

DEPARTMENT OF REVENUE

Division of Motor Vehicles

VEHICLE SERVICES SECTION

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: This rule is promulgated under the authority of sections 42-1-102(24.5), 42-1-102(41.5), 42-1-204, 42-3-220, 42-3-301, 42-4-110, and 42-4-242, C.R.S.

Purpose: The purpose of this rule is to establish criteria for the issuance of Temporary Special Event License Plates and for the issuance and use of Temporary Special Event License Plates for Autonomous Vehicles.

1.0 Definitions

- 1.1 "Autonomous Vehicle" means a vehicle with an automated driving system as defined in section 42-1-102(7.7), C.R.S.
- 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.
- a. An applicant that has been authorized to operate an Autonomous Vehicle for demonstration or testing purposes as a Temporary Special Event may operate the Autonomous Vehicle in a Temporary Special Event status for a period greater than sixty (60) calendar days but not to exceed 12-months.
- 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 Special Event, as it is defined in section 42-1-102(102.7), C.R.S. "Temporary Special Event License Plate" does not mean a special plate for the purposes of section 42-3-207, C.R.S., Group Special License Plates issued pursuant to section 42-3-208, C.R.S, Alumni License Plates issued pursuant to section 42-3-214, C.R.S, or Distinctive Special License Plates as defined in section 42-13-102(24.5), C.R.S.

2.0 Application Process

- 2.1 Upon request the Department will provide an information packet which shall include: procedures for requesting a Temporary Special Event License Plate, 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 will accept an application for a Temporary Special Event License Plate as completed by the requesting person or group of people, otherwise known as "applicant".

- a. The application for an Autonomous Vehicle that will be operating as a Temporary Special Event for the purposes of demonstrations or testing will be the same as the application process for all other Temporary Special Events with the exception that the Temporary Special Event License Plate designed for Autonomous Vehicle demonstration and testing will not be customized for the Temporary Special Event and will be designed solely by the Department.

3.0 Requirements and Process for Temporary Special Event License Plates

- 3.1 The Department may issue a Temporary Special Event License Plate(s) to an applicant for vehicles or Autonomous Vehicles that meet the criteria in section 42-3-220(1), C.R.S., and will be operated for demonstration and testing purposes in connection with a Temporary Special Event.
- 3.2 An application for a Temporary Special Event License Plate 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. Temporary Special Event application fees shall be mailed directly to and be made payable to the Department of Revenue. A Temporary Special Event License Plate design fee shall be mailed directly to and be made payable to Colorado Correctional Industries.
- 3.3 A Temporary Special Event License Plate(s) will 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 Temporary Special Event shall have the associated Letter of Authorization present at all times that the Temporary Special Event License Plate is displayed on the vehicle.
- 3.4 A Temporary Special Event License Plate is 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.
- 3.5 A previously issued Temporary Special Event License Plate may be authorized for subsequent use upon request by the applicant provided the plate is 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.
- 3.6 An applicant must pay the material fee required in section 42-3-301, C.R.S., and the Temporary Special Event application fee required in section 42-3-220, C.R.S., for each Temporary Special Event License Plate requested. Payment of the fees must be received by the Department prior to shipment of the Temporary Special Event License Plate(s).
- 3.7 A Temporary Special Event applicant may request that the Temporary Special Event License Plate(s) be mailed to them. The Department will not incur any mailing costs and the applicant must prepay for shipping the Temporary Special Event License Plate(s).
- 3.8 A Temporary Special Event License Plate 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:
 - a. Deny any application request of which the design may be considered offensive to good taste and decency or is misleading.
 - b. Make any necessary adjustments to the plate design to make it compatible with License Plate Designs considered acceptable to Law Enforcement, Tolling Authorities, etc.

- 3.9 The Department will work directly with the applicant unless the applicant has designated a specific agent for the purpose of obtaining a Temporary Special Event License Plate. Designation of specific agent must be provided to the Department in writing by the applicant.
- 3.10 It is the responsibility of the applicant to ensure that the vehicle(s) displaying a Temporary Special Event License Plate is maintained in a roadworthy condition.
- a. With the exception of an Autonomous Vehicle, a vehicle displaying a Temporary Special Event License Plate must have the vehicle's 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. A vehicle that is donated by a dealer for use in the Temporary Special Event that is not currently registered must 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.
 - c. The Temporary Special Event License Plate must be affixed and displayed on the vehicle pursuant to section 42-3-202, C.R.S., except that a Temporary Special Event License Plate will not be issued or be required to display a year and month validation tab.
- 3.11 Sample plates of the finished design will not be provided unless specifically requested. Upon request, the current material fee pursuant to section 42-3-301, C.R.S., per single plate will be charged to cover the materials used to produce the sample plate.
- 3.12 Upon expiration of the Temporary Special Event, the Temporary Special Event License Plate(s) must be removed from all motor vehicles and becomes the property of the applicant.
- a. A Temporary Special Event Plate(s) issued to an Autonomous Vehicle must be returned to the Department upon the expiration of the demonstration or testing Temporary Special Event.
- 3.13 A Temporary Special Event License Plate may 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).
- 3.14 The Department will provide the letter of authorization, sample copies of the authorized Temporary Special Event License Plate, 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 Temporary Special Event License Plate(s) has been approved and authorized by the Department within the dates specified.
- 3.15 A lost or stolen Temporary Special Event License Plate must be reported within seventy-two (72) hours to the Department and to local law enforcement by the applicant. A replacement plate will be subject to the required material fee pursuant to section 42-3-301, C.R.S., Remanufacture and replacement of a Temporary Special Event License Plate will not be authorized until incident report paperwork from law enforcement is provided, including a DR2283 Lost or Stolen License Plate/Permit Affidavit, to the Department, by the applicant, stating the Temporary Special Event License Plate(s) were lost or stolen.

NOTE: Lost or stolen configurations will be replaced with new and unique configurations.

3.16 A dealership or manufacturer must report and make a tax return and payment to the Department of Revenue, Taxation Division 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 Plate. The Temporary Special Event applicant shall retain all proof of payment of the tax for compliance purposes and the Department shall not be required to validate proof of payment of the tax in order to authorize the Temporary Special Event.

4.0 Denied Applications and/or Revoked Temporary Special Event License Plates

4.1 The Department reserves the right to deny any application for a Temporary Special Event License Plate and may revoke the use of a Temporary Special Event License Plate(s) that is in violation of section 42-3-220, C.R.S., and/or this rule. The applicant must return all Temporary Special Event License Plates for the Temporary Special Event to the Department for destruction within ten (10) days of notification that the license plate(s) is revoked.

4.2 If an applicant has been denied a Temporary Special Event License Plate or has had a Temporary Special Event License Plate revoked, the applicant may request a hearing, in writing, within 60 days after a notice of denial is issued. Written hearing requests shall be submitted to the Department of Revenue, Hearings Section, via email at dor_regulatoryhearings@state.co.us or by mail at PO Box 17087, Denver, CO 80217-0087.

4.3 The hearing shall be held virtually at the Department of Revenue, Hearing Section. The presiding hearing officer shall be an authorized representative designated by the Executive Director, pursuant to the Colorado Administrative Procedures Act. The Department's representative need not be present at the hearing unless the presiding hearing officer requires his or her presence or the applicant requests his or her presence in writing. If the Department's representative is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the Department.

RULE 2. ESTABLISHING VEHICLE REGISTRATION PERIOD

Basis: This rule is promulgated under the authority of sections 42-1-204, 42-3-102, 42-3-103, 42-3-104, 42-3-106, 42-3-107, 42-3-112, 42-3-114, 42-3-115, 42-3-116, 42-3-201, 42-3-202, 42-3-203, 42-3-211, 42-3-301, 42-3-304, 42-3-306, 43-4-506(1)(k), 43-4-804(1)(a)(l), 43-4-805(5)(g)(l), 42-12-301, and 42-12-401 C.R.S.

Purpose: The purpose of this rule is to establish vehicle registration periods and methods of assessing taxes and fees.

1.0 Definitions

1.1 "Registration Expiration Date" means the expiration of the applicable registration period required in sections 42-3-102, 42-3-114, 42-12-301, and 42-12-401, C.R.S.

1.2 "Validation Tabs" means devices issued by the Department pursuant to section 42-3-201, C.R.S., that are affixed to a license plate pursuant to section 42-3-202, C.R.S. One Validation Tab will indicate the year of the Registration Expiration Date and one Validation Tab will indicate the month of the Registration Expiration Date.

2.0 Evidence of Vehicle Registration Period

- 2.1 Evidence of a vehicle registration period is provided by the issuance of a license plate with Validation Tabs affixed to it and the Registration Expiration Date printed on the registration receipt. For vehicles not required to display Validation Tabs in accordance with section 42-3-201(7), C.R.S., the Registration Expiration Date is printed on the registration receipt.
- 2.2 The Department will issue Validation Tabs for each license plate required to display Validation Tabs. Validation Tabs must be displayed on the license plate pursuant to section 42-3-202(1)(b), C.R.S.
- 2.3 A vehicle must display two license plates unless exempted pursuant to sections 42-3-201(1)(a)(I) and (II), C.R.S., and must be replaced when damaged, rendered unreadable, or when lost or stolen.

3.0 Procedure to Establish Registration Period and Method for Assessment of Fees and Taxes

- 3.1 A vehicle's registration period is established when the vehicle owner applies to register the vehicle in Colorado.
- 3.2 A vehicle not previously registered in Colorado will be registered by vehicle class for the period required by section 42-3-102, C.R.S. The Registration Expiration Date will be the last day of the month at the end of each registration period.
- 3.3 Specific ownership tax will be determined in accordance with sections 42-3-106 and 42-3-107, C.R.S. Registration fees will be determined in accordance with Title 42, articles 1, 3, and 12, and sections 43-4-506(1)(k), 43-4-804(1)(a)(I), and 43-4-805(5)(g)(I) C.R.S., and will be assessed and collected for each registration period. Registration fees and specific ownership tax can not be exempted unless specifically exempted pursuant to Colorado Revised Statutes.
- 3.4 Specific ownership taxes will be collected for the period the vehicle was owned and located in Colorado, or when Colorado residency of the vehicle owner is established. Consideration may be given for registrations that require bonds, affidavits, court orders, or as determined by the Department.
- 3.5 Registration fees will be collected for the appropriate registration period.
 - a. A vehicle's registration expires on the last day of the month as indicated on the registration receipt and Validation Tabs. All registrations will be evidenced by the issuance of license plate(s), a registration receipt, and Validation Tabs, except for those vehicles exempted from the Validation Tab requirement pursuant to section 42-3-201(7), C.R.S.
 - b. So long as a vehicle's registration renewal submission is received on or before the last day of the month following the month of expiration pursuant to section 42-3-114, C.R.S., the registration will be renewed for the appropriate registration period following the previous registration period. Specific ownership taxes and registration fees will be calculated and collected for the appropriate registration period.

- c. A vehicle's registration renewal submission received after the last day of the month following the month of expiration will be processed as a renewal following the previous registration period. The specific ownership taxes and registration fees will be collected for the registration period for that class of vehicle. In addition, specific ownership taxes will be collected for the period the person registering the vehicle was the owner from the date of expiration of the previous registration to the beginning of the registration period in addition to any late fees and prorated taxes and fees pursuant to section 42-3-112, C.R.S.
- d. A vehicle registration application not received within twelve months of the Registration Expiration Date will be processed as a new registration. The specific ownership taxes and registration fees will be collected for the registration period for that class of vehicle. In addition, specific ownership taxes will be collected for the period beginning on the date of expiration of the previous registration and ending on the date registration is renewed, plus any late fee and prorated taxes and fees imposed pursuant to section 42-3-112, C.R.S.
- e. If a license plate is transferred, the new registration will be issued to correspond with the appropriate registration period beginning with the month of application to transfer the license plates to the vehicle. Specific ownership taxes and registration fees will be collected the month following the month of purchase or the month following the date the vehicle was acquired by the owner and for the registration period for that class of vehicle. Credits will be given in accordance with section 42-3-107(25), C.R.S., as determined by the Department, for fees and any specific ownership taxes previously paid which remain on the vehicle's previous registration period.

4.0 Exceptions to Registration Periods

- 4.1 A vehicle issued personalized plates pursuant to section 42-3-211, C.R.S., will have a registration period that expires on the same date the registration for the previously issued plates was set to expire, and have period of registration in accordance with section 42-3-102, C.R.S., from that point forward.
- 4.2 A vehicle issued horseless carriage license plates will have a five-year registration period pursuant to section 42-12-301(3)(a), C.R.S.
- 4.3 A vehicle issued collector license plates will have a five-year registration period beginning on the date of registration of the vehicle pursuant to section 42-12-401, C.R.S.
- 4.4 Pursuant to section 42-3-102(3)(a), C.R.S., the Department may register a vehicle that is not registered under the international registration plan at intervals of less than one year upon payment of the appropriate registration fees 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 is permitted to select an expiration month which coincides with a current registered vehicle in the owner's name. Vehicles previously registered in intervals of less than one year will be renewed for registration periods as provided in section 42-3-102, C.R.S., and this rule.
- 4.5 Pursuant to section 42-3-102(1)(b)(I), C.R.S., utility trailers weighing less than 2,000 pounds may be registered in five-year intervals upon payment of five-year registration fees and five-year specific ownership tax. A five-year registration period is optional and shall not be required. The five-year registration period shall be evidenced with a standard trailer regular license plate with a five-year Validation Tab.

RULE 3. [Repealed eff. 09/14/2015]

RULE 4. GROSS VEHICLE WEIGHT REGISTRATIONS

Basis: The statutory bases for this rule are sections 42-1-102(17), 42-1-102(23.5), 42-1-102(109), 42-1-201, 42-1-204, and 42-3-306(5) C.R.S.

Purpose: The purpose of this rule is to establish the information to be maintained for vehicles subject to gross vehicle weight registration fees and to clarify the standards for calculating registration fees.

1.0 Definitions

- 1.1 "GVW Vehicle" means a truck or truck tractor subject to annual registration fees based on declared gross vehicle weight pursuant to section 42-3-306(5)(b), C.R.S.
- 1.2 "Mileage History" means those miles traveled by a GVW vehicle during the Registration Period Mileage Cycle.
- 1.3 "Registration Period Mileage Cycle" means the twelve-month period immediately preceding the expiration date of a GVW vehicle registration.

2.0 Registration Fee Calculation

- 2.1 GVW Vehicle Used in the Operations of a Common or Contract Carrier for Hire. For purposes of this rule, a GVW Vehicle is deemed to be used in the operations of a common or contract carrier for hire if the vehicle transported any cargo not owned by the carrier for fifty percent or more of the total miles traveled by that vehicle within the Registration Period Mileage Cycle pursuant to 42-3-306(5)(b)(II), C.R.S.
 - a. Whether a GVW Vehicle is used in the operations of a common or contract carrier for hire may be established by submitting documentation at the time of registration proving ownership of all cargo carried for the miles traveled by that vehicle within the previous Registration Period Mileage Cycle. Documentation may be bills of sale, manufacturing documentation, or other documents deemed acceptable by the Department.
 - b. A GVW Vehicle registered for the first time that does not have documentation proving carrier type or mileage history will be registered as a common or contract carrier for hire travelling ten thousand miles or more. Upon registration renewal, if it is demonstrated that the GVW Vehicle is not a common or contract carrier and/or travelled less than ten thousand miles during the Registration Period Mileage Cycle, the registrant may request that the Department credit the difference between the registration fees paid and the renewal registration fees towards the renewal registration fees. If not renewing registration, a refund of the excess registration fee may be requested by submitting a request for refund to the Department on form DR 2444 Statement of Fact with supporting documentation.
- 2.2 Replacing a GVW Vehicle. A GVW Vehicle owner who is replacing an existing GVW Vehicle may use the Mileage History of the GVW Vehicle being replaced as qualification for the registration fees assessed on the new GVW Vehicle. For the Mileage History to qualify, the existing GVW Vehicle must have been registered and in operation for a full Registration Period Mileage Cycle.

3.0 Recordkeeping Requirements

- 3.1 Documentation of Mileage History. Documentation for both interstate and intrastate travel must be maintained and must contain the following information:
 - a. Beginning and ending date of each trip;

- b. Trip origin and destination;
- c. Route of travel;
- d. Beginning and ending odometer or hub odometer reading of the trip;
- e. Total mileage;
- f. Mileage by jurisdiction;
- g. Vehicle Identification Number;
- h. GVW Vehicle owner's name;
- i. Driver's printed name and signature; and
- j. A copy of the vehicle registration receipt indicating taxes paid for the requested Registration Period Mileage Cycle

RULE 5. FLEET REGISTRATION PROGRAMS

Basis: The statutory bases for this rule are sections 42-1-102(35), 42-1-102(36), 42-1-204, 42-3-107(16)(f), 42-3-107(27), 42-3-113(8)(a)(II), and 42-3-125, C.R.S.

Purpose: The following rule is promulgated to establish requirements for participation in the Colorado fleet vehicle programs.

1.0 Definitions

- 1.1 "Colorado Fleet Registration Program (CFRP)" means the optional program for fleet operators, defined in section 42-1-102(35), C.R.S., to register fleet vehicles, as defined at section 42-1-102(36), C.R.S., in a common registration expiration month evidenced by the issuance of a Fleet License Plate.
- 1.2 "Colorado Standard Fleet Program (CSFP)" means the optional program for fleet operators to register fleet vehicles in a common registration expiration month without the issuance of a Fleet License Plate.
- 1.3 "Fleet License Plate" means the Colorado red and white license plate with stacked letters "FLT" which are not required to display year and month validation tabs.
- 1.4 "Fleet Number" means the number assigned by the Department to a fleet operator that has been approved to participate in the CFRP and/or CSFP.
- 1.5 "International Registration Plan (IRP)" means the program in which vehicles are registered under a reciprocity agreement among the states of the United States and provinces of Canada, providing for the payment of license fees based upon total distance operated in all jurisdictions.

2.0 Fleet Vehicle Programs and Participation Requirements

- 2.1 Fleet vehicle programs are as follows:

- a. Colorado Fleet Registration Program: The CFRP program is available to fleet operators that request a common registration expiration month for their fleet vehicles. Under this program, each fleet vehicle must display a Fleet License Plate. The same registration expiration month applies for all vehicles in the fleet.
 - b. Colorado Standard Fleet Program: The CSFP program is available to fleet operators that request a common registration expiration month for their fleet vehicles, without requiring Fleet License Plates. Under this program, the fleet operator is required to update the Colorado registration receipt and license plate month and year tabs on each fleet vehicle annually. The same registration expiration month applies for all vehicles in the fleet.
- 2.2 A fleet operator may apply to participate in one or both of the fleet vehicle programs. The fleet operator must meet and maintain the minimum requirement of ten for each separate fleet vehicle program that the fleet operator is participating in.
- 2.3 Vehicles registered in the CFRP or CSFP programs must be titled in the fleet operator's name to participate in the programs.
- 2.4 The fleet operator must also provide any applicable registration documents: proof of Colorado compliant insurance, heavy vehicle use tax, proof of emissions, and public utility license.

3.0 Process

- 3.1 The fleet operator must complete the form DR 2428 Fleet Owner Request for Participation in the Colorado Fleet Registration Program (for CFRP) and/or form DR 2194 Fleet Owners Request for Common Registration Expiration Date (for CSFP). The fleet operator must designate the requested registration expiration month (including designating an alternate choice, if applicable) for the fleet vehicles. Otherwise, the Department will assign the registration expiration month.
- 3.2 Upon approval, a Fleet Number will be assigned by the Department. The Department will provide the assigned Fleet Number to the fleet operator and all counties designated on the DR 2428 and/or DR 2194
- 3.3 Upon the initial registration of fleet vehicles in a fleet registration program, the fleet operator will be issued a registration period certificate containing "PERM" in the expiration date field. This "PERM" registration period certificate must be retained in each fleet vehicle as evidence of registration. Upon annual renewal, the fleet operator will be issued a new registration period certificate to show taxes and fees paid. However, if the original "PERM" registration period certificate is maintained in the fleet vehicle, the new registration period certificate must be retained but need not replace the "PERM" registration period certificate in the vehicle.

4.0 Changes to Fleet Operator Vehicle Number, Fleet Operator Name, or Expiration Month

- 4.1 If at any time a fleet operator owns or leases less than ten vehicles, then the fleet operator's participation in the fleet programs is subject to cancellation.
- 4.2 In the event of a legal name change of the fleet operator
- a. All fleet vehicle titles must be properly transferred to the fleet operator's new name;
 - b. The fleet operator must complete the DR 2428 (for CRFP) or DR 2194 (for CSFP) marking the form in the "name change" section, and;

- c. Once the name change is processed, the fleet operator will receive Colorado registration receipts updated with the name change for all fleet vehicles from the county where the fleet vehicles are registered.

4.3 A fleet operator may change the expiration month, not to exceed twelve months, by re-submitting form DR 2428 (for CFRP) and/or form DR 2194 (for CSFP). The fleet operator will be assigned a new Fleet Number.

5.0 IRP Vehicles Ineligible

5.1 Vehicles registered in the International Registration Plan (IRP) are not eligible to participate in the CFRP or CSFP. A fleet operator wishing to register vehicles in Colorado fleet vehicle program(s) must remove those vehicles from the IRP prior to registering the vehicles in CFRP and/or CSFP.

RULE 6. COLORADO STATE PATROL LICENSE PLATES

Basis: This regulation is promulgated under the authority of sections 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), C.R.S.

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, Vehicle Services 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, Vehicle Services Section in a manner as prescribed by the Department.
- 2.2 The Department of Revenue, Vehicle Services 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 section 42-3-301, C.R.S. 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 from all taxes, fees and ownership taxes as established in section 42-3-104(1) and 42-3-304(3)(c), C.R.S.
- 2.5 Colorado State Patrol license plates shall not be issued annual validating tabs or stickers as established in section 42-3-201(2), C.R.S.

- 2.6 Motor vehicles issued and registered with Colorado State Patrol license plates shall conform to applicable insurance requirements as established in section 42-3-105(1)(d), C.R.S. and applicable emissions requirements as established in sections 42-4-301 through 42-4-316, C.R.S. and sections 42-4-401 through 42-4-414, C.R.S.
- 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.
- 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 tagline 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 section 42-3-104(4), C.R.S. .
- 2.9 Plate series "CSP" shall be reserved for Colorado State Patrol license plates and manufacturing. 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. MOTORIST INSURANCE IDENTIFICATION DATABASE (MIIDB)

Basis: The statutory basis for this rule is Part 6, Article 4 of Title 10, section 42-1-204, C.R.S., and section 42-7-604, C.R.S.

