

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0071.01 Josh Schultz x5486

HOUSE BILL 24-1089

HOUSE SPONSORSHIP

Hamrick and Frizell,

SENATE SPONSORSHIP

(None),

House Committees
Finance

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE USE OF ELECTRONIC NOTIFICATIONS FOR VEHICLE
102 TRANSACTIONS.

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>.)

Section 1 of the bill requires the department of revenue (department) to create a process for a vehicle owner to request to receive and for the department to provide electronic communications and notifications, instead of written notifications, concerning vehicle transactions, including electronic notifications for vehicle registration renewals and issuance of license plates. The department is not permitted,

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

however, to provide electronic notifications for the revocation of a vehicle registration or license plate. The bill also requires the department to adopt rules to create procedures for a vehicle owner to request the electronic notification.

Sections 2 and 3 make conforming amendments limiting requirements for written notification to transactions related to drivers' licenses and certain other transactions.

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

SECTION 1. In Colorado Revised Statutes, **add** 42-1-236 as follows:

42-1-236. Electronic notification of transactions involving vehicles - rules - definitions - repeal. (1) NO LATER THAN JANUARY 1, 2025, THE DEPARTMENT SHALL CREATE A PROCESS FOR AN OWNER TO REQUEST TO RECEIVE AND FOR THE DEPARTMENT TO PROVIDE ELECTRONIC NOTIFICATION, IN LIEU OF WRITTEN NOTIFICATION, OF DEPARTMENT NOTICES AND TRANSACTIONS UNDER ARTICLE 3 OR 6 OF THIS TITLE 42.

(2) (a) EXCEPT AS PROVIDED IN SUBSECTION (2)(b) OF THIS SECTION, IF AN OWNER REQUESTS ELECTRONIC NOTIFICATION OF THE IMPENDING EXPIRATION OF THE VEHICLE'S REGISTRATION, THE DEPARTMENT MAY ISSUE NOTICES OR OTHERWISE COMMUNICATE WITH THE OWNER ELECTRONICALLY CONCERNING VEHICLE TRANSACTIONS UNDER ARTICLE 3 OR 6 OF THIS TITLE 42. THE VEHICLE TRANSACTION NOTICES OR OTHER COMMUNICATIONS MAY INCLUDE:

(I) NOTICES REGARDING:

(A) VEHICLE REGISTRATION EXPIRATION;

(B) IDENTIFYING PLATE AND IDENTIFYING PLACARD, AS DEFINED IN SECTION 42-3-204 (1)(g) AND (1)(f), RENEWAL;

(C) VEHICLE CERTIFICATE OF TITLE ISSUANCE;

(D) FLEET VEHICLE REGISTRATION RENEWAL; AND

1 (E) DEALER LICENSE PLATE AND DEPOT TAG ISSUANCE; AND

2 (II) COMMUNICATIONS ABOUT MISSING DOCUMENTATION.

3 (b) THE DEPARTMENT SHALL NOT USE ELECTRONIC MEANS TO
4 NOTIFY AN OWNER OF THE REVOCATION OF A VEHICLE REGISTRATION DUE
5 TO DISHONORED PAYMENT PURSUANT TO SECTION 42-3-123 OR THE
6 REVOCATION OF AN IDENTIFYING PLATE OR IDENTIFYING PLACARD
7 PURSUANT TO SECTION 42-3-204 (7).

8 (c) ON OR BEFORE DECEMBER 31, 2024, THE DEPARTMENT SHALL
9 PROMULGATE RULES FOR IMPLEMENTING THE ELECTRONIC NOTIFICATION
10 PROCESS DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION.

11 (3) ANY ELECTRONIC COMMUNICATION MADE PURSUANT TO THIS
12 SECTION MUST INCLUDE ANY NOTIFICATION INFORMATION REQUIRED BY
13 ARTICLE 3 OR 6 OF THIS TITLE 42.

14 (4)(a) THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY FROM
15 THE COLORADO DRIVES VEHICLE SERVICES ACCOUNT, CREATED IN
16 SECTION 42-1-211 (2), TO THE DEPARTMENT OF REVENUE TO DEVELOP THE
17 SOFTWARE TO IMPLEMENT THIS SECTION.

18 (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2026.

19 **SECTION 2.** In Colorado Revised Statutes, 42-2-119, **amend** (2)
20 as follows:

21 **42-2-119. Notices - change of address or name.** (2) All notices
22 and orders required to be given to any licensee ~~or registered owner~~ under
23 ~~the provisions of the motor vehicle laws shall~~ THIS ARTICLE 2 MUST be
24 GIVEN in writing and, if mailed, postpaid by first-class mail to ~~him or her~~
25 THE LICENSEE at the last-known address shown by the records kept by the
26 department pursuant to this ~~article. Such mailing shall be~~ ARTICLE 2. THE
27 MAILING IS sufficient notice in accord with the motor vehicle laws. Any

1 notice or order of the department mailed first class under the provisions
2 of this ~~title~~ TITLE 42 creates a presumption for administrative purposes
3 that ~~such~~ THE notice or order was received if the department maintains a
4 copy of the notice or order and maintains a certification that the notice or
5 order was deposited in the United States mail by an employee of the
6 department. Evidence of a copy of the notice mailed to the last-known
7 address of the licensee, as shown by the records kept by the department
8 pursuant to this ~~article~~ ARTICLE 2, and a certification of mailing by a
9 department employee; ~~or~~ evidence of delivery of notice in person to the
10 last-known address of the licensee, as shown by the records kept by the
11 department pursuant to this ~~article~~, ARTICLE 2; or evidence of personal
12 service upon the licensee or upon ~~any~~ AN attorney appearing on the
13 licensee's behalf of the order of denial, cancellation, suspension, or
14 revocation of the license by the executive director of the department or by
15 the executive director's duly authorized representative is prima facie proof
16 that the licensee received personal notice of ~~said~~ THE denial, cancellation,
17 suspension, or revocation.

18 **SECTION 3.** In Colorado Revised Statutes, 42-2-120, **amend** (1)
19 as follows:

20 **42-2-120. Methods of service.** (1) Any notice or order required
21 to be served under ~~the provisions of the motor vehicle laws~~ THIS ARTICLE
22 2 may be served in any manner reasonably designed to notify the person
23 to be served of the material provisions of ~~such~~ THE notice or order. A
24 person has been served with a notice or order when ~~such~~ THE person has
25 knowledge of the material provisions of ~~such~~ THE notice or order,
26 regardless of the manner in which ~~such~~ THE knowledge was acquired.
27 Any irregularity in the form or manner of service or documentation of the

1 proof of service or the means by which knowledge of the material
2 provisions of a notice or order is acquired ~~shall~~ DOES not affect the
3 validity of ~~such~~ THE notice or order.

4 **SECTION 4. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly; except
7 that, if a referendum petition is filed pursuant to section 1 (3) of article V
8 of the state constitution against this act or an item, section, or part of this
9 act within such period, then the act, item, section, or part will not take
10 effect unless approved by the people at the general election to be held in
11 November 2024 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.