

DEPARTMENT OF REVENUE

Division of Motor Vehicles

TITLE AND REGISTRATION SECTION

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. ESTABLISHING VEHICLE REGISTRATION PERIOD

Basis: This rule is promulgated under the authority of sections 42-1-204, 42-3-102, 42-3-103, 42-3-104, 42-3-106, 42-3-107, 42-3-112, 42-3-114, 42-3-115, 42-3-116, 42-3-201, 42-3-202, 42-3-203, 42-3-211, 42-3-301, 42-3-304, 42-3-306, 43-4-506(1)(k), 43-4-804(1)(a)(I), 43-4-805(5)(g)(I), 42-12-301, and 42-12-401 C.R.S.

Purpose: The purpose of this rule is to establish vehicle registration periods and methods of assessing taxes and fees.

1.0 Definitions

- 1.1 “Registration Expiration Date” means the expiration of the applicable registration period required in sections 42-3-102, 42-3-114, 42-12-301, and 42-12-401, C.R.S.
- 1.2 “Validation Tabs” means devices issued by the Department pursuant to section 42-3-201, C.R.S., that are affixed to a license plate pursuant to section 42-3-202, C.R.S. One Validation Tab will indicate the year of the Registration Expiration Date and one Validation Tab will indicate the month of the Registration Expiration Date.

2.0 Evidence of Vehicle Registration Period

- 2.1 Evidence of a vehicle registration period is provided by the issuance of a license plate with Validation Tabs affixed to it and the Registration Expiration Date printed on the registration receipt. For vehicles not required to display Validation Tabs in accordance with section 42-3-201(7), C.R.S., the Registration Expiration Date is printed on the registration receipt.
- 2.2 The Department will issue Validation Tabs for each license plate required to display Validation Tabs. Validation Tabs must be displayed on the license plate pursuant to section 42-3-202(1)(b), C.R.S.
- 2.3 A vehicle must display two license plates unless exempted pursuant to sections 42-3-201(1)(a)(I) and (II), C.R.S., and must be replaced only when damaged, rendered unreadable, or when lost or stolen.

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

- 3.1 A vehicle’s registration period is established when the vehicle owner applies to register the vehicle in Colorado.
- 3.2 A vehicle not previously registered in Colorado will be registered by vehicle class for the period required by section 42-3-102, C.R.S. The Registration Expiration Date will be the last day of the month at the end of each registration period.
- 3.3 Specific ownership tax will be determined in accordance with sections 42-3-106 and 42-3-107, C.R.S. Registration fees will be determined in accordance with Title 42, articles 1, 3, and 12, and sections 43-4-506(1)(k), 43-4-804(1)(a)(I), and 43-4-805(5)(g)(I) C.R.S., and will be assessed and collected for each registration period. Registration fees and specific ownership tax will not be exempted unless specifically exempted pursuant to Colorado Revised Statutes.

- 3.4 Specific ownership taxes will be collected for the period the vehicle was owned and located in Colorado, or when Colorado residency of the vehicle owner is established. If prior to the date of registration for the period the vehicle was owned by the resident the Registration will be through the month of registration and for the appropriate registration period for the class of vehicle following the month of registration. Consideration may be given for registrations that require bonds, affidavits, court orders, or as determined by the Department.
- 3.5 Registration fees will be collected for the appropriate registration period.
- a. A vehicle's registration expires on the last day of the month as indicated on the registration receipt and Validation Tabs. All registrations will be evidenced by the issuance of license plate(s), a registration receipt, and Validation Tabs, except for those vehicles exempted from the Validation Tab requirement pursuant to section 42-3-201(7), C.R.S.
 - b. So long as a vehicle's registration renewal submission is received on or before the last day of the month following the month of expiration pursuant to section 42-3-114, C.R.S., the registration will be renewed for the appropriate registration period following the previous registration period. Specific ownership taxes and registration fees will be calculated and collected for the appropriate registration period.
 - c. A vehicle's registration renewal submission received after the last day of the month following the month of expiration will be processed as a renewal following the previous registration period. The specific ownership taxes and registration fees will be collected for the registration period for that class of vehicle. In addition, specific ownership taxes will be collected for the period the person registering the vehicle was the owner from the date of expiration of the previous registration to the beginning of the registration period in addition to any late fees pursuant to section 42-3-112, C.R.S.
 - d. A vehicle registration application not received within twelve months of the Registration Expiration Date will be processed as a new registration. The specific ownership taxes and registration fees will be collected for the registration period for that class of vehicle. In addition, specific ownership taxes will be collected for the period beginning on the date of expiration of the previous registration and ending on the date registration is renewed, plus any late fee imposed pursuant to section 42-3-112, C.R.S.
 - e. When a license plate is transferred, the new registration will be issued to correspond with the appropriate registration period beginning with the month of application to transfer the license plates to the vehicle. Specific ownership taxes and registration fees will be collected the month following the month of purchase or the month following the date the vehicle was acquired by the owner and for the registration period for that class of vehicle. Credits will be given in accordance with sections 42-3-107(25) and 42-3-115(1), C.R.S., as determined by the Department, for fees and any specific ownership taxes previously paid which remain on the vehicles previous registration period.

4.0 Exceptions to Registration Periods

- 4.1 A vehicle issued personalized plates pursuant to section 42-3-211, C.R.S, will have a registration period that will expire on the same date the registration for the previously issued plates was set to expire, and have period of registration in accordance with section 42-3-102, C.R.S., from that point forward.
- 4.2 A vehicle issued horseless carriage license plates will have a five-year registration period pursuant to section 42-12-301(3)(a), C.R.S.

- 4.3 A vehicle issued collector license plates will have a five-year registration period that begins the date of registration of the vehicle pursuant to section 42-12-401, C.R.S.
- 4.4 Pursuant to section 42-3-102(3)(a), C.R.S. the Department may register a vehicle that is not registered under the international registration plan 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 is permitted to select an expiration month which coincides with a current registered vehicle in the owner's name. Vehicles previously registered in intervals of less than one year will be renewed for registration periods as provided in section 42-3-102, C.R.S. and this rule.
- 4.5 Pursuant to section 42-3-102(1)(b)(I), C.R.S., utility trailers weighing 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 period is optional and shall not be required. The five-year registration period shall be evidenced with a standard trailer regular license plate with a five-year Validation Tab.

RULE 3. CANCELLATION OF VEHICLE REGISTRATION FOR FAILURE TO PAY CIVIL PENALTIES [Repealed eff. 09/14/2015]

RULE 4. GROSS VEHICLE WEIGHT REGISTRATIONS

Basis: The statutory bases for this rule are sections 42-1-102(17), 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 rule is to establish the information to be maintained for vehicles subject to gross vehicle weight registration fees and to clarify the standards for calculating registration fees.

1.0 Definitions

- 1.1 "GVW Vehicle" means a truck or truck tractor subject to annual registration fees based on declared gross vehicle weight pursuant to section 42-3-306(5)(b), C.R.S.
- 1.2 "Mileage History" means those miles traveled by a GVW vehicle during the Registration Period Mileage Cycle.
- 1.3 "Registration Period Mileage Cycle" means the twelve-month period immediately preceding the expiration date of a GVW vehicle registration.

2.0 Registration Fee Calculation

- 2.1 GVW Vehicle Used in the Operations of a Common or Contract Carrier for Hire. For purposes of this rule, a GVW Vehicle is deemed to be used in the operations of a common or contract carrier for hire if the vehicle transported any cargo not owned by the carrier for fifty percent or more of the total miles traveled by that vehicle within the Registration Period Mileage Cycle pursuant to 42-3-306(5)(b)(II), C.R.S.
- a. Whether a GVW Vehicle is used in the operations of a common or contract carrier for hire may be established by submitting documentation at the time of registration proving ownership of all cargo carried for the miles traveled by that vehicle within the previous Registration Period Mileage Cycle. Documentation may be bills of sale, manufacturing documentation, or other documents deemed acceptable by the Department.

- b. A GVW Vehicle registered for the first time that does not have documentation proving carrier type or mileage history will be registered as a common or contract carrier for hire travelling ten thousand miles or more. Upon registration renewal, if it is demonstrated that the GVW Vehicle is not a common or contract carrier and/or travelled less than ten thousand miles during the Registration Period Mileage Cycle, the registrant may request that the Department credit the difference between the registration fees paid and the renewal registration fees towards the renewal registration fees. If not renewing registration, a refund of the excess registration fee may be requested by submitting a request for refund to the Department on form DR 2444 Statement of Fact with supporting documentation.
- 2.2 Replacing a GVW Vehicle. A GVW Vehicle owner who is replacing an existing GVW Vehicle may use the Mileage History of the GVW Vehicle being replaced as qualification for the registration fees assessed on the new GVW Vehicle. For the Mileage History to qualify, the existing GVW Vehicle must have been registered and in operation for a full Registration Period Mileage Cycle.

3.0 Recordkeeping Requirements

- 3.1 Documentation of Mileage History. Documentation for both interstate and intrastate travel must be maintained and must contain the following information:
 - 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. GVW Vehicle owner's name;
 - i. Driver's printed name and signature; and
 - j. A copy of the vehicle registration receipt indicating taxes paid for the requested Registration Period Mileage Cycle

RULE 5. FLEET REGISTRATION PROGRAMS

Basis: The statutory bases for this rule are sections 42-1-102(35), 42-1-102(36), 42-1-204, 42-3-107(16)(f), 42-3-107(27), 42-3-113(8)(a)(II), and 42-3-125, C.R.S.

Purpose: The following rule is promulgated to establish requirements for participation in the Colorado fleet vehicle programs.

1.0 Definitions

- 1.1 “Colorado Fleet Registration Program (CFRP)” means the optional program for fleet operators, defined in section 42-1-102(35), C.R.S., to register fleet vehicles, as defined at section 42-1-102(36), C.R.S., in a common registration expiration month 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 in a common registration expiration month without the issuance of a Fleet License Plate.
- 1.3 “Fleet License Plate” means the Colorado red and white license plate with stacked letters “FLT” which are not required to display year and month validation tabs.
- 1.4 “Fleet Number” means the number assigned by the Department to a fleet operator that has been approved to participate in the CFRP and/or CSFP.
- 1.5 “International Registration Plan (IRP)” means the program in which vehicles are registered under a reciprocity agreement among the states of the United States and provinces of Canada, providing for the payment of license fees based upon total distance operated in all jurisdictions.

2.0 Fleet Vehicle Programs and Participation Requirements

- 2.1 Fleet vehicle programs are as follows:
 - a. Colorado Fleet Registration Program: The CFRP program is available to fleet operators that request a common registration expiration month for their fleet vehicles. Under this program, each fleet vehicle must display a Fleet License Plate. The same registration expiration month applies for all vehicles in the fleet.
 - b. Colorado Standard Fleet Program: The CSFP program is available to fleet operators that request a common registration expiration month for their fleet vehicles, without requiring Fleet License Plates. Under this program, the fleet operator is required to update the Colorado registration receipt and license plate month and year tabs on each fleet vehicle annually. The same registration expiration month applies for all vehicles in the fleet.
- 2.2 A fleet operator may apply to participate in one or both of the fleet vehicle programs. The fleet operator must meet and maintain the minimum requirement of ten for each separate fleet vehicle program that the fleet operator is participating in.
- 2.3 Vehicles registered in the CFRP or CSFP programs must be titled in the fleet operator’s name to participate in the programs.
- 2.4 The fleet operator must also provide any applicable registration documents: proof of Colorado compliant insurance, heavy vehicle use tax, proof of emissions, and public utility license.

3.0 Process

- 3.1 The fleet operator must complete the form DR 2428 Fleet Owner Request for Participation in the Colorado Fleet Registration Program (for CFRP) and/or form DR 2194 Fleet Owners Request for Common Registration Expiration Date (for CSFP). The fleet operator must designate the requested registration expiration month (including designating an alternate choice, if applicable) for the fleet vehicles. Otherwise, the Department will assign the registration expiration month.
- 3.2 Upon approval, a Fleet Number will be assigned by the Department. The Department will provide the assigned Fleet Number to the fleet operator and all counties designated on the DR 2428 and/or DR 2194
- 3.3 Upon the initial registration of fleet vehicles in a fleet registration program, the fleet operator will be issued a registration period certificate containing "PERM" in the expiration date field. This "PERM" registration period certificate must be retained in each fleet vehicle as evidence of registration. Upon annual renewal, the fleet operator will be issued a new registration period certificate to show taxes and fees paid. However, if the original "PERM" registration period certificate is maintained in the fleet vehicle, the new registration period certificate must be retained but need not replace the "PERM" registration period certificate in the vehicle.

4.0 Changes to Fleet Operator Vehicle Number, Fleet Operator Name, or Expiration Month

- 4.1 If at any time a fleet operator owns or leases less than ten vehicles, then the fleet operator's participation in the fleet programs is subject to cancellation.
- 4.2 In the event of a legal name change of the fleet operator
 - a. All fleet vehicle titles must be properly transferred to the fleet operator's new name;
 - b. The fleet operator must complete the DR 2428 (for CRFP) or DR 2194 (for CSFP) marking the form in the "name change" section, and;
 - c. Once the name change is processed, the fleet operator will receive Colorado registration receipts updated with the name change for all fleet vehicles from the county where the fleet vehicles are registered.
- 4.3 A fleet operator may change the expiration month, not to exceed twelve months, by re-submitting form DR 2428 (for CFRP) and/or form DR 2194 (for CSFP). The fleet operator will be assigned a new Fleet Number.

5.0 IRP Vehicles Ineligible

- 5.1 Vehicles registered in the International Registration Plan (IRP) are not eligible to participate in the CFRP or CSFP. A fleet operator wishing to register vehicles in Colorado fleet vehicle program(s) must remove those vehicles from the IRP prior to registering the vehicles in CFRP and/or CSFP.

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. MOTORIST INSURANCE IDENTIFICATION DATABASE (MIIDB)

Basis: The statutory bases for this regulation are part 6, article 4 of title 10, 42-1-204 42-7-103, 42-7-604, C.R.S., and 1 CCR 204-10 Rule 46. Application for Registration – Proof of Insurance.

Purpose: The following rules and regulations are promulgated to establish Motorist Insurance Identification Database (MIIDB) reporting requirements for insurance companies issuing vehicle insurance policies in Colorado.

1.0 Definitions

- 1.1 “Division” means the Division of Motor Vehicles in the Department of Revenue.
- 1.2 “File Transfer Protocol” (FTP) means a protocol for exchanging files over the internet.
- 1.3 “Personal Motor Vehicle” means any vehicle for which non-commercial types of license plates are issued.

2.0 Reporting Requirements

- 2.1 Each insurer shall report the following policy information to the designated agent:
- a. Name, date of birth, driver’s license number and address of each named insured owner or operator
 - b. The make, year, and vehicle identification number or each insured motor vehicle.
 - c. The policy number, effective date and expiration date of each policy.
 - i. For the purposes of this regulation, expiration date is defined as the final expiration date or the date on which insurance coverage is canceled or terminated by the insurance company. Reporting the expiration date to the designated agent is not required for intervening dates on policies on which coverage has been continued on receipt of payment. Upon the final expiration of a policy, the expiration date must be reported to the designated agent during the first normal weekly reporting period following the expiration date.
 - d. The National Association of Insurance Commissioners (NAIC) code, and the policy cancelation date if applicable.
- 2.2 The required information shall be reported in a form or manner acceptable to the designated agent.
- 2.3 Policy Data Refreshes. Initially and every six months thereafter, each insurer shall provide bi-annual policy data refreshes to the MIIDB that contain all active Colorado policies.

2.4 Reporting of Issuance of New Policies and Changes to Existing Policies. Except as provided in 2.5 below, each insurer who has issued complying policies shall provide to the designate agent the policy information set forth in 2.1 above for each policy issued, canceled, or changed. Such information shall be reported every week for the immediately preceding week, no later than the seventh working day after the last day of the week during which each policy was issued, canceled, or changed.

2.5 Error Reporting

- a. The designated agent will make error reports available to insurers via FTP.
- b. Each insurer must retrieve the error reports and develop an error correction process for policy information that is rejected and returned.
- c. Each insurer must correct rejected and returned policy information and resubmit corrected policy information via the agreed upon transmission mode before update reporting. Until it is corrected, a rejected record may be disclosed as uninsured to law enforcement upon request for insurance status.
- d. Each insurer is responsible for any costs incurred in complying with the MIIDB program.