Purpose: The purpose of this rule is to establish reporting requirements for insurers that issue insurance policies under Part 6, Article 4 of Title 10 in order to maintain the Motorist Insurance Identification Database (MIIDB).

1.0 Definitions

- 1.1 "Designated Agent" means an agent that contracts with the Department as defined in section 42-7-603(3), C.R.S.
- 1.2 "Secure File Transfer Protocol" (SFTP) means a process for securely exchanging files between the insurer's system and the Designated Agent's system.
- 1.3 "Policy" means an automobile insurance policy as defined in section 10-4-601(10), C.R.S.

2.0 Insurer Reporting Requirements

- 2.1 An insurer shall report motor vehicle Policy information required under section 10-4-615(2), C.R.S., to the Department's Designated Agent as provided by sections 10-4-615(1)(a) and (b) and 10-4-615(3), C.R.S.
- 2.2 Each insurer with any policies in place for the preceding six months shall provide such policy information every week for the immediately preceding week. Such information shall be reported no later than seven working days after the last date of the week reported on.
- 2.3 The information required in 2.1 above shall be reported and provided in a form or manner acceptable to the Designated Agent using the SFTP. An insurer must register with the Designated Agent and complete the required registration found at:
<https://apps.colorado.gov/driveinsured/registration.html>.
- 2.4 Error Reporting

- a. The Designated Agent will make error reports available to insurers using the SFTP.
- b. Each insurer shall retrieve error reports and develop an error correction process for Policy information that is rejected and returned.
- c. Each insurer must correct rejected and returned Policy information and resubmit corrected Policy information using the form or manner required in paragraph 2.3 above. Until it is corrected, a rejected Policy may result in the vehicle record being disclosed as uninsured to law enforcement upon request for insurance status.
- d. Each insurer is responsible for any costs incurred in complying with the MIIDB program.

3.0 Vehicles Exempt From MIIDB Reporting Requirements

3.1 The following motor vehicles are exempt from MIIDB reporting requirements:

- a. A motor vehicle that is a commercial motor vehicle defined in 42-1-102(17.5), C.R.S.
- b. A motor vehicle designed as a special use truck pursuant to 42-3-306(9), C.R.S., and Rule 33, 1 CCR 204-10.
- c. A motor vehicle registered in the commercial fleet program pursuant to 42-3-107(27), C.R.S., and Rule 5, 1 CCR 204-10.
- d. A motor vehicle registered in a rental program pursuant to 42-3-107(11), 42-3-107(12), and 42-3-107(16), C.R.S., and Rule 30, 1 CCR 204-10.
- e. A motor vehicle owned by the State of Colorado or any agency or institution there of or by a town, city, county, or city and county pursuant to 42-3-104(4), C.R.S., and Rule 28, 1 CCR 204-10.
- f. A motor vehicle registered with a gross vehicle weight rating pursuant to 42-1-102(23.5) and 42-3-306(5)(b), C.R.S., and Rule 4, 1 CCR 204-10.
- g. A motor vehicle registered as a farm vehicle pursuant to 42-3-306(4), C.R.S.
- h. A bus registered pursuant to 42-1-102(88) and 42-3-306(2)(c), C.R.S.
- i. A motor vehicle registered with a Commercial Call Letter license plate pursuant to 42-3-210, C.R.S.
- j. A vehicle that does not meet the definition of a motor vehicle under 10-4-601(6) and 42-1-102(580), C.R.S. This includes Trailers defined in 42-1-102(14), 42-1-102(60.3), 42-1-102(105), 42-1-105(106), and 42-1-102(111), C.R.S., and Special Mobile Machinery defined in 42-1-102(93.5), C.R.S.

3.2 The following registration records with license plates that are registered to a person and not a motor vehicle are exempt from MIIDB reporting requirements:

- a. Dealer Demonstration, Dealer Full-Use, Dealer In-Transit, and SMM Dealer Demonstration license plates issued pursuant to 42-3-116, C.R.S., and Rule 48, 1 CCR 204-10.
- b. Depot license plates issued pursuant to 42-3-116, C.R.S., and Rule 9, 1 CCR 204-10.

- c. Manufacturer license plates issued pursuant to 42-3-116, C.R.S.
- d. Transporter license plates issued pursuant to 42-3-116, C.R.S., and Rule 35, 1 CCR 204-10.

RULE 8. DEALER TITLE

Basis: The statutory bases for this rule are 42-6-102(2), 42-6-104, 42-6-111(2), 42-6-137(6), and 42-6-138(4), C.R.S.

Purpose: The purpose of this rule is to establish requirements for a motor vehicle dealer or wholesaler for providing proof of ownership and for the processing of certificates of title.

1.0 Definitions

- 1.1 “Agent” means an individual authorized by a dealer or wholesaler to act on behalf of that dealer or wholesaler.
- 1.2 “Assigned” means a certificate of title or MCO that is signed by a seller and accompanied by the Colorado dealer’s bill of sale for motor vehicle to evidence the chain of ownership progression to the dealer or wholesaler.
- 1.3 “Manufacturer’s Certificate of Origin” or “MCO” has the same meaning as Colorado Code of Regulation 1 CCR 204-10 Rule 22. Manufacturer’s Certificate of Origin – Requirements and Use.
- 1.4 “Working Day” means the daily period beginning at 8:00 a.m. and ending at 5:00 p.m. Monday through Friday, with the exception of those days designated as official State of Colorado holidays by statute or Executive Order of the Governor, or where a county operates under alternative posted hours.
- 1.5 “Secure and Verifiable Identification” means a document 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 the Homeland Security Agency.
- 1.6 “Letter of Authorization” means an authorization on a dealer’s or wholesaler’s letterhead from a designated representative of a dealer or wholesaler to the Department authorizing a specific person to act as an Agent for the dealer or the wholesaler.
- 1.7 “Third Party Provider” means an electronic vehicle or special mobile machinery registration, lien, or titling service provider that is approved by the Department to perform the registration, lien, and titling functions set forth in articles 1 to 6 of Title 42, as defined in 42-1-102(102.8), C.R.S.

2.0 Proof of Ownership Requirements

- 2.1 A Colorado dealer or wholesaler must maintain the following proof of ownership for each vehicle in their possession:
 - a. If the vehicle is a used vehicle with a Colorado certificate of title:
 - 1. A Colorado certificate of title Assigned to the dealer or wholesaler; and,
 - 2. Odometer disclosure if required.
 - b. If the vehicle is a used vehicle with an out-of-state certificate of title:

1. The out-of-state certificate of title Assigned to the dealer or wholesaler; and,
 2. Odometer disclosure if required; and,
 3. Colorado Dealer's Out-of-State Vehicle Information Disclosure; and,
 4. Colorado verification of vehicle identification number.
- c. A new vehicle Assigned by MCO to a dealer or wholesaler:
1. MCO Assigned or re-Assigned to a franchised dealer or wholesaler; and,
 2. Odometer disclosure if required.
 3. A dealer or wholesaler shall not hold a MCO unless that dealer or wholesaler is franchised to sell that specific make of vehicle as indicated on the MCO.
- d. A new vehicle Assigned or re-Assigned with its MCO from an out-of-state franchised dealer or wholesaler to a franchised Colorado dealer or wholesaler:
1. MCO re-Assigned to the franchised dealer or wholesaler; and,
 2. Odometer disclosure if required; and,
 3. A dealer or wholesaler shall not hold a MCO unless that dealer or wholesaler is franchised to sell that specific make of vehicle as indicated on the MCO.
- e. A vehicle with incomplete or insufficient certificate of title shall be marked "Not for Sale" and withheld from any public offering.

3.0 Requirements for Obtaining Certificate of Title in One Working Day

- 3.1 A dealer or wholesaler may obtain a "dealer resale" certificate of title in the licensed name of the dealer or wholesaler within one Working Day after application, at the Department of Revenue, by making a "3 Dealer Title" appointment at the Lakewood office; limited to one appointment per company per day. A maximum of 3 dealer titles will be processed in this manner per company per day. The required documents, as outlined in section 4.0 below, and payment of the statutorily required fee are required.
- 3.2 A dealer or wholesaler may obtain 3 "dealer resale" certificates of title per company per day in the licensed name of the dealer or wholesaler at their county motor vehicle office, through appointment or walk-in, based on that county's transaction policies.
- 3.3 A dealer or wholesaler requesting the Department issue a certificate of title to an Agent must provide a Letter of Authorization, listing the names of all persons who will be acting as Agents on their behalf. Letters of Authorization will be kept on file at the Department. It shall be the responsibility of the dealer or wholesaler to notify the Department of any changes in Agents. A person attempting to obtain a Dealer Resale certificate of title that is not listed on the dealer's or wholesaler's Letter of Authorization will not be permitted to receive the certificate of title. If the dealer, wholesaler, or Agent fails to pick up the certificate of title after one Working Day the Department may choose to hold the certificate of title until it is picked up or mail it to the dealer or wholesaler.

3.4 The Agent shall be required to present Secure and Verifiable Identification at the time of application and upon receipt of a certificate of title. The Agent shall sign a receipt verifying receipt of the certificate of title.

3.5 An Agent representing more than one dealer or wholesaler must have a Letter of Authorization from each dealer or wholesaler for which the Agent is an authorized Agent in order to obtain a certificate of title on behalf of that dealer or wholesaler.

4.0 Requirements for Acceptance of Applications for Dealer Resale Certificate of Title

4.1 An application for dealer resale certificate of title will only be accepted when:

- a. The supporting ownership document is a MCO properly Assigned to a dealer or wholesaler or re-Assigned to a dealer or wholesaler; or,
- b. The supporting ownership document is a certificate of title properly Assigned to a dealer or wholesaler; or,
- c. The supporting ownership document is a salvage certificate of title for a vehicle that has been made roadworthy, as defined in section 42-6-102(15), C.R.S., and is being submitted for a dealer resale certificate of title in the dealer's or wholesaler's name.

4.2 An application for a dealer resale certificate of title must be free and clear of all liens and encumbrances.

4.3 An application for a dealer resale certificate of title must be complete and contain all required documents listed in section 2.0 Proof of Ownership Requirements above.

4.4 The Department may limit dealer resale certificate of title applications to three applications per dealer, wholesaler or Agent per Working Day. Additional applications above the maximum limit of three may not be processed in one Working Day.

5.0 Dealer Resale Certificate of Title Application Processing Timeframes

5.1 Dealer titles shall be processed as listed in sections 3.1 and 3.2.

5.2 Processing is contingent upon an application meeting requirements, receiving payment, passing Department auditing of the application and documents, and extraordinary circumstances beyond the control of the Department.

5.3 Dealer resale titles may also be dropped off at (or mailed to) the state or county offices; dropped off dealer titles will be available for pickup within 5 Working Days.

5.4 Dealer resale titles obtained through a Third Party Provider are not subject to the timeframes referenced in this section 5.0.

5.5 A dealer or wholesaler may request overnight mail service of a dealer resale certificate of title. If overnight mail service is requested the dealer or wholesaler must provide the state or county with a pre-paid return envelope. Otherwise, the agency will mail any dealer resale certificate of title that is not picked up or overnight mailed by first class mail to the dealer or wholesaler.

5.6 A dealer resale certificate of title that is not picked up by the dealer, wholesaler, or Agent within 8 Working Days of submitting the application will be mailed to the dealer or wholesaler. If mailing instructions are not provided to the state or county with the application, the dealer resale certificate of title will be destroyed, and the dealer or wholesaler will be required to apply for a duplicate title.

6.0 Duplicate Certificates of Title

6.1 Only licensed Colorado dealers or wholesalers may, at the Department's discretion, obtain duplicate certificates of title directly from the Department.

6.2 A dealer or wholesaler may obtain a duplicate certificate of title for a vehicle that has been "traded-in" to them, but the owner has lost, misplaced, or accidentally destroyed the certificate of title.

6.3 The dealer or wholesaler must provide a power of attorney from the previous owner and the vehicle must be in the dealer's or wholesaler's possession before an application for a duplicate certificate of title will be accepted.

6.4 A duplicate certificate of title showing an active recorded lien will not be provided to a dealer or wholesaler. If a proper lien release is submitted with a duplicate certificate of title application, the satisfied lien will be removed from the vehicle record and a duplicate certificate of title will be provided to the dealer or wholesaler.

7.0 Payment

7.1 An application for a dealer resale certificate of title will not be processed until all statutorily required fees are paid.

7.2 A check returned for insufficient funds will require any and all future payments by that dealer or wholesaler to be made by cash or certified funds.

7.3 Refunds will be processed at the discretion of the Department.

8.0 Appeals

8.1 If a dealer or wholesaler has been denied issuance of a dealer resale certificate of title or a duplicate title, the dealer or wholesaler may request a hearing, in writing, within 60 days after the date of the notice of denial. Written hearing requests shall be submitted to the Department of Revenue, Hearings Division.

8.2 The hearing shall be held at the Department of Revenue, Hearings Division. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The Department's representative need not be present at the hearing unless the presiding hearing officer requires his or her presence or the dealer or wholesaler requests his or her presence in writing. If the Department's representative is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the Department.

RULE 9. DEPOT LICENSE PLATES

Basis: The statutory bases for this rule are sections 42-1-204, 42-3-116, and 42-3-301, C.R.S.

Purpose: The following is promulgated to establish criteria for the issuance and use of Depot License Plates.

1.0 Definitions

- 1.1 “Dealer” – means a Colorado licensed dealership as defined in Code of Colorado Regulation 1 CCR 204-10 Rule 48. Colorado Dealer License Plates.
- 1.2 “Depot License Plate(s)” also referred to as “Depot Tags” – means a numbered license plate issued by the Department that has the stacked “DPT” lettering on the Colorado blue and white graphic license plate.

2.0 Requirements

- 2.1 A Dealer requesting Depot License Plates must complete and submit to the Department form DR 2521 Depot Plate Application, together with a copy of the Dealer’s license and required fees.
- 2.2 A Dealer can obtain one Depot License Plate per mechanic or service technician employed by the Dealer. Upon application or renewal, the owner or authorized representative of the Dealer must certify the number of mechanics or service technicians currently employed by the Dealer.
- 2.3 Applications, issuance, renewals, and replacements may be conducted via mail (including U.S. Postal Service, FedEx, UPS, DHL, etc.). The Dealer must provide a self-addressed, postage-paid envelope for Depot License Plates if requesting delivery by mail services. Depot License Plates cannot be mailed to a non-Colorado address.
- 2.4 Use of Depot License Plates is limited to the purposes described in section 42-3-116(4)(a), C.R.S.

3.0 Lost or Stolen Depot License Plates

- 3.1 A Dealer must report lost or stolen Depot License Plates within seventy-two (72) hours to the local law enforcement agency and to the Department using form DR 2283 Lost or Stolen License Plates/Permits Affidavit.

4.0 Surrender of Depot License Plates

- 4.1 A Dealer whose dealer license is suspended, denied, revoked, or expired, or otherwise ceases to operate must surrender to the Department all Depot License Plates in its possession within seventy-two (72) hours.
- 4.2 The Department will not refund any portion of the original fees paid when Depot License Plates are surrendered.

RULE 10. OBTAINING TITLE FOR A MOTOR VEHICLE ABANDONED AT A MOTOR VEHICLE REPAIR FACILITY

Basis: The statutory bases for this rule are 38-20-116, 42-1-204, 42-6-102, 42-6-104, 42-6-115(3)(a), 42-6-116, 42-6-136, 42-6-136.5, 42-6-137, and 42-9-102, C.R.S.

Purpose: The purpose of this rule is to establish requirements for obtaining a Colorado certificate of title for a motor vehicle that has been abandoned at a Motor Vehicle Repair Facility.

1.0 Definitions

- 1.1 “Abandoned Motor Vehicle” for the purposes of this rule means the same as it is defined in 38-20-116(2.5)(b), C.R.S.

- 1.2 “Last Good Faith Effort” for the purpose of this rule means notifying the vehicle owner as required pursuant to 38-20-116(2), C.R.S.
- 1.3 “Motor Vehicle Repair Facility” means the same as it is defined in 42-9-102(3), C.R.S.
- 1.4 “Work Day” for the purposes of this rule means Monday through Friday, excluding Colorado State Government recognized holidays.
- 1.5 “Work Order” means the same as it is defined in 42-9-102(6), C.R.S.

2.0 Requirements

- 2.1 A Motor Vehicle Repair Facility in possession of an Abandoned Motor Vehicle may obtain a Colorado certificate of title in its name by completing the steps below. The below steps are the recommended order of completion, the Motor Vehicle Repair Facility may complete the steps in any order, but all steps must be completed before the Motor Vehicle Repair Facility can obtain a Colorado certificate of title in its name.
- a. Complete a title record search pursuant to 38-20-116(2.5)(c)(III), C.R.S.
 - i. If the Abandoned Motor Vehicle is a motor vehicle registered in Colorado, submit form DR 2489A Motor Vehicle Record Requestor Release And An Affidavit of Intended Use and attach thereto a copy of the Work Order.
 1. A certified Vehicle Identification Number (VIN) inspection may be submitted in lieu of a Work Order when the Work Order is not available.
 - ii. If the Abandoned Motor Vehicle is registered in another jurisdiction, a title and lien search from the other jurisdiction is required. The results of that search shall be submitted with the application for a Colorado certificate of title.
 - b. Notify the owner(s) and all lienholders in accordance with subsection 38-20-116(2.5)(c)(IV), C.R.S.
 - c. Complete a certified VIN inspection pursuant to 38-20-116(2.5)(c)(II)(A) and (B), C.R.S. on form DR 2704 Colorado Certified VIN Inspection.
 - d. Establish the retail fair market value of the Abandoned Motor Vehicle pursuant to section 38-20-116(2.5)(c)(I), C.R.S.
 - e. Purchase a surety bond pursuant to 42-6-115(3)(a) and 38-20-116(2.5)(c)(V), C.R.S.
 - f. Disclose current or previous salvage information.
 - i. If the Colorado certificate of title record search indicates the Abandoned Motor Vehicle is branded as salvage, the DR 2704 Colorado Certified VIN Inspection form must indicate that the Abandoned Motor Vehicle is “Not Roadworthy”.

1. If an Abandoned Motor Vehicle previously having a salvage brand has been repaired to a roadworthy condition, the Motor Vehicle Repair Facility may apply for a Colorado rebuilt from salvage certificate of title by completing the requirements listed in form DR 2415 Rebuilt Title Established by Salvage Title Checklist and completing form DR 2424 Salvage Title Statement of Fact indicating what repairs were made to the Abandoned Motor Vehicle to bring it to a roadworthy condition as defined in section 42-6-102(15), C.R.S.
 - a. After making repairs to bring the branded salvage Abandoned Motor Vehicle to a roadworthy condition, a new form DR 2704 Colorado Certified VIN Inspection must be submitted with the application for Colorado certificate of title.
 2. If the salvage branded Abandoned Motor Vehicle is not repaired to a roadworthy condition, the Motor Vehicle Repair Facility may apply for a salvage branded title using form DR 2410 Application for Salvage Title or Nonrepairable Title.
 3. If the Colorado certificate of title record search indicates that the Abandoned Motor Vehicle was branded as "Previous Salvage (Rebuilt from Salvage)" and the form DR 2704 indicates that the Abandoned Motor Vehicle is roadworthy, the Motor Vehicle Repair Facility must request a salvage history on the Abandoned Motor Vehicle from the Department.
 - a. Upon determination of the reason for the vehicle being branded salvage, the Motor Vehicle Repair Facility must complete form DR 2710 Branded Title Disclosure Statement.
 - b. If the reason for the vehicle being branded salvage is indeterminate, the Motor Vehicle Repair Facility must complete form DR 2710 Branded Title Disclosure Statement, marking the "Other" box on the form and must write "Purchased as an abandoned vehicle, unable to obtain a salvage history, reason for salvage unknown" in the space provided to the right of the "Other" box.
- g. Complete form DR 2438 Storage Lien Bond Statement Guide or form DR 2444 Statement of Fact, providing the information required pursuant to section 38-20-116(c)(VI), C.R.S.
- 2.2 After completion of all steps in paragraph 2.1 above, the Motor Vehicle Repair Facility may apply for a Colorado certificate of title or salvage branded title. The application and related forms must be filed in the name of the Motor Vehicle Repair Facility, and in the county where the Motor Vehicle Repair Facility is located. The County Clerk and Recorder will issue the Colorado certificate of title in the Motor Vehicle Repair Facilities name using the previous title code of "BOS REP" (Bill of Sale Repair Facility) and assess the appropriate fees pursuant to 42-6-137, C.R.S.
- a. An Abandoned Motor Vehicle with a retail fair market value of less than \$200.00 can be sold only for the purposes of junking, scrapping, or dismantling. No certificate of title will be issued. The sale must be executed in accordance with subsection 38-20-116(2.5)(c)(VII)(B), C.R.S.

2.3 After the Motor Vehicle Repair Facility has obtained a Colorado certificate of title for the Abandoned Motor Vehicle, the vehicle must be sold in a commercially reasonable manner pursuant to section 38-20-116(d)(l), C.R.S.

3.0 Agents Acting on Behalf of the Motor Vehicle Repair Facility

3.1 An agent may obtain title to an Abandoned Motor Vehicle in a Motor Vehicle Repair Facility's name upon presenting a Power of Attorney or Permission Letter authorizing the agent to act on the Motor Vehicle Repair Facility's behalf.

3.2 The Permission Letter listed in paragraph 3.1 must include the make, model, model year, and VIN of the Abandoned Motor Vehicle; the business name, address, and telephone number of the Motor Vehicle Repair Facility; and a statement that "[Name of Motor Vehicle Repair Facility] hereby authorizes [agent's name] to act on my behalf in processing the title application for the above-referenced motor vehicle." The permission letter must be either (1) signed under penalty of perjury or (2) notarized.

RULE 11. EMERGENCY VEHICLE AUTHORIZATION

Basis: The statutory bases for this rule are 24-4-104, 24-4-105, 42-1-102(6), 42-1-204, 42-4-108(5), 42-4-213, and 42-4-238, C.R.S.

Purpose: The following rule is promulgated to establish the application, maintenance, and revocation procedures for Authorized Emergency Vehicle designation for a privately owned vehicle.

