VEHICLES OR PEDESTRIANS UNLESS THE DRIVER HAS A
4 PHYSICAL LIMITATION THAT MAKES MOVING THE DEVICE UNREASONABLY
5 DIFFICULT OR IMPOSSIBLE. THE OWNER OR OPERATOR NEED NOT RETURN
6 THE DEVICE TO THE VEHICLE IMMOBILIZATION COMPANY OR A LOCATION
7 SPECIFIED BY THE VEHICLE IMMOBILIZATION COMPANY.

8 **40-10.1-811. Partial-payment release - partial charge - form**
9 **required.** (1) (a) A VEHICLE IMMOBILIZATION COMPANY SHALL
10 IMMEDIATELY RELEASE AN IMMOBILIZED VEHICLE IF:

11 (I) THE AUTHORIZED OR INTERESTED PERSON PAYS AT LEAST SIXTY
12 DOLLARS OF THE AMOUNT OWED TO THE VEHICLE IMMOBILIZATION
13 COMPANY FOR THE IMMOBILIZATION;

14 (II) THE AUTHORIZED OR INTERESTED PERSON IS NOT A
15 LIENHOLDER OR INSURANCE COMPANY; AND

16 (III) THE AUTHORIZED OR INTERESTED PERSON COMPLIES WITH
17 SUBSECTION (1)(b) OF THIS SECTION.

18 (b) (I) FOR AN AUTHORIZED OR INTERESTED PERSON TO RETRIEVE
19 A VEHICLE WITHOUT PAYING THE VEHICLE IMMOBILIZATION COMPANY THE
20 TOTAL AMOUNT OWED TO THE COMPANY, THE AUTHORIZED OR
21 INTERESTED PERSON MUST SIGN A FORM AFFIRMING THAT THE
22 AUTHORIZED OR INTERESTED PERSON OWES THE COMPANY PAYMENT FOR
23 FEES THAT COMPLY WITH THIS ARTICLE 10.1 OR ARTICLE 20 OF TITLE 38.
24 KNOWINGLY PROVIDING FALSE INFORMATION ON THE FORM IS UNLAWFUL.
25 SIGNING THE FORM DOES NOT PROHIBIT AN AUTHORIZED OR INTERESTED
26 PERSON FROM FILING A COMPLAINT WITH THE COMMISSION OR PURSUING
27 OTHER REMEDIES. THE VEHICLE IMMOBILIZATION COMPANY MAY USE THE

1 FORM TO TAKE REASONABLE ACTIONS TO COLLECT THE DEBT.
2 REASONABLE ACTIONS INCLUDE INITIATING A COURT ACTION OR USING A
3 COLLECTION AGENCY.

4 (II) THE COMMISSION SHALL:

5 (A) CREATE THE FORM;

6 (B) TITLE THE FORM: "IMMOBILIZED VEHICLE RELEASE NOTICE
7 WITH PAYMENT OWED"; AND

8 (C) PROVIDE THE FORM ON THE COMMISSION'S WEBSITE FOR
9 VEHICLE IMMOBILIZATION COMPANIES TO RETRIEVE AND USE.

10 (c) TO RELEASE A VEHICLE IN ACCORDANCE WITH SUBSECTION
11 (1)(a) OF THIS SECTION, A VEHICLE IMMOBILIZATION COMPANY SHALL NOT
12 REQUIRE A PERSON TO UNDERGO AN APPROVAL PROCESS, OTHER THAN
13 SIGNING THE FORM CREATED PURSUANT TO SUBSECTION (1)(b) OF THIS
14 SECTION.

15 (2) (a) A VEHICLE IMMOBILIZATION COMPANY SHALL CHARGE A
16 REDUCED RELEASE CHARGE IN AN AMOUNT SET BY THE COMMISSION TO
17 RELEASE A VEHICLE IF THE VEHICLE IS RELEASED AFTER AN EMPLOYEE OF
18 OR AGENT OF THE VEHICLE IMMOBILIZATION COMPANY STARTS TO
19 IMMOBILIZE THE VEHICLE BUT BEFORE THE AGENT OR EMPLOYEE LEAVES
20 THE PRIVATE PROPERTY.

21 (b) IF APPROACHED BY AN AUTHORIZED OR INTERESTED PERSON
22 BEFORE THE VEHICLE IS IMMOBILIZED ON PRIVATE PROPERTY, THE VEHICLE
23 IMMOBILIZATION COMPANY SHALL NOTIFY THE AUTHORIZED OR
24 INTERESTED PERSON THAT THE COMPANY IS REQUIRED TO RELEASE THE
25 VEHICLE UPON REQUEST OF THE AUTHORIZED OR INTERESTED PERSON AND
26 PAYMENT OF THE CHARGE DESCRIBED IN SUBSECTION (2)(a) OF THIS
27 SECTION.

