

DEPARTMENT OF REVENUE

Division of Motor Vehicles

TITLES AND REGISTRATIONS

1 CCR 204-10

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

Rule 1. TEMPORARY SPECIAL EVENT LICENSE PLATES

Basis: The statutory bases for this regulation are 42-1-204, 42-3-220, and 42-3-301 C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for the issuance of temporary special event license plates.

1.0 Definitions

- 1.1 "Department" means the Department of Revenue, Division of Motor Vehicles State Registration Section.
- 1.2 "Temporary Special Event" means a social gathering or activity that is temporary in nature, not to exceed sixty (60) calendar days in any 12-month period, that may be a one-time or an annual event having a limited or specific function, application, or scope
- 1.3 "Temporary Special Event License Plate" means a temporary special license plate valid for a limited time that is issued to a person or group of people in connection with a temporary special event. "Temporary special event license plate" does not mean a special plate for the purposes of Group Special License Plates, Alumni, or Distinctive Special License Plates.

2.0 Application Process

- 2.1 Upon request the Department shall provide an information packet which shall include: procedures for requesting temporary special event license plates, guidelines for design criteria, guidelines for sales tax computation, a copy of the rules and procedures outlining the temporary special event license plate process.
- 2.2 The Department shall accept applications for temporary special event license plates as completed by the requesting person or group of people, otherwise known as "applicant" and shall review all applications to determine if all statutory and rule requirements have been met.

3.0 Requirements and Process for Temporary Special Event License Plates

- 3.1 The Department may issue temporary special event license plates to a person or group of people in connection with a temporary special event for a passenger vehicle or a truck that does not exceed sixteen thousand pounds empty weight.
- 3.2 An applicant for a temporary special event license plate shall submit to the Department the name, date or dates, and location of the temporary special event to which the request for the temporary special event license plate(s) is connected; the dates the temporary special event license plate(s) are needed; the quantity of temporary special event license plates requested; a list of vehicle information including the vehicle identification number, make, model, and year of each vehicle; a

certified letter stating that insurance coverage will be in place for each vehicle during its use for the period for which the temporary special event license plate is issued; proof of current registration for each vehicle; and any other information required by the Department.

- 3.3 All applications for temporary special event license plates should be completed and submitted to the Department at least ninety (90) days prior to the start of the temporary special event. Only applications on forms provided by the Department will be accepted. The Department will issue application forms and information to all interested persons/groups upon request. Special event application fees shall be mailed directly to and be made payable to the Department of Revenue.
- 3.4 Temporary special event license plates shall be issued only by the Department and are only valid when accompanied by a Letter of Authorization for Use of Temporary Special Event License Plates as issued by the Department for the dates and times as authorized in the letter. Each temporary special event license plate used for the event shall have the Letter of Authorization associated with it at all times that the temporary special event license plates are displayed on the vehicle.
- 3.5 Temporary special event license plates are issued only for the time period specifically stated on the Letter of Authorization. If the temporary special event is held annually, an application must be submitted each subsequent year.
- 3.6 Previously issued temporary special event license plates may be authorized for subsequent use upon request by the organization provided the plates are still legible and not damaged. If the request is approved by the Department, a new letter of authorization will be provided to the applicant. No additional fees will be collected. The organization must comply with all other requirements.
- 3.7 Applicants shall pay the material fee required in 42-3-301 C.R.S. and the special event application fee required in 42-3-220 C.R.S. for each temporary special event license plate requested. Payment of the material fee shall be received by Colorado Correctional Industries and payment of the special event application fee must be received by the Department prior to shipment of the temporary special event license plates. Material fees shall be mailed directly to and made payable to COLORADO CORRECTIONAL INDUSTRIES.
- 3.8 Temporary special event applicants may request that the temporary special event license plates be mailed to them. The Department will not incur any cost for mailing of the temporary special event license plates and the applicant shall provide a means for pre-paid shipping of the temporary special event license plates to be mailed to the Department.
- 3.9 Temporary special event license plates must be designed within the formats established by the Department. The Department shall have final approval authority of the design and reserves the right to deny any application request in which the design may be considered offensive or misleading.
- 3.10 The Department shall work with the temporary special event applicant unless the temporary special event applicant has designated a specific agent for the purpose of obtaining temporary special event license plates. Designation of specific agent shall be provided to the Department in writing by the applicant.
- 3.11 It is the responsibility of the applicant to ensure that the vehicle(s) displaying temporary special event license plates are maintained in a roadworthy condition.
 - A. Vehicles displaying temporary special event license plates must have the vehicles' original issued license plate and registration receipt maintained within the vehicle any time the temporary special event license plate is displayed on the vehicle.

- B. Vehicles that are donated by dealers that are not currently registered shall maintain within the vehicle proof of submittal of use tax paid by the donating dealership on the DR0100A Retail Sales Tax Return for Occasional Sales form any time the temporary special event license plate is displayed on the vehicle.
- 3.12 Sample plates of the finished design will not be provided unless specifically requested. Upon request, the current material fee pursuant to 42-3-301 C.R.S. per single plate will be charged to cover the materials used to produce the sample plate.
- 3.13 Temporary special event license plates shall not display year and month tabs.
- 3.14 Upon expiration of the temporary special event, the temporary special event license plate(s) must be removed from all motor vehicles and become the property of the applicant.
- 3.15 Temporary special event license plates shall only be displayed on vehicles during the approved temporary special event dates as listed on the Department's authorization letter. Requests for adjustments to the temporary special event dates must be made to the Department in writing at least one week prior to the start of the newly requested date(s).
- 3.16 The Department will provide through fax or standard mail the letter of authorization, sample copies of authorized temporary special event license plates, the completed application, vehicle information, and the temporary special event applicant's contact information to the local law enforcement agencies for which the temporary special event is being held. This notification will provide verification that the use of the special event license plates has been approved and authorized by the Department within the dates specified.
- 3.17 Lost or stolen temporary special event license plates shall be reported within seventy-two (72) hours to the Department and to local law enforcement by the applicant. Replacement plates will be subject to the required material fee pursuant to 42-3-301 C.R.S. Remanufacture of temporary special event license plates will not be authorized until incident report paperwork from law enforcement is provided to the Department, by the applicant, stating the temporary special event license plate(s) that were lost or stolen .
- 3.18 A dealership or manufacturer shall report and make a tax return and payment to the Department using DR0100A Retail Sales Tax Return for Occasional Sales form for sales tax on a taxable amount as determined by completion of the DR0100A for each vehicle that is donated for use and display of the temporary special event license plates.
- 3.19 The Department reserves the right to deny any application for temporary special event license plates and may revoke the use of temporary special event license plates that are in violation of 42-3-220 C.R.S. and/or this regulation. The applicant must return all temporary special event license plates for the temporary special event to the Department for destruction within ten days of notification that the license plate is revoked.

RULE 2. PERIODIC MOTOR VEHICLE REGISTRATION

Basis: The statutory bases for this regulation are 42-1-204, 42-3-102, 42-3-104, 42-3-107, 42-3-114, 42-3-115, 42-3-116, 42-3-201, 42-3-210, 42-3-211, 42-3-304, 42-3-306, 42-12-301, and 42-12-401 C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for the periodic registration of motor vehicles.

1.0 Definitions

- 1.1 "CSTARS" means the Colorado State Titling and Registration System used for all titling and registration of vehicles in Colorado pursuant to 42-1-211, C.R.S.
- 1.2 "Department" means the Department of Revenue of this state acting directly or through its duly authorized officers and agents.
- 1.3 "Registration Expiration Date" means the expiration of the applicable registration period required in 42-3-102, 42-3-114, 42-12-301, and 42-12-401, C.R.S.
- 1.4 "Transaction Date" means the date the vehicle was registered evidenced by the transaction date on the registration receipt issued when completed.

2.0 Validating Tabs and Number of License Plates

- 2.1 License plate(s) that are required to display validation tabs shall be issued and display two validating tabs issued by the Department; one validation tab to indicate the expiration month and one validation tab to indicate the year of expiration, except for those types of plates that are exempt from displaying validation tabs in accordance with 42-3-201(7), C.R.S. Validating tabs shall be displayed on the license plate pursuant to 42-3-202(1)(b), C.R.S.
- 2.2 Vehicles shall be required to display two license plates unless exempted from displaying two license plates pursuant to 42-3-201(1)(a)(I) and (II), C.R.S. License plates shall be issued for multi-year use when the Department issues validation tabs indicating the vehicles registration expiration year and month.

3.0 Procedure to Establish Registration Cycle, Method for Assessment of Fees and Taxes

- 3.1 An application for registration received for a vehicle not previously registered in Colorado in the applicant's name will be registered for the time period required by 42-3-102, C.R.S., for that class of vehicle. The registration shall expire on the last day of the month at the end of each registration period.
- 3.2 Specific ownership tax shall be determined in accordance with 42-3-106 and 42-3-107, C.R.S. Registration fees shall be determined in accordance with 42-3-304 and 42-3-306, C.R.S. and shall be assessed and collected for each registration period. Registration fees and specific ownership tax may not be exempted unless specifically exempted pursuant to Colorado Revised Statutes.
- 3.3 Specific ownership taxes will be collected for the period the vehicle was owned prior to the date of application, through the month of application and for the appropriate registration period for the class of vehicle following the month of application. Consideration may be given for registrations that require bonds, affidavits, court orders, or as determined by the Department.
- 3.4 Registration fees will be collected for the appropriate registration period.
 - a. Vehicle Registrations expire on the last day of the month as indicated on the registration certificate and validating tab. All registrations will be evidenced by the issuance of tabs, except those exempted in accordance with 42-3-201(7), C.R.S.
 - b. Vehicle registration applications for renewal received on or before the last day of the month following the month of expiration will be renewed for the appropriate registration period following the previous registration. Specific ownership taxes and registration fees shall be calculated and collected for appropriate registration period.

- c. Vehicle registration applications for renewal received after the last day of the month following the month of expiration will be processed as new registration applications. The specific ownership taxes and registration fees will be collected for the new registration period for that class of vehicle. In addition, specific ownership taxes will be collected for the period from the date of expiration of the previous registration to the beginning of the new registration period.
- d. When plates are reissued or transferred, the new registration will be issued to correspond with the appropriate registration period beginning with the month of application. Specific ownership taxes and registration fees will be collected the month following the month of purchase and for the registration period for that class of vehicle. Credits will be given in accordance with 42-3-107(25), C.R.S., for any specific ownership taxes previously paid that remain on the vehicles previous registration period.

4.0 Exceptions to renewal procedure

- 4.1 All vehicles issued personalized plates as authorized by 42-3-211, C.R.S, shall be renewed, reissued or transferred with a registration period in accordance with 42-3-102, C.R.S.
- 4.2 All vehicles bearing horseless carriage license plates as authorized by 42-12-301(3)(a), C.R.S. shall have a set five-year registration period.
- 4.3 All vehicles issued collector license plates as authorized by 42-12-401(a), C.R.S., shall have a five-year registration period.
- 4.4 Pursuant to 42-3-102(3)(a), C.R.S. the Department may register vehicles at intervals of less than one year upon payment of the appropriate registration fees and specific ownership tax in order to allow the owner of more than one vehicle to provide for the owner's vehicle registrations to expire simultaneously. The owner shall be permitted to select an expiration month that coincides with a current registered vehicle in the owner's name. Upon renewal of vehicles that were previously registered in intervals of less than one year the registration period shall be pursuant to 42-3-102, C.R.S. and this regulation.
- 4.5 Pursuant to 42-3-102(1)(b)(I), C.R.S., Utility Trailers less than 2,000 pounds may be registered in five-year intervals upon payment of five-year registration fees and five-year specific ownership tax. A five-year registration is optional and shall not be required. Five-year registration shall be evidenced with a standard trailer regular license plate with a five-year validation year tab.

Rule 3. CANCELLATION OF VEHICLE REGISTRATION FOR FAILURE TO PAY CIVIL PENALTIES

Basis: The statutory bases for this regulation are sections 42-1-204, 42-3-120, 42-4-235 (2)(d) C.R.S.

Purpose: The following rules and regulations are promulgated to establish a process for the cancellation of vehicle registration and the reinstatement of vehicle registration subsequent to cancellation.

1.0 Definition

- 1.1 "Cancellation" means to remove the registration information from the motor vehicle record located in the Department's motor vehicle database which would denote that the license plates have been cancelled and no further registration transactions shall be conducted for that vehicle until further notice.

2.0 Process

- 2.1 Upon notification from the Colorado State Patrol, the Department shall cancel the vehicle registration per C.R.S. 42-3-120 or 42-4-235.
- 2.2 Upon notification from the Colorado State Patrol that the registration record may be re-registered, the Department will reactivate the record to allow the vehicle to be re-registered and license plates to be issued to the vehicle.
- 2.3 At the time of re-registration, the registered owner will be required to pay all registration fees for the 12 month cycle beginning with the month of re-registration.
- 2.4 Credit of registration fees and ownership taxes paid for the registration which was cancelled will be allowed to the extent of any unexpired time remaining on the cancelled registration at the time of re-registration.
- 2.5 All applicable registration fees, material fees, and prior ownership tax shall be collected prior to re-registration of the vehicle.

Rule 4. GROSS VEHICLE WEIGHT REGISTRATIONS

Basis: The statutory bases for this regulation are 42-1-102(23.5), 42-1-102(109), 42-1-201, 42-1-204, and 42-3-306(5) C.R.S.

Purpose: The purpose of this regulation is to establish the information to be maintained for vehicles subject to gross vehicle weight fees.

1.0 Definitions

- 1.1 "Declared Gross Vehicle Weight" means the combined weight of the vehicle or combination vehicle and its cargo when operated on the public highways of this state. Such weight shall be declared by the vehicle owner at the time the vehicle is registered.
- 1.2 "Department" means the Title and Registration Sections, Division of Motor Vehicles, Department of Revenue.
- 1.3 "Mileage History" means those miles traveled by a vehicle during the registration mileage cycle.
- 1.4 "Registration Mileage Cycle" means the previous twelve-month vehicle registration period.
- 1.5 "Truck Tractor - Laden" means any motor vehicle carrying cargo that is generally and commonly designed and used to draw, and is drawing, a semi-trailer or trailer and its cargo load over the public highways.

2.0 Fee Calculation

- 2.1 Calculation of registration fees for vehicles described within these rules will be based on the following criteria; gross vehicle weight, mileage history or mileage reporting period and whether the vehicle operation is for private use or as a common contract carrier.
- 2.2 To qualify as a private carrier, more than 50% of the total miles traveled by a specific vehicle within the registration mileage cycle are for private use.
- 2.3 Private Carrier
 - A. Documentation is required to substantiate that the cargo for each mileage record was owned by the carrier, such as bills of sale and manufacturing documentation, etc.

- B. Documentation is required to substantiate the mileage history.
- C. The vehicle owner shall maintain accurate records of all miles traveled by each vehicle over the public highways of this state.

3.0 Requirements

- 3.1 Mileage history is established for both interstate and intrastate vehicles from all the following information except where otherwise noted:
 - A. Beginning and ending date of each trip.
 - B. Trip origin and destination.
 - C. Route of travel.
 - D. Beginning and ending odometer or hub odometer reading of the trip.
 - E. Total mileage.
 - F. Mileage by jurisdiction.
 - G. Vehicle Identification Number.
 - H. Registrant's name.
 - I. Driver's printed name and signature.
 - J. A copy of the vehicle registration receipt indicating taxes paid for the requested licensing year.
- 3.2 The vehicle owner shall maintain, for three years plus the current year, accurate records of all miles traveled by each vehicle over the public highways of this state.
- 3.3 Computer summaries are not acceptable unless supported by the Mileage History Records.
- 3.4. Those vehicles which have no previous continuous twelve months of mileage history shall be assessed the registration fees required for a vehicle traveling in excess of ten thousand miles per year. Such vehicles may, however, be the subject of a refund. Upon completion of the twelve months mileage history, if it is determined the vehicle traveled ten thousand miles or less during the prior registration year, a refund of the difference between the registration fees paid for miles traveled over ten thousand and the registration fees for vehicles operated ten thousand miles or less may be requested.
- 3.5 Any owner who is replacing an existing vehicle may use the mileage history of the vehicle being replaced as qualification for the fees assessed on the new vehicle. For the mileage history to qualify, the existing vehicle must have been registered and in operation for the previous twelve months. The license plates from the existing vehicle must be transferred to the replacement vehicle.
- 3.6. When a person purchases an established business which includes vehicles, the mileage history of those vehicles may be used as qualification for the fees assessed. For the mileage history to qualify, the business operations must remain the same, the vehicles must have been registered in Colorado and in operation for the previous twelve months. Copies of the previous owner's registrations must be presented at the time of registration by the new owner in order to substantiate mileage information.

- 3.7 Any owner requesting a refund of registration fees paid for a specific vehicle or vehicles shall submit the records as required by the Department pursuant to this regulation.
- 3.8 The Department, upon verification of the refund request, may refund the difference to the owner. The Department may request additional information, validate information submitted or deny the request for refund for non-compliance to statute, non-compliance to regulations, failure to meet the requirements under this regulation, failure to provide sufficient documentation supporting the vehicle owner's claim for refund or other reasons as determined by the Department.

Rule 5. FLEET REGISTRATION PROGRAMS

Basis: The statutory bases for this regulation are sections 42-1-102(35), 42-1-102(36), 42-1-204, 42-3-107(27), 42-3-113(8), and 42-3-125, C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for application, participation, and registration of vehicles in the fleet vehicle programs in Colorado.

1.0 Definitions

- 1.1 "Colorado Fleet Registration Program (CFRP)" means the optional program for fleet operators to register fleet vehicles into a common registration expiration date evidenced by the issuance of a fleet license plate.
- 1.2 "Colorado Standard Fleet Program (CSFP)" means the optional program for fleet operators to register fleet vehicles into a common registration expiration date evidenced by the issuance of a non-fleet license plate.
- 1.3 "Department" means the Department of Revenue of this state acting directly or through its duly authorized officers and agents.
- 1.4 "Fleet License Plate" means the Colorado red and white graphic license plate that contains the staked letters "FLT" . Fleet license plates do not display year and month validation tabs.
- 1.5 "Fleet Number" means the assigned number to a fleet operator who has been approved to participate in the CFRP or CSFP.
- 1.6 "Fleet Operator" means any resident who owns or leases ten or more vehicles and who receives from the Department a registration period certificate pursuant to section 42-1-102(35), C.R.S.
- 1.7 "Fleet Vehicle" means vehicle owned or leased by a fleet operator and registered pursuant to section 42-3-125, C.R.S.
- 1.8 "International Registration Program (IRP)" means the program where vehicles are registered under reciprocity agreement among the states of the U.S. and provinces of Canada, providing the payment of license fees based on total distance operated in all jurisdictions. Vehicles operating under the IRP reciprocity agreement are registered with the IRP Section of Motor Carrier Services.
- 1.9 "Principal or Primary Office" means the location at which the fleet operator conducts his/her main business operations; otherwise considered as the fleet operator's county of residence.
- 1.10 "Registration Period Certificate" means the DR 2574 Colorado Registration Receipt provided with each vehicle registration pursuant to sections 42-3-113(2) and 42-3-113(8)(a)(I), C.R.S.

2.0 Participation Requirements and Application Process

2.1 Fleet vehicle programs shall be established as:

A. Colorado Fleet Registration Program (CFRP). The CFRP program is available to fleet operators requesting a common expiration date for their fleet vehicles. The fleet operator shall maintain a common expiration month for all fleet vehicles. The CFRP fleet number assigned, upon approval of participation in the CFRP, shall begin with the number "9". A fleet license plate shall be issued, with no validating month and year tabs, for each fleet vehicle. The DR 2574 Colorado Registration Receipt issued to each CFRP fleet vehicle will have the word "PERM" in lieu of an expiration date. CFRP fleet vehicles shall have a registration period pursuant to sections 42-1-102(78) and 42-3-114, C.R.S. The fleet operator shall complete the DR 2428 Fleet Owner Request for Participation in the Colorado Fleet Registration Program (CFRP) form.

B. Colorado Standard Fleet Program (CSFP). The CSFP program is available to fleet operators to maintain a common registration expiration month for all fleet vehicles by maintaining non-fleet license plates and the DR 2574 Colorado Registration Receipt. The fleet operator shall replace the DR 2574 Colorado Registration Receipt and validation month and year tabs on the fleet vehicles annually. CSFP fleet vehicles shall have a registration period pursuant to sections 42-1-102(78) and 42-3-114, C.R.S. The fleet operator shall complete the DR 2194 Fleet Owners Request for Common Registration Expiration Date form.

2.2 A fleet operator that meets the minimum vehicle number requirement may apply to participate in the CFRP and/or the CSFP fleet vehicle program. If participating in both fleet vehicle programs the fleet operator must meet the minimum vehicle number requirement for each separate fleet vehicle program.

2.3 All fleet vehicles must be titled and registered in the exact same fleet operator's name.

2.4 The Department may validate any or all information submitted on the DR 2428 Fleet Owner Request for Participation in the Colorado Fleet Registration Program (CFRP) form or DR 2194 Fleet Owners Request for Common Registration Expiration Date form, and deny participation in the CFRP or CSFP based on the verification results.

2.5 A fleet operator must designate the preferred month of expiration of the fleet vehicles. Failure to designate the month of expiration may result in denial to participate in a fleet vehicle program or assignment of the month of expiration by the Department. Change of expiration month will require the fleet operator to complete either the DR 2428 Fleet Owner Request for Participation in the Colorado Fleet Registration Program (CFRP) form or DR 2194 Fleet Owners Request for Common Registration Expiration Date form and be assigned a new fleet number.

2.6 Fleet vehicles shall be registered in the county where the vehicle is principally operated and maintained pursuant to section 42-6-139(1), C.R.S. A fleet operator must designate all counties in which fleet vehicles may be registered. Failure to designate a county will result in the fleet operator being unable to register those fleet vehicles in that county or any other county not designated.

2.7 Fleet vehicles shall meet all vehicle and registration requirements based on their vehicle type and registration location, which includes but may not be limited to:

A. Emission compliance

B. Insurance compliance

C. Gross Vehicle Weight (GVW) truck and tractor weight and mileage requirements

D. Heavy Vehicle Use Tax (HVUT) requirements

E. Pre-renewal and renewal requirements

2.8 Upon acceptance of the fleet operator to participate in a fleet vehicle program, a fleet number will be assigned by the Department. The fleet operator and all counties designated on the DR 2428 Fleet Owner Request for Participation in the Colorado Fleet Registration Program (CFRP) form or DR 2194 Fleet Owners Request for Common Registration Expiration Date form will be provided the fleet number.

2.9 A fleet operator shall continuously maintain a minimum of ten fleet vehicles in the fleet vehicle program. At any time, a fleet operator has less than ten fleet vehicles; the fleet operator will be removed from the fleet vehicle program.

2.10 If a fleet operator has been removed from a fleet vehicle program and later requests to re-establish participation in a fleet vehicle program the fleet operator must reapply using the DR 2428 Fleet Owner Request for Participation in the Colorado Fleet Registration Program (CFRP) form or DR 2194 Fleet Owners Request for Common Registration Expiration Date form.

2.11 In the event of a legal name change of the fleet operator the following must be completed:

A. All fleet vehicle titles must be properly transferred to the fleet operator's new name.

B. The fleet operator shall complete the DR 2428 Fleet Owner Request for Participation in the Colorado Fleet Registration Program (CFRP) form or DR 2194 Fleet Owners Request for Common Registration Expiration Date form marking the form in the "name change" section.

C. Upon completion of programming the name change the fleet operator will receive DR 2574 Colorado Registration Receipts updated with the name change for all fleet vehicles from the County where the fleet vehicles are registered.

2.12 Vehicles permitted to participate in fleet vehicle programs are established in Title 42 of the C.R.S. Vehicles participating in the International Registration Program (IRP) are not authorized to participate in the CFRP or CSFP. If a fleet operator wishes to participate in either of these fleet vehicle programs, the IRP registration must be cancelled and participation in the IRP program will be discontinued.

Rule 6. COLORADO STATE PATROL LICENSE PLATES

Basis: This regulation is promulgated under the authority of 42-1-204, 42-3-104(1), 42-3-104(2), 42-3-104(3), 42-3-104(4), 42-3-201 and 42-3-207(1) CRS.

Purpose: The following rules and regulations are promulgated to establish criteria for the issuance of Colorado State Patrol license plates.

1.0 Definitions

1.1 "Colorado State Patrol License Plates" - means a numbered plate issued by the department to items of classified personal property that are owned by the State of Colorado, Colorado State Patrol that is designed in a manner that denotes those items of classified personal property as Colorado State Patrol owned items in lieu of regular Government style license plates.

1.2 "Department" - for purposes of this regulation means the department of revenue, state registrations section.

2.0 Requirements

- 2.1 Only the Colorado State Patrol may apply for or plate their vehicles with the Colorado State Patrol license plates. Applications for Colorado State Patrol license plates shall be made directly to the Department of Revenue, Registration Section in a manner as prescribed by the Department.
- 2.2 The Department of Revenue, Registration Section shall be the only authority to issue Colorado State Patrol license plates and register those vehicles therewith.
- 2.3 All issued Colorado State Patrol license plates are subject to material fees as established in 42-3-301 CRS which shall be assessed at the time of issuance or replacement of such license plates.
- 2.4 Motor vehicles issued and registered with Colorado State Patrol license plates shall be exempt any and all taxes, fees and ownership taxes as established in 42-3-104(1) and 42-3-304(3)(c) CRS.
- 2.5 Colorado State Patrol license plates shall not be issued annual validating tabs or stickers as established in 42-3-201(2).
- 2.6 Motor vehicles issued and registered with Colorado State Patrol license plates shall conform to applicable insurance requirements as established in 42-3-105(1)(d) and applicable emissions requirements as established in 42-4-301 through 42-4-316 CRS and 42-4-401 through 42-4-414 CRS.
- 2.7 Colorado State Patrol license plates shall be designed jointly between the Department of Revenue and Colorado State Patrol with the Department of Revenue having final design approval authority. Colorado State Patrol license plates shall be distinctly designed with the color black, which color shall be reserved for Colorado State Patrol license plates only, for the plate areas indicated in design standards as area 1 (top) and area 4 (bottom).
- 2.8 Colorado State Patrol license plates shall be permitted to display the official seal and logo of the Colorado State Patrol and shall be permitted to have a tag line with the wording "State Patrol" which shall act as the special registration number indicating that such vehicle is owned and operated by the State of Colorado as established in 42-3-104(4).
- 2.9 Plate series "CSP" shall be reserved for Colorado State Patrol license plates and manufacturing thereof. Manufacturing of Colorado State Patrol license plates will be accomplished using standard manufacturing, distribution, inventory management, accounting, and budgeting practices, policies and methodologies as established by the Department.

Rule 7. [Repealed eff. 03/02/2011: See Rule 48]

RULE 8. DEALER TITLE

Basis: The statutory bases for this regulation are 42-1-204, 42-6-102(2), 42-6-111(2), 42-6-137(6), 42-6-138(4), 12-6-102(15), 12-6-102(18), C.R.S.

Purpose: The purpose of this regulation is to provide guidelines to motor vehicle dealers or wholesalers for proof of ownership and the requirements for the processing of certificates of title.

1.0 Definitions

- 1.1 "Agent(s)" means any individual authorized by a dealer or wholesaler to act on behalf of that dealer or wholesaler.

- 1.2 "Chattel Mortgage Company" means a company that has filed a security agreement as defined in section 4-9-102(76), C.R.S.
- 1.3 "Dealer" means any person, firm, partnership, corporation, or association licensed under the laws of this state to engage in the business of buying, selling, exchanging, or otherwise trading in motor vehicles.
- 1.4 "Department" for purposes of this regulation means the Colorado Department of Revenue, Division of Motor Vehicles, Title and Registration Section.
- 1.5 "Manufacturer" means any person, firm, partnership, corporation or association, engaged in the manufacturing of new motor vehicles, trailers, or semitrailers.
- 1.6 "Manufacturer's Certificate of Origin" (MCO) means the document provided by the manufacturer which sets forth the manufacturer's vehicle description and 17 digit vehicle identification number and is used to convey ownership.
- 1.7 "Motor Vehicle" means any self-propelled vehicle that is designed primarily for travel on the public highways and is generally and commonly used to transport persons and property over the public highways, including trailers, semitrailers, and trailer coaches, without motive power. "Motor Vehicle" does not include the following:
- a. A low-power scooter, as defined in section 42-1-102, C.R.S.; or,
 - b. A vehicle that operates only upon rails or tracks laid in place on the ground or that travels through the air or that derives its motive power from overhead electric lines; or,
 - c. A farm tractor, farm trailer, and any other machines and tools used in the production, harvesting, and care of farm products; or,
 - d. Special mobile machinery or industrial machinery not designed primarily for highway transportation.
- 1.8 "One Working Day" means the daily period beginning at 8:00 a.m. and ending at 3:00 p.m. Monday through Friday, with the exception of those days designated as official state holidays by statute or Executive Order of the Governor.
- 1.9 "Secure and Verifiable Identification" means a document issued by a state or federal jurisdiction or recognized by the United States Government and that is verifiable by federal or state law enforcement, intelligence, or the Homeland Security Agency.
- 1.10 "Letter of Authorization" means a letter on a dealer's or wholesaler's letterhead from a designated representative of a dealer or wholesaler to the Department authorizing a specific person to act as an agent for the dealer or the wholesaler.
- 1.11 "Wholesaler" means a person who, for commission or with intent to make a profit or gain of money or other thing of value, sells, exchanges, or offers or attempts to negotiate a sale, lease, or exchange of an interest in new or new and used motor vehicles solely to motor vehicle dealers or used motor vehicle dealers.

2.0 Proof of Ownership Requirements

- 2.1 All Colorado dealers or wholesalers must maintain the following evidence of ownership for each vehicle in their possession:

- a. A used vehicle with a Colorado title:
 - 1. A Colorado title assigned to the dealer, wholesaler, or chain of ownership evidenced by the Colorado Dealer's Bill(s) of Sale for a Motor Vehicle; and,
 - 2. Odometer disclosure if required.
- b. A used vehicle with an out-of-state title:
 - 1. The out-of-state title assigned to the dealer, wholesaler, or out-of-state title with proper chain of ownership; and,
 - 2. Odometer disclosure if required; and,
 - 3. Colorado Dealer's Out-of-State Vehicle Information Disclosure; and,
 - 4. Colorado verification of Vehicle Identification Number.
- c. A new vehicle assigned by MCO to a dealer or wholesaler:
 - 1. MCO assigned or reassigned to a franchised dealer or wholesaler; and,
 - 2. Odometer disclosure if required.
 - 3. No dealer or wholesaler shall hold a MCO unless that dealer or wholesaler is franchised to sell that specific make of vehicle as indicated on the MCO.
- d. A new vehicle assigned or re-assigned with its MCO from an out-of-state franchised dealer or wholesaler to a franchised Colorado dealer or wholesaler:
 - 1. MCO reassigned to the franchised dealer or wholesaler; and,
 - 2. Odometer disclosure if required; and,
 - 3. Verification of vehicle identification number.
 - 4. No dealer or wholesaler shall hold a MCO unless that dealer or wholesaler is franchised to sell that specific make of vehicle as indicated on the MCO.
- e. If a title or an MCO has been surrendered by the dealer or wholesaler to a bank or financing organization or any other person as collateral under a Floor Plan agreement, the dealer or wholesaler must have in its possession evidence acceptable to the Department of the location of the title or the MCO. The dealer's or wholesaler's right to ownership shall be clear from such evidence. The title or MCO must be procured by the dealer or wholesaler upon the sale and delivery of the vehicle and delivered or mailed to the purchaser or chattel mortgage company within thirty (30) days pursuant to 42-6-112, C.R.S.
- f. Vehicles with incomplete or insufficient titles shall be marked "Not for Sale" and withheld from any public offering.

