

CHAPTER 57

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 95-1222

BY REPRESENTATIVES Congrove, Prinzler, Pankey, Paschall, Sullivant, Swenson, Grampsas, Musgrave, and Owen;
also SENATOR Alexander.

AN ACT**CONCERNING THE SALE OF USED MOTOR VEHICLES.**

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

SECTION 1. 42-6-119 (3) and (5), Colorado Revised Statutes, 1993 Repl. Vol., as amended, are amended to read:

42-6-119. Certificates for vehicles registered in other states. (3) Upon the sale by a dealer of any motor vehicle, the certificate of title to which was issued in a state other than Colorado, the dealer shall, ~~immediately deliver~~ WITHIN THIRTY DAYS AFTER THE DATE OF SALE OF THE VEHICLE, DELIVER OR FACILITATE THE DELIVERY to the purchaser or transferee such certificate of title from a state other than Colorado duly and properly endorsed or assigned to the purchaser or transferee, together with a statement by the dealer, which shall contain or be accompanied by a written declaration that it is made under the penalties of perjury in the second degree, as defined in section 18-8-503, C.R.S., and which shall set forth the following:

(a) That such dealer has warranted and, by the execution of such affidavit, does warrant to the purchaser or transferee and all persons claiming or who shall claim under, by, or through the purchaser or transferee named that, at the time of the sale, transfer, and delivery thereof by the dealer, the vehicle therein described was free and clear of all liens and mortgages whatsoever, save and except as might therein otherwise appear;

(b) That the vehicle therein described is not a stolen vehicle; and

(c) That such dealer had good, sure, and adequate title thereto and full right and authority to sell and transfer the same.

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

~~(5) Each dealer, on or before the fifteenth day of each month, on a form to be provided therefor, shall prepare, subscribe, and send to the auto theft division of the Colorado state patrol a complete description of each motor vehicle held by such dealer during the preceding calendar month, or any part thereof, the certificate of title to which was issued by a state other than the state of Colorado or which vehicle was registered under the laws of a state other than the state of Colorado and for which no application for a Colorado certificate of title has been made as provided in this section.~~

SECTION 2. Effective date. This act shall take effect July 1, 1995.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 7, 1995