

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 17-1057.01 Jery Payne x2157

SENATE BILL 17-251

SENATE SPONSORSHIP

Tate,

HOUSE SPONSORSHIP

(None),

Senate Committees

Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 **CONCERNING ACCESS TO THE DEPARTMENT OF REVENUE'S RECORDS**
102 **CONCERNING OWNERSHIP INTERESTS IN MOTOR VEHICLES BY**
103 **CERTAIN STATE-REGULATED ENTITIES.**

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>.)

Currently, a tow carrier who tows abandoned motor vehicles uses an electronic system to access department records to ascertain and notify the motor vehicle's owner and lienholder. The bill allows insurers and salvage pools to use the same system to determine a motor vehicle's owner and lienholder.

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.

SENATE
Amended 2nd Reading
March 30, 2017

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-6-110, **add** (1.7)
3 as follows:

4 **42-6-110. Certificate of title - transfer - department records.**

5 (1.7) (a) THE DEPARTMENT SHALL ALLOW AN INSURER, AS DEFINED IN
6 SECTION 10-1-102 AND THAT IS REGULATED UNDER TITLE 10, OR A
7 SALVAGE POOL THAT IS LICENSED AS A USED MOTOR VEHICLE DEALER TO
8 USE THE ELECTRONIC SYSTEMS CREATED IN SECTION 42-4-2103 (3)(c)(III)
9 TO ACCESS OWNER AND LIENHOLDER INFORMATION OF A MOTOR VEHICLE
10 IN THE DEPARTMENT'S RECORDS IF THE MOTOR VEHICLE IS:

11 (I) THE SUBJECT OF AN INSURANCE CLAIM BEING PROCESSED BY
12 THE INSURER; OR

13 (II) POSSESSED BY A SALVAGE POOL.

14 (b) THE DEPARTMENT SHALL ENSURE THAT THE INFORMATION
15 AVAILABLE TO THE INSURER OR THE SALVAGE POOL IS CORRECT AND IS
16 LIMITED TO THE INFORMATION NEEDED TO VERIFY AND CONTACT THE
17 OWNER AND LIENHOLDER OF THE MOTOR VEHICLE.

18 (c) THE DEPARTMENT MAY CHARGE THE INSURER OR THE SALVAGE
19 POOL A FEE IN AN AMOUNT NOT TO EXCEED THE LESSER OF FIVE DOLLARS
20 OR THE DIRECT AND INDIRECT COSTS OF IMPLEMENTING THIS SUBSECTION
21 (1.7). THE DEPARTMENT SHALL DEPOSIT THE FEE IN THE SPECIAL PURPOSE
22 ACCOUNT CREATED IN SECTION 42-1-211.

23 **SECTION 2. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly (August
26 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2018 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.