

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

ENGROSSED

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

LLS NO. 24-0071.01 Josh Schultz x5486

HOUSE BILL 24-1089

HOUSE SPONSORSHIP

Hamrick and Frizell,

SENATE SPONSORSHIP

Zenzinger and Pelton R.,

House Committees

Finance
Appropriations

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.*

HOUSE
Amended 2nd Reading
March 15, 2024

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.

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

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

4 **42-1-236. Electronic notification of transactions involving**
5 **vehicles - rules - definitions - repeal.** (1) NO LATER THAN MARCH 31,
6 2026, THE DEPARTMENT SHALL CREATE A PROCESS FOR AN OWNER TO
7 REQUEST TO RECEIVE AND FOR THE DEPARTMENT TO PROVIDE ELECTRONIC
8 NOTIFICATION, IN LIEU OF WRITTEN NOTIFICATION, OF DEPARTMENT
9 NOTICES AND TRANSACTIONS UNDER ARTICLE 2, 3, OR 6 OF THIS TITLE 42.

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

17 (I) NOTICES REGARDING:

18 (A) VEHICLE REGISTRATION EXPIRATION;

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

21 (C) VEHICLE CERTIFICATE OF TITLE ISSUANCE;

22 (D) FLEET VEHICLE REGISTRATION RENEWAL; ■

- 1 (E) HEARINGS;
- 2 (F) DRIVER'S LICENSES; AND
- 3 (G) DEALER LICENSE PLATE AND DEPOT TAG ISSUANCE; AND
- 4 (II) COMMUNICATIONS ABOUT MISSING DOCUMENTATION.

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

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

13 (3) ANY ELECTRONIC COMMUNICATION MADE PURSUANT TO THIS
14 SECTION MUST INCLUDE ANY NOTIFICATION INFORMATION REQUIRED BY
15 ARTICLE 2, 3, OR 6 OF THIS TITLE 42.

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

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

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

23 **42-2-119. Notices - change of address or name.** (2) All notices
24 and orders required to be given to any licensee ~~or registered owner~~ under
25 ~~the provisions of the motor vehicle laws shall~~ THIS ARTICLE 2 MUST be
26 PROVIDED THROUGH ELECTRONIC NOTIFICATION OR GIVEN in writing and,
27 if mailed, postpaid by first-class mail to ~~him or her~~ THE LICENSEE at the

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

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

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

1 knowledge of the material provisions of ~~such~~ THE notice or order,
2 regardless of the manner in which ~~such~~ THE knowledge was acquired.
3 Any irregularity in the form or manner of service or documentation of the
4 proof of service or the means by which knowledge of the material
5 provisions of a notice or order is acquired ~~shall~~ DOES not affect the
6 validity of ~~such~~ THE notice or order.

7 **SECTION 4.** In Colorado Revised Statutes, 42-2-127, **amend**
8 (8)(a) as follows:

9 **42-2-127. Authority to suspend license - to deny license - type**
10 **of conviction - points.** (8) (a) Whenever the department's records show
11 that a licensee has accumulated a sufficient number of points to be subject
12 to license suspension, the department shall notify the licensee that a
13 hearing will be held not less than twenty days after the date of the notice
14 to determine whether the licensee's driver's license should be suspended.
15 The notification shall be given to the licensee THROUGH ELECTRONIC
16 NOTIFICATION OR in writing by regular mail, addressed to the address of
17 the licensee as shown by the records of the department.

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