

MINUTES
AUTO INDUSTRY ENFORCEMENT DIVISION
RULEMAKING WORKING GROUP

Meeting of July 9, 2015
1:00 p.m. – 4:00 p.m.

CIADA Offices
950 Wadsworth Blvd.
Lakewood, CO 80228

Working Group Members Present

Chair, Bruce Zulauf (CDOR – Auto Industry Division)
Co-Chair, Matt Heap (CDOR – Auto Industry Division)
Martin Kenney (CDOR – Auto Industry Division)
Leland Bebee (CDOR – Auto Industry Division)
Michael Dommermuth, Esq. – CADA
Tim Jackson, President – CADA
Tammi McCoy, CADA
Todd O’Connell, CIADA
Rick Wynkoop, Esq.
Matt Osbourne, Esq.
John Schenden, Former Board member
Steve Perkins, Former Board member
Sean Doyle, Better Business Bureau
Dean Strawn, Auto Dealer
Y.E. Scott (Colorado Attorney General’s Office)

Working Group Members Absent

Michael McKinnon, Esq. - CIADA
Jerry Abboud, PDAC

Director Zulauf, Chair, opened the meeting at 1:19 p.m. Each working group member introduced themselves. Director Zulauf stated that the purpose of today’s meeting is to discuss possible modifications to Rules:

- 12-6-102(16)***Motor Vehicle Regulation – Off-premise permits**
- 12-6-502(16)***Powersports proposed Regulation – Off-premise permits**
- 12-6-118 (3)(i)***Motor Vehicle Regulation – Material Damage disclosures**
- 12-6-520(3)(h)***Powersports Regulation – Material Damage disclosures**

Working Group Meeting Scope – Topics and Discussion

- Off-premise permit
 - The Division and Ms. McCoy will present a proposal to working group at the next meeting.

- Material damage disclosure
 - Concerns with current regulation – violations
 - CADA submitted research
 - CIADA submitted research

Director Zulauf began by stating that the Division has received numerous consumer complaints in recent years regarding material damage disclosures or lack thereof, aided by vehicle reporting companies such as Carfax and AutoCheck.

Ms. McCoy circulated examples of some of the language used in other states, which may prove useful when modifying our current rule.

There was a general discussion of material damage disclosure and disclosing mechanical damage with regards to consumer sales and dealer sales at auction.

There was a general discussion of material particulars vs. material damage with regards to consumer sales and dealer sales at auction.

Group took a 10 min. break - Re-convened at 2:44 p.m.

The working group resumed a general discussion of material particulars vs. material damage referencing the Spedding case.

There was a general discussion of use of the term “As is”.

The Division, CADA, CIADA and Mr. Wynkoop will forward draft proposals of modifications to Mr. Zulauf prior to the next scheduled meeting.

The next Stakeholder meeting is scheduled for Thursday, July 30, 2015, 1:00 p.m. at the CDOR offices located at 1881 Pierce Street, Lakewood, CO 80214.

Director Zulauf thanked everyone for their participation and adjourned the meeting at 4:05 p.m.

(Note: The minutes of these rulemaking working groups are very general in nature and only summarize the contents of the meeting. They are not verbatim transcripts and are based principally upon the digital recording of the meeting and upon the later collaboration of staff attendees to ensure that the summary faithfully captures the matters before the working group and the discussion the group had. The digital recording of the meeting is a permanent record of the Division, retained in the electronic filing system of Division, and is available on the Division's website.)