

SB280_L.008

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Agriculture, Livestock, & Natural Resources.

SB13-280 be amended as follows:

1 Amend reengrossed bill, page 21, strike lines 10 and 11 and substitute
2 "vehicles ~~shall be~~ ARE public and may be inspected and ~~copies thereof~~
3 ~~made~~ COPIED, as is provided by law respecting public records".

4 Page 37, after line 16 insert:

5 "SECTION 40. In Colorado Revised Statutes, 42-1-102, **amend**
6 **as added by House Bill 13-1289** (47.5) as follows:

7 **42-1-102. Definitions.** As used in articles 1 to 4 of this title,
8 unless the context otherwise requires:

9 (47.5) "Lien" means a security interest in a motor OR
10 OFF-HIGHWAY vehicle under article 9 of title 4, C.R.S., and this article.

11 **SECTION 41.** In Colorado Revised Statutes, 42-3-113.5, **amend**
12 **as added by House Bill 13-1289** (1), (2) (a), and (2) (c) as follows:

13 **42-3-113.5. Electronic vehicle registration and titling -**
14 **electronic transmission of vehicle lien information - authority - rules**
15 **- cash fund - notice of funding through gifts, grants, and donations -**
16 **repeal.** (1) The department may establish a system to allow the electronic
17 transmission of registration, lien, and titling information for motor OR
18 OFF-HIGHWAY vehicles. The department may adopt rules necessary for the
19 implementation of this section. If the department promulgates a rule
20 requiring lien and title documents to be filed electronically, a financial
21 institution with less than fifty transactions per year need not file
22 electronically.

23 (2) (a) The department is authorized to seek and accept gifts,
24 grants, or donations from private or public sources for the purposes of this
25 section; except that the department may not accept a gift, grant, or
26 donation that is subject to conditions that are inconsistent with this
27 section or any other law of the state. The department shall ensure that any
28 funds contributed to the department for the implementation of the system
29 for the electronic transmission of registration, lien, and titling information
30 for motor AND OFF-HIGHWAY vehicles are tracked separately and used
31 only for the implementation of the system.

32 (c) No vendor who responds to a request for proposal from the
33 department concerning a system for the electronic transmission of
34 registration, lien, and titling information for motor OR OFF-HIGHWAY
35 vehicles may contribute a gift, grant, or donation ~~to the electronic motor~~
36 ~~vehicle registration and titling cash fund~~ FOR THE PURPOSES OF THIS



1 SECTION.

2 **SECTION 42.** In Colorado Revised Statutes, **amend as amended**
3 **by House Bill 13-1289** 42-6-123 as follows:

4 **42-6-123. Disposition after mortgaging.** After a mortgage on a
5 motor vehicle has been filed in the authorized agent's office, the
6 authorized agent shall mail, DELIVER, or electronically transfer to the
7 director the certificate of title or other evidence of ownership satisfactory
8 to the director as specified in rules adopted under section 42-6-104,
9 C.R.S., that the authorized agent has filed in the record. ~~Upon the receipt~~
10 ~~of the certificate of title or other evidence of ownership satisfactory to the~~
11 ~~director as specified in rules adopted under section 42-6-104, C.R.S.,~~ The
12 director shall maintain completed electronic records transferred by the
13 authorized agent. The director shall issue a new certificate of title
14 containing, in addition to the other matters ~~and things~~ required to be set
15 forth in certificates of title, a description of the mortgage and all
16 information respecting the mortgage and the filing of the mortgage as
17 ~~may appear~~ THAT APPEAR in the certificate of the authorized agent, and
18 the director or the director's authorized agent shall ~~thereafter~~ THEN
19 dispose of the new certificate of title containing the notation as provided
20 in section 42-6-124. When a motor OR OFF-HIGHWAY vehicle is subject to
21 an electronic mortgage or lien, the certificate of title for the motor OR
22 OFF-HIGHWAY vehicle is considered to be physically held by the
23 mortgagee or lien holder for all legal purposes, including compliance with
24 state or federal odometer disclosure requirements.

25 **SECTION 43.** In Colorado Revised Statutes, 42-6-125, **amend**
26 **as added by House Bill 13-1289** (3) as follows:

27 **42-6-125. Release of mortgages.** (3) Mortgage or lien
28 satisfactions may be electronically transmitted to the department's
29 authorized agent as authorized by rules of the director. When electronic
30 transmission of mortgages or liens or mortgage or lien satisfactions is
31 used, a certificate of title need not be issued until the last mortgage or lien
32 is satisfied and a clear certificate of title is issued to the owner of the
33 motor OR OFF-HIGHWAY vehicle under section 42-6-126.

34 **SECTION 44.** In Colorado Revised Statutes, 42-6-129, **amend**
35 **as amended by House Bill 13-1289** (2) as follows:

36 **42-6-129. Second or other junior mortgages.** (2) ~~A second or~~
37 ~~THE~~ junior mortgagee or the holder of ~~a second or junior~~ THE mortgage
38 shall file the mortgage pursuant to AS REQUIRED BY section 42-6-121 with
39 the ~~director's~~ authorized agent of the county ~~wherein~~ WHERE the
40 mortgagor of the motor OR OFF-HIGHWAY vehicle resides or where the
41 motor vehicle is located and shall accompany the mortgage with a written



1 request to have the existence of the ~~second or junior~~ mortgage noted or
2 filed on the certificate of title records of the ~~director's~~ authorized agent
3 pertaining to the motor vehicle covered by the junior or second mortgage.
4 Upon the filing of the mortgage, the director's authorized agent shall note
5 in the record of the ~~subject~~ vehicle the day and hour ~~on which~~ WHEN the
6 mortgage was received by the agent and shall make and deliver a receipt
7 for the mortgage to the person filing the mortgage, and shall file the
8 ~~second or junior~~ mortgage as required under section 42-6-122. If there is
9 more than one mortgage or lien on the motor OR OFF-HIGHWAY vehicle,
10 the department's authorized agent may electronically transmit the
11 mortgage or lien to the first mortgage or lien holder and notify the first
12 mortgage or lien holder of any additional mortgages or liens."

13 Renumber succeeding sections accordingly.

14 Page 38, strike lines 6 and 7 and substitute:

15 "SECTION 46. Effective date - applicability. (1) Sections 1 to
16 39 and 45 to 47 of this act takes effect upon passage. Sections 40 to 44
17 take effect only if House Bill 13-1289 becomes law and takes effect
18 either upon the effective date of this act or House Bill 13-1289,
19 whichever is later.

20 (2) This act applies to acts committed on or after July 1, 2014."

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