

Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0775.02 Jery Payne x2157

SENATE BILL 20-167

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SENATE SPONSORSHIP

Hansen and Priola, Bridges, Fenberg, Winter

HOUSE SPONSORSHIP

Becker,

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Senate Committees  
Transportation & Energy

House Committees

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A BILL FOR AN ACT

101 CONCERNING INCREASING CONSUMER ACCESS TO ELECTRIC MOTOR  
102 VEHICLES BY ALLOWING MANUFACTURERS TO SELL THEIR OWN  
103 ELECTRIC MOTOR VEHICLES DIRECTLY TO CONSUMERS.

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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>.)*

Current law states that, with certain exceptions, a motor vehicle manufacturer may not own, operate, or control any motor vehicle dealer or used motor vehicle dealer in Colorado. The bill creates a new exception that allows the ownership, operation, or control of a motor vehicle dealer that sells electric motor vehicles of a manufacturer's

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

line-make. An "electric motor vehicle" is a motor vehicle that can operate entirely on electrical power.

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

2           **SECTION 1.** In Colorado Revised Statutes, 44-20-126, **amend**  
3 (2)(e), (2)(f), and (3) introductory portion; and **add** (2)(g) and (3)(a.3) as  
4 follows:

5           **44-20-126. Independent control of dealer - definitions -**  
6 **exceptions.** (2) Notwithstanding subsection (1) of this section, the  
7 following activities are not prohibited:

8           (e) Ownership, operation, or control of a used motor vehicle  
9 dealer if the manufacturer owned, operated, or controlled the used motor  
10 vehicle dealer on January 1, 2009, and has continuously operated or  
11 controlled the used motor vehicle facilities after January 1, 2009; ~~and~~

12           (f) Operation of a motor vehicle dealer if the manufacturer was  
13 operating the dealer on January 1, 2009, so long as the MOTOR VEHICLE  
14 dealer is in continuous operation after January 1, 2009; AND

15           (g) OWNERSHIP, OPERATION, OR CONTROL OF A MOTOR VEHICLE  
16 DEALER THAT SELLS ELECTRIC MOTOR VEHICLES OF A LINE-MAKE  
17 MANUFACTURED BY THE MANUFACTURER.

18           (3) As used in this section, UNLESS THE CONTEXT OTHERWISE  
19 REQUIRES:

20           (a.3) "ELECTRIC MOTOR VEHICLE" MEANS A MOTOR VEHICLE THAT  
21 CAN OPERATE ENTIRELY ON ELECTRICAL POWER.

22           **SECTION 2. Act subject to petition - effective date.** This act  
23 takes effect at 12:01 a.m. on the day following the expiration of the  
24 ninety-day period after final adjournment of the general assembly (August  
25 5, 2020, if adjournment sine die is on May 6, 2020); 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 2020 and, in such case, will take effect on the date of the  
6 official declaration of the vote thereon by the governor.