3.0 Commercial Vehicles

3.1 Commercial vehicles are exempt from MIIDB reporting requirements. The designated agent is authorized to flag commercial vehicles exempt from tracking insurance information based on plate types that are distinct to commercial vehicles. These plate types are:

- a. Buses: the first three character of the plate type field are BUS.
- b. Dealers: the first three characters of the plate type field are DLR.
- c. Farm Vehicles: the first three characters of the plate type field are FTK or FTR.
- d. Special Mobile Equipment: the first three characters of the plate type field are SME or SMM.
- e. Special Use Vehicle: the first three characters of the plate type field are SVW.
- f. Trailers: the first three characters of the plate type field are TRL.
- g. Truck Tractor: the first three characters of the plate type field are TTR.
- h. Gross Vehicle Weight: the first three characters of the plate type field are GVW or TVW.
- i. The following vehicle registration types will also be exempt if the last three characters of the plate type field are:
 - i. FLT (Fleet)
 - ii. CNY (County)
 - iii. CTY (City)
 - iv. RNT or RTL (Rental)

- v. SOC (State of Colorado)
- vi. CCL (TV/radio)
- vii. GVT (Government)
- j. A "C" in the Carrier Type field on any plate indicates the vehicle is used for commercial purposes and will be flagged as exempt from insurance tracking under the MIIDB.

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: The statutory bases for this rule are sections 42-1-204, 42-3-116, and 42-3-301, C.R.S.

Purpose: The following is promulgated to establish criteria for the issuance and use of Depot License Plates.

1.0 Definitions

- 1.1 “Dealer” – means a Colorado licensed dealership as defined in Code of Colorado Regulation 1 CCR 204-10 Rule 48. Colorado Dealer License Plates.
- 1.2 “Depot License Plate(s)” also referred to as “Depot Tags” – means a numbered license plate issued by the Department that has the stacked “DPT” lettering on the Colorado blue and white graphic license plate.

2.0 Requirements

- 2.1 A Dealer requesting Depot License Plates must complete and submit to the Department form DR 2521 Depot Plate Application, together with a copy of the Dealer’s license and required fees.
- 2.2 A Dealer can obtain one Depot License Plate per mechanic or service technician employed by the Dealer. Upon application or renewal, the owner or authorized representative of the Dealer must certify the number of mechanics or service technicians currently employed by the Dealer.
- 2.3 Applications, issuance, renewals, and replacements may be conducted via mail (including U.S. Postal Service, FedEx, UPS, DHL, etc.). The Dealer must provide a self-addressed, postage-paid envelope for Depot License Plates if requesting delivery by mail services. Depot License Plates cannot be mailed to a non-Colorado address.
- 2.4 Use of Depot License Plates is limited to the purposes described in section 42-3-116(4)(a), C.R.S.

3.0 Lost or Stolen Depot License Plates

- 3.1 A Dealer must report lost or stolen Depot License Plates within seventy-two (72) hours to the local law enforcement agency and to the Department using form DR 2283 Lost or Stolen License Plates/Permits Affidavit.

4.0 Surrender of Depot License Plates

- 4.1 A Dealer whose dealer license is suspended, denied, revoked, or expired, or otherwise ceases to operate must surrender to the Department all Depot License Plates in its possession within seventy-two (72) hours.
- 4.2 The Department will not refund any portion of the original fees paid when Depot License Plates are surrendered.

RULE 10. OBTAINING TITLE FOR A MOTOR VEHICLE ABANDONED AT A MOTOR VEHICLE REPAIR FACILITY

Basis: The statutory bases for this rule are 38-20-116, 42-1-204, 42-6-102, 42-6-104, 42-6-115(3)(a), 42-6-116, 42-6-136, 42-6-136.5, 42-6-137, and 42-9-102, C.R.S.

Purpose: The purpose of this rule is to establish requirements for obtaining a Colorado certificate of title for a motor vehicle that has been abandoned at a Motor Vehicle Repair Facility.

1.0 Definitions

- 1.1 "Abandoned Motor Vehicle" for the purposes of this rule means the same as it is defined in 38-20-116(2.5)(b), C.R.S.
- 1.2 "Last Good Faith Effort" for the purpose of this rule means notifying the vehicle owner as required pursuant to 38-20-116(2), C.R.S.
- 1.3 "Motor Vehicle Repair Facility" means the same as it is defined in 42-9-102(3), C.R.S.
- 1.4 "Work Day" for the purposes of this rule means Monday through Friday, excluding Colorado State Government recognized holidays.
- 1.5 "Work Order" means the same as it is defined in 42-9-102(6), C.R.S.

2.0 Requirements

- 2.1 A Motor Vehicle Repair Facility in possession of an Abandoned Motor Vehicle may obtain a Colorado certificate of title in its name by completing the steps below. The below steps are the recommended order of completion, the Motor Vehicle Repair Facility may complete the steps in any order, but all steps must be completed before the Motor Vehicle Repair Facility can obtain a Colorado certificate of title in its name.
 - a. Complete a title record search pursuant to 38-20-116(2.5)(c)(III), C.R.S.
 - i. If the Abandoned Motor Vehicle is a motor vehicle registered in Colorado, submit form DR 2489A Motor Vehicle Record Requestor Release And An Affidavit of Intended Use and attach thereto a copy of the Work Order.
 - 1. A certified Vehicle Identification Number (VIN) inspection may be submitted in lieu of a Work Order when the Work Order is not available.
 - ii. If the Abandoned Motor Vehicle is registered in another jurisdiction, a title and lien search from the other jurisdiction is required. The results of that search shall be submitted with the application for a Colorado certificate of title.
 - b. Notify the owner(s) and all lienholders in accordance with subsection 38-20-116(2.5)(c)(IV), C.R.S.
 - c. Complete a certified VIN inspection pursuant to 38-20-116(2.5)(c)(II)(A) and (B), C.R.S. on form DR 2704 Colorado Certified VIN Inspection.
 - d. Establish the retail fair market value of the Abandoned Motor Vehicle pursuant to section 38-20-116(2.5)(c)(I), C.R.S.
 - e. Purchase a surety bond pursuant to 42-6-115(3)(a) and 38-20-116(2.5)(c)(V), C.R.S.

- f. Disclose current or previous salvage information.
 - i. If the Colorado certificate of title record search indicates the Abandoned Motor Vehicle is branded as salvage, the DR 2704 Colorado Certified VIN Inspection form must indicate that the Abandoned Motor Vehicle is "Not Roadworthy".
 - 1. If an Abandoned Motor Vehicle previously having a salvage brand has been repaired to a roadworthy condition, the Motor Vehicle Repair Facility may apply for a Colorado rebuilt from salvage certificate of title by completing the requirements listed in form DR 2415 Rebuilt Title Established by Salvage Title Checklist and completing form DR 2424 Salvage Title Statement of Fact indicating what repairs were made to the Abandoned Motor Vehicle to bring it to a roadworthy condition as defined in section 42-6-102(15), C.R.S.
 - a. After making repairs to bring the branded salvage Abandoned Motor Vehicle to a roadworthy condition, a new form DR 2704 Colorado Certified VIN Inspection must be submitted with the application for Colorado certificate of title.
 - 2. If the salvage branded Abandoned Motor Vehicle is not repaired to a roadworthy condition, the Motor Vehicle Repair Facility may apply for a salvage branded title using form DR 2410 Application for Salvage Title or Nonrepairable Title.
 - 3. If the Colorado certificate of title record search indicates that the Abandoned Motor Vehicle was branded as "Previous Salvage (Rebuilt from Salvage)" and the form DR 2704 indicates that the Abandoned Motor Vehicle is roadworthy, the Motor Vehicle Repair Facility must request a salvage history on the Abandoned Motor Vehicle from the Department.
 - a. Upon determination of the reason for the vehicle being branded salvage, the Motor Vehicle Repair Facility must complete form DR 2710 Branded Title Disclosure Statement.
 - b. If the reason for the vehicle being branded salvage is indeterminate, the Motor Vehicle Repair Facility must complete form DR 2710 Branded Title Disclosure Statement, marking the "Other" box on the form and must write "Purchased as an abandoned vehicle, unable to obtain a salvage history, reason for salvage unknown" in the space provided to the right of the "Other" box.
 - g. Complete form DR 2438 Storage Lien Bond Statement Guide or form DR 2444 Statement of Fact, providing the information required pursuant to section 38-20-116(c)(VI), C.R.S.
- 2.2 After completion of all steps in paragraph 2.1 above, the Motor Vehicle Repair Facility may apply for a Colorado certificate of title or salvage branded title. The application and related forms must be filed in the name of the Motor Vehicle Repair Facility, and in the county where the Motor Vehicle Repair Facility is located. The County Clerk and Recorder will issue the Colorado certificate of title in the Motor Vehicle Repair Facilities name using the previous title code of "BOS REP" (Bill of Sale Repair Facility) and assess the appropriate fees pursuant to 42-6-137, C.R.S.

- a. An Abandoned Motor Vehicle with a retail fair market value of less than \$200.00 can be sold only for the purposes of junking, scrapping, or dismantling. No certificate of title will be issued. The sale must be executed in accordance with subsection 38-20-116(2.5)(c)(VII)(B), C.R.S.
- 2.3 After the Motor Vehicle Repair Facility has obtained a Colorado certificate of title for the Abandoned Motor Vehicle, the vehicle must be sold in a commercially reasonable manner pursuant to section 38-20-116(d)(I), C.R.S.
- 3.0 Agents Acting on Behalf of the Motor Vehicle Repair Facility**
- 3.1 An agent may obtain title to an Abandoned Motor Vehicle in a Motor Vehicle Repair Facility's name upon presenting a Power of Attorney or Permission Letter authorizing the agent to act on the Motor Vehicle Repair Facility's behalf.
- 3.2 The Permission Letter listed in paragraph 3.1 must include the make, model, model year, and VIN of the Abandoned Motor Vehicle; the business name, address, and telephone number of the Motor Vehicle Repair Facility; and a statement that "[Name of Motor Vehicle Repair Facility] hereby authorizes [agent's name] to act on my behalf in processing the title application for the above-referenced motor vehicle." The permission letter must be either (1) signed under penalty of perjury or (2) notarized.

RULE 11. EMERGENCY VEHICLE AUTHORIZATION

Basis: The statutory bases for this rule are 24-4-104, 24-4-105, 42-1-102(6), 42-1-204, 42-4-108(5), 42-4-213, and 42-4-238, C.R.S.

Purpose: The following rule is promulgated to establish the application, maintenance, and revocation procedures for Authorized Emergency Vehicle designation for a privately owned vehicle.

1.0 Definitions

- 1.1 "Applicant" means the owner and/or operator of a vehicle seeking designation of that vehicle as an Authorized Emergency Vehicle.
- 1.2 "Approve" means certification from an Authorizer that an emergency vehicle designation is necessary to the preservation of life or property or to the execution of emergency governmental functions.
- 1.3 "Authorized Emergency Vehicle" means those vehicles so designated in 42-1-102(6)(a) and (b), C.R.S.
- 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 designees. For purposes of privately owned tow trucks, "Authorizer" means the Colorado Public Utilities Commission.
- 1.5 "Authorizing Agency" means a fire department, police department, ambulance service or, for the purposes of privately owned tow trucks, "Authorizing Agency" means the Colorado Public Utilities Commission.
- 1.6 "Emergency Vehicle Decal," or often referred to as "Red Dot Sticker", means the window decal issued by the Department signifying that a vehicle has been designated an Authorized Emergency Vehicle.
- 1.7 "Tow Truck" means the same as in subsection 40-10.1-101(21), C.R.S.

2.0 Application Requirements

- 2.1 An Applicant requesting designation of a vehicle as an Authorized Emergency Vehicle must complete the Applicant Information section of the form DR 2490 Emergency Vehicle Authorization Application ("DR 2490"). The Applicant must then submit the DR 2490 to the Authorizing Agency from which the Applicant seeks certification that the Applicant's vehicle is necessary to the preservation of life or property or to the execution of emergency governmental functions.
- 2.2 The Department will not designate a vehicle an Authorized Emergency Vehicle unless the Department determines that the vehicle is necessary to the preservation of life or property or to the execution of emergency governmental functions.
- 2.3 An Authorizer and Applicant cannot be the same individual. An Authorizer who applies for an Emergency Vehicle Authorization must obtain a certification from another Authorizer within his or her Authorizing Agency or from a different Authorizing Agency.
- 2.4 If the Authorizing Agency deems that designation of the Applicant's vehicle is necessary to the preservation of life or property or to the execution of emergency governmental functions, the Authorizer will complete the Authorization by Law Enforcement, Fire Chief, Ambulance Service Director section of the DR 2490 and submit the DR 2490 to the Department.
- a. For the purposes of privately owned tow trucks, the Colorado Public Utilities Commission will complete the Authorization by Law Enforcement, Fire Chief, Ambulance Service Director section of the DR 2490 and submit the DR 2490 to the Department.
- 2.5 If the Authorizing Agency does not deem that designation of the Applicant's vehicle is necessary to the preservation of life or property or to the execution of emergency governmental functions, the Authorizer will record this designation on the DR 2490 and mail or deliver it to the Department. The Department will review the designation and retain the DR 2490 pursuant to the Departments retention schedule.
- 2.6 The Authorizing Agency must mail or deliver the completed DR 2490 to the Department. The Department will not accept an application unless submitted by an Authorizing Agency.
- 2.7 If it determines that a designation is necessary to the preservation of life or property or to the execution of emergency governmental functions, the Department will designate the vehicle an Authorized Emergency Vehicle. The Department will provide an Emergency Vehicle Decal and two copies of the approved DR 2490 to the Authorizing Agency. To ensure protection of the public and to preserve public safety, the Department will only provide the Emergency Vehicle Decal and copies of the approved DR 2490 to the Authorizing Agency.
- 2.8 The Authorizing Agency will ensure that the Emergency Vehicle Decal is affixed to the inside lower driver's side corner of the front windshield of the Authorized Emergency Vehicle listed on the corresponding DR 2490.
- 2.9 One copy of the approved DR 2490 must be kept in the Authorized Emergency Vehicle at all times. The second copy of the approved DR 2490 must be retained by the Authorizing Agency as long as the Authorized Emergency Vehicle operates under the authority of the Authorizing Agency.
- 2.10 An Authorized Emergency Vehicle designation is valid the lesser of two (2) years from the date the Department's designation is issued or until the Department revokes the designation. Renewal of the designation is not automatic; the Authorizing Agency must complete, certify, and submit a new DR 2490 complying with all the requirements of this Rule.

2.11 An Authorizing Agency may request that the Department revoke an Authorized Emergency Vehicle designation by completing and submitting to the Department the Revocation Action Notification portion of a copy of the previously approved DR 2490.

- a. The Department has the sole authority to revoke an Authorized Emergency Vehicle designation.
- b. If the Department revokes the Authorized Emergency Vehicle designation. The Authorizing Agency will ensure the Emergency Vehicle Decal is removed from the vehicle.

3.0 Denial and Revocation of an Authorized Emergency Vehicle Designation

3.1 An Applicant whose application for an Authorized Emergency Vehicle designation has been denied may request a hearing, in writing, within sixty days after a notice of denial. Written hearing requests shall be submitted to the Department of Revenue, Hearings Division.

3.2 An Authorizing Agency that has Approved an Applicant's Authorized Emergency Vehicle designation that is denied by the Department may request a hearing, in writing, within sixty days, after a notice of denial. Written hearing request shall be submitted to the Department of Revenue, hearing Division.

3.3 The Department may revoke an Authorized Emergency Vehicle designation as provided in subsection 3.4 of this rule if the Department determines that the Authorized Emergency Vehicle designation is no longer necessary to the preservation of life or property or to the execution of emergency governmental functions. An Applicant that has had his/her Authorized Emergency Vehicle designation revoked may request a hearing, in writing, within sixty days after a notice of revocation. Written hearing requests shall be submitted to the Department of Revenue, Hearings Division.

3.4 An Authorizing Agency that has its request to revoke an Authorized Emergency Vehicle designation denied by the Department may request a hearing, in writing, within sixty days after a notice of revocation. Written hearing requests shall be submitted to the Department of Revenue, Hearings Division.

3.5 Any hearing conducted under this rule will be held at the Department of Revenue, Hearings Division. The hearing officer will 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, or requested by the respondent in a revocation action. 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.

3.6 All proceedings will be conducted in accordance with the State Administrative Procedure Act, Article 4 of Title 24, C.R.S.

4.0 Privately Owned Tow Truck Authorization

4.1 Privately owned Tow Trucks must obtain emergency vehicle authorization from the Colorado Public Utilities Commission. No other Authorizer or Authorizing Agency may approve Tow Trucks as Authorized Emergency Vehicles.

