

DEPARTMENT OF REVENUE

Division of Motor Vehicles

TITLES AND REGISTRATIONS

1 CCR 204-10

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

Rule 1. TEMPORARY SPECIAL EVENT LICENSE PLATES

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

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

1.0 Definitions

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

2.0 Application Process

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

3.0 Requirements and Process for Temporary Special Event License Plates

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

registration for each vehicle; and any other information required by the Department.

- 3.3 All applications for temporary special event license plates should be completed and submitted to the Department at least ninety (90) days prior to the start of the temporary special event. Only applications on forms provided by the Department will be accepted. The Department will issue application forms and information to all interested persons/groups upon request. Special event application fees shall be mailed directly to and be made payable to the Department of Revenue.
- 3.4 Temporary special event license plates shall be issued only by the Department and are only valid when accompanied by a Letter of Authorization for Use of Temporary Special Event License Plates as issued by the Department for the dates and times as authorized in the letter. Each temporary special event license plate used for the event shall have the Letter of Authorization associated with it at all times that the temporary special event license plates are displayed on the vehicle.
- 3.5 Temporary special event license plates are issued only for the time period specifically stated on the Letter of Authorization. If the temporary special event is held annually, an application must be submitted each subsequent year.
- 3.6 Previously issued temporary special event license plates may be authorized for subsequent use upon request by the organization provided the plates are still legible and not damaged. If the request is approved by the Department, a new letter of authorization will be provided to the applicant. No additional fees will be collected. The organization must comply with all other requirements.
- 3.7 Applicants shall pay the material fee required in 42-3-301 C.R.S. and the special event application fee required in 42-3-220 C.R.S. for each temporary special event license plate requested. Payment of the material fee shall be received by Colorado Correctional Industries and payment of the special event application fee must be received by the Department prior to shipment of the temporary special event license plates. Material fees shall be mailed directly to and made payable to COLORADO CORRECTIONAL INDUSTRIES.
- 3.8 Temporary special event applicants may request that the temporary special event license plates be mailed to them. The Department will not incur any cost for mailing of the temporary special event license plates and the applicant shall provide a means for pre-paid shipping of the temporary special event license plates to be mailed to the Department .
- 3.9 Temporary special event license plates must be designed within the formats established by the Department. The Department shall have final approval authority of the design and reserves the right to deny any application request in which the design may be considered offensive or misleading .
- 3.10 The Department shall work with the temporary special event applicant unless the temporary special event applicant has designated a specific agent for the purpose of obtaining temporary special event license plates. Designation of specific agent shall be provided to the Department in writing by the applicant .
- 3.11 It is the responsibility of the applicant to ensure that the vehicle(s) displaying temporary special event license plates are maintained in a roadworthy condition.
 - A. Vehicles displaying temporary special event license plates must have the vehicles' original issued license plate and registration receipt maintained within the vehicle any time the temporary special event license plate is displayed on the vehicle.
 - B. Vehicles that are donated by dealers that are not currently registered shall maintain within the vehicle proof of submittal of use tax paid by the donating dealership on the DR0100A

Retail Sales Tax Return for Occasional Sales form any time the temporary special event license plate is displayed on the vehicle.

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

RULE 2. PERIODIC MOTOR VEHICLE REGISTRATION

Basis: The statutory bases for this regulation are 42-1-204, 42-3-102, 42-3-104, 42-3-107, 42-3-116, 42-3-201, 42-3-210, 42-3-211, 42-3-219, 42-3-304, 42-3-305, 42-3-306 C.R.S.

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

1.0 Definitions

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

1.2 "Registration Expiration Date" means the expiration of the applicable registration period required in 42-3-102, C.R.S.

1.3 "Transaction Date" means the date the vehicle was registered.

2.0 Validating Tabs

A. Registration plate(s) issued to all vehicles shall display two (2) validating tabs issued by the Department; one tab to indicate the expiration month and one tab to indicate the year of expiration, except for those types of plates that are exempt from displaying tabs in accordance with 42-3-201(2), C.R.S. Validating tabs shall be displayed on the license plate pursuant to 42-3-202(1)(b) C.R.S.

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

A. Vehicles not previously registered.

1. Any application for registration received for a vehicle not previously registered in Colorado in the applicant's name will be registered for the time period required by 42-3-102, C.R.S., for that class of vehicle. Registration shall expire on the last day of the month.

B Method for Assessment of Fees and Taxes

1. Specific ownership tax shall be determined in accordance with 42-3-106, C.R.S. Registration fees shall be determined in accordance with 42-3-304, 42-3-305 and 42-3-306, C.R.S.

a. Registration of a vehicle not previously registered.

(1). Specific ownership taxes will be collected for the period the vehicle was owned prior to the date of application, through the month of application and for the appropriate registration period for the class of vehicle following the month of application. Consideration may be given for registrations that require bonds, affidavits, court orders, or as determined by the Department.

(2). Registration fees will be collected for the appropriate registration period.

2. Registration Renewal.

a. Vehicle Registrations expire on the last day of the month as indicated on the registration certificate and validating tab. All registrations will be evidenced by the issuance of tabs, except those exempted in accordance with 42-3-201(2), C.R.S.

b. Vehicle registration applications for renewal received on or before the last day of the month following the month of expiration will be renewed for the appropriate registration period following the previous registration. Specific ownership taxes and registration fees shall be calculated and collected for each twelve month time period of the appropriate registration period.

c. Vehicle registration applications for renewal received after the last day of the

month following the month of expiration will be processed as new applications. The specific ownership taxes and registration fees will be collected for the new twelve-month period. In addition, specific ownership taxes will be collected for the period from the date of expiration of the previous registration to the beginning of the new registration period.

3. Reissues and Transfers

- a. When plates are reissued or transferred, the new registration will be issued to correspond with the appropriate registration period beginning with the month of application. Specific ownership taxes and registration fees will be collected the month following the month of purchase and the twelve-month registration period. Credits will be given in accordance with 42-3-107(25), C.R.S., for any ownership taxes previously paid.

2.3 Exceptions to renewal procedure as outlined above

- A. All vehicles issued personalized plates as authorized by 42-3-211, C.R.S, shall be renewed, reissued or transferred with a registration period in accordance with 42-3-102, C.R.S.
- B. All vehicles bearing horseless carriage license plates as authorized by 42-3-219, C.R.S. shall have a set five-year registration period.
- C. All vehicles issued collector license plates as authorized by 42-12-102, C.R.S., shall have a five-year registration period.
- D. Pursuant to 42-3-102(3)(a) C.R.S. the Department may register vehicles at intervals of less than one year upon payment of the appropriate registration fee and specific ownership tax in order to allow the owner of more than one vehicle to provide for the owner's vehicle registrations to expire simultaneously. The owner shall be permitted to select an expire month that coincides with a current registered vehicle in the owner's name. Upon renewal of vehicles that were previously registered in intervals of less than one year the registration period shall be pursuant to 42-3-102 C.R.S. and this regulation.

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

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

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

1.0 Definition

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

2.0 Process

- 2.1 Upon notification from the Colorado State Patrol, the Department shall cancel the vehicle registration per C.R.S. 42-3-120 or 42-4-235.

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

Rule 4. REGISTRATION OF VEHICLES SUBJECT TO GROSS VEHICLE WEIGHT REGISTRATION FEES

The statutory basis for this regulation is C.R.S. 42-3-135.

The purpose of this regulation is to establish what information should be maintained for vehicles subject to fees under C.R.S. 42-3-134 (13) (b) (I),(II) & (III).

I. Calculation of Registration Fees

Calculation of Registration fees for vehicles described within these rules will be based on the following criteria; gross vehicle weight, total miles traveled during the previous 12 month registration cycle or mileage reporting period and whether the vehicle operation is for private use or as a common contract carrier.

To qualify as a private carrier, more than 50% of the total miles traveled by a specific vehicle within the registration mileage cycle is for private use.

A. Private Use Requirements

1. Documentation to substantiate that the cargo for each mileage record was owned by the carrier, such as bills of sale and manufacturing documentation, etc..
2. In addition, mileage records as defined in these rules are required.

B. Mileage History

Mileage history is defined as those miles operated by a vehicle during the continuous twelve-month period immediately preceding the registration of the vehicle, or, in the case of a vehicle registered under the International Registration Plan ("IRP"), regardless of base jurisdiction, the "preceding" year, as defined in the International Registration Plan.

1. Requirements

- a. Mileage history is established for both interstate and intrastate vehicles from all the following information except where otherwise noted:
 1. Date of trip (starting and ending).
 2. Trip origin and destination.

3. Route of travel/beginning and ending odometer or hubodometer reading of the trip.
4. Total mileage.
5. Mileage by jurisdiction.
- *6. Unit number.
7. Vehicle identification.
- *8. Vehicle fleet number.
9. Registrant's name.
- *10. Jurisdiction of declared base in which apportioned registration was provided.
- *11. Colorado percent paid for each registration year in question; if available, verified by each base jurisdiction.
12. Driver's name and/or signature.
13. A copy of the vehicle registration indicating taxes paid for the requested licensing year.

* For IRP interstate vehicles only.

The above information shall be maintained for 3 years plus the current year.

Computer summaries are not acceptable unless supported by the Individual Vehicle Mileage Records, as defined in the IRP.

- C. Those vehicles which have no previous continuous twelve (12) months of mileage history shall be assessed the registration fees required for a vehicle traveling in excess of ten thousand miles per year. Such vehicles may, however, be the subject of a refund. Upon completion of the twelve-months mileage history, if it is determined the vehicle traveled ten thousand miles or less during the prior registration year, a refund of the difference between the registration fees paid for miles traveled over ten thousand and the registration fees for vehicles operated ten thousand miles or less may be requested.
- D. Any owner who is replacing an existing vehicle may use the mileage history of the vehicle being replaced as qualification for the fees assessed on the new vehicle as defined by 42-3-134 (13)(b) (III). For the mileage history to qualify, the existing vehicle must have been registered and in operation for the previous twelve (12) months. The license plates from the existing vehicle must be transferred to the replacement vehicle for Colorado based vehicles.
- E. When a person purchases an established business which includes vehicles, the mileage history of those vehicles may be used as qualification for the fees assessed as defined by 42-3-134 (13)(b) (III). For the mileage history to qualify, the business operations must remain the same, the vehicles must have been registered in Colorado and in operation for the previous twelve (12) months. Copies of the previous owners current registrations must be presented at the time of registration by the new owner in order to substantiate mileage information.
- F. Any owner requesting a refund of registration fees paid for a specific vehicle or vehicles shall submit the records as required by the Department under sub-part 1.a above.

G. The Department, upon verification of the refund claim, shall refund the difference to the owner.

Rule 5. COLORADO FLEET REGISTRATION PROGRAM RULES

Definitions: Fleet operator shall be defined in accordance with § 42-1-102 (35), C.R.S.

Fleet vehicle shall be defined in accordance with § 42-1-102 (36), C.R.S.

MVBG means the Motor Vehicle Business Group of the Colorado Department of Revenue

Participant Eligibility:

Any fleet operator of a fleet of 10 or more vehicles may apply to participate in this program as designated by the department, provided the following conditions are met.

1. The official name of this program will be the Colorado Fleet Registration Program (CFRP). Fleet operators who apply and are enrolled in the program will have the benefit of a common expiration date and will have the option to select the registration renewal period for their fleet, and secure permanent plates.
2. If the Department determines that a fleet enrolled in the CFRP program has less than 10 vehicles registered under the assigned fleet number, the fleet shall no longer be eligible for this program. The program will include intrastate vehicles only. Fleets registered with the International Registration Program (IRP) will not be considered for this program.
3. Fleets shall enroll by completing the appropriate form or in the format prescribed by MVBG.
4. Calendar year 2003 will serve as the pilot year for this program. The initial fleets to participate in the pilot program will be fleets that are currently using the multi-year plates and registration. Prior to calendar year 2004, participation of other fleets will be considered based on budget and resource availability.
5. Fleet vehicles shall be registered in the counties where the vehicle is principally operated and maintained, in accordance with 42-6-139 (1), CRS, if the location from where the vehicle is principally operated and maintained changes, the fleet operator must comply with the notification requirements as stated in 42-3-113 (7) CRS or as otherwise permitted by statute.
6. Each vehicle within a participating fleet shall be issued a registration the first year the vehicle becomes a part of this program. This registration or a photocopy must be carried in the vehicle and will indicate that the license plate is permanent. The registration will be vehicle specific. This registration document will not need to be replaced in the vehicle each year upon renewing the registration, however an original copy of the registration of each vehicle registered in the fleet must be maintained by the fleet operator at a designated location, not necessarily in Colorado. In the event MVBG establishes an electronic registration system, an electronic record of the registration will be acceptable as the record to be maintained by the fleet operator.
7. The license plates issued to these fleet vehicles will not be marked with an expiration date and therefore, not require an annual validating year and month tab. The Department shall identify CFRP vehicles with a unique plate, decal or tab. CFRP plates may be used and moved from vehicle to vehicle as long as the plate configuration is legible. If the fleet license plate is moved from one vehicle to another, the fleet operator must contact the county motor vehicle office to submit the additional fees as required, and obtain a new registration that identifies that vehicle. The fleet operator will be responsible to ensure that the plate, tab or decal on the vehicle is legible, readable and in good condition and that the plates are replaced through the county motor vehicle office upon becoming illegible. Plates not transferred to another fleet vehicle may be

returned to the appropriate county motor vehicle office for cancellation and receipt.

8. Fleet operators must comply with the appropriate emissions, insurance, HVUT and all other laws set forth in Colorado statute for each vehicle registered within the Colorado Fleet Registration Program. Participating in this program does not absolve the operator from complying with current statutory requirements. Staggered emissions testing is acceptable for diesel vehicles pursuant to § 42-4-406 (I) (a), CRS, and gasoline powered motor vehicles pursuant to § 42-4-310 (1)(b)(II) (B) and (C), CRS.
9. A declaration shall be mailed to each fleet operator prior to the operator's yearly renewal month indicating the total amount due for the registration renewal of the fleet. All documents and fees required to renew the registrations for the entire fleet must be submitted at time of renewal, including insurance and emissions.
10. Government fleets may still participate in the program utilizing the standard government license plates with a unique decal or tab as determined by the department that is immediately identifiable as a vehicle registered in a fleet.
11. MVBG will assess the program efficiency at intervals determined by the department.

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. DEALER FULL USE LICENSE PLATES

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

The following rules and regulations are promulgated to establish criteria for the issuance and use of full-use dealer plates.

