

CHAPTER 51

INSURANCE

HOUSE BILL 95-1282

BY REPRESENTATIVES Prinzier, Martin, Owen, and Paschall;
also SENATOR R. Powers.

AN ACT**CONCERNING THE EXCLUSION OF RENTAL VEHICLES FROM CERTAIN PROVISIONS REGULATING
MOTOR VEHICLE INSURANCE.**

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

SECTION 1. 10-1-102, Colorado Revised Statutes, 1994 Repl. Vol., is amended
BY THE ADDITION OF A NEW SUBSECTION to read:

10-1-102. Definitions. As used in this title, unless the context otherwise requires:

(8.5) "MOTOR VEHICLE RENTAL COMPANY" MEANS AN ENTITY THAT IS IN THE BUSINESS OF RENTING MOTOR VEHICLES TO ANY PERSON FOR TRANSPORTATION PURPOSES FOR A FEE THAT IS CALCULATED PURSUANT TO A RENTAL AGREEMENT THAT IS KNOWN, FOR PURPOSES OF THIS TITLE, AS A "MOTOR VEHICLE RENTAL AGREEMENT".

SECTION 2. 10-4-601 (2) (a), Colorado Revised Statutes, 1994 Repl. Vol., is amended to read:

10-4-601. Definitions. As used in this part 6, unless the context otherwise requires:

(2) "Policy" means an automobile insurance policy providing coverage for all or any of the following coverages: Collision, comprehensive, bodily injury liability, property damage liability, medical payments, and uninsured motorist coverage, or a combination automobile policy providing bodily injury liability, property damage liability, medical payments, uninsured motorist, and physical damage coverage, delivered or issued for delivery in this state, insuring a single individual, or husband and wife, or family members residing in the same household, as named insured, and under which the insured vehicles therein designated are of the following types only:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(a) A motor vehicle of the private passenger or station wagon type that is not used as a public or livery conveyance for passengers nor rented to others PURSUANT TO THE TERMS OF A MOTOR VEHICLE RENTAL AGREEMENT; or

SECTION 3. 10-4-608, Colorado Revised Statutes, 1994 Repl. Vol., is amended to read:

10-4-608. Exemptions. (1) This part 6 shall not apply to any policy:

(a) Issued under an assigned risk plan established under section 10-4-412; ~~or to any policy~~

(b) Insuring more than four automobiles; ~~or to any policy~~

(c) ARISING OUT OF A MOTOR VEHICLE RENTAL AGREEMENT OR ANY SELF-INSURANCE THEREOF;

(d) Covering a garage, automobile sales agency, repair shop, service station, or public parking place operation hazard; ~~or to any policy of insurance~~

(e) Issued principally to cover personal or premises liability of an insured even though such insurance may also provide some incidental coverage for liability arising out of the ownership, maintenance, or use of a motor vehicle on the premises of such insured, or on the ways immediately adjoining such premises.

SECTION 4. 10-4-609 (1), Colorado Revised Statutes, 1994 Repl. Vol., is amended to read:

10-4-609. Insurance protection against uninsured motorists - applicability.

(1) (a) No automobile liability or motor vehicle liability policy insuring against loss resulting from liability imposed by law for bodily injury or death suffered by any person arising out of the ownership, maintenance, or use of a motor vehicle shall be delivered or issued for delivery in this state with respect to any motor vehicle licensed for highway use in this state unless coverage is provided therein or supplemental thereto, in limits for bodily injury or death set forth in section 42-7-103 (2), C.R.S., under provisions approved by the commissioner, for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles because of bodily injury, sickness, or disease, including death, resulting therefrom; except that the named insured may reject such coverage in writing.

(b) THIS SUBSECTION (1) SHALL NOT APPLY TO MOTOR VEHICLE RENTAL AGREEMENTS OR MOTOR VEHICLE RENTAL COMPANIES.

SECTION 5. Effective date - applicability. This act shall take effect upon passage, and shall apply to agreements entered into and acts occurring on and after said date.

SECTION 6. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 7, 1995