3.0 Requirements for Obtaining Titles in One Working Day

- 3.1 Dealers and wholesalers may obtain a "Dealer Resale, No Sales Taxes Paid" title in the licensed name of the dealer or wholesaler within one working day, at the Department of Revenue, Title

and Registration Section, Vehicle Services Unit, after submitting the required documents outlined in section 4.0 below and upon payment of the statutorily required fee.

- 3.2 All dealers or wholesalers requesting one working day service shall submit a letter of authorization to the Department, listing the names of all persons who will be acting as agents on their behalf. All authorization letters will be kept on file at the Department. It shall be the responsibility of the requesting dealer or wholesaler to notify the Department of any changes in agents.
- 3.3 The agent shall be required to present secure and verifiable identification at the time of application and upon receipt of a certificate of title. The agent shall sign a receipt verifying the certificate of title.
- 3.4 Agents representing several dealers or wholesalers must have authorization from each individual dealer or wholesaler in order to obtain titles.

4.0 Requirements for Acceptance of Applications

- 4.1 Applications will only be accepted when:
 - a. The supporting ownership document is a MCO properly assigned to a dealer or wholesaler or reassigned to a dealer or wholesaler; or,
 - b. The supporting ownership document is a title properly assigned to a dealer or wholesaler; or,
 - c. The supporting ownership document is a salvage title for a vehicle that has been made roadworthy and is being submitted for a dealer title in the dealer's or wholesaler's name.
- 4.2 Applications must be free and clear of all liens and encumbrances.
- 4.3 All applications must be complete and all documents in the proper order.
- 4.4 The Department may limit title applications to three title applications per dealer or wholesaler per day. Additional title applications above the maximum limit of three may not be processed in one working day.

5.0 Processing Timeframes

- 5.1 Applications submitted prior to 3:00 p.m. may be picked up between 8:00 a.m. and 3:00 p.m. of the next working day.
- 5.2 One working day processing is contingent upon applications clearing computer edits, document review, and extraordinary circumstances beyond the control of the Department.
- 5.3 Overnight mail service of applications will be accepted. Prepaid return envelopes must be provided to ensure return of certificates of title by overnight service. Otherwise, all titles will be mailed by First Class Mail.
- 5.4 Titles not picked up by the eighth working day after the printing of the title may be cancelled and the original paperwork will be mailed by First Class Mail back to the applying dealer or wholesaler.
- 5.5 Only titles applied for at the Department of Revenue, Title and Registration Section, Vehicle Services Unit may be picked up in person.

6.0 Duplicate Certificates of title

- 6.1 Only licensed Colorado dealers or wholesalers may, at the Department's discretion, obtain duplicate certificates of title directly from the Department of Revenue, Title and Registration Section, Vehicle Services Unit.
- 6.2 Dealers or wholesalers may obtain duplicate certificates of title for vehicles that have been "traded-in" to them, but the owner has lost, misplaced, or accidentally destroyed the certificate of title.
- 6.3 The dealer or wholesaler must provide a power of attorney from the previous owner and the vehicle must be in the dealer's or wholesaler's possession before an application for a duplicate title will be accepted.
- 6.4 Duplicate certificates of title showing an active recorded lien will not be provided to a dealer or wholesaler. If a proper lien release is submitted with a duplicate title application, the satisfied lien will be removed from the duplicate title and a duplicate title will be provided to the dealer or wholesaler.

7.0 Payment

- 7.1 Applications will not be processed until all statutorily required fees are paid.
- 7.2 Any check returned for insufficient funds, will require any and all future payments by that dealer or wholesaler to be made by cash or certified funds.
- 7.3 Refunds will be processed at the discretion of the Department.

Rule 9. DEPOT LICENSE PLATES

Basis: This regulation is promulgated under the authority of 42-1-204, 42-3-116, 42-3-120, 42-3-121 (1) (d) and 42-3-301 CRS.

Purpose: The following rules and regulations are promulgated to establish criteria for the issuance of depot plates.

1.0 Definitions

- 1.1 "Depot License Plates" or "Depot Tags" - means a numbered plate issued by the department authorizing the movement of dealership vehicles to and from the dealer's place of business or storage for the purpose of completing work that involves repairing, painting, upholstering, polishing or other similar types of work.
- 1.2 "Department" - for purposes of this regulation means the department of revenue, state registrations section.

2.0 Requirements

- 2.1 All applicants for depot plates shall complete and submit to the Department of Revenue, Registration Section, an application for the issuance of depot plates.
- 2.2 Only the Department of Revenue, Registration Section shall issue depot plates. All issued depot plates are subject to statutory and material fees that are assessed at the point of issuance.
- 2.3 All depot plates will have a thirty (30) day grace period for renewal. An annual fee described in 42-3-116 CRS, must be remitted with each application. The fee for replacement of a lost or mutilated depot plate will be the issuance fee identified in 42-3-116 CRS plus the material fee identified in 42-3-301 CRS.

- 2.4 Depot plates shall be limited to one plate per mechanic or service technician employed by the approved licensed dealership. The owner or authorized representative of the dealership shall, at the time of application or renewal, verify the number of mechanics or service technicians currently on the payroll. False information on the application or renewal request may result in denial of the application, cancellation and denial of any plates issued. Applicants suspected of providing false information shall be referred to the Auto Industry Division, Motor Vehicle Dealer Board.
- 2.5 A depot plate may be used by the dealership to transport vehicles to and from the dealer's place of business or storage for the purpose of completing work that involves repairing, painting, upholstering, polishing or other similar types of work on the vehicle. A depot plate may also be used for road testing the vehicle after repair. Movement of a vehicle using a depot plate for any purpose other than those listed above shall constitute private use.
- 2.6 When the vehicle is being repaired or refurbished, the dealer shall provide written verification of authorization for repair. The verification shall be in the vehicle, available for inspection by an authorized law enforcement agency any time the vehicle is being used upon the streets or highways of the state.
- 2.7 Depot plates shall be mounted in such a position as to be visible from the back of the vehicle. Depot plates shall not be permanently attached or affixed to any vehicle. Depot plates must be maintained in a clearly legible condition at all times.
- 2.8 It is the responsibility of the dealer to assure that a vehicle being driven using a depot plate is in safe, roadworthy condition.
- 2.9 Pursuant to 42-3-116(4) (b) violation of the restrictions and methods of use of depot plates may result in sanctions including loss of plate privileges.
- 2.10 Dealers subject to loss of one or more depot plates may request a hearing, in writing, within thirty days of receiving notice of the pending action. If a hearing is not requested, within thirty days, the depot plates in question may be suspended. If so, the plate must be surrendered to the Department of Revenue, Registration Section within ten days of the date of notice of the suspension.
- 2.11 The hearing shall be held at the Department of Revenue, Enforcement Business Group, Hearing Section. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The law enforcement officer or Department investigator who submits the documents and affidavit related to the action in question need not be present at the hearing unless his or her presence is required by the presiding officer, or requested by the dealer at the time the written request for hearing is submitted. If the law enforcement officer or investigator is not present at the hearing, the written documents and affidavit submitted by the officer or investigator may be used by the hearing officer.
- 2.12 Lost or stolen depot plates shall be reported within seventy-two (72) hours to the local law enforcement agency and the Department of Revenue, Division of Motor Vehicles, Registration Section using form number DR2283 Affidavit for Lost or Stolen License Plates/Permits. All depot plates shall be replaced for the original statutory fee identified in 42-3-116 CRS and the material fees identified 42-3-301 CRS.
- 2.13 Whenever the dealership for which repair work was being performed ceases to operate or whenever the appropriate dealer's license has been suspended, denied, revoked, or expired, all depot plates issued to such business must be surrendered within seventy-two (72) hours to the Department of Revenue, Division of Motor Vehicles, Registration Section at the cost of the dealership. The Department will not refund any portion of the original fee paid when the plates are surrendered.

- 2.14 Applications, renewals, and replacements may be conducted via postal mail. The dealer must provide a pre-paid envelope for plates to be mailed to them if delivery by mail is requested. Depot plates will not be mailed to non-Colorado addresses. The department reserves the right to validate a dealer's address to ensure that it is a legitimate business address for that dealer prior to accepting, approving or completing any depot license plate transaction.
- 2.15 Secure and verifiable identification will be required on all issuances and replacements of depot license plates. The dealership shall provide a letter of authorization to the department listing all authorized personnel that may conduct depot license plate transactions with the department.
- 2.16 All applicants shall have dealer license status verified with the Motor Vehicle Dealer Board through the Auto Industry Division.

Rule 10. DISPOSITION OF MOTOR VEHICLES ABANDONED AT MOTOR VEHICLE REPAIR SHOPS

Basis: The statutory bases for these regulations are sections 42-1-204, 42-1-206 (2)(a), , 42-4-2104.5, 42-4-2109, 42-6-102, 42-6-102, 42-6-104 and 42-6-136 C.R.S.

Purpose: The following rules and regulations are promulgated to establish requirements for processing of certificates of title for vehicles that have been abandoned at a motor vehicle repair shop.

Definitions:

Abandoned Motor Vehicle - a motor vehicle:

- (1) that has been left at a repair shop by the motor vehicle's owner, the owner's agent, or an operator hired by the owner or owner's agent;
- (2) that the repair shop has offered to repair and for which the repair shop has prepared an estimate of repair costs;
- (3) that the owner or the owner's agent has refused to authorize repairs to, has refused to pay for authorized and completed repairs to, or has refused to remove from the repair shop upon request. If a repair shop is unable, despite good faith efforts, to obtain a response from the owner or the owner's agent regarding the authorization of repairs, payment for authorized and completed repairs, or the removal of a motor vehicle, the owner or owner's agent shall be deemed to have refused to authorize repairs, pay for authorized and completed repairs, or remove the motor vehicle.
- (4) that is not the subject of sale negotiations or a sale agreement between the owner or the owner's agent and the repair shop.

Department - the Department of Revenue, Division of Motor Vehicles (DMV).

Operator - a person or firm licensed by the Public Utilities Commission (PUC) as a towing operator, which includes auto parts recyclers that tow vehicles for remuneration.

Repair Shop - a person or firm that offers major motor vehicle repair services of more than one thousand dollars in value per motor vehicle repair to the public on a commercial basis and complies with all federal, state, county and municipal laws that require the person or firm to possess business or tax licenses.

Salvage Certificate of Title - a document issued under the authority of the director to indicate ownership of a salvage vehicle.

Salvage Vehicle - any motor vehicle as defined in section 42-6-102 (10) and (23), which is damaged as defined by section 42-6-102 (17) which shall include any reference to "salvage vehicle" or "salvage motor vehicle" .

1. This process may be followed by repair shop owners for those vehicles that have an appraised value of two thousand dollars or less and have been abandoned at their facility.
2. If a tow operator is also an owner of a repair shop, an abandoned vehicle must be processed in accordance with the terms of the abandonment. If the vehicle was abandoned on private property, the vehicle must be processed in accordance with the requirements of 42-4-2102 CRS. If the vehicle is abandoned at a repair shop and meets the specified requirements, the vehicle must be processed in accordance with the requirements of 42-4-2104.5 CRS.
3. A copy of the repair order will be required to substantiate that an estimate of repair costs was completed.
4. The repair shop shall conduct or cause to be conducted an appraisal of the vehicle not less than fifteen days nor more than thirty days from the date that the owner or owner's agent refused to authorize repairs, pay for completed repairs or remove the vehicle from the repair shop upon request. The appraisal must be conducted by a licensed Colorado dealer. If the repair shop owner is also a licensed Colorado dealer, he may conduct the appraisal on a vehicle that has been abandoned at his repair shop.
5. The vehicle will be considered abandoned if the vehicle owner or the vehicle owner's agent does not respond to the repair shop within five working days from the last "good faith effort" made by the repair shop to contact the owner.
6. For purposes of this procedure, a "good faith effort" is defined as mailing a certified letter which includes a copy of the repair order and notification that if the repair shop does not receive a response within ten working days from the postmark date of the certified letter, the vehicle will be considered abandoned and will be subject to sale.
7. The vehicle must be appraised at \$2,000.00 or less to follow this procedure. If the vehicle is appraised for \$2,001.00 or more, the Mechanic and Storage Lien procedure must be completed to obtain a Colorado certificate of title.
8. The requirement for notification to the Department by a repair shop upon a vehicle becoming abandoned at a repair shop shall be satisfied by the repair shop owner initiating a search through the State website.
9. Repair shop owners shall notify the law enforcement in accordance with Part 21, Article 4 of Title 42 C.R.S.
10. Report of the abandonment of the motor vehicle shall be conducted no later than ten working days following notification from law enforcement that the vehicle has not been reported stolen, and a case number has been assigned. This report must be conducted electronically through the Department's internet communication. The Department will not provide printed forms. The search is not considered complete until the repair shop receives a Colorado record or verification from the Department that no Colorado record exists.
11. Notification must be mailed to all addresses recorded in the Department's records in addition to the address on the repair order if it is different.
12. The repair shop must make a reasonable effort to obtain out-of-state owner and lienholder information if there is any indication that the vehicle is registered in another state. For purposes of

this procedure, a reasonable effort is considered obtaining a record search from the state of which the vehicle appears to be registered.

13. A sale must be commercially reasonable in accordance with 42-4-2104.5, C.R.S. Commercially reasonable is defined as a good faith attempt to dispose of the item to the parties' mutual best advantage. A sale is not commercially reasonable if the vehicle's appraisal value is more than \$200.00 and is sold to an officer or partner of the repair shop or to any other person with a proprietary interest in the repair shop.
14. Upon the sale and application for title of a vehicle appraised for \$2,000.00 or less and more than \$200.00 whose model year is less than six years, a salvage title must be issued.
15. Upon the sale of the vehicle, the repair shop shall provide the purchaser with a Motor Vehicle Bill of Sale (DR2146), the original of the report (DR2147), a copy of the title search results including a copy of the e-mail verification when no record is found, a copy of the repair order, a copy of the certified letter - return receipt requested, the original Vehicle Identification Number verification and the appropriate application for title.
16. Upon receiving record search information from the department, if the record indicates that the vehicle is salvage and the vehicle appears to have been made roadworthy, the repair shop owner shall disclose to the buyer that the vehicle has a salvage title record, and that no repairs have been made by the repair shop to make the vehicle roadworthy. The buyer shall follow the established procedure to apply for a roadworthy title. The buyer shall complete a DR2424 Salvage Title Statement of Fact by stating that the vehicle was purchased from a repair shop as a vehicle abandoned at a repair shop and that no repairs have been made. All subsequent title applications will indicate the same information on the DR2710, Rebuilt from Salvage Disclosure. If the repair shop has made the repairs required for the vehicle to be deemed roadworthy, the buyer will complete the DR2424 Salvage Title Statement of Fact to indicate what repairs were made and that they were made by the repair shop.

If the vehicle is in salvage condition and/or less than six model years old at the time of sale, as determined and disclosed in writing by the repair shop owner and appraised for more than \$200.00, the buyer must apply for a salvage title and state that the vehicle was purchased as an abandoned vehicle from a repair shop. Repair shop owners are required to disclose to the buyer that the vehicle is a salvage vehicle. However, because the vehicle was abandoned and there are no records to indicate the reason for salvage, repair shop owners will not be required to disclose the reason for the salvage designation.

If the record obtained from the department indicates that the vehicle was previously salvage, the repair shop owner shall make all reasonable attempts to determine the cause of the salvage designation. A reasonable attempt is considered obtaining a title history to determine the reason for salvage. Once the reason for salvage has been determined, the repair shop owner will complete the DR2710 Rebuilt from Salvage Disclosure to provide the salvage information. If the reason for salvage is indeterminate, the repair shop owner will complete the DR2710 by marking the box "vehicle abandoned at a repair shop" and stating "purchased as an abandoned vehicle at a repair shop, reason for salvage unknown" .

17. Access to the Department's electronic system requires registration with the Department pursuant to 42-4-1806 (2)(a) C.R.S.
18. All searches of the electronic system will require the statutory search fee pursuant to 42-1-206 (2)(a). These fees will be collected through a billing process determined by the department. Failure to remit payment required for services provided may result in suspension of access of the department's electronic system.

19. The electronic system registration and billing process will be completed as determined by the department.
20. Repair shop owners shall utilize the electronic system provided by the department to obtain the owner and lienholder information of abandoned vehicles. Use of the electronic system shall only be for the purpose of obtaining required information to process vehicles abandoned at their repair shop. Repair shop owners must register with the Department for use of the electronic system. A separate repair shop registration will be required for those repair shop owners that are registered with the Department as a tow operator.
21. If the vehicle does not sell within the time frames as defined in 42-4-2104.5, no additional fees or charges may apply.

RULE 11. EMERGENCY VEHICLE EQUIPMENT AUTHORIZATION

Basis: The statutory bases for this regulation are 42-1-102(6), 42-1-204, 42-4-108(5), 42-4-213, 42-4-222 and 42-4-238, C.R.S.

Purpose: The following rules and regulations are promulgated to establish requirements for Emergency Vehicle Equipment Authorization applications resulting in the issuance of an Emergency Vehicle Equipment decal to Authorized Emergency Vehicles.

1.0 Definitions

- 1.1 "Applicant" means the owner and/or operator of the vehicle that will be issued and displaying the Emergency Vehicle Decal.
- 1.2 "Authorized Emergency Vehicle" means those vehicles designated in 42-1-102(6), C.R.S.
- 1.3 "Authorizing Agency" means a fire department, police department, ambulance service or for the purpose of a privately owned tow truck, "Authorizing Agency" shall mean the Colorado Public Utilities Commission.
- 1.4 "Authorizer" means a Chief of Police, Sheriff, Fire Chief, Commanders of the Colorado State Patrol, a chief executive officer of an ambulance service, or their designated appointee. For the purpose of a privately owned tow truck, "Authorizer" shall mean the Colorado Public Utilities Commission.
- 1.5 "Department" for the purposes of this regulation means the Department of Revenue, Title and Registration Section.
- 1.6 "Emergency Vehicle Decal" means the window decal issued by the Department to a vehicle upon the vehicle being approved as an authorized emergency vehicle by an Authorizer.
- 1.7 "Emergency Vehicle Equipment" means the audible and visual signal equipment on authorized emergency vehicles meeting the requirements of 42-4-213, 42-4-222 and 42-4-238, C.R.S.
- 1.8 "Tow Truck" means a motor vehicle specially designed or equipped for transporting another motor vehicle by means of winches, cables, pulleys, or other equipment for towing, pulling, or lifting such other motor vehicle from one place to another pursuant to 40-10.1-101(21), C.R.S.

2.0 Application Requirements

- 2.1 Application for issuance of an emergency vehicle decal shall be completed on the DR 2490 Emergency Vehicle Equipment Authorization Application form.

- 2.2 Applicants must complete the applicant section of the DR 2490 Emergency Vehicle Equipment Authorization Application form and present the application to the authorizing agency from which they are seeking emergency vehicle authorization. An authorizer has the authority to approve or deny an application, or to request additional supporting documentation.
- 2.3 The determination of whether to approve a vehicle as an authorized emergency vehicle is at the discretion of the authorizer. Approval as an emergency vehicle should be based in part, on an inspection of emergency equipment to ensure the equipment meets statutory requirements, and to verify the intended use of the vehicle.
- 2.4 Authorizers shall ensure that operator(s) of emergency vehicles meet all requirements for an emergency vehicle operator imposed by their agency prior to granting emergency vehicle authorization to an applicant. Emergency vehicle operator requirements may differ for each authorizing agency, and may include but are not limited to the minimum training and operating requirements listed in the Colorado Peace Officer Standard and Training (P.O.S.T.) manual.
- 2.5 An authorizer shall review the DR 2490 Emergency Vehicle Equipment Authorization Application form for completeness, prior to approval of the application. Upon approval of the application, the original application and two copies shall be mailed or delivered to the Department by the authorizing agency. To ensure protection of the public and to preserve public safety, the Department will only accept applications submitted by an authorizing agency.
- 2.6 An authorizer shall not approve himself or herself for emergency vehicle decals. An authorizer applying for emergency vehicle authorization shall submit his/her application to another authorizer in the authorizing agency.
- 2.7 Upon validation of the authorizer and of the information on an application, the Department will provide an emergency vehicle decal together with two copies of the DR 2490 Emergency Vehicle Equipment Authorization Application form to the authorizing agency. To ensure protection of the public and to preserve public safety, the Department will provide emergency vehicle decals and copies of an application only to authorizing agencies.
- 2.8 It is the duty of the authorizing agency, upon receipt of the emergency vehicle decal and two copies of the application, to issue the emergency vehicle decal to the applicant and to ensure the emergency vehicle decal is affixed to the authorized vehicle listed on the DR 2490 Emergency Vehicle Equipment Authorization Application form, in the lower driver's side corner of the front windshield.
- 2.9 One copy of the approved DR 2490 Emergency Vehicle Equipment Authorization Application form must be kept in the vehicle at all times. The second copy of the approved DR 2490 Emergency Vehicle Equipment Authorization Application form must be kept on file with the authorizing agency for the period of time that the authorized emergency vehicle is operating as an authorized emergency vehicle under the authority of the authorizing agency.
- 2.10 Authorization is valid for a period of two (2) years from the date an emergency vehicle decal is issued. Renewal of the emergency vehicle decal is not automatic. A new DR 2490 Emergency Vehicle Equipment Authorization Application form must be submitted for renewal of emergency vehicle authorization.
- 2.11 If, at any time, an authorizing agency has reason to revoke an emergency vehicle equipment authorization the authorizing agency shall submit a copy of the previously approved DR 2490 Emergency Vehicle Equipment Authorization Application form to the Department with the "Revocation Action Notification" portion of the DR 2490 Emergency Vehicle Equipment Authorization Application form completed.

- 2.12 Upon receipt of a request for revocation, the Department will cancel the emergency vehicle authorization for the vehicle/owner on the submitted DR 2490 Emergency Vehicle Equipment Authorization Application form.

3.0 Vehicle Requirements

- 3.1 It is at the discretion of the authorizing agency if emergency vehicles authorized by that agency are required to display an emergency vehicle decal.
- 3.2 Privately owned tow trucks may receive emergency vehicle authorization only from the Colorado Public Utilities Commission. No other authorizer or authorizing agency may approve tow trucks as authorized emergency vehicles regardless of any contractual agreements a tow truck may have with any governmental entity or authorizing agency.
- 3.3 Privately owned tow trucks approved by the Colorado Public Utilities Commission as authorized emergency vehicles shall not be equipped with a siren as audible equipment.
- 3.4 Privately owned ambulances are required to apply for an emergency vehicle decal and, if issued an emergency vehicle decal, shall be required to display the emergency vehicle decal.
- 3.5 Vehicles that are not operated by or for the preservation of life or property, which may include but are not limited to vehicles used as funeral escorts, parade escorts or escort services for dignitaries, shall not be approved as authorized emergency vehicles.

RULE 12. PRIVATE TOW REQUIREMENTS FOR ABANDONED VEHICLES

Basis: This regulation is promulgated under the authority of 42-1-204 C.R.S., Part 21 of Article 4 of Title 42 C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for the notification and title application to the Department when a vehicle is abandoned on private property. This rule does not include a vehicle that has been abandoned at a repair shop.

1.0 Definitions.

- 1.1 "Appraisal" means a bona fide estimate of reasonable market value made by any motor vehicle dealer licensed in this state or by an employee of the Colorado State Patrol or any sheriffs or police department whose appointment for such purpose has been reported by the head of the appointing agency to the executive director of the Department.
- 1.2 "Commercially Reasonable Sale" means a sale in accordance with 42-4-2104, C.R.S. Commercially reasonable is defined as a good faith attempt to dispose of the vehicle to the parties' mutual best advantage. A sale of the vehicle with a bona fide appraised value of more than \$350.00 to any person with a proprietary interest in the tow operation, an employee of the tow operation or any person or organization initially requesting the tow shall not be considered commercially reasonable.
- 1.3 "Department" means the Department of Revenue, Division of Motor Vehicles.
- 1.4 "Department Website" means an electronic system whereby an operator registered under 42-4-1806(2) C.R.S. or the agent of such operator shall have access to correct information relating to any owner or lienholder of a vehicle towed by the operator as represented in the Department records at the time of the inquiry.

- 1.5 “Licensed Motor Vehicle Dealer” means a new or used motor vehicle dealer licensed under Article 6 of Title 12 C.R.S.
- 1.6 “Operator” means a person or firm licensed by the Public Utilities Commission (PUC) as a towing carrier.
- 1.7 “Private Tow” A private tow shall result from the abandonment of a vehicle on private property in accordance with 42-4-2102(1), C.R.S.
- 1.8 “Rebuilt From Salvage” means a motor vehicle or vehicle that is now roadworthy as defined in 42-6-102(15), C.R.S.
- 1.9 “Rebuilt from Salvage Brand” means the designation on the Rebuilt from Salvage Certificate of Title and shall become a permanent part of the Certificate of Title and motor vehicle record for such vehicle and shall appear on all subsequent certificates of title for such vehicle.
- 1.10 “Rebuilt From Salvage Certificate of Title” means a Colorado Certificate of Title issued to a motor vehicle or vehicle as defined in 42-6-136(3)(a), C.R.S.
- 1.11 “Roadworthy” means a condition in which a motor vehicle has sufficient power and is fit to operate on the roads and highways of this state after visual inspection by appropriate law enforcement authorities. In order to be roadworthy, such vehicle, in accord with its design and use, shall have all major parts and systems permanently attached and functioning and shall not be repaired in such a manner as to make the vehicle unsafe. “Major parts and systems” shall include, but not be limited to, the body of a motor vehicle with related component parts, engine, transmission, tires, wheels, seats, exhaust, brakes, and all other equipment required by Colorado law for the particular vehicle.
- 1.12 “Salvage” means any motor vehicle or vehicle as defined in 42-6-102(10) and (23) C.R.S. which is damaged as defined by 42-6-102 (17), C.R.S. and shall include any reference to “salvage motor vehicle” or “salvage vehicle” .
- 1.13 “Salvage Brand” means a Salvage Title or Salvage Certificate of Title issued to a salvage motor vehicle or salvage vehicle with the designation “SALVAGE TITLE” printed on the face of the Certificate of Title and indicated on the motor vehicle record. A motor vehicle registration is not permitted for salvage motor vehicles and salvage vehicles with this designation.
- 1.14 “Salvage Title or Salvage Certificate of Title” means a Colorado Certificate of Title as defined in 42-6-117, C.R.S. issued to a salvage motor vehicle or salvage vehicle.

2.0 Requirements

2.1 Time Frames - All time frames set forth herein begin with the commencement of the tow in the case of nonconsensual tows. Time frames for consensual tows begin when the owner of record breaches an agreement with the operator to claim the vehicle. The abandoned vehicle procedure terminates with the release or sale of the vehicle in accordance with Part 21 of Article 4 of Title 42 C.R.S.

2.2 Operator - All operators that tow abandoned vehicles from private property must be licensed by the Colorado Public Utilities Commission and shall be registered with the Department.

- A. The operator shall submit a DR 2008A Private Tow Vehicle Information Request form to the Department or may perform a record search through the Department Website to obtain owner and lienholder information for a private tow.

- B. The date noted on the DR 2008A "Date to DOR" shall be the date used to determine the date that the operator complied with notification to the Department in accordance with 42-4-2103 C.R.S.
- C. The operator may collect the amount of the documented direct and indirect costs associated with the notification of the owner and lienholder in accordance with 4 CCR 723-6. Direct costs include the charges paid to the U.S. Postal Service for sending the notice by certified mail, return receipt requested. Indirect costs include, but are not limited to, the administrative costs of labor, equipment and supplies required to send the notice.

2.3 Law Enforcement Notification. Operators shall notify law enforcement in accordance with Part 21 of Article 4 of Title 42 C.R.S.

2.4 Operator Notification of Owner/Lienholder. Operators shall notify the owner and lienholder as required by 42-4-2103, C.R.S.

2.5 Sale of Abandoned Vehicle.

- A. If the owner or lienholder of a motor vehicle that was abandoned on private property does not respond to the certified notice, the operator may execute a commercially reasonable sale.
- B. The sale must occur between 30 and 60 days from the postmark date the notification was made. If no record is found by the Department through Department records or through the Department website, the date of notice shall be the date of confirmation of no record from the Department.
- C. The vehicle shall be appraised by a licensed Colorado motor vehicle dealer or a law enforcement officer.
- D. The vehicle shall be sold to a Licensed Motor Vehicle Dealer, wholesaler, a wholesale motor vehicle auction dealer or through a classified newspaper advertisement.
- E. The classified newspaper advertisement shall be published in at least one newspaper in Colorado by the operator. If the sale is through a classified newspaper advertisement, a copy of the advertisement and proof of publication shall be submitted with the title application. The classified newspaper advertisement must identify the vehicle by the year, make and the last 6 characters of the vehicle identification number and identify the operator and provide operator contact information.
- F. If an operator conducts a commercially reasonable sale but fails to sell the motor vehicle, the operator may continue to collect daily storage fees for such vehicle accrued for up to one hundred twenty days.

2.6 Bond Title Application. If no record is found by the Department through Department records or through the Department website for vehicles less than five years old, including the current model year, the purchaser shall apply for a bonded title in accordance with the procedure outlined in the DR 2922 Title or Salvage Title Established by Surety Bond Checklist. When a bond is required, the appraisal on the DR 2173 Motor Vehicle Bill of Sale is valid for 45 days.

2.7 Proceeds of Sale. All proceeds from the sale of a motor vehicle abandoned on private property shall be in accordance with 42-4-2108, C.R.S. Operators are required to complete Section C entitled "Report of Sale of an Abandoned Vehicle" on the DR 2173 Motor Vehicle Bill of Sale at the time of sale.

3.0 Salvage Vehicles

- A. Upon receiving record search information from the Department or through the Department Website, and the record indicates that the vehicle is salvage, the operator must disclose this information to the buyer.
- B. The operator must designate the vehicle as "salvage" on the DR 2173 Motor Vehicle Bill of Sale.
- C. The operator shall provide the buyer with a DR 2444 Statement of Fact indicating the vehicle was purchased as an abandoned vehicle and no repairs were made by the operator.
- D. The operator shall have a DR 2704 Certified VIN Inspection completed to determine if the vehicle is roadworthy.
- E. If the vehicle is roadworthy, then the buyer may apply for a Rebuilt from Salvage Certificate of Title by following the DR 2415 Title Established by Salvage Title Checklist.
- F. The buyer will complete a DR 2424 Salvage Title Statement of Fact stating that the vehicle was purchased from the operator as an abandoned vehicle and that no repairs have been made.
- G. If the completed DR 2704 Certified VIN Inspection indicates that the vehicle is not roadworthy, the buyer may apply for a Salvage Title or Certificate of Title using the DR 2410 Salvage Title Application.
- H. The buyer may apply for a Rebuilt from Salvage Certificate of Title by repairing the vehicle and following the DR 2415 Title Established by Salvage Title Checklist.
- I. After repairing the vehicle, a new DR 2704 Certified VIN Inspection is required.
- J. DR 2710 Rebuilt from Salvage Disclosure is required for all subsequent title applications and must indicate "Other – purchased as an abandoned vehicle" .
- K. If the record search information obtained from the Department or through the Department Website indicates that the vehicle was Rebuilt from Salvage, the operator shall request a record history from the Department to determine the cause of the initial salvage designation.
- L. If reason for initial Salvage designation is determined, the operator will complete the DR 2710 Rebuilt from Salvage Disclosure to provide the initial salvage designation.
- M. If the reason for the initial salvage designation is indeterminate, the operator complete the DR 2710 by marking the "other" box and stating "purchased as an abandoned vehicle, unable to obtain a salvage history, reason for salvage unknown".

4.0 Operator Registration -

All operators that tow abandoned vehicles from private property must be issued a permit through the Colorado Public Utilities Commission and shall be registered with the Department.