Definitions

1. Closure - Voluntary closure by the dealer owner, permanent or temporary closure by order of the Colorado Motor Vehicle Dealer Board, or any failure to maintain the required place of business or business address.
2. "Offered for sale" - a vehicle is deemed to be offered for sale when the following requirements are met:
 - a. Title to the vehicle has been properly assigned to the dealership, or if a new motor vehicle, evidence of a manufacturer's certificate of origin (mco) for the vehicle; and
 - b. The vehicle is identified on the dealership inventory list maintained by the dealership and offered for sale.
3. "Legitimate business interest" -
 - A. One or more specific and identifiable reasons as to why the use of a full use plated vehicle by a person serves the bona fide business needs of the dealership or motor vehicle wholesale business; and
 - B. Use of the vehicle is in exchange for services benefiting the bona fide business needs.

Requirements

1. Every license year, all applicants for full-use dealer plates shall complete and submit to the Department of Revenue, Enforcement Business Group, Auto Industry Division, a Dealer Plate

Affidavit in order to receive approval for purchase of full-use dealer plates. Once authorized for a license year, dealers or wholesalers have no restrictions on the number of full-use dealer plates they may purchase.

2. Full-use dealer plates may be obtained by a duly licensed new or used motor vehicle dealer or wholesaler, from the county Clerk in the county where the dealership is located, or in Denver County, from the Manager of Revenue.
3. Any dealer or wholesaler changing names shall report the new name to the Department of Revenue, Enforcement Business Group, Auto Industry Division. Upon approval, the Auto Industry Division will provide the dealer with a name change affidavit that shall be presented to the County Clerk, or in Denver County, the Manager of Revenue, who shall transfer the dealer plates into the new dealership name.
4. If a dealer or wholesaler changes operating entity (individual to partnership, corporation, LLC or other variations), an original application must be filed with the Colorado Motor Vehicle Dealer Board. Upon approval, a new dealer license with plate authorization will be issued. Full-use dealer plates belonging to the replaced entity must be surrendered to the Department of Revenue, Enforcement Business Group, Auto Industry Division. New full-use dealer plates must be purchased in the new entity name.
5. The full-use dealer plate registration in the name of the dealership must be maintained in the vehicle bearing such plate, or taped to the back of the plate, or in the possession of the driver.
6. A copy of dealer proof of ownership (such as MCO, dealer title, title assigned to dealership) must be maintained in the motor vehicle being driven on a full-use dealer plate.
7. A lost, stolen, or missing full-use dealer plate shall be reported within two (2) working days to the local law enforcement agency. Lost plates may be replaced through the County Clerk, or in Denver County, the Manager of Revenue upon submission of a police report and the payment of a \$5.00 replacement fee. The County Clerk will submit the copy of the police report to the Department of Revenue, Enforcement Business Group, Auto Industry Division for notation on the appropriate motor vehicle and law enforcement files.
8. Dealers shall maintain a record of all full-use dealer plates issued to the dealership and the identification of the vehicle and person in possession of each plate. The dealer shall further maintain proof of ownership and an inventory list of all vehicles available for sale. Such records shall be made available upon request of the department.
9. Full-use dealer plates cannot be displayed on vehicles that are used by the dealership for any commercial purpose. Such vehicles shall be titled and registered in the name of the dealership.
10. Whenever a dealer ceases to be a dealer due to closure as defined above, any plates that are not in the dealer's possession shall be reported on an affidavit and submitted to the Department in order that the missing plates can be denoted upon the appropriate motor vehicle law enforcement files.

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) CRS.

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.

Definitions

“Agent for a Dealership” - means any individual authorized by a dealership to act in behalf of that dealership.

“Manufacturer” - means any person, firm, partnership, corporation or association, resident or nonresident, engaged in the manufacturing or assembling of new motor vehicles, trailers, trailer coaches or semitrailers.

“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. Said document is used to convey ownership from the manufacturer to the franchised dealer and from the franchised dealer to the consumer.

“One Working Day” - means a 24-hour period beginning 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.

“Short Check” - means a check that has been returned to the Department for insufficient funds, and which would be subject to additional fees as required in C.R.S. 16-7-404.

“Letter of Authorization” - means a letter on dealership or wholesaler's letterhead from a designated representative of a dealership to the Department authorizing specific persons to act as agents in behalf of their dealership or the wholesaler.

Proof of Ownership Requirements

Dealers or wholesalers required proof of ownership - All Colorado dealers must have the following evidence of ownership for every motor vehicle in their possession:

1. A used vehicle with a Colorado title:
 - a. A Colorado title assigned to the dealership, wholesaler, or chain of ownership evidenced by the Colorado Dealer's Bill(s) of Sale for a Motor Vehicle.
 - b. Odometer disclosure if required.
2. A used vehicle with an out-of-state title:
 - a. The out-of-state title assigned to the dealership, wholesaler, or out-of-state title with proper chain of ownership.
 - b. Odometer disclosure if required.
 - c. Colorado Dealer's Out-of-State Vehicle Information Disclosure.
 - d. Verification of vehicle identification number.
3. A new vehicle assigned by MCO to a licensed Colorado dealer. (No dealer shall hold a MCO unless he is enfranchised to sell that specific make of vehicle):
 - a. Manufacturer's Certificate of Origin (MCO) assigned or reassigned to the franchised dealership.
 - b. Odometer disclosure if required.
4. A new vehicle assigned by MCO from an out-of-state enfranchised dealer to an enfranchised Colorado

dealer. (No dealer shall hold a MCO unless enfranchised to sell that specific make of vehicle):

- a. Manufacturer's Certificate of Origin (MCO) reassigned to the enfranchised dealership.
 - b. Odometer disclosure if required.
 - c. Verification of vehicle identification number.
5. 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, the dealer or wholesaler must have in his possession evidence acceptable to the Director 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.
6. Vehicles with incomplete or insufficient titles shall be marked "Not for Sale" and withheld from any public offering.
7. Vehicles held by dealers or wholesalers to be junked or parted out must be marked "JUNK" on the face of the title. The "JUNK" notation is to be dated and identified as to who declared the vehicle junk. The title must be submitted to the Department of Revenue, Motor Vehicle Business Group, Title Section, 1881 Pierce Street, Lakewood, Colorado 80214. A photocopy of the title marked "JUNK", either in the name of the dealership or wholesaler or assigned to the dealership or wholesaler, shall be kept with the vehicle to serve as proof of ownership. The purchaser of any component parts which are identified with a vehicle identification number shall be given a photocopy of the "JUNK" title with the sales receipt."
8. Inspections will be made of all titles and vehicles in dealer's or wholesaler's stock and those vehicles not having proper or complete titles will be impounded on the dealer's or wholesaler's lot until proper evidence of ownership is in the dealer's or wholesaler's possession.

Requirements for Obtaining Titles in One Working Day

Securing Certificates of Title - Licensed Colorado Motor Vehicle Dealers and Wholesalers may obtain a "Dealer Resale, No Sales Taxes Paid" title in the licensed name of the dealership or wholesaler within one working day at the Department of Revenue, Motor Vehicle Business Group, Title Section in certain instances and upon payment of the proper fee (\$25).

All dealers or wholesalers requesting one day service shall submit a letter of authorization to the Department, listing names of all persons that will be acting as agents in 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.

The agent shall be required to present personal picture identification at the time of application and upon receipt of a certificate of title. The agent shall sign verifying receipt of the certificate of title.

Agents representing several dealerships or wholesalers must have authorization from each individual dealership.

Requirements for Acceptance of Applications

1. Applications will be accepted when:

The supporting ownership document is a Manufacturer's Certificate of Origin (MCO) assigned to a licensed Colorado dealer.

The supporting ownership document is a title assigned to a licensed Colorado dealer or wholesaler.

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 dealership or wholesaler's name.

2. Applications must be free and clear of all liens and encumbrances.
3. All applications must be complete and all documents in the proper order, or they shall be subject to rejection.
4. The intent is to provide one-day service to all dealerships and wholesalers. The Department has established a limit of a maximum of three (3) title applications per day. The Department reserves the right to modify the quantity limitations.

Processing Timeframes

Applications submitted prior to 3:00 p.m. of the first working day may be picked up after 3:00 p.m. of the next working day.

One working day processing is contingent upon applications clearing computer edits, document review, and extraordinary circumstances beyond the control of the Department.

Overnight mail service will be accepted. Prepaid return envelopes must be provided to ensure return of certificates of title by overnight service. Otherwise, all other titles will be mailed by First Class Mail.

Titles not picked up by the eight (8th) working day after the printing of the title will be automatically mailed by First Class Mail.

Only titles applied for at the State Office may be picked up in person. Titles applied for at county offices will be mailed by First Class Mail.

Duplicate Certificates of title

Only licensed Colorado new and used motor vehicle dealers may, at the Department's discretion, obtain duplicate certificates of title directly from the Department of Revenue, Title Section.

Licensed New or Used Motor Vehicle dealers 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.

The licensed new or used motor vehicle dealer must provide a power of attorney from the previous owner and the vehicle must be in the dealer's possession before application will be accepted.

Certificates of title showing an active recorded lien will be mailed to the lien holder. However, if a proper lien release is submitted with the duplicate application, the satisfied lien will be removed from the duplicate.

Payment

Applications will not be processed until payment is made.

Any check returned for insufficient funds (short check), will require any and all future payments by that dealership to be made by cash or certified funds.

Refunds will be processed at the discretion of the Department.

Rule 9. DEPOT LICENSE PLATES

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

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

1.0 Definitions

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

2.0 Requirements

- 2.1 All applicants for depot plates shall complete and submit to the Department of Revenue, Registration Section, an application for the issuance of depot plates.
- 2.2 Only the Department of Revenue, Registration Section shall issue depot plates. All issued depot plates are subject to statutory and material fees that are assessed at the point of issuance.
- 2.3 All depot plates will have a thirty (30) day grace period for renewal. An annual fee described in 42-3-116 CRS, must be remitted with each application. The fee for replacement of a lost or mutilated depot plate will be the issuance fee identified in 42-3-116 CRS plus the material fee identified in 42-3-301 CRS.
- 2.4 Depot plates shall be limited to one plate per mechanic or service technician employed by the approved licensed dealership. The owner or authorized representative of the dealership shall, at the time of application or renewal, verify the number of mechanics or service technicians currently on the payroll. False information on the application or renewal request may result in denial of the application, cancellation and denial of any plates issued. Applicants suspected of providing false information shall be referred to the Auto Industry Division, Motor Vehicle Dealer Board.
- 2.5 A depot plate may be used by the dealership to transport vehicles to and from the dealer's place of business or storage for the purpose of completing work that involves repairing, painting, upholstering, polishing or other similar types of work on the vehicle. A depot plate may also be used for road testing the vehicle after repair. Movement of a vehicle using a depot plate for any purpose other than those listed above shall constitute private use.
- 2.6 When the vehicle is being repaired or refurbished, the dealer shall provide written verification of authorization for repair. The verification shall be in the vehicle, available for inspection by an authorized law enforcement agency any time the vehicle is being used upon the streets or highways of the state.
- 2.7 Depot plates shall be mounted in such a position as to be visible from the back of the vehicle. Depot plates shall not be permanently attached or affixed to any vehicle. Depot plates must be maintained in a clearly legible condition at all times.

- 2.8 It is the responsibility of the dealer to assure that a vehicle being driven using a depot plate is in safe, roadworthy condition.
- 2.9 Pursuant to 42-3-116(4) (b) violation of the restrictions and methods of use of depot plates may result in sanctions including loss of plate privileges.
- 2.10 Dealers subject to loss of one or more depot plates may request a hearing, in writing, within thirty days of receiving notice of the pending action. If a hearing is not requested, within thirty days, the depot plates in question may be suspended. If so, the plate must be surrendered to the Department of Revenue, Registration Section within ten days of the date of notice of the suspension.
- 2.11 The hearing shall be held at the Department of Revenue, Enforcement Business Group, Hearing Section. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The law enforcement officer or Department investigator who submits the documents and affidavit related to the action in question need not be present at the hearing unless his or her presence is required by the presiding officer, or requested by the dealer at the time the written request for hearing is submitted. If the law enforcement officer or investigator is not present at the hearing, the written documents and affidavit submitted by the officer or investigator may be used by the hearing officer.
- 2.12 Lost or stolen depot plates shall be reported within seventy-two (72) hours to the local law enforcement agency and the Department of Revenue, Division of Motor Vehicles, Registration Section using form number DR2283 Affidavit for Lost or Stolen License Plates/Permits. All depot plates shall be replaced for the original statutory fee identified in 42-3-116 CRS and the material fees identified 42-3-301 CRS.
- 2.13 Whenever the dealership for which repair work was being performed ceases to operate or whenever the appropriate dealer's license has been suspended, denied, revoked, or expired, all depot plates issued to such business must be surrendered within seventy-two (72) hours to the Department of Revenue, Division of Motor Vehicles, Registration Section at the cost of the dealership. The Department will not refund any portion of the original fee paid when the plates are surrendered.
- 2.14 Applications, renewals, and replacements may be conducted via postal mail. The dealer must provide a pre-paid envelope for plates to be mailed to them if delivery by mail is requested. Depot plates will not be mailed to non-Colorado addresses. The department reserves the right to validate a dealer's address to ensure that it is a legitimate business address for that dealer prior to accepting, approving or completing any depot license plate transaction.
- 2.15 Secure and verifiable identification will be required on all issuances and replacements of depot license plates. The dealership shall provide a letter of authorization to the department listing all authorized personnel that may conduct depot license plate transactions with the department.
- 2.16 All applicants shall have dealer license status verified with the Motor Vehicle Dealer Board through the Auto Industry Division.

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

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

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

Definitions:

Abandoned Motor Vehicle - a motor vehicle:

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

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

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

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

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

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

1. This process may be followed by repair shop owners for those vehicles that have an appraised value of two thousand dollars or less and have been abandoned at their facility.
2. If a tow operator is also an owner of a repair shop, an abandoned vehicle must be processed in accordance with the terms of the abandonment. If the vehicle was abandoned on private property, the vehicle must be processed in accordance with the requirements of 42-4-2102 CRS. If the vehicle is abandoned at a repair shop and meets the specified requirements, the vehicle must be processed in accordance with the requirements of 42-4-2104.5 CRS.
3. A copy of the repair order will be required to substantiate that an estimate of repair costs was completed.
4. The repair shop shall conduct or cause to be conducted an appraisal of the vehicle not less than fifteen days nor more than thirty days from the date that the owner or owner's agent refused to authorize repairs, pay for completed repairs or remove the vehicle from the repair shop upon request. The appraisal must be conducted by a licensed Colorado dealer. If the repair shop owner is also a licensed Colorado dealer, he may conduct the appraisal on a vehicle that has been abandoned at his repair shop.

