

CHAPTER 260

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 21-1291

BY REPRESENTATIVE(S) Van Winkle and Exum, Bennett, Hooton, Ricks, Snyder;
also SENATOR(S) Winter and Priola, Smallwood.

AN ACT

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

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

SECTION 1. In Colorado Revised Statutes, 42-6-110, **amend** (1.5)(a); and **add** (1.5)(c) as follows:

42-6-110. Certificate of title - transfer - department records - rules.

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

(c) AS USED IN THIS SUBSECTION (1.5), "AUTHORIZED AGENT OF AN INSURER" MEANS A PERSON WHO HAS BEEN AUTHORIZED ON FORMS PROMULGATED BY THE DEPARTMENT TO BE AN AGENT OF THE INSURER FOR THE PURPOSE OF DISPOSING OF A VEHICLE THAT HAS BEEN DECLARED A TOTAL LOSS.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

adjournment of the general assembly; 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 be held in November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 18, 2021