

CHAPTER 270

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 08-1136

BY REPRESENTATIVE(S) Summers, Gardner B., Looper, Kerr J., Todd, and Frangas;
also SENATOR(S) Boyd, and Williams.

AN ACT

**CONCERNING VERIFICATION THAT A MOTOR VEHICLE HAS NOT BEEN STOLEN BY USING THE
COLORADO MOTOR VEHICLE VERIFICATION SYSTEM.**

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

SECTION 1. 42-3-118, Colorado Revised Statutes, is amended to read:

42-3-118. Registration suspended upon theft - recovery - rules - repeal.

(1) (a) If the owner of a registered vehicle files an affidavit with the department alleging the theft of the vehicle, the department shall immediately suspend the registration of such vehicle and shall not transfer the registration of or reregister such vehicle until notified that the owner has recovered such vehicle. The notice given by the owner under this section shall be effective only during the current registration year in which given, but, if during such year such vehicle is not recovered, a new affidavit may be filed during the ensuing year. An owner who has filed an affidavit of theft shall immediately notify the department of the recovery of the vehicle.

(b) THIS SUBSECTION (1) IS REPEALED EFFECTIVE JULY 1, 2009.

(2) (a) AFTER RECEIVING AN APPLICATION FOR A MOTOR VEHICLE REGISTRATION, THE DEPARTMENT OR ITS AUTHORIZED AGENT SHALL ELECTRONICALLY VERIFY WITH THE DEPARTMENT OF PUBLIC SAFETY THAT THE MOTOR VEHICLE HAS NOT BEEN REPORTED STOLEN. THE DEPARTMENT OR ITS AUTHORIZED AGENT SHALL NOT REGISTER A MOTOR VEHICLE REPORTED STOLEN IN THE SYSTEM UNTIL THE VEHICLE IS RECOVERED BY THE OWNER. THE DEPARTMENT SHALL PROMULGATE RULES SETTING FORTH PROCEDURES TO NOTIFY THE LOCAL LAW ENFORCEMENT AGENCY UPON DISCOVERY THAT A PERSON IS ATTEMPTING TO REGISTER A STOLEN MOTOR VEHICLE.

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

(b) THIS SUBSECTION (2) IS EFFECTIVE JULY 1, 2009.

SECTION 2. 42-4-2203 (1) and (3), Colorado Revised Statutes, are amended to read:

42-4-2203. Vehicle verification system - fees - rules. (1) The Colorado motor vehicle verification system is hereby created within the Colorado bureau of investigation. The system shall be a database system that uses a motor vehicle's vehicle identification number to ascertain whether the motor vehicle has been stolen. The system shall be accessible through the internet by motor vehicle dealers, motor vehicle recyclers, automobile repair shops, licensed tow operators, THE DEPARTMENT OF REVENUE AND ITS AUTHORIZED AGENTS, and the general public.

(3) Users of the system shall pay a fee as established by the department of public safety in an amount necessary to fund the direct and indirect costs of administering the system; EXCEPT THAT NEITHER THE DEPARTMENT OF REVENUE NOR ITS AUTHORIZED AGENT SHALL PAY A FEE FOR THE USE OF THE SYSTEM.

SECTION 3. 42-6-145, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

42-6-145. Use of vehicle identification numbers in applications - rules.

(3) (a) AFTER RECEIVING AN APPLICATION FOR A CERTIFICATE OF TITLE, THE DEPARTMENT OR ITS AUTHORIZED AGENT SHALL ELECTRONICALLY VERIFY WITH THE DEPARTMENT OF PUBLIC SAFETY THAT THE MOTOR VEHICLE HAS NOT BEEN REPORTED STOLEN. THE DEPARTMENT SHALL NOT REGISTER A MOTOR VEHICLE REPORTED STOLEN IN THE SYSTEM UNTIL THE VEHICLE IS RECOVERED BY THE OWNER.

(b) THE DEPARTMENT SHALL PROMULGATE RULES SETTING FORTH PROCEDURES TO NOTIFY THE LOCAL LAW ENFORCEMENT AGENCY UPON DISCOVERY THAT A PERSON IS ATTEMPTING TO OBTAIN A CERTIFICATE OF TITLE FOR A STOLEN MOTOR VEHICLE.

(c) THIS SUBSECTION (3) IS EFFECTIVE JULY 1, 2009.

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, (August 6, 2008, if adjournment sine die is on May 7, 2008); 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: May 21, 2008