5. The vehicle will be considered abandoned if the vehicle owner or the vehicle owner's agent does not respond to the repair shop within five working days from the last "good faith effort" made by the repair shop to contact the owner.
6. For purposes of this procedure, a "good faith effort" is defined as mailing a certified letter which includes a copy of the repair order and notification that if the repair shop does not receive a response within ten working days from the postmark date of the certified letter, the vehicle will be considered abandoned and will be subject to sale.
7. The vehicle must be appraised at \$2,000.00 or less to follow this procedure. If the vehicle is appraised for \$2,001.00 or more, the Mechanic and Storage Lien procedure must be completed to obtain a Colorado certificate of title.
8. The requirement for notification to the Department by a repair shop upon a vehicle becoming abandoned at a repair shop shall be satisfied by the repair shop owner initiating a search through the State website.
9. Repair shop owners shall notify the law enforcement in accordance with Part 21, Article 4 of Title 42 C.R.S.
10. Report of the abandonment of the motor vehicle shall be conducted no later than ten working days following notification from law enforcement that the vehicle has not been reported stolen, and a case number has been assigned. This report must be conducted electronically through the Department's internet communication. The Department will not provide printed forms. The search is not considered complete until the repair shop receives a Colorado record or verification from the Department that no Colorado record exists.
11. Notification must be mailed to all addresses recorded in the Department's records in addition to the address on the repair order if it is different.
12. The repair shop must make a reasonable effort to obtain out-of-state owner and lienholder information if there is any indication that the vehicle is registered in another state. For purposes of this procedure, a reasonable effort is considered obtaining a record search from the state of which the vehicle appears to be registered.
13. A sale must be commercially reasonable in accordance with 42-4-2104.5, C.R.S. Commercially reasonable is defined as a good faith attempt to dispose of the item to the parties' mutual best advantage. A sale is not commercially reasonable if the vehicle's appraisal value is more than \$200.00 and is sold to an officer or partner of the repair shop or to any other person with a proprietary interest in the repair shop.
14. Upon the sale and application for title of a vehicle appraised for \$2,000.00 or less and more than \$200.00 whose model year is less than six years, a salvage title must be issued.
15. Upon the sale of the vehicle, the repair shop shall provide the purchaser with a Motor Vehicle Bill of Sale (DR2146), the original of the report (DR2147), a copy of the title search results including a copy of the e-mail verification when no record is found, a copy of the repair order, a copy of the certified letter - return receipt requested, the original Vehicle Identification Number verification and the appropriate application for title.
16. Upon receiving record search information from the department, if the record indicates that the vehicle is salvage and the vehicle appears to have been made roadworthy, the repair shop owner shall disclose to the buyer that the vehicle has a salvage title record, and that no repairs have been made by the repair shop to make the vehicle roadworthy. The buyer shall follow the established procedure to apply for a roadworthy title. The buyer shall complete a DR2424 Salvage Title

Statement of Fact by stating that the vehicle was purchased from a repair shop as a vehicle abandoned at a repair shop and that no repairs have been made. All subsequent title applications will indicate the same information on the DR2710, Rebuilt from Salvage Disclosure. If the repair shop has made the repairs required for the vehicle to be deemed roadworthy, the buyer will complete the DR2424 Salvage Title Statement of Fact to indicate what repairs were made and that they were made by the repair shop.

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

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

17. Access to the Department's electronic system requires registration with the Department pursuant to 42-4-1806 (2)(a) C.R.S.
18. All searches of the electronic system will require the statutory search fee pursuant to 42-1-206 (2)(a). These fees will be collected through a billing process determined by the department. Failure to remit payment required for services provided may result in suspension of access of the department's electronic system.
19. The electronic system registration and billing process will be completed as determined by the department.
20. Repair shop owners shall utilize the electronic system provided by the department to obtain the owner and lienholder information of abandoned vehicles. Use of the electronic system shall only be for the purpose of obtaining required information to process vehicles abandoned at their repair shop. Repair shop owners must register with the Department for use of the electronic system. A separate repair shop registration will be required for those repair shop owners that are registered with the Department as a tow operator.
21. If the vehicle does not sell within the time frames as defined in 42-4-2104.5, no additional fees or charges may apply.

Rule 11. EMERGENCY VEHICLE EQUIPMENT AUTHORIZATION

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

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

Definitions:

Authorized emergency vehicle - such vehicles of the fire department, police vehicles, ambulances, and other special-purpose vehicles as are publicly owned and operated by or for a governmental agency to protect and preserve life and property in accordance with state laws regulating emergency vehicles; said term also means the following if equipped and operated as emergency vehicles in the manner prescribed by state law.

- a.) Privately owned vehicles as are designated by the state motor vehicle licensing agency necessary to the preservation of life and property; or
- b.) Privately owned tow trucks approved by the Public Utilities Commission to respond to vehicle emergencies.

Ambulance - a special vehicle for the sick or injured.

Collector Vehicle - a motor vehicle including a truck or truck tractor that is at least 25 years old.

Ambulance Service Director - the chief executive officer of a private ambulance service company which holds itself out to be a provider of transportation of ill or injured persons or which routinely provides transportation for ill or injured persons.

Requirements:

1. The Department will design and provide an application for Emergency Vehicle Equipment Authorization form. The form will be made available both in paper format and electronically.
2. The applicant will complete the top portion of the application and present the application to the appropriate authorizing agency for approval. The chief of police, sheriff, fire chief, or an ambulance service director will act on behalf of their respective agency and will have the authority to approve an emergency vehicle equipment application.
3. The authorizing agency will make the determination to approve or deny the application. The determination of whether the vehicle meets the statutory definition of an emergency vehicle is at the discretion of the authorizing agency. The approval should be based in part, on an inspection of the emergency equipment to ensure that the equipment meets the statutory requirements, and to verify the intended use of the vehicle.
4. The authorizing agency shall review the application for completeness. Upon approval, the application is to be mailed or delivered to the Department of Revenue, Registrations Section. The original application must be submitted with two copies.
5. The Registrations Section will verify that the form is complete and issue an emergency vehicle decal. The decals will contain a sequential control number that will be recorded on the application and in the Registrations database.
6. The Registrations Section will maintain a log of issued Emergency Vehicle Equipment Authorizations to be used by the Department's Communication Center. This information will be updated when necessary to provide accurate information for law enforcement agency inquiries.
7. The decal and a copy of the application form will be returned to the authorizing agency.
8. The authorizing agency will notify the applicant that the application has been approved and the decal has been issued.
9. The authorizing agency will ensure that the decal has been affixed to the authorized vehicle in the lower driver's side corner of the front windshield. A copy of the approved application must be kept

in the vehicle at all times.

10. The authorization will be valid for a period of two (2) years from the date of issuance as identified by the Department's Action Date.
11. If at any time, the authorizing agency has reason to revoke the emergency vehicle equipment authorization, the authorizing agency will submit a copy of the application to the Registrations Section to indicate this action. The "Revocation Action Notification" portion of the application must be completed.
12. Upon receipt of a request for revocation, the Registrations Section will cancel the authorization on the database and send updated information to the Communications Center.
13. The State Registrations Section is responsible to notify the State Communications Center of a revoked authorization. The authorizing agency is responsible for notifying the individual whose decal is being revoked.

Rule 12. PRIVATE AND PUBLIC TOW REQUIREMENTS FOR ABANDONED VEHICLES

1. Definitions

- a. Department - Means the Department of Revenue, Motor Vehicle Business Group (MVBG).
- b. Operator - Means a person or firm licensed by the Public Utilities Commission (PUC) as a towing operator, which includes auto parts recyclers that tow vehicles for remuneration.

2. **Time Frames** . All time frames set forth herein begin with the commencement of the tow in the case of nonconsensual tows. Time frames for consensual tows begin when the owner of record breaches an agreement with the operator to claim the vehicle. The abandoned vehicle procedure must continue uninterrupted and only terminate with the release, sale or disposal of the vehicle.
3. **Notification of the Department** . The requirement for notification to the Department by an operator upon taking possession of a vehicle abandoned on private property shall be satisfied by the operator's report to the Department on form DR2008A, Private Tow Vehicle Information Request, or by initiating a search through the State's website. This form is required to be submitted within ten working days after receipt of determination from law enforcement that such motor vehicle has not been reported stolen. The date noted on the form as the "Date to DOR" shall be the date used to determine the date that the operator complied with this requirement.
4. **Public Tow/Private Tow** - Exceptions. A public tow shall result from the abandonment of a vehicle on public property in accordance with § 42-4-1802 (1), C.R.S. A private tow shall result from the abandonment of a vehicle on private property in accordance with § 42-4-2102 (1), C.R.S. An exception to a public tow is when a law enforcement agency requests an operator to tow a vehicle from an accident and the owner of record is available to make arrangements with the operator and sign the operator's tow ticket. The vehicle is no longer considered abandoned on public property. If the owner of record breaches his agreement with the operator to claim the vehicle, the vehicle is now considered abandoned on private property and must be processed through the private tow procedure.
5. **Public Tow - Law Enforcement Release** . In the event a law enforcement agency releases a vehicle that has been abandoned on public property and the owner of record does not claim the vehicle from the operator, the vehicle must be processed under the public tow procedure.
6. **Law Enforcement Notification - Private Tow** . Operators shall notify law enforcement in accordance with Parts 21, Article 4 of Title 42 C.R.S.

7. Operator Notification of Owner/Lienholder .

a. **Public Tow .** Upon a vehicle being abandoned on public property, both the law enforcement agency that authorized the tow and the operator that towed the vehicle on behalf of the law enforcement agency must request record information from the Department within 10 working days of the tow to determine if there is an owner or lienholder of record. The operator shall use form DR2539 Title Information Request and Receipt to obtain owner and lienholder information for a public tow or may obtain search information through the MVBG website. The DR2008, Law Enforcement Vehicle Information Request will serve as the acceptable form for search request and notification in the title application upon sale of the vehicle. Both the operator and the law enforcement agency must notify any owner and/or lienholder of record, determined through department records. The operator may collect ten times the amount of the documented direct and indirect costs associated with the notification of the owner and lienholder or \$100.00 whichever is less. Direct costs include the charges paid to the U.S. Postal Service for sending the notice by certified mail, return receipt requested. Indirect costs include, but are not limited to, the administrative costs of labor, equipment and supplies required to send the notice.

b. **Private Tow .** Operator shall notify owner and lienholder as required by § 42-4-2103, C.R.S.

8. Disclosure Requirements for Salvage Vehicles . Upon receiving record search information from the department, if the record indicates that the vehicle is salvage and the vehicle appears to have been made roadworthy, the operator shall disclose to the buyer that the vehicle has a salvage title record, and that no repairs have been made by the operator to make the vehicle roadworthy. The buyer shall follow the established procedure to apply for a roadworthy title. The buyer will complete a DR2424 Salvage Title Statement of Fact by stating that the vehicle was purchased from operator as an abandoned vehicle and that no repairs have been made. All subsequent applications will indicate the same information on the DR2710, Rebuilt From Salvage Disclosure. If the vehicle is in salvage condition at the time of sale, as determined and disclosed in writing by the operator and appraised for more than \$200.00, the buyer must apply for a salvage title and state that the vehicle was purchased from operator as an abandoned vehicle. Tow operators and law enforcement agencies are required to disclose to the buyer that the vehicle is a salvage vehicle. However, because the vehicle was abandoned and there are no records to indicate the reason for salvage, tow operators and law enforcement agencies will not be required to disclose the reason for the salvage designation.

- If the record obtained from the department indicates that the vehicle was previously salvage, the tow operator or law enforcement agency shall make all reasonable attempts to determine the cause of the salvage designation. Once the reason for salvage has been determined, the tow operator or law enforcement agency will complete the DR2710 Rebuilt From Salvage Disclosure to provide the salvage information. If the reason for salvage is indeterminate, the tow operator or law enforcement agency will complete the DR2710 by marking the "other" box and stating "purchased as an abandoned vehicle, reason for salvage unknown".

9. Sale of Abandoned Vehicle - Private Tow . If the owner or lienholder of a motor vehicle that was abandoned on private property does not respond to the certified notice, the tow operator may sell the vehicle in a commercially reasonable manner for tow and storage fees. These abandoned vehicles shall be appraised by a licensed Colorado motor vehicle dealer and sold through a motor vehicle dealer or wholesaler, or a licensed wholesale motor vehicle auction dealer or through a classified newspaper advertisement published in at least one newspaper in Colorado by the tow operator. If the sale is through a newspaper advertisement, a copy of the advertisement will be required with the title application. The advertisement must identify the vehicle by the model year, make and the last 6 characters of the vehicle identification number and identify the operator and provide operator contact information.

10. **Commercially Reasonable Sale - Private Tow** . A sale must be commercially reasonable in accordance with § 42-4-2104, C.R.S. Commercially reasonable is defined as a good faith attempt to dispose of the item to the parties' mutual best advantage. A sale of the vehicle with a bona fide appraised value of more than \$200.00 to any person with a proprietary interest in the tow operation, an employee of the tow operation or any person or organization initially requesting the tow shall not be considered commercially reasonable.
11. **Operators Registration with Department and PUC** . All operators that tow abandoned vehicles from private and public property must be issued a permit through the Colorado Public Utilities Commission and shall be registered with the Department, except auto parts recyclers that are not required to have a PUC permit, but must register with the Department.
12. **Suspension/Revocation** . Upon complaint by the Department, an operator's permit may be suspended or revoked by the PUC, or the Department may cancel the operator's registration when it is established that the operator has violated any of the provisions set forth in parts 18 and 21, article 4 of Title 42 C.R.S.
13. **Appraisal** . A licensed Colorado motor vehicle dealer shall complete a vehicle appraisal for the purposes of selling a vehicle that was abandoned on private property.
14. **Sale Must Occur Between 30 and 60 days** .
 - a. **Public Tow** . The responsible law enforcement agency may sell a vehicle in accordance with § 42-4-1805 C.R.S. For vehicles with no Colorado record, date of notice shall be the date the search was completed.
 - b. **Private Tow** . An operator may sell a vehicle in accordance with § 42-4-2104 C.R.S. In the event that no record of ownership is found by the Department through department records, the date of notice shall be the date of confirmation of no record from the Department.

“Vehicles with a model year” less than five years, in for which the Department is unable to locate a record in department records, may only be titled through the bond procedure. The tow operator shall obtain a certified VIN inspection and the purchaser shall obtain a surety bond. Both documents shall be required to accompany the abandoned vehicle paperwork in the title application.

If the record or the “vehicle” is salvage or previously salvage, all provisions outlined in rule number 8 herein shall apply.

If the vehicle does not sell within the time frames as defined in § 42-4-1805 and § 42-4-2104 C.R.S., no additional fees or charges may be assessed.
15. **Proceeds of Sale** . All proceeds from the sale of a motor vehicle abandoned on private property shall be in accordance with § 42-4-2108, C.R.S. Tow operators are required complete the section entitled "Report of Sale of an Abandoned Vehicle" found on the DR2173 Motor Vehicle Bill of Sale at the time of sale.
16. **Electronic Search Capability** . Whenever possible, tow operators and law enforcement agencies shall utilize the electronic system provided by the Department to obtain the owner and lienholder information of abandoned vehicles. Use of the electronic system shall be only for the purpose of obtaining required information to process abandoned vehicles.
17. **Records Retention** . Tow operators shall be required to retain records in compliance with Colorado Public Utilities Commission rules.

