

CHAPTER 5

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 04-1042

BY REPRESENTATIVE(S) Welker, Berry, Butcher, Cadman, Carroll, Coleman, Crane, Decker, Frangas, Garcia, Hefley, Jahn, King, Lundberg, Marshall, McFadyen, Merrifield, Miller, Rhodes, Romanoff, Salazar, Schultheis, Spence, Stafford, Weddig, Weissmann, and White;
 also SENATOR(S) Jones, Arnold, Cairns, Chlouber, Dyer, Entz, Gordon, Groff, Grossman, Hanna, Isgar, Keller, Kester, Lamborn, May R., Nichol, Phillips, Sandoval, Taylor, Teck, Tupa, Veiga, and Windels.

AN ACT

CONCERNING THE REQUIREMENT OF DEMONSTRATING PROOF OF MOTOR VEHICLE INSURANCE AT THE TIME A MOTOR VEHICLE IS REGISTERED.

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

SECTION 1. 42-3-105 (1) (c), Colorado Revised Statutes, is RECREATED AND REENACTED, WITH AMENDMENTS, to read:

42-3-105. Application for registration - tax. (1) (c) (I) THE DEPARTMENT OR ITS DESIGNATED AGENTS SHALL NOT REGISTER A MOTOR VEHICLE UNLESS THE APPLICANT HAS A COMPLYING MOTOR VEHICLE INSURANCE POLICY PURSUANT TO PART 6 OF ARTICLE 4 OF TITLE 10, C.R.S., OR A CERTIFICATE OF SELF-INSURANCE IN FULL FORCE AND EFFECT AS REQUIRED BY SECTIONS 10-4-619 AND 10-4-624, C.R.S. THE REQUIREMENTS OF THIS PARAGRAPH (c) APPLY ONLY TO MOTOR VEHICLES CLASSIFIED AS CLASS C PERSONAL PROPERTY UNDER SECTION 42-3-106 (1) (c), TO LIGHT TRUCKS THAT DO NOT EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT AND THAT ARE NOT INSURED THROUGH A COMMERCIAL LINE OF INSURANCE, AND TO SPORTS UTILITY VEHICLES THAT ARE CLASSIFIED AS CLASS B PERSONAL PROPERTY UNDER SECTION 42-3-106 (1) (b). THE APPLICANT SHALL PROVIDE THE DEPARTMENT OR ITS DESIGNATED AGENTS WITH THE PROOF OF INSURANCE CERTIFICATE OR INSURANCE IDENTIFICATION CARD PROVIDED TO THE APPLICANT BY THE APPLICANT'S INSURER PURSUANT TO SECTION 10-4-604.5, C.R.S., OR PROVIDE PROOF OF INSURANCE IN SUCH OTHER MEDIA AS IS AUTHORIZED BY THE DEPARTMENT. NOTHING IN THIS PARAGRAPH (c) SHALL BE INTERPRETED TO PRECLUDE THE DEPARTMENT FROM ELECTRONICALLY TRANSMITTING INSURANCE INFORMATION TO DESIGNATED AGENTS PURSUANT TO SECTION 42-7-604 FOR THE PURPOSE OF ENSURING COMPLIANCE WITH MANDATORY

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

INSURANCE REQUIREMENTS.

(II) ANY PERSON WHO KNOWINGLY PROVIDES FRAUDULENT INFORMATION OR DOCUMENTS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH (c) TO OBTAIN REGISTRATION OF A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND IS SUBJECT TO THE CRIMINAL AND CIVIL PENALTIES PROVIDED UNDER SECTION 42-6-139 (3) AND (4).

SECTION 2. 10-4-601 (6), Colorado Revised Statutes, is amended to read:

10-4-601. Definitions. As used in this part 6, unless the context otherwise requires:

(6) "Motor vehicle" means any vehicle of a type required to be registered and licensed under the laws of this state and that is designed to be propelled by an engine or motor; except that "motor vehicle" does not include minibikes, snowmobiles, bicycles with motor or engine attached, any vehicle designed primarily for use off the road or on rails, or ~~motorcycles and~~ motorscooters as defined in section 42-1-102, C.R.S.

SECTION 3. Applicability. This act shall apply to motor vehicles registered on or after the effective date of this act.

SECTION 4. 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: February 20, 2004