

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 8, 2017
Date

Committee on Transportation & Energy.

After consideration on the merits, the Committee recommends the following:

HB17-1105 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 4, after line 22, insert:

2 "SECTION 4. In Colorado Revised Statutes, add 42-1-232 as
3 follows:

4 **42-1-232. VIN inspection pilot program - rules.** (1) FOR THE
5 PURPOSES OF THIS SECTION:

6 (a) "CHIEF" MEANS THE CHIEF OF THE COLORADO STATE PATROL.

7 (b) "CONVICTED" INCLUDES A CONVICTION OF, OR PLEADING
8 GUILTY OR NOLO CONTENDERE TO, A VIOLATION OF THE LAW.

9 (c) "PERMIT" MEANS AUTHORITY FOR AN ORGANIZATION TO
10 EMPLOY PEOPLE TO VERIFY INFORMATION, INCLUDING A VIN, THAT MAY
11 BE REQUIRED TO REGISTER A COMMERCIAL VEHICLE UNDER ARTICLE 3 OF
12 THIS TITLE 42 OR TO BE ISSUED A CERTIFICATE OF TITLE UNDER ARTICLE 6
13 OF THIS TITLE 42.

14 (d) "VIN" MEANS VEHICLE IDENTIFICATION NUMBER.

15 (2) BY JANUARY 1, 2018, THE CHIEF SHALL CREATE A PILOT
16 PROGRAM THAT AUTHORIZES A TRANSPORTATION ASSOCIATION OR
17 ORGANIZATION TO VERIFY COMMERCIAL VEHICLE INFORMATION,
18 INCLUDING A VIN, AS A VEHICLE-RELATED ENTITY IF THE
19 TRANSPORTATION ASSOCIATION OR ORGANIZATION DEMONSTRATES TO
20 THE SATISFACTION OF THE CHIEF THAT IT AND ANY INDIVIDUALS IT MAY
21 EMPLOY TO VERIFY INFORMATION MEET THE REQUIREMENTS OF THIS
22 SECTION AND ANY RULES PROMULGATED TO IMPLEMENT THIS SECTION.
23 UPON DETERMINING THAT A TRANSPORTATION ASSOCIATION OR

1 ORGANIZATION MEETS THE REQUIREMENTS OF THIS SECTION AND ANY
2 RULES PROMULGATED TO IMPLEMENT THIS SECTION, THE CHIEF MAY ISSUE
3 A PERMIT TO THE APPLICANT.

4 (3) TO BE ISSUED A PERMIT TO VERIFY INFORMATION, INCLUDING
5 A VIN, AS A VEHICLE-RELATED ENTITY, AN APPLICANT MUST:

6 (a) EMPLOY VERIFIERS WHO DEMONSTRATE KNOWLEDGE OF THE
7 PROCESS AND STANDARDS AND WHO HAVE NOT BEEN CONVICTED OF
8 VIOLATING ARTICLE 4 OF TITLE 18 WITHIN THE LAST TEN YEARS;

9 (b) SUBMIT THE NAME, BACKGROUND, EXPERIENCE, LOCATION OF
10 OPERATION, CONTACT INFORMATION, AND ANY OTHER INFORMATION
11 REQUIRED BY THE CHIEF OF EACH EMPLOYED VERIFIER;

12 (c) FURNISH EVIDENCE OF A SAVINGS ACCOUNT OR DEPOSIT IN A
13 CERTIFICATE OF DEPOSIT MEETING THE REQUIREMENTS OF SECTION
14 11-35-101 OR A SURETY BOND THAT:

15 (I) HOLDS HARMLESS ANY PERSON WHO SUFFERS LOSS OR DAMAGE
16 ARISING FROM THE ISSUANCE OF A CERTIFICATE OF TITLE THAT INCLUDED
17 A VERIFICATION DONE BY THE PERMIT HOLDER; AND

18 (II) IS IN THE AMOUNT OF AT LEAST TEN THOUSAND DOLLARS;

19 (4) A VEHICLE-RELATED ENTITY SHALL NOT EMPLOY A VERIFIER
20 UNTIL THE CHIEF HAS APPROVED THE VERIFIER. THE PERMIT HOLDER
21 SHALL SUBMIT TO THE CHIEF THE NAME, BACKGROUND, EXPERIENCE,
22 LOCATION OF OPERATION, CONTACT INFORMATION, AND ANY OTHER
23 INFORMATION REQUIRED BY THE CHIEF OF EACH VERIFIER. WITHIN SEVEN
24 DAYS AFTER CEASING TO EMPLOY A VERIFIER, THE VEHICLE-RELATED
25 ENTITY SHALL NOTIFY THE CHIEF THAT THE INDIVIDUAL NO LONGER
26 VERIFIES INFORMATION FOR THE VEHICLE-RELATED ENTITY.

27 (5) A VEHICLE-RELATED ENTITY SHALL NOT CHARGE MORE THAN
28 TWENTY-FIVE DOLLARS PER TRANSACTION TO VERIFY INFORMATION.

29 (6) THE CHIEF MAY DENY OR CANCEL A PERMIT FOR:

30 (a) FAILING TO COMPLY WITH THIS SECTION;

31 (b) FAILING TO MAINTAIN IN FULL FORCE THE SAVINGS ACCOUNT,
32 DEPOSIT IN A CERTIFICATE OF DEPOSIT, OR SURETY BOND REQUIRED BY
33 SUBSECTION (3) OF THIS SECTION;

34 (c) MISREPRESENTATIONS IN APPLYING FOR A PERMIT;

35 (d) BEING CONVICTED UNDER, OR EMPLOYING A VERIFIER WHO IS
36 CONVICTED UNDER, ARTICLE 4 OF TITLE 18;

37 (e) INCOMPETENCE OR FAILING TO ADEQUATELY VERIFY
38 INFORMATION, INCLUDING A VIN, AS A VEHICLE-RELATED ENTITY.

39 (7) THE CHIEF MAY PROMULGATE RULES REASONABLY NECESSARY
40 TO IMPLEMENT THIS SECTION, INCLUDING ESTABLISHING APPLICATION
41 PROCEDURES AND ANY REQUIRED FORMS AND ESTABLISHING PROCEDURES,

1 IN COMPLIANCE WITH ARTICLE 4 OF TITLE 24, FOR CANCELING A PERMIT.
2 THE CHIEF MAY SUMMARILY SUSPEND A PERMIT FOR UP TO SIXTY DAYS
3 PENDING A HEARING TO CANCEL A PERMIT IF THE CHIEF DETERMINES THAT
4 IRREPARABLE HARM MAY OCCUR IF THE PERMIT HOLDER CONTINUES TO
5 VERIFY INFORMATION, INCLUDING A VIN, AS A VEHICLE-RELATED ENTITY.

6 (8) FOR THE PURPOSES OF VERIFYING INFORMATION IN
7 ACCORDANCE WITH ARTICLES 1 TO 5 OF THIS TITLE 42, A PERMIT HOLDER
8 IS A VEHICLE-RELATED ENTITY.

9 (9) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2020."

10 Renumber succeeding sections accordingly.

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