Rule 14. ENFORCEMENT AND HEARING PROCEDURES

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

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

Requirements

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

10. Reapplication by a violator who receives a Cease and Desist Order shall not be permitted until the terms and conditions of the Division are complied with.

Rule 15. FALLEN SERVICE MEMBER LICENSE PLATES

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

PURPOSE: The purpose of this regulation is to establish a process to be followed for the issuance of the Fallen Service Member license plate.

1.0 Definitions

- 1.1 “Fallen Service Member license plate” - means a distinctive special license plate that honors service in the armed forces of the United States, and may be issued to an authorized family member of a person who has died in the line of duty while serving in the United States Armed Forces while deployed to a combat zone.
- 1.2 “Distinctive special license plate” - means a special license plate that is issued to a person because such person has an immutable characteristic or special achievement honor. Such special achievement honor shall not include a common achievement such as graduating from an institution of higher education. Such special achievement shall include honorable service in the armed forces of the United States. Distinctive special license plate shall include a license plate that is issued to a person or the person’s family to honor such person’s service in the armed forces.
- 1.3 “Authorized Family Member” - means the current or past spouse, child , sibling, grandparent, or parent of a person who has died in the line of duty while serving in the United States Armed Forces while deployed to a combat zone.
- 1.4 “Department” means the department of revenue of this state acting directly or through its duly authorized officers and agents.

2.0 Requirements

- 2.1 Eligibility for the authorization for issuance of a Fallen Service Member license plate is based on an application process.
 - A. The applicant must provide documentation to the department’s Registration Section indicating that the service member being honored by the issuance of a Fallen Service Member license plate was serving in the U.S. Armed Forces and died in the line of duty while deployed to a combat zone.
 - B. The applicant must provide documentation to the department’s Registration Section indicating that they are an authorized family member of the service member identified in regulation 2.1A.
- 2.2 Vehicles eligible for Fallen Service Member license plates shall be limited to trucks that do not exceed sixteen thousand pounds empty weight, passenger cars, motorcycles, or noncommercial or recreational vehicles.
- 2.3 Natural persons eligible for Fallen Service Member license plates shall be the current or past spouse, child, sibling, grandparent, or parent of the fallen service member that was serving in the U.S. Armed Forces and died in the line of duty while deployed to a combat zone. The term “child” shall include adopted children and the term “parent” shall include parents of adopted children.

- 2.4 The list of persons not eligible for Fallen Service Member license plates includes but is not limited to foster parents, foster children, step parents, step children, aunts, uncles, nieces, nephews, cousins, fianc#eacute#s, fianc#eacute#es, friends or associates of the fallen service member or of the approved applicant.
- 2.5 The type of Fallen Service Member license plate issued to the certified and approved applicant will be based on the corresponding service in which the fallen service member was serving when he or she died in the line of duty in a combat zone. The approved Fallen Service Member license plates are designated as Fallen Airman (Air Force), Fallen Soldier (Army), Fallen Guardsman (Coast Guard), Fallen Marine (Marine Corps), and Fallen Sailor (Navy). Reserve and National Guard service members that died in the line of duty while deployed to a combat zone will be honored with a Fallen Service Member license plate based on their parent service (i.e., Air Force, Army, Coast Guard, Navy, and Marine) upon application from a certified and approved family member.
- 2.6 If applicant is approved the department will notify the applicant of the approval via postal mail detailing payment of special plate fees, regular taxes and fees and issuance of the Fallen Service Members license plate as follows:
- A. The one-time issuance fee imposed pursuant to §42-3-213(1)(b)(l) C.R.S., commonly known as the Highway Users Tax Fund collected pursuant to §43-4-205(5.5)(b) C.R.S., shall not be charged for the first set of plates, per applicant. The department will collect the one-time issuance fee imposed pursuant to §42-3-312 C.R.S., commonly known as the Licensing Services Cash Fund collected pursuant to §42-2-114.5.
 - B. The one-time fee will be collected by the department prior to providing the Fallen Service Member license plate to the applicant's County Motor Vehicle Office for issuance. The normal taxes and fees will be collected by the applicant's county of residence upon issuance.
 - C. All renewal transactions will be performed by the applicant's county of residence.

3.0 Process

- 3.1 The department's Registrations Section, upon receipt of the documentation and application identified in regulation 2.1, will verify the accuracy of the information and review the documentation to be used in the qualification process for the issuance of the Fallen Service Member license plates.
- A. Review of documentation process:
- 1. The applicant shall provide a photocopy of a DD214 Form issued by the United States Government and any other evidence sufficient to demonstrate that the service member was serving in the U.S. Armed Forces and died in the line of duty while deployed to a combat zone.
 - 2. Documentation shall also be submitted to the department's Registration Section indicating that the applicant is an authorized family member , as identified in regulation 2.3 above . This documentation may include but not be limited to photocopies of birth certificates, death certificates, census records, obituaries, historical archives, naturalization records, military records, adoption records, marriage certificates or any combination thereof.
- 3.2 After review, the department's Registration Section will either approve or deny the application for the Fallen Service Member license plates. The applicant will be notified of approval or denial through written correspondence.

- A. If approved, the department's Registrations Section will notify the applicant of the approval via postal mail detailing payment of special plate fees, normal taxes and fees and issuance of the Fallen Service Members license plate as stated in regulation 2.6.
- B. The department will only retain the original application. All additional supporting documentation will be properly destroyed unless request for return of this documentation is specified by the applicant and a pre-paid envelope is provided for the return of the documents.
- C. Approved applicants shall pay all statutorily required taxes and fees associated with registering and renewing the Fallen Service Member license plate. Authorization shall not be construed to allow the authorized family member to receive a license plate without paying all applicable taxes and fees. Authorization shall not be construed as authorization for the approved family member to receive a Distinctive Special license plate that would be issued to the service member should he or she have been living and qualified to receive such a plate.
- D. The department will make every effort to work with the applicant to correct application or submitted paperwork prior to denying the applicant. If denied the applicant will receive a letter via postal mail with original application and submitted paperwork attached explaining the reason for denial and possible solutions to correct. The department will not retain originals or copies of the application or submitted supporting paperwork.

Rule 16. GROUP SPECIAL LICENSE PLATES

1.0 Definitions

- 1.1 "Group Special License plate" - means a special license plate that is not a distinctive plate and is issued to a group of people because such people have a common interest or affinity.
- 1.2 "Non-Profit" ("Not for Profit") - means to be tax-exempt as an organization described in IRC Sections 501(c)(3) of the Code, an organization must be organized and operated exclusively for one of more of the purposes set forth in IRC Section 501(c)(3) and none of the earning of the organization may inure to any private shareholder or individual. In addition, it may not attempt to influence legislation as a substantial part of its activities and it may not participate at all in campaign activity for or against political candidates.
- 1.3 "Department" - means the department of revenue of this state acting directly or through its duly authorized officers and agents.

2.0 Requirements for Group Special License Plates approved before January 1, 2001.

- 2.1 Group Special License Plates include Denver Firefighter, Raptor Education Foundation, Benevolent and Protective Order of the Elks, 10th Mountain Division, Air Force Commemorative, Columbine, Greyhound Lovers, Firefighter, Knights of Columbus, Masonic Family, Naval Reserve and the Pioneer plate.
- 2.2 Through an agreement, pursuant to rulemaking authority and promulgated rules, made with the department prior to January 1, 2001, these plates will be issued either with no pre-certification qualifier presented by the applicant or with a pre-certification qualifier that consists of proof of membership or appropriate status in the organization sponsoring the Group Special License Plate.
- 2.3 Group Special License Plates shall be issued only to individuals who are residents of the State of Colorado.

- 2.4 Group Special License Plates shall be issued only to passenger vehicles and light trucks that weigh less than 16,000 pounds empty weight, and motor homes.
- 2.5 All approved Group Special License plate sponsors shall be required to affirm, in writing, agreement to these rules and regulations.
- 2.6 Any non-profit organization approved for a Group Special License Plate with a financial qualifier, shall within ninety (90) days of the end of the organization's fiscal year, provide to the department a "sources and uses of funds report" that is prepared by an independent certified public accounting firm, that summarizes the amount and use of the money collected by the organization from the qualifiers for the Group Special License Plate. The annual report shall include verification that the entity continues to operate as a non-profit organization.
- 2.7 Group Special License Plate sponsors shall maintain non-profit status at all times. For those sponsoring organizations that do not require a financial qualifier, proof of non-profit status shall be submitted to the department annually prior to June 1st.
- 2.8 If at any time, it is determined that the Group Special License plate sponsor is not a non-profit organization, the department shall take action to either repeal the plate or administer the plate qualifications at the department.
- 2.9 In the event that an audit results in adverse findings, the department may require additional information to support the non-profit organization's claims and may repeal the plate through discontinuation of the production and issuance of the Group Special License Plate. Vehicle owners, whose vehicle is registered with a Group Special license plate that has been repealed, will be required to replace the Group Special license plate with a different plate upon the next registration renewal of their vehicle. These vehicle owners will be notified of this requirement through the renewal notice process.
- 2.10 Effective July 1, 2007, and every year thereafter, there shall be three thousand (3,000) active registrations for each Group Special License Plate created by this rule. If any plate type has less than three thousand (3,000) active registrations, the department shall repeal that plate through discontinuation of the production and issuance of the plate. Vehicles registered with a group special license plate that has been repealed, will be required to replace the group special license plate with a different plate upon the next registration renewal of the vehicle. These vehicle owners will be notified of this requirement through the registration renewal notice process.
- 2.11 If a Group Special License Plate is repealed either due to adverse audit findings or for having issued less than 3,000 plates, the non-profit organization may have the option to re-apply for a new Group Special License Plate after a period of five (5) years has elapsed from the effective date of repeal. To re-apply for the Group Special License Plate, all established requirements outlined in the Group Special License Plate Process as set forth in 3.0 below, must be met, and such plates shall be deemed to no longer comply with the requirements for plates issued prior to January 1, 2001.
- 2.12 No items or documentation (i.e., thank you note, requests for contributions etc.) will be issued with the Group Special License Plates on behalf of the non-profit organization of the Group Special License Plate. The department will not, at any time, align or associate itself with the non-profit organization sponsoring a Group Special License Plate.

3.0 Requirements and Process for Group Special License Plates Approved After January 1, 2001.

3.1 Requirements

- A. Group Special License Plates must be designed within the formats established by the department as the department shall have final approval of the design.
- B. The department may deny any application request in which the design may be considered to carry connotations offensive to the average citizen or which could be misleading.
- C. Applications shall not be approved and/or submitted to the Executive Director until the names, addresses and county of residence is provided to the department for at least three thousand (3,000) individuals requesting the Group Special License Plate. This list must be provided in both paper format and electronic format as required by the department. Petition sheets are only valid on the proposed Group Special License Plate and are not transferable between Group Special License Plates sponsors. Petition sheets are valid for a period of two years from the date submitted to the department. Should the non-profit organization be unable to obtain a bill sponsor, or final approval from the General Assembly, within the two year period, the petition process must be completed again requiring the non-profit organization to obtain a new set of at least three thousand (3,000) signatures.
- D. In addition to the completed application the requesting non-profit organization must provide proof of tax exemption status via 501-c letter from the Internal Revenue Service, or a letter from the State of Colorado, Secretary of State Office confirming that they are a non-profit organization doing business under State law.
- E. The requesting non-profit organization shall provide a written descriptor of the use of any funds collected by the non-profit organization for certificate and qualification purposes of the Group Special License Plate. If available the requesting non-profit organization should provide a copy of the organization's Charter and/or Articles of Incorporation.
- F. Group Special License Plates shall only be issued to individuals who are residents of the State of Colorado.
- G. Group Special License Plates shall only be issued to passenger vehicles and light truck vehicles that weigh less than 16,000 pounds empty weight, and motor homes. If it is the desire of the organization to allow the Group Special License plate to be issued to motorcycles, the proposed legislation must reflect the authority to allow motorcycles to be registered with the Group Special License Plate.
- H. Upon approval of the Group Special License Plate and prior to initial production, all design costs shall be paid by the Group Special License Plate sponsor.
- I. The logos, designs, and colors provided by the non-profit organization for use on the Group Special License Plates are to be owned and/or registered to that requesting non-profit organization. The non-profit organization shall provide, in writing, to the department, permission for use of all logos, designs, and colors for the use in designing, production, manufacture and issuing of Group Special License Plates as the department may require.
- J. Logo, color or format changes to current Group Special License Plates must be submitted in writing to the department by the non-profit organization applying for creation of the Group Special License Plate. A report shall be made to the department Operations Director for Titles and Registrations including the written request and all supporting documentation for review and approval. Supporting documentation may include, but is not limited to, issuance trends, current inventory levels, and costs associated with changes. If approved, the non-profit organization for the Group Special License Plate shall prepay all design costs before plate production shall commence. Should approval be granted while existing inventory is in circulation and the non-profit organization for the Group Special

License Plate requests that new plates be implemented immediately, the department may require that non-profit organization to pay all fees associated with the recall, collection and destruction of existing inventory. No new manufacture shall be approved on Group Special License Plates that have been approved for change unless statewide inventory levels are at or below current inventory management methodology.

- K. A non-profit organization proposing the creation of a Group Special License Plate may request that pre-certification criteria be established by that non-profit organization prior to the issuance of the Group Special License Plate. These pre-certifications may be, but are not limited to, membership in the non-profit organization of the Group Special License Plate, specified levels of contributions to the non-profit organization in which the Group Special License Plate represents, or a certification document. The department shall not be responsible for the certification and/or collection of any fees involved in the pre-certification process for the non-profit organization of the Group Special License Plate. The non-profit organization may provide persons seeking to obtain Group Special License Plates with a certification letter. This letter shall be in the design and format as established, or pre-approved by the department.
- L. The department reserves the right to audit any monies collected and efforts made in the name of a Group Special License Plate. This may include, but is not limited to, accounting, financial, procedures, tax, and certification audits. Within ninety (90) days of the end of the organization's fiscal year, the non-profit organization shall provide to the department a "sources and uses of funds report" that is prepared by an independent certified public accounting firm, that summarizes the amount and use of the money collected by the organization from the qualifiers for the Group Special License Plate. The annual report shall include verification that the organization continues to operate as a non-profit organization.
- M. In the event that an audit results in adverse findings, the department may require additional information to support the organization's claims and may retire the plate through discontinuation of the production and issuance of the Group Special License Plate. Vehicle owners, whose vehicle is registered with a Group Special License Plate that has been repealed, shall be required to replace the Group Special License Plate with a different plate upon the next registration renewal of their vehicle. These individuals shall be notified of this requirement through the renewal notice process.
- N. If a Group Special License Plate is repealed due to adverse audit findings or less than 3,000 plates are registered, the organization may have the option to re-apply for a new Group Special License Plate after a period of five (5) years has elapsed from the date of retirement. To re-apply for the Group Special License Plate, all established requirements must be met and the non-profit organization must go through the complete application process for the creation of a new Group Special License Plate.
- O. No items or documentations (i.e., thank you note, requests for contributions etc.) shall be issued with the Group Special License Plates on behalf of the non-profit organization of the Group Special License Plate. The department shall not, at any time, align or associate itself with the non-profit organization of the Group Special License Plate.
- P. Personalization of Group Special License Plates must be authorized by statute. All personalization shall comply with current license plate regulations and shall result in the Group Special License Plate logo/symbol being removed.
- Q. The department shall not provide resident information to the non-profit concerning the number or expiration months of Group Special License Plates issued. No vehicle owner information shall be provided at any time to the non-profit organization.

