STATE OF COLORADO

Department of Regulatory Agencies
Tambor Williams
Executive Director

DIVISION OF BANKING
Richard Fulkerson
State Bank Commissioner

Bill Owens
Governor

ADVISORY BULLETIN

TO: State Chartered Banks and Industrial Banks

FROM: Richard Fulkerson
State Bank Commissioner

DATE: May 24, 2006

RE: Identification Requirements for Financed Motor Vehicles
Extension of Compliance Deadline and Revisions to Requirements
(See May 1, 2005 Advisory Bulletin)

The Colorado Division of Motor Vehicles (DMV) has extended the deadline until July 1, 2006, for compliance with the revised identification requirements and procedures for titling motor vehicles. As outlined in the attached memorandum, photocopies of acceptable identification documents are no longer required, provided that information from the documents is captured and recorded on DMV forms.

Please direct questions concerning the revised identification requirements to the State Titles and Registration Section at 303-205-5608.

Attachment

G:rjf/misc/vehicle registration II

1560 Broadway, Suite 1175, Denver, CO 80202
(303) 894-7575 PDPA (303) 894-7588 FAX (303) 894-7570

STATE OF COLORADO

DIVISION OF MOTOR VEHICLES
Department of Revenue

Titles/Registration Section
Maren Rubino
Operations Director

Business Location
1881 Pierce Street Lakewood, Colorado
Phone (303) 205-5608

Mailing Address
Denver CO 80261-0016

Bill Owens
Governor

M. Michael Cooke
Executive Director

Memo

To: Richard Fulkerson, Division of Banking

From: Maren Rubino, Operations Director

Cc: M. Michael Cooke, Executive Director

Joan Vecchi, Senior Director

Robert Sexton, Auto Industry Division

Date: May 19, 2006

Re: Secure and Verifiable Identification – no photocopies & other changes

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Based on questions, concerns and suggestions received by the counties, dealers, and financial institutions, a 30-day extension will be granted to allow all entities time to implement the requirements concerning secure and verifiable identification. The following requirements will be effective July 1, 2006:

- No photocopies of secure and verifiable identification will be required. In lieu of photocopies, secure and verifiable identification information will be recorded on existing forms. Non-secure forms will be available electronically no later than June 1, 2006. Notification will be sent when the revised secure forms are available for purchase.

- Photocopies of named owner's "grantor's" secure and verifiable identification information will no longer be required for all new title, duplicate title, new registration, new temporary registration and new placard applications however; the following forms have been revised to provide an area to record this information. This will include the type of secure and verifiable identification presented, the name as it appears, ID number, expire date and date of birth. Attestment to the secure and verifiable identification viewed by the motor vehicle clerk, dealer, lien holder or notary will be required on the following forms:

- DR 2174 Secure Power of Attorney
- DR2175 Non-Secure Power of Attorney (notary is required)
- DR 2395 Title Application
- DR2539A Duplicate Title Application (for vehicles purchased on or after July 1, 2006)
- DR 2219 Application for Disability Parking Privileges
- DR 2407 Dealers Bill of Sale for a Motor Vehicle
- DR 2421 Statement of One in the Same
- DR 842 Supplemental Secure and Verifiable Identification Information and Attestation Clause (New form soon to be released)

- The DR2842 may be used as an attachment to existing forms inventory, which does not contain the secure and verifiable identification information or attestment. This form should be included with the documents being presented.

- Photocopies of a dealer's agent, lien holder's agent or personal agent's secure and verifiable identification will no longer be required however; it must be presented and recorded in DDP for all new title, new registration, new temporary registration and new placard applications. This will include the type of secure and verifiable identification presented, the name as it appears, ID number, expiration date and date of birth. Attestment to the secure and verifiable identification viewed by the motor vehicle clerk will print on every title application and new registration receipt; the motor vehicle clerk's signature is required.

- Secure and verifiable identification is required for all duplicate title applications with a purchase date on or after July 1, 2006. This will include the type of secure and verifiable identification presented, the name as it appears, ID number, expire date and date of birth. Attestment to the secure and verifiable identification viewed by the motor vehicle clerk will print on every duplicate title application (bar code); the motor vehicle clerk's signature is required.

  *NOTE: Identification will still be required for all duplicate titles, although secure and verifiable identification is required for vehicles purchased on and after July 1, 2006.

- The DR 2146 Motor Vehicle Bill of Sale for Vehicles Abandoned at Repair Shops and the DR 2173 Motor Vehicle Bill of Sale will include notification of Colorado's secure and verifiable identification requirement when applying for a new title and new registration.

- Secure and verifiable identification information is required from only one named owner.

- The public can view information concerning secure and verifiable identification requirements in several places on our website at www.revenue.state.co.us/MV_dir/wrap.asp?incl=titlereg.

The following questions have been submitted to the Division of Motor Vehicles.

1) **Is a named owner's secure and verifiable identification information required to be included in mortgage mail applications received prior to July 1, 2006?**
   - A. No. A named owner's secure and verifiable identification information is not required to be included in mortgage mail prior to July 1, 2006. A named owner's secure and verifiable identification information is required to be included in all mortgage mail applications received at a county motor vehicle office on and after July 1, 2006.

2) **Is a named owner's secure and verifiable identification information required to be included in dealer drop off applications received prior to July 1, 2006?**
   - A. No. A named owner's secure and verifiable identification information is not required to be included in dealer drop off applications prior to July 1, 2006. A named owner's secure and verifiable identification information is required to be included in all dealer drop-off applications received at a county motor vehicle office on and after July 1, 2006.

