

CHAPTER 162

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 17-1205

BY REPRESENTATIVE(S) Melton, Pabon, Becker K., Benavidez, Exum, Gray, Hooton, Lontine, Mitsch Bush, Singer, Duran;
also SENATOR(S) Martinez Humenik, Tate, Todd, Grantham.

AN ACT

CONCERNING CHANGING THE DEFINITION OF "SALVAGE VEHICLE".

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

SECTION 1. In Colorado Revised Statutes, 42-6-102, **amend** (17)(a)(I)(C) as follows:

42-6-102. Definitions. As used in this part 1, unless the context otherwise requires:

(17) (a) (I) "Salvage vehicle" means:

(C) A vehicle that is damaged by collision, fire, flood, accident, trespass, or other occurrence, excluding hail damage OR THEFT, to the extent that THE VEHICLE IS DETERMINED TO BE A TOTAL LOSS BY THE INSURER OR OTHER PERSON ACTING ON BEHALF OF THE OWNER OR THAT the cost of repairing the vehicle to a roadworthy condition and for legal operation on the highways exceeds the vehicle's retail fair market value immediately prior to the damage, as determined by the person who owns the vehicle at the time of the occurrence or by the insurer or other person acting on behalf of the owner.

SECTION 2. Act subject to petition - effective date - applicability. (1) 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 9, 2017, if adjournment sine die is on May 10, 2017); 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

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

be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to motor vehicle damage occurring on or after the applicable effective date of this act.

Approved: April 28, 2017