- R. Only non-profit organizations operating in the State of Colorado shall be allowed to apply for the creation of a Group Special License Plate. Any funds collected in the process of certification by a non-profit organization for the issuance of Group Special License Plates are to remain, and be used, in Colorado. Proof of the use of the funds shall be provided via the "annual sources and uses of funds report" . If funds are transferred out of the State of Colorado and/or the non-profit organization relocates its operations outside of Colorado the Group Special License plate shall be repealed. Vehicle owners, whose vehicle is registered with a Group Special License Plate that has been repealed, shall be required to replace the Group Special License Plate with a different plate upon the next registration renewal of their vehicle.
- S. Use of corporate (for profit) logos shall not be approved for use on the Group Special License Plate. Should the non-profit be associated under, or be a division of a "for profit" organization the use of that "for profit" logo shall not be allowed on Group Special License Plates. The non-profit organization shall work with the department to design a logo for the Group Special License Plate. The department shall have final approval authority on all logo designs and placement on the Group Special License Plates. Use of national symbols shall be approved at the discretion of the department.
- T. All applicants shall be required to affirm, in writing, agreement to these rules and regulations.
- U. The approved non-profit organization must affirm in writing to the department if the authority of the Group Special License Plate is transferred to a successor organization. Upon acceptance of the transfer of authority by the department, the successor organization shall be required to affirm in writing agreement to the established rules and regulations in regards to Group Special License Plates.

3.2 Application Process

- A. Upon request the department shall provide an information packet which shall include:
Procedures for requesting the creation of a Group Special License Plate, guidelines for design criteria, qualifications and procedures outlining the process of the non-profit organization proposing such Group Special License Plate.
- B. The department, Registration Section, shall accept application letters and applications for Group Special License Plates as completed by the requesting non-profit organization. Applications shall only be accepted from non-profit organizations. Group Special License Plates shall not be approved for any entity conducted for profit.
- C. The department License Plate Manager shall review all application to determine if the statutory requirements have been met. Once all statutory requirements are met the License Plate Manager shall send written notification to the non-profit organization proposing the Group Special License Plate stating that all statutory requirements have been met and the application has been submitted for review and/or approval.
- D. Within thirty (30) days of the License Plate Manager notification, the application shall be presented to the department Executive Director for certification and approval. Written notification shall be submitted to the non-profit organization proposing the Group Special License Plate detailing the approval status and the process to be followed to proceed with the creation of the Group Special License Plate.
- E. Upon receipt of the approval letter the non-profit organization proposing the Group Special License Plate has the sole responsibility to obtain a bill sponsor for proposed legislation.
- F. If the proposed legislation is not approved by the general assembly the application and all

supporting documentation shall be kept on file with the License Plate Manager for a minimum of three (3) years.

- G. If the proposed legislation is passed by the general assembly the approved Group Special License Plates shall be implemented as designated by the legislation. Production of, and initial supply of approved Group Special License Plates shall be based on a percentage of the signatures of interested individuals provided at the time of application. After initial production and supply the inventory of the Group Special License Plate shall comply with the current inventory management methodology.

Rule 17. HORSELESS CARRIAGE

Basis The statutory basis for this regulation is 42-1-204, 42-3-120 and 42-3-219 CRS.

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

1.0 Definitions

- 1.1 "Horseless Carriage" - means any motor vehicle valued principally because of the Vehicle's early date of manufacture, design, or historical interest or value as a collectors item.
- 1.2 "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.
- 1.3 "Registrant" - means the person approved for use of Horseless Carriage license plates.
- 1.4 "Department" - for the purposes of this rule means the Department of Revenue, State Registrations Section.

2.0 Requirements and Process

- 2.1 Registration of a vehicle at least fifty years old and issuance of Horseless Carriage license plate(s) shall be completed by the Department of Revenue, Registrations Section.
- 2.2 Horseless Carriage license plate(s) may be issued to passenger vehicles, trucks not exceeding 16,000 pounds empty weight and motorcycles.
- 2.3 All applicable title and registration fees must be paid at the time of application to the department.
- 2.4 In accordance with C.R.S. 42-3-219(3)(a) the department may register vehicles at least fifty years old and issue Horseless Carriage license plates for a period not exceeding five years, but all such registrations and 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 November 2014, regardless of the date within this period, will be issued a 2014 year tab and be required to renew their registration in December 2014. Collection of fees will be based on the number of years remaining at the time of issuance for registration.
- 2.5 Vehicles registered with a Horseless Carriage 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, which includes driving to and from assemblies, conventions, or other meeting where such vehicles and their ownership are the principal interest of the event. These

vehicles may also be used or driven on special occasions, for demonstrations or parades and on occasions when their operation on the streets and highways will not constitute a traffic hazard. Vehicles may also be used or driven when traveling to and from and while on local, state, or national tours held for the exhibition and enjoyment of such vehicles.

- 2.7 Lost or stolen Horseless Carriage 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 Horseless Carriage license plates and cancel the registration thereof for mis-use or if false information is supplied. Registrants subject to loss of use of Horseless Carriage license plates or canceled registration may request a hearing, in writing, within thirty days of receiving notice of the pending action. Written hearing requests shall be submitted to the Department of Revenue, Enforcement Unit, Hearings Section. If a hearing is not requested, within thirty days, the Horseless Carriage license plates shall be surrendered to the Department of Revenue, Registrations 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, Hearings 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.
- 2.10 Upon the sale of a vehicle registered with Horseless Carriage plates, the license plate will remain with the vehicle and be transferred to the new owner. Upon establishing ownership through title and registration application notice of the transfer shall be communicated, via forms established by the department, to the department.

Rule 18. IN-TRANSIT LICENSE PLATES

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

Purpose: The following rules and regulations are promulgated to clarify the criteria for issuance and use of in-transit plates.

Requirements

In-transit plates may be obtained by a duly licensed new or used motor vehicle dealer, wholesaler, or a wholesale motor vehicle auction from the County Clerk in the county where the business is located or, if in Denver County, from the Manager of Revenue.

New or used motor vehicle dealers, wholesalers, and wholesale auctions may purchase as many in-transit plates as needed upon submission of a copy of their valid dealer's or wholesaler's license.

The following rules are promulgated to clarify the use of in-transit plates:

Any licensed Colorado new or used motor vehicle dealer or wholesaler may use an in-transit plate in intra-state and inter-state transport of motor vehicles owned by said dealer or wholesaler.

Any licensed Colorado wholesale auction may use in-transit plates in intrastate and inter-state

transport of motor vehicles consigned to be sold by said auction.

In-transit plates may NOT be used upon any vehicle being offered for sale and operated by a prospective buyer for demonstration purposes unless the wholesaler or authorized auto auction representative is also present in the vehicle.

In-transit plates may NOT be used upon any vehicle which is not owned by a new or used motor vehicle dealer, wholesaler, or in the case of the wholesale auto auction, any vehicle which is not consigned to said auction. In any case, use of the in-transit plate on a motor vehicle for commercial purpose other than to profit from the sale of said vehicle is strictly forbidden.

In-transit plates may NOT be used on any vehicle which has been sold and is in the possession of the purchaser;

Vehicles may be transported using in-transit plates from point of purchase to the point of storage, or from the point of storage to the point of sale;

In-transit plates may NOT be used for private or personal use by anyone, which includes the owner or employees of the applicant.

All vehicles being moved using an in-transit plate shall be in a safe roadworthy condition.

The cost of in-transit plates shall be the same as authorized in section 42-3-134 (10) for dealer plates.

Any lost, stolen, missing in-transit plates must be reported to the local law enforcement agency within twenty four (24) hours. A lost in-transit plate shall be replaced at full fee. A damaged in-transit plate may be turned in and replaced for the replacement fee.

All in-transit plates must be surrendered by the applicant within two (2) working days to the Department of Revenue, Enforcement Business Group, Auto Industry Division, whenever the applicant's business ceases operation; if the plates are not in the possession of the applicant, an affidavit must be furnished to the Department of Revenue, Enforcement Business Group, Auto Industry Division, so stating, in order that the missing plates can be denoted on the appropriate motor vehicle and law enforcement files.

All in-transit plates must be surrendered by the applicant within two (2) working days to the Department of Revenue, Enforcement Business Group, Auto Industry Division, whenever the dealer's license has been suspended or revoked by the Colorado Motor Vehicle Dealer Board.

If the ownership of the business possessing in-transit plates changes, the plates must be turned in by the applicant within two (2) working days to the Department of Revenue, Enforcement Business Group, Auto Industry Division, and new plates secured.

Any name change shall be reported to the Department of Revenue, Enforcement Business Group, Auto Industry Division, within ten (10) working days. After receipt and review, a license authorization will be issued which reflects the new name. The authorization shall be presented to the County Clerk, or in Denver County, the Manager of Revenue, who shall transfer the current plates into the new name.

Rule 19. ISSUANCE OF DEALER DEMO LICENSE PLATES

Basis: The statutory bases for this regulation are 42-1-204, 42-3-116 CRS.

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

Requirements

1. Dealer demo plates may be obtained by a duly licensed new or used motor vehicle dealer or wholesaler from the County Clerk in the county where said dealership is located, or in Denver County, from the Manager of Revenue. The Department of Revenue, Enforcement Business Group, Auto Industry Division, will issue the dealer or wholesaler a license with plate authorization that must be presented to the issuing agency at the time of application for dealer demo plates.

Rule 20. LICENSE PLATE RETIREMENT

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

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

1.0 Definitions

- 1.1 "Group Special License Plate" - means a special license plate that is not a distinctive plate and issued to a group of people because such people have a common interest or affinity.
- 1.2 "Optional License Plate" - means a special plate that has a background consisting of a graphic design representing the state flag of Colorado (commonly referred to as Designer License Plates).
- 1.3 "Alumni License Plate" - means a special plate that is issued to an alumni association for a private or public college or university located within Colorado.
- 1.4 "Issued" - means the total number of vehicles that are currently registered with the defined license plate or within the one-month grace period.
- 1.5 "Retirement" - means the discontinuing of manufacture, shipment, new registration, replacement registration and issuance of the defined license plate.
- 1.6 "Department" - means the department of revenue of this state acting directly or through its duly authorized officers and agents.

2.0 Requirements

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

3.0 Process

- 3.1 The retirement of group special, optional, and alumni license plates that have not met the statutorily required threshold shall be conducted annually based on the effective date and current level of

issued plates.

3.2 At the effective date, the department will perform a statewide query into registrations systems to determine the total number of vehicles registered and plated with the license plate designated to be due for review of retirement.

3.3 If the outcome of the review is that the license plate is issued to more vehicles than required by statute, no further action is required and normal manufacturing, registering, and plating of vehicles will continue.

3.4 If the outcome of the review is that the license plate is not issued to the number of vehicles required by statute, at the date of review, it will be established as eligible for retirement and the process below will be followed.

A. A complete list of vehicles registered and plated with the license plate that has been deemed eligible for retirement will be generated identifying the license plate number, county of residence, name and address of all registered owners.

B. At the time the above list is generated, registration and plating systems will be programmed to prohibit new manufacturing, shipping, issuing, or replacement of the plate.

1. Vehicles registered with a license plate that has been deemed required to be retired may retain the license plates until the registrant desires to replace the plate with a non-retired license plate or upon replacement of lost, stolen and/or damaged plates. The department shall not grant request for or manufacturer similar replacement plates that have been retired, complete replacement with a non-retired license plate shall be the only option given.

2. A letter will be mailed to each registered owner detailing the retirement of the plate listing the owners' options and any other information the department may deem necessary.

C. The department shall notify the license plate sponsor/organization of the retirement of the license plate via certified mail. This letter will contain at a minimum the retirement date, instructions to cease the certification and validation process, discontinue issuing vouchers, instructions that all references about obtaining or any reference to sponsorship of the license plates shall be removed from all organization documentation, newsletters, mailing, websites or any other type of media they maintain. This notification will inform them that their status as the representative and certifying official for the license plate has been terminated.

D. Plates that are required to be retired shall be removed from all license plate inventories and shall be eliminated from the license plate inventory management systems. Retired plates that are in inventory will be destroyed pursuant to the destruction, recycling, or other permanent disposal of license plates in section 42-3-201(6)(a), C.R.S.

E. The department shall not refund membership fees and/or donations collected by the sponsoring organization, or use them as credit towards the registration fees charged for the new or replacement license plates.

3.5 Sponsoring organizations representing retired license plates may request to re-establish the license plate, six years from the date the plate is deemed retired and must follow the process and procedures as established by rule for group special and alumni license plates.

3.6 Sponsoring organizations may verify the number of group special, optional or alumni license plates

issued for their organization by contacting the State Registrations office.

3.7 Sponsoring organizations may appeal the department's decision to retire a license plate by following the Enforcement and Hearing Procedures established in 1 CCR 204-14.

Rule 21. MANUFACTURER LICENSE PLATES

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

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

Requirements

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

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

1. New manufacturers and factory branch allocations.

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

2. Renewal of manufacturers and factory branch allocations.

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

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

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

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

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

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

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

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

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

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

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

Rule 22. MANUFACTURER'S CERTIFICATE OF ORIGIN

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

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

Definitions

1.1 "Authorized Agent" means the officer of a county or city and county designated by law to issue motor

vehicle titles and annual registrations for vehicles and to collect any registration or license fee imposed thereon by law.