5.0 Suspension/Revocation -

Upon complaint by the Department, an operator's license may be suspended or revoked by the Colorado Public Utilities Commission, or the Department may cancel the operator's registration when it is established that the operator has violated any of the provisions set forth in part 21 of Article 4 of Title 42 C.R.S.

- A. An operator's registration may be canceled and the operator may not complete searches through the Department's Website for the following reasons:

- I. The operator's PUC authority has been revoked by the PUC.
2. The operator is 45 days or more past due on the payment of their monthly bill to the Department for use of the online website search application.
3. The operator has not completed their annual renewal application timely.

6.0 Electronic Search Capability -

Whenever possible, operators shall utilize the Department Website to obtain the owner and lienholder information of abandoned vehicles. Use of the Department Website shall be only for the purpose of obtaining the required information to process abandoned vehicles and in full compliance with the Driver Privacy Protection Act. Record search information shall not be provided to the buyer of an abandoned vehicle pursuant to ACT 18 USC 2721. Record search information shall be retained by the operator for a period of three years.

RULE 13. PUBLIC TOW REQUIREMENTS FOR ABANDONED VEHICLES

Basis: This regulation is promulgated under the authority of 42-1-204 C.R.S., Part 18 of Article 4 of Title 42 C.R.S.

Purpose The following rules and regulations are promulgated to establish criteria for the notification and title application to the Department when the vehicle is abandoned on public property.

1.0 Definitions

- 1.1 "Department" means the Department of Revenue, Division of Motor Vehicles.
- 1.2 "Department Website" means an electronic system whereby an operator registered under 42-4-1806(2) C.R.S. or the agent of such operator shall have access to correct information relating to any owner or lienholder of a vehicle towed by the operator as represented in the Department records at the time of the inquiry.
- 1.3 "Licensed Motor Vehicle Dealer" means a new or used motor vehicle dealer licensed under Article 6 of Title 12 C.R.S.
- 1.4 "Operator" means a person or firm licensed by the Public Utilities Commission (PUC) as a towing carrier.
- 1.5 "Public Tow" A public tow shall result from the abandonment of a vehicle on public property in accordance with 42-4-1802 (1), C.R.S.
- 1.6 "Rebuilt From Salvage" means a motor vehicle or vehicle that is now roadworthy as defined in 42-6-102(15), C.R.S.
- 1.7 "Rebuilt from Salvage Brand" means the designation on the Rebuilt from Salvage Certificate of Title and shall become a permanent part of the Certificate of Title and motor vehicle record for such vehicle and shall appear on all subsequent certificates of title for such vehicle.
- 1.8 "Rebuilt From Salvage Certificate of Title" means a Colorado Certificate of Title issued to a motor vehicle or vehicle as defined in 42-6-136(3)(a), C.R.S.
- 1.9 "Roadworthy" means a condition in which a motor vehicle has sufficient power and is fit to operate on the roads and highways of this state after visual inspection by appropriate law enforcement authorities. In order to be roadworthy, such vehicle, in accord with its design and use, shall have

all major parts and systems permanently attached and functioning and shall not be repaired in such a manner as to make the vehicle unsafe. "Major parts and systems" shall include, but not be limited to, the body of a motor vehicle with related component parts, engine, transmission, tires, wheels, seats, exhaust, brakes, and all other equipment required by Colorado law for the particular vehicle.

- 1.10 "Salvage" means any motor vehicle or vehicle as defined in 42-6-102(10) and (23) C.R.S. which is damaged as defined by 42-6-102 (17), C.R.S. which shall include any reference to "salvage motor vehicle" or "salvage vehicle" .
- 1.11 "Salvage Brand" means a Salvage Title or Salvage Certificate of Title issued to a salvage motor vehicle or salvage vehicle with the designation "SALVAGE TITLE" printed on the face of the Certificate of Title and indicated on the motor vehicle record. A motor vehicle registration is not permitted for salvage motor vehicles and salvage vehicles with this designation.
- 1.12 "Salvage Title or Salvage Certificate of Title" means a Colorado Certificate of Title as defined in 42-6-117, C.R.S issued to a salvage motor vehicle or salvage vehicle.
- 1.13 "Working Day" means Monday, Tuesday, Wednesday, Thursday and Friday, excluding State Furlough days and Holidays - New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas Day

2.0 Requirements

2.1 Time Frames - All time frames set forth herein begin with the commencement of a tow of an unattended motor vehicle. Time frames for attended motor vehicles tows begin when the owner or owner of record's agent breaches an agreement with the operator to claim the vehicle. The "vehicles abandoned on public property" procedure terminates with the release or sale of the vehicle in accordance with Part 18 of Article 4 of Title 42 C.R.S.

2.2 Responsible Law Enforcement Agency – Using the DR 2008 Public Tow Vehicle Information Request form, the responsible law enforcement agency that authorized the tow of the vehicle must report information relating to the tow to the Department no later than 10 working days after having an abandoned vehicle towed.

- A. The Department will search its records to determine if there is an owner or lienholder of record. The DR 2008 Public Tow Vehicle Information Request form will serve as notification and search request in the title application upon sale of the vehicle.
- B. The law enforcement agency must notify any owner and/or lienholder of record, determined through Department records within 10 working days after receipt of the report from the Department.
- C. If no record is found in the Department records, the date of notice shall be the date the search of the Department records was completed.

2.3 Operator - All operators that tow abandoned vehicles from public property must be licensed by the Colorado Public Utilities Commission and shall be registered with the Department.

- A. The operator shall submit a DR 2008 Public Tow Vehicle Information Request form to the Department or may perform a record search through the Department Website to obtain owner and lienholder information for a public tow.

B. The date noted on the DR 2008 "Date to DOR" shall be the date used to determine the date that the operator complied with notification to the Department in accordance with 42-4-1804 C.R.S.

C. The operator may collect the amount of the documented direct and indirect costs associated with the notification of the owner and lienholder in accordance with 4 CCR 723-6. Direct costs include the charges paid to the U.S. Postal Service for sending the notice by certified mail, return receipt requested. Indirect costs include, but are not limited to, the administrative costs of labor, equipment and supplies required to send the notice.

2.4 Bond Title Application. If no record is found by the Department through Department records or through the Department Website for vehicles less than five years old, including the current model year, the purchaser shall apply for a bonded title in accordance with the procedure outlined in the DR 2922 Title or Salvage Title Established by Surety Bond Checklist. When a bond is required, the appraisal on the DR 2173 Motor Vehicle Bill of Sale is valid for 45 days.

2.5 Proceeds of Sale. All proceeds from the sale of a motor vehicle abandoned on private property shall be in accordance with 42-4-1809, C.R.S. Operators are required to complete Section C entitled "Report of Sales of an Abandoned Vehicle" on the DR 2173 Motor Vehicle Bill of Sale.

3.0 Salvage Vehicles

A. Upon receiving record search information from the Department or through the Department Website, and the record indicates that the vehicle is salvage, the responsible law enforcement agency must disclose this information to the buyer.

B. The law enforcement agency must designate the vehicle as "salvage" on the DR 2173 Motor Vehicle Bill of Sale.

C. The responsible law enforcement agency shall provide the buyer with a DR 2444 Statement of Fact indicating the vehicle was purchased as an abandoned vehicle and no repairs were made by the law enforcement agency.

D. The responsible law enforcement agency shall require a DR 2704 Certified VIN Inspection be completed to determine if the vehicle is roadworthy.

E. If the vehicle is roadworthy, then the buyer may apply for a Rebuilt from Salvage Certificate of Title by following the DR 2415 Title Established by Salvage Title Checklist.

F. The buyer will complete a DR 2424 Salvage Title Statement of Fact stating that the vehicle was purchased from the responsible law enforcement agency as an abandoned vehicle and that no repairs have been made.

G. If the completed DR 2704 Certified VIN Inspection indicates that the vehicle is not roadworthy, the buyer may apply for a Salvage Title or Salvage Certificate of Title using the DR 2410 Salvage Title Application.

H. The buyer may apply for a Rebuilt from Salvage Certificate of Title by repairing the vehicle and following the DR 2415 Title Established by Salvage Title Checklist.

I. After repairing the vehicle, a new DR 2704 Certified VIN Inspection is required.

J. A DR 2710 Rebuilt from Salvage Disclosure is required for all subsequent title applications and must indicate "Other – purchased as an abandoned vehicle" .

- K. If the record search information obtained from the Department or through the Department Website indicates that the vehicle was Rebuilt from Salvage the responsible law enforcement agency shall request a record history from the Department to determine the cause of the initial salvage designation.
- L. If reason for initial salvage designation is determined, the responsible law enforcement agency will complete the DR 2710 Rebuilt from Salvage Disclosure to provide the initial salvage designation.
- M. If the reason for the initial salvage designation is indeterminate, the responsible law enforcement agency will complete the DR 2710 by marking the "other" box and stating "purchased as an abandoned vehicle, unable to obtain a salvage history, reason for salvage unknown"

4.0 Operator Registration -

All operators that tow abandoned vehicles from public property must be issued a permit through the Colorado Public Utilities Commission, and shall be registered with the Department.

5.0 Suspension/Revocation -

Upon complaint by the Department, an operator's license may be suspended or revoked by the Colorado Public Utilities Commission, or the Department may cancel the operator's registration when it is established that the operator has violated any of the provisions set forth in part 18 of Article 4 of Title 42 C.R.S.

- A. An operator's registration may be canceled and the operator may not complete searches through the Department's website for the following reasons:
 - I. The operator's PUC status has been revoked by the PUC.
 - 2. The operator is 45 days or more past day on the payment of their monthly bill to the Department for use of the online website search application.
 - 3. The operator has not completed their annual renewal application timely.

6.0 Electronic Search Capability -

Whenever possible, operators and the responsible law enforcement agency shall utilize the Department Website to obtain the owner and lienholder information of abandoned vehicles. Use of the Department Website shall be only for the purpose of obtaining the required information to process abandoned vehicles and in full compliance with the Driver Privacy Protection Act. Record search information shall not be provided to the buyer of an abandoned vehicle pursuant to ACT 18 USC 2721. Record search information shall be retained by the operator for a period of three years.

Rule 14. ENFORCEMENT AND HEARING PROCEDURES

The statutory basis for this regulation is 42-1-204.

The following rules and regulations are promulgated to provide procedures to be followed when the Department conducts a hearing for a possible violation of either title or registration rules or regulations.

Requirements

- 1. Whenever the Department determines that a violation of any title or registration rule or regulation has occurred, the Department shall issue an Order to Cease and Desist and shall provide to the violator a Notice of the charged violation.

2. The Order may be a Summary Order to Cease and Desist, provided that such Order is followed by a Notice; or a Notice and Order to Cease and Desist on a future date certain may be issued.
3. The Order to Cease and Desist and/or the Notice of violation shall be mailed to the respondent by first class mail. All notices shall be directed to the most current address as indicated on the Motor Vehicle Division's records. Nondelivery due to an unreported address change shall not constitute reason for dismissal of the action.
4. The Notice shall specify the charge(s) and advise that upon request the violator will be afforded an opportunity to confer with Department representatives concerning the charge(s) and proposed sanction(s). Such conference, when requested, shall be held prior to the effective date of the Order or, in the case of a Summary Order, as soon as possible following the date of the Order.
5. At the conference, the violator shall be permitted to review the evidence concerning the charge and may enter into discussion with Department representatives concerning possible sanction options. After conferring, the violator may stipulate to the charge and accept one of the offered options, or he may reject all options and request a formal hearing.
6. Such request for formal hearing must be made by the violator to the Motor Vehicle Hearing Section within ten (10) days following the conference. A violator who elects not to confer with the Department as provided above may apply directly for a formal hearing upon receipt of the Notice. Request shall be made to the Motor Vehicle Hearing Section within twenty (20) days of the date of the issuance of the Notice. Failure of the violator to request a formal hearing within the time prescribed shall constitute a waiver of the right to a hearing and the Department's Order shall become final.
7. The formal hearing shall be scheduled within twenty (20) days of the request for hearing and shall be held before a Department of Revenue Hearing Officer. At the hearing, the violator shall have the opportunity to dispute the Department's charge(s) and to argue against the Department's sanction(s). The violator may be represented by legal counsel at the hearing.
8. After the matter has been heard, the hearing officer shall make findings of fact and shall issue an order on behalf of the Executive Director. The order of the hearing officer shall constitute an initial decision appealable to the Executive Director of the Department of Revenue under the Colorado Administrative Procedures Act.
9. Any Cease and Desist Order issued pursuant to this regulation shall result in the cancellation of such privileges upon a final Cease and Desist Order. The violator shall immediately cease to use the privilege granted and shall surrender all applicable state issued materials to include but not limit to license plates, tabs, temporary permits, applications, and registrations, or such materials may be seized by a designated enforcement officer of the Department of Revenue.
10. Reapplication by a violator who receives a Cease and Desist Order shall not be permitted until the terms and conditions of the Division are complied with.

RULE 15. FALLEN SERVICE MEMBER LICENSE PLATES

BASIS : This regulation is promulgated under the authority of 42-1-102 (24), 42-1-102 (24.5), 42-1-204, 42-3-213 (1) (a) (XIV), 42-3-213 (1) (f) and 42-3-213 (15), C.R.S.

PURPOSE: The purpose of this regulation is to establish processes for the application and issuance of the Fallen Service Member license plate.

1.0 Definitions

- 1.1 "Applicant" and "Authorized Family Member" mean the current or past spouse, child, sibling, grandparent, or parent of a person who has died in the line of duty while serving in the United States Armed Forces while deployed to a combat zone. The term "child" shall include adopted children and the term "parent" shall include parents of adopted children.
- a. Statutorily foster parents, foster children, step parents, step children, aunts, uncles, nieces, nephews, cousins, fiancée, and friends or associates of the fallen service member may not be considered an authorized family member for the issuance of a Fallen Service Member license plate.
- 1.2 "Department" for the purpose of this regulation means the Department of Revenue, Title and Registration Sections.
- 1.3 "Fallen Service Member License Plate" means a distinctive special license plate that honors service in the armed forces of the United States, and may be issued to an authorized family member of a person who has died in the line of duty while serving in the United States Armed Forces while deployed to a combat zone.

2.0 Requirements

- 2.1 Eligibility for issuance of a Fallen Service Member license plate is based on an application process with the Department.
- a. Applicants shall provide a photocopy of a DD214 Form issued by the United States Government and any other evidence sufficient to demonstrate that the service member was serving in the U.S. Armed Forces and died in the line of duty while deployed to a combat zone.
- b. Applicants must provide documentation to the Department indicating that they are an authorized family member of the service member identified in regulation 2.1a. This documentation may include but not be limited to photocopies of birth certificates, death certificates, census records, obituaries, historical archives, naturalization records, military records, adoption records, marriage certificates, any combination thereof.
- 2.2 Vehicles eligible for Fallen Service Member license plates shall be limited to trucks that do not exceed sixteen thousand pounds empty weight, passenger cars, motorcycles, or noncommercial or recreational vehicles. Applicant's must be listed as an owner of the vehicle for which he/she intends to register the Fallen Service Member license plates to.
- 2.3 The type of Fallen Service Member license plate issued will be based on the branch of the Armed Forces in which the service member was serving when he or she died in the line of duty in a combat zone. The approved Fallen Service Member license plates are designated as Fallen Airman (Air Force), Fallen Soldier (Army), Fallen Guardsman (Coast Guard), Fallen Marine (Marine Corps), and Fallen Sailor (Navy). An approved family member of a Reserve or National Guard service members that died in the line of duty while deployed in a combat zone will be issued a Fallen Service Member license plate based on their parent service (i.e., Air Force, Army, Coast Guard, Navy, and Marine) of the Reserve or National Guard that service member served under.

3.0 Process

- 3.1 The Department will review and verify the accuracy of the information and documentation identified in regulation 2.1 above.

- 3.2 After review and verification, the Department will either approve or deny an application for a Fallen Service Member license plates. The applicant will be notified, in writing, of approval or denial.
- a. If approved, the Department will notify the applicant of the approval via postal mail detailing payment of special plate fees, normal taxes and fees and issuance of the Fallen Service Members license plate.
 - b. Approved applicants shall pay all statutorily required taxes and fees associated with registering and renewing the Fallen Service Member license plate. Authorization shall not be construed to allow the authorized family member to receive a license plate without paying all applicable taxes and fees.
 - 1) Any one-time and issuance fees will be collected by the Department prior to providing the Fallen Service Member license plate to the applicants County Motor Vehicle office for issuance and registration to the applicants vehicle.
 - 2) Any taxes and fees required to register the applicants' vehicle will be collected by the applicants' county of residence upon issuance.
 - c. All renewal transactions will be performed by the applicants' county of residence.
 - d. The Department will only retain electronic copies of the original application and supporting documents. All original documents will be properly destroyed unless request for return of this documentation is specified by the applicant and a pre-paid envelope is provided for the return of the documents.
 - e. The Department will make an effort to work with applicants to correct applications or submitted paperwork prior to denying an application. If an application is denied, the Department will notify the applicant in writing, via postal mail, with the original application and submitted paperwork attached explaining the reason for denial.

4.0 Denied Applicants

- 4.1 Applicants who have been denied issuance of Fallen Service Member license plates may request a hearing, in writing, within thirty days after the denial notice is issued. Written hearing requests shall be submitted to the Department of Revenue, Enforcement Unit, Hearings Section, 1881 Pierce Street, Room #106, Lakewood, CO 80214.
- 4.2 The hearing shall be held at the Department of Revenue, Enforcement Unit, Hearing Section, 1881 Pierce Street, Room #106, Lakewood, CO 80214. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The Department's representative need not be present at the hearing unless his or her presence is required by the presiding officer, or requested by the applicant at the time the written request for hearing is submitted. If the Department's representative is not present at the hearing, any written documents and affidavits submitted by the Department may be considered at the discretion of the hearing officer.

RULE 16. GROUP SPECIAL LICENSE PLATES

Basis: The statutory bases for this regulation are 42-1-102(41.5), 42-1-201, 42-1-204, 42-3-207, 42-3-208 and 42-3-301, C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for the application, responsibilities, and processes for Group Special License Plates.

1.0 Definitions

- 1.1 "Approval Notification" means the Department certification that the non-profit has met statutory and regulatory requirements for proposal of the creation of a Group Special License Plate.
- 1.2 "Certificate" for the purpose of this regulation means letters, vouchers, or certificates issued by the non-profit to a person as evidence that the person has met the pre-certification qualifier for their associated Group Special License Plate.
- 1.3 "Department" for the purpose of this regulation means the Department of Revenue, Division of Motor Vehicles, Title and Registration Sections.
- 1.4 "Group Special License Plate" means a special license plate that is not a distinctive plate and is issued to a group of people because such people have a common interest or affinity.
- 1.5 "Group Special License Plates Created Through Rule" means those Group Special License Plates created and approved for registration to motor vehicles prior to January 1, 2001. These plates include 10th Mountain Division, Air Force Commemorative, Benevolent and Protective Order of the Elks, Columbine, Denver Firefighter, Firefighters, Greyhound Lovers, Knights of Columbus, Masonic Family, Naval Reserve, Pioneer, and Raptor Education Foundation license plates.
- 1.6 "Group Special License Plates Created Through Statute" means those Group Special License Plates created on or after January 1, 2001 through enacting legislation.
- 1.7 "Non-Profit" means a tax-exempt entity described in Internal Revenue Code (IRC) Section 501(c)(3). An organization must be organized and operated exclusively for one or more of the purposes set forth in IRC Section 501(c)(3) and none of the earnings of the organization may inure to any private shareholder or individual. In addition, it may not attempt to influence legislation as a substantial part of its activities and it may not participate at all in campaign activity for or against political candidates.
- 1.8 "Pre-Certification Qualifier" means condition(s) that must be met prior to the issuance of a Group Special License Plate. Pre-certification qualifiers may be, but are not limited to, monetary donation, membership with the non-profit, or meeting of non-profit specific criteria.
- 1.9 "Registered" for the purpose of this regulation means a vehicle with an unexpired registration that is currently issued the Group Special License Plate pursuant to 42-3-102 and 42-3-114, C.R.S.
- 1.10 "Retire" means the discontinuation of the production and issuance of the Group Special License Plate.
- 1.11 "Secure and Verifiable Identification" means an identification document reflected on the Department's Form DR 2841 Secure and Verifiable ID.

2.0 Application for Creation of Group Special License Plates

- 2.1 Non-profits operating in the State of Colorado shall be eligible to apply for the creation of a Group Special License Plate.
- 2.2 Upon completion of all statutory and regulatory requirements for the proposal to create a Group Special License Plate by the non-profit an application, on the forms supplied by the Department, shall be submitted to the Public Relations Manager, Title and Registration Sections, Division of Motor Vehicles. Incomplete applications will not be accepted or retained.
- A. Applications shall be signed by the non-profit affirming agreement to this regulation. In addition to the signed application, the non-profit shall submit:

1. Petition sheets with the names, addresses and county of residence for at least three thousand (3,000) Colorado registered vehicle owners requesting the Group Special License Plate. Petition sheets are required to be provided in both paper and electronic format as required by the Department. Petitions are not transferable between applications for different Group Special License Plates. Petitions are valid for a period of two years from the date submitted with the application to the Department.
 - a. With prior approval by the Department the non-profit may be permitted to use electronic methods for collection of petitions. Electronic methods may include, but are not limited to, web petitions or electronic mail.
 2. Proof of non-profit status verification shall be submitted through a copy of the 501(c)(3) letter from the Internal Revenue Service, or a letter from the State Of Colorado, Secretary of State Office confirming the non-profit status under State law.
 3. A sample certificate with a written description of security features (serialization, watermarks, holograms etc.) incorporated into the certificate. Certificate design requires Department approval prior to issuance. Sample certificates shall be provided to the Department for distribution to Motor Vehicle offices prior to issuance of certificates to qualified individuals. Certificates shall not be issued by the non-profit prior to the effective date of the enabling legislation. Certificates shall be issued in the name of the person as listed on that persons' secure and verifiable identification. Certificates are not transferable and shall be valid for the issuance and registration of one set of Group Special License Plates. Certificate shall be destroyed upon issuance of the Group Special License Plate.
 4. Logo permission letter must include written permission for use of all logos, designs, and colors used in designing, production, and manufacture of the Group Special License Plate. The logos, design, and colors provided by the non-profit organization must be owned and/or registered to the non-profit.
 5. Design payment in the form of a check or money order submitted directly to Colorado Correctional Industries prior to manufacture of the Group Special License Plate.
 6. A pre-certification process description document that details the process that a Colorado resident must meet to be qualified to receive a certificate from the non-profit. In the event that there is no pre-certification, the non-profit shall provide a written statement of this fact.
 - a. If a monetary exchange is required, the document shall detail the use of those funds meeting statutory and regulatory requirements.
- 2.3 Upon receipt of the Approval Notification the non-profit has the sole responsibility to obtain a bill sponsor to propose legislation. The Department shall retain the application for two years after issuance of the Approval Notification.
- A. If the non-profit fails to obtain a bill sponsor within two years of issuance of the Approval Notification and desires to continue with the creation of the Group Special License Plate the non-profit shall be required to re-apply and meet all statutory and regulatory requirements in effect at that time. Requirements met with a previous application are not transferable to a new application.

3.0 Enacted Group Special License Plates Responsibilities and Processes

- 3.1 Group Special License Plates must be designed within the formats established by the Department who has final approval authority. The Department may deny any design proposal it considers offensive or misleading.
- A. Use of corporate (for profit) logos shall not be approved for use in the design of the Group Special License Plate. If the non-profit is associated under, or is a division of a "for profit" organization the use of that "for profit" logo shall not be approved in the design. The Department shall have final approval authority on all logo designs and placement on the Group Special License Plates. Use of national symbols shall be approved at the discretion of the Department.
 - B. Design change requests after the design has been approved must be submitted in writing to the Department by the non-profit. Supporting documentation required may include, but is not limited to, issuance trends, current inventory levels, and costs associated with changes. If the change request is approved, the non-profit shall prepay all design costs prior to manufacture of the new design. Design changes are effective as established by the Department inventory management methodologies. Registered vehicles, as defined in this rule shall be allowed to maintain their current plate design. If approval is granted while existing inventory is in circulation and the non-profit requests new plates to be implemented immediately, the non-profit shall pay all fees associated with the recall, collection, and destruction of existing inventory.
- 3.2. Upon completion of the proposed Group Special License Plate design, the non-profit will receive one sample of the approved plate design. Sample plates used in the design approval process are the property of the Department. The non-profit may request up to five samples for marketing and display purposes upon payment of material fees as established in 42-3-301, C.R.S., for each plate. Sample plates shall be produced using the standard passenger size license plate with the standard sample plate numbers assigned by the Department. Non-standard plate number requests will not be accepted. Permission from the Department is required prior to use of the plate design, electronic plate images, or graphic plate images outside of usual marketing (website, newsprint etc.). The Department shall be given at least 72 hours prior notice of all news releases, interviews, or mass communications referencing the Group Special License Plate.
- 3.3 The Department shall determine the method used and initial supply and re-stocking of inventory.
- 3.4 Requests to distribute thank you notes, requests for contributions, or other propaganda with the issuance of the Group Special License Plate will not be accepted.
- 3.5 The non-profit shall continuously maintain non-profit status. Proof of non-profit status shall be submitted to the Department annually prior to June 1st.
- A. If at any time, it is determined that the non-profit has lost status as a non-profit, at the Department's discretion, the plate shall either be retired or the pre-certification qualifier eliminated. At that time the non-profit will cease to be associated with the Group Special License Plate.
- 3.6 The non-profit shall not request resident information or vehicle owner information from the Department concerning the number or expiration months of Group Special License Plates issued.
- 3.7 The non-profit must affirm in writing to the Department if the authority of the Group Special License Plate is transferred to a successor non-profit. Upon acceptance of the transfer of authority by the Department, the successor non-profit shall meet all statutory and regulatory requirements and shall be required to affirm in writing agreement to the established regulations in regards to Group Special License Plates.

- 3.8 Request for changes to certificates must be submitted in writing ensuring sufficient time to disseminate the change to all Motor Vehicle offices. Upon approval of the certificate change the Department will establish an effective date for the change. Amended certificate shall meet the requirements of Code of Colorado Regulations 1 CCR 204-10 Rule 16. Previously issued certificates that have not been presented to the Motor Vehicle office for issuance of the associated Group Special License Plate will be accepted for issuance of a Group Special License Plate.
- 3.9 Pursuant to the date establish within each Group Special License Plate statute, and every year thereafter on such date, there shall be the amount specified in statute for the number of motor vehicles registered with the associated Group Special License Plate. If the Group Special License Plate is registered to less than the amount specified in statute, the Department shall retire the Group Special License Plate pursuant to the Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.
- 3.10 The Department may require an audit of the non-profit monies collected and efforts made in the name of the Group Special License Plate. This may include, but is not limited to, accounting, financial, procedures, tax, and pre-certification qualifier audits.
- A. In the event that an audit results in adverse findings, the Department may require additional information to support the non-profit's claims and may retire the Group Special License Plate pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.
- 3.11 If the Department retires a Group Special License Plate the retirement of the Group Special License Plate requires:
- A. The discontinuation of the production and issuance of the Group Special License Plate.
- B. Written notice, sent via regular certified postal mail, to the non-profit associated with the Group Special License Plate. This retirement notice shall also act as the official notice that the non-profit is no longer associated with the Group Special License Plate. Upon receipt of the retirement notice the non-profit shall:
1. Discontinue collection of donations and issuance of certificates.
 2. Within 72 hours remove any references to the Group Special License Plate from the non-profits website, newsprint, or other public accessed media.
- C. A person, whose vehicle is registered with a retired Group Special License Plate, shall be permitted to continue registration with the Group Special License plate provided the registration remains current and the license plate is not damaged, lost, or stolen.
- D. The non-profit is required to provide refunds to persons who were issued certificates from the non-profit within the last 13 months and who have not been issued the Group Special License Plate prior to the retirement date.
1. A person who has received a certificate from the non-profit that has been approved for a personalized plate and has not been issued the personalized plate prior to the retirement date shall be permitted to register their vehicle with the Group Special License Plate provided the issuance and registration is completed within 13 months of the personalized plate approval date.

- 3.12 Applications for the proposal of a new Group Special License Plate will be accepted 5 years from the date of the last retirement of a Group Special License Plate by the same non-profit who will be required to meet the statutory and regulatory requirements at that time.
- 3.13 Non-profits associated with Group Special License Plates created through rule shall meet the requirements of this regulation unless such rule and/or other agreement that non-profit has with the Department establishes separate requirements that differ from this regulation. In any event, that such rule and/or other agreement are in place and it does not specifically address items in this regulation, this regulation shall apply and be in full effect.

RULE 17. HORSELESS CARRIAGE

Basis The statutory basis for this regulation is 42-1-204, 42-3-120 and 42-12-301, C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for the issuance of Horseless Carriage license plate.

1.0 Definitions

- 1.1 "Early Date of Manufacture" for the purposes of this rule means that a motor vehicle was manufactured at least fifty years before the current date of registration.
- 1.2 "Collector's Item" means a motor vehicle, including a truck or truck tractor, that is of:
- a. Model year 1975 or earlier; or
 - b. Model year 1976 or later that was registered as a collector's item prior to September 1, 2009; except that a vehicle so registered is not eligible for registration as a collector's item upon sale or transfer to a new owner.
- 1.3 "Department" for the purposes of this regulation means the Department of Revenue, Title and Registration Sections.
- 1.4 "Horseless Carriage" means any motor vehicle valued principally because of the vehicle's early date of manufacture, design, or historical interest or valued as a collector's item.

2.0 Requirements and Process

- 2.1 Registration of horseless carriage vehicles and issuance of a Horseless Carriage license plate shall be completed by the Department.
- 2.2 A Horseless Carriage license plate may be issued to motor vehicles valued principally because of the vehicles' early date of manufacture, design, or historical interest or that is valued as a collector's items.
- 2.3 All applicable title and registration fees must be paid at the time of application to the Department.
- 2.4 In accordance with 42-12-301(3), C.R.S., the Department shall register horseless carriage vehicles and issue Horseless Carriage license plates for a period not exceeding five years, but all such registrations and license plates shall expire on the same date regardless of the date of issue. For example any Horseless Carriage application received and processed between December 2009 through December 2014, regardless of the date within this period, will be issued a 2014 year tab and be required to renew their registration in November 2014. Collection of fees will be based on the number of years remaining at the time of issuance for registration.

a. Horseless Carriage set five year registration periods are as follows:

1. January 2009 – December 2014
2. January 2015 – December 2020
3. January 2021 – December 2026

2.5 Vehicles registered with a Horseless Carriage license plate are required to display only one plate on the rear of the vehicle. No other plate may be affixed to the vehicle while the Horseless Carriage plate is displayed.

2.6 Vehicles registered as a Horseless Carriage and displaying a Horseless Carriage license plate are subject to limited use, and may be driven on the streets and highways only; to and from assemblies, conventions, or other meetings where such vehicles and their ownership are the primary interest of the event; on special occasions, for demonstrations and parades; on occasions when their operation on the streets and highways will not constitute a traffic hazard; and to, from, and during local, state, or national tours held primarily for the exhibition and enjoyment of such vehicles.

2.7 A lost or stolen Horseless Carriage license plate shall be reported within seventy-two (72) hours to the local law enforcement agency and to the Department using form number DR 2283 Affidavit for Lost or Stolen License Plates/Permits.

2.8 Upon the sale of a vehicle registered with a Horseless Carriage plate, the license plate will remain with the vehicle and be transferred to the new owner. Upon the new owner establishing ownership through title and registration, notice of the transfer shall be communicated, via forms established by the Department, to the Department.