1 (c) UPON REQUEST BY THE AUTHORIZED OR INTERESTED PERSON
2 AND PAYMENT OF THE CHARGE DESCRIBED IN SUBSECTION (2)(a) OF THIS
3 SECTION, THE VEHICLE IMMOBILIZATION COMPANY SHALL IMMEDIATELY
4 STOP AN IMMOBILIZATION IN PROGRESS ON PRIVATE PROPERTY.

5 **40-10.1-812. Records.** A VEHICLE IMMOBILIZATION COMPANY
6 SHALL RETAIN EVIDENCE, INCLUDING PHOTOGRAPHS OF THE RELEVANT
7 SIGNS AND OF THE VEHICLE, OF GIVING THE NOTICES AND DISCLOSURES
8 REQUIRED IN SECTIONS 40-10.1-802, 40-10.1-805, AND 40-10.1-806 FOR
9 THREE YEARS AFTER THE DATE OF COMPLETION OF AN IMMOBILIZATION
10 AND PROVIDE THE EVIDENCE TO THE COMMISSION OR AN ENFORCEMENT
11 OFFICIAL UPON REQUEST.

12 **40-10.1-813. Applicability - exceptions.** (1) SECTIONS
13 40-10.1-802 TO 40-10.1-812 DO NOT APPLY TO:

14 (a) AN IMMOBILIZATION ORDERED BY A PEACE OFFICER OR
15 TECHNICIAN DIRECTED BY A PEACE OFFICER IN THE COURSE AND SCOPE OF
16 THE OFFICER'S OR TECHNICIAN'S DUTIES;

17 (b) AN IMMOBILIZATION IN A PARKING SPACE THAT SERVES A
18 BUSINESS IF THE PARKING SPACE IS ON COMMERCIAL REAL ESTATE, AS
19 DEFINED IN SECTION 38-22.5-102 (2);

20 (c) AN IMMOBILIZATION ORDERED BY A MUNICIPALITY, A COUNTY,
21 OR A CITY AND COUNTY OR PERFORMED BY AN AGENT OF, CONTRACTOR
22 OF, OR EMPLOYEE OF A MUNICIPALITY, A COUNTY, OR A CITY AND COUNTY;
23 OR

24 (d) AN IMMOBILIZATION IN A PARKING SPACE THAT IS ON
25 FEDERALLY LEASED LAND AND THAT IS USED FOR COMMERCIAL PARKING
26 PURPOSES.

27 **40-10.1-814. Kickbacks prohibited.** A VEHICLE IMMOBILIZATION

1 COMPANY SHALL NOT PAY MONEY OR PROVIDE OTHER VALUABLE
2 CONSIDERATION FOR THE PRIVILEGE OF IMMOBILIZING VEHICLES.

3 **40-10.1-815. Rules.** THE COMMISSION MAY ADOPT RULES AS
4 NECESSARY AND REASONABLE TO IMPLEMENT THIS PART 8.

5 **40-10.1-816. Violators subject to penalties.** ANIMMOBILIZATION
6 IN VIOLATION OF SECTIONS 40-10.1-802 TO 40-10.1-812 OR SECTION
7 40-10.1-814 BY A VEHICLE IMMOBILIZATION COMPANY IS A DECEPTIVE
8 TRADE PRACTICE UNDER SECTION 6-1-105 (1)(iii) AND IS SUBJECT TO
9 ENFORCEMENT BY THE ATTORNEY GENERAL'S OFFICE OR A DISTRICT
10 ATTORNEY OR ENFORCEMENT.

11 **SECTION 4.** In Colorado Revised Statutes, 6-1-105, **add** (1)(iii)
12 as follows:

13 **6-1-105. Unfair or deceptive trade practices - definitions.**

14 (1) A person engages in a deceptive trade practice when, in the course of
15 the person's business, vocation, or occupation, the person:

16 (iii) IS A VEHICLE IMMOBILIZATION COMPANY AND IMMOBILIZES
17 A VEHICLE IN VIOLATION OF SECTIONS 40-10.1-802 TO 40-10.1-812 OR
18 SECTION 40-10.1-814.

19 **SECTION 5. Applicability.** This act applies to violations
20 committed on or after the effective date of this act.

21 **SECTION 6. Safety clause.** The general assembly finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, or safety or for appropriations for
24 the support and maintenance of the departments of the state and state
25 institutions.