- 1.2 "Bill of Sale" means a document furnished by a seller to a buyer specifying the vehicle year, make, model and Vehicle Identification Number, the purchase price and the terms of the sale. If a licensed Colorado dealer furnishes the bill of sale, the document must be printed on secure paper stock that contains security features used to detect alteration.
- 1.3 "Manufacturer's Certificate of Origin" means a document issued by a vehicle manufacturer which establishes ownership of the new vehicle prior to the vehicle being titled.
- 1.4 "Manufacturer" means any person, firm, association, corporation or trust, resident or non-resident, who manufactures or assembles new and unused motor vehicles; and is licensed in Colorado as a manufacturer, except that manufacturer' shall not include:
 - A. Any person who only manufactures utility trailers that weigh, less than two thousand pounds and does not manufacture any other type of motor vehicle; and
 - B. Any person, other than a manufacturer operating a dealership (or as a dealer) pursuant to section 12-6-120.5, who is a licensed dealer selling motor vehicles that such person has manufactured.
- 1.5 "New Vehicle" means a motor vehicle being transferred for the first time from a manufacturer or importer, or dealer or agent of a manufacturer or importer, to the end user or customer. A motor vehicle that has been used by a dealer for the purpose of demonstration to prospective customers shall be considered a "new vehicle" unless such demonstration use has been for more than one thousand five hundred miles. Motor vehicles having a gross vehicle weight rating of sixteen thousand pounds or more shall be exempt from this definition.
- 1.6 "Used Vehicle" means a motor vehicle that has been sold, bargained, exchanged, or given away, or has had the title transferred from the person who first took title from the manufacturer or importer, dealer, or agent of the manufacturer or importer, or has been so used as to have become what is commonly known as a second hand motor vehicle. A motor vehicle that has been used by a dealer for the purpose of demonstration to prospective customers shall be considered a "used vehicle" if such demonstration use has been for more than one thousand five hundred miles.

Requirements

- 2.1 The Manufacturer's Certificate of Origin shall adhere to the printing standards established by the American Association of Motor Vehicle Administrators (AAMVA). Those specifications are as follows:
 - A. SECURITY FEATURES - All "Certificates of Origin" should contain the following security features:
 1. Paper
 - a. Sensitized Security Paper - paper that is reactive to chemicals commonly used to alter documents.
 - b. Non-Optical Brightener Paper - paper without added optical brighteners, which will not fluoresce under ultraviolet light.
 2. Engraved Border - a border produced from engraved artwork, which shall appear on the front of the document.

3. Prismatic - rainbow printing which is used as a deterrent to color copying, and/or
 4. Copy Void Pantograph - the word "void" appears when the document is copied.
 5. Complex Colors - colors, which are developed by a mixture of two or more colors, (red, yellow or blue) and black if required.
 6. Erasable Fluorescent Background Inks - fluoresces under ultraviolet light and reacts to any attempt to erase in such a manner as to be immediately detectable.
 7. Background Security Design - a repetitious design consisting of a pattern, which hinders counterfeiting efforts.
 8. Microline - a line of small alpha characters in capital letters which requires a magnifying glass to read.
 9. Consecutively numbered - documents that contain a number, which is consecutively numbered for control purposes.
 10. Security thread - with or without watermark and/or
 11. Intaglio Print - with or without latent image.
- B. DOCUMENT SIZE - "Certificates of Origin" shall be seven (7) inches by eight (8) inches.
- C. PAPER STOCK - Sixty (60) pound offset or equivalent durability.
- D. CONSTRUCTION - Unless otherwise specified by the user, the forms should be constructed and fan folded for use on high-speed pin-fed computer printer and/or continuous typewriters.
- E. LAYOUT - Test matter space for 1/10" horizontal and 1/16" deep characters per AAMVA H-12 policy for standard format.
- F. FACILITY SECURITY - To insure the integrity of the manufacturer's "Certificate of Origin" , the use should require the vendor to maintain secure printing and storage facilities.
[Revised 1990]

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

- A. Date the Manufacturer's Certificate of Origin was issued
- B. Invoice number (where ownership transferred from the manufacturer)
- C. Vehicle Identification number
- D. Year of manufacture of the vehicle
- E. Make of vehicle
- F. Body type
- G. Shipping weight

- H. Horsepower
- I. Gross Vehicle Weight Rating
- J. Number of cylinders
- K. Series or model of vehicle

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

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

Process

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

3.2 The Manufacturer's Certificate of Origin shall be assigned from the last licensed dealer who had possession of the vehicle to the purchaser or transferee. This assignment shall include disclosure of the odometer reading at the time of sale. All licensed dealers who have had the vehicle in their possession subsequent to the manufacturer must show in the assignment chain.

3.3 The Manufacturer's Certificate of Origin with the sufficient bill of sale and all other required documents shall be submitted to the purchaser's authorized agent in the county in which the purchaser is a resident.

3.4 The department or its authorized agent shall examine all submitted documents to verify that proper ownership has been established and that the purchaser or transferee is entitled to a Colorado Certificate of Title for the identified vehicle.

3.5 For vehicles directly imported into the United States through legal means, the following documents are required to establish ownership and must be included in the application for a Colorado Certificate of Title when a foreign Manufacturer's Certificate of Origin or foreign title is submitted.

- A. The U.S. DOT certification that the vehicle meets all safety standards required in the United States.
- B. The Application for Final Admission of Non-Conforming Imported Vehicle or Engine issued by the Environmental Protection Agency and EPA issued Certificate of Conformity.
- C. The Entry Summary issued by the Department of Homeland Security, Bureau of Customs and Border Protection and the Release of Bond letter.
- D. The bill of sale or invoice from the vehicle importer to the licensed Colorado dealer (if applicable).
- E. The odometer reading disclosed on a secure form. The applicant taking title will disclose the mileage on the DR 2173 Motor Vehicle Bill of Sale. Unless it is known that the odometer is inoperable, the odometer indicator will be "Actual" .

- F. A DR 2395 verification of the Vehicle Identification Number by a Licensed Colorado Motor Vehicle Dealer, a Law Enforcement Agency or the Authorized Agent. The completion date of this document cannot be more than one year at the time of title application.
- 3.6 For the issuance of a Colorado Certificate of Title for vehicles directly imported into the United States through legal means, when a foreign Manufactured Certificate of Origin or a foreign country title is not available, the documents identified above in rule 3.5 will be required in addition to:
- A. An invoice certified by the manufacturer that the vehicle was purchased and paid for by the named importer, if available.
 - B. The Certificate of Conformity from the manufacturer literally translated in English for each specific vehicle including but not limited to VIN, place of manufacture, date of manufacture, and manufacturer name.
 - C. In lieu of form DR 2395 required per 3.5 (F) of this rule, a completed DR 2704 Certified VIN Verification from a certified law enforcement officer. This replaces the Verification of Vehicle Identification Number listed above. The completion date of this document cannot be more than one year at the time of title application.
 - D. The DR 2539 Title Information Request and Receipt (Validated copy) of the title record search. This search must be completed through the Colorado title records and the state from which the vehicle was sold. This search will assist in verifying that the vehicle has not yet been titled in the United States. The completion date of the search cannot be more than one year at the time of title application.
 - E. DR 2423 Bond Statement Guide reciting the facts of the acquisition of the vehicle. The applicant for title must sign this document.
 - F. A certified weight slip indicating the empty weight of the vehicle.
 - G. An appraisal of the vehicle completed by a licensed Colorado Dealer. The appraisal must be for the current condition of the vehicle at the time of titling. An appraisal over fortydays old from date of appraisal to date of title application is not acceptable.
 - H. The applicant must post a surety bond for twice the appraised value of the vehicle. Dealerships establishing title in their name must post a surety bond for twice the wholesale value of a vehicle.
- 3.7 If all documents listed above and any additional documents required by the department or its authorized agent are determined to be true and support legal ownership, a Colorado Certificate of Title may be issued.

RULE 23. Payment of Specific Ownership Taxes on 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 to special mobile machinery dealers on the collection of specific ownership tax for special mobile machinery which is rented or leased to persons or entities and paid for using the 2% Rental SOT program.

1.0 Definitions

- 1.1 "2% Rental Specific Ownership Tax (SOT)" means the dealer elected alternate method for payment of special mobile machinery specific ownership taxes.

- 1.2 “Dealer” means any special mobile machinery dealer regularly engaged in the sale, lease or rental of special mobile machinery.
- 1.3 “Department” means the Department of Revenue of this state acting directly or through its duly authorized officers and agents.
- 1.4 “Dual Rented” means either;
- A. The renting of special mobile machinery from one dealer to another dealer who in turn rents that special mobile machinery to a person or entity; or
 - B. Multiple renting of the same special mobile machinery to persons or entities (either the same or different person or entity) that when combined equals to at least a total of thirty days rented in a calendar year.
- 1.5 “Lease” means the granting of use of special mobile machinery by another person or entity by the dealer for a period of more than thirty days.
- 1.6 “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.
- 1.7 “Rental” means special mobile machinery that is rented for a period of at least thirty days in a calendar year in which the dealer rents that special mobile machinery to another person or entity for payment.
- 1.8 “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. Special mobile machinery includes vehicles commonly used in the construction, maintenance, and repair of roadways, the drilling of wells, and the digging of ditches.

Requirements

1. A dealer who owns special mobile machinery, that is 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 may elect to pay specific ownership tax using the 2% Rental SOT program. Dealers who rent special mobile machinery that is rented for less than thirty days in any calendar year shall not be eligible to participate in the 2% Rental SOT program and shall be required to pay specific ownership tax according to a standard twelve month registration period.
2. A dealer that desires to participate in the 2% Rental SOT program shall submit to the County Motor Vehicle office for authorization to participate in the 2% Rental SOT program on the forms required by the Department.
3. The dealer shall include with his/her request for participation in the 2% Rental SOT program the sales

tax number of any companies in which the dealer may have an interest or owns a share of.

4. Upon approval the County Motor Vehicle office shall provide instructions for reporting and submitting of specific ownership taxes for special mobile machinery participating in the 2% Rental SOT program. The dealer shall be required to furnish the County Motor Vehicle office with a list of all special mobile machinery that the dealer has elected to place into the 2% Rental SOT program. Only special mobile machinery that is registered shall be permitted to participate in the 2% Rental SOT program.
5. A SMM rental tab shall be issued to special mobile machinery that is registered. The SMM rental tab shall expire concurrently with the registration of the special mobile machinery. The SMM rental tab shall only denote participation in the 2% Rental SOT program and shall not evidence registration of the special mobile machinery.
6. The County Motor Vehicle office will issue a SMM rental tab for each item of special mobile machinery listed on the dealer supplied list. The SMM rental tab shall be hole punched in the appropriate areas to indicate the month and year of expiration. The dealer shall be required to pay all statutorily required fees in Title 42 of the Colorado Revised Statute upon issuance of the rental tab. Participation in the 2% Rental SOT program does not exempt the payment of, or offer an alternate means for payment of, statutorily required fees.
7. The SMM rental tab shall be affixed to each item of special mobile machinery in a clearly visible location. The issuance of a number plate(s), validating tab or sticker, tags or certificates or a combination of a number plate(s), validating tab or sticker, tags or certificate as determined by the Department shall evidence the SMM registration.
8. Pre-issuance (commonly referred to as "Emergency 2% Rental Tab") of SMM rental tabs is not authorized.
9. The dealer shall collect the 2% specific ownership tax upon the rental or lease of the special mobile machinery. The dealer shall collect and retain for remittance to the County Motor Vehicle office 2% of the rental or lease amount. Dealer shall be permitted to recover this amount from the person and/or entity that is renting or leasing the special mobile machinery.
10. The dealer shall no later than the twentieth day of each month submit on forms required by the Department a report of all special mobile machinery rentals and leases participating in the 2% Rental SOT program together with the remittance of all taxes collected for the preceding month, to each county where the special mobile machinery is or was being used. If a report was not submitted to the county where the tabs were obtained, an additional copy of the report shall be transmitted to said county. In addition, the dealer shall submit a copy of the DR 2671 SMM Rental Equipment Monthly Tab Report and the combined DR 0100 Colorado Retail Sales Tax Return to the Colorado Department of Revenue, Taxpayer Service Division, 1375 Sherman St. Denver, CO. 80261.
11. The dealer shall include on the DR 2671 all special mobile machinery with assigned SMM rental tabs which was not rented or leased during the reporting period.
12. The dealer shall include on the monthly report all special mobile machinery with an assigned SMM Rental Tab that was sold, and indicate the name and address of the purchaser. Before transporting or delivering any special mobile machinery which has been sold, the dealer shall remove all SMM Rental tabs.
13. Special mobile machinery that is dual rented during the same time period by two dealers who are both authorized to participate in the 2% Rental SOT program shall require the collection, remittance and reporting of the 2% Rental SOT on both rentals. Special mobile machinery that is

dual rented for periods that total up to at least thirty days in a reporting period shall require the collections, remittance and reporting of the 2% Rental SOT on each rental period.

14. The payment of 2% Rental SOT shall not be authorized for the dealer of special mobile machinery that is rented or leased to another entity for which the dealer has an interest in or owns a share of.
15. No credit, reimbursement or refund shall be granted for payment or pre-payment of 2% Rental SOT.
16. Failure to comply with these rules and regulations may result in cancellation of the dealer's authorization to participate in the 2% Rental SOT program.

Rule 24. PERSONS WITH DISABILITIES PARKING PRIVILEGES PLACARD FEE

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

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

1.0 Requirements

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

Rule 25. PERSONS WITH DISABILITIES PARKING PRIVILEGES

Basis: The statutory bases for this regulation are 12-36-106 (3)(i), 42-1-204, 42-3-113(9), 42-3-204, 42-3-213(5)(a)(II), CRS.

Purpose: The following rules and regulations are promulgated to clarify criteria for Persons with Disabilities Parking Privileges, the requirements for obtaining and displaying disability plates and placards and the violations and revocations associated with the misuse of disability plates and placards.

Definitions:

1. A Colorado licensed physician is permitted to certify a disability. Physician's Assistants, Registered Nurses, Nurse Practitioners or other nursing services, Chiropractors, Dentists, Podiatrists, Optometrists, or any other medical profession or occupation that is not a licensed physician are not permitted to certify a disability.

Christian Science members do not believe in medical doctors, therefore, a letter, written by an authorized Christian Science practitioner, attesting to the applicant's mobility disability is an acceptable form of authorization for disabled parking privileges.

Authorized Christian Science Practitioners

- will make statements about an individuals mobility difficulties
 - will not provide medical diagnoses
 - are designated by CS or CSB (similar to a doctor's MD) CS - Practitioner CSB - Both practitioner and teacher
2. Commissioned Medical Officers of the United States Armed Forces, the United States Public Health Services or the United States Veteran's Administration may certify the disability of an individual.

3. Persons with Disabilities Placards have the International Symbol of Access prominently displayed on them. Permanent Placards are valid for a period of three years and must be re-applied for through a re-certification process. Temporary Placards are valid for a period of up to 90 days.
4. Persons with Disabilities License Plates have the International Symbol of Access prominently displayed on them. They are valid for a year and must be renewed annually.