3.0 Rejected Applications and Cancelled Registrations

3.1 The Department may deny issuance of a Horseless Carriage license plate for an incomplete application, if a vehicle does not meet the minimum requirements to display a Horseless Carriage license plate, or on any other of the bases set forth in article 3, title 42, C.R.S., for not registering a motor vehicle. The Department may cancel the registration of a Horseless Carriage for mis-use of the Horseless Carriage license plate, if false information was provided to secure issuance of the license plate, or as otherwise provided in article 3, title 42, C.R.S.

3.2 Applicants who have been denied issuance of a Horseless Carriage license plate or who have their Horseless Carriage registration cancelled may request a hearing, in writing, within thirty days after the notice is issued. Written hearing requests shall be submitted to the Department of Revenue, Enforcement Unit, Hearings Section, 1881 Pierce Street, Room #106, Lakewood, CO 80214.

3.3 The hearing shall be held at the Department of Revenue, Enforcement Unit, Hearing Section, 1881 Pierce Street, Room #106, Lakewood, CO 80214. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The Department's representative need not be present at the hearing unless his or her presence is required by the presiding officer, or requested by the applicant at the time the written request for hearing is submitted. If the Department's representative is not present at the hearing, any written documents and affidavits submitted by the Department may be considered at the discretion of the hearing officer.

RULE 18. ACCEPTABLE EVIDENCE OF VEHICLE PROOF OF OWNERSHIP

Basis: The statutory bases for this regulation are 42-1-204, 42-6-106(1)(d), 42-6-106(1)(e), 42-6-107, 42-6-109, 42-6-110, 42-6-113, 42-6-114, 42-6-115, and 42-6-119, C.R.S.

Purpose: The following rules and regulations are promulgated to identify documents that are acceptable as evidence of vehicle proof of ownership.

1.0 Definitions

- 1.1 "Department" means the Department of Revenue of this state acting directly or through its duly authorized officers and agents.
- 1.2 "Foreign jurisdiction" means any state, territory, country, or sovereign nation other than the State of Colorado.
- 1.3 "Secure and Verifiable Identification" or "SVID" means a document issued by a state or federal jurisdiction or recognized by the United States Government and that is verifiable by federal or state law enforcement, intelligence, or homeland security agencies.

2.0 Satisfactory Proof of Ownership

2.1 Acceptable vehicle proof of ownership may be evidenced by the following:

- a. A Colorado or other state certificate of title transferred in the manner prescribed in 42-6-110, C.R.S., or
- b. A registration in owner's name from a non-titling state, or
- c. A bill of sale for any vehicle not titled or registered in the State of Colorado, or
- d. A bill of sale for any vehicle that was previously in foreign jurisdiction that does not title or register the vehicle. The foreign jurisdiction must be verified through various title and registration reference manuals and the National Motor Vehicle Title Information System as not titling or registering the vehicle, or
- e. A current U.S. Military issued registration in owner's name, or
- f. A copy of a court order directing the department to issue a title to the applicant or judgment for possession obtained through a civil proceeding pursuant to 42-6-114, C.R.S., or
- g. A DR 2409 Statement of Assembly of Homemade Trailer and Assignment of Trailer I.D. Number if the vehicle is a homemade trailer as defined in 42-5-201(4), C.R.S., or
- h. Other evidence deemed by the Department to be satisfactory evidence of an applicant's proof of vehicle ownership.

2.2 When the applicant does not have a copy of their title and the Colorado record has been purged, then the following documents submitted together with the DR 2116 Re-Establishment of Ownership Document and Motor Vehicle Bill of Sale For a Purged Colorado Record are considered acceptable proof of ownership.

- a. Colorado registration with current owner(s) name, or
- b. Colorado registration renewal card, or
- c. Photocopy of the Colorado title, or

- d. A copy of the Colorado motor vehicle record.
 - e. The applicant's name must be on all of these documents.
- 2.3 All documents must contain the vehicle identification number, vehicle year, vehicle make, and applicant(s) name listed as the owner, buyer, or transferee. The Department may require additional information, as needed, in order to determine vehicle and owner requirements.
- 2.4 Applicants who are unable to provide acceptable proof of vehicle ownership documents are required to satisfy all the requirements set forth in 42-6-115, C.R.S, and Code of Colorado Regulations 1 CCR 204-10 Rule 19. Bonding for Colorado Certificate of Title.
- 2.5 Document requirements specific to each document must be met (e.g., notary, acceptable transfers assignments etc...). Any document not meeting its specific requirements will not be accepted as proof of ownership.
- 2.6 Secure and verifiable identification is required at the time of transfer of vehicle ownership.

3.0 Application Rejection Appeal

- 3.1 Applicants who have been denied issuance of a Colorado certificate of title may request a hearing, in writing, within thirty days after the denial notice is issued. Written hearing requests shall be submitted to the Department of Revenue, Enforcement Unit, Hearings Section, 1881 Pierce Street, Room #106, Lakewood, CO 80214.
- 3.2 The hearing shall be held at the Department of Revenue, Enforcement Unit, Hearing Section, 1881 Pierce Street, Room #106, Lakewood, CO 80214. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The Department's representative need not be present at the hearing unless his or her presence is required by the presiding officer, or requested by the applicant at the time the written request for hearing is submitted. If the Department's representative is not present at the hearing, any written documents and affidavits submitted by the Department may be considered at the discretion of the hearing officer.

RULE 19. BONDING FOR COLORADO CERTIFICATE OF TITLE

Basis: The statutory bases for this regulation are 42-6-104, 42-6-102(17)(c), and 42-6-115, C.R.S.

Purpose: The following rules and regulations are promulgated to clarify documents required and processes relating to bonding for a Colorado certificate of title when satisfactory evidence of vehicle proof of ownership cannot be provided by an applicant.

1.0 Definitions

- 1.1 "Certified VIN Inspection" means a vehicle identification number inspection conducted by a Peace Officers Standards and Training (P.O.S.T.) certified inspector.
- 1.2 "Department" means the Department of Revenue of this state acting directly or through its duly authorized officers and agents.
- 1.3 "Major Parts and Systems" means and shall include, but is not limited to, the body of a motor vehicle with related component parts, engine, transmission, tires, wheels, seats, exhaust, brakes, and all other equipment required by Colorado law for the particular vehicle.
- 1.4 "Motor Vehicle" means any self-propelled vehicle that is designed primarily for travel on the public highways and is generally and commonly used to transport persons and property over the public

highways, including trailers, semitrailers, and trailer coaches, without motive power. Motor Vehicle does not include a low-power scooter; a vehicle that operates only upon rails or tracks laid in place on the ground or that travels through the air or that derives its motive power from overhead electric lines; a farm tractor, farm trailer, and any other machines and tools used in the production, harvesting, and care of farm products; or special mobile machinery or industrial machinery not designed primarily for highway transportation.

- 1.5 "Roadworthy" means a condition in which a motor vehicle has sufficient power and is fit to operate on the roads and highways of this state after visual inspection by appropriate law enforcement authorities. In order to be roadworthy, such vehicle, in accord with its design and use, shall have all major parts and systems permanently attached and functioning and shall not be repaired in such a manner as to make the vehicle unsafe.
- 1.6 "Salvage Certificate of Title" means a document issued under the authority of the director to indicate ownership of a salvage vehicle.
- 1.7 "Salvage Vehicle" means a vehicle that is damaged by collision, fire, flood, accident, trespass, or other occurrence, excluding hail damage, to the extent that the cost of repairing the vehicle to a roadworthy condition and for legal operation on the highways exceeds the vehicle's retail fair market value immediately prior to such damage, as determined by the person who owns the vehicle at the time of such occurrence or by the insurer or other person acting on behalf of such owner. Salvage Vehicle shall not apply to a vehicle whose model year of manufacture is six years or older at the time of damage.
- 1.8 "Secure and Verifiable Identification" or "SVID" means a document issued by a state or federal jurisdiction or recognized by the United States Government and that is verifiable by federal or state law enforcement, intelligence, or homeland security agencies.
- 1.9 "Secure Form" means a form produced through a secure printing process or other secure process means which deters counterfeiting and/or unauthorized reproduction and allows alterations to be visible to the naked eye.

2.0 Bonding for Title

- 2.1 An applicant that is unable to provide satisfactory evidence of proof of ownership of a vehicle shall be required to perform the bonding for title requirements listed in 42-6-115, C.R.S., in order to obtain a Colorado certificate of title.
- 2.2 A Colorado certificate of title shall be issued upon successful completion of the bonding for title requirements listed below. The applicant shall:
 - a. Have the vehicle identification number (VIN) inspected by a P.O.S.T. (Peace Officers Standards and Training) certified inspector. The VIN certified inspection must not be over one year old at the time of application, and
 - b. Obtain a title record search. The title record search may not be older than one-year from the date of application, and
 - i. State of Colorado vehicles must have a Colorado title record search completed on forms required by the Department.
 - ii. Out-of-state vehicles must have a title and lien record search completed from the state the vehicle was last titled in along with the Colorado title record search.

- c. Provide proof of attempt to contact owner(s) and lienholder(s) identified on the record search(es) through certified or registered mail, and
- d. Provide a lien release for all active liens indicated by a record search. Lien releases must be on the lienholder's letterhead and must include the vehicle year, vehicle make, VIN, titled owner's name(s), agent's signature, date of lien release, and must be signed under penalty of perjury in the second degree as defined in 18-8-503, C.R.S., or
 - i. If an attempt is made to secure a lien release and the lienholder is not available, the applicant must complete one of the following:
 - A) If the lien is filed in Colorado:
 - 1. Provide the "Returned as Undeliverable" certified or registered letter mailed to the lienholder's last known address, and
 - 2. Obtain a bond for the amount of the lien or twice the appraised value of the vehicle, whichever is greater.
 - B) If the lien is filed out-of-state:
 - 1. Contact the state of record and request a lien release on the state's letterhead.
 - ii. If the applicant is unable to provide either of the above lien releases, the applicant must provide a court order releasing the lien.
- e. Establish the reasonable appraised value of the vehicle pursuant to 42-6-115(3)(a), C.R.S. Appraisal must be for the current condition of the vehicle at the time of application for a Colorado certificate of title. Appraisal must describe the vehicle by the VIN, vehicle year, and vehicle make, and must be established as listed by one of the following:
 - i. An appraisal from a Colorado licensed dealer, or
 - A) An appraisal from a Colorado licensed dealer must be signed by the dealer, be dated, and state the dealership's license number. If the appraisal is not on the dealer's letterhead, the appraisal must be notarized or signed under penalty of perjury.
 - ii. Current value from the Kelly Blue Book, or
 - iii. Current value from the National Automobile Dealers Association (N.A.D.A.) Official Used Car Guide.
- f. Purchase a surety bond for twice the appraised value as shown on the appraisal, unless exempted as noted below:
 - i. If the vehicle is twenty-five years or older and the applicant provides a notarized bill of sale that is within twenty-four months of the date of sale, then the applicant is not required to purchase a surety bond.
 - ii. If the vehicle is a trailer, and the applicant provides a DR 2697 Certification of Equipment Compliance for Trailers 2000 Pounds or Less then the applicant is not required to purchase a surety bond.

- g. Complete the DR 2394 Bond Statement Guide & In Lieu of Bond Affidavit, and
 - h. Apply for a Colorado certificate of title at the county motor vehicle office in the county of residence of the applicant.
- 2.3 If the vehicle record search(es) completed in paragraph 2.2b above indicates the vehicle is salvage; then the rebuilt from salvage processes must be followed in Code of Colorado Regulations 1 CCR 204-10 Rule 31. Salvage Disclosure on Title Applications for Salvage and Previously Salvaged Motor Vehicles.
- a. If the inspection by a law enforcement officer indicates the vehicle is not roadworthy, and the vehicle is less than six years old the applicant may only apply for and be issued a Salvage Colorado certificate of title by completing salvaged titling forms required by the Department. The applicant may, at a later date, repair and make the salvage vehicle roadworthy and obtain a Colorado certificate of title by following the Rebuilt from Salvage processes and by completing the forms required by the Department.
- 2.4 Applicant must disclose the vehicles odometer reading on a secure form required by the Department for vehicles with model years of less than ten years.
- 2.5 Applicant shall be required to pay all statutorily required fees required for transfer of ownership, bonding for title, and issuance of a Colorado certificate of title for the vehicle.
- 2.6 Applicant shall be required to provide secure and verifiable identification at the time of application.

3.0 Application Rejection Appeals

- 3.1 Applicants who have been denied issuance of a Colorado certificate of title may request a hearing, in writing, within thirty days after the denial notice is issued. Written hearing requests shall be submitted to the Department of Revenue, Enforcement Unit, Hearings Section, 1881 Pierce Street, Room #106, Lakewood, CO 80214
- 3.2 The hearing shall be held at the Department of Revenue, Enforcement Unit, Hearing Section, 1881 Pierce Street, Room #106, Lakewood, CO 80214. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The Department's representative need not be present at the hearing unless his or her presence is required by the presiding officer, or requested by the applicant at the time the written request for hearing is submitted. If the Department's representative is not present at the hearing, any written documents and affidavits submitted by the Department may be considered at the discretion of the hearing officer.

Rule 20. LICENSE PLATE RETIREMENT

BASIS: The statutory bases for this regulation are sections 42-1-102 (24), 42-1-102 (41.5), 42-1-204, 42-3-207(1) (b) (II), 42-3-212(7), 42-3-214(7), 42-3-215(7), 42-3-216(7), 42-3-221(6), 42-3-222(6), 42-3-223(6), 42-3-224(2)(b) and 42-3-225(2)(b), C.R.S.

PURPOSE: The purpose of this regulation is to establish a process to be followed to retire license plate types due to the statutory threshold of issued plates not being met, adverse audit findings or any other statutorily supported eligibility for plate retirement as determined by the department.

1.0 Definitions

- 1.1 "Group Special License Plate" - means a special license plate that is not a distinctive plate and issued to a group of people because such people have a common interest or affinity.

- 1.2 “Optional License Plate” - means a special plate that has a background consisting of a graphic design representing the state flag of Colorado (commonly referred to as Designer License Plates).
- 1.3 “Alumni License Plate” - means a special plate that is issued to an alumni association for a private or public college or university located within Colorado.
- 1.4 “Issued” - means the total number of vehicles that are currently registered with the defined license plate or within the one-month grace period.
- 1.5 “Retirement” - means the discontinuing of manufacture, shipment, new registration, replacement registration and issuance of the defined license plate.
- 1.6 “Department” - means the department of revenue of this state acting directly or through its duly authorized officers and agents.

2.0 Requirements

- 2.1 To be eligible for retirement, a group special, optional, or alumni license plate must be issued to less than the statutorily defined threshold on the statutorily defined date.
- 2.2 A group special license plate may be retired based on adverse audit findings as a result of the annual audit established in 1 CCR 204-14 Group Special License Plate regulation.
- 2.3 The determination to retire a group special license plate due to the required number of license plates issued is less than the statutory requirement, is an annual review to occur on the effective date as defined in statute and every year after.

3.0 Process

- 3.1 The retirement of group special, optional, and alumni license plates that have not met the statutorily required threshold shall be conducted annually based on the effective date and current level of issued plates.
- 3.2 At the effective date, the department will perform a statewide query into registrations systems to determine the total number of vehicles registered and plated with the license plate designated to be due for review of retirement.
- 3.3 If the outcome of the review is that the license plate is issued to more vehicles than required by statute, no further action is required and normal manufacturing, registering, and plating of vehicles will continue.
- 3.4 If the outcome of the review is that the license plate is not issued to the number of vehicles required by statute, at the date of review, it will be established as eligible for retirement and the process below will be followed.
 - A. A complete list of vehicles registered and plated with the license plate that has been deemed eligible for retirement will be generated identifying the license plate number, county of residence, name and address of all registered owners.
 - B. At the time the above list is generated, registration and plating systems will be programmed to prohibit new manufacturing, shipping, issuing, or replacement of the plate.
 - 1. Vehicles registered with a license plate that has been deemed required to be retired may retain the license plates until the registrant desires to replace the plate with

a non-retired license plate or upon replacement of lost, stolen and/or damaged plates. The department shall not grant request for or manufacturer similar replacement plates that have been retired, complete replacement with a non-retired license plate shall be the only option given.

2. A letter will be mailed to each registered owner detailing the retirement of the plate listing the owners' options and any other information the department may deem necessary.
 - C. The department shall notify the license plate sponsor/organization of the retirement of the license plate via certified mail. This letter will contain at a minimum the retirement date, instructions to cease the certification and validation process, discontinue issuing vouchers, instructions that all references about obtaining or any reference to sponsorship of the license plates shall be removed from all organization documentation, newsletters, mailing, websites or any other type of media they maintain. This notification will inform them that their status as the representative and certifying official for the license plate has been terminated.
 - D. Plates that are required to be retired shall be removed from all license plate inventories and shall be eliminated from the license plate inventory management systems. Retired plates that are in inventory will be destroyed pursuant to the destruction, recycling, or other permanent disposal of license plates in section 42-3-201(6)(a), C.R.S.
 - E. The department shall not refund membership fees and/or donations collected by the sponsoring organization, or use them as credit towards the registration fees charged for the new or replacement license plates.
- 3.5 Sponsoring organizations representing retired license plates may request to re-establish the license plate, six years from the date the plate is deemed retired and must follow the process and procedures as established by rule for group special and alumni license plates.
- 3.6 Sponsoring organizations may verify the number of group special, optional or alumni license plates issued for their organization by contacting the State Registrations office.
- 3.7 Sponsoring organizations may appeal the department's decision to retire a license plate by following the Enforcement and Hearing Procedures established in 1 CCR 204-14.

Rule 21. MANUFACTURER LICENSE PLATES

Basis: The statutory bases for this regulation are 42-1-204, 42-3-116 and 42-3-304 (6)(b) CRS.

Purpose: The following rules and regulations are promulgated to establish criteria for the issuance and use of manufacturer plates.

Requirements

In all cases the applicant shall complete and submit a Department approved application to the Department of Revenue, Enforcement Business Group, Auto Industry Division.

The number of plates authorized for purchase by each manufacturer shall be governed by the following criteria and the manufacturer's compliance with the criteria shall be certified to by a duly authorized representative of the manufacturer.

1. New manufacturers and factory branch allocations.

- a. Each licensed manufacturer, which has at least one licensed representative, shall be authorized a minimum of three plates upon proof of Colorado titles applicable for the vehicles on which the plates are to be used.
- b. Each licensed factory branch located within the boundaries of the state shall be authorized a minimum of three plates upon proof of Colorado titles applicable for the vehicles on which the plates are to be used. The branch must have at least one licensed representative.
- c. Each small trailer manufacturer, with at least one representative, shall be authorized a minimum of three plates upon proof of Colorado titles applicable for the vehicles on which the plates are to be used.
- d. Additional manufacturer plate authorizations during the initial application year shall be issued on a per vehicle basis. Applicants wishing to obtain additional manufacturer plates shall present to the Department of Revenue, Enforcement Business Group, Auto Industry Division, proof of Colorado title applicable for the vehicle on which the plate is to be used. Each titled vehicle shall be entitled to one plate authorization.

2. Renewal of manufacturers and factory branch allocations.

- a. Authorizations for manufacturer plates when renewing shall be based on the number of vehicles the manufacturer has titled in Colorado at the time of the application for renewal. Each titled vehicle shall be entitled to one plate authorization.
- b. Applicants who need to obtain additional manufacturer plates during the year shall present to the Department of Revenue, Enforcement Business Group, Auto Industry Division, proof of Colorado title applicable to the vehicle on which the plate is to be used. Each titled vehicle shall be entitled to one plate authorization.
- c. The Director of the Department of Revenue or his designee shall have the right to request supporting documents to verify the validity of the number of plates requested.

Vehicles bearing manufacturer plates must be owned by and titled in Colorado to the manufacturer or its factory branch. Operating a vehicle with manufacturer plates on a manufacturer's certificate of origin is NOT permitted. Colorado title must be obtained.

The driver of a vehicle bearing a manufacturer license plate shall have in his or her possession the receipt for application for a Colorado Title. Said validated receipt shall serve as the registration and insurance verification.

Additional vehicles owned and operated by a manufacturer or its branch are considered commercial and are subject to normal Colorado registration procedures and fees.

Verification of employment and authorizations for use shall be in written form on the manufacturer's letterhead and shall be in the driver's possession at all times when the vehicle is being operated on the highways in Colorado.

Vehicles bearing Colorado manufacturer plates must be principally operated and maintained in the State of Colorado. The receipt for title application must show a Colorado address. Manufacturer-owned vehicles operated and maintained principally in other states are subject to the licensing and registration requirements of those states.

No markings or advertising may appear on manufacturer-plated vehicles except those in the name of the manufacturer.

Manufacturer-plated vehicles are not to be used for demonstration purposes with the retail public. Demonstration rides are reserved for dealer plated vehicles of licensed motor vehicle dealers.

Manufacturer plates are NOT authorized on any vehicle which has been sold, leased, or rented by the manufacturer.

Lost or stolen manufacturer plates must be reported to a local law enforcement agency and the Department of Revenue, Enforcement Business Group, Auto Industry Division, within seventy-two (72) hours. The manufacturer may replace lost or stolen plates through the Department of Revenue, Enforcement Business Group, Auto Industry Division, or its designated agent after completing and filing an affidavit of lost or stolen plates. The plates shall be replaced at the statutory fee for plates in excess of five. Damaged plates must be returned to the Department of Revenue, Enforcement Business Group, Auto Industry Division or its designated agent and shall be replaced for a \$10 processing fee.

All Manufacturer plates must be surrendered to the Department of Revenue, Enforcement Business Group, Auto Industry Division, within seventy-two (72) hours if the manufacturer ceases to operate and sell motor vehicles in Colorado, or whenever the appropriate license has been suspended, denied, revoked, or expired.

Rule 22. MANUFACTURER'S CERTIFICATE OF ORIGIN

The statutory bases for this regulation are 12-6-102 (11), 12-6-102 (12), 42-1-102(5), 42-6-102 (11), 42-6-102 (22), 42-6-104, 42-6-105, 42-6-113 and 42-6-115 C.R.S.

The purpose of this regulation is to define a Manufacturer's Certificate of Origin as it relates to a motor vehicle and to establish the process to be followed when submitting a Manufacturer's Certificate of Origin for the issuance of a Colorado Certificate of Title and the process to be followed in lieu of submitting a Manufacturer's Certificate of Origin for the issuance of a Colorado Certificate of Title.

Definitions

- 1.1 "Authorized Agent" means the officer of a county or city and county designated by law to issue motor vehicle titles and annual registrations for vehicles and to collect any registration or license fee imposed thereon by law.
- 1.2 "Bill of Sale" means a document furnished by a seller to a buyer specifying the vehicle year, make, model and Vehicle Identification Number, the purchase price and the terms of the sale. If a licensed Colorado dealer furnishes the bill of sale, the document must be printed on secure paper stock that contains security features used to detect alteration.
- 1.3 "Manufacturer's Certificate of Origin" means a document issued by a vehicle manufacturer which establishes ownership of the new vehicle prior to the vehicle being titled.
- 1.4 "Manufacturer" means any person, firm, association, corporation or trust, resident or non-resident, who manufactures or assembles new and unused motor vehicles; and is licensed in Colorado as a manufacturer, except that manufacturer' shall not include:
 - A. Any person who only manufactures utility trailers that weigh, less than two thousand pounds and does not manufacture any other type of motor vehicle; and
 - B. Any person, other than a manufacturer operating a dealership (or as a dealer) pursuant to section 12-6-120.5, who is a licensed dealer selling motor vehicles that such person has manufactured.

- 1.5 “New Vehicle” means a motor vehicle being transferred for the first time from a manufacturer or importer, or dealer or agent of a manufacturer or importer, to the end user or customer. A motor vehicle that has been used by a dealer for the purpose of demonstration to prospective customers shall be considered a “new vehicle” unless such demonstration use has been for more than one thousand five hundred miles. Motor vehicles having a gross vehicle weight rating of sixteen thousand pounds or more shall be exempt from this definition.
- 1.6 “Used Vehicle” means a motor vehicle that has been sold, bargained, exchanged, or given away, or has had the title transferred from the person who first took title from the manufacturer or importer, dealer, or agent of the manufacturer or importer, or has been so used as to have become what is commonly known as a second hand motor vehicle. A motor vehicle that has been used by a dealer for the purpose of demonstration to prospective customers shall be considered a “used vehicle” if such demonstration use has been for more than one thousand five hundred miles.

Requirements

- 2.1 The Manufacturer’s Certificate of Origin shall adhere to the printing standards established by the American Association of Motor Vehicle Administrators (AAMVA). Those specifications are as follows:
- A. SECURITY FEATURES - All “Certificates of Origin” should contain the following security features:
1. Paper
 - a. Sensitized Security Paper - paper that is reactive to chemicals commonly used to alter documents.
 - b. Non-Optical Brightener Paper - paper without added optical brighteners, which will not fluoresce under ultraviolet light.
 2. Engraved Border - a border produced from engraved artwork, which shall appear on the front of the document.
 3. Prismatic - rainbow printing which is used as a deterrent to color copying, and/or
 4. Copy Void Pantograph - the word “void” appears when the document is copied.
 5. Complex Colors - colors, which are developed by a mixture of two or more colors, (red, yellow or blue) and black if required.
 6. Erasable Fluorescent Background Inks - fluoresces under ultraviolet light and reacts to any attempt to erase in such a manner as to be immediately detectable.
 7. Background Security Design - a repetitious design consisting of a pattern, which hinders counterfeiting efforts.
 8. Microline - a line of small alpha characters in capital letters which requires a magnifying glass to read.
 9. Consecutively numbered - documents that contain a number, which is consecutively numbered for control purposes.
 10. Security thread - with or without watermark and/or

11. Intaglio Print - with or without latent image.

B. DOCUMENT SIZE - "Certificates of Origin" shall be seven (7) inches by eight (8) inches.

C. PAPER STOCK - Sixty (60) pound offset or equivalent durability.

D. CONSTRUCTION - Unless otherwise specified by the user, the forms should be constructed and fan folded for use on high-speed pin-fed computer printer and/or continuous typewriters.

E. LAYOUT - Test matter space for 1/10" horizontal and 1/16" deep characters per AAMVA H-12 policy for standard format.

F. FACILITY SECURITY - To insure the integrity of the manufacturer's "Certificate of Origin" , the use should require the vendor to maintain secure printing and storage facilities.
[Revised 1990]

2.2 Manufacturer's Certificate of Origin shall represent the vehicle by identifying the following vehicle features:

A. Date the Manufacturer's Certificate of Origin was issued

B. Invoice number (where ownership transferred from the manufacturer)

C. Vehicle Identification number

D. Year of manufacture of the vehicle

E. Make of vehicle

F. Body type

G. Shipping weight

H. Horsepower

I. Gross Vehicle Weight Rating

J. Number of cylinders

K. Series or model of vehicle

2.3 The Manufacturer's Certificate of Origin must contain a clause that certifies that the new vehicle as described on the certificate is the property of the manufacturer identified and has been transferred on the date and to the distributor or dealer as identified on the face of the certificate.

2.4 The Manufacturer's Certificate of Origin must contain a clause that certifies that the certificate represents that this was the first transfer of this new vehicle in ordinary trade and commerce. The signature of an authorized representative for the manufacturer must acknowledge this clause.

Process

3.1 Upon the sale or transfer of a new motor vehicle by a licensed dealer, the dealer shall make, execute and deliver to the purchaser or transferee a sufficient bill of sale and the Manufacturer's Certificate of Origin specific to that vehicle.

- 3.2 The Manufacturer's Certificate of Origin shall be assigned from the last licensed dealer who had possession of the vehicle to the purchaser or transferee. This assignment shall include disclosure of the odometer reading at the time of sale. All licensed dealers who have had the vehicle in their possession subsequent to the manufacturer must show in the assignment chain.
- 3.3 The Manufacturer's Certificate of Origin with the sufficient bill of sale and all other required documents shall be submitted to the purchaser's authorized agent in the county in which the purchaser is a resident.
- 3.4 The department or its authorized agent shall examine all submitted documents to verify that proper ownership has been established and that the purchaser or transferee is entitled to a Colorado Certificate of Title for the identified vehicle.
- 3.5 For vehicles directly imported into the United States through legal means, the following documents are required to establish ownership and must be included in the application for a Colorado Certificate of Title when a foreign Manufacturer's Certificate of Origin or foreign title is submitted.
- A. The U.S. DOT certification that the vehicle meets all safety standards required in the United States.
 - B. The Application for Final Admission of Non-Conforming Imported Vehicle or Engine issued by the Environmental Protection Agency and EPA issued Certificate of Conformity.
 - C. The Entry Summary issued by the Department of Homeland Security, Bureau of Customs and Border Protection and the Release of Bond letter.
 - D. The bill of sale or invoice from the vehicle importer to the licensed Colorado dealer (if applicable).
 - E. The odometer reading disclosed on a secure form. The applicant taking title will disclose the mileage on the DR 2173 Motor Vehicle Bill of Sale. Unless it is known that the odometer is inoperable, the odometer indicator will be "Actual" .
 - F. A DR 2395 verification of the Vehicle Identification Number by a Licensed Colorado Motor Vehicle Dealer, a Law Enforcement Agency or the Authorized Agent. The completion date of this document cannot be more than one year at the time of title application.
- 3.6 For the issuance of a Colorado Certificate of Title for vehicles directly imported into the United States through legal means, when a foreign Manufactured Certificate of Origin or a foreign country title is not available, the documents identified above in rule 3.5 will be required in addition to:
- A. An invoice certified by the manufacturer that the vehicle was purchased and paid for by the named importer, if available.
 - B. The Certificate of Conformity from the manufacturer literally translated in English for each specific vehicle including but not limited to VIN, place of manufacture, date of manufacture, and manufacturer name.
 - C. In lieu of form DR 2395 required per 3.5 (F) of this rule, a completed DR 2704 Certified VIN Verification from a certified law enforcement officer. This replaces the Verification of Vehicle Identification Number listed above. The completion date of this document cannot be more than one year at the time of title application.
 - D. The DR 2539 Title Information Request and Receipt (Validated copy) of the title record search. This search must be completed through the Colorado title records and the state

from which the vehicle was sold. This search will assist in verifying that the vehicle has not yet been titled in the United States. The completion date of the search cannot be more than one year at the time of title application.

E. DR 2423 Bond Statement Guide reciting the facts of the acquisition of the vehicle. The applicant for title must sign this document.

F. A certified weight slip indicating the empty weight of the vehicle.

G. An appraisal of the vehicle completed by a licensed Colorado Dealer. The appraisal must be for the current condition of the vehicle at the time of titling. An appraisal over forty days old from date of appraisal to date of title application is not acceptable.

H. The applicant must post a surety bond for twice the appraised value of the vehicle. Dealerships establishing title in their name must post a surety bond for twice the wholesale value of a vehicle.

3.7 If all documents listed above and any additional documents required by the department or its authorized agent are determined to be true and support legal ownership, a Colorado Certificate of Title may be issued.

RULE 23. SPECIAL MOBILE MACHINERY RENTALS

Basis: The statutory bases for this regulation are 42-1-204 and 42-3-107(16), C.R.S.

Purpose: The purpose of this regulation is to provide guidelines, clarify documents required, and provide processes to SMM owners for the collection of specific ownership tax for special mobile machinery that is rented or leased.

1.0 Definitions

1.1 "2% Rental Specific Ownership Tax (SOT)" means the SMM owner elected alternate method for payment of special mobile machinery (SMM) SOT.

1.2 "Commercial Fleet License Plate" means the Colorado red and white graphic license plate that contains the stacked letters "FLT". Commercial Fleet license plates do not display validation year and month tabs.

1.3 "Department" means the Department of Revenue of this state acting directly or through its duly authorized officers and agents.

1.4 "DR 0160" means the document issued by the Department of Revenue Division of Taxation approving the collection of sales tax on rentals or leases for the SMM owner.

1.5 "DR 0440" means the form used to apply to the Department of Revenue Division of Taxation for approval to collect sales tax on rentals or leases.

