

**Senate Transportation & Energy**

**04/14/2025 01:30 PM**

**HB25-1117 Vehicle Immobilization Company Regulation**

**Typed Text of Testimony Submitted**

<b>Name, Position, Representing</b>	<b>Typed Text of Testimony</b>
<p>Fernanda Reyes Against themselves</p>	<p>I live at the Buffalo Ridge Apartments in Avon, CO, and I also operate a short-term rental company. I strongly believe this bill will negatively impact how parking is managed throughout the valley. We've already experienced issues with vehicles parking illegally at homes, condos, and even at my own apartment complex—vehicles that clearly don't belong there.</p> <p>Allowing this kind of behavior to continue unchecked makes it incredibly difficult for property owners and managers to enforce the rules and maintain order. This bill would only make things worse. I'm firmly against it and hope you take into consideration the concerns of both property owners and managers who are directly affected by these changes.</p>
<p>Teresa Sanchez Against themselves</p>	<p>I live in a resort town, and this bill will absolutely impact the property where I reside. It will likely lead to random individuals parking their vehicles and heading off to ski, creating major issues for residents. Our community uses parking stickers to manage and monitor who is allowed to park on the property, and without the ability to boot unauthorized vehicles, people will inevitably take advantage.</p> <p>I am completely opposed to this bill. We are already facing serious parking challenges throughout the valley—many of which are caused by households with more than 10 vehicles assigned to a single apartment. I rent a 3-bedroom apartment where it's just me, my husband, and our two minor children, and we value having our parking available and free of unauthorized vehicles when we get home from work.</p> <p>This bill would make it even harder for responsible tenants to enjoy the spaces they pay for and increase frustration with parking being taken by people who have no business at the property. As someone who has also lived in other apartment communities across the valley, I can say with confidence that this bill would create more problems than it solves—especially for properties managing both short-term and long-term rentals.</p>

## **Testimony in Opposition to HB25-1117: Vehicle Immobilization Company Regulation**

My name is Greg King, owner and operator of Simple Park, a Colorado-based parking management company that serves private property owners, Property Owner Associations (POAs), and Home Owner Associations (HOAs) throughout the state. I started this business in Vail Colorado during the 2020 pandemic when I was president of my HOA and like many HOAs, we suffered severe abuse of our guest parking. I appear before you today to express my strong opposition to House Bill 25-1117.

Simple Park provides a vital service that helps property owners effectively manage their private parking spaces, generate income from underutilized assets, and prevent unauthorized use of their property. Our business model is straightforward: property owners register with our service, receive customized signage, set their own rates and hours, and we handle the rest—monitoring, payment processing, enforcement, and revenue distribution with 75% of earnings going directly back to property owners.

### **The Bill Fundamentally Misunderstands Private Property Rights**

The language does not read as presented. HB25-1117, while well-intentioned, fundamentally misunderstands and undermines the basic rights of private property owners to control access to their property and to enforce those rights through reasonable measures. The vehicle owner must also have accountability in our community. You already have state laws that address booting company behavior. They are already required by laws on your state's books to possess insurance, take photos and videos for this reason.

Private property is not public property. When someone parks on private property without authorization or consent of the owner, they are trespassing. This bill effectively makes it extraordinarily difficult for property owners to enforce their rights against trespassers by creating numerous procedural barriers to the immobilization of improperly parked vehicles.

### **Specific Concerns with HB25-1117**

#### **1. Prohibition on Monitoring Property (Section 40-10.1-807)**

The bill states: "A VEHICLE IMMOBILIZATION COMPANY SHALL NOT PATROL OR MONITOR PROPERTY TO ENFORCE PARKING RESTRICTIONS ON BEHALF OF A PROPERTY OWNER."

This single provision would destroy our entire business model. Our service specifically provides monitoring as a core function for property owners who cannot be physically present at all times. This is especially valuable for:

- Absentee property owners who need assistance managing their property
- HOAs that need consistent enforcement of parking rules
- Property owners who want to monetize their parking assets without handling day-to-day management

By prohibiting this monitoring function, the bill eliminates a key service that property owners actively seek and pay for.

#### **2. Burdensome Permission Requirements (Section 40-10.1-805)**

The bill requires "documented permission...for each individual immobilization, within the twenty-four hours immediately preceding the immobilization."