General Requirements:

1. Disability placards and plates are only to be used by the person to whom they are issued.
2. Lost or stolen disability plates or placards should be reported to local law enforcement and County Motor Vehicle Offices immediately.
3. The State of Colorado honors valid disability license plates and placards issued by other states for individuals who are not residents of Colorado.
4. Plate and Placard Restrictions:

One set of disability license plates and one parking placard per applicant, Or Two parking placards per applicant is imposed.
5. The State of Colorado offers several types of disability license plates and two types of disability placards, which authorize an individual to park in disabled parking spaces. The plates are issued only to Passenger Vehicles, Motorcycles and Light Trucks.
6. Every three years the disabled applicant or a representative must re-certify his/her disability upon penalty of perjury. A Physician's signature is not required for re-certification.
7. The privileges granted for Colorado disability plate and placard holders will be denied when:
 - Applicant is no longer a resident of Colorado
 - Applicant is deceased (surviving spouses/relatives are not entitled to use)
 - Applicant is no longer disabled
8. The Department of Revenue, Motor Vehicle Business Group, Registration Section should be notified within 30 days if any of the above circumstances occur. All plates and placards issued to that individual will need to be returned to the Department of Revenue, Motor Vehicle Business Group, Registration Section, 1881 Pierce Street, Lakewood, Colorado 80214.
9. If more than one owner of the vehicle is eligible for disability privileges, each owner must apply individually to exercise said privilege.
10. Organizations (i.e. nursing homes) that transport persons with disabilities may obtain PERMANENT disability placard(s) via the County Motor Vehicle Office in the County where the organization is located. At no time will a disability license plate or temporary placard be issued to these organizations.

Permanent disability placards may be issued to organizations upon submission of the following documents:

- A letter, on the organization's letterhead stationery, signed by the CEO (or equivalent) of the organization stating the use of the vehicle(s).

- A copy of the CEO's (or equivalent of the organization) COLORADO Identification Card or COLORADO Driver's License,
- Copies of the registrations or titles for the vehicles that will use the placard. Vehicles must be titled in the name of the organization.
- After the issuance of the placard(s) - a letter, on the organization's letterhead stationary, should be written stating that the placard belongs to the organization and that the Driver's License or Identification Card number shown on the placard matches that of the CEO (or equivalent) of the organization.

A copy of the letter stating the use of the vehicles, a copy of the CEO's (or equivalent) COLORADO Driver's License or COLORADO Identification Card, a copy of the vehicle registration and/or title, and a copy of the letter stating that the placard belongs to the organization must be kept in the vehicle while the placard is displayed.

11. A COLORADO Driver's License or a COLORADO Identification Card belonging to the disabled applicant is required upon application for a disability placard. The COLORADO Driver's License or COLORADO Identification Card number will be written on the disability placard at time of application. No waivers or exceptions may be made regarding this requirement.

Usage of Disability Plates and Placards

1. Disability placards should be clearly displayed at all times vehicle is parked in disability parking. They must be suspended from the rearview mirror inside the vehicle or displayed on the dashboard in plain view of any persons looking through the windshield. Placard must be removed from rearview mirror before driving vehicle.
2. When displaying a disability placard, the applicant must be a passenger or driver of the vehicle and the applicant's Identification Card or Driver's License and the disability placard registration receipt must be carried at all times.
3. Handicapped Disabled Veteran License Plates permit the driver to park in disability parking zones. Regular Disabled Veteran License Plates are not permitted to park in these zones.
4. Plates must be clearly displayed at all times the vehicle is parked in disabled parking. The disability license plate registration receipt must be carried at all times.

Infractions and Revocations

1. Any law-enforcement officer or authorized and uniformed parking enforcement official may check identification to ensure that the authorized user is a passenger in or the driver of a vehicle utilizing a disability license plate or placard in a disabled parking place. All violations will be sent to the Department of Revenue, Motor Vehicle Business Group, State Registration Section.
2. Violations of parking privileges will be tracked, by the Department of Revenue, Motor Vehicle Business Group, State Registrations Section, utilizing the Driver's License or Identification Card number of the plate/placard holder, or the serial number of the Plate or Placard in violation.
3. MISUSE BY PERSON WITH A DISABILITY

Upon the first violation, due to misuse by the person with a disability (holder of plate or placard), all plate(s) and placard (s) owned by holder may be revoked for a period of one year.

The holder of the plate(s) or placard(s) shall be notified in writing, by the Department of Revenue,

Motor Vehicle Business Group, Registration Section, that all disability plates or placards owned by the holder must be returned to the Department of Revenue, Motor Vehicle Business Group, Registration Section, 1881 Pierce Street, Lakewood, CO 80214, and that the holder's disability privileges have been revoked for a period of one year.

Upon a second or subsequent violation of a disability plate or placard by the person with a disability (holder of the plate or placard), all plate(s) or placard(s) owned by the holder may be revoked for a period of five years.

The holder of the plate or placard shall be notified in writing, by the Department of Revenue, Motor Vehicle Business Group, Registration Section, that all disability plates or placards owned by the holder must be returned to the Department of Revenue, Motor Vehicle Business Group, Registration Section, 1881 Pierce Street, Lakewood, CO 80214, and that the holder's disability privileges have been revoked for a period of five years.

Revoked disability license plates and placards shall not be renewed or reissued. Subsequent disability license plates and placards shall not be issued in replacement of those revoked.

Upon completion of the revocation period (1 year or 5 years) - the disabled individual may re-apply for Persons with Disabilities Plates and/or Placards.

4. MISUSE BY AN INDIVIDUAL OTHER THAN THE DISABLED PERSON

When a disability plate or placard has been misused by an individual other than the holder of the plate or placard, the holder will be notified in writing by the Department of Revenue, Motor Vehicle Business Group, Registration Section that the violation has occurred. If the same disability plate or placard has been misused subsequent to the initial violation, the holder will again be notified.

Upon the third misuse of the disability plate or placard by an individual other than the holder of the plate or placard, the holder shall be notified in writing, by the Department of Revenue, Motor Vehicle Business Group, Registration Section, that all disability plates or placards owned by the holder must be returned to the Department of Revenue, Motor Vehicle Business Group, Registration Section, 1881 Pierce Street, Lakewood, CO 80214, and that the holder's disability privileges have been revoked for a period of five years.

5. Revoked plates and placards will not receive an annual renewal notice.

6. The plate/placard holder will be denied any additional plates/placards until all violations against any disability plates/placards owned by said holder are cleared. Holders may request a hearing, in writing, within 30 days of notification of revocation. If a hearing is not requested, all disability plates and placards owned by the holder will be revoked without further notice.

These Rules and Regulations are effective July 1, 2000.

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) CRS.
Eff. 03/02/2007

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

Requirements

Every vehicle owner required to title or register in this state who presents as proof of ownership a title or registration issued by another state or country and all vehicles presenting a Manufacturer's Certificate of Origin assigned to an out-of-state dealer shall be required to be inspected prior to titling or registering the vehicle in Colorado.

The inspection of the vehicle may be performed by any Colorado law enforcement officer, licensed new or used Colorado motor vehicle dealer, any licensed Colorado inspection and readjustment station, any licensed Colorado diesel inspection station, any County Clerk, or any other vehicle related entity designated by the Department.

All licensed new and used Colorado motor vehicle dealers, licensed Colorado inspection and readjustment, licensed Colorado diesel station or approved vehicle related entity must post in full view of the customer a sign disclosing the hours of operation and the fees for performing the inspection.

All inspections shall be complete and recorded on the form supplied or approved by the Department of Revenue, Motor Vehicle Business Group.

Rule 27. RECORDS OPEN TO INSPECTION

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

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

1.0 Definitions

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

representative designated by said person; except that, if the subject of the record is under legal disability, "person in interest" means and includes his parent or duly appointed legal representative.

2.0 Requirements

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

3.0 Process

- 3.1 Upon submitting the following documents, the department may provide motor vehicle title and registration information to any person eligible to receive such information.
 - A. Written application - The person requesting motor vehicle record information must submit a written application either on a department approved form designed for the purpose of requesting motor vehicle record information or by written request.
 - B. Requestor Release - If the requestor is anyone other than the party of interest or a federal, state, or local government carrying out its official function, a requester release form shall be submitted with the application. The requestor release form requires the requestor to identify the intended use of the record(s) being requested. The requestor and the intended use of the record must comply with those identified in 24-72-204 C.R.S.
 - C. Fee - The requestor must remit the fee specified in 42-1-206 (2) (a) C.R.S.
- 3.2 The motor vehicle record information may be requested by mail or in person.
- 3.3 Upon receipt of application and verification of compliance with the requirements of 24-72-204 C.R.S., the department shall provide motor vehicle title and/or registration information as identified in the department's database.

3.4 There shall be no refunds of the specified fee in the event that the department's records are searched and no motor vehicle record is found.

3.5 The authorized agent may provide information regarding records of mortgages on motor vehicles, utilizing the system maintained by the authorized agent to index and cross index motor vehicle mortgage records filed in the office of the county clerk.

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

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

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

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

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

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

General Requirements for State Vehicles

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

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

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

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

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

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

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

General Requirements City and County Vehicles

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

City or county owned vehicles shall be titled in the name of the city or county or have prior departmental

approval before city or county plates may be issued.

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

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

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

Titling and Registering State Vehicles

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

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

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

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

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

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

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

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

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

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

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

Titling and Registering City and County Vehicles

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

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

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

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

Rule 29. RESERVING PERSONALIZED LICENSE PLATES

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

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

1.0 Definitions

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

2.0 Requirements and Process

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

that he/she is the court appointed owner of the personalized plate configuration or notarized letter from the other joint owner stating that they relinquish their rights to ownership of the personalized plate configuration reservation allowing the requestor to retain the ownership.

- 2.11 At the time that the reserved personalized license plate configuration is requested to be registered to a motor vehicle, and no longer reserved, at least one of the person(s) listed as the owner of the reserved personalized license plate configuration must be listed as the owner on the vehicle registration.
- 2.12 A notice to renew the reserved personalized plate configuration shall not be issued by the department. It is the responsibility of the reservation owner to obtain the application and submit it with the applicable fees.
- 2.13 If the applicant desires to register the reserved personalized plate to a vehicle, he/she must apply for registration at their County Motor Vehicle office. The County office shall contact the department to release the plate configuration from reserved status and allow the plate configuration to be issued.
- 2.14 If the reserved personalized plate configuration is not renewed within one calendar month following the end of the reservation period, the personalized plate configuration shall become available for issuance to all Colorado residents.

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

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

Definitions

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

Requirements of Vehicle Rental Companies

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

pursuant to the provisions of Part 1 of Article 26 of Title 39, C.R.S. Such specific ownership tax shall be collected on all vehicles owned by the owner which are rented from a place of business in Colorado.

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

Rule 31. SALVAGE DISCLOSURE ON TITLE APPLICATIONS FOR SALVAGE AND PREVIOUSLY SALVAGED MOTOR VEHICLES

1.0 Definitions

- 1.1 Salvage vehicle means any motor vehicle as defined in section 42-6-102(10) and (23) C.R.S. which is damaged as defined by section 42-6-102 (17)(a), CRS. which shall include any reference to "salvage vehicle" or "salvage motor vehicle" .
- 1.2 Certified VIN Inspector means a peace officer that is certified by the Peace Officers Standards and Training board (P.O.S.T.) to complete vehicle identification number inspections pursuant to section 24-31-303 (1) (e), C.R.S.
- 1.3 Repair Shop means a person or firm that offers major motor vehicle repair services of more than one thousand dollars in value per motor vehicle repair to the public on a commercial basis and complies with all federal, state, county and municipal laws that require the person or firm to possess business or tax licenses.

2.0 Requirements

- 2.1 The application for a Salvage Certificate of Title shall include disclosure of the type of damage (excluding hail damage) resulting in salvage. In the case of an application for salvage title due to vehicle abandonment at a repair shop, the application shall denote that the reason for salvage is "vehicle abandoned at a repair shop" .
- 2.2 A copy of the appropriate form, as designated by the Division of Motor Vehicles , shall accompany any title application for a motor vehicle known to be previously declared a salvage motor vehicle. "REBUILT FROM SALVAGE" indicates the motor vehicle is now roadworthy as defined in section 42-6-102 (15), C.R.S.
- 2.3 The application for a certificate of title for a salvage motor vehicle which has been made roadworthy from salvage as provided in section 42-6-116, C.R.S., shall be accompanied by a certified vehicle identification number inspection (form DR 2704) and an affidavit from the owner, which includes but is not limited to:
- A. Description of repairs to the salvage motor vehicle including what work was completed to repair the motor vehicle;
 - B. What parts were used to repair the salvage motor vehicle;
 - C. Where the parts were obtained, and who made the repairs;
 - D. Certification by the owner that the salvage motor vehicle described in the affidavit is now roadworthy as provided in section 42-6-102(15) C.R.S. and,
 - E. The specific information required in 3 A., B., C. and D. is not required in the event that the salvage title was issued due to vehicle abandonment at a repair shop. In this case, the affidavit required in 3 A. must state that the reason for salvage is "vehicle abandoned at a repair shop and no repairs have been made" .
 - F. Prior to the inspection of the vehicle the applicant shall stamp a salvage brand into the motor vehicle using the words "REBUILT FROM SALVAGE " .Each letter must be at least one-fourth inch in size and stamped in the following locations for each vehicle type:
 - Motorcycle - on the frame in a visible location
 - Manufactured Home - main entrance door jamb
 - Trailer - adjacent to public VIN
 - All other Motor Vehicles - on the Driver's B Pillar post
 - G. Verification by a Certified VIN Inspector that said inspector personally examined the salvage motor vehicle including the salvage brand and reviewed the affidavit from the owner and any receipts and/or invoices for parts used in the repair of the salvage motor vehicle. The Certified VIN Inspector shall not complete the inspection unless the salvage brand required by section 42-6-136 (3) (b) (II), C.R.S., is stamped into the vehicle.
- 2.4 The owner of a salvage motor vehicle may make application for a salvage certificate of title before the sale or transfer of such motor vehicle. All subsequent purchasers or transferees of a salvage vehicle, other than transactions that are not subject to taxation pursuant to section 39-26-104, C.R.S. must obtain a salvage certificate of title in the owner's name within 45 days from the date of purchase or transfer. If an insurance company acquires a motor vehicle that has been defined as "salvage" in accordance with section 42-6-102 (17), C.R.S., the insurance company must apply for a salvage certificate of title in accordance with section 42-6-136 (20)C.R.S. before

transferring ownership of the vehicle. If the owner retains a motor vehicle upon settlement of a claim with an insurance company, and the vehicle has been defined as "salvage" in accordance with section 42-6-102 (17), C.R.S., the owner must apply for a salvage certificate of title in their name. If a Repair Shop acquires a vehicle through the Repair Shop Abandonment process and the vehicle is less than six model years and appraised for more than \$200.00, the purchaser of the vehicle must apply for a salvage certificate of title in accordance with section 42-4-2104.5 (4) (e)(III), C.R.S.

- 2.5 The department shall clearly and conspicuously identify every salvage certificate of title with the word "SALVAGE" or rebuilt salvage certificate of title with the words "REBUILT FROM SALVAGE" by any means that is permanent and unmistakable as approved by the director. Such identification shall appear on the first and on all subsequent certificates of title for any such vehicle.