1.6 "DR 2091" means the required authorization request provided to the County Motor Vehicle office for the SMM owner to participate in the SMM 2% Rental program.

1.7 "DR 2428" means the form requesting participation, and upon execution, authorization to participate in the SMM 2% Rental Fleet program. Upon approval the DR 2428 shall have the SMM owners' assigned fleet number placed upon it.

- 1.8 "DR 2671" means the required SMM Rental Equipment Monthly Tab Report. The DR 2671 serves as the SMM owners' remittance form for SMM participating in the SMM 2% Rental program and the SMM 2% Rental Fleet program.
- 1.9 "DR 2689" means the application completed by the SMM owner to provide information required to title, register, or perform a suspended title transaction by the County Motor Vehicle office.
- 1.10 "Lease" for the purpose of this regulation means the granting of use to operate SMM under an agreement with the SMM owner.
- 1.11 "Mounted Equipment" means any item weighing more than five hundred pounds that is permanently mounted on a vehicle including mounting by means such as welding or bolting the equipment to a vehicle.
- 1.12 "New Special Mobile Machinery (SMM)" means SMM that has not been previously titled or registered to the current SMM owner in the State of Colorado.
- 1.13 "Operate" means to pull, haul, or drive SMM over the highways or the use of SMM for its intended purpose (e.g., digging ditches, road repairs etc.).
- 1.14 "Owner" for the purpose of this regulation means an equipment dealer regularly engaged in the sale or rental of special mobile machinery and who rents or leases such equipment to another person in which the owner has not held an interest for at least thirty days.
- 1.15 "Registration Period Certificate" means the DR 2428 form completed and executed by the Colorado Department of Revenue, Division of Motor Vehicles, Title and Registration Sections.
- 1.16 "Rental" for the purpose of this regulation means the granting of use to operate SMM under an agreement with the SMM owner.
- 1.17 "Registered" means the SMM has been issued a number plate(s), validating tab or sticker, certificates, or identifying decal or a combination of number plate(s), validating tab or sticker, certificates, or identifying decal as determined by the Department evidencing the annual SMM requirements have been met pursuant to section 3 of title 42 of the Colorado Revised Statutes.
- 1.18 "SMM License Plate" means the Colorado green and white graphic license plate that contains the stacked letters "SMM". SMM license plates shall display validation year and month tabs.
- 1.19 "Special Mobile Machinery (SMM)" means machinery that is pulled, hauled, or driven over a highway and is either:
- a. A vehicle or equipment that is not designed primarily for the transportation of persons or cargo over the public highways; or
 - b. A motor vehicle that may have been originally designed for the transportation of persons or cargo over the public highways, and has been redesigned or modified by the addition of mounted equipment or machinery, and is only incidentally operated or moved over the public highways.
 - c. SMM includes vehicles commonly used in the construction, maintenance, and repair of roadways, the drilling of wells, and the digging of ditches.
- 1.20 "Specific Ownership Tax (SOT)" means the annual tax, in lieu of ad valorem taxes, imposed on personal property by section 6 of article X of the State Constitution.

2.0 SMM 2% Rental Programs

- a. A SMM owner who meets all of the statutory and regulatory requirements for participation in the SMM 2% rental program may elect to participate in the SMM 2% Rental program. A SMM owner who meets the statutory and regulatory requirements for both the SMM 2% Rental program and the SMM 2% Rental Fleet program may elect to participate in either program, but shall not be required to participate in either program.
 - b. SMM 2% Rental Program Eligibility
 - i. A SMM owner regularly engaged in the sale or rental of SMM and who rents or leases SMM to another person in which the SMM owner has not held an interest for at least thirty days may elect to participate in the SMM 2% Rental program.
 - c. SMM 2% Rental Fleet Program Eligibility
 - i. A SMM owner who meet the requirements to participate in the SMM 2% Rental program and also meets the below criteria may elect to participate in the SMM 2% Rental Fleet program.
 - A. SMM owner is paying specific ownership tax (SOT) under 42-3-107(16), C.R.S.; and
 - B. The SMM owner regularly has more than ten pieces of SMM in the State of Colorado; and
 - C. The SMM owner has applied for and received the approved and executed DR 2428.
- 2.1 A SMM owner qualifying and electing to participate in either the SMM 2% Rental program or the SMM 2% Rental Fleet program must meet all the requirements for that program in section 3.0 of this regulation before payment of SOT under 42-3-107(16), C.R.S., is granted.

3.0 SMM Rental Programs Participation and Processes

- 3.1 SMM 2% Rental program participation and registration shall be completed as listed below:
- a. The SMM owner shall submit the DR 0440 form to the Colorado Department of Revenue Division of Taxation. Upon approval and receipt of the DR 0160, the SMM owner shall attached the DR 0160 to the DR 2091 and complete the processes below.
 - b. The SMM owner shall apply to the County Motor Vehicle office in the county where the SMM owners principal place of business is located by submitting a DR 2091 form with DR 0160 attached.
 - c. Upon county approval to participate in the SMM 2% Rental program the County Motor Vehicle office shall provide instructions for reporting and submitting of SOT for SMM to the SMM owner. The SMM owner shall be required to furnish the County Motor Vehicle office with a list of all SMM that the SMM owner has elected to place into the SMM 2% Rental program with supporting ownership documents.
 - i. Only SMM that is registered shall be permitted to participate in the SMM 2% Rental program.

- ii. The SMM owner shall be required to pay all statutorily required fees in Title 42 of the Colorado Revised Statutes upon approval and issuance of the SMM rental identifying decal. Participation in the SMM 2% Rental program does not exempt the payment of, or provide an alternate means for payment of, other statutorily required fees.
- d. A SMM rental identifying decal shall be issued to SMM that is registered and participating in the SMM 2% Rental program. The SMM rental identifying decal shall expire concurrently with the registration of the SMM. The SMM rental identifying decal shall only denote participation in the SMM 2% Rental program and shall not be evidence of registration, or permit operation of, the SMM. Evidence of registration of the SMM shall be completed by the issuance of, and affixing to the SMM the below:
 - i. SMM designed to be operated on the highway shall be issued an SMM license plate with validation month and year tabs.
 - ii. SMM not designed to be operated on the highway shall be issued an SMM ownership identifying decal with registration expiration month and year indicated on the decal by hole punching the appropriate areas.
- e. The County Motor Vehicle office will issue an SMM Rental identifying decal and SMM license plate or SMM ownership identifying decal for each item of SMM placed into the SMM 2% Rental program by the SMM owner. The SMM rental identifying decal shall be hole punched in the appropriate areas to indicate the month and year of expiration. The SMM rental identifying decal shall be valid in every Colorado County where the SMM is operated.
- f. The SMM rental identifying decal shall be affixed to each item of SMM in a clearly visible location.
- g. The SMM owner shall collect the 2% SOT upon the rental or lease of the SMM from the person or entity that is renting or leasing the SMM. The SMM owner shall remit the 2% SOT collected to the County Motor Vehicle office.
- h. No later than the twentieth day of each month the SMM owner must submit the DR 2671 together with taxes collected for the preceding month to each county where the SMM was being operated and to the county where the SMM is registered in for the month or portion of the month the DR 2671 is being reported.
- i. The SMM owner shall include on the DR 2671 all SMM with assigned SMM rental identifying decal that were not rented or leased during the reporting period.
- j. The SMM owner shall include on the DR 2671 any SMM authorized to participate in the SMM 2% Rental program that were sold, and indicate the name and address, if the address is available, of the purchaser. The SMM owner shall remove the SMM rental identifying decal, SMM ownership identifying decal, and SMM license plate upon delivery of the SMM to the purchaser.
- k. The DR 2671 shall be submitted to the County Motor Vehicle office that issued the SMM rental identifying decal, and to each County Motor Vehicle office for which the DR 2671 reflects the SMM being operated in during that monthly reporting period.
- l. No later than the twentieth day of each month the SMM owner must submit the DR 0100 Colorado Retail Sales Tax Return simultaneously with a copy of the DR 2671 to the

Colorado Department of Revenue Division of Taxation following the instructions on the DR 0100 for submittal requirements.

- m. No credit, reimbursement or refund shall be granted for payment of 2% Rental SOT.
- n. Failure to submit the DR 2671 in a period of sixty days shall be grounds for the termination of such SMM owners' right to participate in the SMM 2% Rental program. If the SMM owner fails to remit SOT received from a renter or lessee during such sixty-day period the county may collect such delinquent taxes in the manner authorized in 42-3-107(21), C.R.S.

3.2 SMM 2% Rental Fleet program participation and registration shall be completed as listed below:

- a. A SMM owner that meets the requirements and elects to participate in the SMM 2% Rental Fleet program must first be approved to participate in the SMM 2% Rental program as detailed above in section 3.1 of this regulation.
- b. A SMM owner that meets the requirements and elects to participate in the SMM 2% Rental Fleet program shall apply to the Title and Registration Sections, Division of Motor Vehicles, Department of Revenue using the DR 2428 form for assignment of a fleet number.
 - i. Upon validation that the SMM owner qualifies to participate in the SMM 2% Rental Fleet program the Title and Registration Sections will assign a 2% rental fleet number that is unique to the approved SMM owner and all SMM registered in the SMM owners' fleet.
- c. SMM registered in the SMM 2% Rental Fleet program must be titled and registered in the SMM owners name as declared on the DR 2428.
 - i. In the event of a legal name change or if the SMM being registered in the SMM 2% Rental Fleet program are not titled and registered in the SMM owners name the SMM owner must complete the following before participation in the SMM 2% Rental Fleet is permitted. SMM owner shall be given up to sixty days to complete title and registration name changes. SMM owner shall be permitted to rent, lease, and operate the SMM during these sixty days.
 - A. All SMM registered in the SMM 2% Rental Fleet program associated with the SMM owners' assigned fleet number must have their titles and registrations properly transferred to the new name; and
 - B. The SMM owner shall complete the SMM 2% Rental Fleet approval processes in section 3.2b above in the regulation.
- d. The SMM owner must declare one common expiration month, and alternate expiration months, during which the registrations for all SMM registered in the SMM owner SMM 2% Rental Fleet registrations will expire. The county in which the SMM will be registered shall be permitted to elect, from the months declared by the SMM owner, the month during which SMM registrations expire.
- e. SMM 2% Rental Fleet program registration.
 - i. Registration of SMM into the SMM 2% Rental Fleet program is completed in the county in which the SMM owners' principal place of business is located. Payment of

taxes and registration fees due shall be required at the time of the 2% Rental Fleet registration.

- ii. The SMM owner shall be required to furnish to the County Motor Vehicle office in which the SMM owners' principal place of business is located a list of all SMM that the SMM owner has elected to place into the SMM 2% Rental Fleet program with supporting ownership documents.
- iii. SMM initially being registered in the SMM 2% Rental Fleet program shall have taxes and registration fees prorated by the remainder of the time remaining from the month of registration to the expiration month.
- iv. The SMM owner will be issued and shall affix to the SMM being registered in the SMM 2% Rental Fleet program:
 - A. For SMM designed to be operated on the highway.
 - 1) A permanent commercial fleet license plate without validation month or year tab; and
 - 2) A permanent SMM rental identifying decal hole punched to indicate the fleet expiration month and that the decal is a permanent decal.
 - B. For SMM not designed to be operated on the highway.
 - 1) A permanent SMM SOT identifying decal hole punched to indicate the fleet expire month and in an area on the decal indicating it is a permanent decal; and
 - 2) A permanent SMM rental identifying decal hole punched to indicate the fleet expiration month and that the decal is a permanent decal.
- v. Upon registration of the SMM in the SMM 2% Rental Fleet the SMM owner shall collect, report, and remit specific ownership tax pursuant to 42-3-107(16)(c) and (d), C.R.S., and sections 3.1 of this regulation.
- vi. Renewal of SMM 2% Rental Fleet
 - A. Annual renewal of SMM registered in the SMM 2% Rental Fleet program shall be completed for all SMM registered in the fleet on the SMM owners declared fleet expiration date. Renewal shall be completed using an annual fleet declaration in lieu of the registration renewal post card. The fleet declaration shall be completed by the SMM owner and submitted to the County Motor Vehicle office together with the DR 2091. If available, the SMM owner should attach the previously issued DR 0160 to assist in processing of SMM renewals. A newly executed DR 0160 shall not be required annually.
 - B. Renewals are complete upon payment of annual taxes and registrations fees required and issuance of a registration receipt for the permanent Commercial Fleet license plate or permanent SMM SOT identifying decal. An annual registration receipt for the permanent SMM rental identifying decal will also be issued.

- C. Replacement of the permanent SMM SOT identifying decal or permanent SMM rental identifying decal is not required. Damaged, unreadable, or lost identifying decals shall be replaced.

3.3 Ownership of SMM shall be established by submitting the document required in Code of Colorado Regulation 1 CCR 204-10 Rule 18. Acceptable Evidence of Vehicle Proof of Ownership.

- a. A SMM owner that is unable to provide acceptable evidence of vehicle proof of ownership should be permitted to register the SMM by completing a suspended title transaction with the County Motor Vehicle office. The SMM owner shall complete and provide to the County Motor Vehicle Office the DR 2689 form prior to the suspended title transaction being performed. The suspended title transaction shall permit registration and operation of the SMM, but shall not issue a Colorado Certificate of Title to the SMM owner until such time the SMM owner provides acceptable evidence of vehicle proof of ownership. The suspended title transaction shall be completed using the DR 2689. Additional documents, forms, or a VIN verification shall not be required.
- b. Upon successful completion of the suspended title transaction the County Motor Vehicle Office shall register the SMM and issue to the SMM owner a registration receipt and identifying decals and/or license plates.

Rule 24. PERSONS WITH DISABILITIES PARKING PRIVILEGES PLACARD FEE

Basis: This regulation is promulgated under the authority of 42-1-204, 42-3-204 (2) (e) C.R.S.

Purpose: The following rule and regulation is promulgated to establish the fee to be collected upon the issuance of the Persons with Disabilities Parking Privileges Placard.

1.0 Requirements

- 1.1 The fee established by the Department for issuance of the Persons with Disabilities Parking Privileges Placard shall be zero.

RULE 25. PERSONS WITH DISABILITIES PARKING PRIVILEGES

Basis : The statutory bases for this regulation are 12-36-106(3)(i), 12-36-107.4, article 32 of title 12, 12-38-111.5, 42-1-204, 42-3-204, and 42-4-1208, C.R.S.

Purpose : The following rules and regulations are promulgated to clarify the criteria for the issuance, renewal, and replacement of a person with disabilities parking privileges placard and/or license plate.

1.0 Definitions

- 1.1 "CSTARS" means the Colorado State Titling and Registration System used for the issuance of and registration transactions concerning person with disabilities license plates and placards.
- 1.2 "Department" means the Department of Revenue of this state acting directly or through its duly authorized officers and agents.
- 1.3 "Disabled Veteran Handicap License Plate" means a Colorado issued license plate granting the registered owner person with disability parking privileges and that also indicates the registered owner meets the criteria of being a Disabled Veteran.
- 1.4 "Disability" means a physical impairment that meets the standards of 23 CFR 1235, which impairment is verified, in writing, by a professional.

- 1.5 "Extended" means a condition that is not expected to change within thirty months after the issuance of an identifying figure, given the current state of medical or adaptive technology.
- 1.6 "Minor" for the purpose of this regulation means a person with a disability who is under the age of sixteen years.
- 1.7 "Permanent" means a condition that is not expected to change within a person's lifetime, given the current state of medical or adaptive technology.
- 1.8 "Person with Disability License Plate" means a Colorado issued license plate, bearing an identifying figure, granting the registered owner person with disability parking privileges.
- 1.9 "Placard" means a Colorado tag bearing an identifying figure, designed to hang from a vehicle's rear view mirror and granting the registered owner person with disability parking privileges when displayed.
- 1.10 "Professional" means:
- a. A physician licensed to practice medicine or practicing medicine pursuant to section 12-36-106(3)(i), C.R.S., a physician assistant licensed pursuant to section 12-36-107.4, C.R.S., a podiatrist licensed under article 32 of title 12, C.R.S., an advanced practice nurse registered pursuant to section 12-38-111.5, C.R.S., or a physician, physician assistant, podiatrist, or advanced practice nurse authorized to practice professionally by another state that shares a common border with Colorado, and
 - b. For the purpose of the regulations, Commissioned Medical Officers of the U.S. Armed Forces, the U.S. Public Health Service, and/or the U.S. Veterans Administration.
- 1.11 "Temporary" means a condition that is not expected to change within ninety days after the issuance of an identifying placard, given the current state of medical or adaptive technology.

2.0 Issuing Person with Disabilities License Plates and Placards

- 2.1 The Department shall issue person with disability license plates and/or placard(s) to Colorado residents who provide the following:
- a. Their disability verified by a professional on forms published by the Department, and
 - b. A Colorado driver's license or identification card, or a federally issued identification card, or
 - c. Each parent or guardian of a minor may be issued a person with disability permanent or extended placard upon presentation of:
 - 1. The parent's or guardian's Colorado driver's license or identification card, or
 - 2. The minor's disability identification card.
 - 3. A minor who is under foster child care shall be issued a person with disability placard in the minor's name. The person with disability placard shall remain with the minor when moving between foster care providers.
- 2.2 Business entities (i.e., nursing home, care facility, etc.) that transport people with disabilities may obtain a permanent person with disabilities placard from the County Motor Vehicle Office in the county where the business entity is located. Business entities may be issued one person with disability permanent placard per vehicle owned by that business entity to transport people with

disabilities. At no time shall a person with disability license plate or temporary placard be issued to a business entity. Business entities desiring to be issued a person with disability placard shall submit:

- a. A completed DR 2219 Persons with Disabilities Parking Privileges Application, and
- b. A letter, on the business entity's letterhead, signed by the executive officer, or equivalent, of the business entity stating the use of the vehicle(s), and
- c. Copies of the vehicle(s) registration receipts or titles. Vehicles must be titled in the name of the business entity, and
- d. An employee identification number.

2.3 The person with the disability shall present to the Department the completed DR 2219 Persons with Disabilities Parking Privileges Application in order to be issued a person with disability license plate and/or placard. Each instance of new issuance shall require the person with the disability to provide the completed DR 2219 Persons with Disabilities Parking Privileges Application, and a Colorado driver's license or identification card or a federally issued identification card, and certification by a professional verifying physical impairment.

2.4 A person with a permanent or extended disability is eligible for:

- a. One person with disability license plate, or
- b. One person with disability license plate and one person with disability permanent placard, or
- c. Two person with disability permanent placards.

2.5 A person with a temporary disability is eligible to receive one person with disability temporary placard.

2.6 A person with disability license plate may only be issued to a vehicle that is owned by the person with the disability or that is owned by a trust created for the benefit of, and the name of which includes the name of, the person with disability.

2.7 If more than one owner of a vehicle is eligible for issuance of a person with disability license plate, then each owner must meet the issuance requirements and apply individually to the Department. This permits the Department to mark the vehicle records with each qualifying owner to indicate to law enforcement and parking officials who is authorized to use the privileges associated with the person with disability license plate.

2.8 Upon issuance of a person with disability license plate and/or placard the Department shall provide the person with the disability a DR 2574 Registration Receipt pursuant to 42-3-113(2), C.R.S.

2.9 Veterans meeting the criteria of being a Disabled Veteran established in 42-3-213(5) and 42-3-304(3)(a), C.R.S. shall be issued a Disabled Veteran Handicap license plate in lieu of the person with disabilities license plate. The veteran is eligible for:

- a. One Disabled Veteran Handicap license plate, or
- b. One Disabled Veteran Handicap license plate and one person with disability permanent placard, or
- c. Two person with disability permanent placards.

- 2.10 A veteran who has met the requirements for issuance of a Disabled Veteran Handicap license plate shall not be required to meet the issuance requirements for being issued a person with disability permanent placard. The active CSTARS record shall act as authorization for issuance.
- 2.11 Upon issuance of any person with disabilities license plate or placard the county shall forward the first page of the DR 2219 Persons with Disabilities Parking Privileges Application to the Department for archiving and electronic scanning. Additional pages and documents shall be properly disposed of by the county.

3.0 Renewing Person with Disabilities License Plates and Placards

- 3.1 Permanent person with disabilities placards shall expire three years from the date of issuance. Person with disabilities license plates shall expire one year from the date of issuance and shall be renewed annually. Every third year, the person with the disability shall be required to meet the verification requirements listed in section 2.0 above. Failure to meet these requirements shall result in:
- a. The person with disability permanent placard registration expiring, and/or
 - b. The person with disability license plate registration expiring. The return of the license plate shall be required within thirty days of expiration.
- 3.2 Notification of third year renewal requirements shall be completed via letter to the person with the disability. All other renewal notices shall be completed pursuant to 42-3-113(3) and 42-3-114, C.R.S.
- 3.3 Veterans issued the Disabled Veteran Handicap license plate are not required to recertify their disability every three years pursuant to 42-3-204(2)(c), C.R.S.

4.0 Replacing Person with Disabilities License Plates and Placards

- 4.1 Replacement of lost, damaged, or stolen person with disabilities license plates shall be completed upon presentation of the DR 2283 Lost or Stolen License Plate / Permit Affidavit to the Department. Stolen license plates require a copy of a filed police report to be attached to the form. If the vehicle registration is current, replacement shall be completed pursuant to 42-3-205, C.R.S. If the registration has expired the person with the disability shall complete the issuance process outlined in section 2 of this rule.
- 4.2 Replacement of lost, damaged, or stolen person with disabilities placards shall be completed as listed below. The placard expiration date shall remain the same for the replacement placard.
- a. If the person with the disability, the parent or guardian of a minor, or a business entity that transports people with disabilities for hire, has an active placard record in CSTARS, replacement is completed using the active CSTARS record as authorization, or
 - b. The person with the disability, the parent or guardian of a minor, or a business entity that transports people with disabilities for hire, may provide a current copy of the DR 2574 Registration Receipt for the placard being replaced, or
 - c. The person with the disability, the parent or guardian of a minor, or a business entity that transports people with disabilities for hire, may opt to reset the expiration and re-certification date. If this option is elected, then a completed DR 2219 Persons with Disabilities Parking Privileges Application and the requirements of section 2.1 or 2.2 of this rule must be met in order for the placard previously issued pursuant to section 2.0 of this rule to be replaced.

5.0 Additional Requirements

- 5.1 The privileges granted for issuance, renewal, or replacement of a person with disability license plate and/or placard shall be discontinued and the Person with Disability license plate or placard, or the Disabled Veteran Handicap license plate shall no longer be valid when:
- a. The person with the disability to whom the person with disability license plate and/or placard was issued is no longer a Colorado resident, or
 - b. The person with the disability is deceased, or
 - c. The registered owner of a vehicle issued the person with disability license plate and/or placard ceases to be a person with a disability or disabled.
- 5.2 Surviving spouses, relatives, friends, or other people that do not qualify for person with disability parking privileges are not entitled to use, apply for, renew, or request replacement of person with disability license plates or placards.
- 5.3 Volunteers transporting people with disabilities in their personal vehicles shall not be issued person with disabilities license plates or placards. Volunteers may display a person with disabilities placard for the individual they are transporting in order to have access to person with disabilities parking privileges.

RULE 26. PHYSICAL INSPECTION OF MOTOR VEHICLES

Basis: The statutory bases for this regulation are 42-1-204, 42-3-105(1)(c)(I), and 42-6-107(1)(b), C.R.S.

Purpose: The purpose of this regulation is to establish criteria for the performance of physical inspections on motor vehicles.

1.0 Definitions

- 1.1 "Department" means the Colorado Department of Revenue, Title and Registration Sections.
- 1.2 "Inspection and Physical Inspection" means the physical verification of the vehicles:
- a. Vehicle identification number or numbers; and,
 - b. Make; and,
 - c. Model; and,
 - d. Type of vehicle; and,
 - e. Year of manufacturer; and,
 - f. Primary body color; and,
 - g. Type of fuel used by the vehicle; and,
 - h. Odometer reading; and,
 - i. Other information required by the Department.
 - i. Reason for the inspection

ii. Who completed the inspection

- a. Business or agency
- b. Address of business or agency
- c. Printed name of person completing the inspection
- d. Signature and title of the person completing the inspection

iii. Date of the inspection

1.3 "Manufacturer's Certificate of Origin" means the document provided by the manufacturer which sets forth the manufacturer's vehicle description and 17 digit vehicle identification number and chain of ownership. This document must accompany the first retail customer's title application to establish a Colorado Certificate of Title.

1.4 "Motor Vehicle" means any self-propelled vehicle that is designed primarily for travel on the public highways and is generally and commonly used to transport persons and property over the public highways, including trailers, semitrailers, and trailer coaches, without motive power. "Motor vehicle" does not include the following:

- a. A low-power scooter, as defined in section 42-1-102, C.R.S.; or,
- b. A vehicle that operates only upon rails or tracks laid in place on the ground or that travels through the air or that derives its motive power from overhead electric lines; or,
- c. A farm tractor, farm trailer, and any other machines and tools used in the production, harvesting, and care of farm products; or,
- d. Special mobile machinery or industrial machinery not designed primarily for highway transportation.

1.5 "Vehicle" means any motor vehicle as defined in 42-6-102(10), C.R.S.

2.0 Requirements

2.1 Vehicles required to be titled or registered in Colorado shall be required to provide proof of vehicle inspection prior to issuance of a Colorado certificate of title and/or registration pursuant to C.R.S. 42-6-119 (4) if:

- a. The vehicle was previously titled and/or registered in another state or country; or,
- b. The vehicle has a Manufacturer's Certificate of Origin assigned to an out-of-state dealer.

2.2 Inspections shall be completed on forms approved by the Department.

2.3 Inspection of vehicles shall be completed by:

- a. Colorado law enforcement officers; or,
- b. Licensed new or used Colorado motor vehicle dealer; or,
- c. Licensed Colorado inspection and readjustment station; or

- d. Licensed Colorado diesel inspection station; or,
- e. Colorado County Clerk and Recorder or their designated employee; or,
- f. Any other vehicle related entity designated by the Department.
 - i. Out of state law enforcement
 - ii. Military police
 - iii. Military commanding officer

Rule 27. RECORDS OPEN TO INSPECTION

BASIS: The bases for this regulation are: 24-72-202, 24-72-204, 38-29-102, 42-1-102, 42-1-204, 42-1-206, 42-2-121, 42-6-102 and 42-6-122 C.r.s. and 18 U.S.C. sec. 2721, et seq.

PURPOSE: The purpose of this regulation is to define “certain records” and provide further clarification regarding record information that may be provided by the county clerk as an agent for the department.

1.0 Definitions

- 1.1 “Official Documents” means records of and documents relating to the ownership, registration, transfer and licensing of vehicles.
- 1.2 “Record” means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in a perceivable form.
- 1.3 “Certain Records” means vehicle and manufactured home records.
- 1.4 “Vehicle” means any motor vehicle as defined in the definition of motor vehicle cited in 42-6-102 (10) CRS.
- 1.5 “Motor Vehicle” means any self propelled vehicle that is designed primarily for travel on the public highways and is generally and commonly used to transport persons and property over the public highways, including trailers, semitrailers and trailer coaches, without motive power.
- 1.6 “Manufactured Home” means a preconstructed building unit or combination of preconstructed building units without motive power designed and commonly used for residential occupancy by persons in either temporary or permanent locations, which unit or units are manufactured in a factory or at a location other than the residential site of the completed home.
- 1.7 “Department” means the department of revenue of this state acting directly or through its duly authorized officers and agents.
- 1.8 “Authorized Agents” means the officer of a county or city and county designated by law to issue annual registrations of vehicles and to collect any registration or license fee imposed thereon by law.
- 1.9 “Person in interest” means and includes the person who is the subject of a record or any representative designated by said person; except that, if the subject of the record is under legal disability, “person in interest” means and includes his parent or duly appointed legal representative.

2.0 Requirements

- 2.1 The department is the responsible agency to maintain all motor vehicle records for vehicles titled and registered in the State of Colorado.
- 2.2 The authorized agent is the responsible agency to file all mortgage documents that reflect a lien on a motor vehicle titled in the State of Colorado.
- 2.3 The department may provide vehicle record information within the provisions specified by the "Driver's Privacy Protection Act of 1994" and the Colorado Revised Statute.
- 2.4 Records of mortgages affecting motor vehicles shall be public records which may be inspected and copies provided by the authorized agent using the filing system utilized by the authorized agent to index and cross-index the mortgage records.
- 2.5 The authorized agent is prohibited from providing motor vehicle record information from records that are maintained in the department's motor vehicle title and registration database.
- 2.6 In no event are motor vehicle records to be sold by the authorized agent.
- 2.7 The department may provide title and registration information to a party of interest or any other person approved through the Driver Privacy Protection Act as a party eligible to obtain motor vehicle record information by following the established process set forth by the department.
- 2.8 The department shall not sell, permit the sale of or release to anyone other than the person in interest any photograph, digitized image, fingerprint or social security number filed with, maintained by or prepared by the department.

3.0 Process

- 3.1 Upon submitting the following documents, the department may provide motor vehicle title and registration information to any person eligible to receive such information.
 - A. Written application - The person requesting motor vehicle record information must submit a written application either on a department approved form designed for the purpose of requesting motor vehicle record information or by written request.
 - B. Requestor Release - If the requestor is anyone other than the party of interest or a federal, state, or local government carrying out its official function, a requester release form shall be submitted with the application. The requestor release form requires the requestor to identify the intended use of the record(s) being requested. The requestor and the intended use of the record must comply with those identified in 24-72-204 C.R.S.
 - C. Fee - The requestor must remit the fee specified in 42-1-206 (2) (a) C.R.S.
- 3.2 The motor vehicle record information may be requested by mail or in person.
- 3.3 Upon receipt of application and verification of compliance with the requirements of 24-72-204 C.R.S., the department shall provide motor vehicle title and/or registration information as identified in the department's database.
- 3.4 There shall be no refunds of the specified fee in the event that the department's records are searched and no motor vehicle record is found.
- 3.5 The authorized agent may provide information regarding records of mortgages on motor vehicles, utilizing the system maintained by the authorized agent to index and cross index motor vehicle mortgage records filed in the office of the county clerk.

These records may be provided under the law regarding public records on real property.

3.6 Motor vehicle mortgage records may be electronic images or a photocopy of the mortgage document.

3.7 Motor vehicle record information from the department's database shall not be provided by the authorized agent.

Rule 28. REGARDING THE ANNUAL REGISTRATION OF ALL VEHICLES OWNED BY THE STATE OF COLORADO OR ANY AGENCY OR INSTITUTION THEREOF

Basis: The statutory reference for this regulation is 42-1-204 and 42-3-104 (4).

Purpose: The purpose of this regulation is to set forth procedures to be followed by state departments, city and county agencies for titling, registering, and renewing vehicles on an annual basis.

General Requirements for State Vehicles

All vehicles and equipment owned by the State of Colorado or any agency thereof that are subject to registration shall be registered and renewed annually.

Each department shall appoint one individual to serve as the vehicle coordinator or contact person with the Department of Revenue, Motor Vehicle Business Group, Registration Section.

All vehicles and equipment owned by the State of Colorado or any agency thereof shall be registered with the Department of Revenue, Motor Vehicle Business Group, Registration Section, 1881 Pierce St., Lakewood, CO.

All state plates will be issued by the Department of Revenue, Motor Vehicle Business Group, Registration Section.

Proof of emission compliance for each vehicle within the air program area shall be submitted with each request for registration.

All departments within the State of Colorado have from January 1, 1993, through December 31, 1993 in which to bring all of their vehicles into compliance.

Effective July 1, 1992, the Division of Central Services is responsible for titling newly purchased vehicles for all departments, which shall include all two and four wheel drive trucks, three quarter ton and smaller, all passenger vehicles including cars, vans, station wagons and other similar passenger vehicles. It is the responsibility of the specific departments to title/register and renew those vehicles that do not fall within the above mentioned categories.

