

## CHAPTER 146

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**MOTOR VEHICLES AND TRAFFIC REGULATION**


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**HOUSE BILL 97-1262**

BY REPRESENTATIVES McElhany, Lamborn, and Smith;  
also SENATORS Ament, Bishop, Mutzebaugh, Perlmutter, and Powers.

**AN ACT**

CONCERNING THE MILEAGE AT WHICH A MOTOR VEHICLE IS DEEMED TO BE A USED MOTOR VEHICLE.

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

**SECTION 1.** 42-6-102 (8) and (16), Colorado Revised Statutes, 1993 Repl. Vol., as amended, are amended to read:

**42-6-102. Definitions.** As used in this part 1, unless the context otherwise requires:

(8) "New vehicle" means any motor vehicle being transferred for the first time from a manufacturer or importer, or dealer or agent of a manufacturer or importer, and which motor vehicle had previously not been used and is what is commonly known as a new motor vehicle. A motor vehicle ~~which~~ THAT has been used by a dealer solely for the purpose of demonstration to prospective customers shall be considered a "new vehicle" unless such demonstration use has been for more than ~~two hundred~~ ONE THOUSAND FIVE HUNDRED miles. Motor vehicles having a gross vehicle weight rating of sixteen thousand pounds or more shall be exempt from this definition.

(16) "Used vehicle" means any motor vehicle ~~which~~ THAT has been sold, bargained, exchanged, or given away, or the title thereto transferred from the person who first took title thereto from the manufacturer or importer, dealer, or agent of the manufacturer or importer, or so used as to have become what is commonly known as a secondhand motor vehicle. A motor vehicle ~~which~~ THAT has been used by a dealer for the purpose of demonstration to prospective customers shall be considered a "used vehicle" if such demonstration use has been for more than ~~two hundred~~ ONE THOUSAND FIVE HUNDRED miles.

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*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.** 42-6-201 (8), Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended to read:

**42-6-201. Definitions.** As used in this part 2, unless the context otherwise requires:

(8) "Used motor vehicle" means every self-propelled motor vehicle having a gross weight of less than sixteen thousand pounds ~~which~~ THAT has been sold, bargained for, exchanged, given away, leased, loaned, or driven as a "company executive car" or the title to which has been transferred from the person who first acquired it from the manufacturer or importer and it is so used as to have become what is commonly known as "secondhand" within the ordinary meaning thereof. A previously untitled motor vehicle ~~which~~ THAT has been driven by the dealer for more than ~~two hundred~~ ONE THOUSAND FIVE HUNDRED miles, excluding mileage incurred in the transit of the motor vehicle from the manufacturer to the dealer or from another dealer to the dealer, shall be considered a "used motor vehicle". This shall not apply to any automobile manufactured before January 1, 1942.

**SECTION 3. Effective date - applicability.** (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) The provisions of this act shall apply to any existing motor vehicle with a mileage of less than one thousand five hundred miles on the applicable effective date of this act and to any motor vehicle manufactured on or after said date.

Became Law: April 29, 1997