RULE 12. OBTAINING RECORDS FOR ABANDONED MOTOR VEHICLES

Basis: This rule is promulgated under the authority of section 42-1-204, C.R.S., Part 18 of Article 4 of Title 42, and Part 21 of Article 4 of Title 42, C.R.S.

Purpose: This rule is promulgated to provide procedures for obtaining records and accessing the Department Website for Abandoned Motor Vehicles.

1.0 Definitions

- 1.1 “Abandoned Motor Vehicle” for the purpose of this rule includes either or both abandoned motor vehicle on private property defined in section 42-4-2102(1), C.R.S., and abandoned motor vehicle on public property defined in section 42-4-1802(1), C.R.S., as the context of the rule requires.
- 1.2 “Department Website” means the Colorado Department of Revenue, Title and Registration Section website for acquiring ownership or lienholder information for abandoned vehicles.
- 1.3 “National Database” means an electronic system that allows the Department to obtain motor vehicle identification numbers, vehicle registration numbers, license plate numbers, and owner(s) and lienholder(s) name and contact information from the motor vehicle records of other states.
- 1.4 “Operator” has the same meaning as defined in sections 42-4-1802(7) and 42-4-2102(5), C.R.S.
- 1.5 “Private Tow” means the removal of an Abandoned Motor Vehicle on private property by an Operator pursuant to section 42-4-2103, C.R.S.
- 1.6 “Public Tow” means the removal of an Abandoned Motor Vehicle on public property in accordance with section 42-4-1803, C.R.S.
- 1.7 “Towing Law Enforcement Agency” means a law enforcement agency that performs a Public Tow under its own authority.

2.0 Operator and Towing Law Enforcement Agency Registration, Department Website, and National Database

- 2.1 Only Operators and Towing Law Enforcement Agencies registered with the Department may utilize the Department Website. To register, an Operator must submit a DR 2099 Tow Carrier Registration form, and a Towing Law Enforcement Agency must submit a DR 2586 Law Enforcement Registration form.
- 2.2 Operators and Towing Law Enforcement Agencies must renew their Department Website registration annually, as directed in the Department’s renewal notification.
- 2.3 An Operator must attempt to obtain the motor vehicle owner(s) and lienholder(s), name and contact information by submitting a DR 2489A Motor Vehicle Requestor Release Affidavit of Intended Use form with payment to the Department, or by performing a record search through the Department Website.
- 2.4 An Operator will be invoiced monthly for each Colorado record search completed through the Department Website.
- 2.5 An accurately completed DR 2008 Public Tow Vehicle Information Request form and DR 2008A Private Tow Vehicle Information Request form submitted with the title application filed upon sale of the motor vehicle is prima facie proof that the owner/lienholder notification and search requirements are satisfied.

- 2.6 The Department may cancel an Operator's registration and access to the Department Website pursuant to sections 42-4-1806(2)(b), 42-4-2105(2)(b), C.R.S., and for any violation of Part 18 of Article 4 of Title 42 or Part 21 of Article 4 of Title 42, C.R.S., or this Rule, including but not limited to the following:
- a. The Operator's permit to operate as a towing carrier has been suspended, cancelled, or revoked by the Department of Regulatory Agencies, Public Utilities Commission.
 - b. Being forty-five days or more past due on a monthly payment to the Department for use of the Department Website.
 - c. Obtaining or using records for any purpose not authorized by this rule or Colorado Revised Statutes.
 - d. Failing to timely file an annual registration renewal for access to the Department Website.

3.0 Abandoned Motor Vehicle Record Search

- 3.1 A Colorado record search must be performed on all Abandoned Motor Vehicles, regardless of whether the vehicle has Colorado license plates, by submitting a DR 2489A Motor Vehicle Requestor Release Affidavit of Intended Use form or by using the Department Website.
- 3.2 A National Database record search must be performed if:
- a. The Colorado record search results in "no record found".
 - b. The Abandoned Motor Vehicle displays visual indicators that it is an out-of-state motor vehicle (e.g., another state's license plate or registration number).
- 3.3 A National Database record search is performed by completing the DR 2489A Motor Vehicle Requestor Release Affidavit of Intended form with payment. An Operator may request the National Database record search at the same time as the Colorado record search if payment for both is remitted at the same time. Where the Colorado record search results in a motor vehicle record found, the Department will not perform a National Database search and will not refund the payment for the National Database record search.

4.0 Operator Access to Department Website and Records Cancelled - Hearing

- 4.1 Access Cancelled Due to Department of Regulatory Agencies, Public Utilities Commission Actions.
- a. The Department will notify and cancel an Operator's access to the Department Website immediately upon receiving a final decision notice that the Operator's towing carrier license issued by the Department of Regulatory Agencies, Public Utilities Commission has been cancelled in accordance with sections 24-4-104 and 24-4-105, C.R.S.
 - b. An Operator whose access to the Department Website or records is cancelled may request a hearing, in writing, within thirty days after the notice of cancellation is issued. Written hearing requests must be submitted to the Department of Revenue, Hearings Division.

- c. The hearing will be held at the Department of Revenue, Hearings Division. 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 Operator 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.
- d. The sole issue at hearing will be whether the Department of Regulatory Agencies, Public Utilities Commission issued a final decision revoking the Operator's towing carrier license.

RULE 13. PUBLIC TOW REQUIREMENTS FOR ABANDONED VEHICLES [Repealed eff. 07/30/2017]

RULE 14. ENFORCEMENT AND HEARING PROCEDURES [Recodified as 1 CCR 210-3]

RULE 15. FALLEN SERVICE MEMBER LICENSE PLATES [Repealed eff. 03/02/2017]

Rule 16. GROUP SPECIAL LICENSE PLATES

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

Purpose: This rule is promulgated to establish criteria for the application, responsibilities, and processes for group special license plates.

1.0 Definitions

- 1.1 "Approval Notification" means written notification by the Executive Director of the Department of Revenue to a Nonprofit confirming that the Nonprofit has complied with the statutory and regulatory requirements necessary to seek legislative action to authorize a new group special license plate.
- 1.2 "Certificate" for the purpose of this rule means a Department approved-letter, voucher, or other document issued by a Nonprofit to a person as evidence that the person is qualified to receive a group special license plate. A Certificate may be in electronic or digital format instead of paper, if approved by the Department.
- 1.3 "Group Special License Plate Created through Rule" means the Air Force Commemorative, Columbine, Firefighters, Greyhound Lovers, Pioneer, and Raptor Education Foundation license plates.
- 1.4 "Group Special License Plate Created through Statute" means a group special license plate created on or after January 1, 2001 through its authorizing legislation.
- 1.5 "Nonprofit" means an entity that is a 501(c)(3) corporation under the Internal Revenue Code or an entity holding charitable nonprofit status with the Colorado Secretary of State.
- 1.6 "Pre-Certification Qualifier" means a condition(s) that must be met in order to qualify for issuance of a group special license plate by the Department.
- 1.7 "Registered" for the purpose of this rule means a vehicle with an unexpired registration as provided in sections 42-3-102 and 42-3-114, C.R.S., that is currently issued the group special license plate, unless the context otherwise requires.

- 1.8 “Retire” or “Retirement” means the discontinuation of the production of the group special license plate.
- 1.9 “Secure and Verifiable Identification” means an identification document listed on form DR 2841 Secure and Verifiable ID.

2.0 Application for Approval to Seek Creation of Group Special License Plates

- 2.1 Any Nonprofit may apply for an Approval Notification authorizing the Nonprofit to seek legislation to create a group special license plate.
- 2.2 A Nonprofit that has satisfied all statutory and regulatory requirements for proposing the creation of a group special license plate may submit an application supplied by the Department to the Title and Registration Section, Division of Motor Vehicles. Incomplete applications will not be accepted or retained.
- a. Applications must be signed by the Nonprofit’s designated representative. In addition to the signed application, the Nonprofit must submit:
1. Petition sheets with the names, addresses, counties of residence, and signatures of at least three thousand (3,000) Colorado registered vehicle owners who have committed to purchase the proposed group special license plate. Petition sheets must be submitted in either paper, electronic, or digital format, as required by the Department. Petitions are not transferable between applications for different group special license plates. Petitions are valid for two years from the date submitted with the application to the Department.
 - A. With prior approval of the Department, a Nonprofit may use electronic or digital methods to obtain commitments to purchase the group special license plate.
 - B. Electronic or digital methods may include, but are not limited to, web petitions, or electronic mail.
 2. Proof of Nonprofit status by submitting a current letter from the Internal Revenue Service confirming 501(c)(3) status or a document from the Colorado Secretary of State confirming the Nonprofit is holding charitable nonprofit status.
 3. A sample Certificate (paper, electronic, or digital) with a written description of security features (serialization, watermarks, holograms, etc.) incorporated into the Certificate. The Nonprofit must provide a sample Certificate to the Department for approval before the Nonprofit can issue Certificates to qualified individuals. A Nonprofit may not issue a Certificate prior to the effective date of the enabling legislation. An individual’s name on a Certificate must be identical to that listed on the individual’s Secure and Verifiable Identification. Certificates are not transferable and are valid for issuance and registration of one set (single if a motorcycle) of group special license plates. The Department will destroy the Certificate upon issuing the group special license plate. The Certificate must contain an area in which the Nonprofit will place a Department system generated serial number/PIN.
 4. Proof that the Nonprofit has the legal right to use all logos, designs, colors and other intellectual property in the proposed design of the group special license plate.

- 5. Proof that payment for the design was submitted by check or money order directly to Colorado Correctional Industries.
 - 6. A list of Pre-Certification Qualifiers required by the Nonprofit. If there are no Pre-Certification Qualifiers, the Nonprofit must provide a written statement that the Nonprofit will not require Pre-Certification Qualifiers for persons to be issued the group special license plate.
 - A. If a monetary donation is required, the Nonprofit must provide a document that demonstrates that the use of those funds meets statutory and regulatory requirements.
- 2.3 Upon receipt of the Approval Notification, the Nonprofit is solely responsible for obtaining a bill sponsor to propose legislation. The Department will retain the application for two years from the date of the Approval Notification.
- a. If the Nonprofit fails to obtain a bill sponsor within two years of issuance of the Approval Notification, and it desires to continue to seek creation of the group special license plate, the Nonprofit must re-apply, submit a new application and documents, and meet all statutory and regulatory requirements in effect at that time. Applications, documents, and other materials previously submitted to satisfy the application requirements are not transferable to the new application.

3.0 Enacted Group Special License Plates Responsibilities and Processes

- 3.1 A group special license plate must be designed within the parameters established by the Department. The Department may deny any design violating such parameters.
- a. A group special license plate design shall not include a logo or other image copyrighted, trademarked, registered, or otherwise commonly associated with a for-profit entity, whether or not the Nonprofit is a division of or otherwise associated with the for-profit entity. Use of symbols not subject to trademark, copyright, or other legal protection may be approved if such use does not violate the parameters established by the Department. The Department shall have final approval authority on all logo designs and placement on the group special license plate.
 - b. Design change requests after the design has been approved must be submitted in writing to the Department by the Nonprofit. The Department may require supporting documentation, including, but not limited to, issuance trends, current inventory levels, and costs associated with changes. If the change request is approved, the Nonprofit shall prepay all design costs directly to Colorado Department of Corrections Division of Correctional Industries prior to production of the new design. Design changes are effective upon approval by the Department. If approval is granted while existing inventory is available and the Nonprofit requests that the new plates be issued prior to the sale of such inventory, the Nonprofit shall pay all costs associated with the recall, collection, and destruction of existing inventory. Registered vehicle owners may continue to use their current group special license plate regardless of any subsequent design change, provided such plate will not be replaced if the inventory is destroyed, exhausted, or the Department has determined not to issue additional plates.

- 3.2. Upon completion of the proposed group special license plate design, the Nonprofit will receive one sample of the approved plate design. Sample plates used in the design approval process are the property of the Department. The Nonprofit may request up to five samples for marketing and display purposes upon payment of material fees for each sample plate, as established in section 42-3-301, C.R.S. Sample plates will be produced using the standard passenger size license plate with the standard sample plate numbers assigned by the Department. Requests for non-standard sample plate number will not be accepted. The Department must be given at least one business day in advance notice from the Nonprofit of all news releases, interviews, or mass communications that reference the group special license plate.
- 3.3 Group special license plates typically are produced through a print on demand process, which does not require pre-stocking of inventory. However, the Department may utilize methods other than print on demand if the Department deems it appropriate.
- 3.4 The Department will not distribute thank you notes, requests for contributions, or other materials on behalf of the Nonprofit.
- 3.5 The Nonprofit must continuously maintain its Nonprofit status. A letter from the Internal Revenue Service confirming 501(c)(3) status or a document from the Colorado Secretary of State's Office confirming that the Nonprofit is holding charitable nonprofit statute must be submitted to the Department annually on or before June 1st.
 - a. If at any time it is determined that an entity no longer has Nonprofit status, the group special license plate will be Retired pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement. Upon Retirement, the entity must cease seeking any donation authorized pursuant to its respective authorizing statute, and must cease to associate itself in any way with the group special license plate.
- 3.6 If a Nonprofit has Pre-Certification Qualifiers, it must enter into systems maintained by the Department information for each individual who has been approved for the receipt of a group special license plate and, for each, record the system generated serial number/PIN on the Certificate. The Department will use the serial number/PIN to authenticate the Certificate.
- 3.7 The Nonprofit must notify the Department in writing if its authority regarding the group special license plate is transferred to a successor Nonprofit, as provided in the group special license plates respective authorizing statute. The successor Nonprofit must meet all statutory and regulatory requirements.
- 3.8 A Nonprofit may request changes to its Certificate. Requests must be submitted in writing, and any change must be approved by the Department before the Nonprofit can issue the new Certificate. Any changes must meet the requirements of this rule. Upon approval, the Department will work with the Nonprofit to establish an effective date upon which the Non-Profit may begin to issue the new Certificate. After the effective date of the new Certificate, only a new Certificate will be accepted by the Department; provided, however, that the Department will accept an old Certificate if it was issued by the Nonprofit prior to the effective date of the new Certificate.
- 3.9 If a group special license plate's respective authorizing statute provides that the Department "may" stop issuing the group special license plate if the group special license plate has not met the minimum issuance requirement, the Department may Retire the group special license plate or may continue to issue the plate until the existing inventory is exhausted. If the Department elects to Retire the group special license plate, the plate will be Retired pursuant to subsection 3.12 of this rule and Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.

- 3.10 If a group special license plate's respective authorizing statute provides that the Department "shall" retire the plate if the plate has not met its minimum issuance requirement as provided in that statute, then the group special license plate will be Retired pursuant to the group special license plate's respective authorizing statute and Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.
- 3.11 The Department may audit the Nonprofit associated with a group special license plate. The audit may include, but is not limited to, accounting, financial, tax, and Pre-Certification Qualifiers.
- a. If the Department determines that the Nonprofit has violated its respective authorizing statute, or no longer qualifies as a Nonprofit under this rule, the Department may require additional information or at the Department's discretion may Retire the group special license plate pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.
 - b. If the Department requires additional information, and such information is not provided or does not change the Department's determination that the Nonprofit has violated its respective authorizing statute, or that the Nonprofit no longer qualifies as a Nonprofit under this rule, the Department may Retire the group special license plate pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.
 - c. Upon Retirement, the Nonprofit must cease seeking any donation authorized pursuant to the group special license plates respective authorizing statute, and must cease to associate itself in any way with the group special license plate.
- 3.12 If the Department Retires a group special license plate:
- a. The Department will immediately cease producing the group special license plate, and may stop issuing the plate prior to exhausting the plate's inventory.
 - b. The Department will provide written notice of Retirement, via certified mail, to the Nonprofit associated with the group special license plate. This notice will be mailed to the last address provided by the Nonprofit in writing to the Department. This notice shall also act as official notice that the Nonprofit can no longer associate itself with the group special license plate. Upon receipt of the Retirement notice, the Nonprofit must:
 - 1. Immediately cease collecting donations and issuing Certificates.
 - 2. Within 72 hours, remove any reference to the group special license plate from the Nonprofit's website, newsprint, or other publicly accessible media.
 - c. A person whose vehicle is Registered with a Retired group special license plate may continue to register with the group special license plate so long as the license plate is not damaged, lost, or stolen. The Department will not replace a Retired group special license plate if the inventory is destroyed, exhausted, or the Department has determined not to issue additional plates.
- 3.13 Nonprofits associated with Group Special License Plates Created through Rule must meet the requirements of this rule except as otherwise provided herein and/or pursuant to a contract between the Nonprofit and the Department that establishes requirements that differ from this rule.
- 3.14 A Nonprofit associated with a Group Special License Plate Created through Statute must meet the requirements of its respective authorizing statute and this rule.

