

# PROPOSED AMENDMENTS

## REDLINE

### Amended Emergency Regulation 44-20-402(17)-E:

DEPARTMENT OF REVENUE Motor Vehicle Dealer Board  
DEALING IN POWERSPORTS VEHICLES 1 CCR 205-2

**Statutory Authority:** Colorado Revised Statutes, Sections 44-20-401, 44-20-402, 44-20-403, 44-20-404, 44-20-408, and 44-20-119.

**Basis and Purpose:** To provide the ability to conduct powersports vehicle sales during the COVID-19 pandemic while complying with Executive Order D 2020 044 dated April 26, 2020, Colorado Department of Public Health and Environment's Public Health Order 20-28 dated April 26, 2020, and other guidance issued by the Colorado Department of Public Health and Environment and the Centers for Disease Control (CDC).

### EMERGENCY REGULATION 44-20-402(17)-E: ~~Online Powersports Vehicle Transactions During COVID-19 Pandemic and In-person Interactions~~

During the effective period of Colorado Public Health Order 20-~~24~~28, ~~dated April 26~~most recently updated March 27, 2020, licensed dealers may complete sales transactions under the conditions and in the manner described below:

- a. Dealerships shall comply with the provisions of Public Health Order 20-28 (including all appendixes), unless the local county in which a specific dealer location is located has received a variance from the State as provided under Section V of Colorado Public Health Order 20-28.
- b. Dealerships shall comply with any public health standards and orders issued by a county or municipality in which each dealership location is located.
- ~~a. Dealership sales departments and showrooms will not be open to the general public. Dealers may conduct transactions online, in their licensed location by appointment only, or remotely, provided that the Social Distancing Requirements, as defined in Section III.F of Colorado Public Health Order 20-24, are strictly adhered to.~~
- ~~b. Deliveries and in-person interactions may only be conducted in the following settings:
  - ~~1. Outside on dealership property provided that the Social Distancing Requirements, as defined in Section III.F of Colorado Public Health Order 20-24, are strictly adhered to,~~
  - ~~2. In a service bay cleaned in accordance with the requirements for critical businesses provided in Section III.C of Colorado Public Health Order 20-24,~~
  - ~~3. In a designated room at the dealership which has been cleaned in accordance with the requirements for critical businesses provided in Section III.C of Colorado Public Health Order 20-24, OR~~
  - ~~4. At the customer's residence or place of business provided that the Social Distancing Requirements, as defined in Section III.F of Colorado Public Health Order 20-24, are strictly adhered to.~~~~

~~6~~ As used in this emergency regulation, "dealers" refers to either licensed powersports vehicle dealers or licensed used powersports vehicle dealers.

The Board hereby incorporates as part of Emergency Regulation 44-20-402(17)-E of the Colorado Motor Vehicle Dealer Board rules under 1 C.C.R. 205-2 the following public health order by reference:

(1) ~~Second Updated~~ Public Health Order 20-24-28 ~~Implementing StaySafer At Home Requirements~~ dated ~~March 27~~ April 26, 2020 issued by the Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South, Denver, CO 80246. This rule does not include any later amendments or editions of the ~~Second Updated~~ Public Health Order 20-24-28 ~~Implementing StaySafer At Home Requirements~~.

Copies of the complete text of the referenced materials are maintained at the Colorado Department of Revenue, Auto Industry Division, 1697 Cole Boulevard, Suite 200A, Lakewood, Colorado, 80401, and may be inspected online at

<https://drive.google.com/file/d/1l13eSver8iS1fE149gmKHCLoHPgutNvO/viewhttps://drive.google.com/file/d/15odEp4BF2gxJAiGNpxX-5nB7nCirk4z/view> or at the offices of the Auto Industry Division, once

reopened, during normal business hours. Copies are available from Auto Industry Division at a reasonable charge. Copies are also available online at:

<https://drive.google.com/file/d/1l13eSver8iS1fE149gmKHCLoHPgutNvO/viewhttps://drive.google.com/file/d/15odEp4BF2gxJAiGNpxX-5nB7nCirk4z/view>. Certified copies may be obtained from the Colorado

Department of Public Health and Environment, 4300 Cherry Creek Drive South, Denver, CO 80246, 303-692-2060.