General Requirements City and County Vehicles

All vehicles and equipment owned by any city and county that are subject to registration, shall be registered and renewed annually.

City or county owned vehicles shall be titled in the name of the city or county or have prior departmental approval before city or county plates may be issued.

All vehicles and equipment shall be registered with the county motor vehicle office in the county in which the city or county is located.

Proof of emission compliance for each vehicle within the air program area shall be submitted to the county clerk, or in Denver County, the Manager of Revenue, with each request for registration.

All cities and counties within the State of Colorado have from January 1, 1993, through December 31, 1993 in which to bring all of their vehicles into compliance.

Titling and Registering State Vehicles

All vehicles subject to titling must be titled prior to registration.

For any vehicle that is leased for over six (6) months by a department from the Division of Central Services, it is the responsibility of that department to handle the annual renewal of that vehicle.

For vehicles currently titled/registered, requiring registration only, a copy of the Colorado Title shall be submitted to the Department of Revenue, Motor Vehicle Business Group, Registration Section.

Applications for vehicles to be titled/registered after January 1, 1993, shall be submitted to the Department of Revenue, Motor Vehicle Business Group, Registration Section for processing.

Applications for title/registration, accompanied by the \$6.50 title fee, may be submitted for processing in groups of twenty-five (25) or less.

All vehicle titles issued after January 1, 1993 for state owned vehicles, shall show the owner as State of Colorado.

The address on titles issued after January 1, 1993 shall be the address of the owner, which will be of The Division of Central Services, with the exception of exempted vehicles, which shall show the address of the specific department which owns the vehicle.

On vehicles titled prior to January 1, 1993, the owner's name may remain as it currently reads on the title, and will not be required to be changed to read State of Colorado.

No fee will be charged for replacement of lost state plates or tabs.

In order to promote consistency on the computer file, the vehicle registration will read as follows:

State of Colorado (Department of __? __)(Address of the Department)

Titling and Registering City and County Vehicles

All vehicles subject to titling must be titled prior to registration.

For vehicles currently titled/registered, requiring registration only, a copy of the Colorado title shall be submitted to the county motor vehicle office.

Applications for title/registration on newly purchased vehicle, accompanied by the \$6.50 title fee, shall be submitted to the county motor vehicle office for processing.

All vehicle titles issued after January 1, 1993, shall show the owner as the name of the city or county; i.e., Grand County, Boulder County, City of Boulder.

Rule 29. RESERVING PERSONALIZED LICENSE PLATES

Basis: The statutory basis for this regulation is 42-1-204 and 42-3-211(9)(a) C.R.S.

Purpose: The following rule and regulations are promulgated to establish criteria and process for reserving a personalized license plate that is no longer registered to a motor vehicle.

1.0 Definitions

- 1.1 "Personalized License Plates" - means license plates that have displayed upon them the registration number assigned to the motor vehicle for which such registration number was issued in a unique combination of letters, numbers or letters and numbers requested by the owner of the vehicle. Additionally, "Personalized License Plates" includes special license plates that bear the words "street rod" or may bear the call sign letters assigned to valid renewable amateur radio, standard radio, FM, or television licensees issued by the federal communications commission.

2.0 Requirements and Process

- 2.1 A registrant who has a personalized license plate that is no longer registered to a vehicle in Colorado may retain the unique combination of letters, numbers or letters and numbers by completing a reservation request form provided by the department and paying all applicable fees.
- 2.2 The fee to reserve a personalized plate configuration is an annual fee set forth in 42-3-211(9)(a).
- 2.3 Reservation of the personalized plate configuration shall remain in effect as long as all applicable fees are paid annually.
- 2.4 The applicant may request that the personalized plate configuration be reserved for one year intervals not to exceed a maximum of five years. If the request is for more than one year, the applicant shall pay the applicable fees for the total amount of years requested.
- 2.5 Fees shall be required to be paid at the time of application.
- 2.6 No refunds shall be granted for fees collected as a result of a personalized plate configuration reservation. No refunds and/or credits shall be allowed should an applicant desire to remove a requested plate configuration from the reserved list prior to the expiration date of the reservation.
- 2.7 The personalized plate configuration must have been registered to a vehicle prior to requesting the reservation of the plate. Applicants shall not receive a license plate with the approved personalization plate configuration reservation and no license plate shall be manufactured upon reservation. Should the applicant choose to remove the plate configuration from reservation and register it to a vehicle, the normal personalized plate processes shall be applied.
- 2.8 The registered owner or the owner's authorized agent may request the personalized plate configuration reservation. Changes to the reservation, changes to the status of reservation, and/or registering the personalized plate on a vehicle shall only be accepted from the registered owner or the registered owner's authorized agent.
- 2.9 In the event that the personalized plate is reserved by a sole owner, and that individual is deceased, the applicant must present information to prove that he/she is the court appointed personal representative or the successor of the plate holder. A photocopy of a death certificate or the Verification of Death form shall also be required.
- 2.10 In the event that the personalized plate is reserved to joint owners and only one owner chooses to retain the personalized plate configuration reservation, he/she must present information to prove that he/she is the court appointed owner of the personalized plate configuration or notarized letter from the other joint owner stating that they relinquish their rights to ownership of the personalized plate configuration reservation allowing the requestor to retain the ownership.
- 2.11 At the time that the reserved personalized license plate configuration is requested to be registered to a motor vehicle, and no longer reserved, at least one of the person(s) listed as the owner of the

reserved personalized license plate configuration must be listed as the owner on the vehicle registration.

- 2.12 A notice to renew the reserved personalized plate configuration shall not be issued by the department. It is the responsibility of the reservation owner to obtain the application and submit it with the applicable fees.
- 2.13 If the applicant desires to register the reserved personalized plate to a vehicle, he/she must apply for registration at their County Motor Vehicle office. The County office shall contact the department to release the plate configuration from reserved status and allow the plate configuration to be issued.
- 2.14 If the reserved personalized plate configuration is not renewed within one calendar month following the end of the reservation period, the personalized plate configuration shall become available for issuance to all Colorado residents.

Rule 30. RULES AND REGULATIONS CONCERNING THE PAYMENT OF SPECIFIC OWNERSHIP TAXES ON VEHICLES DESIGNATED AS CLASS B OR CLASS C PERSONAL PROPERTY WHICH ARE RENTED TO OTHERS

Basis: The statutory bases for this regulation are 42-1-204, 42-3-107(11) and 42-3-107 (12) CRS.

Definitions

1. Owner - Any person, firm, corporation, or other business entity who owns vehicles which are based in Colorado for rental purposes and whose primary business is the rental of such vehicles for periods of less than forty-five days, including renewals.

Requirements of Vehicle Rental Companies

1. Only vehicles rented for periods of less than forty-five (45) days may pay specific ownership tax by the 2% payment method. Lease vehicles may not be included in this program.
2. The owner shall submit the completed forms for Authorization Request and the Permit to Collect Sales Tax on a Rental or Lease Basis, to the authorized agent in the county where the vehicles are rented.
3. The Authorization Request shall include the name of the vehicle owner and the name of the rental company if they are different. The name of the rental company shown on the Authorization Request must be the same as it appears on the form, Permit to Collect Sales Tax.
4. The owner shall renew the Authorization Request annually. Failure to renew the Authorization Request annually will result in the cancellation of the owner's right to pay specific ownership tax by this method. Cancellation will require specific ownership tax to be paid by the regular procedure as defined in 42-3-107 (8) & (10).
5. The owner, upon receiving authorization approval from the County Motor Vehicle Office, shall collect from the user of a rental vehicle the specific ownership tax in an amount equivalent to 2% of the amount of the rental payment, or portion thereof, which is subject to the imposition of sales tax pursuant to the provisions of Part 1 of Article 26 of Title 39, C.R.S. Such specific ownership tax shall be collected on all vehicles owned by the owner which are rented from a place of business in Colorado.
6. Any owner collecting ownership tax using the 2% method shall title and register vehicles in the county where the vehicles are initially assigned for rental.

7. The owner shall, no later than the twentieth (20th) day of each month, submit the Monthly Vehicle Rental Report, together with the remittance of all taxes collected for the preceding month, to the County Motor Vehicle Office in the county where the vehicles are rented. In addition, the owner shall submit a copy of the Monthly Vehicle Rental Report and the Combined Retail Sales Tax Return, to the Colorado Department of Revenue, Taxpayer Service Division, 1375 Sherman St., Denver, CO 80261.
8. The owner shall indicate monthly on the Monthly Vehicle Rental Report, all rental vehicles of the owner, rented from a place of business in Colorado, regardless of whether those vehicles were rented during the preceding month.
9. The owner shall report monthly, all vehicles that were sold, either by them or through consignment to an auction company, and indicate name and address of purchaser.
10. No credit shall be allowed for 2% specific ownership taxes previously submitted.
11. If the owner is found to have failed to remit the specific ownership taxes within the established time frames, or to comply with these rules and regulations, the County Clerk shall cancel the owner's right to collect taxes in this manner as defined in 42-3-107 (11) (d), and may collect delinquent taxes as defined in 42-3-107 (20).
12. In addition, failure by the owner to pay taxes as required by law may also subject the owner to a penalty as required in C.R.S. 42-3-111.
13. Any owner that is cancelled from this program may no longer pay ownership taxes by the 2% method anywhere in Colorado and will be required to pay specific ownership taxes by the regular procedure as defined in 42-3-107 (8) & (10).

RULE 31. SALVAGE AND REBUILT FROM SALVAGE DISCLOSURE

Basis: The statutory bases for this regulation are 38-20-116(2.5), 42-5-202 through 205, 42-6-102 (10), (15), (16), (17), and (23), 42-6-104, 42-6-110, 42-6-116 and 42-6-136, 42-6-206, C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for the notification to the Department when the vehicle is declared disposed of as salvage, a salvage vehicle or rebuilt from salvage vehicle.

1.0 Definitions

- 1.1 "Department" means the Colorado Department of Revenue and/or its authorized agents.
- 1.2 "Director- Approved Form" means a Certificate of Title, DR 2173 Motor Vehicle Bill of sale, DR 2407 Dealer's Bill of Sale, invoice, or electronic invoice in a Department approved format.
- 1.3 "Disposed of as Salvage" means the loss, destruction, crushing and/or dismantling of a vehicle so it no longer meets the definition of roadworthy in 42-6-102(15), C.R.S.
- 1.4 "Loss" means the difference between the value of the vehicle before and after it was determined to be a salvage vehicle.
- 1.5 "Owner" means a person or firm in whose name the title to a motor vehicle is registered. The term also includes parties otherwise having lawful use or control or the right to use or control a vehicle for a period of thirty days or more.
- 1.6 "Rebuilt From Salvage" means a salvage vehicle that has been repaired to a roadworthy condition.

- a. A "Rebuilt from Salvage" brand shall be stamped into salvage vehicles that have been repaired to a roadworthy condition as provided for in section 42-6-136(3)(b)(II), C.R.S.
- 1.7 "Rebuilt From Salvage Certificate of Title" means a Colorado Certificate of Title that contains the designation "Rebuilt from Salvage" in a conspicuous place on the title.
- 1.8 "Repair Shop" means a person or firm that offers vehicle repair services to the public on a commercial basis and complies with all federal, state, county, and municipal laws that require the person to possess business or tax licenses.

2.0 Disposed of as Salvage Requirements

- 2.1 The owner of a motor vehicle for which a Colorado certificate of title has been issued, upon the destruction or dismantling of said motor vehicle, upon its being changed so that it is no longer a motor vehicle, or upon its being sold or otherwise disposed of as salvage, shall:
- a. Surrender the certificate of title to the motor vehicle to the director or the authorized agent to be canceled; or
 - b. Notify the director or the authorized agent on director-approved forms indicating the loss, destruction or dismantling, or sale for salvage.
- 2.2 Upon the owner's procuring the consent of the holders of any unreleased mortgages or liens noted on or recorded as part of the certificate of title, such certificate shall be canceled.
- 2.3 Upon cancellation of the certificate of title, no subsequent title will be issued.

3.0 Salvage Title Requirements

- 3.1 Applicants for a rebuilt from salvage certificate of title shall follow the DR 2415 Title Established by Salvage Title Checklist and submit all required documentation listed on the DR 2415 Title Established by Salvage Title Checklist.
- 3.2 Upon submitting the documentation required on the DR 2415 Title Established by Salvage Title Checklist the applicant must complete the DR 2410 Salvage Title Application.
- 3.3 The owner of a salvage vehicle may make application for a salvage certificate of title before the sale or transfer of such vehicle. All subsequent purchasers or transferees of a salvage vehicle, other than transactions that are not subject to taxation pursuant to section 39-26-104, C.R.S., must obtain a salvage certificate of title in the owner's name within 24 months from the date of purchase or transfer.
- a. If an insurance company acquires a vehicle that has been declared a salvage vehicle, as defined in section 42-6-102(17), C.R.S., the insurance company must apply for a salvage certificate of title before transferring ownership of the vehicle.
 - b. If the owner retains a vehicle upon settlement of a claim with an insurance company and the vehicle has been declared a salvage vehicle, as defined in section 42-6-102(17), C.R.S., the owner must apply for a salvage certificate of title in the owner's name within sixty days.
 - c. A repair shop may apply for a salvage certificate of title for a motor vehicle abandoned at the repair shop, if the retail fair market value of the abandoned motor vehicle is more than \$200.00.

- i. Motor vehicles abandoned at a repair shop, with a retail fair market value of less than \$200.00, shall only be sold for the purposes of junking, scrapping, or dismantling. Sale by the repair shop shall be executed and delivered to the purchaser on a bill of sale.
 - ii. Under no circumstances shall a purchaser of an abandoned motor vehicle sold for the purposes of junking, scrapping, or dismantling be entitled to a Colorado certificate of title. Repair shops shall inform purchasers that a Colorado certificate of title will not be issued upon execution of the abandoned motor vehicle bill of sale.
- 3.4 The director or authorized agent shall designate "SALVAGE" in a conspicuous place on the certificate of title of every salvage vehicle, and "REBUILT FROM SALVAGE" on the certificate of title for every salvage vehicle that has been made roadworthy. Such designation shall become a permanent part of the certificate of title for such vehicles, and shall appear on all subsequent certificates of title for any such vehicle

Rule 32. SPECIAL LICENSE PLATE SURCHARGE

Basis: This regulation is promulgated under the authority of §42-1-204 and §42-3-312 C.R.S.

Purpose: The following rule and regulation is promulgated to clarify transaction types requiring the collection of the special license plate surcharge.

1.0 Definitions

- 1.1 "Issuance" means providing a license plate when, registering a new license plate to a motor vehicle, conducting a license plate replacement transaction, conducting a personalized license plate reissuance or personalized license plate conversion transaction.
- 1.2 "License plate replacement" means the issuance of a new license plate due to damage, theft or loss of one or both of the license plates registered to the vehicle.
- 1.3 "Personalized license plate reissuance" means the issuance of a new personalized license plate that is a duplicate of the original.
- 1.4 "Personalized license plate conversion" means the issuance of a new personalized license plate to meet the request of the registered owner to transfer the unique, personalized configuration to a different plate type.

2.0 Requirements

- 2.1 The issuance fee created in §42-3-312 C.R.S. shall be collected for all transactions included in the definition of issuance for the plates types specified in §42-3-312 C.R.S .

Rule 33. SPECIAL USE TRUCKS

Basis: This regulation is promulgated under the authority of 42-1-102(108), 42-1-204, 42-3-305(5)(c), 42-3-305(9)(d), (f), (g) & (h), 42-3-306(5)(c) and 42-3-306(9)(d), (f), (g) & (h) C.R.S.

Purpose: The following rules and regulations are promulgated to designate vehicles as special use trucks for the purpose of vehicle registration.

1.0 Definitions

1.1 “Truck” means any motor vehicle equipped with a body designed to carry property and which is generally and commonly used to carry and transport property over the public highways.

1.2 “Department” means the Department of Revenue, Division of Motor Vehicles.

2.0 Requirements

2.1 The following single vehicle types, utilized for their designed special purpose, are designated as Special Use Trucks by the executive director of the department.

- a. Mobile mixing concrete trucks
- b. Trash compactors
- c. Roll-off trash trucks
- d. Trucks used specifically to haul only recyclable materials
- e. Roll-off trucks used specifically to haul only recyclable materials
- f. Trucks used specifically to pump concrete, commercially known as “concrete pumpers”
- g. Beverage canister and delivery trucks with roll-up sides
- h. Vehicles specially constructed for towing, wrecking, and repairing that is not otherwise used for transporting cargo
- i. Operator-owned vehicles transporting racehorses that are operator-owned, to and from the stud or to and from a racing meet in Colorado
- j. Veterinary mobile unit trucks
- k. Mobile blood donation/collection vehicles
- l. Mobile medical testing and screen vehicles

2.2 These trucks will be registered and the appropriate registration fees collected pursuant to 42-3-305(5)(c) and 42-3-306(5)(c) C.R.S.

RULE 34. TEMPORARY REGISTRATION PERMITS

Basis: The statutory bases for this regulation are 42-1-204, 42-3-116(5), 42-3-203(3)(b), 42-3-203(3)(c)(II) and 42-3-203(3)(c)(III) C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for the issuance of temporary registration permits by licensed Colorado Motor Vehicle Dealers.

1.0 Definitions

1.1 “Authorized Agents” means the officer of a county or city and county designated by law to issue annual registrations of vehicles and to collect any registration or license fee imposed thereon by law.

1.2 “Dealer Stub” means the Department of Revenue form DR 2206A.

- 1.3 “Department” for the purpose of this regulation means the Department of Revenue, State Registration Section
- 1.4 “Licensed Colorado Motor Vehicle Dealer” or “Dealer” means every person engaged in the business of buying, selling, or exchanging vehicles of a type required to be registered under articles 1 to 4 of Title 42 of the Colorado Revised Statutes and who has an established place of business for such purpose in this state.
- 1.5 “Temporary Registration Permit” or “Temporary Permit” means the Department of Revenue form DR 2206.
- 1.6 “Registration Address” means a person’s principal or primary home or place of abode, to be determined in the same manner as residency for voter registration purposes as provided in sections 1-2-102 and 31-10-201, C.R.S. or for those persons that do not have a principal or primary home or place of abode registration address is the address for which the vehicle is permanently maintained at.
- 1.7 “Secure and Verifiable Identification” or “SVID” means identification issued by a state or federal jurisdiction or recognized by the United States Government and that is verifiable by federal or state law enforcement, intelligence, or homeland security agencies.

2.0 Requirements

- 2.1 The cost for temporary permits sold in blocks of twenty-five (25) shall be the fee stated in 42-3-203(3)(b) C.R.S. At the same time the block of temporary permits is purchased the Department’s authorized agents will release twenty-five dealer stubs to the purchasing dealer.
- 2.2 The cost for temporary permits on an individual basis shall be the individual temporary permit rate applicable to the general public. Dealer stubs will be released by the Department’s authorized agents for the same number of temporary permits purchased.
- 2.3 Temporary permits and dealer stubs shall be issued by Dealers upon consummation of a sale. Dealers shall not loan, give, borrow, sell, exchange or issue permits for or with another dealer, individual, business, company, or corporation.
- 2.4 Dealers shall verify SVID prior to issuance of temporary permits, unless the purchaser declares that the vehicle will be titled and registered outside the State of Colorado.
- A. The duration of a temporary permit issued under these circumstances shall be issued for 14 days or less.
- 2.5 Temporary permits and dealer stubs shall be kept in a secure location. Dealers shall contact local law enforcement within 24 hours and file a police report for any temporary permit(s) or dealer stub(s) that are lost or stolen. A copy of the police report shall be supplied to the Department via the address located on the back of the dealer stub or faxed to 303-205-5978. Replacement purchase of temporary permits shall not be allowed until a filed police report is received by the Department.
- 2.6 The duration of a temporary permit may not exceed sixty (60) days from the date of sale/issuance. Temporary permits shall not expire on a Saturday, Sunday, or legal holiday. If the 60th day falls on a Saturday, Sunday, or legal holiday the dealer shall make the temporary permit expire on the first weekday prior to the Saturday, Sunday or legal holiday. Temporary permits are not renewable, but when circumstances warrant, subsequent permits may be applied for by the consumer from their County Motor Vehicle Office or the Auto Industry Division.

- 2.7 Temporary permits shall not be issued to vehicles which are sold as "Tow Away" or to vehicles which are not roadworthy. Temporary permits shall not be used to demonstrate, transport or deliver vehicles.
- 2.8 Temporary permits shall be completed in permanent black marker/ink or printed using a standard commercial printer in fonts and styles established by the Department and shall be completely filled out ensuring accuracy of information. Missing or incomplete temporary permits shall render the temporary permit void.
- A. ABBR. MONTH - shall be the three character designation (i.e., JAN = January) of the month in which the temporary permit expires. Dealers should ensure that the month is written over the hologram strip on the temporary permit. Upon completion of the ABBR. MONTH the dealer shall remove the protective film backer and affix the protective film to the temporary permit ensuring full coverage of the written month and hologram strip.
 - B. DAY - shall be the work weekday day in the month in which the temporary permit expires. Temporary permits shall not expire on a Saturday, Sunday or legal holiday. In no event shall a temporary permit expire date exceed sixty days. If the expire date falls on a Saturday, Sunday or legal holiday the dealer shall make the temporary permit expire on the first weekday prior to the Saturday, Sunday or legal holiday.
 - C. YEAR (expired section) - shall be the two digits indicating the year the temporary permit expires (i.e., 08 = 2008).
 - D. DEALER NUMBER - shall be the dealer number assigned to the licensed Colorado dealer from the Department of Revenue, Enforcement Business Group, Auto Industry Division that is issuing the temporary permit.
- 2.9 For every temporary permit issued by the dealer a dealer stub shall be completed with the three part copies being distributed as:
- A. White copy - shall be submitted to the Department within calendar 5 days of the issued date as detailed below in 2.13.
 - B. Pink copy - shall be provided to the customer as evidence of temporary registration.
 - C. Yellow copy - shall be retained by the issuing dealer for a minimum of one year from the issue date.
- 2.10 The dealer stub shall be completed in permanent black ink or printed using a standard commercial printer in fonts and styles established by the Department and shall be completely filled out ensuring accuracy of information is maintained. Incomplete dealer stubs are not acceptable (unless as indicated below) and shall render the dealer stub void.
- A. PERMIT NUMBER field - shall reflect the temporary permit serial number issued in 2.8 above.
 - B. Owner field - shall reflect the name of the owner of the vehicle as indicated on the SVID.
 - C. Owner field - shall reflect the name as indicated on the SVID of the second owner if there is a second owner.
 - D. Address, City, State and Zip field - shall reflect the registration address of the owner of the vehicle.

- E. Year field - shall reflect the four digit model year of the vehicle.
 - F. Make field - shall reflect the make of the vehicle.
 - G. CWT field - shall reflect the empty weight or curb weight of the vehicle.
 - H. GVW field - shall reflect the vehicle's "Gross Vehicle Weight" which is equal to the empty weight plus the weight of the heaviest load that will be hauled. If no GVW available then leave blank.
 - I. VIN field - shall reflect the Vehicle Identification Number for the vehicle.
 - J. Date Issued field - shall reflect the date in Month, Day, Year format (mm/dd/year) for the date the temporary permit was issued.
 - K. Date Exp. field - shall reflect the date in Month, Day, Year format (mm/dd/year) for the vehicle that the dealer stub is issued indicating the date of expire of the temporary registration.
 - L. Dealer field - shall reflect the business name of the dealer.
 - M. Dealer Lic. # field - shall reflect the dealer number assigned to the licensed Colorado dealer from the Department of Revenue, Enforcement Business Group, Auto Industry Division.
- 2.11 Strike over and corrections are not permitted on the face of the temporary permit or dealer stub. Voided, damaged or recovered temporary permits and/or dealer stubs shall be mailed to the Department for recording or destruction within five calendar days of being voided. These should be marked "VOID" in bold black ink/marker across the face of the document. The dealer shall retain the yellow copy of the dealer stub with the word "VOID" written in permanent black ink/marker across the face to indicate that the dealer did not issue or place the temporary permit on the vehicle for auditing purposes.
- 2.12 Temporary permits should be affixed to the rear of the vehicle in the area normally designed for the normal placement of the license plate. Dealers may place the temporary permits in plastic/protective bags or holders as long as the bags or holders do not cover, distort or make unreadable any part of the temporary permit. Temporary permits may be placed on the inside of the vehicle or on the inside rear window provided the temporary permit is readable.
- 2.13 The white copy of the dealer stub shall be submitted to the Department within five (5) calendar days of issuance via one of the following methods:
- A. Dealer may elect to transcribe the exact information on the issued dealer stub into an electronic file that is transferred to the Department electronically.
 - 1. Format, file type, information and transfer of the electronic file shall be determined by the Department.
 - 2. Dealers that elect to use this method are not required to mail in the white copy of the dealer stubs to the Department.
 - B. Dealer may mail the white copy of the dealer stub to the Department at the address indicated on the back of the white copy of the dealer stub.

1. Only the dealer stubs are required to be submitted to the Department. Copies of insurance, vehicle registrations, identification cards etc. shall not be mailed to the Department.
- 2.14 All temporary permits and dealer stubs must be surrendered immediately to the Department of Revenue, Enforcement Business Group, Auto Industry Division when a dealer license has been suspended or revoked by the Colorado Motor Vehicle Dealer Board.
- 2.15 Dealers that do not comply with this regulation or have been found in violation of this regulation may have their privilege of issuing temporary permits revoked. Revocations will be issued through the Department of Revenue, Enforcement Business Group, Auto Industry Division.

Rule 35. TRANSPORTER LICENSE PLATES

Basis: This regulation is promulgated under the authority of 42-1-204, 42-3-116(1), 42-3-120(2), 42-3-121(1) (d) and 42-3-304(7) (a) C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for the issuance of transporter license plates.

1.0 Definitions

- 1.1 “Transporter Tags and/or Transporter License Plates” - means a numbered plate issued by the department authorizing the user to operate vehicles upon any highway in lieu of registering each vehicle.
- 1.2 “Repair Facility” - means a facility engaged in repair activity
- 1.3 “Repair Activity” - means repairing, painting, upholstering, polishing, or the performing of similar types of work on motor vehicles.
- 1.4 “Operate” - for the purpose of this rule means vehicles that are being driven upon the roads and highways under their own motive power.
- 1.5 “Financial institutions” - means a bank, savings bank, savings and loan association, industrial bank, industrial loan company, credit union, or bank or savings association holding company organized under the laws of any state, the District of Columbia, a territory or protectorate of the United States, or an operating subsidiary or affiliate of such entities.
- 1.6 “Department” - for the purpose of this regulation means the Department of Revenue, Registrations Section.

2.0 Requirements

- 2.1 Transporter license plates shall only be authorized for use and issued by the department to:
 - a. Dealers that have a valid and current State of Colorado dealer’s license as authorized and issued by the Colorado Department of Revenue, Auto Industry Division.
 - b. Dealers of special mobile machinery that can provide such evidence to the department as to the extent of their business as well as documentation detailing previous sales of special mobile machinery.
 - c. Government agencies that are acting in the capacity of disposing of, auctioning of, or movement of previously owned Government motor vehicles.

- d. Facilities engaged in repair activity for a State of Colorado licensed dealer that provide written agreement/contract with such licensed dealer(s).
 - e. Facilities engaged in repair activity that provide Certificate of Liability Insurance and evidence of Sales Tax License in the entity's business name.
 - f. Drive-away or tow-away transporters that operate motor vehicles for State of Colorado licensed dealers that provide written agreement/contract with such licensed dealer(s).
 - g. Chartered Financial Institutions that provide to the Department their Certificate of Charter, Supervised Lenders that provide a Supervised Lenders License issued by the State of Colorado Office of the Attorney General or such other evidence as may be acceptable to the Director.
 - h. Businesses that provide Repossessor Bond letter issued by the State of Colorado Office of the Attorney General and Certificate of Liability Insurance.
 - i. Businesses that are in the business of moving not currently registered motor vehicles that are being operated by other than the registered owner for the purposes of repossession, transit/transport, repair activity, or other stated purposes and not for personal business operations use that provide to the Department sufficient evidence to demonstrate the extent of this business.
- 2.2 All applicants for transporter license plates shall complete and submit to the Department of Revenue, Registration Section, an application for the issuance of transporter plates.
- a. In addition to the application, the applicant shall submit such documentation or evidence as identified in 2.1a through 2.1i of this rule for the category of business.
- 2.3 Transporter license plates are issued on a calendar year basis and expire on December 31st of each year. All transporter license plates will have a one-month grace period for renewal. An annual fee in accordance with CRS 42-3-116 and 42-3-301 shall be remitted with each application.
- 2.4 False information on the application or renewal request may result in denial of the application, cancellation and denial of any plates issued. Receipt of complaints and/or abuse of transporter plates may result in the department requesting a review of the plate holder's records.
- 2.5 A transporter license plate may be used in lieu of registering each vehicle, to transport motor vehicles, trailers, special mobile machinery, or semi trailers upon any highway, to move vehicles to and from the dealer's place of business or storage, to and from the repair facilities place of business or storage, for the purpose of road testing, conducting repairs, or transporting vehicles from point of delivery to the dealers place of business or storage. Additionally, transporter plates may also be used for the movement of repossession or transit/transport vehicles related to repossession activity. Movement of a vehicle using a transporter plate for any purpose other than those listed above shall constitute private use.
- 2.6 A vehicle displaying a transporter license plate shall be operated under its own motive power, towed, transported singly, saddlemounted, towbar, fullmount, or any lawful combination. When traveling in a convoy, each individual vehicle must display a transporter plate.
- 2.7 It is the responsibility of the authorized user to assure the vehicles being driven while displaying a transporter license plate are in a safe, roadworthy condition.

- 2.8 Transporter license plates shall be mounted in such a position as to be visible from the back of the vehicle. Transporter license plates shall not be permanently attached or affixed to any vehicle. Transporter license plates must be maintained in a clearly legible condition at all times.
- 2.9 With the exception of licensed dealers, all vehicles displaying transporter plates shall have a copy of the agreement/contract with the dealership for whom the vehicle is being transported or copies of evidence of repossession, repair agreements/contracts or transit or transport agreements/contracts of the vehicle in the vehicle at all times.
- 2.10 Violation of the restrictions and methods of use of transporter license plates may result in sanctions including loss of plate privileges.
- 2.11 Persons subject to loss of one or more transporter plates may request a hearing, in writing, within thirty days of receiving notice of the pending action. The request for hearing shall be submitted to the Department of Revenue, Enforcement Business Group, Hearings Sections. If a hearing is not requested, within thirty days, the transporter plates in question may be suspended. If so, the plate shall be surrendered to the Department of Revenue, Division of Motor Vehicles, Title and Registration Section within ten days of the date of notice of the suspension at the cost of person/business subject to the loss.
- 2.12 The hearing shall be held at the Department of Revenue, Enforcement Business Group, Hearing Section. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The law enforcement officer or Department Investigator who submits the documents and affidavit related to the action in question need not be present at the hearing unless his or her presence is required by the presiding officer, or requested by the person/business subject to the loss at the time the written request for hearing is submitted. If the law enforcement officer or investigator is not present at the hearing, the hearing officer may use the written documents and affidavit submitted by the officer or investigator.
- 2.13 Lost or stolen transporter license plates shall be reported within seventy-two (72) hours to local law enforcement and the Department of Revenue, Division of Motor Vehicles, Registration Section using form number DR2283 Affidavit for Lost or Stolen License Plates/Permits. All transporter license plates shall be replaced for the original statutory fees identified in CRS 42-3-116 and 42-3-301.
- 2.14 Whenever the business with Transporter license plates ceases to operate or whenever the appropriate Dealer's License, Repossessor Bond, Certificate of Charter, or Supervised Lenders License has been suspended, denied, revoked or expired all transporter license plates issued to such business shall be surrendered, at the cost of the business, within seventy-two (72) hours to the Department of Revenue, Division of Motor Vehicles, Title and Registration Section. The department shall not refund any portion of the original fee paid when the plates are surrendered.
- 2.15 Applications, renewals, and replacements may be conducted via postal mail. The applicant must provide a pre-paid envelope for plates if postal mail is requested. Transporter plates shall not be mailed to non-Colorado addresses. The department reserves the right to validate addresses to ensure that the address provided is a legitimate State of Colorado business address for that applicant prior to accepting, approving or completing any transporter license plate application and may request additional information.
- 2.16 Secure and verifiable identification will be required on all issuances and replacements of transporter license plates. The business may provide letters of authorization to the department listing all authorized personnel that may conduct transporter license plate transactions with the department for their business.