- 3.15 An Approval Notification issued by the Department does not constitute an agreement to create the proposed group special license plate nor support legislation that would create the proposed group special license plate.

4.0 Denial and Retirement Appeals

- 4.1 If a Nonprofit's application for a group special license plate has been denied, it may request a hearing, in writing, within 60 days after the date of the notice of denial. Written hearing requests shall be submitted to the Department of Revenue Hearings Section.
- 4.2 The hearing shall be held at the Department of Revenue, Hearing Section. 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 the presiding hearing officer requires his or her presence or the Sponsoring Organization requests his or her presence in writing. If the Department's representative is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the Department.
- 4.3 A group special license plate will be Retired pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.

RULE 17. HORSELESS CARRIAGE

Basis The statutory basis for this regulation is 42-1-204, 42-12-101 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;
 - 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.
 - c. A model year at least thirty-two years old; except that, if the vehicle is being registered in the program area, as defined in section 42-4-304, C.R.S.:
 - I. The vehicle must have passed an emissions test meeting the standards of part 3 of article 4 of title 42 within the last twelve months before being initially registered by the owner as a collector's item; and
 - II. The owner must sign an affidavit that the vehicle will not be driven on roadways for more than four thousand five hundred miles per year.
- 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 item.
- 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. SATISFACTORY EVIDENCE OF VEHICLE OWNERSHIP

Basis: The statutory bases for this regulation are sections 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 establish the process for proving vehicle ownership for the purpose of issuing a certificate of title.

1.0 Definitions

- 1.1 "Current Registration" means a vehicle registration card or other document that demonstrates the vehicle is currently registered.
- 1.2 "Foreign Jurisdiction" means any state, other than the State of Colorado, or any country other than the United States, or sovereign nation.

2.0 Satisfactory Evidence of Vehicle Ownership

- 2.1 The Department may accept the following documents as evidence of vehicle ownership:
- a. A certificate of title issued by the State of Colorado or a Foreign Jurisdiction transferred as provided in section 42-6-110, C.R.S.;
 - b. A Current Registration for the vehicle listing the applicant's name if issued by a Foreign Jurisdiction that does not issue a title for that vehicle type;
 - c. A bill of sale for a vehicle not previously required to be titled or registered in the State of Colorado;
 - d. A bill of sale for a vehicle from a Foreign Jurisdiction if the Department verifies that the jurisdiction does not issue a title for or register that vehicle type;

- e. A Current Registration issued by the U.S. Armed Services;
 - f. A copy of a court order describing the vehicle by year, make, and Vehicle Identification Number (VIN), and directing the Department to issue a Colorado certificate of title to the applicant, or a judgment for possession obtained through a civil proceeding pursuant to section 42-6-114, C.R.S.;
 - g. A completed DR 2409 Statement of Assembly of Homemade Trailer and Assignment of Trailer I.D. Number if the trailer is a homemade vehicle as defined in section 42-5-201(4), C.R.S.; or
 - h. Other evidence deemed by the Department to be satisfactory evidence of vehicle ownership.
- 2.2 If an applicant does not have the Colorado certificate of title and the Colorado record has been purged, any of the following documents listing the applicant's name, submitted together with a completed DR 2116 Motor Vehicle Bill of Sale For a Purged Colorado Record, may be considered satisfactory evidence of proof of vehicle ownership:
- a. Colorado registration;
 - b. Colorado registration renewal card;
 - c. Photocopy of the Colorado certificate of title;
 - d. A certified copy of the Colorado motor vehicle record; or
 - e. Other documentation deemed by the Department to be satisfactory evidence of vehicle ownership.
- 2.3 Any document provided as evidence of vehicle ownership must include the VIN, vehicle year, vehicle make, and the applicant's name listed as the owner, buyer, or transferee.
- 2.4 The Department will not accept documents that do not contain all elements required to prove authenticity (e.g., certification, notary, acceptable transfers, assignments, etc...).
- 2.5 An applicant who cannot provide satisfactory proof of vehicle ownership documents must satisfy all requirements set forth in section 42-6-115, C.R.S., and 1 CCR 204-10. Rule 19. Bonding for Colorado Certificate of Title.

RULE 19. BONDING FOR COLORADO CERTIFICATE OF TITLE

Basis: The statutory bases for this regulation are 42-6-104, 42-6-107(1)(b), 42-6-115, 42-6-116, and 42-6-117, C.R.S.

Purpose: The following rule is 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 (VIN) inspection conducted by a Peace Officers Standards and Training (P.O.S.T.) certified inspector completed on forms provided by the Department.

- 1.2 “Secure Form” means a form produced through a secure printing process or other secure process 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 will be issued upon successful completion of the requirements listed in this subsection 2.0 below. The applicant must:
- a. Provide a Certified VIN Inspection. The Certified VIN Inspection must not be over one year old at the time of application.
 - b. Obtain and provide a title record search. The title record search may not be older than one-year from the date of application; and
 - i. Vehicles registered in the State of Colorado must have a Colorado title record search completed on the form DR2489A Motor Vehicle Requestor Release And An Affidavit Of Intended Use.
 - ii. Vehicles registered out-of-state or that display an out-of-state license plate or that show an out-of-state reference on a title record search must have a title and lien record search completed from the state in which the vehicle was last titled along with the Colorado title record search.
 - c. Provide proof of an attempt to contact all owner(s) and lienholder(s) identified on the title record search(es) through certified or registered mail. The proof of attempted contact must include the following:
 - i. A copy of the letter sent to all owner(s) and lienholder(s). The letter must contain:
 - 1. The vehicle year, make, and VIN;
 - 2. The applicant's intent (e.g., retain the vehicle, sell the vehicle); and
 - 3. The applicant's contact information.
 - 4. The letter to the lienholder shall also include:
 - A) The date of the lien(s);
 - B) The amount secured by the vehicle; and
 - C) Where the liens are of public record.
 - ii. One of the following documents demonstrating mailing of the letter with the U.S. Postal Service or other commercial mailing entity (e.g., FedEx, UPS, DHL):
 - 1. Certified receipt, or
 - 2. Domestic Return Receipt – U.S. Postal Form PS 3811, or

3. Undeliverable notification
 - d. Provide a lien release for all active liens indicated on the title record search(es). Lien releases must be on the lienholder's letterhead, unless the lienholder is an individual, and must include the vehicle year, 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. The lien release must be a signed original or signed duplicate of the mortgage or copy thereof, certified by the holder of the mortgage or the holder's agent to be a true copy of the signed original mortgage.
 - i. If an attempt is made to secure a lien release and the lienholder is not available or has failed to respond, the applicant must provide one of the following documents demonstrating mailing the letter to the lienholder's last known address with the U.S. Postal Service or other commercial mailing entity (e.g., FedEx, UPS, DHL):
 1. Certified receipt, or
 2. Domestic Return Receipt – U.S. Postal Form PS 3811, or
 3. Undeliverable notification
 - e. Provide the reasonable appraised value of the vehicle pursuant to 42-6-115(3)(a), C.R.S. The appraisal must be for the current condition of the vehicle at the time of application for a Colorado certificate of title. The appraisal must describe the vehicle by the VIN, year, and make, and must be established as listed by one of the following:
 - i. An appraisal from a Colorado licensed motor vehicle dealer or used motor vehicle dealer that is signed by the dealer, dated, and states the dealership's license number. If the appraisal is not on the dealer's letterhead, the appraisal must be notarized and signed under penalty of perjury, or
 - ii. A current value obtained from Kelly Blue Book. When using the current value from the Kelly Blue Book, a form DR 2444 Statement of Fact is also required stating that the applicant desires to use the amount listed as the current retail market value. The applicant must circle or mark that amount on the Kelly Blue Book printout, or
 - iii. A Current value from the National Automobile Dealers Association (N.A.D.A.) Official Used Car Guide. When using the current value from NADA, a form DR 2444 Statement of Fact is also required stating that the applicant desires to use the amount listed as the current retail market value. The applicant must circle or mark that amount on the NADA printout.
 - f. Provide proof of a surety bond for twice the appraised value shown on the appraisal, unless exempted pursuant to 42-6-115(3)(b), C.R.S.
- 2.3 If the vehicle record search(es) completed in paragraph 2.2b above indicates the vehicle is salvage, then the applicant must complete the rebuilt from salvage processes contained in Code of Colorado Regulations 1 CCR 204-10 Rule 31. Salvage and Rebuilt From Salvage Certificate of Title Requirements.
- 2.4 The applicant must disclose at the time of application for Colorado certificate of title the vehicle's odometer reading on the Secure Form DR 2173 Motor Vehicle Bill Of Sale provided by the Department for vehicles with model years of less than ten years.

- 2.5 If the vehicle is a trailer weighing 2,000 pounds or less, and the applicant provides a form DR 2697 Certification of Equipment Compliance for Homemade and In Lieu of Bond Trailers, and the applicant completes the form DR 2908 In Lieu Of Bonding For Trailer 2000 Pounds or Less Checklist, as necessary, then the applicant is deemed to have provided evidence of ownership satisfactory to the director for purposes of this rule and is not required to purchase a surety bond.

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 rule are sections 42-1-204, 42-3-207, 42-3-212(7), 42-3-214(7), 42-3-221(6), 42-3-222(6), 42-3-223(6), 42-3-224(2)(a), 42-3-225(2)(b), 42-3-226(2)(a), 42-3-227(6), 42-3-228(6), 42-3-229(2)(a), 42-3-230(6), 42-3-231(6)(a), 42-3-232(6)(a), 42-3-233(6), 42-3-234(6)(a), 42-3-237(6), 42-3-238(2)(a), 42-3-239(2)(a), 42-3-240(2)(a), 42-3-241(2)(a), 42-3-242(2)(a), 42-3-243(2)(a), 42-3-244(2)(a), 42-3-245(2)(a), 42-3-246(2)(a), 42-3-247(2)(a), 42-3-248(2)(a), 42-3-249(2)(a), 42-3-250(2)(a), and 42-3-251(2)(a), C.R.S.

Purpose: This rule is promulgated to establish criteria for the Retirement of Group Special and Alumni License Plates.

1.0 Definitions

- 1.1 "Alumni License Plate" means a special license plate established pursuant to section 42-3-214, C.R.S., at the request of an alumni association of a private or public college or university that is located within Colorado
- 1.2 "Group Special License Plate" means and includes "Group Special License Plate Created through Rule" and "Group Special License Plate Created through Statute" as those terms are defined in Code of Colorado Regulations 1-CCR-204-10, Rule 16.
- 1.3 "Nonprofit" means an entity that is a 501(c)(3) corporation under the Internal Revenue Code or an entity holding charitable nonprofit status with the Colorado Secretary of State.
- 1.4 "Pre-Certification Qualifier" means a condition(s) that must be met in order to qualify for issuance of an Alumni License Plate or Group Special License Plate.
- 1.5 "Registered" for the purpose of this rule means a vehicle with an unexpired registration as provided in sections 42-3-102 and 42-3-114, C.R.S., that is currently issued an Alumni License Plate or Group Special License Plate, unless the context requires otherwise.
- 1.6 "Retire" or "Retirement" means the discontinuation of the production of the Alumni License Plate or Group Special License Plate.

- 1.7 “Sponsoring Organization” means an alumni association that has an Alumni License Plate or the Nonprofit that has a a Group Special License Plate.

2.0 Requirements

- 2.1 An Alumni License Plate or Group Special License Plate is subject to Retirement when:
- a. The Group Special License Plate’s respective authorizing statute requires that a minimum number of plates be issued by a specified date and the Sponsoring Organization has not met that requirement; or
 - b. The Alumni License Plate or Group Special License Plate is subject to Retirement under any other applicable rule or statute.
- 2.2 The Department may continue to issue a Retired Alumni License Plate or Group Special License Plate until the inventory of the plate is exhausted.

3.0 Retirement Process

- 3.1 Upon the occurrence of any event that would initiate Retirement of an Alumni License Plate or Group Special License Plate, the Department will provide notice and a hearing pursuant to sections 24-4-104 and 24-4-105, C.R.S. to the Sponsoring Organization.

The hearing will be held at the Department of Revenue, Hearings Section. The presiding hearing officer will be an authorized representative designated by the Executive Director of the Colorado Department of Revenue. The Department’s representative need not be present at the hearing unless the presiding hearing officer requires his or her presence or the Sponsoring Organization requests his or her presence in writing. If the Department’s representative is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the Department.

- 3.2 If the proceedings result in Retirement of the Alumni License Plate or Group Special License Plate, the Department will issue a final agency order retiring the plate. The final agency order will act as official notice that the Sponsoring Organization is no longer associated with the plate and, upon receipt of the order, the Sponsoring Organization must:
- a. Immediately cease issuing Pre-Certification certificates;
 - b. Immediately cease to associate itself with the Retired Alumni License Plate or Group Special License Plate;
 - c. Within 72 hours, remove any reference to the Alumni License Plate or Group Special License Plate from the Sponsoring Organization’s website, newsprint, or other publicly accessible media; and
 - d. If a Nonprofit, the sponsoring organization, must immediately cease collecting donations authorized in its respective authorizing statute; or
 - e. If an alumni association, the sponsoring organization, must immediately cease any representation in any form, whether active or passive, that suggests that meeting a Pre-Certification Qualifier could qualify a person for the issuance of an Alumni License Plate.
- 3.3 The Department will no longer manufacture any additional Retired Alumni License Plate or Group Special License Plate. The Department may continue to issue the Alumni License Plate or Group Special License Plate until existing inventory is exhausted.

- 3.4 The Department will inform all Registered owners of the Retirement. A person whose vehicle is Registered with a Retired Alumni License Plate or Group Special License Plate may continue registration with the license plate so long as the license plate is not damaged, lost, or stolen. The Department will not replace a Retired license plate if the inventory is destroyed, exhausted, or the Department has determined not to issue additional plates.

RULE 21. MANUFACTURER LICENSE PLATES [Repealed eff. 06/14/2016]

RULE 22. MANUFACTURER'S CERTIFICATE OF ORIGIN - REQUIREMENTS AND USE

Basis: The statutory bases for this rule are 42-6-104 and 42-6-113, C.R.S.

Purpose: The purpose of this rule is to define the requirements for a Manufacturer's Certificate of Origin and its use to obtain a Colorado certificate of title.

1.0 Definitions

- 1.1 "Bill of Sale" or "BOS" means a document furnished by a vehicle seller to the vehicle buyer specifying the items and containing the information required by 42-6-113, C.R.S. For the purposes of a Licensed Colorado Dealer, the bill of sale shall be on the Departments secure form DR 2173 Motor Vehicle Bill of Sale or DR 2407 Dealer's Bill of Sale for a Motor Vehicle.
- 1.2 "Dealer" or "Licensed Colorado Dealer" means the same as defined in 42-6-102(2), C.R.S.
- 1.3 "Manufacturer" means the same as defined in 42-6-102(8), C.R.S.
- 1.4 "Manufacturer Representative" means the same as defined in 12-6-102(11.5) and 12+6-102(14), C.R.S.
- 1.5 "Manufacturer's Certificate of Origin" or "MCO" means a secure document issued by a Manufacturer which establishes ownership of the New Vehicle or OHV prior to the New Vehicle or OHV being titled. MCO may be referred to by certain manufacturers as "Manufacturer's Statement of Origin" or "MSO", when referred to as MSO it shall have the same meaning as MCO.
- 1.6 "New Vehicle" means the same as defined in 42-6-102(11), C.R.S.
- 1.7 "Off-Highway Vehicle" or "OHV" means the same as defined in 42-6-102(11.5), C.R.S.
- 1.8 "Used Vehicle" means the same as defined in 42-6-102(22), C.R.S.

2.0 Manufacturer's Certificate of Origin Standards and Requirements

- 2.1 A Manufacturer's Certificate of Origin (MCO) shall adhere to the specification for printing standards published by the American Association of Motor Vehicle Administrators (AAMVA). The MCO shall contain the security features and standard requirements below:
- a. Security Features
- i. Paper
1. Sensitized Security Paper – paper that is reactive to chemicals commonly used to alter documents.

