

CHAPTER 249

PROFESSIONS AND OCCUPATIONS

HOUSE BILL 96-1302

BY REPRESENTATIVES Kaufman and Jerke;
also SENATOR Matsunaka.

AN ACT

CONCERNING THE REMOVAL OF VEHICLES ILLEGALLY LEFT UNATTENDED, AND, IN CONNECTION THEREWITH, EXEMPTING TOWING CARRIERS FROM USED MOTOR VEHICLE DEALER LICENSING REQUIREMENTS.

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

SECTION 1. 12-6-102 (17), Colorado Revised Statutes, 1991 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

12-6-102. Definitions. As used in this part 1, unless the context otherwise requires:

(17) "Used motor vehicle dealer" means any person who, for commission or with intent to make a profit or gain of money or other thing of value, sells, exchanges, leases, offers, or attempts to negotiate a sale or exchange of an interest in used motor vehicles or who is engaged wholly or in part in the business of selling used motor vehicles, whether or not such motor vehicles are owned by such person. The sale of three or more used motor vehicles or the offering for sale of more than three used motor vehicles at the same address or telephone number in any one calendar year shall be prima facie evidence that a person is engaged in the business of selling used motor vehicles. "Used motor vehicle dealer" includes any owner of real property who allows more than three used motor vehicles to be offered for sale on such property during one calendar year unless said property is leased to a licensed used motor vehicle dealer or a licensed motor vehicle auctioneer, as defined in subsection (12.6) of this section. "Used motor vehicle dealer" does not include:

(h) AN OPERATOR, AS DEFINED IN SECTION 42-4-1802 (5), C.R.S., WHO SELLS A MOTOR VEHICLE PURSUANT TO SECTION 42-4-1806 (2), C.R.S.

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

SECTION 2. 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: June 1, 1996