

CHAPTER 14

TRANSPORTATION

HOUSE BILL 26-1041

BY REPRESENTATIVE(S) Boesenecker and Paschal, Froelich, Jackson, Lindsay, Stewart R., Bacon, Brown, Carter, Clifford, Duran, English, Joseph, Nguyen, Sirota, Woodrow;
 also SENATOR(S) Pelton B., Carson, Cutter, Exum, Sullivan, Amabile, Benavidez, Bridges, Bright, Daugherty, Frizzell, Gonzales J., Jodeh, Kipp, Kirkmeyer, Kolker, Lindstedt, Liston, Marchman, Mullica, Rich, Snyder, Wallace, Coleman.

AN ACT

CONCERNING THE USE OF AN ELECTRONIC VEHICLE RECORD FOR A CERTIFICATE OF TITLE, AND, IN CONNECTION THEREWITH, REPEALING THE REQUIREMENT FOR A PAPER CERTIFICATE OF TITLE.

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

SECTION 1. In Colorado Revised Statutes, 42-6-109, **amend** (1), (3)(a), and (3)(b)(IV); and **repeal** (2) as follows:

42-6-109. Sale or transfer of vehicle - program.

(1) Except as provided in section 42-6-113, a person shall not sell or otherwise transfer a motor or off-highway vehicle to a purchaser or transferee without delivering to the purchaser or transferee a certificate of title to the vehicle duly transferred in the manner prescribed in section 42-6-110. ~~Except as provided in subsection (2) of this section, the~~ THE certificate of title may be in an electronic format. Except as provided in section 42-6-115, a purchaser or transferee does not acquire any right, title, or interest in and to a motor or off-highway vehicle purchased by the purchaser or transferee unless and until ~~he or she~~ THE PURCHASER OR TRANSFEREE obtains from the transferor the certificate of title duly transferred in accordance with this part 1. ~~A lienholder~~ ANY PARTY TO THE TRANSACTION may request either a paper or electronic version of a certificate of title.

(2) ~~Except as provided in section 42-6-115, a paper copy of a certificate of title is necessary for a transaction in which:~~

~~(a) Either party to the transaction is located outside Colorado; or~~

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

~~(b) The purchaser pays for a motor or off-highway vehicle entirely with cash.~~

(3) (a) Beginning January 1, 2019, the department shall implement a voluntary program for an owner of a motor vehicle to notify the department or an authorized agent after ownership of the motor vehicle is transferred to another person in accordance with ~~subsections (1) and (2)~~ SUBSECTION (1) of this section.

(b) A report of ownership transfer is properly filed if the report is made in a manner, which may include by electronic means, approved by the department and received by the department or authorized agent within five business days after the transfer of ownership, and includes the following:

(IV) An affidavit, signed under penalty of perjury, that the requirements for the transfer of ownership in ~~subsections (1) and (2)~~ SUBSECTION (1) of this section have been satisfied.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 26, 2026