

CHAPTER 107

PROFESSIONS AND OCCUPATIONS

HOUSE BILL 04-1306

BY REPRESENTATIVE(S) Jahn, Borodkin, Frangas, and McFadyen;
also SENATOR(S) Kester and Jones.

AN ACT

CONCERNING THE ISSUANCE OF LICENSES TO PERSONS WHO ARE IN THE BUSINESS OF SELLING MOTOR VEHICLES.

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

SECTION 1. 12-6-116 (3), Colorado Revised Statutes, is amended to read:

12-6-116. Notice of change of address or status. (3) ~~Should any~~ IF A motor vehicle salesperson ~~be~~ IS discharged, ~~or leave~~ LEAVES an employer, or ~~change~~ CHANGES a place of employment, the motor vehicle dealer or used motor vehicle dealer who last employed ~~said~~ THE salesperson shall confiscate and ~~forthwith~~ return such salesperson's license to the board. UPON BEING REEMPLOYED AS A MOTOR VEHICLE SALESPERSON, THE MOTOR VEHICLE SALESPERSON SHALL NOTIFY THE BOARD. UPON RECEIVING SUCH NOTIFICATION, THE BOARD SHALL ISSUE A NEW LICENSE FOR THE UNEXPIRED PORTION OF SUCH RETURNED LICENSE AFTER COLLECTING A FEE SET PURSUANT TO SECTION 12-6-110 (5). It shall be unlawful for such salesperson to act as a motor vehicle salesperson until a new license is procured.

SECTION 2. 12-6-110 (1)(g) and (2.5), Colorado Revised Statutes, are amended to read:

12-6-110. Fees - disposition - expenses - expiration of licenses. (1) There shall be collected with each application the fee established pursuant to subsection (5) of this section for each of the following licenses:

(g) Motor vehicle salesperson's license, INCLUDING, BUT NOT LIMITED TO, REISSUING A LICENSE;

(2.5) If an application for a buyer agent's, motor vehicle dealer's, used 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vehicle dealer's, wholesaler's, or salesperson's license is ~~denied by the board or the executive director or~~ withdrawn by the applicant prior to issuance of the license, one-half of the license fee shall be refunded.

SECTION 3. 12-6-110 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

12-6-110. Fees - disposition - expenses - expiration of licenses.

(3) (e) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (3), A PERSON HAS A THIRTY-DAY GRACE PERIOD AFTER HIS OR HER LICENSE EXPIRES, AND THE PERSON MAY RENEW THE LICENSE WITHIN SUCH THIRTY DAYS PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (3), SO LONG AS THE PERSON HAS A BOND IN FULL FORCE AND EFFECT THAT COMPLIES WITH THE APPLICABLE BONDING REQUIREMENTS OF SECTION 12-6-111, 12-6-112, OR 12-6-112.2 DURING SUCH THIRTY-DAY PERIOD. A PERSON APPLYING DURING THE THIRTY-DAY GRACE PERIOD SHALL PAY A LATE FEE ESTABLISHED PURSUANT TO SUBSECTION (5) OF THIS SECTION.

SECTION 4. 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 (August 4, 2004, if adjournment sine die is on May 5, 2004); 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 applications submitted or fees due on or after the applicable effective date of this act.

Approved: April 7, 2004