1.0 Definitions

1.1 "Applicant" means the owner and/or operator of a vehicle seeking designation of that vehicle as an Authorized Emergency Vehicle.

1.2 "Approve" means certification from an Authorizer that an emergency vehicle designation is necessary to the preservation of life or property or to the execution of emergency governmental functions.

1.3 "Authorized Emergency Vehicle" means those vehicles so designated in 42-1-102(6)(a) and (b), C.R.S.

1.4 "Authorizer" means a Chief of Police, Sheriff, Fire Chief, Commanders of the Colorado State Patrol, a chief executive officer of an ambulance service, or their designees. For purposes of privately owned tow trucks, "Authorizer" means the Colorado Public Utilities Commission.

1.5 "Authorizing Agency" means a fire department, police department, ambulance service or, for the purposes of privately owned tow trucks, "Authorizing Agency" means the Colorado Public Utilities Commission.

1.6 "Emergency Vehicle Decal," or often referred to as "Red Dot Sticker", means the window decal issued by the Department signifying that a vehicle has been designated an Authorized Emergency Vehicle.

1.7 "Tow Truck" means the same as in subsection 40-10.1-101(21), C.R.S.

2.0 Application Requirements

- 2.1 An Applicant requesting designation of a vehicle as an Authorized Emergency Vehicle must complete the Applicant Information section of the form DR 2490 Emergency Vehicle Authorization Application (“DR 2490”). The Applicant must then submit the DR 2490 to the Authorizing Agency from which the Applicant seeks certification that the Applicant’s vehicle is necessary to the preservation of life or property or to the execution of emergency governmental functions.
- 2.2 The Department will not designate a vehicle an Authorized Emergency Vehicle unless the Department determines that the vehicle is necessary to the preservation of life or property or to the execution of emergency governmental functions.
- 2.3 An Authorizer and Applicant cannot be the same individual. An Authorizer who applies for an Emergency Vehicle Authorization must obtain a certification from another Authorizer within his or her Authorizing Agency or from a different Authorizing Agency.
- 2.4 If the Authorizing Agency deems that designation of the Applicant’s vehicle is necessary to the preservation of life or property or to the execution of emergency governmental functions, the Authorizer will complete the Authorization by Law Enforcement, Fire Chief, Ambulance Service Director section of the DR 2490 and submit the DR 2490 to the Department.
- a. For the purposes of privately owned tow trucks, the Colorado Public Utilities Commission will complete the Authorization by Law Enforcement, Fire Chief, Ambulance Service Director section of the DR 2490 and submit the DR 2490 to the Department.
- 2.5 If the Authorizing Agency does not deem that designation of the Applicant’s vehicle is necessary to the preservation of life or property or to the execution of emergency governmental functions, the Authorizer will record this designation on the DR 2490 and mail or deliver it to the Department. The Department will review the designation and retain the DR 2490 pursuant to the Department’s retention schedule.
- 2.6 The Authorizing Agency must mail or deliver the completed DR 2490 to the Department. The Department will not accept an application unless submitted by an Authorizing Agency.
- 2.7 If it determines that a designation is necessary to the preservation of life or property or to the execution of emergency governmental functions, the Department will designate the vehicle an Authorized Emergency Vehicle. The Department will provide an Emergency Vehicle Decal and two copies of the approved DR 2490 to the Authorizing Agency. To ensure protection of the public and to preserve public safety, the Department will only provide the Emergency Vehicle Decal and copies of the approved DR 2490 to the Authorizing Agency.
- 2.8 The Authorizing Agency will ensure that the Emergency Vehicle Decal is affixed to the inside lower driver’s side corner of the front windshield of the Authorized Emergency Vehicle listed on the corresponding DR 2490.
- 2.9 One copy of the approved DR 2490 must be kept in the Authorized Emergency Vehicle at all times. The second copy of the approved DR 2490 must be retained by the Authorizing Agency as long as the Authorized Emergency Vehicle operates under the authority of the Authorizing Agency.
- 2.10 An Authorized Emergency Vehicle designation is valid the lesser of two (2) years from the date the Department’s designation is issued or until the Department revokes the designation. Renewal of the designation is not automatic; the Authorizing Agency must complete, certify, and submit a new DR 2490 complying with all the requirements of this Rule.

2.11 An Authorizing Agency may request that the Department revoke an Authorized Emergency Vehicle designation by completing and submitting to the Department the Revocation Action Notification portion of a copy of the previously approved DR 2490.

- a. The Department has the sole authority to revoke an Authorized Emergency Vehicle designation.
- b. If the Department revokes the Authorized Emergency Vehicle designation. The Authorizing Agency will ensure the Emergency Vehicle Decal is removed from the vehicle.

3.0 Denial and Revocation of an Authorized Emergency Vehicle Designation

3.1 An Applicant whose application for an Authorized Emergency Vehicle designation has been denied may request a hearing, in writing, within sixty days after a notice of denial. Written hearing requests shall be submitted to the Department of Revenue, Hearings Division.

3.2 An Authorizing Agency that has Approved an Applicant's Authorized Emergency Vehicle designation that is denied by the Department may request a hearing, in writing, within sixty days, after a notice of denial. Written hearing request shall be submitted to the Department of Revenue, hearing Division.

3.3 The Department may revoke an Authorized Emergency Vehicle designation as provided in subsection 3.4 of this rule if the Department determines that the Authorized Emergency Vehicle designation is no longer necessary to the preservation of life or property or to the execution of emergency governmental functions. An Applicant that has had his/her Authorized Emergency Vehicle designation revoked may request a hearing, in writing, within sixty days after a notice of revocation. Written hearing requests shall be submitted to the Department of Revenue, Hearings Division.

3.4 An Authorizing Agency that has its request to revoke an Authorized Emergency Vehicle designation denied by the Department may request a hearing, in writing, within sixty days after a notice of revocation. Written hearing requests shall be submitted to the Department of Revenue, Hearings Division.

3.5 Any hearing conducted under this rule will be held at the Department of Revenue, Hearings Division. The hearing officer will be an authorized representative designated by the Executive Director. The Department's representative need not be present at the hearing unless his or her presence is required by the presiding officer, or requested by the applicant, or requested by the respondent in a revocation action. If the Department's representative is not present at the hearing, any written documents and affidavits submitted by the Department may be considered at the discretion of the hearing officer.

3.6 All proceedings will be conducted in accordance with the State Administrative Procedure Act, Article 4 of Title 24, C.R.S.

4.0 Privately Owned Tow Truck Authorization

4.1 Privately owned Tow Trucks must obtain emergency vehicle authorization from the Colorado Public Utilities Commission. No other Authorizer or Authorizing Agency may approve Tow Trucks as Authorized Emergency Vehicles.

RULE 12. OBTAINING RECORDS FOR ABANDONED MOTOR VEHICLES

Basis: The statutory bases for this rule are 42-1-204, C.R.S., Part 18 of Article 4 of Title 42, and Part 21 of Article 4 of Title 42, C.R.S.

Purpose: The purpose of this rule is to provide procedures for obtaining records and accessing the Department Website for Abandoned Motor Vehicles.

1.0 Definitions

- 1.1 “Abandoned Motor Vehicle” for the purpose of this rule includes an abandoned motor vehicle on private property defined in section 42-4-2102(1), C.R.S., and/or an abandoned motor vehicle on public property defined in section 42-4-1802(1), C.R.S., as the context of the rule requires.
- 1.2 “Department Website” means the Colorado Department of Revenue, Title and Registration Section website, <https://dmvpartner.colorado.gov>, for acquiring ownership or lienholder information for abandoned vehicles.
- 1.3 “National Database” means an electronic system that allows the Department to obtain the name and contact information or motor vehicle owners’ and lienholders’ from the motor vehicle records of other states.
- 1.4 “Operator” has the same meaning as defined in sections 42-4-1802(7) and 42-4-2102(5), C.R.S.
- 1.5 “Private Tow” means the removal of an Abandoned Motor Vehicle on private property by an Operator pursuant to section 42-4-2103, C.R.S.
- 1.6 “Public Tow” means the removal of an Abandoned Motor Vehicle on public property in accordance with section 42-4-1803, C.R.S.
- 1.7 “Towing Law Enforcement Agency” means a law enforcement agency that is authorized to perform a Public Tow under its own authority.

2.0 Operator and Towing Law Enforcement Agency Registration, Department Website, and National Database

- 2.1 Operators and Towing Law Enforcement Agencies must be registered with the Department in order to use the Department Website. To register, Operators and Towing Law Enforcement Agency users must submit a signed end-user’s license agreement (EULA) provided by the Department.
- 2.2 Operators and Towing Law Enforcement Agencies must renew their Department Website registration annually, as directed on the Website.
- 2.3 An Operator must attempt to obtain the names and contact information of motor vehicle owners’ and lienholders’ name and contact information by submitting a DR 2489A Motor Vehicle Requestor Release Affidavit of Intended Use form with payment to the Department, or by performing a record search through the Department Website.
- 2.4 An Operator must establish a pre-paid account on the Department Website. The cost to search the National Database will be deducted from funds in the account. An Operator must maintain a sufficient balance on their account within the Department Website in order to complete Colorado record searches.

- 2.5 An accurately completed DR 2008 Public Tow Vehicle Information Request form and DR 2008A Private Tow Vehicle Information Request form submitted with a title application that is filed upon sale of the motor vehicle constitutes prima facie proof that the owner/lienholder notification and search requirements are satisfied.
- 2.6 The Department may cancel or suspend an Operator's registration and access to the Department Website pursuant to sections 42-4-1806(2)(b), 42-4-2105(2)(b), C.R.S., and for any violation of Part 18 of Article 4 of Title 42 or Part 21 of Article 4 of Title 42, C.R.S., or this Rule, including but not limited to the following:
- a. The Operator's permit to operate as a towing carrier has been suspended, cancelled, or revoked by the Department of Regulatory Agencies, Public Utilities Commission;
 - b. The Operator obtains and uses records for any purpose not authorized by this Rule or the Colorado Revised Statutes; or
 - c. The Operator fails to complete an EULA annually on the Department Website.

3.0 Abandoned Motor Vehicle Record Search

- 3.1 A Colorado record search must be performed on all Abandoned Motor Vehicles, regardless of whether the vehicle has Colorado license plates, by submitting a DR 2489A Motor Vehicle Requestor Release Affidavit of Intended Use form or by using the Department Website.
- 3.2 A National Database record search must be performed if:
- a. The Colorado record search results in "no record found"; or
 - b. The Abandoned Motor Vehicle displays visual indicators that it is an out-of-state motor vehicle (e.g., another state's license plate or registration number).
- 3.3 A National Database record search is performed by requesting a search through the Department Website or, if an Operator requests a search in person or by mail, by submitting a DR 2489A Motor Vehicle Requestor Release Affidavit of Intended Use form with payment to the Department.
- a. If an Operator requests a search in person or by mail, it may request a National Database and Colorado record search at the same time as long as the Operator remits payment for both. If a motor vehicle record is located through a Colorado search, the Department will not perform a National Database search and will not refund the payment for the National Database record search.

4.0 Operator Access to Department Website and Records Cancelled - Hearing

- 4.1 Access Cancelled Due to Department of Regulatory Agencies, Public Utilities Commission Actions.
- a. The Department will cancel or suspend an Operator's access to the Department Website immediately upon receiving notice of a final decision that the Operator's towing carrier license issued by the Department of Regulatory Agencies, Public Utilities Commission has been cancelled in accordance with sections 24-4-104 and 24-4-105, C.R.S.
 - b. An Operator whose access to the Department Website or records is cancelled or suspended may request a hearing, in writing, within sixty days after the date of notice of cancellation or suspension is issued. Written hearing requests must be submitted to the Department of Revenue, Hearings Division.

- c. The hearing will be held at the Department of Revenue, Hearings Division. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The Department's representative need not be present at the hearing unless his or her presence is required by the presiding officer, or requested by the Operator at the time the written request for hearing is submitted. If the Department's representative is not present at the hearing, any written documents and affidavits submitted by the Department may be considered at the discretion of the hearing officer.

RULE 13. [Repealed eff. 07/30/2017]

RULE 14. ENFORCEMENT AND HEARING PROCEDURES [Recodified as 1 CCR 210-3 eff. 04/01/2015]

RULE 15. [Repealed eff. 03/02/2017]

Rule 16. GROUP SPECIAL LICENSE PLATES

Basis: The statutory bases for this rule are 42-1-102(41.5), 42-1-204, 42-3-207, 42-3-208 and 42-3-301, C.R.S.

Purpose: The purpose of this rule is to establish criteria for the application, responsibilities, and processes for group special license plates.

1.0 Definitions

- 1.1 "Approval Notification" means written notification by the Executive Director of the Department of Revenue to a Nonprofit confirming that the Nonprofit has complied with the statutory and regulatory requirements necessary to seek legislative action to authorize a new group special license plate.
- 1.2 "Certificate" for the purpose of this rule means a Department approved-letter, voucher, or other document issued by a Nonprofit to a person as evidence that the person is qualified to receive a group special license plate. A Certificate may be in electronic or digital format instead of paper, if approved by the Department.
- 1.3 "Group Special License Plate Created through Rule" means the Air Force Commemorative, Columbine, Firefighters, Greyhound Lovers, Pioneer, and Raptor Education Foundation license plates.
- 1.4 "Group Special License Plate Created through Statute" means a group special license plate created on or after January 1, 2001 through its authorizing legislation.
- 1.5 "Nonprofit" means an entity that is a section 501(c)(3) corporation under the Internal Revenue Code or an entity holding charitable nonprofit status with the Colorado Secretary of State.
- 1.6 "Pre-Certification Qualifier" means a condition(s) that must be met in order to qualify for issuance of a group special license plate by the Department.
- 1.7 "Registered" for the purpose of this rule means a vehicle with an unexpired registration as provided in sections 42-3-102 and 42-3-114, C.R.S., that is currently issued the group special license plate, unless the context otherwise requires.
- 1.8 "Retire" or "Retirement" means the discontinuation of the production of the group special license plate.

1.9 “Secure and Verifiable Identification” means an identification document listed on form DR 2841 Secure and Verifiable ID.

2.0 Application for Approval to Seek Creation of Group Special License Plates

2.1 Any Nonprofit may apply for an Approval Notification authorizing the Nonprofit to seek legislation to create a group special license plate.

2.2 A Nonprofit that has satisfied all statutory and regulatory requirements for proposing the creation of a group special license plate must apply using an application supplied by the Department to the Vehicle Services Section, Division of Motor Vehicles. Incomplete applications will not be accepted or retained.

a. Applications must be signed by the Nonprofit's designated representative. In addition to the signed application, the Nonprofit must submit:

1. Petition sheets with the names, addresses of residence, date signed, and signatures of at least three thousand (3,000) Colorado registered vehicle owners who have committed to purchase the proposed group special license plate. Petition sheets must be submitted in either paper, electronic, or digital format, as required by the Department. Petitions are not transferable between applications for different group special license plates. Petition signatures are valid for two years from the date signed prior to being submitted with the application to the Department. Petition sheets are valid for two consecutive legislative sessions from the date submitted with the application to the Department. At the sole discretion of the Department, a nonprofit may be granted additional time that petitions are valid.

A. With prior approval of the Department, a Nonprofit may use electronic or digital methods to obtain commitments to purchase the group special license plate. A Nonprofit requesting electronic or digital methods must submit a plan on how these methods will be used to obtain commitments including, but not limited to: how the methods would show that commitments meet the requirements of Colorado Revised Statutes and this Rule; how the methods will protect personal identifying information; and include samples or actual electronic or digital methods sites (i.e., websites, emails etc.). Electronic or digital signatures obtained prior to the Department's approval are invalid and will not be counted toward the 3,000-signature requirement.

B. Electronic or digital methods may include, but are not limited to, web petitions or electronic mail.

2. Proof of Nonprofit status by submitting a current letter from the Internal Revenue Service confirming section 501(c)(3) status or a document from the Colorado Secretary of State confirming the Nonprofit is holding charitable nonprofit status.

3. A sample Certificate (paper, electronic, or digital) with a written description of security features (serialization, watermarks, holograms, etc.) incorporated into the Certificate. The Nonprofit must provide a sample Certificate to the Department for approval before the Nonprofit can issue Certificates to qualified individuals. A Nonprofit may not issue a Certificate prior to the effective date of the enabling legislation. An individual's name on a Certificate must be identical to that listed on the individual's Secure and Verifiable Identification. Certificates are not transferable and are valid for issuance and registration of one set (single if a motorcycle) of group special license plates. The Department will destroy the Certificate upon issuing the group special license plate. The Certificate must contain an area in which the Nonprofit may place a Department system generated serial number/PIN.
 4. Proof that the Nonprofit has the legal right to use all logos, designs, colors and other intellectual property in the proposed design of the group special license plate.
 5. Proof that payment for the design was submitted by check or money order directly to Colorado Correctional Industries. The design fee becomes non-refundable upon the receipt of the Approval Notification from the Department.
 6. A list of Pre-Certification Qualifiers required by the Nonprofit. If there are no Pre-Certification Qualifiers, the Nonprofit must provide a written statement that the Nonprofit will not require Pre-Certification Qualifiers for persons to be issued the group special license plate.
 - A. If a monetary donation is required, the Nonprofit must provide a document that demonstrates that the use of those funds meets statutory and regulatory requirements.
- 2.3 Upon receipt of the Approval Notification, the Nonprofit is solely responsible for obtaining a bill sponsor to propose legislation. The Department will retain the application for two consecutive legislative sessions from the date of the Approval Notification.
- a. If the Nonprofit fails to obtain a bill sponsor within two years of issuance of the Approval Notification, and it desires to continue to seek creation of the group special license plate, the Nonprofit must re-apply, submit a new application, documents and petition signatures, and meet all statutory and regulatory requirements in effect at that time. Applications, documents, and other materials previously submitted to satisfy the application requirements are not transferable to the new application.

3.0 Enacted Group Special License Plates Responsibilities and Processes

- 3.1 A group special license plate must be designed within the parameters established by the Department. The Department may deny any design violating such parameters.
- a. A group special license plate design shall not include a logo or other image copyrighted, trademarked, registered, or otherwise commonly associated with a for-profit entity, whether or not the Nonprofit is a division of or otherwise associated with the for-profit entity. Use of symbols not subject to trademark, copyright, or other legal protection may be approved if such use does not violate the parameters established by the Department. The Department shall have final approval authority on all logo designs and placement on the group special license plate.

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- b. Design change requests after the design has been approved must be submitted in writing to the Department by the Nonprofit. The Department may require supporting documentation, including, but not limited to, issuance trends, current inventory levels, and costs associated with changes. If the change request is approved, the Nonprofit shall prepay all design costs directly to Colorado Department of Corrections Division of Correctional Industries prior to production of the new design. Design changes are effective upon approval by the Department. If approval is granted while existing inventory is available and the Nonprofit requests that the new plates be issued prior to the sale of such inventory, the Nonprofit shall pay all costs associated with the recall, collection, and destruction of existing inventory. Registered vehicle owners may continue to use their current group special license plate regardless of any subsequent design change, provided such plate will not be replaced if the inventory is destroyed, exhausted, or the Department has determined not to issue additional plates.
- 3.2. Upon completion of the proposed group special license plate design, the Nonprofit will receive one sample of the approved plate design. Sample plates used in the design approval process are the property of the Department. The Nonprofit may request up to five samples for marketing and display purposes upon payment of material fees for each sample plate, as established in section 42-3-301, C.R.S. Sample plates will be produced using the standard passenger size license plate with the standard sample plate numbers assigned by the Department. Requests for non-standard sample plate numbers will not be accepted. The Department must be given at least one business day in advance notice from the Nonprofit of all news releases, interviews, or mass communications that reference the group special license plate.
 - 3.3. Group special license plates are produced through a print on demand process, which does not require pre-stocking of inventory. However, the Department may utilize methods other than print on demand if the Department deems it appropriate.
 - 3.4. The Department will not distribute thank you notes, requests for contributions, or other materials on behalf of the Nonprofit.
 - 3.5. The Nonprofit must continuously maintain its Nonprofit status. A letter from the Internal Revenue Service confirming section 501(c)(3) status or a document from the Colorado Secretary of State's Office confirming that the Nonprofit is holding charitable nonprofit status must be submitted to the Department annually on or before June 1st.
 - a. If at any time it is determined that an entity no longer has Nonprofit status, the group special license plate will be Retired pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement. Upon Retirement, the entity must cease seeking any donation authorized pursuant to its respective authorizing statute, and must cease to associate itself in any way with the group special license plate.
 - 3.6. If a Nonprofit has Pre-Certification Qualifiers, it may enter into systems maintained by the Department information for each individual who has been approved for the receipt of a group special license plate and, for each, record the system generated serial number/PIN on the Certificate. If the Nonprofit enters the system generated serial number/PIN on the Certificate, the Department may use the serial number/PIN to authenticate the Certificate.
 - 3.7. The Nonprofit must notify the Department in writing if its authority regarding the group special license plate is transferred to a successor Nonprofit, as provided in the group special license plate's respective authorizing statute. The successor Nonprofit must meet all statutory and regulatory requirements.
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- 3.8 A Nonprofit may request changes to its Certificate. Requests must be submitted in writing, and any change must be approved by the Department before the Nonprofit can issue the new Certificate. Any changes must meet the requirements of this rule. Upon approval, the Department will work with the Nonprofit to establish an effective date upon which the Non-Profit may begin to issue the new Certificate. After the effective date of the new Certificate, only a new Certificate will be accepted by the Department; provided, however, that the Department will accept an old Certificate if it was issued by the Nonprofit prior to the effective date of the new Certificate.
- 3.9 If a group special license plate's respective authorizing statute provides that the Department "may" stop issuing the group special license plate if the group special license plate has not met the minimum issuance requirement, the Department may Retire the group special license plate or may continue to issue the plate until the existing inventory is exhausted. If the Department elects to Retire the group special license plate, the plate will be Retired pursuant to subsection 3.12 of this rule and Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.
- 3.10 If a group special license plate's respective authorizing statute provides that the Department "shall" retire the plate if the plate has not met its minimum issuance requirement as provided in that statute, then the group special license plate will be Retired pursuant to the group special license plate's respective authorizing statute and Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.
- 3.11 The Department may audit the Nonprofit associated with a group special license plate. The audit may include, but is not limited to, accounting, financial, tax, and Pre-Certification Qualifiers.
- a. If the Department determines that the Nonprofit has violated its respective authorizing statute, or no longer qualifies as a Nonprofit under this rule, the Department may require additional information or at the Department's discretion may Retire the group special license plate pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.
 - b. If the Department requires additional information, and such information is not provided or does not change the Department's determination that the Nonprofit has violated its respective authorizing statute, or that the Nonprofit no longer qualifies as a Nonprofit under this rule, the Department may Retire the group special license plate pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.
 - c. Upon Retirement, the Nonprofit must cease seeking any donation authorized pursuant to the group special license plate's respective authorizing statute.
- 3.12 If the Department Retires a group special license plate:
- a. The Department will immediately cease producing the group special license plate and may stop issuing the plate prior to exhausting the plate's inventory.
 - b. The Department will provide written notice of Retirement, via certified mail, to the Nonprofit associated with the group special license plate. This notice will be mailed to the last address provided by the Nonprofit in writing to the Department. This notice shall also act as official notice that the Nonprofit can no longer associate itself with the group special license plate. Upon receipt of the Retirement notice, the Nonprofit must:
 - 1. Immediately cease collecting donations and issuing Certificates.
 - 2. Within 72 hours, remove any reference to the Nonprofit's Pre-Certification Qualifier, if applicable, for the group special license plate from the Nonprofit's website, newsprint, or other publicly accessible media.