- 2. Non-Optical Brightener Paper – paper without added optical brighteners which will not fluoresce under ultraviolet light.
 - ii. Engraved Border – a border produced from engraved artwork, which shall appear on the front of the MCO.
 - iii. Copy Deterrent
 - 1. Prismatic – rainbow printing which is used as a deterrent to color copying, and/or
 - 2. Copy Void Pantograph – the word “void” appears when the document is copied.
 - iv. Complex Colors – colors, which are developed by a mixture of two or more colors (red, yellow or blue) and black if required.
 - v. Erasable Fluorescent Background Inks – fluoresces under ultraviolet light and reacts to any attempt to erase in such a manner as to be immediately detectable.
 - vi. Background Security Design – a repetitious design consisting of a pattern, which hinders counterfeiting efforts.
 - vii. Microline – a line of small alpha characters in capital letters which requires a magnifying glass to read.
 - viii. Consecutively Numbered – documents that contain a control/serial number which is consecutively numbered for control purposes.
 - ix. Security Image or Marking
 - 1. Security Thread – with or without watermark.
 - 2. Intaglio Print – with or without latent image.
 - b. Document Size – shall be seven inches by eight inches.
 - c. Paper Stock – sixty 60 pound offset or equivalent durability.
 - d. Construction – unless otherwise specified by the Department, 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 of 1/10 inches horizontal and 1/16 inches deep characters
- 2.2 The MCO is required to convey ownership of a New Vehicle or OHV and must contain the information below utilizing the appropriate American National Standards Institute (ANSI) standards that provide the criteria for character set and print quality for optical character recognition. Information printed, if required, shall use the National Crime Information Center (NCIC) codes and abbreviations published in the NCIC Codes Manual.
- a. Date the MCO was issued;
 - b. Invoice number indicating ownership transferred from the manufacturer;

- c. The New Vehicle's or OHV's;
 - i. Vehicle Identification Number (VIN);
 - ii. Year of manufacture;
 - iii. Make;
 - iv. Body type;
 - v. Shipping weight;
 - vi. Horsepower;
 - vii. Gross vehicle weight rating (GVWR);
 - viii. Number of cylinders;
 - ix. Series;
 - x. Model; and
 - xi. Major and minor colors.

2.3 The MCO must contain the clauses below:

- a. A clause that certifies that the New Vehicle or OHV as described on the MCO is the property of the Manufacturer identified and the date it has been transferred to the distributor or Dealer as identified on the face of the MCO.
- b. A clause that certifies that the MCO represents that this was the first transfer to the distributor or Dealer of the New Vehicle or OHV described on the MCO in ordinary trade and commerce. A Manufacturer's Representative for the Manufacturer must sign acknowledging this clause.

2.4 The Dealer shall provide secure printing and storage facilities for MCO and BOS in the Dealer's possession.

3.0 New Vehicle Title Requirements

- 3.1 The MCO shall be duly transferred from the last Dealer who had possession of the New Vehicle or OHV to the purchaser or transferee. All transfer assignments on the MCO shall include disclosure of the odometer reading, if required, at the time of sale or transfer of the New Vehicle or OHV. A Dealer who has had the New Vehicle or OHV in their possession subsequent to the Manufacturer must complete the assignment on the back of the MSO.
- 3.2 Upon the sale or transfer of a New Vehicle or OHV by the last Dealer who had possession of the New Vehicle or OHV, the last Dealer shall make, execute, and deliver to the purchaser or transferee a sufficient Bill of Sale (BOS) and MCO specific to the New Vehicle or OHV that was sold or transferred. For the purposes of this Rule 22, "sufficient" means a fully completed BOS.
- 3.3 The Dealer shall, within the time limits required in 42-6-112, C.R.S., facilitate the delivery of the MCO together with the BOS and other documents required by Article 6 of Title 42 to the County Clerk and Recorder of the county where the purchaser or transferee is a resident, pursuant to 42-6-134 and 42-6-139, C.R.S.

- 3.4 If a Dealer that sells or transfers a New Vehicle or OHV fails to provide a MCO for the New Vehicle or OHV, the purchaser or transferee must bond for the title pursuant to 42-6-115, C.R.S., and Code of Colorado Regulations 1 CCR 204-10 Rule 19. Bonding for Colorado Certificate of Title, before a title can be issued.

4.0 Imported New Vehicle or OHV

- 4.1 An application for a Colorado certificate of title for a New Vehicle or OHV imported into the United States (U.S.) through legal means with a foreign MCO must include the following documents in order to establish ownership and prove compliance with the Environmental Protection Agency (EPA), Department of Transportation (DOT), and Department of Homeland Security U.S. Customs and Border Protection (CBP) import vehicle requirements. The foreign MCO and other documents must be translated into English.
- a. U.S. DOT certification that the New Vehicle or OHV meets all safety standards required in the United States.
 - b. Application for Final Admission of Non-Conforming Imported Vehicle or Engine issued by the EPA with the resulting EPA issued Certificate of Conformity.
 - c. Entry Summary issued by the CBP and the Release of Bond Letter.
 - d. BOS or invoice from the New Vehicle or OHV importer to the Dealer.
 - e. Completed Department BOS with the applicants' disclosure of the New Vehicle or OHV mileage. Pursuant to Federal Odometer Law 49 CFR 580.5 the odometer indicator will be "Actual". If the New Vehicle or OHV is inoperable or the odometer reading is unknown the odometer indicator will be "Not Actual".
 - f. Completed Department form DR 2698 Verification of the Vehicle Identification Number.
- 4.2 An application for a Colorado certificate of title for a New Vehicle or OHV imported into the U.S. through legal means that does not have a foreign MCO or foreign country title must include the documents identified above in paragraph 4.1 and the applicant must bond for a Colorado certificate of title pursuant to 42-6-115, C.R.S., and Code of Colorado Regulations 1 CCR 204-10 Rule 19. Bonding for Colorado Certificate of Title.

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 [Repealed
eff. 03/17/2015]**

RULE 25. PERSONS WITH DISABILITIES PARKING PRIVILEGES

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

Purpose: The following rule is promulgated to clarify that an application and renewal form created pursuant to section 42-3-204, C.R.S., is required for the issuance, renewal, and replacement of a person with disabilities parking privileges license plate and/or placard.

1.0 Form Required

- 1.1 A person applying for the issuance, renewal, or replacement of a persons with disabilities parking privileges license plate and/or placard shall file with the Department a current form DR 2219 Parking Privileges Application.

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 [Repealed eff. 07/30/2015]

RULE 28. TITLE AND REGISTRATION OF A VEHICLE OWNED BY, OR DONATED, LOANED, OR LEASED TO, A GOVERNMENT AGENCY

Basis: This rule is promulgated under the authority 39-26-113, 39-26-704(1), 42-1-102(58), 42-1-102(66), 42-1-102(93.5), 42-1-102(112), 42-1-204, 42-3-104(1) through (4), 42-3-105, 42-3-201, 42-3-202, 42-3-301, 42-3-304(1)(a) and (b) and (3)(b) and (c), 42-6-104, 42-6-106, and 42-6-137, C.R.S.

Purpose: The purpose of this rule is to establish procedures for titling and registering vehicles owned by, or donated, loaned, or leased to, a government agency.

1.0 Definitions

- 1.1 "Special License Plate" means a special license plate (for example, group special, alumni, or military) issued pursuant to part 2, article 3, Title 42, which is currently offered for issuance to a vehicle to evidence registration of that vehicle.
- 1.2 "Donated" means given voluntarily without payment in return.
- 1.3 "Government License Plate" means the permanent license plate that has stacked "GVT" lettering on the Colorado green and white graphic license plate.
- 1.4 "Leased Vehicle" means a vehicle that is subject to the terms of a lease agreement with a government agency, with corresponding payments.
- 1.5 "Loaned Vehicle" means a vehicle provided to a government agency for which the government agency has lawful use or control of the vehicle for a period of thirty days or more and that will be returned to the owner upon the government agency no longer having lawful use or control of the vehicle.
- 1.6 "Material Fees" means the fees required under section 42-3-301, C.R.S., for the direct cost of license plates, decals, or tabs.
- 1.7 "Registration Fees" or "Fees" means the fees required by Title 42, C.R.S. for the registration of a vehicle.
- 1.8 "Standardized License Plate" means any Colorado license plate that is not a Special License Plate.
- 1.9 "State of Colorado" for purposes of this rule includes any board, bureau, commission, department, institution, division, section, university, or officer of the state, including those in the legislative branch and in the judicial branch.
- 1.10 "Taxes" means sales tax, use tax, and specific ownership tax assessed and collected from the vehicle owner and distributed to the appropriate funds as required in Title 42, C.R.S.
- 1.11 "United States Government" or "U.S. Government" when referenced in this rule includes an agency or instrumentality thereof as provided in section 42-3-104(1), C.R.S.

2.0 U.S. Government or Foreign Government Owned Vehicles

- 2.1 A vehicle owned by the United States Government is not required to be registered pursuant to section 42-3-104(3)(a), C.R.S. If the United States Government elects to obtain a State of Colorado title and registration it must meet all titling and registration requirements in Title 42, C.R.S. Title and registrations transactions shall be performed by the Department.
- 2.2 A vehicle owned by a foreign government, or a consul, or other official representative of a foreign government duly recognized by the Department of State of the United States government (e.g., Honorary Consulate, Ambassador) shall be titled pursuant to Article 6 of Title 42, C.R.S., and registered pursuant to section 42-3-304(3)(b), C.R.S., by the Department.

3.0 Government Agency Determination

- 3.1 An entity may seek a determination by the Department of Revenue that it qualifies as a government agency under section 42-3-104, C.R.S., by submitting to the Department of Revenue:
- a. A citation to its enacting statute in the Colorado Revised Statutes;
 - b. Proof of tax exemption as a government agency;
 - c. Proof evidencing its existence as a government agency (e.g., a town's articles of incorporation); or
 - d. A request for a Department of Revenue determination.

4.0 Titling of Government Owned Vehicles

- 4.1 Every vehicle owned by a government agency must be titled. Applications for titling provided for in title 42, article 6, must be made as follows:
- a. The department, university, division, agency, commission, Regional Transportation District (when owned by a government agency), or other entity within the State of Colorado that owns the vehicle must complete the title application and submit it to the Department.
 - b. The county, town, city, or city and county that owns the vehicle must complete the application and submit it to an authorized agent in the county in which the applicant is located.
 - c. The local, municipal and special district that owns the vehicle must complete the application and submit it to an authorized agent in the county in which the applicant is located.
- 4.2 The name and address on the Colorado certificate of title for a vehicle owned by a government agency shall be as listed below.
- a. A vehicle owned by the State of Colorado:

- i. “State of Colorado, Department of (name of department or university, and division, agency, commission, or other entity name)”, with the address of the specific department, division, agency, commission, or other entity. If the vehicle is being principally operated and maintained, or permanently maintained, at an address other than the address for the department, division, agency, commission, or other entity, then the address at which the vehicle is being principally operated and maintained, or permanently maintained, shall be used.
 - ii. A vehicle owned by the Regional Transportation District shall be titled with the name “Regional Transportation District”, with the address of the Regional Transportation District. If the vehicle is being principally operated and maintained, or permanently maintained, at an address other than the address for the Regional Transportation District, then the address at which the vehicle is being principally operated and maintained, or permanently maintained, shall be used.
- b. A vehicle owned by a county, town, city, or city and county:
 - i. “County or Town, City, or City and County Name” (e.g., Adams County, Grand County, City and County of Denver) and the address of that county, town, city, or city and county. If the vehicle is being principally operated and maintained, or permanently maintained, at an address other than the address for the county or town, city, or city and county, then the address at which the vehicle is being principally operated and maintained, or permanently maintained, shall be used.
- c. A vehicle owned by local, municipal, or special districts
 - i. “Local, Municipal, or Special District Government Name” (e.g., City of Thornton, Town of Lyons, Denver Water District) and the address of that local, municipal, or special district. If the vehicle is being principally operated and maintained, or permanently maintained, at an address other than the address for the local, municipal, or special district government, then the address at which the vehicle is being principally operated and maintained, or permanently maintained, shall be used.

5.0 Registration

- 5.1 Unless exempted from registration under section 42-3-104(3), C.R.S., every vehicle owned by a government agency shall be registered. Applications for registration provided for in title 42, article 3, C.R.S., must be made as follows:
 - a. The department, university, division, agency, commission, Regional Transportation District, or other entity within the State of Colorado that owns the vehicle must complete the application and submit it to the Department. The address on the application shall be the address of the department, university, division, agency, commission, Regional Transportation District, or other entity, unless the vehicle is being principally operated and maintained, or permanently maintained at an address other than the address for that specific department, university, division, agency, commission, Regional Transportation District, or other entity, in which case the address on the application shall be the address at which the vehicle is being principally operated and maintained or permanently maintained.

- b. The county, town, city, or city and county, local, municipal and special district that owns the vehicle must complete the application and submit it to an authorized agent in the county in which the applicant is located. The address on the application shall be the address of the county, town, city, or city and county, local, municipal and special district, unless the vehicle is being principally operated and maintained, or permanently maintained at an address other than the address of the specific county, town, city, or city and county, local, municipal and special district, in which case the address on the application shall be the address at which the vehicle is being principally operated and maintained or permanently maintained.
- 5.2 Unless exempt, a government agency shall pay all Fees in Title 42, C.R.S., for a vehicle owned by them.
- 5.3 A government agency is not exempt from and must pay all Material Fees required in section 42-3-301, C.R.S., at the time of registration of a vehicle.
- 5.4 A government agency that enters into agreements with a non-government agency (e.g., road maintenance contractors, toll operator) cannot grant or transfer their Registration Fee and Taxes exemptions to the non-government agency or to any vehicles the non-government agency owns.

6.0 Emissions Compliance and License Plates

- 6.1 Proof of emissions compliance shall be required pursuant to part 3 and part 4, article 4 of title 42, C.R.S., for a vehicle registered at an address in an emissions program area.
- a. The address at which the vehicle is principally operated and maintained, or permanently maintained, shall determine whether the vehicle is registered in an emissions program area.
- 6.2 A government agency owned vehicle that is registered shall be issued, and be required to display:
- a. A Government License Plate. A Government License Plate will not display a year and month validation tab. Dependent on the vehicle type, a single or set of Government License Plates will be issued and must be displayed on the vehicle (e.g., trailer will be issued a single plate and passenger vehicles will be issued a set of plates);
 - b. A Standardized License Plate on a motor vehicle as defined in section 42-1-102(58), C.R.S., a vehicle as defined in section 42-1-102(112), C.R.S., and special mobile machinery defined in section 42-1-102(93.5), C.R.S., that is operated on roads and highways. A Standardized License Plate issued to a government agency shall display a year and month validation tab. Dependent on the vehicle type, a single or a set of Standardized License Plates will be issued (e.g., trailer will be issued a single plate and passenger vehicles will be issued a set of plates);
 - c. A Special License Plate if the government agency and the vehicle meet all requirements for that license plate. The government agency must meet all pre-certification requirements (e.g., donation, membership) for the Special License Plate before it can be issued the Special License Plate;
 - d. A special mobile machinery ownership decal for special mobile machinery, defined in section 42-1-102(93.5)(a)(I), C.R.S., that is not operated on highways and, therefore, is not required to be titled, or is not required to be titled (e.g. sign boards, lighting towers); or

- e. A Colorado State Patrol vehicle may be issued and display the Colorado State Patrol license plate pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 6. Colorado State Patrol License Plates.

6.3 Unless exempt from registration, a government agency must renew its vehicle registration(s) annually and, if issued a Special License Plate that requires an annual pre-certification requirement and the government agency wishes to retain the Special License Plate, the government agency must meet the annual pre-certification requirement before it can renew the registration.

7.0 Donated, Loaned, or Leased Vehicles

7.1 Donated Vehicle. A vehicle Donated to a government agency must be titled and registered as follows:

- a. If the vehicle is not titled in the donor's name, the donor must apply for a new Colorado certificate of title through the County Motor Vehicle office in the donor's name as provided in section 42-6-134, C.R.S.
 - i. The donor must pay title fees for the new Colorado certificate of title, and any sales tax due. A copy of forms DR 0100A Retail Sales Tax Return for Occasional Sales and DR 0025 Statement of Sales Taxes Paid on Loaner Motor Vehicle will be accepted as proof of sales tax paid.
- b. The donor must assign the new Colorado certificate of title over to the government agency to which the vehicle is Donated. The purchase price on the assigned title must state "Donated" and will be entered into motor vehicle systems as "0".
- c. The government agency must apply for a Colorado certificate of title and registration (unless exempt from registration) as provided for in sections 3 and 4 of this rule.
- d. The government agency must pay the Material Fees required in section 42-3-301, C.R.S.
- e. The government agency must provide proof of emissions compliance pursuant to Part 3 and Part 4, Article 4 of Title 42, C.R.S., for a vehicle Donated to the government agency that is being registered in an emissions program area.