Rule 32. SPECIAL LICENSE PLATE SURCHARGE

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

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

1.0 Definitions

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

2.0 Requirements

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

Rule 33. SPECIAL USE TRUCKS

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

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

1.0 Definitions

- 1.1 "Truck" means any motor vehicle equipped with a body designed to carry property and which is generally and commonly used to carry and transport property over the public highways.
- 1.2 "Department" means the Department of Revenue, Division of Motor Vehicles.

2.0 Requirements

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

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

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

RULE 34. TEMPORARY REGISTRATION PERMITS

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

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

1.0 Definitions

- 1.1 “Authorized Agents” means the officer of a county or city and county designated by law to issue annual registrations of vehicles and to collect any registration or license fee imposed thereon by law.
- 1.2 “Dealer Stub” means the Department of Revenue form DR 2206A.
- 1.3 “Department” for the purpose of this regulation means the Department of Revenue, State Registration Section
- 1.4 “Licensed Colorado Motor Vehicle Dealer” or “Dealer” means every person engaged in the business of buying, selling, or exchanging vehicles of a type required to be registered under

articles 1 to 4 of Title 42 of the Colorado Revised Statutes and who has an established place of business for such purpose in this state.

- 1.5 "Temporary Registration Permit" or "Temporary Permit" means the Department of Revenue form DR 2206.
- 1.6 "Registration Address" means a person's principal or primary home or place of abode, to be determined in the same manner as residency for voter registration purposes as provided in sections 1-2-102 and 31-10-201, C.R.S. or for those persons that do not have a principal or primary home or place of abode registration address is the address for which the vehicle is permanently maintained at.
- 1.7 "Secure and Verifiable Identification" or "SVID" means identification issued by a state or federal jurisdiction or recognized by the United States Government and that is verifiable by federal or state law enforcement, intelligence, or homeland security agencies.

2.0 Requirements

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

commercial printer in fonts and styles established by the Department and shall be completely filled out ensuring accuracy of information. Missing or incomplete temporary permits shall render the temporary permit void.

- A. ABBR. MONTH - shall be the three character designation (i.e., JAN = January) of the month in which the temporary permit expires. Dealers should ensure that the month is written over the hologram strip on the temporary permit. Upon completion of the ABBR. MONTH the dealer shall remove the protective film backer and affix the protective film to the temporary permit ensuring full coverage of the written month and hologram strip.
- B. DAY - shall be the work weekday day in the month in which the temporary permit expires. Temporary permits shall not expire on a Saturday, Sunday or legal holiday. In no event shall a temporary permit expire date exceed sixty days. If the expire date falls on a Saturday, Sunday or legal holiday the dealer shall make the temporary permit expire on the first weekday prior to the Saturday, Sunday or legal holiday.
- C. YEAR (expired section) - shall be the two digits indicating the year the temporary permit expires (i.e., 08 = 2008).
- D. DEALER NUMBER - shall be the dealer number assigned to the licensed Colorado dealer from the Department of Revenue, Enforcement Business Group, Auto Industry Division that is issuing the temporary permit.

2.9 For every temporary permit issued by the dealer a dealer stub shall be completed with the three part copies being distributed as:

- A. White copy - shall be submitted to the Department within calendar 5 days of the issued date as detailed below in 2.13.
- B. Pink copy - shall be provided to the customer as evidence of temporary registration.
- C. Yellow copy - shall be retained by the issuing dealer for a minimum of one year from the issue date.

2.10 The dealer stub shall be completed in permanent black ink or printed using a standard commercial printer in fonts and styles established by the Department and shall be completely filled out ensuring accuracy of information is maintained. Incomplete dealer stubs are not acceptable (unless as indicated below) and shall render the dealer stub void.

- A. PERMIT NUMBER field - shall reflect the temporary permit serial number issued in 2.8 above.
- B. Owner field - shall reflect the name of the owner of the vehicle as indicated on the SVID.
- C. Owner field - shall reflect the name as indicated on the SVID of the second owner if there is a second owner.
- D. Address, City, State and Zip field - shall reflect the registration address of the owner of the vehicle.
- E. Year field - shall reflect the four digit model year of the vehicle.
- F. Make field - shall reflect the make of the vehicle.
- G. CWT field - shall reflect the empty weight or curb weight of the vehicle.

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

have their privilege of issuing temporary permits revoked. Revocations will be issued through the Department of Revenue, Enforcement Business Group, Auto Industry Division.

Rule 35. TRANSPORTER LICENSE PLATES

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

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

1.0 Definitions

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

2.0 Requirements

- 2.1 Transporter license plates shall only be authorized for use and issued by the department to:
 - a. Dealers that have a valid and current State of Colorado dealer's license as authorized and issued by the Colorado Department of Revenue, Auto Industry Division.
 - b. Dealers of special mobile machinery that can provide such evidence to the department as to the extent of their business as well as documentation detailing previous sales of special mobile machinery.
 - c. Government agencies that are acting in the capacity of disposing of, auctioning of, or movement of previously owned Government motor vehicles.
 - d. Facilities engaged in repair activity for a State of Colorado licensed dealer that provide written agreement/contract with such licensed dealer(s).
 - e. Facilities engaged in repair activity that provide Certificate of Liability Insurance and evidence of Sales Tax License in the entity's business name.
 - f. Drive-away or tow-away transporters that operate motor vehicles for State of Colorado licensed dealers that provide written agreement/contract with such licensed dealer(s).

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

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

Rule 36. USE OF DEALER DEMO LICENSE PLATES

Requirements

1. A dealer demonstration plate can be displayed ONLY on vehicles owned by or consigned to the dealer or the wholesaler. Proof of ownership is shown by a Manufacturer's Certificate of Origin (MCO), title or consignment agreement properly assigned in the dealer's licensed name.
2. A dealer demo plate may be used on a vehicle operated by a prospective buyer. Demonstration drives by a prospective purchaser cannot exceed seven (7) calendar days. The dealer must issue an authorization letter to any prospective buyer demo-driving the vehicle after the dealer's NORMAL business hours on day one. The authorization letter must include the following: name and address of the prospective buyer; make, model and VIN of the demonstrator vehicle; the demo

plate number; and the start and end dates of the demo drive (which may not exceed seven (7) calendar days). The customer must keep the authorization letter in the vehicle at all times and present it to a law enforcement officer upon request.

3. A prospective buyer may use a dealer demo plate with a dealership employee in the vehicle during the dealer's NORMAL business hours.
4. A dealership employee, during NORMAL business hours of the dealership, may use a dealer demo plate for conducting legitimate dealership business.
5. A dealer demo plate may not be used on any vehicle that has been sold and is in the possession of the purchaser, or upon any vehicle leased or rented by such dealer.
6. A dealer demo plate may not be used on vehicles that are being delivered to the purchaser.
7. Owners and employees of the dealer may not operate a demo-plated vehicle for their private purposes or use a demo plate on any commercial vehicle.
8. Demo plates may not be displayed on any of the following vehicles owned by the dealer: tow vehicles, parts pickup/delivery vehicles, service department loaners, courtesy shuttle vehicles, rental vehicles, haulers, or any vehicle bearing the dealer's name or advertisement (other than the small dealer badge normally affixed to the rear of the vehicle, or the license plate holder bearing the dealer's name). Such vehicles shall be titled and registered in the name of the dealership.
9. A dealer demo plate shall not be loaned to charitable organizations for use in charitable activities, parades or shows.
10. A dealer demo plate shall not be loaned or given to any person for use other than prospective buyers for demonstration purposes. "Person" includes, but is not limited to, athletes, coaches, celebrities, media personalities, accountants and lawyers.
11. A lost, stolen or missing dealer demo plate shall be reported within two (2) working days to the local law enforcement agency, and then to the Department of Revenue, Enforcement Business Group, Auto Industry Division. The dealer may replace lost plates through the County Clerks, or in Denver County, the Manager of Revenue. All lost dealer demo plates shall be replaced upon payment of the full fee. A damaged dealer demo plate may be turned in and replaced for the replacement fee.
12. All dealer demo plates must be surrendered immediately to the Department of Revenue, Enforcement Business Group, Auto Industry Division, whenever the dealer, through either a voluntary or involuntary action, ceases to be a motor vehicle dealer. Any dealer demo plates that are not in the dealer's possession shall be reported as lost or stolen to the local law enforcement, and then to the Department of Revenue, Enforcement Business Group, Auto Industry Division.
13. All dealer demo plates owned by a new or used motor vehicle dealer or wholesaler whose license has been suspended by the Colorado Motor Vehicle Dealer Board shall be surrendered to the Department of Revenue, Enforcement Business Group, Auto Industry Division, in compliance with the terms set forth by the Motor Vehicle Dealer Board.
14. A change of dealership operating entity status requires the submission of an original dealer application to the Department of Revenue, Enforcement Business Group, Auto Industry Division. If approved, a new dealer license number with plate authorization will be issued. Once approval is granted, the dealer license and license plates from the old entity must be surrendered to the Auto Industry Division within ten (10) business days.

15. If a currently licensed entity obtains approval from the Department of Revenue, Enforcement Business Group, Auto Industry Division, for a name change, the Enforcement Business Group, Auto Industry Division and the Motor Vehicle Business Group, Title Section will jointly issue a memorandum of name change to the county clerks. Upon receipt of the memorandum, the county clerks will change the plate registration file to the new licensed name.
16. Dealers shall maintain a record of all dealer demo plates issued to the dealership and the name, address and phone number of the individual authorized to use the demo plates.
17. Any use of a dealer demo plate other than those defined in these rules may

Rule 37. VEHICLES CLASSIFIED AS FARM TRUCKS

Basis: The statutory bases for this regulation are 42-1-102(108), 42-1-204, 42-3-305 (4) and 42-3-306 (4) CRS.

Purpose: The purpose of this regulation is to establish the definition of Farm Truck for the purpose of collecting fees.

1. Farm truck fees are to be applied only to vehicles used in a farming or ranching operation.
2. In order to qualify as a Farm Truck, a vehicle must meet all of the following specifications:
 - a. The owner of the vehicle is a farmer or rancher.
 - b. The vehicle's only commercial uses are for transporting the vehicle owner's own:
 - Poultry
 - Dairy
 - Livestock
 - Livestock products
 - Farm products
 - Materials
 - Tools
 - Equipment
 - Supplies
 - c. The vehicle cannot be used solely for the purpose of transporting people.
3. The owner of the vehicle must submit a completed affidavit on a form to be provided that states that the motor vehicle will be used in accordance with State law for agricultural or ranching purposes.
4. The County Clerk may require the owner of the vehicle to provide documentation demonstrating that the owner's primary occupation or business is farming or ranching.
5. Each time an application is made for a vehicle to be classified as a Farm Truck, a separate application form must be submitted.

6. Persons that farm or ranch as a hobby, retired farmers or ranchers, or other persons or businesses not actively engaged in farming or ranching operations are not eligible to benefit from the Farm Truck fee schedule.

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 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 44. LATE FEE EXEMPTION

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

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

1.0 Definitions

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

2.0 Requirements

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

2.1 Commercial Vehicle Trailers

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

2.2 Farm Vehicle Trailers

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

2.3 Medical Hardship

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

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

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

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

2.5 If a county is unable to complete a title, registration, temporary registration permit, or renewal transaction without modification by the Department and the Department offices are closed, the late fee may be exempted.

2.6 The Department will maintain a log documenting late fee exemption events and such log shall be available to the counties through electronic means.

2.7 The Department will make a determination of the exemption of the late fee on a case by case basis

for circumstances not included in this regulation and those exemptions must be pre-approved by the Department.

2.8 When a late fee exemption is denied, the customer must pay the late fee and may submit a request for further review on forms required by the Department within 30 days from the payment date of the late fee to the Executive Director of the Department of Revenue.

A. The request for review must include the customer's contact information including name and address and all facts related to the situation that prevented the customer from the timely titling, registration, temporary registration permit, or renewal of the vehicle registration.

B. The Executive Director may refund previously collected late fees after a review of the submitted forms and the information contained therein.

2.9 Late fees accrued prior to the effective date of this rule are due and shall not be exempted.

2.10 Nothing in this rule shall be construed to exempt the owner of a vehicle from paying any taxes or fees imposed pursuant to article 3 of title 42, C.R.S. other than the late fee.

RULE 46. APPLICATION FOR REGISTRATION – PROOF OF INSURANCE

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

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

1.0 Definitions

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

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

2.0 Requirements

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

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

B. Registration agents issuing low-power scooter temporary registrations pursuant to 42-3-105(4)(a), C.R.S. shall not issue the low-power scooter temporary registration unless the applicant has a current complying motor vehicle insurance policy. Registration agents shall collect the Motorist Insurance Identification Database fee upon issuance of the low-power scooter temporary registration pursuant to 42-3-304(18)(d)(I), C.R.S., which shall be distributed to the Department pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 40. Low-Power Scooter.

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

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

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

2.4 Acceptable types of insurance policies are:

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

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

- A. Application for Non-Use must include a current proof of insurance for another vehicle owned by that individual. Applicants without insurance on another vehicle shall maintain insurance on the vehicle that is not being used.
- B. Out-of-state applicants shall have proof of valid out-of-state insurance and proof of out-of-

state residency (i.e., student identification card, utility bill etc.).

2.6 Upon acceptance of the applicants' proof of insurance and registration of the motor vehicle the Department shall collect the Motorist Insurance identification Database fee pursuant to 42-3-304(18)(d)(I), C.R.S.

A. Farm Trucks shall be required to provide proof of insurance but are exempt from the requirements to pay Motorist Insurance Identification Database fee.

RULE 47. EXPIRED TEMPORARY REGISTRATION PERMITS

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

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

1.0 Definitions

1.1 "Expired Temporary Registration Permit" means a temporary registration permit that is no longer valid.

1.2 "Temporary Registration Permit" for the purposes of this rule means a temporary registration permit that has been issued by the Department, its authorized agents or dealers licensed by the Department of Revenue. A temporary registration permit is valid through the date displayed on the temporary registration permit.

2.0 Requirements

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

Editor's Notes

History

Rule 15. eff. 07/01/2007.

Rule 32. emer. rule eff. 06/05/2007.

Rule 20. eff. 07/30/2007.

Rule 15. emer. rule eff. 08/03/2007.

Rules 15., 32. emer. rule eff. 08/20/2007.

Rules 1., 29., 40., eff. 09/30/2007.

Rules 15., 32. eff. 10/30/2007.

Rules 9., 24., 27., 33., 35. eff. 11/30/2007.

Rule 35. emer. rule eff. 01/14/2008; expired eff. 04/14/2008.

Rule 9. eff. 03/30/2008.

Rule 35. eff. 04/30/2008.

Rule 20. emer. rule eff. 05/08/2008.

Rule 20. emer. rule eff. 08/01/2008.

Rules 6., 17., 33., 38. eff. 09/30/2008.

Rule 20. eff. 10/30/2008.

Rules 3., 11., eff. 12/31/2008.

Rule 41. eff. 03/30/2010.

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

Rule 1. eff. 09/14/2010.

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

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

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