- c. A person whose vehicle is Registered with a Retired group special license plate may continue to register with the group special license plate so long as the license plate is not damaged, lost, or stolen. The Department will not replace a Retired group special license plate if the inventory is destroyed, exhausted, or the Department has determined not to issue additional plates.
- 3.13 Nonprofits associated with Group Special License Plates Created through Rule must meet the requirements of this rule except as otherwise provided herein and/or pursuant to a contract between the Nonprofit and the Department that establishes requirements that differ from this rule.
- 3.14 A Nonprofit associated with a Group Special License Plate Created through Statute must meet the requirements of its respective authorizing statute and this rule.
- 3.15 An Approval Notification issued by the Department does not constitute an agreement to create the proposed group special license plate nor support legislation that would create the proposed group special license plate. The Department will designate a Nonprofit as directed in the enacting legislation.

4.0 Denial and Retirement Appeals

- 4.1 If a Nonprofit's application for a group special license plate has been denied, it may request a hearing, in writing, within 60 days after the date of the notice of denial. Written hearing requests shall be submitted to the Department of Revenue Hearings Section.
- 4.2 The hearing shall be held at the Department of Revenue, Hearing Section. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The Department's representative need not be present at the hearing unless the presiding hearing officer requires his or her presence or the Sponsoring Organization requests his or her presence in writing. If the Department's representative is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the Department.
- 4.3 A group special license plate will be Retired pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.

RULE 17. HORSELESS CARRIAGE

Basis The statutory bases for this rule are 42-1-204 and 42-12-301, C.R.S.

Purpose: The purpose of this rule is to establish criteria for the application for a horseless carriage registration.

1.0 Requirements

- 1.1 In accordance with 42-12-301(3), C.R.S., the department shall register horseless carriage vehicles and issue horseless carriage license plates every five years for a period not exceeding five years; all horseless carriage registrations and license plates shall expire on the same date regardless of the date of issue. For example, any horseless carriage application received and processed between December 2019 through December 2024, regardless of the date within this period, will be issued a 2024 year validation tab and be required to renew the registration in November 2024. Collection of fees and specific ownership tax will be based on the number of years remaining within that five year period at the time of application for horseless carriage registration.
- a. Horseless carriage set five year registration periods are as follows:

1. January 2015 – December 2019
 2. January 2020 – December 2024
 3. January 2025 – December 2030
- 1.2 An owner desiring a horseless carriage license plate for a qualified motor vehicle must submit form DR 2905 Horseless Carriage Plates Application to the department.
- 1.3 A vehicle registered with a horseless carriage license plate will be issued only one plate, which must be displayed on the rear of the vehicle. No other license plate may be affixed to the vehicle while the horseless carriage license plate is displayed.
- 1.4 A lost or stolen horseless carriage license plate shall be reported within seventy-two (72) hours to the local law enforcement agency and to the department using form DR 2283 Affidavit for Lost or Stolen License Plates/Permits.
- 1.5 In accordance with 42-12-301(6), C.R.S., upon the sale or transfer of a motor vehicle registered with a horseless carriage license plate, the license plate will remain with the vehicle and be transferred to the new owner. The new owner shall title the vehicle to establish ownership.

2.0 Appeals

- 2.1 If a person has been denied a horseless carriage registration, the person may request a hearing, in writing, within 60 days after the date of notice of denial. Written hearing requests shall be submitted to the Department of Revenue, Hearings Division.
- 2.2 The hearing shall be held at the Department of Revenue, Hearings Division. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The department's representative need not be present at the hearing unless the presiding hearing officer requires his or her presence or the person requesting the hearing requests his or her presence in writing. If the department's representative is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the department.

RULE 18. SATISFACTORY EVIDENCE OF VEHICLE OWNERSHIP

Basis: The statutory bases for this regulation are sections 42-1-204, 42-6-104, 42-6-106, 42-6-107, 42-6-109, 42-6-110, 42-6-113, 42-6-114, 42-6-115, and 42-6-119, C.R.S.

Purpose: The following rule is promulgated to establish the process for proving vehicle ownership for the purpose of issuing a Colorado certificate of title.

1.0 Definitions

- 1.1 "Registration" means a vehicle registration card or other document that demonstrates the vehicle has been registered in the applicant's name.
- 1.2 "Foreign Jurisdiction" means any state, other than the State of Colorado, or any country other than the United States, or sovereign nation.
- 1.3 "Purged Colorado Record" means a record that is no longer active or accessible in motor vehicle system.

1.4 "Suspense Title" means the issuance of a Colorado registration to a vehicle titled in a Foreign Jurisdiction when the vehicle cannot be titled in Colorado.

2.0 Satisfactory Evidence of Vehicle Ownership

2.1 The Department may accept the following documents as evidence of vehicle ownership:

- a. A certificate of title issued by the State of Colorado or a Foreign Jurisdiction that has been properly transferred.
 - 1. A copy or electronic printout of a title from a Foreign Jurisdiction is satisfactory for a Suspense Title transaction when the title is held by a lien holder.
 - 2. A Registration issued by a Foreign Jurisdiction that has issued a title and the title is held by a lien holder.
- b. A Registration for the vehicle listing the applicant's name if issued by a Foreign Jurisdiction that does not issue a title for that vehicle type;
- c. A bill of sale for a vehicle not previously required to be titled or registered in the State of Colorado;
- d. A bill of sale from a Foreign Jurisdiction if that jurisdiction does not issue a title for or register that vehicle type;
- e. A bill of sale that notates "parts only" if applying for a Colorado nonrepairable title;
- f. A Registration issued by the U.S. Armed Services;
- g. A copy of a court order describing the vehicle by year, make, and Vehicle Identification Number (VIN), and directing the Department to issue a Colorado certificate of title to the applicant, or a judgment for possession obtained through a civil proceeding;
- h. A completed DR 2409 Statement of Assembly of Homemade Trailer and Assignment of Trailer I.D. Number if the trailer is a homemade vehicle as defined in section 42-5-201(4), C.R.S.;
- i. A Colorado Parks and Wildlife Registration for an off-highway vehicle.
- j. Other evidence deemed by the Department to be satisfactory evidence of vehicle ownership.

2.2 If an applicant does not have the Colorado certificate of title and the Colorado record has been purged, any of the following documents listing the applicant's name, submitted together with a completed DR 2116 Motor Vehicle Bill of Sale For a Purged Colorado Record, may be considered satisfactory evidence of proof of vehicle ownership:

- a. Colorado Registration;
- b. Colorado Registration renewal card;
- c. Photocopy of the Colorado certificate of title;
- d. A copy of the Colorado motor vehicle record; or

- e. Other documentation deemed by the Department to be satisfactory evidence of vehicle ownership.
- 2.3 Any document provided as evidence of vehicle ownership must include the vehicle's VIN, model year, make, and the applicant's name listed as the owner, buyer, or transferee.
- 2.4 The Department will not accept documents that do not contain all elements that may be required to prove authenticity (e.g., certification, notary, acceptable transfers, assignments, etc...).
- 2.5 An applicant who cannot provide satisfactory evidence of vehicle ownership documents must satisfy all requirements as required in section 42-6-115, C.R.S., and Code of Colorado Regulation 1 CCR 204-10. Rule 19. Bonding for Colorado Certificate of Title.

3.0 Appeals

- 3.1 If an applicant's documents have been denied as unsatisfactory evidence of vehicle ownership, the applicant may request a hearing, in writing, within 60 days after a notice of denial is issued. Written hearing requests shall be submitted to the Department of Revenue, Hearings Section.
- 3.2 The hearing shall be held at the Department of Revenue, Hearing Section. The presiding hearing officer, designated by the Executive Director, shall conduct the hearing pursuant to the State Administrative Procedures Act, section 24-4-105, C.R.S. The Department's representative need not be present at the hearing unless the presiding hearing officer requires his or her presence or the applicant requests his or her presence in writing. If the Department's representative is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the Department.

RULE 19. BONDING FOR COLORADO CERTIFICATE OF TITLE

Basis: The statutory bases for this rule are 42-6-104, 42-6-107(1)(b), 42-6-115, 42-6-116, and 42-6-117, C.R.S.

Purpose: The purpose of this rule is to clarify documents required and processes for bonding for a Colorado certificate of title when satisfactory evidence of vehicle proof of ownership cannot be provided by an applicant.

1.0 Definitions

- 1.1 "Certified VIN Inspection" means a vehicle identification number (VIN) inspection conducted by a Peace Officers Standards and Training (P.O.S.T.) certified inspector completed on forms provided by the Department.
- 1.2 "Secure Form" means a form produced through a secure printing process or other secure process which deters counterfeiting and/or unauthorized reproduction and allows alterations to be visible to the naked eye.

2.0 Bonding for Title

- 2.1 An applicant that is unable to provide satisfactory evidence of proof of ownership of a vehicle pursuant to Code of Colorado Regulation 1 CCR 204-10 Rule 18, Satisfactory Evidence Of Vehicle Ownership, shall be required to perform the bonding for title requirements listed in 42-6-115, C.R.S., in order to obtain a Colorado certificate of title.
- 2.2 A Colorado certificate of title will be issued upon successful completion of the requirements listed in 42-6-115, C.R.S., and this rule. The applicant must:

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- a. Provide a Certified VIN Inspection. The Certified VIN Inspection must not be over one year old at the time of bonding for title application.
 - b. Obtain and provide a title record search. The title record search may not be older than one-year from the date of bonding for title application; and
 - i. Vehicles titled and registered in the State of Colorado must have a Colorado title record search completed using form DR2489A Motor Vehicle Requestor Release Affidavit Of Intended Use or via the myDMV "Request Vehicle Record/Title History Search" transaction option.
 - ii. If no Colorado record is found, a national title and lien record search must be completed.
 - c. Provide proof of an attempt to contact all owner(s) and lienholder(s) identified on the title record search(es) through certified or registered mail. The proof of attempted contact must include the following:
 - i. A copy of the letter sent to all owner(s) and lienholder(s). The letter must contain:
 1. The vehicle year, make, and VIN;
 2. The applicant's intent (e.g., retain the vehicle, sell the vehicle); and
 3. The applicant's contact information.
 4. The letter to the lienholder shall also include:
 - A) The date of the lien(s);
 - B) The amount secured by the vehicle; and
 - C) Where the liens are of public record.
 - ii. One of the following documents demonstrating mailing of the letter with the U.S. Postal Service or other commercial mailing entity (e.g., FedEx, UPS, DHL):
 1. Certified receipt; or
 2. Domestic Return Receipt – U.S. Postal Form PS 3811; or
 3. Undeliverable notification; or
 4. Electronic proof of delivery.
 - d. Provide a lien release for all active liens indicated on the title record search(es). Lien releases must be on the lienholder's letterhead, unless the lienholder is an individual, and must include the vehicle year, make, VIN, titled owner's name(s), agent's signature, date of lien release, and must be notarized or signed under penalty of perjury in the second degree as defined in 18-8-503, C.R.S. The lien release must be a signed original or signed duplicate of the mortgage or copy thereof, certified by the holder of the mortgage or the holder's agent to be a true copy of the signed original mortgage.
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- i. If an attempt is made to secure a lien release and the lienholder is not available or has failed to respond, the applicant must provide one of the following documents demonstrating mailing the letter to the lienholder's last known address with the U.S. Postal Service or other commercial mailing entity (e.g., FedEx, UPS, DHL):
 - 1. Certified receipt; or
 - 2. Domestic Return Receipt – U.S. Postal Form PS 3811; or
 - 3. Undeliverable notification.
 - e. Provide the reasonable appraised value of the vehicle pursuant to 42-6-115(3)(a), C.R.S. The appraisal must be for the current condition of the vehicle at the time of bonding for title application. The appraisal must describe the vehicle by the VIN, year, and make, and must be established as listed by one of the following:
 - i. An appraisal from a Colorado licensed motor vehicle dealer or used motor vehicle dealer that is signed by the dealer, dated, and states the dealership's license number. If the appraisal is not on the dealer's letterhead, the appraisal must be notarized and signed under penalty of perjury,; or
 - ii. A current value obtained from Kelley Blue Book. When using the current value from the Kelley Blue Book, the form DR 2444 Statement of Fact is also required stating that the applicant desires to use the amount listed as the current retail market value. The applicant must circle or mark that amount on the Kelley Blue Book printout; or
 - iii. A Current value from the National Automobile Dealers Association (N.A.D.A.) Official Used Car Guide. When using the current value from NADA, the form DR 2444 Statement of Fact is also required stating that the applicant desires to use the amount listed as the current retail market value. The applicant must circle or mark that amount on the NADA printout.
 - f. Provide proof of a surety bond for twice the appraised value shown on the appraisal, unless exempted pursuant to 42-6-115(3)(b), C.R.S.
- 2.3 If the vehicle record search(es) completed in paragraph 2.2b above indicates the vehicle is salvage, then the applicant must complete the rebuilt from salvage requirements listed on form DR 2415 Rebuilt Title Established By Salvage Title Checklist.
- 2.4 The applicant must disclose at the time of bonding for title the vehicle's odometer reading on the Secure Form DR 2173 Bill of Sale for Motor Vehicle provided by the Department for vehicles with model years of less than twenty years beginning with model year 2011 on January 1, 2021.
- 2.5 If the vehicle is a trailer weighing 2,000 pounds or less, and the applicant provides a form DR 2697 Certification of Equipment Compliance for Homemade and In Lieu of Bond Trailers, and the applicant completes the form DR 2908 In Lieu Of Bond For Trailer 2000 Pounds or Less Checklist, as necessary, then the applicant is deemed to have provided sufficient evidence of ownership satisfactory to the director for purposes of this rule and is not required to purchase a surety bond.

3.0 Appeals

- 3.1 Applicants who have been denied issuance of a Colorado certificate of title upon submitting a bonding for title application the applicant may request a hearing, in writing, within 60 days after the date of notice of denial. Written hearing requests shall be submitted to the Department of Revenue, via email at dor_regulatoryhearings@state.co.us or by mail at PO Box 17807, Denver, CO 80217-0087. Applicants must include and provide with the request for hearing their full name, mailing address, email address, the Vehicle Identification Number (VIN) of the vehicle in question, and a copy of the denial letter received from the DMV.
- 3.2 The hearing shall be held virtually at the Department of Revenue, Hearings Division. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The department's representative need not be present at the hearing unless the presiding hearing officer requires his or her presence or the person requesting the hearing requests his or her presence in writing. If the department's representative is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the department.

RULE 20. LICENSE PLATE RETIREMENT

Basis: The statutory bases for this rule are sections 42-1-204, 42-3-207, 42-3-212(7), 42-3-214(7), 42-3-221(6), 42-3-222(6), 42-3-223(6), 42-3-224(2)(a), 42-3-225(2)(b), 42-3-226(2)(a), 42-3-227(6), 42-3-228(6), 42-3-229(2)(a), 42-3-230(6), 42-3-231(6)(a), 42-3-232(6)(a), 42-3-233(6), 42-3-234(6)(a), 42-3-237(6), 42-3-238(2)(a), 42-3-239(2)(a), 42-3-240(2)(a), 42-3-241(2)(a), 42-3-242(2)(a), 42-3-243(2)(a), 42-3-244(2)(a), 42-3-245(2)(a), 42-3-246(2)(a), 42-3-247(2)(a), 42-3-248(2)(a), 42-3-249(2)(a), 42-3-250(2)(a), 42-3-251(2)(a), and 42-3-252(3)(a), C.R.S.

Purpose: The purpose of this rule is to establish criteria for the Retirement of Specialty License Plates.

1.0 Definitions

- 1.1 "Alumni License Plate" means a Specialty License Plate issued to recognize an alumni association of a private or public college or university that is located within Colorado pursuant to 42-3-214, C.R.S.
- 1.2 "Certificate" for the purpose of this rule means a Department approved-letter, voucher, or other document issued by a Sponsoring Organization to a person as evidence that the person is qualified to receive a Specialty License Plate. A Certificate may be issued in electronic or digital format instead of paper, if approved by the Department.
- 1.3 "Distinctive Group Special License Plate" means a Specialty License Plate created through statute that is neither an Alumni License Plate; a Group Special License Plate; nor a "Distinctive Special License Plate" as defined in 42-1-102(24.5), C.R.S.
- 1.4 "Group Special License Plate" means a Specialty License Plate that is either a "Group Special License Plate Created through Rule" or "Group Special License Plate Created through Statute" as those terms are defined in Code of Colorado Regulations 1-CCR-204-10, Rule 16. Group Special License Plates.
- 1.5 "Nonprofit" means an entity that is a 501(c)(3) corporation under the Internal Revenue Code or an entity holding charitable nonprofit status with the Colorado Secretary of State.
- 1.6 "Pre-Certification Qualifier" means a condition(s) that must be met in order to qualify for issuance of a Specialty License Plate.

- 1.7 “Registered” for the purpose of this rule means a vehicle with an unexpired registration as provided in sections 42-3-102 and 42-3-114, C.R.S., that is currently issued a Specialty License Plate, unless the context requires otherwise.
- 1.8 “Retire” or “Retirement” means the discontinuation of the production, issuance, and registration of the Specialty License Plate, except for Distinctive Special License Plates.
- 1.9 “Specialty License Plate” for the purpose of this rule means an Alumni License Plate, a Distinctive Special License Plate, a Distinctive Group Special License Plate, or a Group Special License Plate.
- 1.10 “Sponsoring Organization” means an alumni association that has an Alumni License Plate or a Nonprofit that has a Group Special License Plate or a Distinctive Group Special License Plate.

2.0 Requirements

- 2.1 A Specialty License Plate is subject to Retirement when:
- a. The Specialty License Plate’s respective authorizing statute requires that a minimum number of plates **shall** be issued by a specified date and the Sponsoring Organization has not met that requirement, except for a Distinctive Special License Plate; or
 - b. The Specialty License Plate’s respective authorizing statute identifies a minimum number of plates to be issued by a specified date, but does not require that the minimum be met, and the Sponsoring Organization has not met that requirement, the Department **may** Retire the Specialty License Plate as determined by the Department, except for a Distinctive Special License Plate; or
 - c. The Specialty License Plate is subject to Retirement under any other applicable rule or statute.

3.0 Retirement Process

- 3.1 Upon the occurrence of any event that would initiate Retirement of a Specialty License Plate, the Department will provide notice and a right to request a hearing pursuant to sections 24-4-104 and 24-4-105, C.R.S., to the Sponsoring Organization.
- 3.2 The hearing shall be held at the Department of Revenue, Hearings Section. The presiding hearing officer will be an authorized representative designated by the Executive Director. The Department’s representative need not be present at the hearing unless the presiding hearing officer requires his or her presence or the Sponsoring Organization requests his or her presence in writing. If the Department’s representative is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the Department.
- 3.3 If the proceedings result in Retirement of the Specialty License Plate, the Department will issue a final agency order retiring the license plate. The final agency order will act as official notice that the Sponsoring Organization is no longer associated with the plate and, upon receipt of the order, the Sponsoring Organization must:
- a. Within 72 hours, cease issuing Certificates, if applicable;
 - b. Within 72 hours, remove any reference to the Sponsoring Organization’s Pre-Certification Qualifier, if applicable, for the Specialty License Plate from the Sponsoring Organization’s website, newsprint, or other publicly accessible media; and

- c. Immediately cease any representation in any form, whether active or passive, that suggests that meeting a Pre-Certification Qualifier could qualify a person for the issuance of a Specialty License Plate.
- 3.4 The Department will inform all Registered owners of the Retirement. A person whose vehicle is Registered with a Retired Specialty License Plate may continue registration with the license plate so long as the license plate is not damaged, lost, stolen, voluntarily surrendered to the Department, or the owner allows the vehicle's registration to which the Specialty License Plate is issued to expired. The Department will not replace a Retired license plate if the license plate is destroyed, lost, stolen, voluntarily surrendered to the Department or any other circumstance.

RULE 21. [Repealed eff. 06/14/2016]

RULE 22. MANUFACTURER'S CERTIFICATE OF ORIGIN - REQUIREMENTS AND USE

Basis: The statutory bases for this rule are 42-6-104 and 42-6-113, C.R.S.

Purpose: The purpose of this rule is to define the requirements for a Manufacturer's Certificate of Origin and its use to obtain a Colorado certificate of title.

1.0 Definitions

- 1.1 "Bill of Sale" or "BOS" means a document furnished by a vehicle seller to the vehicle buyer specifying the items and containing the information required by 42-6-113, C.R.S. For the purposes of a Licensed Colorado Dealer, the bill of sale shall be on the Departments secure form DR 2173 Motor Vehicle Bill of Sale or DR 2407 Dealer's Bill of Sale for a Motor Vehicle.
- 1.2 "Dealer" or "Licensed Colorado Dealer" means the same as defined in 42-6-102(2), C.R.S.
- 1.3 "Manufacturer" means the same as defined in 42-6-102(8), C.R.S.
- 1.4 "Manufacturer Representative" means the same as defined in 12-6-102(11.5) and 12+6-102(14), C.R.S.
- 1.5 "Manufacturer's Certificate of Origin" or "MCO" means a secure document issued by a Manufacturer which establishes ownership of the New Vehicle or OHV prior to the New Vehicle or OHV being titled. MCO may be referred to by certain manufacturers as "Manufacturer's Statement of Origin" or "MSO", when referred to as MSO it shall have the same meaning as MCO.
- 1.6 "New Vehicle" means the same as defined in 42-6-102(11), C.R.S.
- 1.7 "Off-Highway Vehicle" or "OHV" means the same as defined in 42-6-102(11.5), C.R.S.
- 1.8 "Used Vehicle" means the same as defined in 42-6-102(22), C.R.S.

