

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 18-1130.01 Jery Payne x2157

**HOUSE BILL 18-1354**

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**HOUSE SPONSORSHIP**

**McKean**, Arndt, Hooton, Thurlow

**SENATE SPONSORSHIP**

**Zenzinger**, Martinez Humenik, Moreno

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**House Committees**  
Transportation & Energy

**Senate Committees**  
Finance

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**A BILL FOR AN ACT**

101     **CONCERNING A REQUIREMENT THAT WRITTEN WARRANTIES FOR**  
102     **POWERSPORTS VEHICLES BE HONORED.**

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**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/>.)*

**Statutory Revision Committee.** Current law appears to forbid a powersports vehicle manufacturer or distributor from honoring written warranties. The bill clarifies that the powersports dealer is required to honor written warranties.

HOUSE  
3rd Reading Unamended  
April 18, 2018

HOUSE  
2nd Reading Unamended  
April 17, 2018

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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.*

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

2           **SECTION 1. Legislative declaration.** The purpose of this  
3 legislation, enacted in 2018, is to clarify that it is unlawful for a  
4 powersports vehicle manufacturer or distributor to fail to perform written  
5 warranties on the powersports vehicle.

6           **SECTION 2.** In Colorado Revised Statutes, 12-6-523, **amend**  
7 (1)(a) and (1)(x)(I) introductory portion as follows:

8           **12-6-523. Unlawful acts.** (1) It is unlawful and a violation of  
9 this part 5 for any powersports vehicle manufacturer, distributor, or  
10 manufacturer representative:

11           (a) To willfully fail to PERFORM OR cause to not be performed any  
12 written warranties made with respect to a powersports vehicle or parts  
13 thereof;

14           (x) (I) To sell or offer to sell new powersports vehicles to a  
15 franchised motor POWERSPORTS vehicle dealer with whom the  
16 manufacturer has a franchise agreement at a lower actual price than the  
17 actual price offered to any other powersports vehicle dealer with whom  
18 the manufacturer has a franchise agreement for the same motor  
19 POWERSPORTS vehicle similarly equipped; except that this subsection  
20 (1)(x) does not apply to:

21           **SECTION 3. Act subject to petition - effective date.** This act  
22 takes effect October 1, 2018; except that, if a referendum petition is filed  
23 pursuant to section 1 (3) of article V of the state constitution against this  
24 act or an item, section, or part of this act within the ninety-day period  
25 after final adjournment of the general assembly, then the act, item,  
26 section, or part will not take effect unless approved by the people at the  
27 general election to be held in November 2018 and, in such case, will take

1      effect on the date of the official declaration of the vote thereon by the  
2      governor.