

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0639.01 Jerry Barry x4341

HOUSE BILL 17-1098

HOUSE SPONSORSHIP

Liston,

SENATE SPONSORSHIP

(None),

House Committees
Business Affairs and Labor

Senate Committees

A BILL FOR AN ACT

101 CONCERNING DAMAGES FOR LOSS OF USE OF A RENTAL MOTOR
102 VEHICLE.

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 limits the damages that a vehicle rental company can recover for the loss of use of the vehicle to the actual lost profits suffered by the company due to the loss of use of the vehicle.

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

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 **SECTION 1.** In Colorado Revised Statutes, **add** 13-21-129 as
2 follows:

3 **13-21-129. Civil damages related to rental motor vehicles.** IN
4 ANY ACTION ALLEGING A CLAIM FOR THE LOSS OF USE OF A RENTAL MOTOR
5 VEHICLE, AS DEFINED IN SECTION 6-1-201, A CLAIMANT'S DAMAGES ARE
6 LIMITED TO THE ACTUAL LOST PROFITS AS A RESULT OF SUCH LOSS OF USE.

7 **SECTION 2. Act subject to petition - effective date -**
8 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
9 the expiration of the ninety-day period after final adjournment of the
10 general assembly (August 9, 2017, if adjournment sine die is on May 10,
11 2017); except that, if a referendum petition is filed pursuant to section 1
12 (3) of article V of the state constitution against this act or an item, section,
13 or part of this act within such period, then the act, item, section, or part
14 will not take effect unless approved by the people at the general election
15 to be held in November 2018 and, in such case, will take effect on the
16 date of the official declaration of the vote thereon by the governor.

17 (2) This act applies to causes of action arising on or after the
18 applicable effective date of this act.