

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

**INTRODUCED**

LLS NO. 21-0974.01 Jery Payne x2157

**HOUSE BILL 21-1291**

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**HOUSE SPONSORSHIP**

**Van Winkle and Exum,**

**SENATE SPONSORSHIP**

**Winter,**

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**House Committees**

Transportation & Local Government

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING ALLOWING AN AGENT OF AN INSURER TO OBTAIN**  
102                    **CERTAIN BRANDED TITLES FOR VEHICLES THAT HAVE BEEN**  
103                    **DECLARED A TOTAL LOSS.**

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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 allows an insurer who has declared a vehicle a total loss to obtain a salvage or nonrepairable title for the vehicle when the owner has failed to cooperate. The bill authorizes an agent of an insurer to do the same.

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.

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

2           **SECTION 1.** In Colorado Revised Statutes, 42-6-110, **amend**  
3 (1.5)(a) as follows:

4           **42-6-110. Certificate of title - transfer - department records -**  
5 **rules.** (1.5) (a) If an insurer, as defined in section 10-1-102 (13), ~~C.R.S.~~,  
6 ~~or~~ a salvage pool authorized by an insurer, OR AN AGENT OF AN INSURER  
7 is unable to obtain the properly endorsed certificate of ownership or other  
8 evidence of ownership acceptable to the department within thirty days  
9 following oral or written acceptance by the owner of an offer of  
10 settlement of a total loss, that insurer, ~~or~~ salvage pool, OR AGENT may  
11 request, on a form provided by the department and signed under penalty  
12 of perjury, the department to issue a salvage or nonrepairable title for the  
13 vehicle. The request must include information declaring that the insurer,  
14 ~~or~~ salvage pool, OR AGENT has made at least two written attempts to  
15 obtain the certificate of ownership or other acceptable evidence of title  
16 and must include the fee for a duplicate title. The form requesting a  
17 salvage or nonrepairable title is the only evidence required to obtain a  
18 salvage or nonrepairable title.

19           **SECTION 2. Act subject to petition - effective date.** This act  
20 takes effect at 12:01 a.m. on the day following the expiration of the  
21 ninety-day period after final adjournment of the general assembly; except  
22 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
23 of the state constitution against this act or an item, section, or part of this  
24 act within such period, then the act, item, section, or part will not take  
25 effect unless approved by the people at the general election to be held in

1 November 2022 and, in such case, will take effect on the date of the  
2 official declaration of the vote thereon by the governor.