2.0 Manufacturer's Certificate of Origin Standards and Requirements

2.1 A Manufacturer's Certificate of Origin (MCO) shall adhere to the specification for printing standards published by the American Association of Motor Vehicle Administrators (AAMVA). The MCO shall contain the security features and standard requirements below:

- a. Security Features
 - i. Paper

1. Sensitized Security Paper – paper that is reactive to chemicals commonly used to alter documents.
 2. Non-Optical Brightener Paper – paper without added optical brighteners which will not fluoresce under ultraviolet light.
 - ii. Engraved Border – a border produced from engraved artwork, which shall appear on the front of the MCO.
 - iii. Copy Deterrent
 1. Prismatic – rainbow printing which is used as a deterrent to color copying, and/or
 2. Copy Void Pantograph – the word “void” appears when the document is copied.
 - iv. Complex Colors – colors, which are developed by a mixture of two or more colors (red, yellow or blue) and black if required.
 - v. Erasable Fluorescent Background Inks – fluoresces under ultraviolet light and reacts to any attempt to erase in such a manner as to be immediately detectable.
 - vi. Background Security Design – a repetitious design consisting of a pattern, which hinders counterfeiting efforts.
 - vii. Microline – a line of small alpha characters in capital letters which requires a magnifying glass to read.
 - viii. Consecutively Numbered – documents that contain a control/serial number which is consecutively numbered for control purposes.
 - ix. Security Image or Marking
 1. Security Thread – with or without watermark.
 2. Intaglio Print – with or without latent image.
 - b. Document Size – shall be seven inches by eight inches.
 - c. Paper Stock – sixty 60 pound offset or equivalent durability.
 - d. Construction – unless otherwise specified by the Department, 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 of 1/10 inches horizontal and 1/16 inches deep characters
- 2.2 The MCO is required to convey ownership of a New Vehicle or OHV and must contain the information below utilizing the appropriate American National Standards Institute (ANSI) standards that provide the criteria for character set and print quality for optical character recognition. Information printed, if required, shall use the National Crime Information Center (NCIC) codes and abbreviations published in the NCIC Codes Manual.
- a. Date the MCO was issued;

- b. Invoice number indicating ownership transferred from the manufacturer;
- c. The New Vehicle's or OHV's;
 - i. Vehicle Identification Number (VIN);
 - ii. Year of manufacture;
 - iii. Make;
 - iv. Body type;
 - v. Shipping weight;
 - vi. Horsepower;
 - vii. Gross vehicle weight rating (GVWR);
 - viii. Number of cylinders;
 - ix. Series;
 - x. Model; and
 - xi. Major and minor colors.

2.3 The MCO must contain the clauses below:

- a. A clause that certifies that the New Vehicle or OHV as described on the MCO is the property of the Manufacturer identified and the date it has been transferred to the distributor or Dealer as identified on the face of the MCO.
- b. A clause that certifies that the MCO represents that this was the first transfer to the distributor or Dealer of the New Vehicle or OHV described on the MCO in ordinary trade and commerce. A Manufacturer's Representative for the Manufacturer must sign acknowledging this clause.

2.4 The Dealer shall provide secure printing and storage facilities for MCO and BOS in the Dealer's possession.

3.0 New Vehicle Title Requirements

3.1 The MCO shall be duly transferred from the last Dealer who had possession of the New Vehicle or OHV to the purchaser or transferee. All transfer assignments on the MCO shall include disclosure of the odometer reading, if required, at the time of sale or transfer of the New Vehicle or OHV. A Dealer who has had the New Vehicle or OHV in their possession subsequent to the Manufacturer must complete the assignment on the back of the MSO.

3.2 Upon the sale or transfer of a New Vehicle or OHV by the last Dealer who had possession of the New Vehicle or OHV, the last Dealer shall make, execute, and deliver to the purchaser or transferee a sufficient Bill of Sale (BOS) and MCO specific to the New Vehicle or OHV that was sold or transferred. For the purposes of this Rule 22, "sufficient" means a fully completed BOS.

3.3 The Dealer shall, within the time limits required in 42-6-112, C.R.S., facilitate the delivery of the MCO together with the BOS and other documents required by Article 6 of Title 42 to the County Clerk and Recorder of the county where the purchaser or transferee is a resident, pursuant to 42-6-134 and 42-6-139, C.R.S.

3.4 If a Dealer that sells or transfers a New Vehicle or OHV fails to provide a MCO for the New Vehicle or OHV, the purchaser or transferee must bond for the title pursuant to 42-6-115, C.R.S., and Code of Colorado Regulations 1 CCR 204-10 Rule 19. Bonding for Colorado Certificate of Title, before a title can be issued.

4.0 Imported New Vehicle or OHV

4.1 An application for a Colorado certificate of title for a New Vehicle or OHV imported into the United States (U.S.) through legal means with a foreign MCO must include the following documents in order to establish ownership and prove compliance with the Environmental Protection Agency (EPA), Department of Transportation (DOT), and Department of Homeland Security U.S. Customs and Border Protection (CBP) import vehicle requirements. The foreign MCO and other documents must be translated into English.

- a. U.S. DOT certification that the New Vehicle or OHV meets all safety standards required in the United States.
- b. Application for Final Admission of Non-Conforming Imported Vehicle or Engine issued by the EPA with the resulting EPA issued Certificate of Conformity.
- c. Entry Summary issued by the CBP and the Release of Bond Letter.
- d. BOS or invoice from the New Vehicle or OHV importer to the Dealer.
- e. Completed Department BOS with the applicants' disclosure of the New Vehicle or OHV mileage. Pursuant to Federal Odometer Law 49 CFR 580.5 the odometer indicator will be "Actual". If the New Vehicle or OHV is inoperable or the odometer reading is unknown the odometer indicator will be "Not Actual".
- f. Completed Department form DR 2698 Verification of the Vehicle Identification Number.

4.2 An application for a Colorado certificate of title for a New Vehicle or OHV imported into the U.S. through legal means that does not have a foreign MCO or foreign country title must include the documents identified above in paragraph 4.1 and the applicant must bond for a Colorado certificate of title pursuant to 42-6-115, C.R.S., and Code of Colorado Regulations 1 CCR 204-10 Rule 19. Bonding for Colorado Certificate of Title.

RULE 23. SPECIAL MOBILE MACHINERY RENTALS

Basis: The statutory bases for this regulation are sections 42-1-204 and 42-3-107(16), C.R.S.

Purpose: The purpose of this regulation is to provide guidelines, clarify documents required and provide processes to SMM Owners for the collection of specific ownership tax for special mobile machinery that is rented or leased.

1.0 Definitions

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

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- 1.2 “Authorized System” means the Department approved web-based portal and its infrastructure allowing SMM Owners to perform 2% Rental reporting and additional functions for the SMM 2% Rental Registration Exempt Program.
- 1.3 “Commercial Fleet License Plate” means the Colorado red and white graphic license plate that contains the stacked letters “FLT”. Commercial Fleet license plates do not display validation year and month tabs.
- 1.4 “Department” means the Department of Revenue of this state acting directly or through its duly authorized officers and agents.
- 1.5 “DR 0160” means the document issued by the Department of Revenue Division of Taxation approving the collection of sales tax on rentals or leases for the SMM Owner.
- 1.6 “DR 0440” means the form used to apply to the Department of Revenue Division of Taxation for approval to collect sales tax on rentals or leases.
- 1.7 “DR 2091” means the required authorization request provided to the County Motor Vehicle office for the SMM Owner to participate in the SMM 2% Rental program.
- 1.8 “DR 2101” means the required authorization request provided to the Department of Revenue for an SMM 2% Rental company to authorize electronic filing access.
- 1.9 “DR 2428” means the form requesting participation, and upon execution, authorization to participate in the SMM 2% Rental Fleet program. Upon approval, the DR 2428 shall have the SMM Owner’s assigned fleet number placed upon it.
- 1.10 “DR 2671” means the required SMM Rental Equipment Monthly Tab Report. The DR 2671 serves as the SMM Owner’s remittance form for SMM participating in the SMM 2% Rental program, the SMM 2% Rental Fleet program, and the SMM 2% Rental Registration Exempt program.
- 1.11 “DR 2689” means the application completed by the SMM Owner to provide information required to title, register, or perform a suspended title transaction by the County Motor Vehicle office.
- 1.12 “DR 2192” means the required authorization request to participate in the SMM 2% Rental Registration Exempt program provided to the Department of Revenue
- 1.13 “DR 2851” means the required SMM Annual Statement for SMM Owners participating in the SMM 2% Rental Registration Exempt program. The DR 2851 serves as the SMM Owner’s inventory of equipment, and calculates annual fees due upon initial application, or annual renewal for the SMM 2% Rental Registration Exempt Program.
- 1.14 “Lease” for the purpose of this regulation means the granting of use to operate SMM under an agreement with the SMM Owner.
- 1.15 “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.
- 1.16 “New Special Mobile Machinery (SMM)” means SMM that has not been previously titled or Registered to the current SMM Owner in the State of Colorado.
- 1.17 “Operate” means to pull, haul, or drive SMM over the highways or the use of SMM for its intended purpose (e.g. digging ditches, road repairs, etc.).

- 1.18 “Owner” for the purpose of this regulation means an equipment dealer regularly engaged in the sale or rental of special mobile machinery and who rents or leases such equipment to another person, or business in which the owner has not held an interest for at least thirty days.
- 1.19 “Registration Period Certificate” means the DR 2428 form completed and executed by the Colorado Department of Revenue, Division of Motor Vehicles, Vehicle Services Section.
- 1.20 “Rental” for the purpose of this regulation means the granting of use to operate SMM under an agreement with the SMM Owner.
- 1.21 “Registered” means the SMM has been issued a number plate(s), validating tab or sticker, certificates, or identifying decal or a combination of number plate(s), validating tab or sticker, certificates, or identifying decal as determined by the Department evidencing the annual SMM requirements have been met pursuant to section 3 of title 42 of the Colorado Revised Statutes.
- 1.22 “SMM License Plate” means the Colorado green and white graphic license plate that contains the stacked letters “SMM”. SMM license plates shall display validation year and month tabs.
- 1.23 “SMM Registration Exempt Certificate” means the certificate issued by the Department showing the Owner is participating in the SMM 2% Rental Registration Exempt program.
- 1.24 “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. SMM includes vehicles commonly used in the construction, maintenance, and repair of roadways, the drilling of wells, and the digging of ditches.
- 1.25 “Specific Ownership Tax (SOT)” means the annual tax, in lieu of ad valorem taxes, imposed on personal property by section 6 of article X of the State Constitution.

2.0 SMM 2% Rental Programs

- 2.1 An SMM Owner who meets all the statutory and regulatory requirements for participation in the SMM 2% rental program may elect to participate in the SMM 2% Rental program. An SMM Owner who meets the statutory and regulatory requirements for the SMM 2% Rental program, the SMM 2% Rental Fleet program, or the SMM 2% Rental Registration Exempt program, may elect to participate in any program, but shall not be required to participate in any program.
- a. SMM 2% Rental Program Eligibility
 - i. An SMM Owner regularly engaged in the sale or rental of SMM and who rents or leases SMM to another person, or business in which the SMM Owner has not held an interest for at least thirty days may elect to participate in the SMM 2% Rental program.
 - b. SMM 2% Rental Fleet Program Eligibility

- i. An SMM Owner who meets the requirements to participate in the SMM 2% Rental program and also meets the below criteria may elect to participate in the SMM 2% Rental Fleet program.
 - A. SMM Owner is paying specific ownership tax (SOT) under section 42-3-107(16), C.R.S.; and
 - B. The SMM Owner regularly has more than ten pieces of SMM in the State of Colorado; and
 - C. The SMM Owner has applied for and received the approved and executed DR 2428.
 - c. SMM 2% Rental Registration Exempt Program Eligibility
 - i. An SMM Owner who meets the requirements to participate in the SMM 2% Rental program and meets the below criteria may elect to participate in the SMM 2% Rental Registration Exempt program.
 - A. SMM Owner meets the requirements in section 42-3-107, C.R.S., for participating in the SMM 2% Rental Registration Exempt program; and
 - B. The SMM Owner has applied for and received the approved and executed DR 2192; and
 - C. The SMM Owner has applied for and received the approved and executed DR 2101.
- 2.2 An SMM Owner qualifying and electing to participate in either the SMM 2% Rental program or the SMM 2% Rental Fleet program must meet all the requirements for that program in section 3.0 of this regulation before payment of SOT under section 42-3-107(16), C.R.S., is granted.

3.0 SMM Rental Programs Participation and Processes

- 3.1 SMM 2% Rental program participation and registration shall be completed as listed below:
- a. The SMM Owner shall submit the DR 0440 to the Colorado Department of Revenue Division of Taxation. Upon approval and receipt of the DR 0160 from the Division of Taxation, the SMM Owner shall attach a copy of the DR 0160 to the DR 2091 and complete the processes below.
 - b. The SMM Owner shall apply to the County Motor Vehicle office in the county where the SMM Owners principal place of business is located by submitting a DR 2091 with a copy of the DR 0160 attached.
 - c. Upon county approval to participate in the SMM 2% Rental program, the County Motor Vehicle office shall provide instructions for reporting and submitting SOT for SMM to the SMM Owner. The SMM Owner must furnish the County Motor Vehicle office with a list of all SMM that the SMM Owner has elected to place into the SMM 2% Rental program with supporting ownership documents, unless ownership documents were previously presented.
 - i. Only SMM that are Registered may participate in the SMM 2% Rental program.

- ii. The SMM Owner must pay all statutorily required fees in Title 42 of the Colorado Revised Statutes upon approval and issuance of the SMM rental identifying decal. Participation in the SMM 2% Rental program does not exempt the payment of, or provide an alternate means for payment of, other statutorily required fees.
- d. An SMM rental identifying decal shall be issued to SMM that are Registered and participating in the SMM 2% Rental program. The SMM rental identifying decal shall expire concurrently with the registration of the SMM. The SMM rental identifying decal shall only denote participation in the SMM 2% Rental program and shall not be evidence of registration, or permit operation of, the SMM. An SMM Owner shall demonstrate registration by affixing to the SMM the below:
 - i. SMM designed to be operated on the highway shall be issued an SMM license plate with validation month and year tabs.
 - ii. SMM not designed to be operated on the highway shall be issued an SMM ownership identifying decal with registration expiration month and year indicated on the decal by hole punching the appropriate areas.
- e. The County Motor Vehicle office will issue an SMM Rental identifying decal and SMM license plate or SMM ownership identifying decal for each item of SMM placed into the SMM 2% Rental program by the SMM Owner. The SMM rental identifying decal shall be hole punched in the appropriate areas to indicate the month and year of expiration. The SMM rental identifying decal shall be valid in every Colorado county where the SMM is operated.
- f. The SMM rental identifying decal shall be affixed to each item of SMM in a clearly visible location.
- g. The SMM Owner shall collect the 2% SOT upon the rental or lease of the SMM from the person or entity that is renting or leasing the SMM, in the State of Colorado.
- h. No later than the twentieth day of each month the SMM Owner must submit the DR 2671 together with taxes collected for the preceding month to each county where the SMM was being operated and to the county where the SMM is Registered in for the month or portion of the month the DR 2671 is being reported.
- i. The SMM Owner shall include on the DR 2671 all SMM with assigned SMM rental identifying decals that were not rented or leased during the reporting period.
- j. The SMM Owner shall include on the DR 2671 any SMM authorized to participate in the SMM 2% Rental program that were sold, and indicate the name and address, if the address is available, of the purchaser. The SMM Owner shall remove the SMM rental identifying decal, SMM ownership identifying decal, and/or SMM license plate upon delivery of the SMM to the purchaser.
- k. No later than the twentieth day of each month the SMM Owner must submit the DR 0100 Colorado Retail Sales Tax Return to the Colorado Department of Revenue Division of Taxation following the instructions on the DR 0100 for submittal requirements.
- l. No credit, reimbursement, or refund shall be granted for payment of 2% Rental SOT.

- m. Failure to submit the DR 2671 in a period of sixty days shall be grounds for the termination of such SMM Owner's right to participate in the SMM 2% Rental program. If the SMM Owner fails to remit SOT received from a renter or lessee during such sixty-day period the county may collect such delinquent taxes in the manner authorized in section 42-3-107(21), C.R.S.
- 3.2 SMM 2% Rental Fleet program participation and registration shall be completed as listed below:
- a. An SMM Owner that meets the requirements and elects to participate in the SMM 2% Rental Fleet program must first be approved to participate in the SMM 2% Rental program as detailed above in section 3.1 of this regulation.
 - b. An SMM Owner that meets the requirements and elects to participate in the SMM 2% Rental Fleet program shall apply to the Vehicle Services Section, Division of Motor Vehicles, Department of Revenue using the DR 2428 for assignment of a fleet number.
 - i. Upon validation that the SMM Owner qualifies to participate in the SMM 2% Rental Fleet program, the Vehicle Services Section will assign a 2% rental fleet number that is unique to the approved SMM Owner and all SMM Registered in the SMM Owner's fleet.
 - c. SMM Registered in the SMM 2% Rental Fleet program must be titled and Registered in the SMM Owner's name as declared on the DR 2428.
 - i. In the event of a legal name change or if the SMM being Registered in the SMM 2% Rental Fleet program are not titled and Registered in the SMM Owner's name, the SMM Owner must complete the following before participation in the SMM 2% Rental Fleet is permitted. SMM Owners must complete title and registration name changes within sixty days. The SMM Owner may rent, lease, and operate the SMM during these sixty days.
 - A. All SMM Registered in the SMM 2% Rental Fleet program associated with the SMM Owner's assigned fleet number must have their titles and registrations properly transferred to the new name; and
 - B. The SMM Owner shall complete the SMM 2% Rental Fleet approval processes in section 3.2b above in the regulation.
 - d. The SMM Owner must declare one common expiration month, and alternate expiration months, during which the registrations for all SMM Registered in the SMM Owner SMM 2% Rental Fleet will expire. The State or its authorized agent will determine, from the months declared by the SMM Owner, the month during which SMM registrations expire.
 - e. SMM 2% Rental Fleet program registration:
 - i. Registration of SMM into the SMM 2% Rental Fleet program is completed in the county in which the SMM Owner's principal place of business is located. Payment of taxes and registration fees due shall be required at the time of the 2% Rental Fleet registration.
 - ii. The SMM Owner must furnish a list of all SMM that the SMM Owner has elected to place into the SMM 2% Rental Fleet program with supporting ownership documents, unless already presented, to the County Motor Vehicle office in which the SMM Owner's principal place of business is located.