7.2 Loaned Vehicle. Unless exempted from registration pursuant to section 42-3-104(3), C.R.S., a Loaned Vehicle shall be titled and registered as listed below:

- a. If the vehicle is not titled in the loaner's name, the loaner must apply for a new Colorado Certificate of title in the loaner's name through the County Motor Vehicle office as provided in section 42-6-134, C.R.S.
 - i. The loaner must pay title fees for the new Colorado certificate of title, and any sales tax due. A copy of forms DR 0100A Retail Sales Tax Return for Occasional Sales and DR 0025 Statement of Sales Taxes Paid on Loaner Motor Vehicle will be accepted as proof of sales tax paid.
- b. The government agency must be listed as the "In Care Of" in motor vehicle systems.
- c. The government agency must apply for registration of the vehicle pursuant to section 5 above.

- d. Unless statutorily exempt, the government agency shall pay the Registration Fees and Taxes for the Loaned Vehicle. The government agency shall pay the Material Fees required in section 42-3-301, C.R.S.
- e. The government agency shall provide proof of emissions compliance pursuant to Part 3 and Part 4, Article 4 of Title 42, C.R.S., for a Loaned Vehicle that is being registered in an emissions program area.

7.3 Leased Vehicle. A Leased Vehicle shall be titled and registered as follows:

- a. If the government agency requests to be exempt from payment of the annual specific ownership tax and annual Registration Fees, the lease agreement must be submitted to the Department for approval prior to the vehicle being titled and registered pursuant to sections 42-3-104(2) and 42-3-304(3)(c), C.R.S.
- b. If the title is not already in the lessor's name, the lessor must apply for a Colorado certificate of title in the lessor's name through the County Motor Vehicle office and the government agency must be listed as the lessee as provided in section 42-6-134, C.R.S.
- c. The government agency must apply for registration of the vehicle pursuant to section 5 above.
- d. The government agency shall provide proof of emissions compliance pursuant to Part 3 and Part 4, Article 4 of Title 42, C.R.S., for each Leased Vehicle that is being registered in an emissions program area.

8.0 Appeals

- 8.1 An entity that the Department has determined does not qualify as a government agency pursuant to section 3.0 of this rule may, within 60 days of the date of the Department's determination, request a hearing on the determination by submitting a written request for hearing to the Department of Revenue, Hearings Division.
- 8.2 The hearing will be held at the Department of Revenue, Hearings Division. The hearing officer will be an authorized representative designated by the Executive Director. The Department employee who completed the review and determined that the entity is not a government agency need not be present at the hearing unless required by the hearing officer, or unless requested in writing by the entity at the time the written request for hearing is submitted. The hearing officer may consider any documents and affidavits submitted by the Department.

RULE 29. RESERVING PERSONALIZED LICENSE PLATES [Repealed eff. 06/14/2015]

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 CERTIFICATE OF TITLE REQUIREMENTS

Basis: The statutory bases for this regulation are 38-20-116(2.5), 42-6-102 (10), (15), (16), (17), and (23), 42-6-104, 42-6-110, 42-6-116 and 42-6-136.5, and 42-6-206, C.R.S.

Purpose: The following rule is promulgated to establish the information required to be submitted to the Department regarding salvage vehicles in connection with an application for a salvage certificate of title.

1.0 Definitions

- 1.1 "Rebuilt From Salvage" means a salvage vehicle as defined in section 42-6-102(17), C.R.S., that has been repaired to a roadworthy condition as defined in section 42-6-102(15), C.R.S.
- 1.2 "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 in accordance with section 42-6-136.5(2)(a), C.R.S.
- 1.3 "Repair Shop" means a "motor vehicle repair facility" as defined in section 42-9-102(3), C.R.S.

2.0 Salvage Vehicle Determination

- 2.1 A vehicle is determined to be a salvage vehicle as set forth in section 42-6-102 (17)(a)(I)(C), C.R.S.

3.0 Salvage Title Requirements

- 3.1 Applicants for a salvage certificate of title may apply to the director or one of the authorized agents, as defined in section 42-6-102(1.5) and (4), C.R.S., using Form DR 2410 Application for Salvage or Nonrepairable Title.
 - a. The application includes the estimated cost of repairs to restore the vehicle to a roadworthy condition pursuant to section 42-6-102(17)(a)(I)(C), C.R.S.
- 3.2 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 apply for title pursuant to section 42-6-110, C.R.S.
 - 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 an abandoned motor vehicle as defined in section 38-20-116(2.5), C.R.S., that also qualifies as a salvage vehicle if the retail fair market value of the vehicle is greater than two hundred dollars.

4.0 Rebuilt from Salvage Title Requirements

- 4.1 Applicants for a rebuilt from salvage certificate of title shall follow the Form DR 2415 Title Established by Salvage Title Checklist and submit all required documentation listed on that form.

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. DEALER ISSUED TEMPORARY REGISTRATION PERMITS

Basis: The statutory bases for this rule are 24-72.1-102, 42-1-204 and 42-3-203, C.R.S.

Purpose: The following rule is promulgated to establish criteria for the issuance of Temporary Registration Permits by Licensed Colorado Motor Vehicle Dealers

1.0 Definitions

- 1.1 “Licensed Colorado Motor Vehicle Dealer” or “Dealer” means the same as defined in section 42-6-102(2), C.R.S.
- 1.2 “Mounting Boards” means the Department approved device that a printed Temporary Registration Permit is affixed to.
- 1.3 “Temporary Registration Permit” or “Temporary Registration Number Plate and Certificate” means the Department approved form that is printed when performing a Temporary Registration Permit Issuance transaction on the Approved Vendor System that when affixed to a Mounting Board and mounted to a vehicle provides evidence that the vehicle has been issued a temporary registration.
- 1.4 “Approved Vendor System” means the Department approved vendor hosted system provided to a Dealer for the performance of Temporary Registration Permit transactions.
- 1.5 “Secure and Verifiable Identification” or “SVID” means an identification 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 Requirements

- 2.1 Dealer issued Temporary Registration Permits must be processed and issued through the Approved Vendor System. A Dealer must register its dealership and each individual authorized user in the Approved Vendor System. A Dealer must not issue Temporary Registration Permits unless registered in the Approved Vendor System.

- 2.2 A Dealer whose license is inactive, suspended, or revoked must not issue Temporary Registration Permits.
- 2.3 A Temporary Registration Permit is only valid if issued through the Approved Vendor System and affixed to a Mounting Board.
- 2.4 Dealers must purchase Mounting Boards directly from a Department authorized Mounting Board vendor(s). A Dealer must only use Department approved Mounting Boards for affixing Temporary Registration Permits.
- 2.5 Upon the sale of a motor vehicle, the Dealer shall:
 - a. Perform the Temporary Registration Permit issuance transaction in the Approved Vendor System;
 - b. Print the Temporary Registration Permit generated by the Approved Vendor System;
 - c. Print the Colorado registration receipt generated by the Approved Vendor System ;
 - d. Affix the printed Temporary Registration Permit to a Mounting Board;
 - e. Affix the Mounting Board with the Temporary Registration Permit according to statute; and
 - f. Provide the printed Colorado registration receipt to the purchaser.
- 2.6 A Dealer must verify the purchaser(s) SVID prior to the issuance of a Temporary Registration Permit.
- 2.7 If the Temporary Registration Permit and/or Mounting Board are damaged during issuance, the Dealer may issue a corrected Temporary Registration Permit through the Approved Vendor System. The Dealer must destroy the original Temporary Registration Permit and Mounting Board to render it unreadable and unusable.
- 2.8 A Temporary Registration Permit is valid for up to sixty (60) days from the date of sale/issuance. A Temporary Registration Permit cannot not expire on a Saturday, Sunday, or legal holiday. If the sixtieth day falls on a Saturday, Sunday, or legal holiday, the Temporary Registration Permit will expire on the first weekday prior to the Saturday, Sunday, or legal holiday.
- 2.9 A Temporary Registration Permit is not renewable, but when circumstances outlined in section 42-3-203(3)(d), C.R.S., are met, the Dealer may issue a second Temporary Registration Permit pursuant to the requirements in this rule.
- 2.10 A Dealer must not place hand written markings, stickers, items, decorations, decals, or other markings on the printed Temporary Registration Permit and/or Mounting Board. Mounting frames must not obstruct any portion of or otherwise render the Temporary Registration Permit unreadable pursuant to in section 42-3-202(2)(b), C.R.S.
- 2.11 A Dealer must not alter the printing of the Temporary Registration Permit by resizing it, rotating it, or by any other alteration. Altering the printing of the Temporary Registration Permit will render it invalid.
- 2.12 A Temporary Registration Permit must not be issued to vehicles sold as "Tow Away" or to vehicles that are not roadworthy. A Temporary Registration Permit must not be used to demonstrate, transport, or deliver vehicles.

- 2.13 Dealers must ensure that the Approved Vendor System is secure and accessible only by authorized users. Dealers must meet all training and system requirements to use the Approved Vendor System.
- 2.14 Dealers are required to select a payment plan with the Approved Vendor System vendor and must pay the vendor based on the payment plan selected. Dealers who fail to timely pay the vendor will be denied access to the Approved Vendor System.
- 2.15 Mounting Boards must be kept in a secure location. Dealers must file a police report with local law enforcement within twenty-four (24) hours of discovering that a Mounting Board(s) has been lost or stolen. A copy of the police report must be supplied to the Department.
- 2.16 All Mounting Boards must be surrendered immediately to the Department of Revenue, Enforcement Business Group, Auto Industry Division, when a Dealer's license has been suspended or revoked.
- 2.17 After notice and hearing conducted pursuant to 24-4-104 and 24-4-105, C.R.S., a Dealer found to have violated this rule may have its privilege of issuing Temporary Registration Permits suspended or revoked.

RULE 35. TRANSPORTER LICENSE PLATES

Basis: The statutory bases for this rule are 42-1-204, 42-3-116(1), and 42-3-304(7)(a), C.R.S.

Purpose: The purpose of this rule is to establish criteria for the issuance, renewal, and to regulate the use of Transporter License Plates.

1.0 Definitions

- 1.1 "Financial Institution" 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 federal law or 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.
- 1.2 "Repair Activity" means "Repairs on a Motor Vehicle" or "Repairs" as those terms are defined in 42-9-102(5), C.R.S.
- 1.3 "Repair Facility" means "Motor Vehicle Repair Facility" as that term is defined in 42-9-102(3), C.R.S.
- 1.4 "Transporter Tag(s)" or "Transporter License Plate(s)" means the numbered license plate issued by the Department on the Colorado blue and white license plate graphic with the stacked lettering "TRP".

2.0 Issuance and Renewal Requirements

- 2.1 An applicant requesting a Transporter License Plate or renewal must submit to the Department:
 - a. A form DR 2222 Transporter Plate Application;
 - I. Requests for annual renewal must include the renewal notice attached to the DR 2222 Transporter Plate Application.

- b. The documentation or other evidence identified in paragraphs 2.2 a. through 2.2 i. below proving that the applicant meets the requirement to be issued a Transporter License Plate; and
- c. The fees required in 42-3-301(1)(a) and 42-3-304(7)(a), C.R.S.

2.2 A Transporter License Plate will only be issued and renewed to:

- a. A Dealer or auctioneer that provides a valid license issued by the Colorado Department of Revenue, Auto Industry Division.
- b. A manufacturer that provides a valid license issued by the Colorado Department of Revenue, Auto Industry Division.
- c. A Distributor, as defined in 12-6-102(5), C.R.S., that provides a valid license issued by the Colorado Department of Revenue, Auto Industry Division.
- d. A Dealer of special mobile machinery that provides: (1) a valid Colorado Sales Tax License; and (2) a business license or other proof that the Dealer is engaged in the sale of special mobile machinery in the ordinary course of business.
- e. A Government agency that is acting in the capacity of disposing, auctioning, or movement of vehicles previously owned by the Government.
- f. A Repair Facility that provides a current executed written agreement proving that it is engaged in Repair Activity for a State of Colorado licensed dealer and a valid Colorado Sales Tax License.
- g. A drive-away or tow-away transporter that provides: (1) a valid Colorado Sales Tax License; and, (2) a current executed written agreement proving that it is providing drive-away or tow-away services for a person listed in this subsection 2.2; or (3) other proof demonstrating that it is providing drive-away or tow-away services for a lawful purpose.
- h. A Financial Institution that provides to the Department a copy of its certificate of charter or other documentation proving its authority to do business in the State of Colorado.
- i. A reposessor that provides proof of a bond filed with and drawn in favor of the State of Colorado Attorney General pursuant to 4-9-629(b), C.R.S.

2.3 The Department will not mail or otherwise deliver a Transporter License Plate to an out of state address.

3.0 Lost or Stolen Transporter License Plate

3.1 A person who has been issued a Transporter License Plate shall report the loss or theft of a plate to local law enforcement and the Department within seventy-two (72) hours. A lost or stolen Transporter License Plate will be replaced upon receipt by the Department of a form DR 2283 Lost or Stolen License Plate/Permit Affidavit along with a filed police report. The fees required in 42-3-301(1)(a) and 42-3-304(7)(a), C.R.S., must be paid at the time of replacement.

4.0 Surrender of Transporter License Plate

- 4.1 If a person who has been issued a Transporter License Plate no longer meets the requirements in paragraph 2.2, that person shall surrender all Transporter License Plates to the Department within seventy-two (72) hours. The Department will not refund any portion of the fees paid for the Transporter License Plate(s).

5.0 Denial and Enforcement

- 5.1 Providing false information on an application may result in criminal charges pursuant to 18-8-503, C.R.S., and/or denial of the application and cancellation of the registration of all Transporter License Plate(s) issued to the person providing such false information.
- 5.2 Any violation of Title 42 pertaining to Transporter License Plates or this Rule may result in cancellation of the registration of the Transporter License Plate(s) issued to the person engaged in such violation.

6.0 Application Rejection or Loss of Transporter License Plates Appeals

- 6.1 Applicants who have been denied issuance or persons subject to loss of one or more Transporter License Plate(s) 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, Hearings Division. If a hearing is not requested, within thirty days, the Transporter License Plate(s) 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.
- 6.2 The hearing shall be held at the Department of Revenue, Hearings Division. 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.

RULE 36. AUCTIONED REGISTRATION NUMBERS [Repealed eff. 10/30/2017]

**RULE 37. VEHICLES CLASSIFIED AS FARM TRUCKS AND FARM TRUCK TRACTORS
[Repealed eff. 08/30/2016]**

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 [Repealed eff. 06/14/2018]

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, REDUCTION, OR WAIVER

Basis: The statutory bases for this rule are sections 42-1-204 and 42-3-112, C.R.S.

Purpose: The following rule is promulgated to establish criteria under which a vehicle owner is exempt from the Late Fee on vehicles that are subject to taxation and are not registered when required by law and for the reduction or waiver of the Late Fee for the registration of a trailer that is a commercial or farm vehicle 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; lightning, fire, flood, tornado, and earthquake; that prevents the owner of a vehicle from obtaining a title, registration, Temporary Registration Permit, or renewing the registration of the vehicle.
- 1.2 “Commercial Vehicle Trailer” means a trailer, as defined in section 42-1-102(105), C.R.S., a utility trailer, as defined in section 42-1-102(111), C.R.S., a multipurpose trailer, as defined in section 42-1-102(60.3), C.R.S., a camper trailer, as defined in section 42-1-102(14), or a trailer coach defined in section 42-1-102(106)(a), C.R.S., used to further the purposes of a business or commercial enterprise.
- 1.3 “Farm Vehicle Trailer” means a trailer, as defined in section 42-1-102(105), C.R.S., a utility trailer, as defined in section 42-1-102(111), C.R.S., a multipurpose trailer, as defined in section 42-1-102(60.3), C.R.S., a camper trailer, as defined in section 42-1-102(14), or a trailer coach, as defined in section 42-1-102(106)(a), C.R.S., owned by a farmer or rancher that is operated over the public highways and used commercially to transport to market or place of storage raw agricultural products actually produced or livestock actually raised by such farmer or rancher or to transport commodities and livestock purchased by such farmer or rancher for personal use and used in such person’s farming or ranching operations.
- 1.4 “Furlough” means a government-mandated closure of a Motor Vehicle Office.
- 1.5 “Information Technology Failure” means any computer system or related software or hardware malfunction that prevents successfully completing a vehicle title, registration, Temporary Registration Permit issuance, or renewal transaction.
- 1.6 “Late Fee” means the fee authorized by section 42-3-112(1), C.R.S.
- 1.7 “Medical Hardship” means medical care, treatment and/or physical or mental incapacity that prevents a vehicle owner from titling, registration, obtaining a Temporary Registration Permit issuance, or renewing the vehicle’s registration within statutory time requirements.
- 1.8 “Medical Professional” means a “professional” as defined in section 42-3-204(1)(i), C.R.S.
- 1.9 “Motor Vehicle Office” means a county or state office that performs Colorado vehicle title, registration, Temporary Registration Permit issuance, or registration renewal transactions.
- 1.10 “Office Closure” means a closure of a Motor Vehicle Office for any reason during normal posted business hours.
- 1.11 “Temporary Registration Permit” means a temporary number plate, tag, or certificate registered to a vehicle pursuant to section 42-3-203(3), C.R.S.