3) **Is a named owner's secure and verifiable identification information required to be included in lien holder drop off applications received prior to July 1, 2006?**
   - A. No. A named owner's secure and verifiable identification information is not required to be included in lien holder drop off applications prior to July 1, 2006. A named owner's secure and verifiable identification information is required to be included in all lien holder drop-off applications received at a county motor vehicle office on and after July 1, 2006.

4) **Is a named owner's secure and verifiable identification information required to be presented for all duplicate title transactions prior to and after July 1, 2006?**
   - A. Identification must be presented for all duplicate title transactions prior to July 1, 2006. Secure and verifiable identification is required for all duplicate title applications with a purchase date on and after July 1, 2006.

5) **Is a named owner's secure and verifiable identification information required to be included in mail in duplicate title applications prior to July 1, 2006?**
   - A. Identification information must be included for all mail in duplicate title applications on and after July 1, 2006. Secure and verifiable identification information is required for all duplicate title applications with a purchase date on and after July 1, 2006.

6) **What is required on a Letter of Authorization?**
   - Letter must be on company letterhead
   - Date
   - Dealer number or lien holder ID number (if applicable)
   - State what the agent is authorized to do on behalf of the company
   - Name of the authorized agent (s)
   - Signature of company representative
   - Original, faxed or photocopy is acceptable
   - A new letter of authorization must be submitted when adding or removing an agent

7) **Is a dealer's agent or lien holder's agent required to present their secure and verifiable identification information when dropping off new title or duplicate title applications prior to and after July 1, 2006?**
   - A. No.

8) **Can a lien holder, bank or credit union provide a Corporate Resolution to Borrow/Grant Collateral Letter in place of a Letter of Authorization?**
   - A. Yes. A Corporate Resolution to Borrow/Grant Collateral Letter can be used in place of a Letter of Authorization.

9) **What documentation will be acceptable, on and after July 1, 2006, when the lien holder's agent <u>applies for and takes receipt</u> of a new title, duplicate title, new registration or a new temporary registration on behalf of the lien holder when the lien holder is the named owner or has interest in said vehicle?**
   - A. If the lien holder's agent is applying for and receiving a new title, duplicate title, new registration or new temporary registration on behalf of the lien holder, when the lien holder is the named owner or has interest in said vehicle a Letter of Authorization or a Corporate Resolution to Borrow/Grant Collateral Letter is acceptable and can be kept on file in the county. The lien holder's agent is required to present their secure and verifiable identification.

10) **What documentation will be acceptable, on and after July 1, 2006, when the lien holder's agent <u>applies for and takes receipt</u> of a new title, duplicate title, new registration or a new temporary registration on behalf of the lien holder when the lien holder is not the named owner or does not have interest in said vehicle?**
   - A. A named owner will provide a non-secure power of attorney to their agent to include the grantor's (named owner's) secure and verifiable identification information. A Letter of Authorization or a Corporation Resolution to Borrow/Grant Collateral Letter can be kept on file in the county. The lien holder's agent's secure and verifiable identification information is required to be presented.

11) **What documentation will be acceptable, on and after July 1, 2006, when the dealer's agent <u>applies for and takes receipt</u> of a new title, duplicate title, new registration or a new temporary registration on behalf of the dealer when the dealer is the named owner or has interest in said vehicle (s)?**
   - A. If the dealer's agent is applying for and receiving a new title, duplicate title, new registration or new temporary registration on behalf of the dealer, when the dealer is the named owner or has interest in said vehicle(s) a Letter of Authorization or a Corporate Resolution to Borrow/Grant Collateral Letter can be kept on file in the county. The dealer's agent is required to present their secure and verifiable identification.

12) **What documentation will be acceptable, on and July 1, 2006, when the dealer's agent <u>applies for and takes receipt</u> of a new title, duplicate title, new registration or a new temporary registration on behalf of the dealer when the dealer is not the named owner or does not have interest in said vehicle?**
   - A. A named owner will provide a non-secure power of attorney to their agent to include the grantor's (named owner's) secure and verifiable identification information. A Letter of Authorization or a Corporation Resolution to Borrow/Grant Collateral Letter can be kept on file in the county. The dealer's agent's secure and verifiable identification information is required to be presented.

13) **An application for a new title, duplicate title, new registration or new temporary registration is submitted in the name of a business/company, what is required?**
   - A. A Letter of Authorization or a Corporate Resolution to Borrow/Grant Collateral Letter granting permission for the agent to act on behalf of the company and the agent's secure and verifiable identification information are required.

14) **Does an owner's name have to match the name on the secure and verifiable identification presented for all new title applications?**
   - A. No, but if the name differs on the secure and verifiable identification presented, a DR2421 Statement of One in the Same must be submitted.

15) When a new title is in the name of a trust what is required?

- A. The trustee must fill out the DR2170 Trustee's Statement for Certificate of Title and the trustees secure and verifiable identification information is required to be presented.

16) Is a "Red" license considered secure and verifiable?

- A. Yes, with a photo. If a photo is not on the license an additional form of secure and verifiable identification is required.

17) Is a temporary Colorado Drivers License, Drivers Permit or Identification Card that does not include a photo considered secure and verifiable identification?

- A. No.

18) Some drivers' licenses include social security numbers and customers may not be willing to present this information?

- Any individual whose driver's license reflects their social security number can request a new driver's license be issued without their social security number at any Drivers License office. The cost is $15.60.