Rule 36. [Repealed eff. 03/02/2011: See Rule 48]

RULE 37. VEHICLES CLASSIFIED AS FARM TRUCKS AND FARM TRUCK TRACTORS

Basis: The statutory bases for this regulation are 42-1-204 and 42-3-306(4), C.R.S.

Purpose: The purpose of this regulation is to establish criteria for identifying and classifying farm vehicles for vehicle registration purposes.

1.0 Definitions

- 1.1 "Authorized Agent" means the officer of a county or city and county designated by law to issue annual registration of vehicles and to collect any registration or license fee imposed thereon by law.
- 1.2 "Department" means the Department of Revenue acting directly or through its duly authorized officers and agents.
- 1.3 "Farm Vehicle Registration" means a farm vehicle registered in the Colorado State Title and Registration System under 42-3-306, C.R.S., and that is displaying a farm truck or farm truck tractor license plate.
- 1.4 "Farm Truck" means a truck meeting the definition of 42-1-102(108), C.R.S., and that is owned by a farmer or rancher that are operated and used pursuant to 42-3-306(4), C.R.S.
- 1.5 "Farm Truck Tractor" means a truck tractor meeting the definition of 42-1-102(109), C.R.S., or 42-1-102(109.5), C.R.S., and that is owned by a farmer or rancher that are operated and used pursuant to 42-3-306(4), C.R.S.
- 1.6 "Farm Vehicle" means a farm truck or farm truck tractor.
- 1.7 "Farmer and/or Rancher" means owner of a farm vehicle that
 - A. Owns or leases a farm or ranch that is classified as agricultural land for the purposes of levying and collecting property tax under section 39-1-103, C.R.S., and;
 - B. Whose business or source of income is agriculture.

2.0 Requirements

- 2.1 A farmer or rancher who owns a farm vehicle may apply for a farm vehicle registration with the authorized agent at the County Motor Vehicle office for which such farm or ranch is located in.
- 2.2 A DR 2159 Farm Truck, or Farm Truck Tractor License Plate Application shall be completed for farm vehicle registrations.
- 2.3 A farmer or rancher applying for a farm registration shall sign the DR 2159 and certify under penalty of perjury that:
 - A. The farmer or rancher meets the requirements of being a farmer or rancher required in 42-3-306(4), C.R.S., and;
 - B. That the farm vehicle(s) owned by the farmer or rancher that carry farm vehicle registrations will be operated and used pursuant to 42-3-306(4), C.R.S., and;
 - C. That the farm or ranch that the farm vehicle(s) are being used is owned or leased by the farmer or rancher pursuant to 42-3-306(4)(e), C.R.S., and;

- D. That the land on which the farm vehicle(s) is used is classified as agricultural land for the purposes of levying and collecting property tax under section 39-1-103, C.R.S.
- 2.4 The Department or its authorized agents shall not require a farmer or rancher registering a farm vehicle to demonstrate that the farmer or ranchers' primary business or source of income is agriculture.
- 2.5 Certification of meeting the farmer or rancher, farm vehicle, or agricultural land criteria or requirements shall only be required upon initial farm registration for each farm vehicle owned by a farmer or rancher. Although a farmer or rancher shall be required to meet the requirements annually certification is only required at the time of the initial application for a farm vehicle registration.

Rule 38. YEAR OF MANUFACTURE LICENSE PLATES

Basis: This regulation is promulgated under the authority of 42-1-204, 42-3-120 and 42-3-219(1)(b)CRS.

Purpose: The following rules and regulations are promulgated to establish criteria for the issuance of Year of Manufacture license plates.

1.0 Definitions

- 1.1 "Year of Manufacture License Plates" - means a license plate that is original, embossed with the year of original issue, that does not exceed seven legible characters in which the embossed year is contemporaneous with the year of manufacture of the vehicle upon which it is registered.
- 1.2 "Secondary Registration" - means the motor vehicle that the Year of Manufacture license plates are authorized for shall have a primary registration as established 42-3-102 through 42-3-126 CRS and 42-3-201 through 42-3-312 CRS.
- 1.3 "Home Made" or "Shop Made" - means a license plate that was not produced via standard license plate manufacturing processes using a metal dye stamping press machine.
- 1.4 "Department" - for purposes of this regulation means the Department of Revenue, State Registrations Section.

2.0 Requirements

- 2.1 Registration of motor vehicles with Year of Manufacture license plates shall be a secondary registration.
- 2.2 A Year of Manufacture license plates secondary registration application shall only be authorized for license plates that were manufactured at least thirty years ago, embossed with the year of original issue, are legible, and are issued contemporaneously with the year of manufacture of the vehicle upon which they are displayed, may not exceed seven characters and shall be submitted on forms and via procedures as determined by the Department.
- 2.3 Year of Manufacture license plates may not be home made or shop made. The Department shall not manufacture Year of Manufacture license plates. The registrant is responsible for providing the original license plate.
- 2.4 Year of Manufacture license plates shall not be authorized for use or secondarily registered if such plate conflicts with any current and/or past plate numbering combinations.

- 2.5 Year of Manufacture license plates shall only be authorized for use to the registrant(s) that are listed as owner(s) on the primary registration for the motor vehicle.
- 2.6 Year of Manufacture license plates shall be displayed on the motor vehicle as established in 42-3-202 CRS with the primary registration license plate and registration receipt being maintained within the motor vehicle at all times the Year of Manufacture license plate is being displayed. Use of Year of Manufacture license plates shall be as established in 42-3-219(5)
- 2.7 Lost or stolen Year of Manufacture license plates shall be reported within seventy-two (72) hours to the local law enforcement agency and the Department of Revenue, Division of Motor Vehicles, Registration Section using form number DR2283 Affidavit for Lost or Stolen License Plates/Permits.
- 2.8 The Department may revoke or suspend the use of Year of Manufacture license plates and cancel the registration thereof for mis-use, false information on the application, when the primary registration is no longer valid, and/or discovery of use of a home made or shop made plate. Registrants subject to loss of use of Year of Manufacture license plates or canceled registration may request a hearing, in writing within thirty days of receiving notice of the pending action. Written hearing request shall be submitted to the Department of Revenue, Enforcement Unit, Hearing Section. If a hearing is not requested, within thirty days, the Year of Manufacture license plates shall be surrendered to the Department of Revenue, Registration Section within ten days of the date of notice of the loss or cancellation at the cost of the registrant.
- 2.9 The hearing shall be held at the Department of Revenue, Enforcement Unit, Hearing Section. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The law enforcement officer or Department investigator who submits the documents and affidavit related to the action in question need not be present at the hearing unless his or her presence is required by the presiding officer, or requested by the registrant at the time the written request for hearing is submitted. If the law enforcement officer or investigator is not present at the hearing, the written documents and affidavit submitted by the officer or investigator may be used by the hearing officer.

RULE 39. CANCEL RECORD

Basis: The statutory bases for this regulation are 38-20-116(2.5), 38-29-118, 42-4-1805 (2), 42-4-1810, 42-4-2104, 42-4-2109, 42-4-2201, 42-4-2202, 42-6-102, 42-6-104, 42-6-115, 42-6-136 and 42-9-102 C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for the notification to the Department upon a motor vehicle or vehicle being sold or disposed of as salvage.

1.0 Definitions

- 1.1 "Auto parts recycler" means any person who purchases motor vehicles for the purpose of dismantling and selling the components thereof and who complies with all federal, state, and local regulations. "Auto parts recycler" includes a vehicle dismantler.
- 1.2 "Business Day" means any day other than Saturday, Sunday, or a state of Colorado or federal legal holiday.
- 1.3 "Cancel Record" means the motor vehicle record, registration and Colorado Certificate of Title will be cancelled in the Colorado State Title and Registration System and no subsequent Colorado Certificate of Title or registration will be issued.
- 1.4 "Department" means the Colorado Department of Revenue, Title and Registration Sections.

- 1.5 "Director-Approved Form" means a properly assigned Certificate of Title, DR 2173 Motor Vehicle Bill of Sale, DR 2407 Dealer's Bill of Sale, invoice or electronic invoice in a Department approved format.
- 1.6 "Licensed Motor Vehicle Dealer" means a motor vehicle dealer that is licensed pursuant to Part 1 of Article 6 of title 12, C.R.S.
- 1.7 "Motor Vehicle" means any self-propelled vehicle that is designed primarily for travel on the public highways and is generally and commonly used to transport persons and property over the public highways, including trailers, semitrailers, and trailer coaches, without motive power. "Motor vehicle" does not include the following:
- (a) A low-power scooter, as defined in section 42-1-102;
 - (b) A vehicle that operates only upon rails or tracks laid in place on the ground or that travels through the air or that derives its motive power from overhead electric lines;
 - (c) A farm tractor, farm trailer, and any other machines and tools used in the production, harvesting, and care of farm products; or
 - (d) Special mobile machinery or industrial machinery not designed primarily for highway transportation.
- 1.8 "Notification" means the submission of a director-approved form to the Department, by the owner, with indication such as 'JUNK', 'SCRAP' or 'PARTS ONLY' and includes the date, signature and printed name of the owner and company name (if applicable) declaring the vehicle as salvage.
- 1.9 "Operator" means a person or a firm licensed by the public utilities commission as a towing carrier.
- 1.10 "Owner" means a person or firm in whose name the title to a motor vehicle is registered. The term also includes parties otherwise having lawful use or control or the right to use or control a vehicle for a period of thirty days or more.
- 1.11 "Parts Only" means a vehicle sold as a source of component and body parts for the purpose of using the component and body parts to repair or restore another vehicle.
- 1.12 "Recycling" means crushing or shredding a motor vehicle to produce scrap metal that may be used to produce new products or dismantling a motor vehicle to remove reusable parts prior to recycling the remainder of the vehicle.
- 1.13 "Salvage" means the secondary or scrap value of a motor vehicle stemming from a state of damage or disrepair that renders the vehicle unsuitable for its originally intended use on the public highways in the absence of major alteration or repair. Salvage includes the scrapping, junking, disposal or sale of a vehicle for parts only.

2.0 Requirements

- 2.1 An owner, licensed motor vehicle dealer, auto parts recycler or operator must provide notification to the Department for all motor vehicles being sold or disposed of as salvage within 10 business days of determining that the motor vehicle will be sold or disposed of as salvage.
- 2.2 Notification must be submitted by the owner on the director-approved form.
- 2.3 Upon receipt of a "Notification", the Department shall modify the record to indicate the record is in "Cancel Record" status.

- 2.4 Motor vehicles abandoned at a Repair Shop with a retail fair market value of less than \$200.00 shall only be sold for the purposes of junking, scrapping, or dismantling.
- a. Sale by the repair shop shall be executed and delivered to the purchaser on a bill of sale.
 - 1. The bill of sale shall state that the purchaser acquires no right to a certificate of title for such vehicle.
 - 2. Under no circumstances shall a purchaser of an abandoned motor vehicle sold for the purposes of junking, scrapping, or dismantling be entitled to a Colorado Certificate of Title pursuant to CRS 38-20-116 (2.5)(VII) (B).
- 2.5 Motor vehicles abandoned on public or private property with an appraised value of less than \$350.00 shall only be sold for the purposes of junking, scrapping, or dismantling.
- a. Sale by the responsible law enforcement agency or tow operator shall be executed and delivered to the purchaser on a bill of sale.
 - 1. The bill of sale shall state that the purchaser acquires no right to a certificate of title for such vehicle.
 - 2. Under no circumstances shall a purchaser of an abandoned motor vehicle sold for the purposes of junking, scrapping, or dismantling be entitled to a Colorado Certificate of Title pursuant to CRS 42-4-1805 and CRS 42-4-2104.

RULE 40. Low-Power Scooter

Basis: The statutory bases for this regulation are 42-1-102(48.5), 42-1-204, 42-2-103(2), 42-3-105(2), 42-3-105(4), and 42-3-311 C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for the issuance of low-power scooter temporary registrations, identify the entities that are authorized to complete the temporary registration process and the process for the registration agent application.

1.0 Definitions

- 1.1 "Department" for this regulation means the State Registration Section, Division of Motor Vehicles, Department of Revenue.
- 1.2 "Low-Power Scooter" means a self-propelled vehicle designed primarily for use on the roadways with not more than three wheels in contact with the ground, no manual clutch, and either of the following:
- A. A cylinder capacity not exceeding fifty cubic centimeters if powered by internal combustion; or
 - B. A wattage not exceeding four thousand four hundred seventy-six if powered by electricity.
- 1.3 "Motor vehicle" in pertinent part, means any self-propelled vehicle which is designed primarily for travel on the public highways and which is generated and commonly used to transport persons and property over the public highways, except that the term does not include low-power scooters, wheelchairs, or vehicles moved solely by human power.
- 1.4 "Motorcycle" means a motor vehicle that uses handlebars to steer and that is designed to travel on not more than three wheels in contact with the ground; except that the term does not include a farm tractor or low-power scooter.

- 1.5 “Registration Agent” means a motor vehicle dealer or used motor vehicle dealer licensed under article 6 of title 42 of the Colorado Revised Statutes that has been approved by the Department to act as an authorized agent of the Department for the purposes of compliance with 42-3-105(4)(a) C.R.S. and collection of fees required for the registration of low-power scooters.

2.0 Low-Power Scooter Registration Agent Eligibility

- 2.1 Upon application and approval, any licensed Colorado motor vehicle dealer, used motor vehicle dealer, or power sport dealer that engages in the selling of low-power scooters may act as a registration agent for the Department for the purpose of temporarily registering low-power scooters.
- A. The DR 2228 Low-Power Scooter Registration Agent Application shall be submitted to the Department for approval.
- B. Motor vehicle dealers, used motor vehicle dealers or power sport dealers that are engaged in the selling of low-power scooters are not required to be a low-power scooter registration agent. Customers should be directed to the Department for the registration of the low-power scooter purchased from a dealer that is not a low power scooter registration agent.
- C. A valid Colorado motor vehicle dealers license, used motor vehicle dealers license or power sport dealers license is required.

3.0 Low-Power Scooter Registration Agent Application and Approval Rules

- 3.1 A DR 2228 Low-Power Scooter Registration Agent Application shall be submitted to the Department for approval.
- 3.2 Upon approval by the Department, a low-power scooter registration agent number shall be issued. This number must appear on all monthly reports and all low-power scooter temporary registrations submitted to the Department.
- 3.3 Upon issuance of a low-power scooter registration agent number, the Department shall create the following:
- A. An electronic spreadsheet to log and track the dates the monthly reports for each registration agent are received, the amount of payments submitted, a record of all decal numbers issued to that registration agent and a list of all decals that have been returned by the registration agent.
- 3.4 If a registration agent changes their address from the original location identified in the application and/or changes their business name, a DR 2228 Low-Power Scooter Registration Agent Application shall be submitted within ten (10) days of the address change to the Department. “Address Change Only” must be indicated at the top of the application. The assigned low-power scooter registration agent number shall remain the same.
- 3.5 Upon request the registration agent shall provide a copy of the approved DR 2228 Low-Power Scooter Registration Agent Application as proof of authorization to register low-power scooters and collect the associated fees on behalf of the Department.
- 3.6 Low-Power Scooter Decals
- A. Decals must be purchased by the registration agent from the Department. Requests for decals shall be completed on the DR 2183 Low-Power Scooter Monthly Report and Request for

Decals/Forms. Requests for decals may be processed by mail or in person at the address indicated on the DR 2183.

- B. Low-power scooter registration agents shall not be permitted to purchase excess decals above their allowable months of supply based on historical issuance trends determined by the Department.
- C. No refunds will be granted for returned decals. Damaged decals must be returned to the Department. Damaged decals shall be replaced upon payment of the applicable low-power scooter decal fee.
- D. Decals that are lost or stolen must be reported to the local, county or state law enforcement within 72-hours from the date it was determined that the decals were lost or discovered stolen. A copy of the police report must be submitted to the Department. The Department shall replace the missing decals upon payment of the applicable low-power scooter decal fees.
- E. A low-power scooter decal is valid for a period of three (3) years from the date of issuance. Standard license plates shall not be issued to any vehicle that is defined as a low-power scooter.

3.7 Monthly Reports

- A. A registration agent shall complete and submit DR 2183 Low-Power Scooter Monthly Report and Request for Decals/Form to the Department at the address on the form by the 10th of every month. In the event that the registration agent did not issue decals for any given month, the DR 2183 shall be submitted indicating zero (0) under the section identified as "Decal Numbers Sold" .
- B. Any low-power scooter registration agent who does not submit their monthly reports, as listed above, shall lose the authority to issue decals on behalf of the Department. This authority may be considered for reinstatement only when all monthly reports have been submitted and brought current to the Department.

3.8 Renewal of low-power scooter registrations shall be completed by the Department.

3.9 Low-power scooter registrations shall be submitted directly to the Department and must include the following:

- A. A completed DR 2579 Low-Power Scooter Registration Agent Temporary Registration form.
- B. Photocopy of the proof of ownership including, but not limited to, a Manufacturer's Statement of Origin, invoice, notarized bill of sale, or receipt. The applicant's name must be consistent on the proof of ownership.
- C. Appropriate registration fees as indicated on the application.
- D. Proof that the applicant's Secure and Verifiable Identification has been verified using the Secure and Verifiable Identification section on the DR 2579 or by using the DR 2841 Secure and Verifiable ID and DR 2842 Supplemental Secure and Verifiable Identification Information and Attestation Clause forms.
- E. Proof of insurance as listed in section 3.11 of this regulation.

- F. Registration agent shall hole punch the expire month and expire year on the decal prior to issuing the decal to the customer. The expire month and expire year shall match the expire month and expire year on the DR 2579.

3.10 Upon receipt of the DR 2579 Low-Power Scooter Registration Agent Temporary Registration Application from the registration agent the Department shall validate the form and ensure compliance with statute, rules and regulations. The registration agent shall provide a photocopy of the DR 2579 to the owner to evidence registration. The registration agent shall instruct the owner of the registration process.

- A. The Department shall complete the low-power scooter registration in the Colorado State Title and Registration System. Upon finalization of the transaction a DR 2574 Registration Receipt will be printed and mailed directly to the low-power scooter owner. Upon receipt of the DR 2574 the low-power scooter owner shall replace the agent issued DR 2579 with the DR 2574. The DR 2574 shall be the owners' proof of valid registration.
- B. If the vehicle listed on the DR 2579 does not meet the statutory definition of a low-power scooter the registration agent will be notified by the Department. The Department shall also send notice to the applicant requiring return of the decal. The applicant will be instructed to resolve any refund of fees paid with the agent directly.

3.11 Insurance

- A. A low-power scooter shall not be registered until the applicant has a complying motor vehicle insurance policy pursuant to part 6 of article 4 of title 10, C.R.S., or a certificate of self-insurance is in full force and effect as required by sections 10-4-619 and 10-4-624, C.R.S.
- B. The applicant shall provide the department or the registration agent with the proof of insurance certificate or insurance identification card provided to the applicant by the applicant's insurer pursuant to section 10-4-604.5, C.R.S., or provide proof of insurance in such other media as is authorized by the Department.
- C. Any person who knowingly provides fraudulent information or insurance documents to obtain registration of a low-power scooter is guilty of a misdemeanor and is subject to the criminal and civil penalties provided under section 42-6-139(3) and (4) C.R.S.

3.12 In the event that a registration agent chooses to no longer act as a registration agent, all decals must be returned to the Department with a notice on the business letterhead within ten (10) business days from the notice. This notice shall serve as notification to the Department that this business shall no longer act as a registration agent for the Department in this capacity. All remaining DR 2579's and DR 2183's that have not been submitted to the Department previously shall be submitted at that time. No refunds shall be issued. The registration agent shall submit to the Department all retained low-power scooter temporary registrations.

4.0 Low-Power Scooter Record Maintenance

- 4.1 Records shall be maintained listing each low-power scooter decal with the names of the person(s) registered to such decal, to be used upon inquiry from law enforcement or the registered owner.
- 4.2 Notices of monthly report delinquency shall be sent to the registration agent(s) if the monthly reports are more than two months negligent.
- 4.3 If a registration agent fails to respond to a letter of monthly report delinquency, a notice shall be placed in the registration agent's file to discontinue the issuance of decals until all monthly reports

have been submitted to the Department at which time the Department will re-evaluate the registration agent's authority to issue low-power scooter temporary registrations and decals on behalf of the Department.

Rule 41. LICENSE PLATE DESTRUCTION, RECYCLING AND DISPOSAL

Basis: This regulation is promulgated under the authority of 42-1-204, 42-3-201(6)(a) and 42-3-201(6)(b) C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for the destruction, recycling and/or disposal of license plates.

1.0 Definitions

- 1.1 "Scrap Plate" means any license plate that has either been voluntarily surrendered or acquired in the ordinary course of business with the intent of the license plate being canceled in motor vehicle systems, destroyed, recycled or permanently disposed of.
- 1.2 "Voluntarily Surrendered" means given to the department or its authorized agents by the license plate owner or the owner's agent.
- 1.3 "Ordinary Course of Business" means but is not limited to the receipt of a plate that is voluntarily surrendered, found, damaged, directed to be destroyed per an enforcement action or turned in by a non-owner to the State or its authorized agents.
- 1.4 "Destroyed, Recycled and/or Permanently Disposed" means a method of destruction that renders the material unusable as a license plate.
- 1.5 "Department" means the Department of Revenue, Division of Motor Vehicles.

2.0 Requirements

- 2.1 License plates that are voluntarily surrendered or acquired in the ordinary course of business shall be destroyed, recycled or permanently disposed of in a manner approved by the department.
- 2.2 License plates that have been voluntarily surrendered by the owner or owner's agent shall be canceled at the time the plates are surrendered.
- 2.3 License plates acquired in the ordinary course of business shall be canceled in motor vehicle system within 24 hours of receipt.
- 2.4 Scrap license plates surrendered shall be destroyed, recycled, or permanently disposed of. Reselling, reusing, giving or gifting of scrap plates is prohibited.
- 2.5 The department, through Correctional Industries, shall provide a plate scrapping program in which the department or its authorized agents may surrender license plates to be destroyed, recycled or disposed of.
- 2.6 Unless Correctional Industries is used to recycle plates, any authorized agent that receives scrap plates or desires to conduct disposal, recycling or destruction of license plates shall apply to State Registrations, 1881 Pierce St., Lakewood, CO 80214 for approval detailing the disposal, recycling or destruction activities of license plates. At a minimum, this application will be on the entity's letterhead and shall describe in detail:

- a. Means of receiving and storing the scrap plates to include such details as security, accountability and personnel (i.e. motor vehicle supervisor, motor vehicle clerk, janitorial staff) that would have access to the plates.
 - b. Timeline for completion of destruction disposal, recycling, or disposal.
 - c. Destruction, recycling or disposal method to be used.
 - d. Agreements with any scrap yard, junkyard, recycler, metals dealer or any other entity use to destroy, recycle or dispose license plates. This should detail evidence of receipt for scrap plates, evidence of destruction, recycling or disposal.
 - e. The name of the person responsible for administration of program and their contact information.
- 2.7 Unless Correctional Industries is used to recycle plates, it is the responsibility of the authorized agent to ensure compliance of the rules and statutes pertaining to the destruction, recycle or disposal of license plates with the junk yard, scrap yard, recycler or metals dealer that they have scrap plate agreements with.
- 2.8 A log, as determined by the Department, shall be maintained by the authorized agent of all plates destroyed, recycled, or disposed of. The log shall be submitted to the Department quarterly or upon the Department's request.

RULE 42. SPECIAL MOBILE MACHINERY SPECIFIC OWNERSHIP TAX CREDIT FOR OUT-OF-STATE USE UNDER CONTRACTUAL AGREEMENTS

Basis: This regulation is promulgated under the authority of 42-1-204 and 42-3-107(17)(a) through 42-3-107(17)(e) C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for the prorated specific ownership tax credit for special mobile machinery that is operated outside of the State of Colorado under a written contract and has received verification of such via the Colorado Port of Entry.

1.0 Definitions

- 1.1 "Owner" means an owner, as defined in 42-1-102(66) C.R.S. that owns an item of special mobile machinery. The term includes any person authorized to act on the owner's behalf and for the purpose of this rule shall mean the same named owner on the SMM registration receipt and SMM Specific Ownership Tax Credit Voucher.
- 1.2 "Prorated Specific Ownership Tax" means the prorated special mobile machinery specific ownership tax assessed pursuant to 42-3-107(17) C.R.S. and for the purpose of this rule may be referred to as "credit" .
- 1.3 "Special Mobile Machinery (SMM)" means "Mobile machinery" or "self-propelled construction equipment" as defined in C.R.S. 42-1-102(54) and "Mounted equipment" as defined in C.R.S. 42-1-102(60).
- 1.4 "Month" for the purpose of this rule means calendar month (e.g. February, December etc.) without consideration to the number of calendar days within each month.

2.0 Requirements

- 2.1 An owner that operates special mobile machinery (SMM) outside of the State of Colorado under a written service contract may apply to receive credit of not less than one or more than ten months of the prorated specific ownership tax for the month(s) within the registration period that the SMM was operated outside the State of Colorado under such written contract.
- 2.2 Credit shall not be granted for SMM that is no longer in service, no longer owned by the owner applying for credit or that is no longer required to be registered in Colorado.
- 2.3 Credit shall only be granted when the following conditions are validated by the Colorado Port of Entry. Such validation will be evidenced by issuance of a SMM Specific Ownership Tax Credit Voucher to the owner by the Colorado Port of Entry.
- A. The owner is an established business in Colorado, as shown by registration with the Colorado Secretary of State or Department of Revenue as required by law; and,
 - B. The SMM is currently registered in the State of Colorado as evidenced by a Colorado Registration Receipt; and,
 - C. The owner demonstrates to the Colorado Port of Entry that the SMM was operated outside the State of Colorado under a written contract to perform a service. Such written contract shall demonstrate the terms of the owner's service and shall be signed by the owner. Such written contract shall demonstrate in months, as defined by this rule, the length of time the SMM was operated outside the State of Colorado. Partial month(s) credit shall not be granted.
- 2.4 An owner of SMM that is registered in Colorado that applies for credit shall submit the required written contract and supporting documents to the Colorado Port of Entry.
- 2.5 SMM Specific Ownership Tax Credit Vouchers shall only be valid when presented by the SMM owner at the County Motor Vehicle office where the SMM is registered and upon registration renewal of such SMM. Credit transactions may not be completed through mail or online registration renewal processes.
- 2.6 SMM Specific Ownership Tax Credit Vouchers shall only apply to the renewal of the SMM listed on the credit voucher.
- 2.7 SMM Specific Ownership Tax Credit Vouchers shall be valid for the next twelve-month registration period of the SMM. If the owner elects not to have the credit applied upon the next twelve-month registration of the SMM, the owner waives all rights to applying and receiving the credit.
- 2.8 The department may validate the SMM Specific Ownership Tax Credit Voucher or any information within.
- 2.9 Credit shall be calculated for a period of not less than one month or more than ten months.
- 2.10 Refund shall not be given for unused credit. If the credit exceeds the specific ownership tax being collected for the subsequent twelve-month registration period no refund of the remaining credit balance will be given.
- 2.11 SMM Specific Ownership Tax Credit Vouchers are non-transferable and may not be re-assigned.
- 2.12 The SMM Specific Ownership Tax Credit Voucher and credit shall only be applied upon payment of taxes and fees required by Title 42 of the Colorado Revised Statute for the SMM listed on the SMM Specific Ownership Tax Credit Voucher.

Rule 43. STOLEN MOTOR VEHICLES

Basis: The statutory bases for this regulation are 42-3-118(2) (a) and 42-6-145(3)(b) C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for the notification of local law enforcement upon discovery that a person is attempting to obtain a certificate of title or register a stolen motor vehicle and for insurance companies to obtain title upon recovery of a stolen motor vehicle.

1.0 Definitions

- 1.1 “Authorized Agents” means the officer of a county or city and county designated by law to issue a certificate of title and annual registration to vehicles and to collect any registration or license fee imposed thereon by law.
- 1.2 “Department” means the Department of Revenue, Title and Registration Sections.

2.0 Requirements

- 2.1 If a person attempts to obtain a certificate of title or register a motor vehicle that has been reported as stolen, the Department or its authorized agents shall notify local law enforcement.
- 2.2 If local law enforcement is unavailable or is unable to respond immediately the Department or its authorized agent shall contact the Motor Vehicle Investigations Unit of the Department of Revenue.

3.0 Insurance Companies

- 3.1 Insurance companies applying for title to transfer ownership of an unrecovered stolen motor vehicle from the insured owner to the insurance company upon settlement of the theft claim must apply to the Colorado Department of Revenue using the DR 2593 State of Colorado Application for Title or Salvage Title Unrecovered Theft Only. Applications may be submitted in person at Colorado Department of Revenue, Division of Motor Vehicles, Title Section, 1881 Pierce Street. Lakewood CO 80214 or by mail to Colorado Department of Revenue, Motor Vehicle Title Section, Denver, CO 80261-0016.
- 3.2 If the owner of a stolen motor vehicle had not obtained a certificate of title to the motor vehicle in their name at the time the vehicle was stolen the owner is required to provide the following documents to the County Motor Vehicle Office where they reside and must pay all applicable sales tax or to show proof that all taxes were paid:
 - A. A copy of the police report to indicate the vehicle was reported stolen.
 - B. A letter from the insurance company that is requesting a title in the owners’ name.
 - C. The title transferred properly to the applicant and all required supporting documents.
- 3.3 The vehicle owner shall apply for a title at the Department using the DR 2593 Application for Title of Salvage Title Unrecovered Theft Only. All supporting documents including the registration receipt showing proof that sales tax was paid must be submitted. A copy of the registration receipt to the owner may be obtained at the County Motor Vehicle Office.

RULE 44. LATE FEE EXEMPTION

Basis: This regulation is promulgated under the authority of 42-1-204 and 42-3-112, C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for exempting the late fee on vehicles that are subject to taxation and are not registered when required by law.

1.0 Definitions

- 1.1 “Act of God” means an unforeseen and uncontrollable natural event that is outside of human control, including but not limited to hurricane, lightning fire, flood, tornado, typhoon, and earthquake, that prevents an individual from utilizing available methods provided for the titling, registration, temporary registration permit, or renewal of vehicle registrations.
- 1.2 “Commercial Vehicle Trailer” means a non-motorized vehicle used to transport cargo for profit, hire, or otherwise to further the purposes of a business or commercial enterprise, including a utility trailer, multipurpose trailer, camper trailer, or trailer coach.
- 1.3 “Department” means the Department of Revenue of this state acting directly or through its duly authorized officers and agents.
- 1.4 “Farm Vehicle Trailer” means a non-motorized vehicle that meets the requirements pursuant to C.R.S. 42-3-306(4)(a) and is pulled by a motorized vehicle.
- 1.5 “Furlough” means a mandated closure of a government office in the state, county, or city in which the registrant resides.
- 1.6 “Information Technology Failure” means a problem with the Colorado State Title and Registration System (CSTARS) that prevents the authorized agent(s) or the Department from being able to perform a title, registration, temporary registration permit, or renewal transaction.
- 1.7 “Late Fee” means the fee authorized by C.R.S. 42-3-112(1).
- 1.8 “Late Fee Exemption” means the waiver of the late fee.
- 1.9 “Medical Hardship” means certification by a medical professional of medical care, treatment, service and/or medical incapacitation that prevented a person from utilizing available methods provided for completing the titling, registration, temporary registration permit, or renewal of vehicle registrations within statutory time requirements for a vehicle for which the person is a named owner.
- 1.10 “Medical Professional” means a Colorado physician licensed to practice in this state, a commissioned medical officer, a podiatrist, or an advanced practice nurse.
- 1.11 “Motor Vehicle Office” means any county or state motor vehicle office.
- 1.12 “Office Closure” means a closure of a motor vehicle office during normal business hours.
- 1.13 “Temporary Registration Permit” means a temporary number plate, tag, or certificate registered to a vehicle pursuant to C.R.S. 42-3-203(3)(a) and (b).
- 1.14 “Weather-Related Delay” means the postponement of service availability that prevents the motor vehicle office from completing the titling, registration, temporary registration permit, or renewal of vehicle registrations as determined by the Executive Director of the Department or a county commissioner.