- 1.12 “Weather-Related Delay” means weather or weather-related circumstances that prevent a Motor Vehicle Office from completing vehicle titling, registration, Temporary Registration Permit issuance, or registration renewal transactions, as determined by the Executive Director of the Department or a county commissioner.

2.0 Requirements for Exemption, Waiver, or Reduction of Late Fees.

- 2.1 The Department will reduce or waive a Late Fee for a Commercial Vehicle Trailer upon receiving a completed form DR 2505 Late Fee Exemption/Reduction Request at the Motor Vehicle Office in the vehicle owners county of residence certifying that (1) the owner uses the vehicle in the operation of a commercial business and (2) as a part of the normal operation of the business idles the vehicle so that it is not operated on a public highway for a full registration period.
- 2.2 The Department will reduce or waive a Late Fee for a Farm Vehicle Trailer upon receiving a completed form DR 2505 Late Fee Exemption/Reduction Request at the Motor Vehicle office in the vehicle owners county of residence certifying that (1) the owner uses the vehicle commercially to transport to market or place of storage raw agricultural products actually produced or livestock actually raised by such farmer or rancher or to transport commodities and livestock purchased by such farmer or rancher for personal use and used in such person’s farming or ranching operation and (2) as a part of the normal operations idles the vehicle so that it is not operated on a public highway for a full registration period.
- 2.3 The Department will not impose a Late Fee for Medical Hardship upon receiving a completed form DR 2538 Medical Hardship Late Fee Exemption Affidavit at the Motor Vehicle Office in the vehicle owners’ county of residence.
- 2.4 The Department will not impose a Late Fee for a vehicle upon receiving a completed form DR 2505 Late Fee Exemption/Reduction Request at the Motor Vehicle office in the vehicle owner’s county of residence certifying that the owner (1) uses the vehicle in the operation of a commercial business and (2), as a part of the normal operation of the business, idles the vehicle so that it is not operated on a public highway for a full registration period.
- 2.5 The Department will not impose a Late Fee on a vehicle owner who is in the active military service of the United States and who satisfies the requirements of section 42-3-112(3)(b), C.R.S. The vehicle owner must provide:
- A. Military orders or other proof that the owner was serving outside the state at the time the vehicle was required to be registered; and
 - B. An affidavit stating that the vehicle was not operated on any public highway in Colorado between the time the registration period and grace period ended and the vehicle is reregistered.
- 2.6 Upon approval of the Department, an owner of a vehicle may be entitled to waiver of a Late Fee if any of the events below occur and prevent the vehicle owner from accessing title and registration services. Upon approval by the Department, the Motor Vehicle Office shall exempt such vehicle owners for the period of the event, and for 10 calendar days following the last day of the event. If the vehicle owner fails to complete the titling, registration, Temporary Registration Permit issuance, or registration renewal of the vehicle, the Late Fee will be charged, unless the vehicle is otherwise exempt pursuant to this rule. If an event affects only one Motor Vehicle Office in a county with multiple offices, the exemption will apply for all Motor Vehicle Offices in that county.
- A. Act of God
 - B. Furlough

- C. Information Technology Failure
 - D. Office Closure
 - E. Weather-Related Delay
- 2.7 If a county is unable to complete a title, registration, Temporary Registration Permit issuance, or renewal transaction without modification of the transaction or record by the Department and the Department offices are closed, a Late Fee will not be imposed.
- 2.8 The Department will determine whether to grant a Late Fee exemption on a case by case basis for circumstances not included in this rule. Any such exemption must be approved by the Department before a county can grant a Late Fee exemption for vehicles in their county. The Department may determine to grant Late Fee exemptions on its own initiative.
- 2.9 Pursuant to section 42-3-112(1.5)(a)(III), C.R.S., a Motor Vehicle Office will not assess or collect a late Fee for an expired Temporary Registration Permit or temporary tag, certificate, or permit issued by another state.
- 2.10 Each County Clerk and Recorder and/or County Motor Vehicle Supervisor must complete and submit to the Department a monthly report attesting to the Late Fee waivers, reductions, and exemptions granted to vehicles in their county. The Department may audit these reports, and if additional documentation is required to support a Late Fee waiver, reduction, or exemption given by a county, the county will be given notice and must provide supporting documentation within 10 days of the notice.
- 3.0 Appeal from Denial of Late Fee Refund**
- 3.1 If a county denies a request to waive, reduce, or allow an exemption from a Late Fee the vehicle owner must pay the Late Fee. The Motor Vehicle Office will not complete the vehicle title, registration, Temporary Registration Permit issuance, or registration renewal transaction on a vehicle until the Late Fee is paid.
- A. If the Department determines that the request for waiver, reduction, or exemption from a Late Fee should have been granted, the Department will refund the previously collected Late Fee. The vehicle owner must complete any additional documents required by the Department to process refunds.
 - B. If the Department determines that the request for a waiver, reduction, or exemption was correctly denied, the Department will mail a notice of denial to the vehicle owner at the address provided on the DR 2468 Late Fee Review and Refund Request.
- 3.2 A vehicle owner who has received a notice of denial may, within 60 days of the date of the notice of denial, request a hearing on the denial by submitting a written request for hearing with the Hearings Division.
- 3.3 The hearing will be held at the Department of Revenue, Hearings Division. The hearing officer will be an authorized representative designated by the Executive Director. The Department employee who completed the review and denial of the waiver, reduction, or exemption request need not be present at the hearing unless required by the hearing officer, or unless requested in writing by the vehicle owner at the time the written request for hearing is submitted. If the Department employee is not present at the hearing, the hearing office may use documents and any affidavit submitted by the Department.

RULE 45. ALUMNI LICENSE PLATES

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

Purpose: This rule is promulgated to establish and clarify application processes and responsibilities for the issuance and maintenance of Alumni License Plates.

1.0 Definitions

- 1.1 "Alumni License Plate" means a special license plate issued to recognize an alumni association of a private or public college or university that is located within Colorado pursuant to section 42-3-214, C.R.S.
- 1.2 "Notice of Approval" means written notice issued by the Department approving establishment of a new Alumni License Plate.
- 1.3 "Certificate" for the purpose of this rule means the Department approved-letter, voucher, or other document issued by an alumni association as evidence that a person is qualified to receive an Alumni License Plate. A Certificate may be issued in electronic or digital format instead of paper, if approved by the Department.
- 1.4 "Pre-Certification Qualifier" means a condition(s) that must be met in order to qualify for issuance of an Alumni License Plate.
- 1.5 "Registered" for the purpose of this rule means a vehicle with an unexpired registration as provided in sections 42-3-102 and 42-3-114, C.R.S., that is currently issued the Alumni License Plate, unless the context otherwise requires.
- 1.6 "Retire" or "Retirement" means the discontinuation of the production of the Alumni License Plate.
- 1.7 "Secure and Verifiable Identification" means a form of identification listed on 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 section 42-3-214, C.R.S., and this rule may apply for the creation of an Alumni License Plate.
- 2.2 A college or university may have only one Alumni License Plate. If an alumni association is able to demonstrate that a college or university is independent from its parent college or university, either by statute, separate accreditation by a nationally recognized accrediting agency or association, or other bases, then the alumni association may apply for an Alumni License Plate pursuant to section 42-3-214, C.R.S., and this rule.
- 2.3 An alumni association may apply for the creation of an Alumni License Plate by submitting an application supplied by the Department to the Title and Registration Section, Division of Motor Vehicles. Applications may be submitted in paper or electronic form. Incomplete applications will not be accepted or retained.
 - a. Applications must be signed by the alumni association's designated representative, who shall affirm that the alumni association has complied with the requirements of section 42-3-214, C.R.S. and this rule. In addition to the signed application, the alumni association must submit:

1. Commitments from at least five hundred persons to purchase an Alumni License Plate, including the name, address, signature, and county of residence for each person.
 - A. Purchase commitments may be submitted in either paper, electronic, or digital format, as required by the Department.
 - B. Purchase commitments are not transferable between applications for different Alumni License Plates.
 - C. Purchase commitments are valid for two years from the date they are submitted with the application to the Department.
 - D. With prior approval of the Department, the alumni association may use electronic or digital methods to collect purchase commitments. Electronic or digital methods may include, but are not limited to, web petitions or electronic mail.
2. Proof that the college or university is: (1) an institution of higher education that offers at least a bachelor's degree; (2) accredited by a nationally recognized accrediting agency or association; and (3) located in Colorado.
3. A sample Certificate (paper, electronic, or digital) with a written description of security features (serialization, watermarks, holograms, etc.) incorporated into the Certificate. Sample Certificates must be provided to the Department prior to issuing Certificates to qualified individuals. An individual's name on a Certificate must be identical to that listed on the individual's Secure and Verifiable Identification. Certificates are not transferable and are valid for issuance and registration of one set (single if a motorcycle) of Alumni License Plates. The Department will destroy the Certificate upon issuing the Alumni License Plate. The Certificate must contain an area in which the alumni association will place a Department system generated serial number/PIN.
4. Proof that the alumni association has the legal right to use all logos, designs, colors and other intellectual property in the proposed design of the Alumni License Plate.
5. A description of the qualifications the alumni association has established for eligibility to obtain a Certificate. The qualifications may be either membership in the alumni association or specified levels of monetary contributions to the college or university. If the alumni association has no qualifications, the alumni association must provide a written statement of this fact.
 - A. If the qualifications include monetary contributions to the college or university, the application must specify what monetary level of contributions are required.
6. If the alumni association has established qualifications to use alumni license plates, a description of how the one-time fee required for qualification for the Alumni License Plate will be used. The use may be either scholarships for students attending the college or university or support of academic programs at the college or university.

2.4 Upon receipt of the Notice of Approval, the alumni association must submit payment for the costs of the plate design in the form of a check or money order directly to Colorado Correctional Industries.

2.5 The alumni association must meet all requirements under section 42-3-214, C.R.S. and this rule prior to the production and issuance of the Alumni License Plate.

3.0 Approved Alumni License Plates: Responsibilities and Processes

3.1 Alumni License Plates must be designed within the parameters established by the Department. The Department may deny any design violating such parameters.

a. Design changes requested after the design has been approved must be submitted in writing to the Department by the alumni association, and signed by its designated representative. Supporting documentation for the design change is required and 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 must prepay all design costs directly to Colorado Department of Corrections Division of Correctional Industries prior to production of the new design. Design changes are effective upon approval by the Department. If approval is granted while existing inventory is available, and the alumni association requests that the new plates be implemented prior to the sale of such inventory, the alumni association must pay all costs associated with the recall, collection, and destruction of existing inventory. Registered vehicle owners may continue to use their current alumni license plate regardless of any subsequent design change; provided that such plate will not be replaced if the inventory is destroyed, exhausted, or the Department has determined not to issue additional plates of the prior design or designs.

3.2 Upon completion of the proposed Alumni License Plate design, the alumni association will receive one 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 for each sample plate, as established in section 42-3-301, C.R.S. Sample plates will 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.

a. The Department must be given at least one business day in advance notice from the alumni association of all news releases, interviews, or mass communications that reference the Alumni License Plate.

3.3 Alumni License Plates typically are produced through a print on demand process, which does not require pre-stocking of inventory. However, the Department may use methods other than print on demand if the Department deems it appropriate.

3.4 The Department will not distribute thank you notes, requests for contributions, or other materials on behalf of the alumni association.

3.5 The college or university for which an alumni association applies to establish an Alumni License Plate must continuously be located in Colorado, offer at least a bachelor degree in an educational program, and be accredited by a nationally recognized accrediting agency or association pursuant to sections 42-3-214(2)(a) and 42-3-214(2)(c), C.R.S.

- a. If a college or university no longer meets this requirement, the Department may Retire the Alumni License Plate pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement, and, if Retired, the alumni association must eliminate the Pre-Certification Qualifier, if any. At that time the alumni association must cease to associate itself in any way with the Alumni License Plate.
- 3.6 If an alumni association has Pre-Certification Qualifiers, it must enter information for each individual who the alumni association has approved to be issued the Alumni License Plate into Department maintained systems and record the system generated serial number/PIN on the Certificate. The Department will use the serial number/PIN to authenticate the Certificate.
- 3.7 The alumni association must notify the Department in writing if its right to use the Alumni License Plate is transferred to a successor alumni association. The successor alumni association must meet all statutory and regulatory requirements.
- 3.8 An alumni association may request changes to its Certificate. Requests must be submitted in writing, and any change must be approved by the Department prior to issuing the new Certificate. Any changes must meet the requirements of this rule. Upon approval, the Department will work with the alumni association to establish an effective date upon which the alumni association may begin to issue the new Certificate. Only new Certificates will be accepted by the Department after the effective date of the new Certificate; provided, however, that the Department will accept an old Certificate if it was issued by the alumni association before the effective date of the new Certificate.
- 3.9 Alumni License Plates will be issued beginning on the issuance date specified in the Notice of Approval.
- 3.10 The Department may audit an alumni association. The audit may include, but is not limited to, a review of accounting, financial, tax, and Pre-Certification Qualifiers.
 - a. If the Department determines that the college or university or the alumni association has violated or no longer meets the requirements of section 42-3-214, C.R.S., or this rule, the Department may require additional information or, at the Department's discretion, may Retire the Alumni License Plate pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.
 - b. If the Department requires additional information, and the information is not provided or does not change the Department's determination that the college or university or the alumni association has violated or no longer meets the requirements of section 42-3-214, C.R.S, the Department may Retire the Alumni License Plate pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.
- 3.11 Alumni associations with Alumni License Plates established prior to this rule must meet the requirements of this rule except as otherwise provided herein and/or pursuant to a contract between the alumni association and the Department that establishes requirements that differ from this rule.

4.0 Denial and Retirement Appeals

- 4.1 If an alumni association's application for an Alumni License Plate has been denied, it may request a hearing, in writing, within 60 days after a notice of denial is issued. Written hearing requests shall be submitted to the Department of Revenue, Hearings Section.

- 4.2 The hearing shall be held at the Department of Revenue, Hearings Section. 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 the presiding hearing officer requires his or her presence or the alumni association requests his or her presence in writing. If the Department's representative is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the Department.
- 4.3 An Alumni License Plate will be Retired pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.

RULE 46. APPLICATION FOR REGISTRATION – PROOF OF INSURANCE [Repealed eff. 09/14/2015]

RULE 47. EXPIRED TEMPORARY REGISTRATION PERMITS [Repealed eff. 09/14/2017]

Rule 48. COLORADO DEALER LICENSE PLATES

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

Purpose: The following rule is promulgated to establish criteria for issuance or license plates authorized for use by vehicle Dealers, vehicle Wholesalers, and persons who Offer for Sale special mobile machinery (SMM).

1.0 Definitions

- 1.1 "Dealer" has the same meaning as set forth in section 42-1-102(22), C.R.S.
- 1.2 "Dealer Demonstration" means a license plate that has stacked "DMO" lettering on the Colorado blue and white graphic license plate.
- 1.3 "Dealer Full-Use" means a license plate that has stacked "DLR" lettering on the Colorado blue and white graphic license plate.
- 1.4 "Dealer In-Transit" means a 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 plates.
- 1.6 "Established Place of Business" has the same meaning as set forth in section 42-1-102(31), C.R.S.
- 1.7 "Legitimate Business Interest" for the purpose of Section 2.8 as referred to in section 42-3-116(6)(d)(III), C.R.S., means:
- a. One or more specific and identifiable reasons that assigning a Dealer Full-Use license plate to any person serves the bona fide business interest of the Dealer or Wholesaler; and
 - b. Use of the plate is benefiting the bona fide business interest.
- 1.8 "Motorcycle Plate" means a license plate manufactured in the standard size and configuration for a motorcycle.

