

CHAPTER 388

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 14-131

BY SENATOR(S) King, Aguilar, Baumgardner, Cadman, Crowder, Grantham, Guzman, Heath, Herpin, Hodge, Jahn, Kerr, Newell, Rivera, Roberts, Scheffel, Steadman, Tochtrop, Todd, Ulibarri; also REPRESENTATIVE(S) Wright, Conti, Holbert, Labuda, Lawrence, Lee, Mitsch Bush, Schafer, Scott, Tyler, Rosenthal, Ryden.

AN ACT

CONCERNING THE REMOVAL OF CERTAIN IDENTIFYING INFORMATION FROM A MOTOR VEHICLE REGISTRATION CARD.

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

SECTION 1. In Colorado Revised Statutes, 42-3-105, amend (2) as follows:

42-3-105. Application for registration - tax. (2) Upon applying for registration, the owner of a motor vehicle or low-power scooter shall receive a written notice printed on the application for registration in type that is larger than the other information contained on the application for registration. Such notice THE DEPARTMENT shall state ADVISE THE APPLICANT IN THE NOTICE that motor vehicle insurance or operator's coverage is compulsory in Colorado, that noncompliance is a misdemeanor traffic offense, that the minimum penalty for such offense is a five-hundred-dollar fine, and that the maximum penalty for such offense is one year's imprisonment and a one-thousand-dollar fine, and that such THE owner shall be is required as a condition of obtaining a registration card to sign an affirmation clause that appears on the registration. The clause shall state, "I swear or affirm in accordance with section 24-12-102, C.R.S. under penalty of perjury that I now have in effect a complying policy of motor vehicle insurance including an operator's policy pursuant to part 6 of article 4 of title 10, C.R.S., or a certificate of self-insurance to cover the vehicle or operator of the vehicle for which this registration is issued, and I understand that such insurance must be renewed so that coverage is continuous.

Signature _____, Date _____." REGISTERING THE VEHICLE TO EITHER:

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

(a) SIGN A STATEMENT OF NONUSE UNDER PARAGRAPH (f) OF SUBSECTION (1) OF THIS SECTION; OR

(b) PROVIDE PROOF OF INSURANCE UNDER PARAGRAPH (d) OF SUBSECTION (1) OF THIS SECTION.

SECTION 2. In Colorado Revised Statutes, 42-3-113, **amend** (2) introductory portion, (2) (h), (5), (7), and (8) (a) (I); **repeal** (2) (d) (V); and **add** (2.5) as follows:

42-3-113. Records of application and registration. (2) EXCEPT AS PROVIDED IN SUBSECTION (2.5) OF THIS SECTION, the department, upon registering a vehicle, shall issue to the owner ~~a registration card~~ TWO REGISTRATION CARDS, EACH OF WHICH ~~shall contain~~ CONTAINS upon its face the following:

(d) A notice, in type that is larger than the other information contained on the registration card:

~~(V) That such owner shall be required upon receipt of the registration card to sign the affirmation clause on such card that states:~~

~~I swear or affirm under penalty of perjury that I now have in effect a complying policy of motor vehicle insurance pursuant to part 6 of article 4 of title 10, C.R.S., or a certificate of self-insurance to cover the vehicle for which this registration is issued, and I understand that such insurance must be renewed so that coverage is continuous.~~

~~Signature _____, Date _____.~~

(h) Such other statements of fact as may be determined by the department, BUT NOT THE OWNER'S SIGNATURE.

(2.5) NOTWITHSTANDING SUBSECTION (2) OF THIS SECTION, THE DEPARTMENT SHALL PRINT ONE REGISTRATION CARD WITHOUT THE OWNER'S ADDRESS AND ISSUE THE CARD TO THE OWNER; EXCEPT THAT, IF THE MOTOR VEHICLE IS A COMMERCIAL VEHICLE, THE DEPARTMENT SHALL PRINT BOTH REGISTRATION CARDS ISSUED TO THE OWNER WITH THE OWNER'S ADDRESS. THE DEPARTMENT SHALL PRINT THE FOLLOWING STATEMENT ON EACH REGISTRATION CARD THAT IS PRINTED WITHOUT AN ADDRESS:

"THIEVES HAVE BEEN KNOWN TO USE THE ADDRESS FROM A REGISTRATION CARD TO STEAL FROM THE VEHICLE'S OWNER. FOR ADDED SECURITY, YOU ARE ENCOURAGED TO KEEP ONLY THIS REGISTRATION CARD IN YOUR VEHICLE. IT DOES NOT CONTAIN YOUR ADDRESS."

~~(5) The owner, upon receiving the registration card, shall sign the usual signature or name of such owner with pen and ink in the space provided upon the face of such card. THE DEPARTMENT SHALL NOT REQUIRE THE OWNER TO SIGN THE REGISTRATION CARD.~~

~~(7) Within thirty days after moving from an address or changing the name of the owner listed upon a vehicle registration, a person shall notify the county of residence in which the vehicle is to be registered. in writing of the person's old and~~

~~new address, including county, or old and new name, the registration numbers assigned to the vehicles for which the address is being changed, and the registration numbers for all registrations then held by such person.~~

(8) (a) As used in this subsection (8):

(I) "Eligible vehicle" means a motor vehicle that has a valid certificate of registration issued by the department of revenue to a person whose address of record ~~on such certificate~~ is within the boundaries of the program area, as defined in section 42-4-304 (20). The term "eligible vehicle" ~~shall~~ DOES not include motor vehicles held for lease or rental to the general public, motor vehicles held for sale by motor vehicle dealers, including demonstration vehicles, motor vehicles used for motor vehicle manufacturer product evaluations or tests, law enforcement and other emergency vehicles, or nonroad vehicles, including farm and construction vehicles.

SECTION 3. In Colorado Revised Statutes, 42-4-1409, **repeal** (7) as follows:

~~**42-4-1409. Compulsory insurance - penalty - legislative intent.** (7) The owner of a motor vehicle or low-power scooter, upon receipt of an affirmation of insurance as described in section 42-3-113 (2) and (3), shall sign and date such affirmation in the space provided.~~

SECTION 4. 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 5. Effective date - applicability. This act takes effect July 1, 2014, and applies to registrations issued or renewed or to offenses committed on or after said date.

SECTION 6. 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 6, 2014