

CHAPTER 316

INSURANCE

HOUSE BILL 00-1298

BY REPRESENTATIVES Swenson, Bacon, Clarke, Coleman, Gordon, Kester, Larson, Plant, Saliman, Smith, Spradley, Taylor, Tochtrop, S. Williams, and Zimmerman;
also SENATOR Weddig.

AN ACT

CONCERNING REQUIRED AUTOMOBILE INSURANCE COVERAGE.

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

SECTION 1. 10-4-710, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

10-4-710. Required coverages are minimum. (5) NO INSURER MAY SURCHARGE, REFUSE TO WRITE, CANCEL OR NON-RENEW A COMPLYING POLICY OF AUTOMOBILE INSURANCE BASED SOLELY ON THE METHOD OF COMPLIANCE OR LEVEL OF COVERAGE CHOSEN, AS LONG AS THE REQUIREMENTS ARE MET UNDER SECTION 42-3-105 (1) (c) (I) OR (1) (e).

SECTION 2. 42-3-105 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

42-3-105. Application for registration - tax - repeal. (1) (e) THE OWNER OF A MOTOR VEHICLE THAT IS REQUIRED TO BE REGISTERED UNDER THIS ARTICLE NEED NOT COMPLY WITH SUBPARAGRAPH (I) OF PARAGRAPH (c) OF THIS SUBSECTION (1) IF SUCH OWNER SIGNS AND SUBMITS TO THE DEPARTMENT IN COMPLIANCE WITH THIS PARAGRAPH (e) A WRITTEN STATEMENT OF NONUSE. SUCH WRITTEN STATEMENT OF NONUSE SHALL INCLUDE:

(I) THE NAME, DATE OF BIRTH, DRIVER'S LICENSE NUMBER, AND ADDRESS OF THE MOTOR VEHICLE'S OWNER;

(II) THE MAKE, YEAR, AND VEHICLE IDENTIFICATION NUMBER OF THE MOTOR

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

VEHICLE;

(III) THE TIME PERIOD DURING WHICH SUCH VEHICLE WILL NOT BE OPERATED AND A STATEMENT THAT THE OWNER IS NEITHER OPERATING SUCH VEHICLE NOR PERMITTING ANY OTHER PERSON TO OPERATE SUCH VEHICLE DURING THE TIME PERIOD STATED; AND

(IV) PROOF THAT THE OWNER CURRENTLY HAS INSURANCE COVERAGE UNDER SUBPARAGRAPH (I) OF PARAGRAPH (c) OF THIS SUBSECTION (1).

SECTION 3. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

SECTION 4. Effective date. 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.

Approved: June 1, 2000