- 1.9 “Normal Business Hours” for the purpose of this rule means 7:00 a.m. – 7:00 p.m. Monday through Saturday, unless otherwise defined by the Motor Vehicle Dealer Board.
- 1.10 “Offered for Sale” means:
- a. The title to a vehicle has been properly assigned to Dealer or Wholesaler, or if a new motor vehicle, the Dealer or Wholesaler has evidence of a manufacturer’s certificate of origin for the vehicle; and
 - b. The vehicle is identified as available for sale on the Dealer’s or Wholesaler’s inventory list.
- 1.11 “Passenger Plate” means a standardized license plate manufactured for a Class C vehicle pursuant to section 42-3-203(1)(a), C.R.S.
- 1.12 “SMM Dealer” means a person who Offers to Sell special mobile machinery in the ordinary course of business.
- 1.13 “SMM Dealer Demonstration” means a license plate that has dual stacked “SMM” and “DMO” lettering on the Colorado blue and white license plate graphic.
- 1.14 “Wholesaler” has the same meaning as set forth in section 12-6-102(29), C.R.S.

2.0 Requirements

- 2.1 A Dealer or Wholesaler 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 plate.
- 2.3 Dealer License Plates shall be issued, registered, and renewed by the County Motor Vehicle Office in the county in which the Dealer, Wholesaler, 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 Quantity of Dealer License Plates issued:
- a. Dealer Demonstration license plates may be issued in unrestricted quantities to Dealers with the “Demo Plates: Y” indicator on the DR 2118 Dealer’s License.
 - b. Dealer In-Transit license plates may be issued in unrestricted quantities to Dealers with a current and valid DR 2118 Dealer’s License.
 - c. Dealer Full-Use license plates may be issued in unrestricted quantities to Dealers and Wholesalers with a valid “Full Use Plates: Y” indicator on the DR 2118 Dealer’s License.

- 2.6 Prior to initial issuance of an SMM Dealer Demonstration license plate the SMM Dealer 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.
- 2.7 Fees for Dealer License Plates shall be paid upon issuance and renewal as listed below:
- a. Dealer Demonstration and Dealer In-Transit license plates fees must be paid as required by sections 42-3-304(6), 42-3-301, and 42-1-210, C.R.S.
 - b. Dealer Full-Use license plates fees must be paid 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 fees must be paid as required by sections 42-3-116(7)(b)(II), 42-3-301, and 42-1-210, C.R.S.
- 2.8 Dealer License Plates can be used only as follows:
- a. A Dealer Demonstration license plate:
 - 1. May be displayed on a vehicle Offered for Sale by a Dealer; and
 - 2. May be displayed on a vehicle operated by a prospective buyer for demonstration drive purposes during Normal Business Hours when a dealership employee is in the vehicle with the prospective buyer or
 - 3. May be displayed on a vehicle operated by a prospective buyer for demonstration drives purposes outside of Normal Business Hours when a dealership employee is not in the vehicle with the prospective buyer; provided that:
 - A. The Dealer must provide the prospective buyer a letter authorizing him/her to operate the vehicle with a Dealer Demonstration license plate after Normal Business Hours;
 - B. 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; and
 - C. The authorization letter must be kept in the vehicle when operating and must be presented to law enforcement upon request.
 - b. A Dealer In-Transit license plate:
 - 1. May be displayed on a vehicle operated intra-state or inter-state that is Offered for Sale, consigned to be sold, or owned by a Dealer.
 - 2. May be displayed on a vehicle operated from point of purchase to the point of storage, or from the point of storage to the point of sale;

3. May be displayed on a vehicle operated for demonstration purposes only during Normal Business Hours when a dealership employee is in the vehicle with a prospective buyer.
- c. A Dealer Full-Use license plate:
 1. May be displayed only on vehicles Offered for Sale by a Dealer or Wholesaler.
 2. May be displayed on a vehicle owned by the Dealer or Wholesaler while used by any of the persons listed in section 42-3-116(6)(d), C.R.S. 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 documents demonstrating the Dealer or Wholesaler's ownership.
- d. A SMM Dealer Demonstration license plate:
 1. May be displayed on special mobile machinery:
 - A. Offered for Sale by a SMM Dealer; and
 - B. Being demonstrated for purposes of a sale.
- 2.9 Dealers and Wholesalers issued Dealer Full-Use license plates must maintain a record of all Dealer Full-Use license plates issued to them. Such record must include the name, address, and phone number of the individual currently authorized to use the Dealer Full-Use license plates.
- 2.10 All Dealer License Plates must be returned within ten days to the Department if:
 - a. Through either a voluntary or an involuntary action, the Dealer, Wholesaler, or SMM Dealer ceases to be a Dealer, Wholesaler, or SMM Dealer; or
 - b. Upon revocation of the Dealer's DR 2118 Dealer's License by the Motor Vehicle Dealer Board.
- 2.11 A Dealer, Wholesaler, or SMM Dealer that changes ownership or legal status (e.g., changes from a corporation to a limited liability company, etc.) must immediately return all Dealer License Plates to the County Motor Vehicle Office that issued the plates and apply for new Dealer License Plates.
- 2.12 Lost or stolen Dealer License Plates must be reported within seventy-two hours to local law enforcement and to the County Motor Vehicle Office 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 Motor Vehicle Office.
- 2.13 Secure and verifiable identification is required for issuance and replacement of Dealer License Plates. Dealers, Wholesalers, and SMM Dealers must provide the Department a list of all personnel authorized to conduct Dealer License Plate transactions with the Department on the Dealer's, Wholesaler's, or SMM Dealer's behalf.
- 3.0 Appeals**
 - 3.1 If a Dealer, Wholesaler, or SMM Dealer has been denied a Dealer License Plate, it may request a hearing, in writing, within 60 days after a notice of denial is issued. Written hearing requests shall be submitted to the Department of Revenue, Hearings Section.

- 3.2 The hearing shall be held at the Department of Revenue, Hearing Section. 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 the presiding hearing officer requires his or her presence or the Dealer, Wholesaler, or SMM Dealer requests his or her presence in writing. If the Department's representative is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the Department.

RULE 50. SLOW MOVING VEHICLES

1. All machinery and equipment, including implements of husbandry, horse drawn vehicles, farm tractors, road machinery, road graders, and every vehicle which has a maximum speed that does not exceed 25 miles per hour or every vehicle capable of speeds in excess of 25 miles per hour but which in its normal operational use is moved at less than 25 miles per hour on the highway, shall display a "Slow Moving Vehicle" emblem complying with the specifications set forth in Section 7 of this regulation.
2. All road construction or maintenance machinery when engaged in actual construction or maintenance work guarded by a flagman or clearly visible warning signs need not display the "Slow Moving Vehicle" emblem.
3. All machinery, equipment and vehicles displaying such Slow Moving Vehicle emblem, when being transported or moved on the highways at speeds in excess of 25 miles per hour, shall have the Slow Moving Vehicle emblem removed or covered when being so moved or transported.
4. Any combination of slow moving vehicles, i.e., tractor-trailers, shall display the "Slow Moving Vehicle" emblem on the rearmost unit of the combination.
5. The Slow Moving Vehicle emblem shall be mounted as near the center as possible on the rear of the vehicle at a height of not less than 2 feet nor more than 6 feet from the ground to the bottom edge of the emblem. Such emblem will be mounted with a point of the triangle at the top and shall be mounted in a plane perpendicular to the direction of travel.
6. The requirements for such emblem shall be in addition to any other lighting devices required by law.
7. Specifications for SLOW MOVING VEHICLE Emblem.
 - A. Description:
 - (1) The SLOW MOVING VEHICLE Emblem (Fig. 1) shall consist of a fluorescent yellow-orange triangle with a dark, red reflective border. The yellow-orange fluorescent triangle is for daylight identification. The reflective border defines the shape of the fluorescent color in daylight and becomes a hollow red triangle in the path of motor vehicle headlights at night.
 - B. Performance Requirements:
 - (1) Visibility. The emblem shall be entirely visible in daylight and at night from all distances between 600 feet and 100 feet from the rear when directly in front of lawful upper beam of headlamps.
 - (2) Dimensional requirements. The minimum size shall be as shown in Fig. 1.

- (3) Color and reflectivity.
- (a) The spectrophotometric color values of the yellow-orange fluorescent material shall have a dominant wave length of 590–610 millimicrons and a purity of 98 percent before use. After Durability Test, paragraph (4), the dominant wave length of the fluorescent material shall not change more than 10 percent.
- (b) The reflective material shall have minimum intensity values at each of the angles listed per Table 1. After Durability Test, paragraph (4), the minimum reflective intensity values for the reflective material shall not change more than 20 percent from the values specified in Table 1.

TABLE 1. Minimum Reflective Intensity Values, R*

| Divergence Angle, deg | Incidence Angle, deg | Reflective Intensity, R |
|-----------------------|----------------------|-------------------------|
| 0.2 | 0 | 10 |
| 0.2 | 15 | 7 |
| 0.2 | 30 | 5 |
| 0.5 | 0 | 5 |
| 0.5 | 15 | 4 |
| 0.5 | 30 | 2 |

*Measurements shall be conducted in accordance with photometric testing procedures for reflex-reflectors as specified in Society of Automotive Engineers Standard, SAE J594, Reflex Reflectors, and using 50, ±3 sq. in. (322.6, ± 32.3 sq. centimeters) of reflective material. The maximum dimension of the test surface shall not be greater than 1.5 times the minimum dimension. The Reflective Intensity (R) is computed from the equation.

$$R = \frac{(L_r)(d^2)}{(L_s)(A)}$$

where

R = reflective intensity, candlepower per incident foot-candle per square foot

L_r = illumination incident upon receiver at observation point, foot-candles

L_s = illumination incident upon a plane perpendicular to the incident ray at the test specimen position, foot-candles

d = distance from test specimen to source of illumination (100 feet as specified in SAE J594), feet

A = area of test surface, square feet

(4) Durability

- (a) The reflective and fluorescent materials shall be tough, flexible and of sufficient thickness and strength to meet the requirements of sections B and C. After the Durability test, paragraph (4), the fluorescent and reflective material shall show no appreciable discoloration, cracking, crazing, blistering, loss of durable bond, or dimensional change.
- (b) Backing material for portable identification emblem shall be equivalent to 0.040 in. minimum thickness aluminum, 22-gauge minimum thickness mill-galvanized or coated sheet steel with the surface clean and receptive to a durable bond. The backing material shall be free of burrs.

NOTE: These requirements are minimal and do not preclude the use of materials having superior performance.

C. Test Procedures:

- (1) The emblem shall be tested in conformance with the following sections from SAE J575, Test for Motor Vehicle Lighting Devices and Components:

Section B - Samples for test

Section D - Laboratory Facilities

Section E - Vibration Test

Section H - Corrosion Test (pertains to face of emblem only)

- (2) Durability Test. Samples shall be exposed to the sun at an angle of 45 deg to horizontal and facing south per American Society for Testing and Materials, ASTM D1014, Method of Conducting Exterior Exposure Tests of Paints on Steel.

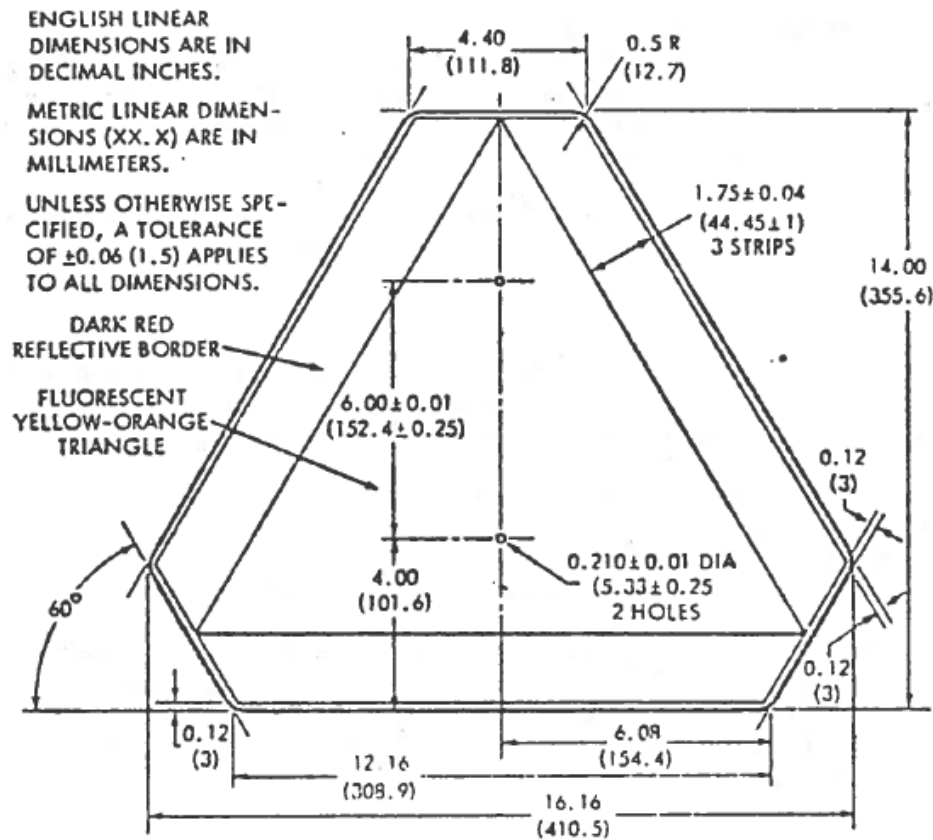
TABLE 2. Durability Test Periods

| | Minimum Test Period, months | |
|---------------------------|-----------------------------|------------|
| Location | Fluorescent | Reflective |
| Outside in Midwest | 12 | 24 |
| Or | | |
| Outside in Miami, Florida | 6 | 12 |

- (3) Drop Test. Each test sample shall be dropped from a height of 5 feet (1.53 m) to a smooth hard surface equivalent to rigid metal or concrete. Each test sample shall be submitted to three drop tests: corner drop, edge drop, and flat drop. Failure shall be considered to have occurred when the emblem will no longer meet requirements in Section B.

8. All "Slow Moving Vehicle" emblems must be approved for use and sale in the State of Colorado by the Department of Revenue. Such approval shall be accomplished through the A.A.M.V.A. Equipment Approval Section, Washington, D.C.

FIG. 1 - IDENTIFICATION EMBLEM



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. rules 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, 4 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. Rules 7, 18, 19, 36 repealed 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.
Rules 17, 28 eff. 06/30/2014.
Rule 36 emer. rule eff. 08/21/2014.
Rule 12 eff. 08/30/2014.
Rule 50 recodified from 1 CCR 204-5 eff. 12/05/2014.
Rule 36 eff. 12/15/2014.
Rule 7 recodified from 1 CCR 204-21 eff. 01/14/2015.
Rule 24 repealed eff. 03/17/2015.
Rule 14 recodified as 1 CCR 210-3 eff. 04/01/2015.
Rule 29 repealed eff. 06/14/2015.
Rules 20, 25 eff. 07/30/2015. Rule 27 repealed eff. 07/30/2015.
Rules 3, 46 repealed eff. 09/14/2015.
Rule 18 eff. 11/14/2015.
Rule 31 eff. 12/15/2015.
Rule 4 eff. 01/14/2016.
Rule 5 eff. 01/30/2016.
Rule 9 eff. 03/01/2016.
Rule 10 eff. 05/30/2016.
Rule 11 eff. 06/14/2016. Rule 21 repealed eff. 06/14/2016.
Rules 19, 22 eff. 07/30/2016.
Rule 37 repealed eff. 08/30/2016.
Rule 35 eff. 09/14/2016.
Rule 34 eff. 12/30/2016.
Rule 15 repealed eff. 03/02/2017.
Rule 12 eff. 07/30/2017. Rule 13 repealed eff. 07/30/2017.
Rule 44 eff. 09/14/2017. Rule 47 repealed eff. 09/14/2017.
Rule 36 repealed eff. 10/30/2017.
Rule 28 eff. 12/15/2017.
Rule 11 eff. 02/14/2018.
Rule 48 eff. 03/02/2018.
Rules 2, 16, 45 eff. 04/14/2018.
Rule 20 eff. 05/15/2018.
Rule 5 eff. 05/30/2018.
Rule 39 repealed eff. 06/14/2018.