

**Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**REENGROSSED**

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

LLS NO. 20-0775.02 Jery Payne x2157

**SENATE BILL 20-167**

---

**SENATE SPONSORSHIP**

**Hansen and Priola,** Bridges, Fenberg, Winter, Fields, Foote, Ginal, Hill, Lee, Moreno, Story, Todd, Williams A.

**HOUSE SPONSORSHIP**

**Becker,**

---

**Senate Committees**  
Transportation & Energy

**House Committees**

---

**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.**

---

**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.*

SENATE  
Amended 3rd Reading  
February 28, 2020

SENATE  
Amended 2nd Reading  
February 21, 2020

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

---

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)(c) and (2)(d); and repeal (2)(e) and (2)(f) as follows:**

4 **44-20-126. Independent control of dealer - definitions.**  
5 **(2) Notwithstanding subsection (1) of this section, the following**  
6 **activities are not prohibited:**

7 **(c) Participation in the ownership of the dealer solely for the**  
8 **purpose of providing financing or a capital loan that will enable the dealer**  
9 **to become the majority owner of the dealer in less than seven years; OR**

10 **(d) OWNERSHIP, operation, OR CONTROL of a ONE OR MORE motor**  
11 **vehicle dealer DEALERS if the manufacturer MANUFACTURES ONLY**  
12 **ELECTRIC VEHICLES AND has no other FRANCHISED dealers of the same**  
13 **line-make in this state.**

14 **(e) Ownership, operation, or control of a used motor vehicle**  
15 **dealer if the manufacturer owned, operated, or controlled the used motor**  
16 **vehicle dealer on January 1, 2009, and has continuously operated or**  
17 **controlled the used motor vehicle facilities after January 1, 2009; and**

18 **(f) Operation of a motor vehicle dealer if the manufacturer was**  
19 **operating the dealer on January 1, 2009, so long as the dealer is in**  
20 **continuous operation after January 1, 2009.**

21 **SECTION 2. Act subject to petition - effective date -**  
22 **applicability.** (1) **This act takes effect at 12:01 a.m. on the day following**  
23 **the expiration of the ninety-day period after final adjournment of the**  
24 **general assembly (August 5, 2020, if adjournment sine die is on May 6,**  
25 **2020); except that, if a referendum petition is filed pursuant to section 1**

1 (3) of article V of the state constitution against this act or an item, section,  
2 or part of this act within such period, then the act, item, section, or part  
3 will not take effect unless approved by the people at the general election  
4 to be held in November 2020 and, in such case, will take effect on the  
5 date of the official declaration of the vote thereon by the governor.

6 (2) This act applies to ownership, operation, or control of a motor  
7 vehicle dealer on or after the applicable effective date of this act.