This requirement is completely unworkable for several reasons:

- It forces property owners to be available 24/7 to grant permission
- It eliminates the ability to have standing authorization agreements

- It makes automated enforcement impossible
- It creates enormous administrative burden for property owners
- It eliminates the value proposition of hiring a service like ours in the first place

### 3. Mandatory 24-Hour Notices (Section 40-10.1-805(3))

The requirement to provide 24-hour notice before immobilization (unless there have been previous notices) effectively grants trespassers a "free pass" for first-time violations. This undermines the very purpose of parking enforcement and creates significant challenges:

- It rewards violators with one free unauthorized use of private property
- It creates administrative tracking burdens to document previous violations
- It makes enforcement inconsistent and confusing for the public
- It forces property owners to subsidize trespassers with a "first offense grace period"

### 4. Excessive Signage Requirements (Section 40-10.1-806)

The extremely detailed signage requirements would force our clients to replace all existing signage at considerable expense. The specifications for size, placement, language, and content go far beyond what is necessary to provide reasonable notice of parking restrictions.

These requirements would:

- Create significant compliance costs for property owners
- Create visual clutter and aesthetic problems at residential properties
- Force retrofitting of existing parking areas that may not accommodate the required sign placements

### 5. Prohibition on Financial Arrangements (Section 40-10.1-814)

The bill prohibits a vehicle immobilization company from paying "money or other valuable consideration for the privilege of immobilizing vehicles."

This provision would make our revenue-sharing model illegal. Currently, we return 75% of parking fees to property owners. This arrangement:

- Incentivizes property owners to make private parking available to the public
- Creates new revenue streams for property owners from underutilized assets
- Helps fund property maintenance and improvements
- Increases available parking options in congested areas

### 6. Payment and Release Requirements (Sections 40-10.1-809 and 40-10.1-811)

The bill's provisions for accepting partial payments (as little as \$60) while requiring immediate release of vehicles undermines the entire financial viability of enforcement. This effectively creates a maximum cap on immobilization fees regardless of the actual cost of service or the severity of the violation.

### Economic Impact on Colorado Communities

If enacted, HB25-1117 would have far-reaching negative consequences:

1. **Loss of Private Property Income:** Property owners across Colorado who rely on parking income would lose a significant revenue stream.
2. **Decreased Available Parking:** Without effective enforcement, property owners will simply close their lots to public use rather than deal with unauthorized parking.
3. **Job Losses:** Companies like mine would be forced to close, resulting in the loss of jobs.
4. **Increased Insurance Costs:** Without proper monitoring and enforcement, liability issues from unauthorized use would increase insurance costs for property owners.
5. **Reduced Property Values:** Commercial and residential properties with parking assets would see decreased valuations due to the inability to effectively manage those assets.

#### The Bill Rewards Trespassing

At its core, this bill rewards and protects those who park on private property without permission. It makes it extraordinarily difficult for property owners to protect their rights through reasonable enforcement measures.

When someone parks on private property without authorization, they are trespassing. This fundamental principle seems lost in the language of this bill, which treats unauthorized parking as if it were a minor administrative matter rather than an intrusion on private property rights.

#### Better Alternatives Exist

Rather than this burdensome approach, I would encourage the legislature to consider alternatives that both protect consumers from predatory practices while respecting private property rights:

1. Establish reasonable fee caps for immobilization services
2. Require clear signage (but with less prescriptive requirements)
3. Create simplified dispute resolution processes
4. Establish licensing requirements for immobilization companies
5. Protect consumers from predatory practices without eliminating effective enforcement

#### Conclusion

While I support consumer protection and reasonable regulation of the vehicle immobilization industry, HB25-1117 goes far beyond what is necessary. Instead, it effectively eliminates the ability of property owners to effectively manage their private parking resources and destroys legitimate businesses like mine that provide valuable services to property owners.

I strongly urge you to vote against HB25-1117 and instead work with industry stakeholders to craft legislation that addresses legitimate consumer concerns without undermining private property rights and destroying Colorado businesses.

Thank you for your consideration.

Respectfully submitted,

Greg King  
Owner, Simple Park

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