

Summary Sheet

Electronic Verification Of Identification For A Motor Vehicle Rental

Representatives: James Coleman & Dave Williams

Senators: Kevin Priola & Brittany Pettersen

Background

- 1) Current law prohibits a person from renting a motor vehicle to another person until the prospective lessor of the vehicle has inspected the prospective lessee's driver's license and compared and verified the signature on the license with the prospective lessee's signature in his or her presence.
- 2) Current law requires a person who rents a motor vehicle to another person to keep a record of the registration number of the motor vehicle, the name and address of the other person, the number of the license of the other person, and the date and place when and where the license was issued.

Purpose

- 1) This bill removes the requirement that the inspection be performed in the prospective lessee's presence and provides that the inspection may be performed through the use of an electronic device. The bill requires the prospective lessor to verify that the prospective lessee's license is unexpired.
- 2) The bill removes the requirement that the record include the date that the license was issued and permits the person who rents the motor vehicle to maintain the record in an electronic format.

Support



**Assumptions.** This analysis assumes that there will be a minimal decrease of traffic infraction cases per year by allowing individuals to verify a driver license electronically.

Visit [leg.colorado.gov/fiscalnotes](http://leg.colorado.gov/fiscalnotes) for more information about criminal justice costs in fiscal notes.

### **State Revenue**

Beginning in FY 2019-20, this bill is anticipated to minimally decrease revenue to the Highway Users Tax Fund (HUTF), of which 65 percent goes to the State Highway Fund in the Colorado Department of Transportation from the decrease of traffic fines. The bill may also minimally decrease revenue to the Judicial Department from court fees and surcharges.

### **State Expenditures**

Beginning in the FY 2019-20, workload in the Judicial Department will decrease to hear fewer Class B traffic infraction under the bill. Using the recent citations issued, as discussed in the Comparable Crime section, the fiscal note assumes that this workload impact will be minimal and no change in appropriations is required.

### **Local Government**

Beginning in FY 2019-20, this bill will decrease local government revenues and workloads, as discussed below.

**HUTF fine revenue.** The bill will minimally decrease local government HUTF revenue. HUTF revenue generated by traffic fines is distributed to counties (26 percent) and municipalities (9 percent) for transportation needs.

**District and city attorneys.** District and city attorneys may see decreased workloads in offices that offer plea deals. District attorney offices are allowed by statute to negotiate plea bargains in traffic infraction cases. To the extent a municipality has adopted the model traffic code, city attorneys will negotiate plea bargains in these cases.

**Denver County and municipal courts.** Similar to state-funded courts, the bill may decrease revenue and workload for the Denver County Court, which is managed and funded by the City and County of Denver, and for municipal courts to the extent that infractions occur in these jurisdictions.

### **Effective Date**

The bill takes effect August 2, 2019, if the General Assembly adjourns on May 3, 2019, as scheduled, and no referendum petition is filed.

### **State and Local Government Contacts**

Information Technology  
Revenue

Judicial  
Transportation

Regulatory Agencies



Legislative  
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 19-1321

# FISCAL NOTE

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<b>Drafting Number:</b>	LLS 19-1093	<b>Date:</b>	April 16, 2019
<b>Prime Sponsors:</b>	Rep. Coleman; Williams D. Sen. Priola	<b>Bill Status:</b>	House Business
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**Bill Topic:** ELECTRONIC VERIFICATION OF ID FOR A MOTOR VEHICLE RENTAL

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**Summary of Fiscal Impact:**

<input checked="" type="checkbox"/> State Revenue ( <i>minimal</i> )	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure ( <i>minimal</i> )	<input checked="" type="checkbox"/> Local Government ( <i>minimal</i> )
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill allows an owner of a rental vehicle to verify a renter's driver license through an electronic device. The bill will decrease state and local revenue and workload on an ongoing basis.

**Appropriation Summary:** No appropriation is required.

**Fiscal Note Status:** The fiscal note reflects the introduced bill.

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## Summary of Legislation

Under current law, an owner who is renting a motor vehicle to another person cannot loan the car unless the owner inspects the driver license of the person who is renting the car. This bill allows the owner to verify the renter's driver license through the use of an electronic device. In addition, under current law, every renter must keep a record of the registration number of the vehicle; the name and address of the owner; the number of the renter's driver's license; and other information on the license. The bill allows the renter to maintain this record in electronic format.

## Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or changes an element of an existing crime. The following sections outline data on crimes that are comparable to the offense in this bill and discuss assumptions on future rates of criminal convictions under the bill.

**Prior conviction data.** This bill changes the element of renting or loaning a motor vehicle to another, to allow for electronic verification. From 2016 to 2018, 14 offenders have been convicted and sentenced for this offense. Of the persons convicted, 11 were male and 3 were female. Demographically, 12 were White, 1 was Hispanic, and 1 did not have a race identified.