2.0 Requirements

The following requirements shall apply to each title, registration, temporary registration permit, or renewal transaction in which the late fee exemption is granted. Persons requesting a late fee exemption must meet the requirements of this rule. For multiple vehicles, the requirements must be met for each specific vehicle.

2.1 Commercial Vehicle Trailers

- A. The DR 2505 Late Fee Exemption/Reduction Request affidavit will be required attesting that the commercial vehicle trailer was idled and was not operated on any public highway in Colorado for at least a full registration period.
- B. The late fee will be exempted or reduced upon the presentation of the completed DR 2505 Late Fee Exemption/Redemption Request affidavit at the time of titling, registration or renewal of vehicle registrations.

2.2 Farm Vehicle Trailers

- A. The DR 2505 Late Fee Exemption/Reduction Request affidavit will be required attesting that the farm vehicle trailer was idled and was not operated on any public highway in Colorado for at least a full registration period.
- B. The late fee will be exempted or reduced upon the presentation of the completed DR 2505 Late Fee Exemption/Redemption Request affidavit at the time of titling, registration or renewal of vehicle registrations.

2.3 Medical Hardship

- A. The DR 2538 Medical Hardship Late Fee Exemption Affidavit will be required from the vehicle owner attesting that a medical hardship has prevented the applicant from completing a title, registration or renewal transaction on his or her vehicle resulting in the assessment of the late fee. The printed name, the license number and signature of the medical professional must be included on the DR 2538.
- B. The late fee will be exempted upon the presentation of the DR 2538 Medical Hardship Late Fee Exemption Affidavit at the time of titling, registration or renewal of vehicle registrations.

2.4 Upon confirmation or determination by the Department that one of the below events has occurred, the Department shall issue an electronic correspondence to the affected county or counties authorizing the exemption of the late fee for 10 calendar days from the last day of the event.

- A. Act of God
- B. Furlough
- C. Information Technology Failure
- D. Office Closure
- E. Weather-Related Delay

If one or more offices are closed in a county due to a weather-related delay, the late fee will be exempted for all the offices in that county.

- 2.5 If a county is unable to complete a title, registration, temporary registration permit, or renewal transaction without modification by the Department and the Department offices are closed , the late fee may be exempted.
- 2.6 The Department will maintain a log documenting late fee exemption events and such log shall be available to the counties through electronic means.
- 2.7 The Department will make a determination of the exemption of the late fee on a case by case basis for circumstances not included in this regulation and those exemptions must be pre-approved by the Department.
- 2.8 When a late fee exemption is denied, the customer must pay the late fee and may submit a request for further review on forms required by the Department within 30 days from the payment date of the late fee to the Executive Director of the Department of Revenue.
- A. The request for review must include the customer's contact information including name and address and all facts related to the situation that prevented the customer from the timely titling, registration, temporary registration permit, or renewal of the vehicle registration.
- B. The Executive Director may refund previously collected late fees after a review of the submitted forms and the information contained therein.
- 2.9 Late fees accrued prior to the effective date of this rule are due and shall not be exempted.
- 2.10 Nothing in this rule shall be construed to exempt the owner of a vehicle from paying any taxes or fees imposed pursuant to article 3 of title 42, C.R.S. other than the late fee.

Rule 45. ALUMNI LICENSE PLATES

Basis: The statutory bases for this regulation are 42-1-201, 42-1-204, 42-3-214 and 42-3-301 C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for the application, responsibilities, and processes for Alumni License Plates.

1.0 Definitions

- 1.1 "Alumni License Plate" means a special license plate that is not a distinctive plate and is issued to recognize an Alumni Association of a private or public college or university that is located within Colorado.
- 1.2 "Approval Notification" means the Department certification that the Alumni Association has met statutory and regulatory requirement for the creation of an Alumni License Plate.
- 1.3 "Certificate" for the purpose of this regulation means letters, vouchers, or certificates issued by the Alumni Association as evidence that a person has met the pre-certification qualifier for their associated Alumni License Plate.
- 1.4 "College or University" means an institution of higher education that offers at least a bachelor degree in an educational program and that is accredited by a nationally recognized accrediting agency or association.
- 1.5 "Department" for the purpose of this regulation means the Department of Revenue, Division of Motor Vehicles, Title and Registration Sections.

- 1.6 "Pre-Certification Qualifier" means condition(s) that must be met prior to the issuance of an Alumni License Plate. Pre-certification qualifiers may be, but are not limited to, monetary donation, membership with the Alumni Association, or meeting of the Alumni Association specific criteria.
- 1.7 "Registered" for the purpose of this regulation means a vehicle with an unexpired registration that is currently issued the Alumni License Plate pursuant to 42-3-102 and 42-3-114, C.R.S
- 1.8 "Retire" means the discontinuation of the issuance of the Alumni License Plate.
- 1.9 "Secure and Verifiable Identification" means an identification document reflected on the Department's Form DR 2841 Secure and Verifiable ID.

2.0 Application for Creation of Alumni License Plates

- 2.1 An Alumni Association that meets the requirements of 42-3-214 C.R.S and this regulation is eligible to apply for the creation of Alumni License Plates.
- 2.2 An Alumni Association that operates under the umbrella of a parent college or university shall not be permitted to create an Alumni License Plate and shall be considered to have a plate already created under that parent college or university for which they are associated with. If the proposing Alumni Association is able to demonstrate their independence as a separate college or university from their parent college or university then creation of the Alumni License Plate shall be pursuant to these regulations and upon approval of Department.
- 2.3 Upon completion of all statutory and regulatory requirements by the Alumni Association for the proposal to create an Alumni License Plate an application, on the forms supplied by the Department, shall be submitted to the Registration and License Plate Program Manager, Division of Motor Vehicles. Incomplete applications will not be accepted or retained.
- A. Applications shall be signed by the Alumni Association affirming agreement to this regulation. In addition to the signed application, the Alumni Association shall submit:
1. Commitments for Alumni License Plate purchases from at least five hundred (500) Colorado registered vehicle owners and shall include the name, address, and county of residence for each person committing to the purchase of an Alumni License Plate. These are required to be provided in both paper and electronic format as required by the Department. Commitments are not transferable between applications for different Alumni License Plates and are valid for a period of two years from the date submitted to the Department.
 - a. With prior approval by the Department, the Alumni Association may be permitted to use electronic methods for collection of Commitments. Electronic methods may include, but are not limited to, web petitions or electronic mail.
 2. College or university accreditation information that demonstrates that the college or university is an institution of higher education that offers at least a bachelor degree in an education program and that is accredited by a nationally recognized accrediting agency or association.
 3. Certificate sample with a written description of security features (serialization, watermarks, holograms etc.) incorporated into the certificate. Certificate design requires Department approval prior to issuance. Sample certificates shall be provided to the Department for distribution to Motor Vehicle offices prior to issuance of certificates to qualified individuals. Certificates shall not be issued

by the Alumni Association prior to the effective date indicated on the approval notification. Certificates shall be issued in the name of the person as listed on that persons' secure and verifiable identification meeting the pre-certification qualifier requirement. Certificates are not transferable and shall be valid for the issuance and registration of one set of Alumni License Plates. Certificate shall be destroyed upon issuance of the Alumni License Plate.

4. Logo permission letter that must include written permission for use of all logos, designs, and colors used in designing, production, and manufacture of the Alumni License Plate. The logos, design, and colors provided by the Alumni Association must be owned and/or registered to the college or university.
5. Design payment in the form of a check or money order submitted directly to Colorado Correctional Industries prior to manufacture of the Alumni License Plate.
6. A pre-certification process description document that details the process that a Colorado resident must meet to be qualified to receive a certificate from the Alumni Association. In the event that there is no pre-certification, the Alumni Association shall provide a written statement of this fact.
 - a. If a monetary exchange is required, the document shall detail the use of those funds meeting statutory and regulatory requirements.

2.4 All deadlines and instructions shall be followed by the Alumni Association upon receipt of the approval notification.

3.0 Approved Alumni License Plates Responsibilities and Processes

- 3.1 Alumni License Plates must be designed within the formats established by the Department. The Department has final approval authority and may deny any design proposal it considers offensive or misleading.
 - A. Design changes requested after the design has been approved must be submitted in writing to the Department by the Alumni Association. Supporting documentation required may include, but is not limited to, issuance trends, current inventory levels, and costs associated with changes. If the change request is approved, the Alumni Association shall prepay all design costs prior to manufacture of the new design. Design changes are effective as established by the Department inventory management methodologies. Registered vehicles, as defined in this rule, shall be allowed to maintain their current plate design. If approval is granted while existing inventory is in circulation and the Alumni Association requests that new plates be implemented immediately, the Alumni Association shall pay all fees associated with the recall, collection, and destruction of existing inventory.
- 3.2 Upon completion of the proposed Alumni License Plate design the Alumni Association will receive on sample of the approved plate design. Sample plates used in the design approval process are the property of the Department. The Alumni Association may request up to five samples for marketing and display purposes upon payment of material fees as established in 42-3-301, C.R.S., for each plate. Sample plates shall be produced using the standard passenger size license plate with the standard sample plate numbers assigned by the Department. Non-standard plate number requests will not be accepted. Permission from the Department is required prior to use of the plate design, electronic plate images, or graphic plate images outside of usual marketing (website, newsprint etc.). The Department shall be given at least 72 hours prior notice of all news releases, interviews, or mass communications referencing the Alumni License Plate.

- 3.3 The Department shall determine the method used and initial supply and restocking of inventory.
- 3.4 Requests for the Department to distribute thank you notes, requests for contributions, or other propaganda with the issuance of the Alumni License Plate will not be accepted.
- 3.5 The Alumni Association shall not request resident information or vehicle owner information from the Department concerning the number or expiration months of Alumni License Plates issued.
- 3.6 The Alumni Association must affirm in writing to the Department when the authority of the Alumni License Plate is transferred to a successor Alumni Association. Upon acceptance of the transfer of authority by the Department, the successor Alumni Association shall meet all statutory and regulatory requirements and shall be required to affirm in writing agreement to the established regulations in regards to the Alumni License Plate.
- 3.7 Request for changes to certificates must be submitted in writing ensuring sufficient time to disseminate the change to all Motor Vehicle offices. Upon approval of the certificate change, the Department will establish an effective date. Amended certificate shall meet the requirement of Code of Colorado Regulations 1 CCR 204-10 Rule 45. Previously issued certificates that have not been presented to the Motor Vehicle office for issuance of the associated Alumni License Plate will be accepted for issuance of the Alumni License Plate.
- 3.8 Pursuant to the date established on the approval notification, and every year thereafter on such date, there shall be the amount specified in statute that number of motor vehicles registered with the associated Alumni License Plate. If the Alumni License Plate is registered to less than the amount specified in statute, the Department shall retire the Alumni License Plate pursuant to the Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.
- 3.9 The Department may require an audit of the Alumni Association monies collected and efforts made in the name of the Alumni License Plate. This may include, but is not limited to, accounting, financial, procedures, tax, and pre-certification qualifier audits.
- A. In the event that an audit results in adverse findings, the Department may require additional information to support the Alumni Association's claims and may retire the Alumni License Plate pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.
- 3.10 If the Department retires an Alumni License Plate the retirement of the Alumni License Plate requires:
- A. The discontinuation of the issuance of the Alumni License Plate.
- B. Written notice, sent via regular certified postal mail, to the Alumni Association associated with the Alumni License Plate. This retirement notice shall also act as the official notice that the Alumni Association is no longer associated with the Alumni License Plate. Upon receipt of the retirement notice, the Alumni Association shall:
1. Discontinue collection of donations and issuance of certificates.
 2. Within 72 hours remove, any reference to the Alumni Association License Plate from the Alumni Association website, newsprint, or other public assessed media.
- C. A person, whose vehicle is registered with a retired Alumni License Plate shall be permitted to continue registration with the Alumni License Plate provided the registration remains current and the license plate is not damaged, lost, or stolen.

D. The Alumni Association is required to provide refunds to persons who were issued certificates from the Alumni Association within the last 13 months and who have not been issued the Alumni License Plate prior to the retirement date.

1 A person who has received a certificate from the Alumni Association that has been approved for a personalized plate and has not been issued the personalized plate prior to the retirement date shall be permitted to register their vehicle with the Alumni License Plate provided that issuance and registration is completed within 13 months of the personalized plate approval date.

3.11 Applications for the proposal of a new Alumni License Plate will be accepted 5 years from the date of the last retirement of an Alumni License Plate by the same Alumni Association who will be required to meet the statutory and regulatory requirements at that time.

3.12 Alumni Associations with Alumni License Plates created prior to this regulation shall meet the requirements of this regulation unless such Alumni Association has a separate agreement with the Department that establishes separate requirements that differ from this regulation. In any event, that such other agreement is in place and it does not specifically address items in this regulation, this regulation shall apply and be in full effect.

RULE 46. APPLICATION FOR REGISTRATION – PROOF OF INSURANCE

Basis: The statutory bases for this regulation are 42-1-204, 42-3-105(1)(d)(I), 42-3-105(2), 42-3-113(2)(d)(I), 42-3-113(2)(d)(II), 42-3-113(2)(d)(III), 42-3-113(2)(d)(IV), 42-3-113(2)(d)(V), and 42-3-113(3) C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for the verification and acceptance of proof of insurance when registering a motor vehicle.

1.0 Definitions

1.1 “Department” means the Department of Revenue of this state acting directly or through its duly authorized officers and agents.

1.2 “Registration Agent” means an authorized Low-Power Scooter Registration Agent that is a motor vehicle dealer or used motor vehicle dealer licensed under article 6 of title 42 of the Colorado Revised Statutes that has been approved by the Department to act as an authorized agent of the Department for the purposes of compliance with 42-3-105(4)(a) C.R.S. and collection of fees required for the registration of low-power scooters.

2.0 Requirements

2.1 The Department shall not register a motor vehicle unless the applicant has a complying motor vehicle insurance policy pursuant to part 6 of article 4 of title 10, C.R.S., or a certificate of self-insurance in full force and effect as required by sections 10-4-619 and 10-4-624, C.R.S.

A. Licensed Motor Vehicle Dealers in Colorado issuing temporary permits pursuant to 42-3-203(3)(a) and (b) C.R.S., shall not issue a temporary permit to an applicant unless the applicant has a current complying motor vehicle insurance policy.

B. Registration agents issuing low-power scooter temporary registrations pursuant to 42-3-105(4)(a), C.R.S. shall not issue the low-power scooter temporary registration unless the applicant has a current complying motor vehicle insurance policy. Registration agents shall collect the Motorist Insurance Identification Database fee upon issuance of the low-power scooter temporary registration pursuant to 42-3-304(18)(d)(I), C.R.S., which shall

be distributed to the Department pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 40. Low-Power Scooter.

2.2 The applicant for a motor vehicle registration shall provide the Department with the proof of insurance certificate or insurance identification card provided to the applicant by the applicant's insurer pursuant to section 10-4-604.5, C.R.S., or shall provide proof of insurance in such other media as listed below.

- A. Through electronic verification via the Motorist Insurance Identification Database.
- B. Computer printout from insurer.
- C. Facsimile of the proof of insurance.
- D. Electronic proof of insurance that is not otherwise available to the Department. This may be, but is not limited to, insurer provided electronic image/proof on applicant's cellular phone, lap top, or other portable type of electronic device.
- E. If web based services are available, the Department may use applicant's insurer provided web based services for proof of insurance.
- F. Electronic mail sent from the applicant's insurer.
- G. Insurance card, declaration page, insurance binder or certificate of self-insurance.

2.3 Proof of insurance is acceptable in a name other than the registered owner's name if the vehicle identification number (VIN) on the motor vehicle and VIN on the proof of insurance match. Proof of insurance is not acceptable in any situation where the proof of insurance is in the previous owner's name.

2.4 Acceptable types of insurance policies are:

- A. Vehicle Specific – Identifies the vehicle by VIN, year, make and specifies the term of coverage.
- B. Commercial – Covers a fleet of vehicles and drivers, identifies the commercial entity and specifies the term of coverage.
- C. Self-Insurance – Certificate of Self-Insurance issued by the State Commissioner of Insurance to an owner of twenty-five or more vehicles.
- D. Blanket/Operator – Covers the insured driver for any vehicle driven by them, specific vehicle(s) are not listed. Specifies the terms of coverage.
- E. Owner/Operator Broad Form – This policy insures any or all vehicles owned by a person or business. The person or business name must show as one of the owners of the vehicle. This policy is not vehicle specific.

2.5 Colorado residents that will not operate their motor vehicle for a period of time or are temporarily residing out of state that are required to retain a Colorado registration shall complete the DR2303 Non-Use of Vehicle or Out-of-State Insurance Affidavit. The DR2303 shall be completed annually upon the renewal of the applicants' motor vehicle.

- A. Application for Non-Use must include a current proof of insurance for another vehicle owned by that individual. Applicants without insurance on another vehicle shall maintain insurance on the vehicle that is not being used.
 - B. Out-of-state applicants shall have proof of valid out-of-state insurance and proof of out-of-state residency (i.e., student identification card, utility bill etc.).
- 2.6 Upon acceptance of the applicants' proof of insurance and registration of the motor vehicle the Department shall collect the Motorist Insurance identification Database fee pursuant to 42-3-304(18)(d)(I), C.R.S.
- A. Farm Trucks shall be required to provide proof of insurance but are exempt from the requirements to pay Motorist Insurance Identification Database fee.

Rule 47. EXPIRED TEMPORARY REGISTRATION PERMITS

Basis: This regulation is promulgated under the authority of 42-1-204 and 42-3-112, C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for exempting the late fee on vehicles that have an expired temporary registration permit, that are subject to taxation and are not registered when required by law.

1.0 Definitions

- 1.1 "Expired Temporary Registration Permit" means a temporary registration permit that is no longer valid.
- 1.2 "Temporary Registration Permit" for the purposes of this rule means a temporary registration permit that has been issued by the Department, its authorized agents or dealers licensed by the Department of Revenue. A temporary registration permit is valid through the date displayed on the temporary registration permit.

2.0 Requirements

- 2.1 Late fees assessed pursuant to 42-3-112(1) C.R.S. shall be waived on all expired temporary registration permits.

Rule 48. COLORADO DEALER LICENSE PLATES

Basis: The statutory bases for this regulation are sections 42-1-102(22), 42-1-204, 42-3-116, and 42-3-304, C.R.S.

Purpose: The following rules and regulations are promulgated to establish criteria for issuance and use of dealer license plates.

1.0 Definitions

- 1.1 "Dealer" means every person engaged in the business of buying, selling, or exchanging vehicles of a type required to be registered under articles 1 to 4 of Title 42 of the C.R.S., who has an established place of business for such purpose in this state and who is authorized by the issuance of a DR 2118 Dealer's License from the Department of Revenue, Enforcement Business Group, Auto Industry Division. Dealer for the purpose of this regulation shall also include motor vehicle wholesale businesses, vehicle auction businesses, manufacturers, and all persons selling vehicles under a class of dealer license issued pursuant to Article 6 of Title 12 or Title 42 of the C.R.S.

- 1.2 “Dealer Demonstration” means the Dealer Demonstration license plate that has stacked “DMO” lettering on the Colorado blue and white graphic license plate.
- 1.3 “Dealer Full Use” means the Dealer Full Use license plate that has stacked “DLR” lettering on the Colorado blue and white graphic license plate.
- 1.4 “Dealer In-Transit” means the Dealer In-Transit license plate that has stacked “INT” lettering on the Colorado blue and white graphic license plate.
- 1.5 “Dealer License Plates” means the Dealer Demonstration, Dealer Full Use, Dealer In-Transit, or SMM Dealer Demonstration license plate.
- 1.6 “Department” means the Department of Revenue of this state acting directly or through its duly authorized officers and agents.
- 1.7 “Established Place of Business” means the place actually occupied either continuously or on a regular basis by a dealer where such dealer’s books and records are kept and a majority of his or her business is transacted.
- 1.8 “Legitimate Business Interest” means:
- A. One or more specific and identifiable reasons as to why the use of a dealership vehicle by a person serves the bona fide business needs of the dealership; and
 - B. Use of the vehicle is benefiting the bona fide business need.
- 1.9 “Motorcycle License Plate” means a license plate manufactured as standard motorcycle size and configuration.
- 1.10 “Motor Vehicle” means a motor vehicle as defined in section 42-1-102(58), C.R.S.
- 1.11 “Normal Business Hours” for the purpose of this regulation means 7:00 a.m. – 7:00 p.m. Monday through Saturday or as defined by the Motor Vehicle Dealer Board.
- 1.12 “Offered for Sale” means a vehicle that meets the following requirements:
- A. The title to the vehicle has been properly assigned to the dealership, or if a new motor vehicle, evidence of a manufacturer’s certificate of origin for the vehicle; and
 - B. The vehicle is identified on the dealership inventory list maintained by the dealership for sale.
- 1.13 “Passenger Plate” means a license plate manufactured as standard passenger vehicle size and configuration.
- 1.14 “Registration Expiration Date” means the expiration of the applicable registration period required in section 42-3-102, C.R.S.
- 1.15 “SMM Dealer” means a person who sells special mobile machinery in the ordinary course of business.
- 1.16 “SMM Dealer Demonstration” means the SMM Dealer Demonstration license plate that has dual stacked “SMM” and “DMO” lettering on the Colorado blue and white license plate graphic.
- 1.17 “Special Mobile Machinery” or “SMM” means special mobile machinery as defined in section 42-1-102(93.5), C.R.S.

1.18 "Vehicle" means a vehicle as defined in section 42-1-102(112), C.R.S.

2.0 Requirements

2.1 Dealers meeting all statutory and regulatory requirements may be issued dealer license plates.

2.2 SMM Dealers meeting all statutory and regulatory requirements may be issued SMM Dealer Demonstration license plates.

2.3 Dealer license plates shall be issued, registered, and renewed by the County Motor Vehicle Office in the county in which the dealer or SMM Dealer has an established place of business.

2.4 Dealer license plates shall be manufactured and offered as:

- A. Dealer Demonstration – single passenger plate and single motorcycle plate.
- B. Dealer In-Transit – single passenger plate.
- C. Dealer Full Use – single passenger plate and single motorcycle plate.
- D. SMM Dealer Demonstration – single passenger plate.

2.5 Issuance of dealer license plates shall be:

A. Dealer Demonstration license plates may be Issued in unrestricted quantities to:

- 1. Dealers with the "DEMO:999" indicator on the DR 2118 Dealer's License . The "DEMO:999" indicator must be valid at all times during the registration period if the dealer desires to be issued additional Dealer Demonstration license plates.

B. Dealer In-Transit license plates may be issued in unrestricted quantities to:

- 1. Dealers with a current and valid DR 2118 Dealer's License.

C. Dealer Full Use license plates may be issued in unrestricted quantities to:

- 1. Dealers with the "FULL: Y" indicator on the DR 2118 Dealer's License. The "FULL: Y" indicator shall be valid at all times during the registration period if the dealer desires to be issued additional Dealer Full Use license plates.

- a. Dealer Full Use license plates shall not be issued to Dealers with a "FULL: N" indicator on the DR 2118.

D. SMM Dealer Demonstration license plates may be issued in unrestricted quantities to:

- 1. SMM Dealers who provide to the department satisfactory evidence of the scope of their business and documentation detailing previous sales of special mobile machinery.

- a. Evidence may be, but is not limited to:

- (1) Dealers license issued pursuant to Article 6 of Title 12 or Title 42, C.R.S. or;

- (2) A Sales Tax License, or;

- (3) Sales invoices (current or from past sales completed), or;
- (4) SMM Dealer inventory records listing special mobile machinery being offered for sale.

2. Prior to initial issuance of SMM Dealer Demonstration license plates the SMM Dealers will be assigned a SMM Dealer number that begins with "S" by the County Motor Vehicle Office. This SMM Dealer number shall be used for the issuance, renewal, and reporting of SMM Dealer Demonstration license plates registered under that "S" number. This SMM Dealer number shall be retained by the SMM Dealer and be used for all SMM transactions with regard to SMM Dealer Demonstration license plates.

2.6 Fees for dealer license plates shall be paid upon issuance and renewal as listed below:

- A. Dealer Demonstration and Dealer In-Transit license plates shall pay the fees as required by sections 42-3-304(6), 42-3-301, and 42-1-210, C.R.S.
- B. Dealer Full Use license plates shall pay the fees as required by sections 42-3-116(6)(b)(II), 42-3-301, and 42-1-210, C.R.S.
- C. SMM Dealer Demonstration license plates shall pay the fees as required by sections 42-3-116(7)(b)(II), 42-3-301, and 42-1-210, C.R.S.

2.7 Use and display of dealer license plates shall be as listed below:

A. Dealer Demonstration License Plates:

- 1. Shall only be displayed on vehicles offered for sale by a dealer.
- 2. May be displayed on vehicles for demonstration drive purposes, during normal business hours, when a dealership employee is in the vehicle with the prospective buyer.
 - a. May be displayed on vehicles operated by a prospective buyer for demonstration drives. Demonstration drives by a prospective purchaser shall not exceed seven calendar days. The dealer or wholesaler must issue an authorization letter to any prospective buyer operating the vehicle with Dealer Demonstration license plates after normal business hours. The authorization letter must include the name and address of the prospective buyer, Dealer Demonstration license plate number, dates of the demonstration drive, vehicle make, vehicle model, and vehicle identification number. The authorization letter must be maintained in the vehicle when operated and presented to law enforcement upon request.
- 3. May be displayed on a vehicles being operated by a dealership employee, during normal business hours, for conducting legitimate dealership business.
- 4. Dealer Demonstration license plates may not be displayed on vehicles that:
 - a. Have been sold, leased, or rented, or;
 - b. Are being delivered to the purchaser, or;
 - c. Are dealer or dealership employees' personal vehicles, or;

- d. Are loaned or donated by the dealership, or;
- e. Are being pulled, hauled, or are otherwise considered cargo, or;
- f. Are tow vehicles or parts pickup/delivery vehicles.

B. Dealer In-Transit License Plates:

1. May be displayed on vehicles that:
 - a. Are for intra-state and inter-state transport of vehicles offered for sale, consigned to be sold, or owned by a dealer.
 - b. Are being operated from point of purchase to the point of storage, or from the point of storage to the point of sale.
 - c. Are for demonstration purposes only when a dealership employee is in the vehicle with the prospective buyer.
 - d. Are in a safe roadworthy condition.
2. Dealer In-Transit license plates may not be displayed on vehicles that:
 - a. Are being operated by prospective buyers without a dealership employee being present in the vehicle while being operated, or;
 - b. Have been sold, leased, or rented, or;
 - c. Are dealer or dealership employees' personal vehicles, or;
 - d. Are loaned or donated by the dealership, or;
 - e. Are being pulled, hauled or are otherwise considered cargo, or;
 - f. Are tow vehicles or parts pickup/delivery vehicles.

C. Dealer Full Use License Plates:

1. May be displayed on vehicles offered for sale by a dealer.
2. Vehicle must continue to be owned by the dealership while assigned to any of the persons listed below. The DR 2574 Colorado Registration Receipt issued with the Dealer Full Use license plate must be maintained in the vehicle displaying the Dealer Full Use license plate along with the dealer ownership documents.
 - a. Owners and co-owners of the dealership.
 - b. Employees of the dealership.
 - c. Any person, including former, current, and prospective customers, in order to serve the legitimate business interest of the dealership.
 - d. Spouse or dependent child living in the same household as the dealer.
3. Dealer Full Use license plates may not be displayed on vehicles that:

- a. Have been sold, leased, rented, or donated by the dealership.
- b. Are being pulled, hauled, or are otherwise considered cargo.
- c. Are tow vehicles or parts pickup/delivery vehicles.

D. SMM Dealer Demonstration License Plates:

- 1. May be displayed on special mobile machinery:
 - a. Offered for sale by a SMM Dealer, or;
 - b. Being demonstrated for purposes of a sale, or;
 - c. That is either designed for operation on the highway or off of the highway.
- 2. May not be displayed on:
 - a. Special Mobile Machinery that has been sold, leased, or rented, or;
 - b. Special Mobile Machinery that is loaned or donated by the SMM dealer, or;
 - c. Vehicles or motor vehicles that do not meet the definition of Special Mobile Machinery.

2.8 The registered name of a dealer may only be changed upon approval from the Department of Revenue, Enforcement Business Group, Auto Industry Division.

2.9 Dealers and SMM Dealers shall maintain a record of all dealer license plates issued to them which shall include the name, address, and phone number of the individual currently authorized to use the dealer license plate.

2.10 All dealer license plates shall be immediately surrendered to the Department, at the cost of the dealer or SMM dealer, whenever:

- A. Through either a voluntary or an involuntary action, the dealer or SMM dealer ceases to be a dealer or SMM dealer.
- B. Upon suspension or revocation of the dealer's DR 2118 Dealer's License by the Motor Vehicle Dealer Board.

2.11 A change of dealership or SMM dealer operating entity status requires the issuance of new dealer license plates. Dealer license plates are not transferable between entities.

2.12 Lost or stolen dealer license plates must be reported within seventy-two hours to local law enforcement and to the County that issued the dealer license plates. A copy of the police report must be attached to the DR 2283 Lost or Stolen License Plate / Permit Affidavit when submitted to the County.

2.13 Secure and verifiable identification shall be required for issuance and replacement of dealer license plates. Dealers and SMM Dealers shall provide letters to the Department listing all personnel authorized to conduct dealer license plate transactions with the Department on the dealer's or SMM dealer's behalf.

Editor's Notes

History

Rule 41. eff. 03/30/2010.

Rule 2. Recodified from 1 CCR 204-9; Rules 1., 3., 5. – 38. and 40. Recodified from 1 CCR 204-14; and Rule 4. Recodified from 1 CCR 204-15 eff. 04/01/2010.

Rules 44., 47. emer. rule eff. 09/01/2010.

Rule 1. eff. 09/14/2010.

Rules 2., 40. eff. 09/30/2010.

Rules 23., 42., 46. eff. 11/14/2010.

Rules 34., 44., 47. eff. 12/15/2010.

Rules 4., 16., 43., 45. eff. 12/30/2010.

Rules 12., 13. eff. 02/14/2011.

Rules 5., 48. eff. 03/02/2011; Repealed Rules 7., 18., 19., 36. eff. 03/02/2011.

Rule 2. eff. 03/17/2011.

Rule 25. emer. rule eff. 12/23/2011.

Rules 16., 23., 37. eff. 01/14/2012.

Rule 25 eff. 04/14/2012.

Rule 48 eff. 06/30/2012.

Rules 18, 19 eff. 01/14/2013.

Rule 23 eff. 01/30/2013.

Rules 15, 17, 25 eff. 06/30/2013.

Rules 31, 39 eff. 07/30/2013.

Rule 26 eff. 08/14/2013.

Rule 2 eff. 09/14/2013.

Rule 11 eff. 10/15/2013.

Rule 8 eff. 12/30/2013.