- iii. SMM initially being Registered in the SMM 2% Rental Fleet program shall have taxes and registration fees prorated by the remainder of the time remaining from the month of registration to the expiration month.
 - iv. The SMM Owner will be issued and shall affix to the SMM being Registered in the SMM 2% Rental Fleet program:
 - A. For SMM designed to be operated on the highway.
 - 1) A permanent commercial fleet license plate without validation month or year tab; and
 - 2) A permanent SMM rental identifying decal hole punched to indicate the fleet expiration month and that the decal is a permanent decal.
 - B. For SMM not designed to be operated on the highway.
 - 1) A permanent SMM SOT identifying decal hole punched to indicate the fleet expire month and in an area on the decal indicating it is a permanent decal; and
 - 2) A permanent SMM rental identifying decal hole punched to indicate the fleet expiration month and that the decal is a permanent decal.
 - v. Upon registration of the SMM in the SMM 2% Rental Fleet the SMM Owner shall collect, report, and remit specific ownership tax pursuant to section 42-3-107(16)(c) and (d), C.R.S., and sections 3.1 of this regulation.
 - vi. Renewal of SMM 2% Rental Fleet
 - A. Annual renewal of SMM Registered in the SMM 2% Rental Fleet program shall be completed for all SMM Registered in the fleet on the SMM Owner's declared fleet expiration date. Renewal shall be completed using an annual fleet declaration in lieu of the registration renewal postcard. The fleet declaration shall be completed by the SMM Owner and submitted to the County Motor Vehicle office together with the DR 2091. If available, the SMM Owner should attach a copy of the previously issued DR 0160 to assist in processing of SMM renewals. A newly executed DR 0160 will not be required annually.
 - B. Renewals are complete upon payment of annual taxes and registrations fees required and issuance of a registration receipt for the permanent Commercial Fleet license plate or permanent SMM SOT identifying decal. An annual registration receipt for the permanent SMM rental identifying decal will also be issued.
 - C. Replacement of the permanent SMM SOT identifying decal or permanent SMM rental identifying decal is not required. Damaged, unreadable, or lost identifying decals shall be replaced.
- 3.3 SMM 2% Rental Registration Exempt program participation and registration shall be completed as listed below:

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- a. SMM 2% Rental program participants must apply for acceptance into the SMM 2% Rental Registration Exempt Program.
 - i. The SMM Owner shall submit the initial application DR 2192, DR 2851, and DR 2101 Request for Access to the Colorado Department of Revenue State Office by email (at the email listed on the DR 2192).
 - ii. Upon approval of the application, the SMM Owner must pay all annual fees described in section 42-3-107, C.R.S.
 - A. The Owner must log in to the Authorized System to pay annual fees.
 - B. Upon approval of the application and payment of all annual fees described in section 42-3-107, C.R.S., a Registration Exemption Certificate will be issued by the Department. The certificate will be valid for a period of one year from the month the described payment was made. This certificate must be available for review by Department representatives, law enforcement, those renting equipment, and other interested parties.
 - iii. No credit, reimbursement, or refund shall be granted for any equipment entering or exiting the SMM 2% Rental Registration Exempt program.
 - iv. SMM participating in this program will not be required by the Department to be Registered. The Department will not issue any identifying decals or plates (for both on-highway or off-highway).
 - A. If SMM has a decal or plate that was associated with a previous registration as part of the SMM 2% Rental program or SMM 2% Rental Fleet program, the Owner shall remove and destroy, or return to the county of issuance, the SMM rental identifying decal, SMM ownership identifying decal, and SMM license plate upon entering the SMM 2% Rental Registration Exempt program.
 - b. SMM 2% Rental Registration Exempt program participants must collect, report, and remit specific ownership tax pursuant to section 42-3-107(16)(c) and (d), C.R.S., and sections 3.1 of this regulation.
 - i. The SMM Owner shall collect the 2% SOT upon the rental or lease of the SMM from the person or entity that is renting or leasing the SMM, in the State of Colorado. The SMM Owner shall remit the 2% SOT collected to the Department.
 - A. No later than the twentieth day of each month the SMM Owner must submit the DR 2671 for the preceding month using the Department Authorized System.
 - B. The SMM Owner will use the Department Authorized System to pay the monthly 2% SOT within 5 business days after the DR 2671 has been reviewed and approved by the Department.
 - ii. No credit, reimbursement or refund shall be granted for payment of 2% Rental SOT.
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- c. Annual renewal of SMM in the SMM 2% Rental Registration Exempt program shall be required for all SMM in the 2% Rental Registration Exempt program prior to the expiration of the SMM Registration Exempt Certificate.
 - i. Renewal shall be completed using the DR 2851. The form shall be completed by the SMM Owner and submitted to the Department using the Authorized System, no sooner than 30 calendar days prior to the expiration of the SMM Registration Exempt Certificate, but no later than 10 calendar days after the expiration of the SMM Registration Exempt Certificate.
 - A. Renewals are complete upon payment of Registration fees, calculated for both the new annual report, and pro-rated for equipment added during the previous certification cycle, using the Department Authorized System.
 - B. An SMM Registration Exempt Certificate will be issued with a new expiration date, one year from the date of the previous expiration date.
 - C. The DR 2851 SMM Annual Pro-Rated section will be completed to identify and calculate fees due for items of equipment that were added during the period covering the expiring Registration Exempt Certificate, not previously indicated in the SMM Exempt Annual Report section of the DR 2851. The DR 2851 Annual Report section will identify and document all items of equipment currently in Colorado to begin a new Registration Exempt Cycle.
 - d. An SMM Owner with an existing SMM Registration Exempt Certificate, exiting the SMM Registration Exempt Program, must complete the following:
 - i. The DR 2851 SMM Annual Pro-Rated section will be due within 20 calendar days of exiting the program. This report will identify and calculate fees due for any item of SMM equipment added during the time between the previous SMM Annual Report and the date of exit.
 - ii. Items of equipment will be subject to registration requirements beginning on the date of exit from the program.
 - e. Participation in the SMM 2% Rental Registration Exempt program shall require SMM Owners to comply with the following requirements.
 - i. The Department may require that files containing evidence of compliance and proper use be provided using the Department's Authorized System, at the request of the Department.
 - A. These files may include, but not be limited to, images, weight slips, forms, evidence of ownership, and rental receipts.
 - ii. The Department may verify requirements of the program and ensure integrity of the information provided by the SMM Owner on a monthly or annual basis via on-site visits.
 - iii. SMM in the SMM 2% Rental Registration Exempt program, that are required to be titled pursuant to section 42-1-102, C.R.S., must be properly titled to achieve compliance in this program.
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- iv. SMM in the SMM 2% Rental Registration Exempt program that are used on-highway and utilize toll roads or lanes, are required to submit payment to tolling authorities pursuant to section 43-3-302, C.R.S.
 - v. SMM Owners are prohibited from using any registration credit that may generate for previously registered SMM, as a result of entering the SMM 2% Rental Registration Exempt program, per section 42-3-107(25)(a)(I), C.R.S.
 - vi. Refunds will not be issued by the Department or Counties, for SMM renewed or registered in error for SMM covered in the SMM 2% Rental Registration Exempt program.
- f. Failure to comply with any regulation set forth in these rules and/or Colorado Revised Statutes may result in a permanent or temporary suspension from the SMM 2% Rental Registration Exempt program.
- 3.4 Ownership of SMM shall be established by submitting documentation that meets the requirements in Code of Colorado Regulations 1 CCR 204-10 Rule 18. Acceptable Evidence of Vehicle Proof of Ownership.
- a. An SMM Owner who is unable to provide acceptable evidence of vehicle proof of ownership should be permitted to register the SMM by completing a suspended title transaction with the County Motor Vehicle office. The SMM Owner shall complete and provide to the County Motor Vehicle Office the DR 2689 prior to the suspended title transaction being performed. The suspended title transaction shall permit registration and operation of the SMM, but the county shall not issue a Colorado Certificate of Title to the SMM Owner until such time the SMM Owner provides acceptable evidence of vehicle proof of ownership. An SMM Owner with a registration created from a suspended title transaction has one (1) year from the date of application, or rule adoption (whichever occurs later), to provide the County Motor Vehicle Office with acceptable Evidence of Vehicle Proof of Ownership. Agents of the Department may add a registration hold at their discretion after SMM has been issued a registration in suspense in order to comply with these requirements. The suspended title transaction shall be completed using the DR 2689. Additional documents, forms, or a VIN verification shall not be required.
 - b. Upon successful completion of the suspended title transaction, the County Motor Vehicle Office shall register the SMM and issue to the SMM Owner a registration receipt and identifying decals and/or license plates.
- 3.5 Appeals
- a. If an SMM 2% Rental Registration Exempt application has been denied, the SMM Owner may request a hearing in writing, within 60 days after the date of notice of denial. Written hearing requests shall be submitted to the Department of Revenue, Hearing Section, via email at dor_regulatoryhearings@state.co.us or by mail at PO Box 17087, Denver, CO 80217-0087.
 - b. The hearing shall be held virtually with the Department of Revenue, Hearings Division. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The department's representative need not be present at the hearing unless the presiding hearing officer requires his or her presence in writing. If the Department's representation is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the Department.

RULE 24. [Repealed eff. 03/17/2015]

RULE 25. PERSONS WITH DISABILITIES PARKING PRIVILEGES

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

Purpose: The purpose of this rule is to clarify that an application and renewal form created pursuant to section 42-3-204, C.R.S., is required for the issuance, renewal, and replacement of a person with disabilities parking privileges license plate and/or placard and for the voluntary disclosure of a disability that interferes with the person's ability to effectively communicate with a peace officer.

1.0 Form Required

- 1.1 A person applying for the issuance or renewal of a person with disabilities parking privileges license plate and/or placard shall file, with the Department, a current form DR 2219 Parking Privileges Application.
- 1.2 A business entity (e.g., nursing home, care facility, etc.) that transports people with disabilities shall file, with the County Motor Vehicle office where the business entity is located, a DR 2218 Business Entity Permanent Disability Placard Application.
- 1.3 A person with a disability which interferes with the person's ability to effectively communicate with a peace officer, who desires to disclose the disability information to a peace officer, must use form DR 2215 Voluntary Disability Disclosure to a Peace Officer.
- 1.4 A vehicle transporting a passenger who has a disability that prevents the passenger from effectively communicating with a peace officer, and who desires to disclose the disability information to a peace officer, must use form DR 2215 Voluntary Disability Disclosure to a Peace Officer.

RULE 26. PHYSICAL INSPECTION OF A VEHICLE

Basis: This rule is promulgated under the authority of sections 42-1-204, 42-3-105(1)(c)(I), 42-5-202, 42-5-204, 42-5-207, 42-6-107(1)(b), 42-6-117(2), 42-6-119, and 42-12-202, C.R.S.

Purpose: The purpose of this rule is to provide clarification of the requirements for a Physical Inspection of a vehicle in order to obtain a Colorado certificate of title and/or registration.

1.0 Definitions

- 1.1 "Certified VIN Inspection" means completion, by an Inspector, of a Physical Inspection and a computer check of the state and national compilations of wanted and stolen vehicles or commercial vehicles pursuant to section 42-5-202(3), C.R.S.
- 1.2 "Colorado Assigned ID" means the assignment of a special vehicle identification number pursuant to section 42-12-202, C.R.S.
- 1.3 "Inspector" has the same meaning as set forth in section 42-5-201(5), C.R.S.
- 1.4 "Manufacturer's Certificate of Origin" ("MCO") or "Manufacturer's Statement of Origin" ("MSO") means a secure document issued by a manufacturer that provides ownership of a new vehicle prior to the new vehicle being titled.
- 1.5 "Physical Inspection" means a visual inspection either by a Certified VIN Inspection or Regular VIN Inspection of a vehicle that must verify the vehicles information required in section 42-3-105(1)(c)(I), C.R.S.

- 1.6 “Regular VIN Inspection” means the completion of a Physical Inspection by either an Inspector or a Vehicle-Related Entity.
- 1.7 “Unreadable” means an odometer that cannot be made to function so that the mileage recording can be displayed. The term “Unreadable” may not be used in place of the actual odometer mileage on forms DR 2698 Verification of Vehicle Identification Number or DR 2704 Colorado Certified VIN Inspection when the odometer cannot be obtained due to locked vehicles or lost keys. When the term “Unreadable” is used on the forms DR 2698 Verification of Vehicle Identification Number or DR 2704 Colorado Certified VIN Inspection the odometer reading must not reflect an actual mileage on the Colorado certificate of title.
- 1.8 “Vehicle-Related Entity” has the same meaning as set forth in sections 42-3-105(1)(c)(II) and 42-6-107(1)(b), C.R.S., and shall also include at the discretion of the Department, out of state law enforcement entities, other states emissions inspection stations, military police, and military commanding officers.
- 1.9 “VIN” means “Vehicle Identification Number” and has the same meaning as set forth in sections 42-5-101(11) and 42-5-201(13), C.R.S.

2.0 Physical Inspection Requirements

2.1 Certified VIN Inspection

- a. A Certified VIN Inspection must be completed before a vehicle can be titled and/or registered in Colorado when it meets the requirements in section 42-5-202, C.R.S., or when it meets one of the below situations:
- i. The vehicle is required to follow a bonding for title procedure to establish Ownership.
 - ii. The vehicle is homemade, rebuilt and/or reconstructed, built from a kit, or built from multiple vehicles.
 - iii. The vehicle is a street rod pursuant to section 42-12-203(2), C.R.S.
 - iv. The vehicle’s VIN has been removed, changed, altered, obliterated, or is required to be replaced with a Colorado Assigned ID.
 - v. The vehicle is a homemade trailer, a trailer requiring an assigned trailer identification tag, in lieu of bond for a trailer less than 2,000 pounds, a trailer from jurisdictions that do not title or register trailers that are being titled and/or registered in Colorado.
 - vi. The vehicle is a salvage vehicle being made roadworthy pursuant to sections 42-6-102(15) and 42-6-136.5(2), C.R.S.
 - vii. The vehicle is subject to a public tow pursuant to Title 42 Section 4 Part 18, C.R.S., or a private tow Title 42 Section 4 Part 21, C.R.S.
- b. Certified VIN Inspection Requirements
- i. Must be completed on the form DR 2704 Colorado Certified VIN Inspection.
 - ii. Must be completed by a P.O.S.T. certified Inspector.

- iii. Must validate the VIN and the vehicles related information required in sections 42-3-105(1)(c)(I) and 42-6-107(1)(b), C.R.S.
- iv. Must include a stolen vehicle validation check to be completed by the Inspector pursuant to section 42-5-202(3), C.R.S.
- v. Must include a certification that the vehicle is roadworthy pursuant to section 42-6-102(15), C.R.S.
- vi. The vehicle must be physically located in Colorado.
- vii. Is assessed fees pursuant to section 42-5-204(1)(a), C.R.S.

2.2 Regular VIN Inspection

- a. A Regular VIN Inspection must be completed before a vehicle can be titled and/or registered in Colorado when:
 - i. The vehicle was previously titled and/or registered in another jurisdiction and the owner is seeking to obtain a Colorado title and/or registration unless the vehicle meets the requirements and the vehicle owner can provide the documents required under sections 42-3-105(1)(c)(I), 42-3-107(1)(b), and 42-6-119(4)(b), C.R.S.
 - ii. To process a new title when a title correction is needed due to error caused by a manufacturer, dealer, lienholder, or an owner when the Department is unable to validate the VIN using documents and evidence provided as part of the research of the error.
 - iii. A document provided to title and/or register the vehicle cannot be validated without requiring the vehicle to have a Physical Inspection.
 - iv. The Department cannot determine if the vehicle is physically located in Colorado.
- b. Regular VIN Inspection Requirements
 - i. Must be completed on a form DR 2698 Verification of Vehicle Identification Number.
 - ii. May be completed by either a Vehicle-Related Entity or an Inspector.
 - iii. Must validate the VIN and vehicle related information required in sections 42-3-105(1)(c)(I) and 42-6-107(1)(b), C.R.S.
 - iv. The vehicle must be physically located in Colorado.
 - v. Can be assessed a fee as determined by the Vehicle-Related Entity or Inspector performing the Physical Inspection pursuant to section 42-5-202(2.5), C.R.S.

3.0 Waive Vehicle Being Physically Located in Colorado Requirements

- 3.1 A person may request the Department to waive the vehicle being physically located in the State of Colorado for a Regular VIN Inspection when circumstances prevent the owner from having the vehicle physically located in the State of Colorado for a Physical Inspection. If the Department approves, the owner may be required to complete and provide proof of Physical Inspection from an Inspector or Vehicle-Related Entity in the jurisdiction or country that the vehicle is physically located. Circumstances that may prevent the owner from having the vehicle physically located in the State of Colorado maybe, but are not limited to:
- a. The vehicle is owned by a person serving with the U.S. Armed Forces that is a Colorado resident and is on orders in another jurisdiction or country and his/her vehicle is physically with him/her in the other jurisdiction or country.
 - b. The vehicle is owned by a person that is a student of a college or university that is a Colorado resident and is in another jurisdiction or country and his/her vehicle is physically with him/her in the other jurisdiction or country.

4.0 Inspector and Vehicle-Related Entity Hearing and Determination Requirements

- 4.1 If an Inspector or Vehicle-Related Entity denies a vehicle owner access to a Physical Inspection or if an Inspector deems a vehicle to not be roadworthy and the owner disputes that claim, the Inspector's or Vehicle-Related Entity's agency must provide the vehicle owner notice of an opportunity for a hearing pursuant to sections 24-4-104 and 24-4-105, C.R.S.
- 4.2 An Inspector and Vehicle-Related Entity must satisfy the requirements of sections 24-4-104 and 24-4-105, C.R.S., regarding all applications for Physical Inspections and decisions completed by the Inspector or Vehicle-Related Entity in connection with this rule.
- 4.3 The vehicle owner may request a hearing, in writing, within 60 days after the notice of denial is issued. Written hearing requests shall be submitted to the Department of Revenue, Hearings Division.
- 4.4 The hearing shall be held at the Department of Revenue, Hearings Division. The presiding hearing officer, designated by the Executive Director, shall conduct the hearing pursuant to the State Administrative Procedures Act, section 24-4-105, C.R.S. The Department's representative need not be present at the hearing unless the presiding hearing officer requires his or her presence or the applicant requests his or her presence in writing. If the Department's representative is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the Department, relevant to the matter.

RULE 27. [Repealed eff. 07/30/2015]

RULE 28. TITLE AND REGISTRATION OF A VEHICLE OWNED BY, OR DONATED, LOANED, OR LEASED TO, A GOVERNMENT AGENCY

Basis: This rule is promulgated under the authority in sections 39-26-113, 39-26-704(1), 42-1-102(58), 42-1-102(66), 42-1-102(93.5), 42-1-102(112), 42-1-204, 42-3-104(1) through (4), 42-3-105, 42-3-201, 42-3-202, 42-3-301, 42-3-304(1)(a) and (b) and (3)(b) and (c), 42-6-104, 42-6-106, and 42-6-137, C.R.S.

Purpose: The purpose of this rule is to establish procedures for titling and registering vehicles owned by, or donated, loaned, or leased to, a government agency.

1.0 Definitions

- 1.1 “Special License Plate” means a special license plate (for example, group special, alumni, or military) issued pursuant to part 2, article 3, Title 42, which is currently offered for issuance to a vehicle to evidence registration of that vehicle.
- 1.2 “Donated” means given voluntarily without payment in return.
- 1.3 “Government License Plate” means the permanent license plate that has stacked “GVT” lettering on the Colorado green and white graphic license plate.
- 1.4 “Leased Vehicle” means a vehicle that is subject to the terms of a lease agreement with a government agency, with corresponding payments.
- 1.5 “Loaned Vehicle” means a vehicle provided to a government agency for which the government agency has lawful use or control of the vehicle for a period of thirty days or more and that will be returned to the owner upon the government agency no longer having lawful use or control of the vehicle.
- 1.6 “Material Fees” means the fees required under section 42-3-301, C.R.S., for the direct cost of license plates, decals, or tabs.
- 1.7 “Registration Fees” or “Fees” means the fees required by Title 42, C.R.S. for the registration of a vehicle.
- 1.8 “Standardized License Plate” means any Colorado license plate that is not a Special License Plate.
- 1.9 “State of Colorado” for purposes of this rule includes any board, bureau, commission, department, institution, division, section, university, or officer of the state, including those in the legislative branch and in the judicial branch.
- 1.10 “Taxes” means sales tax, use tax, and specific ownership tax assessed and collected from the vehicle owner and distributed to the appropriate funds as required in Title 42, C.R.S.
- 1.11 “United States Government” or “U.S. Government” when referenced in this rule includes an agency or instrumentality thereof as provided in section 42-3-104(1), C.R.S.

2.0 U.S. Government Owned Vehicles

- 2.1 A vehicle owned by the United States Government is not required to be registered pursuant to section 42-3-104(3)(a), C.R.S. If the United States Government elects to obtain a State of Colorado title and registration it must meet all titling and registration requirements in Title 42, C.R.S. Title and registration transactions shall be performed by the Department.

3.0 Government Agency Determination

- 3.1 An entity may seek a determination by the Department of Revenue that it qualifies as a government agency under section 42-3-104, C.R.S., by submitting to the Department of Revenue:
- a. A citation to its enacting statute in the Colorado Revised Statutes;
 - b. Proof of tax exemption as a government agency;

- c. Proof evidencing its existence as a government agency (e.g., a town's articles of incorporation); or
- d. A request for a Department of Revenue determination.

4.0 Titling of Government Owned Vehicles

4.1 Every vehicle owned by a government agency must be titled. Applications for titling provided for in title 42, article 6, must be made as follows:

- a. The department, university, division, agency, commission, Regional Transportation District (when owned by a government agency), or other entity within the State of Colorado that owns the vehicle must complete the title application and submit it to the Department.
- b. The county, town, city, or city and county that owns the vehicle must complete the application and submit it to an authorized agent in the county in which the applicant is located.
- c. The local, municipal and special district that owns the vehicle must complete the application and submit it to an authorized agent in the county in which the applicant is located.

4.2 The name and address on the Colorado certificate of title for a vehicle owned by a government agency shall be as listed below.

- a. A vehicle owned by the State of Colorado:
 - i. "State of Colorado, Department of (name of department or university, and division, agency, commission, or other entity name)", with the address of the specific department, division, agency, commission, or other entity. If the vehicle is being principally operated and maintained, or permanently maintained, at an address other than the address for the department, division, agency, commission, or other entity, then the address at which the vehicle is being principally operated and maintained, or permanently maintained, shall be used.
 - ii. A vehicle owned by the Regional Transportation District shall be titled with the name "Regional Transportation District", with the address of the Regional Transportation District. If the vehicle is being principally operated and maintained, or permanently maintained, at an address other than the address for the Regional Transportation District, then the address at which the vehicle is being principally operated and maintained, or permanently maintained, shall be used.
- b. A vehicle owned by a county, town, city, or city and county:
 - i. "County or Town, City, or City and County Name" (e.g., Adams County, Grand County, City and County of Denver) and the address of that county, town, city, or city and county. If the vehicle is being principally operated and maintained, or permanently maintained, at an address other than the address for the county or town, city, or city and county, then the address at which the vehicle is being principally operated and maintained, or permanently maintained, shall be used.
- c. A vehicle owned by local, municipal, or special districts

- i. “Local, Municipal, or Special District Government Name” (e.g., City of Thornton, Town of Lyons, Denver Water District) and the address of that local, municipal, or special district. If the vehicle is being principally operated and maintained, or permanently maintained, at an address other than the address for the local, municipal, or special district government, then the address at which the vehicle is being principally operated and maintained, or permanently maintained, shall be used.

5.0 Registration

- 5.1 Unless exempted from registration under section 42-3-104(3), C.R.S., every vehicle owned by a government agency shall be registered. Applications for registration provided for in title 42, article 3, C.R.S., must be made as follows:
 - a. The department, university, division, agency, commission, Regional Transportation District, or other entity within the State of Colorado that owns the vehicle must complete the application and submit it to the Department. The address on the application shall be the address of the department, university, division, agency, commission, Regional Transportation District, or other entity, unless the vehicle is being principally operated and maintained, or permanently maintained at an address other than the address for that specific department, university, division, agency, commission, Regional Transportation, District, or other entity, in which case the address on the application shall be the address at which the vehicle is being principally operated and maintained or permanently maintained.
 - b. The county, town, city, or city and county, local, municipal and special district that owns the vehicle must complete the application and submit it to an authorized agent in the county in which the applicant is located. The address on the application shall be the address of the county, town, city, or city and county, local, municipal and special district, unless the vehicle is being principally operated and maintained, or permanently maintained at an address other than the address of the specific county, town, city, or city and county, local, municipal and special district, in which case the address on the application shall be the address at which the vehicle is being principally operated and maintained or permanently maintained.
- 5.2 Unless exempt, a government agency shall pay all Fees in Title 42, C.R.S., for a vehicle owned by them.
- 5.3 A government agency is not exempt from and must pay all Material Fees required in section 42-3-301, C.R.S., at the time of registration of a vehicle.
- 5.4 A government agency that enters into agreements with a non-government agency (e.g., road maintenance contractors, toll operator) cannot grant or transfer their Registration Fee and Taxes exemptions to the non-government agency or to any vehicles the non-government agency owns.

6.0 Emissions Compliance and License Plates

- 6.1 Proof of emissions compliance shall be required pursuant to part 3 and part 4, article 4 of title 42, C.R.S., for a vehicle registered at an address in an emissions program area.
 - a. The address at which the vehicle is principally operated and maintained, or permanently maintained, shall determine whether the vehicle is registered in an emissions program area.

- 6.2 A government agency owned vehicle that is registered shall be issued, and be required to display:
- a. A Government License Plate. A Government License Plate will not display a year and month validation tab. Dependent on the vehicle type, a single or set of Government License Plates will be issued and must be displayed on the vehicle (e.g., trailer will be issued a single plate and passenger vehicles will be issued a set of plates);
 - b. A Standardized License Plate on a motor vehicle as defined in section 42-1-102(58), C.R.S., a vehicle as defined in section 42-1-102(112), C.R.S., and special mobile machinery defined in section 42-1-102(93.5), C.R.S., that is operated on roads and highways. A Standardized License Plate issued to a government agency shall display a year and month validation tab. Dependent on the vehicle type, a single or a set of Standardized License Plates will be issued (e.g., trailer will be issued a single plate and passenger vehicles will be issued a set of plates);
 - c. A Special License Plate if the government agency and the vehicle meet all requirements for that license plate. The government agency must meet all pre-certification requirements (e.g., donation, membership) for the Special License Plate before it can be issued the Special License Plate;
 - d. A special mobile machinery ownership decal for special mobile machinery, defined in section 42-1-102(93.5)(a)(I), C.R.S., that is not operated on highways and, therefore, is not required to be titled, or is not required to be titled (e.g. sign boards, lighting towers); or
 - e. A Colorado State Patrol vehicle may be issued and display the Colorado State Patrol license plate pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 6. Colorado State Patrol License Plates.
- 6.3 Unless exempt from registration, a government agency must renew its vehicle registration(s) annually and, if issued a Special License Plate that requires an annual pre-certification requirement and the government agency wishes to retain the Special License Plate, the government agency must meet the annual pre-certification requirement before it can renew the registration.

7.0 Donated, Loaned, or Leased Vehicles

- 7.1 Donated Vehicle. A vehicle Donated to a government agency must be titled and registered as follows:
- a. If the vehicle is not titled in the donor's name, the donor must apply for a new Colorado certificate of title through the County Motor Vehicle office in the donor's name as provided in section 42-6-134, C.R.S.
 - i. The donor must pay title fees for the new Colorado certificate of title, and any sales tax due. A copy of forms DR 0100A Retail Sales Tax Return for Occasional Sales and DR 0025 Statement of Sales Taxes Paid on Loaner Motor Vehicle will be accepted as proof of sales tax paid.
 - b. The donor must assign the new Colorado certificate of title over to the government agency to which the vehicle is Donated. The purchase price on the assigned title must state "Donated" and will be entered into motor vehicle systems as "0".

- c. The government agency must apply for a Colorado certificate of title and registration (unless exempt from registration) as provided for in sections 3 and 4 of this rule.
- d. The government agency must pay the Material Fees required in section 42-3-301, C.R.S.
- e. The government agency must provide proof of emissions compliance pursuant to Part 3 and Part 4, Article 4 of Title 42, C.R.S., for a vehicle Donated to the government agency that is being registered in an emissions program area.

7.2 Loaned Vehicle. Unless exempted from registration pursuant to section 42-3-104(3), C.R.S., a Loaned Vehicle shall be titled and registered as listed below:

- a. If the vehicle is not titled in the loaner's name, the loaner must apply for a new Colorado Certificate of title in the loaner's name through the County Motor Vehicle office as provided in section 42-6-134, C.R.S.
 - i. The loaner must pay title fees for the new Colorado certificate of title, and any sales tax due. A copy of forms DR 0100A Retail Sales Tax Return for Occasional Sales and DR 0025 Statement of Sales Taxes Paid on Loaner Motor Vehicle will be accepted as proof of sales tax paid.
- b. The government agency must be listed as the "In Care Of" in motor vehicle systems.
- c. The government agency must apply for registration of the vehicle pursuant to section 5 above.
- d. Unless statutorily exempt, the government agency shall pay the Registration Fees and Taxes for the Loaned Vehicle. The government agency shall pay the Material Fees required in section 42-3-301, C.R.S.
- e. The government agency shall provide proof of emissions compliance pursuant to Part 3 and Part 4, Article 4 of Title 42, C.R.S., for a Loaned Vehicle that is being registered in an emissions program area.

7.3 Leased Vehicle. A Leased Vehicle shall be titled and registered as follows:

- a. If the government agency requests to be exempt from payment of the annual specific ownership tax and annual Registration Fees, the lease agreement must be submitted to the Department for approval prior to the vehicle being titled and registered pursuant to sections 42-3-104(2) and 42-3-304(3)(c), C.R.S.
- b. If the title is not already in the lessor's name, the lessor must apply for a Colorado certificate of title in the lessor's name through the County Motor Vehicle office and the government agency must be listed as the lessee as provided in section 42-6-134, C.R.S.
- c. The government agency must apply for registration of the vehicle pursuant to section 5 above.
- d. The government agency shall provide proof of emissions compliance pursuant to Part 3 and Part 4, Article 4 of Title 42, C.R.S., for each Leased Vehicle that is being registered in an emissions program area.

8.0 Appeals

- 8.1 An entity that the Department has determined does not qualify as a government agency pursuant to section 3.0 of this rule may, within 60 days of the date of the Department's determination, request a hearing on the determination by submitting a written request for hearing to the Department of Revenue, via email at dor_regulatoryhearings@state.co.us or by mail at PO Box 17807, Denver, CO 80217-0087. Applicants must include and provide with the request for hearing their full name, mailing address, email address, the Vehicle Identification Number (VIN) of the vehicle in question, and a copy of the denial letter received from the DMV.
- 8.2 The hearing will be held virtually at the Department of Revenue, Hearings Division. The hearing officer will be an authorized representative designated by the Executive Director. The Department employee who completed the review and determined that the entity is not a government agency need not be present at the hearing unless required by the hearing officer, or unless requested in writing by the entity at the time the written request for hearing is submitted. The hearing officer may consider any documents and affidavits submitted by the Department.

RULE 29. [Repealed eff. 06/14/2015]

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. [Repealed eff. 09/30/2018]

RULE 32. SPECIAL LICENSE PLATE FEE

Basis: The statutory bases for this rule are sections 42-1-204, 42-3-114, 42-3-201, 42-3-202, 42-3-207, 42-3-208, 42-3-211 to 42-3-218, 42-3-221 to 42-3-234, 42-3-237 to 42-3-254 and 42-3-312, C.R.S.

Purpose: The purpose of this rule is to establish criteria for the collection of the Special License Plate Fee.

1.0 Definitions

- 1.1 "Conversion" means a vehicle registration transaction creating a print on demand license plate manufacturing order at the request of the registered vehicle's owner(s) to Remanufacture the License Plate Configuration issued under section 42-3-211, C.R.S., on a different license plate type, when permitted.
- 1.2 "Issuance" means a vehicle registration transaction creating a print on demand license plate manufacturing order that associates a new license plate with a vehicle registered pursuant to sections 42-3-201 and 42-3-202, C.R.S.

- 1.3 “License Plate Configuration” means a license plate number or a combination of numbers and/or letters assigned by the Department pursuant to section 42-3-201(5)(a), C.R.S., and, for the purpose of a personalized license plate, a combination of numbers and/or letters selected and applied for by the vehicle owner(s) and approved by the Department pursuant to section 42-3-211, C.R.S.
- 1.4 “Reissuance” means a vehicle registration transaction creating a new print on demand license plate manufacturing order on an existing vehicle registration record. For the purpose of this rule “Reissuance” shall include “Conversion”, “Remanufacture” or “Replacement”.
- 1.5 “Remanufacture” or “Remanufacturing” means a vehicle registration transaction creating a print on demand license plate manufacturing order to produce a duplicate of the original license plate type and License Plate Configuration.
- 1.6 “Renewal” means a vehicle registration transaction to extend or reset the vehicle registration period pursuant to sections 42-3-114 and 42-12-401, C.R.S.
- 1.7 “Replacement” means a vehicle registration transaction creating a print on demand license plate manufacturing order to produce a new License Plate Configuration because of damage, theft, or loss or one or both of the previously registered license plates, or when the vehicle owner(s) initiates a Replacement of the license plate previously associated to the vehicle registration record.
- 1.8 “Special License Plate Fee” means the fee created under section 42-3-312, C.R.S.

2.0 Requirements

- 2.1 The Special License Plate Fee will be collected upon any Issuance and/or Reissuance vehicle registration transaction.
- 2.2 The Special License Plate Fee will not be collected upon Renewal, unless the Renewal registration transaction includes Issuance or Reissuance.
- 2.3 A personalized license plate issued under section 42-3-211, C.R.S., that is associated with a vehicle registration record that has lapsed for thirteen months or longer, and is not actively reserved under section 42-3-211(9), C.R.S., may not be registered to a vehicle, or Issued or Reissued, unless such License Plate Configuration is applied for and approved by the Department under section 42-3-211, C.R.S. If approved by the Department, the Special License Plate Fee shall be collected.

RULE 33. SPECIAL USE TRUCKS

Basis: The statutory bases for this rule are 42-1-102(108), 42-1-204, 42-3-306(5)(c) and 42-3-306(9)(d), (f), (g) & (h), C.R.S.

Purpose: This rule is promulgated to designate vehicles as a Special Use Truck for the purpose of vehicle registration.

1.0 Definitions

- 1.1 “Special Use Truck” means any motor vehicle that meets the definition of a truck under section 42-1-102(108), C.R.S., is designed and used for a special purpose and is designated as a Special Use Truck by the executive director of the Department.

2.0 Requirements

- 2.1 The following motor vehicle types, when designed and used for a special purpose, are designated as a Special Use Truck.
- a. Motor vehicles as designated in sections 42-3-306(9)(d), (f), (g), and (h), C.R.S.
 - b. Roll-off trash trucks
 - c. Trucks used specifically to haul only recyclable materials
 - d. Roll-off trucks used specifically to haul only recyclable materials
 - e. Trucks used specifically to pump concrete, commercially known as “concrete pumpers”
 - f. Beverage canister and delivery trucks with roll-up sides
 - g. Mobile blood donation/collection vehicles
 - h. Mobile medical testing and screening vehicles
- 2.2 In addition to the taxes and fee required to register a motor vehicle, a Special Use Truck will pay the registration fees required in section 42-3-306(5)(c), C.R.S.

RULE 34. DEALER ISSUED TEMPORARY REGISTRATION PERMITS

Basis: The statutory bases for this rule are sections 2-4-108(2), 42-1-204 and 42-3-203(3)(b), C.R.S.

Purpose: The purpose of this rule is to establish criteria for the issuance of a Temporary Registration Permit or an Analog Temporary Registration Permit by Licensed Colorado Motor Vehicle Dealers.

1.0 Definitions

- 1.1 “After Department Business Hours” means 5:00 p.m. – 8:00 a.m. Monday – Friday, or on a weekend, or a State holiday.
- 1.2 “Analog Temporary Registration Permit” means the Department approved form that is issued by a Licensed Colorado Motor Vehicle Dealer as a substitute to the Temporary Registration Permit.
- 1.3 “Approved System” means the Department approved web-based portal and its infrastructure allowing a Dealer to perform Temporary Registration Permit transactions.
- 1.4 “Licensed Colorado Motor Vehicle Dealer” or “Dealer” means the same as defined in section 42-6-102(2), C.R.S.
- 1.5 “Mounting Boards” means the Department approved device that a printed Temporary Registration Permit is affixed to. “Mounting Boards” includes both Mounting Boards that are passenger vehicle license plate size and motorcycle license plate size.
- 1.6 “Secure and Verifiable Identification” or “SVID” means an identification document 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.

1.7 “System Outage” means the Approved System is not operational at the time the Dealer is attempting to issue a Temporary Registration Permit. “System Outage” does not include situations where the Dealer’s system is not operational or when the Approved System is operational but the Dealer is unable to complete the Temporary Registration Permit transaction due to other factors (e.g., Dealer’s password problems, Dealer system network issues etc.).

1.8 “Temporary Registration Permit” means the Department approved form that is printed when performing a Temporary Registration Permit issuance transaction on the Approved System that when affixed to a Mounting Board and mounted to a vehicle provides evidence that the vehicle has been issued a temporary registration.

2.0 Requirements

2.1 Dealer issued Temporary Registration Permits must be processed and issued through the Approved System. A Dealer must register its dealership and each individual authorized user in the Approved System. A Dealer must not issue Temporary Registration Permits unless registered in the Approved System.

2.2 A Dealer whose license is inactive, suspended, or revoked must not issue Temporary Registration Permits.

2.3 A Temporary Registration Permit is only valid if issued through the Approved System and affixed to a Mounting Board.

a. A Temporary Registration Permit issued to a motorcycle defined in section 42-1-102(55), C.R.S., will be printed to simulate a motorcycle size license plate and must be affixed to the motorcycle size Mounting Board.

b. A Temporary Registration Permit issued to all other vehicle types will be printed to simulate a passenger size license plate and must be affixed to the passenger size Mounting Board.

2.4 Dealers must purchase Mounting Boards directly from a Department authorized Mounting Board vendor(s). A Dealer must only use Department approved Mounting Boards for affixing Temporary Registration Permits.

2.5 Upon the sale of a vehicle by the Dealer, the Dealer must:

a. Perform the Temporary Registration Permit issuance transaction in the Approved System;

b. Print the Temporary Registration Permit generated by the Approved System;

c. Print the Colorado registration receipt generated by the Approved System ;

d. Affix the printed Temporary Registration Permit to a Mounting Board;

e. Affix the Mounting Board with the Temporary Registration Permit to the vehicle according to statute; and

f. Provide the printed Colorado registration receipt to the vehicle purchaser.

2.6 A Dealer must verify the purchaser(s) SVID prior to the issuance of a Temporary Registration Permit.

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- 2.7 If the Temporary Registration Permit and/or Mounting Board are damaged during issuance, the Dealer may issue a corrected Temporary Registration Permit through the Approved System. The Dealer must destroy the original Temporary Registration Permit and Mounting Board to render it unreadable and unusable.
- 2.8 A Temporary Registration Permit is valid for up to sixty (60) days from the date of sale/issuance. A Temporary Registration Permit cannot not expire on a Saturday, Sunday, or legal holiday. If the sixtieth day falls on a Saturday, Sunday, or legal holiday, the Temporary Registration Permit will expire on the next weekday which is not a Saturday, Sunday, or legal holiday.
- 2.9 A Temporary Registration Permit is not renewable, but when circumstances outlined in section 42-3-203(3)(e), C.R.S., are met, the Dealer may issue a second Temporary Registration Permit pursuant to the requirements in this rule.
- 2.10 A Dealer must not place hand written markings, stickers, items, decorations, decals, or other markings on the printed Temporary Registration Permit and/or Mounting Board. Mounting frames must not obstruct any portion of or otherwise render the Temporary Registration Permit unreadable pursuant to in section 42-3-202(2), C.R.S.
- 2.11 A Dealer must not alter the printing of the Temporary Registration Permit by resizing it, rotating it, or by any other alteration. Altering the printing of the Temporary Registration Permit will render it invalid.
- 2.12 A Temporary Registration Permit must not be issued to vehicles sold as "Tow Away" or to vehicles that are not roadworthy. A Temporary Registration Permit must not be used to demonstrate, transport, or deliver vehicles.
- 2.13 Dealers must ensure that the Approved System is secure and accessible only by authorized users. Dealers must meet all training and system requirements to use the Approved System.
- 2.14 Mounting Boards must be kept in a secure location. Dealers must file a police report with local law enforcement within twenty-four (24) hours of discovering that a Mounting Board(s) has been lost or stolen. A copy of the police report must be supplied to the Department.
- 2.15 All Mounting Boards must be surrendered immediately to the Department of Revenue, Enforcement Business Group, Auto Industry Division, when a Dealer's license has been suspended or revoked.
- 2.16 After notice and hearing conducted pursuant to 24-4-104 and 24-4-105, C.R.S., a Dealer found to have violated this rule may have its privilege of issuing Temporary Registration Permits suspended or revoked.
- 3.0 Analog Temporary Registration Permit Issuance**
- 3.1 In the event of a System Outage occurring After Department Business Hours, Dealers may issue an Analog Temporary Registration Permit in lieu of the Temporary Registration Permit.
- a. In the event of a System Outage occurring during Department Business Hours, Dealers may issue an Analog Temporary Registration Permit in lieu of the Temporary Registration Permit upon receiving notice from the Department that authorization to issue them is granted for the period of time that the System Outage occurred during Department Business Hours.
- 3.2 An Analog Temporary Registration Permit is valid for thirty-six (36) hours from the date of issuance during an Approved System outage.

- 3.3 An Analog Temporary Registration Permit shall be completed on forms provided by the Department and must contain:
- a. The Dealer's dealer number, (preceded by zeros if less than six digits) and the last three numbers of the vehicle identification number (VIN). This will be the Analog Temporary Registration Permit serial number.
 - b. Month, Day and Year of issuance.
 - c. Time of issuance.
 - d. Vehicle VIN, color, model year, make, and body.
- 3.4 Dealer must affix the Analog Temporary Registration Permit to a Mounting Board as required in 2.3 above.
- 3.5 Dealer must provide the vehicle owner the completed Analog Temporary Registration Permit affixed to a Mounting Board, and a letter on the dealership letterhead that includes the date, time, VIN, color, model year, make, body, owner name and contact information, and Dealer's contact information.
- 3.6 Dealer must retain a copy of the Analog Temporary Registration Permit and dealership letter and send an image of the Analog Temporary Registration Permit and dealership letter to the Department via email to dor_comcenter@state.co.us and dor_vehicleportal@state.co.us or by fax to (303)205-5802.
- 3.7 Within thirty-six (36) hours from the date of issuance of the Analog Temporary Registration Permit, the Dealer must complete the issuance of a sixty-day (60) Temporary Registration Permit on the Approved System, as required in section 2.0, and provide it to the owner.
- 3.8 A Dealer that issues an Analog Temporary Registration Permit that does not coincide with an Approved System outage, or coincides with a Department approval notification, or fails to complete the requirements of this rule upon issuance of an Analog Temporary Registration Permit will be reported to the Department's Auto Industry Division.

RULE 35. TRANSPORTER LICENSE PLATES

Basis: The statutory bases for this rule are 42-1-204, 42-3-116(1), and 42-3-304(7)(a), C.R.S.

Purpose: The purpose of this rule is to establish criteria for the issuance, renewal, and to regulate the use of Transporter License Plates.

1.0 Definitions

- 1.1 "Financial Institution" 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 federal law or 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.
- 1.2 "Repair Activity" means "Repairs on a Motor Vehicle" or "Repairs" as those terms are defined in 42-9-102(5), C.R.S.
- 1.3 "Repair Facility" means "Motor Vehicle Repair Facility" as that term is defined in 42-9-102(3), C.R.S.

1.4 “Transporter Tag(s)” or “Transporter License Plate(s)” means the numbered license plate issued by the Department on the Colorado blue and white license plate graphic with the stacked lettering “TRP”.

2.0 Issuance and Renewal Requirements

2.1 An applicant requesting a Transporter License Plate or renewal must submit to the Department:

- a. A form DR 2222 Transporter Plate Application;
 - I. Requests for annual renewal must include the renewal notice attached to the DR 2222 Transporter Plate Application.
- b. The documentation or other evidence identified in paragraphs 2.2 a. through 2.2 i. below proving that the applicant meets the requirement to be issued a Transporter License Plate; and
- c. The fees required in 42-3-301(1)(a) and 42-3-304(7)(a), C.R.S.

2.2 A Transporter License Plate will only be issued and renewed to:

- a. A Dealer or auctioneer that provides a valid license issued by the Colorado Department of Revenue, Auto Industry Division.
- b. A manufacturer that provides a valid license issued by the Colorado Department of Revenue, Auto Industry Division.
- c. A Distributor, as defined in 12-6-102(5), C.R.S., that provides a valid license issued by the Colorado Department of Revenue, Auto Industry Division.
- d. A Dealer of special mobile machinery that provides: (1) a valid Colorado Sales Tax License; and (2) a business license or other proof that the Dealer is engaged in the sale of special mobile machinery in the ordinary course of business.
- e. A Government agency that is acting in the capacity of disposing, auctioning, or movement of vehicles previously owned by the Government.
- f. A Repair Facility that provides a current executed written agreement proving that it is engaged in Repair Activity for a State of Colorado licensed dealer and a valid Colorado Sales Tax License.
- g. A drive-away or tow-away transporter that provides: (1) a valid Colorado Sales Tax License; and, (2) a current executed written agreement proving that it is providing drive-away or tow-away services for a person listed in this subsection 2.2; or (3) other proof demonstrating that it is providing drive-away or tow-away services for a lawful purpose.
- h. A Financial Institution that provides to the Department a copy of its certificate of charter or other documentation proving its authority to do business in the State of Colorado.
- i. A reposessor that provides proof of a bond filed with and drawn in favor of the State of Colorado Attorney General pursuant to 4-9-629(b), C.R.S.

2.3 The Department will not mail or otherwise deliver a Transporter License Plate to an out of state address.

3.0 Lost or Stolen Transporter License Plate

3.1 A person who has been issued a Transporter License Plate shall report the loss or theft of a plate to local law enforcement and the Department within seventy-two (72) hours. A lost or stolen Transporter License Plate will be replaced upon receipt by the Department of a form DR 2283 Lost or Stolen License Plate/Permit Affidavit along with a filed police report. The fees required in 42-3-301(1)(a) and 42-3-304(7)(a), C.R.S., must be paid at the time of replacement.

4.0 Surrender of Transporter License Plate

4.1 If a person who has been issued a Transporter License Plate no longer meets the requirements in paragraph 2.2, that person shall surrender all Transporter License Plates to the Department within seventy-two (72) hours. The Department will not refund any portion of the fees paid for the Transporter License Plate(s).

5.0 Denial and Enforcement

5.1 Providing false information on an application may result in criminal charges pursuant to 18-8-503, C.R.S., and/or denial of the application and cancellation of the registration of all Transporter License Plate(s) issued to the person providing such false information.

5.2 Any violation of Title 42 pertaining to Transporter License Plates or this Rule may result in cancellation of the registration of the Transporter License Plate(s) issued to the person engaged in such violation.

6.0 Application Rejection or Loss of Transporter License Plates Appeals

6.1 Applicants who have been denied issuance or persons subject to loss of one or more Transporter License Plate(s) 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, Hearings Division. If a hearing is not requested, within thirty days, the Transporter License Plate(s) 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.

6.2 The hearing shall be held at the Department of Revenue, Hearings Division. 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.

RULE 36. [Repealed eff. 10/30/2017]

RULE 37. [Repealed eff. 08/30/2016]

RULE 38 YEAR OF MANUFACTURE LICENSE PLATE

Basis: The statutory bases for this rule are sections 42-1-204, 42-3-103, 42-3-201 through 42-3-207, and 42-12-301 through 42-12-302, C.R.S.

Purpose: The purpose of this rule is to establish criteria for the Dual Registration of a Year of Manufacture License Plate.

1.0 Definitions

- 1.1 “Dual Registration” means a vehicle that has both a Primary Registration and a Secondary Registration.
- 1.2 “License Plate Configuration” means the unique combination of letters and numbers assigned to a motor vehicle’s license plate.
- 1.3 “Motorcycle Size License Plate” means a Colorado manufactured license plate that is issued to and used to evidence registration of a motorcycle as defined in section 42-1-102(55), C.R.S.
- 1.4 “Motor Vehicle Registration” means the registration of a motor vehicle with the State of Colorado, compulsory or otherwise.
- 1.5 “Nonconforming License Plate” means a license plate produced by means other than the Department approved license plate manufacturing processing, which involves a metal dye stamping/embossing press machine or digital printing techniques. A “Nonconforming License Plate” shall include, but is not limited to, novelty license plates or license plates produced by government entities other than the State of Colorado.
- 1.6 “Passenger Size License Plate” means a Colorado manufactured license plate that is issued to and used to evidence registration of a motor vehicle that is not a motorcycle.
- 1.7 “Primary Registration” means a Motor Vehicle Registration established and required by Article 3 of Title 42 and 42-12-301, C.R.S.
- 1.8 “Remanufacture” means the production of a license plate that would duplicate a previously issued License Plate Configuration.
- 1.9 “Secondary Registration” for the purpose of this rule means the issuance of a Year of Manufacture License Plate to a vehicle that has a Primary Registration.
- 1.10 “Year of Manufacture License Plate” means a Colorado original license plate that meets the criteria in 42-12-302(1)(a) through (e), C.R.S.

2.0 Requirements

- 2.1 An applicant desiring to Secondary Register a motor vehicle with a Year of Manufacture License Plate must apply to the Department using form DR 2818 Year of Manufacture License Plate Authorization. A color photo of the Year of Manufacture License Plate must be provided with the DR 2818 at the time of application.
- 2.2 Secondary Registration of a Year of Manufacture License Plate must meet the requirements in 42-12-302(1), C.R.S. A Year of Manufacture License Plate may only be a Secondary Registration for a motor vehicle.
- 2.3 A Year of Manufacture License Plate may not be a Nonconforming License Plate. The Department will not Remanufacture a Year of Manufacture License Plate. The applicant must provide the original Year of Manufacture License Plate in order to Secondary Register it to a motor vehicle.
- 2.4 The original Year of Manufacture License Plate must be the license plate size required for the motor vehicle it is being registered (e.g., light truck must have a Passenger Size License Plate, motorcycle must have a Motorcycle Size License Plate, etc.).

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- 2.5 A Year of Manufacture License Plate configuration may not conflict with any current, past or future License Plate Configuration and may not carry connotations offensive to good taste and decency or are misleading, as determined by the Department.
- 2.6 A Secondary Registration may be issued only to owner(s) of motor vehicle with a Year of Manufacture License Plate. Ownership must be evidenced by the motor vehicle's Colorado certificate of title and/or Motor Vehicle Registration.
- 2.7 A Secondary Registration may only be completed when the motor vehicle has a current Primary Registration. Upon issuance of the Year of Manufacture License Plate to the motor vehicle the motor vehicle is considered a Dual Registration.
- 2.8 The owner of a Dual Registered motor vehicle must keep the Primary Registration receipt and license plate in motor vehicle whenever the Year of Manufacture License Plate is being displayed.
- 2.9 A motor vehicle displaying a Year of Manufacture License may operate only within the limitations of sections 42-12-301(5) and 42-12-302(2), C.R.S. The operation of a motor vehicle with a Dual Registration is not limited by sections 42-12-301(5) and 42-12-302(2), C.R.S.
- 2.10 A lost or stolen Year of Manufacture License Plate must be reported to local law enforcement and the Department within seventy-two (72) hours of the loss or theft using form DR 2283 Affidavit for Lost or Stolen License Plates/Permits. The Department will cancel the Dual Registration and invalidate the Year of Manufacture License Plate upon receipt of the DR 2283. The Department will not replace or Remanufacture a lost or stolen Year of Manufacture License Plate.

3.0 Appeals

- 3.1 The Department may deny a request for a Secondary Registration or cancel a Secondary Registration of a Year of Manufacture License Plate for the following reasons: for mis-use of the Year of Manufacture License Plate; false information on the application DR 2818 Year of Manufacture License Plate Authorization; the Primary Registration is no longer valid; or the use of a Nonconforming License Plate.
- 3.2 In the event of denial or cancellation of a Secondary Registration, the owner/applicant may request a hearing, in writing, within sixty (60) days after the date of notice of denial or date the Secondary Registration was cancelled. Written hearing requests must be submitted to the Department of Revenue, Hearing Division.
- 3.3 Any hearing will be held at the Department of Revenue, Hearing Division. The presiding hearing officer shall be an authorized representative designated by the Executive Director of the Department of Revenue. A Department's representative need not be present at the hearing unless the presiding hearing officer requires his or her presence or the person requesting the hearing requests his or her presence in writing. If the Department's representative is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the Department.

RULE 39. [Repealed eff. 06/14/2018]

RULE 40. Low-Power Scooter

Basis: The statutory bases for this rule are sections 42-1-102(48.5), 42-1-204, 42-2-103(2), 42-3-105(1)(d), 42-3-105(2), 42-3-105(4), 42-3-301, 42-3-311, and 42-3-304(18)(d), C.R.S.

Purpose: The purpose of this rule is to establish criteria for a Registration Agent to register a low-power scooter.

1.0 Definitions

- 1.1 “Dealer” means a motor vehicle dealer, used motor vehicle dealer or power sport dealer licensed under Article 20 of Title 44, C.R.S.
- 1.2 “Registration Agent” means a Dealer 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) and 42-3-311, C.R.S. and the collection of fees required for the registration of a low-power scooter.

2.0 Registration Agent Eligibility

- 2.1 A Dealer that engages in the selling of low-power scooters that desires to register low-power scooters that the Dealer has sold must apply with the Department to be approved to be a Registration Agent for the Department.
- a. A Dealer that is engaged in the selling of low-power scooters that does not desire to be a Registration Agent is not required to be a Registration Agent. A customer purchasing a low-power scooter from a Dealer that is not an authorized Registration Agent should be directed to the Department for the registration of the low-power scooter purchased from the Dealer that is not a Registration Agent.

3.0 Registration Agent Responsibilities

- 3.1 A Dealer that desires to be a Registration Agent must submit a form DR 2228 Low-Power Scooter Registration Agent Application to the Department for approval.
- 3.2 Upon approval, the Dealer will be issued a Registration Agent number. The Registration Agent number is in addition to any dealer license number issued to the Dealer and must appear on all correspondence with the Department, monthly reports and all low-power scooter registrations submitted to the Department.
- 3.3 If a Registration Agent changes their Dealership location address from the location address identified in the original approved form DR 2228 Low-Power Scooter Registration Agent Application, a new form DR 2228 must be submitted within ten (10) business days of the address change from when the Dealer is physically located at the new address to the Department. “Address Change Only” must be indicated at the top of the application. The assigned Registration Agent number will remain the same.
- 3.4 If a Registration Agent changes their business name, a new form DR 2228 must be submitted within ten (10) business days of the name change to the Department. “Name Change Only” must be indicated at the top of the application. The assigned Registration Agent number may be changed and the Registration Agent may be issued a new Registration Agent number at the discretion of the Department.

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- 3.5 Upon request, of the Department, by any Dealer regulatory agency or governing body, by law enforcement, or by a customer, the Registration Agent must provide a copy of the Department approved form DR 2228 as proof of authorization to register low-power scooters and collect the associated fees on behalf of the Department.
- 3.6 Authorization to be an approved Registration Agent and register low-power scooters and collect the associated fees on behalf of the Department is immediately revoked if the Registration Agent ceases to be a Dealer, either by its own actions or due to actions taken by a Dealer regulatory agency or governing body or upon negative audit findings initiated by the Department.
- 3.7 Low-Power Scooter Decals
- a. Low-power scooter decals must be purchased by Registration Agent from the Department. Requests for low-power scooter decals must be completed on the form DR 2183 Low-Power Scooter Monthly Report and Request for Decals/Forms. Requests for low-power scooter decals may be processed by mail or in person at the address indicated on the DR 2183.
 - b. A Registration Agent shall not be permitted to purchase excess low-power scooter decals above their allowable months of supply based on historical issuance trends determined by the Department.
 - c. No refunds will be granted for returned or expired low-power scooter decals. Damaged low-power scooter decals must be returned to the Department. Damaged low-power scooter decals shall be replaced upon payment of the applicable fees by the Registration Agent.
 - d. Low-power scooter decals that are lost or stolen must be reported to law enforcement within 72-hours from the date it was determined that the low-power scooter decals were lost or discovered stolen. A copy of the report to law enforcement listing all the serial numbers of the lost or stolen low-power scooter decals must be submitted to the Department. The Department will replace the missing low-power scooter decals upon payment of the applicable fees by the Registration Agent.
 - e. A low-power scooter decal and registration period is valid for a period of three (3) years from the date of issuance. A license plate will not be issued to a low-power scooter.
 - f. The Department reserves the right to audit Registration Agent low-power scooter decal inventory at any time. Registration Agent will be provided with audit instructions and details. Failure to follow these rules and procedures may result in revocation of the ability to operate as a Registration Agent.
- 3.8 Monthly Reports
- a. Registration Agent must complete and submit form 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 10th is a Saturday, Sunday or State holiday the DR 2183 must be submitted on the next business day following the Saturday, Sunday or State Holiday. In the event that the Registration Agent did not issue low-power scooter decals for any given month, the DR 2183 shall be submitted indicating zero (0) under the section identified as "Decal Numbers Sold".

- b. A Registration Agent who does not submit the monthly reports, as listed above, shall lose the authority to issue low-power scooter decals on behalf of the Department and authorization to be an approved Registration Agent and to register low-power scooters and collect the associated fees on behalf of the Department will be revoked. Upon revocation notice from the Department, the Dealer must immediately cease acting as a Registration Agent and provide any low-power scooter deals that have not been issued to the Department.
- 3.9 Upon a Registration Agent completing a low-power scooter registration the Registration Agent must:
- a. Submit to the Department:
 - i. The completed form DR 2579 Low-Power Scooter Registration Agent Temporary Registration form.
 - ii. 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 owner's/applicant's name must be consistent on the proof of ownership.
 - iii. Appropriate registration fees as indicated on the DR 2579.
 - iv. Proof that the owner's/applicant's secure and verifiable identification has been verified using the Secure and Verifiable Identification section on the form DR 2579 or by using the form DR 2841 Secure and Verifiable ID and form DR 2842 Supplemental Secure and Verifiable Identification Information and Attestation Clause forms.
 - v. Proof of insurance.
 - b. Provide to the low-power scooter owner/applicant:
 - i. A photocopy of the proof of ownership as listed under 3.9 a. ii. Above.
 - ii. A photocopy of the form DR 2579 Low-Power Scooter Registration Agent Temporary Registration form to evidence the registration of the low-power scooter.
 - iii. The low-power scooter decal issued to evidence the registration of the low-power scooter listed on the DR 2579. The Registration Agent shall hole punch the expire month and expire year on the low-power scooter decal prior to issuing the low-power scooter decal to the customer. The expire month and expire year must match the expire month and expire year on the DR 2579.
 - iii. Instructions that upon acceptance of the documents and items provided to the Department from the Registration Agent that the Department will complete the registration transaction in Department systems and upon completion of the registration transaction will mail to the low-power scooter owner/applicant a registration receipt that will replace the copy of the DR 2579 provided.
 - iv. Instructions that renewal of the low-power scooter registration can only be completed by the Department. Prior to expiration of the current registration period the owner will receive renewal notice with instructions from the Department.

- v. Instructions that replacement of a lost, damaged or stolen low-power scooter decal can only be completed by the Department by contacting the Department directly.
 - 3.10 If the Department is unable to validate the low-power scooter or any of the documents or forms provided by the Registration Agent or the Department determines that the vehicle submitted does not meet the definition of low-power scooter or that the insurance provide is not valid the Department will reject the application back to the Registration Agent for resolution with the owner/applicant.
 - 3.11 Insurance
 - a. A low-power scooter will 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 must 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.
 - 3.12 In the event that a Registration Agent chooses to no longer act as a Registration Agent, all low-power scooter decals must be returned to the Department with a notice on the Dealer's letterhead. This notice shall serve as notification to the Department that this Dealer will no longer act as a Registration Agent for the Department. All remaining DR 2579's and DR 2183's that have not been submitted to the Department previously shall be submitted at that time.
 - 3.13 At no time will a Registration Agent register or issue a low-power scooter decal to a vehicle that does not meet the definition of low-power scooter in section 42-1-102(48.5), C.R.S. This includes but is not limited to, a motorcycle defined in section 42-1-102(55), C.R.S., a toy vehicle defined in section 42-1-102(103.5), C.R.S., a bicycle defined in section 42-1-102(10), C.R.S., or an off-highway vehicle defined in section 42-1-102(63), C.R.S.
 - a. If a Registration Agent is unsure if a vehicle meets the definition of a low-power scooter it should not register the vehicle and direct the owner/applicant to the Department for a determination.
 - b. A Registration Agent that knowingly registers a vehicle as a low-power scooter that does not meet the definition of a low-power scooter is required to make reasonable efforts to recover the low-power scooter decal and registration from the owner/applicant and at the discretion of the Department may have their authorization to be a Registration Agent revoked.
- 4.0 Appeals**
- 4.1 If a Dealer is denied application to be a Registration Agent or if a Dealer's Registration Agent status is revoked, the Dealer may request a hearing, in writing, within sixty days after the date of notice of denial. Written hearing requests shall be submitted to the Department of Revenue, Hearings Division.

- 4.2 The hearing shall be held at the Department of Revenue, Hearing Division. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The Department's representative need not be present at the hearing unless the presiding hearing officer requires his or her presence or the person requesting the hearing requests his or her presence in writing. If the Department's representative is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the Department.

RULE 41. PERMANENT DISPOSAL OF A LICENSE PLATE OR PRODUCT

Basis: The statutory bases for this rule are sections 42-1-204 and 42-3-201(6), C.R.S.

Purpose: The purpose of this rule is to establish criteria for the Permanent Disposal of a license plate or product.

1.0 Definitions

- 1.1 "Damaged" means a license plate or product that has been rendered unusable to issue to a customer. "Damaged" includes, but is not limited to, scratched, bent, torn, or the adhesion medium is not longer effective.
- 1.2 "Damaged In Transit" means a license plate or product that is Damaged while being moved from one location to another.
- 1.3 "Destroy" means applying a method in which the Scrap and the material it is made of is rendered unusable as a license plate or product. "Destroy" may include, but is not limited to, melting, cutting into pieces, crushing, or burning.
- 1.4 "DRIVES" means the Driver License, Record, Identification, and Vehicle Enterprise Solution.
- 1.5 "Expired Product" means any product that is date bound by a date indicator printed on the product for which the date on the product is no longer valid or able to be issued in DRIVES.
- 1.5 "Issued" for the purpose of this rule means:
- a. A DRIVES inventory status of a license plate or product that has been consumed during a vehicle registration activity in DRIVES, but due to various reasons has not been physically provided to a customer or affixed to the vehicle and has not been returned to available inventory in DRIVES which renders the reuse of such license plate or product impossible; or
 - b. A license plate or product produced via a "Print On Demand" process that was unable to be delivered to the owner and was returned to the County and the County was unsuccessful in contacting the owner to receive the returned license plate or product.
- 1.6 "Ordinary Course of Business" means, but is not limited to, the receipt of a license plate or product that is Voluntarily Surrendered, found, directed to be Destroyed per a law enforcement action or by the Department, turned in by a person to the Department or a County Motor Vehicle office, Expired Product, or a license plate or product that is in an "Issued", "Reserved", "Damaged", or "Damaged In Transit" inventory status in DRIVES.
- 1.7 "Permanent Disposal" or "Permanent Dispose(d)" means to either Destroy, Recycle or Scrap.

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- 1.8 “Product” means assigned ID VIN tag, collector owner decal, identifying placard, low power scooter decal, trailer ID tag, month tab, mounting board, plug-in electric vehicle decal, title paper, PWD validating tab, year tab, combined registration receipt, or secure form.
- 1.9 “Recycle” means the converting of Scrap into another reusable material but rendering it unusable as a license plate or product.
- 1.10 “Reserved” for the purpose of this rule means a DRIVES inventory status of license plate or product that has been associated to a pending registration activity in DRIVES, that has not been properly completed or cancelled for a prolonged period of time, but due to various reasons cannot be resolved and does not allow the return of such license plate or product to available inventory in DRIVES which renders the reuse of the license plate or product impossible.
- 1.11 “Scrap” means any license plate or product that has either been Voluntarily Surrendered or acquired in the Ordinary Course of Business with the intent of the license plate or product being Permanently Disposed.
- 1.12 “Scrap Entity” means any business, entity, junk yard, recycler or metals dealer that is in the business of Permanently Disposing of materials.
- 1.13 “Voluntarily Surrendered” means a license plate or product given to the Department or to a County Motor Vehicle office by any person.

2.0 Permanent Disposal Processes Approval

- 2.1 The Department will maintain Scrap Permanent Disposal processes with the Department of Corrections, Colorado Correctional Industries which will be made available to County Motor Vehicle offices to Permanently Disposal of Scrap the County received in the Ordinary Course of Business.
- 2.2 Every five years, each County Clerk and Recorder must complete and apply for approval from the Department, for the County’s Scrap Permanent Disposal process. Application must be completed on forms provided by the Department.
- 2.3 A County that elects to perform Scrap Permanent Disposal with a Scrap Entity that is not Colorado Correctional Industries must have a written agreement with that Scrap Entity. The agreement must contain provisions in it holding the Scrap Entity to the same standards as a County per Colorado Revised Statute and this rule as it relates to the Scrap Entity performing Scrap Permanent Disposal operations for the County. If a County elects to utilize Colorado Correctional Industries for its Scrap Permanent Disposal a written agreement is not required between the County and Colorado Correctional Industries.

3.0 Requirements

- 3.1 A license plate or product that is acquired in the Ordinary Course of Business shall be Permanently Disposed of in a timely and secure manner as approved by the Department in accordance with the Department approved County Scrap Permanent Disposal application.
- 3.2 Reselling, reusing, giving or gifting of Scrap is prohibited.
- 3.3 It is the responsibility of the County to ensure compliance with this rule and any laws pertaining to the Permanent Disposal of Scrap with any Scrap Entity the County has an agreement with.

- a. If Colorado Correctional Industries is used for Permanent Disposal of Scrap for the County, the County's responsibility is limited to the time period that the Scrap is in physical possession of the County and only until it is surrendered to and evidence of receipt of Scrap is received from Colorado Correctional Industries.
- 3.4 Scrap must be maintained in a secure location and accounted for at all times until the actual Permanent Disposal is completed. This includes transportation to the Scrap Entity.
- 3.5 Scrap must be logged in DRIVES within twenty-four hours of receipt of the Scrap and recorded on forms required by the Department. The Department may waive the twenty-four hour requirement if a large amount of Scrap is being logged.
- 3.6 Upon surrendering Scrap to a Scrap Entity or to Colorado Correctional Industries for Permanent Disposal the County must obtain evidence of receipt of the Scrap from the Scrap Entity or Colorado Correctional Industries.

RULE 42. [Repealed eff. 10/15/2020]

RULE 43. STOLEN MOTOR VEHICLES

Basis: This rule is promulgated under the authority of 42-3-118(2)(a) and 42-6-145(3)(b), C.R.S.

Purpose: The purpose of this rule is to establish criteria for the notification of local law enforcement upon discovery that a person is attempting to obtain a certificate of title or register a stolen motor vehicle and for an insurance company or motor vehicle owner to obtain a Colorado certificate of title upon recovery of a stolen motor vehicle.

1.0 Requirements For Reporting A Stolen Motor Vehicle

- 1.1 The Department or its authorized agents shall notify local law enforcement if a person attempts to obtain a Colorado certificate of title or to register a motor vehicle that has been reported stolen.
- 1.2 In the event that local law enforcement is unavailable, or is unable to respond immediately, the Department or its authorized agents shall contact the Motor Vehicle Investigations Unit of the Department of Revenue.

2.0 Obtaining Title For A Recovered Stolen Motor Vehicle

- 2.1 An insurance company applying for Colorado certificate of title to transfer ownership of an unrecovered stolen motor vehicle from the insured owner to the insurance company upon settlement of the theft claim must apply to the Department using the form DR 2593 State of Colorado Unrecovered Theft Title Application.
- 2.2 An owner of a stolen motor vehicle who did not have a Colorado certificate of title for the motor vehicle in their name when the vehicle was stolen must apply for a Colorado certificate of title and provide the following documents to the State motor vehicle office:
 - a. A copy of the police report to indicate the vehicle was reported stolen;
 - b. A letter from the insurance company that is requesting a title in the owners' name;
 - c. Proof of sales tax paid at the local county motor vehicle office where the applicant resides; and
 - d. DR 2593 State of Colorado Unrecovered Theft Title Application.

RULE 44. LATE FEE EXEMPTION, REDUCTION, OR WAIVER

Basis: The statutory bases for this rule are sections 42-1-204 and 42-3-112, C.R.S.

Purpose: The following rule is promulgated to establish criteria under which a vehicle owner is exempt from the Late Fee on vehicles that are subject to taxation and are not registered when required by law and for the reduction or waiver of the Late Fee for the registration of a trailer that is a commercial or farm vehicle 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; lightning, fire, flood, tornado, and earthquake; that prevents the owner of a vehicle from obtaining a title, registration, Temporary Registration Permit, or renewing the registration of the vehicle.
- 1.2 “Commercial Vehicle Trailer” means a trailer, as defined in section 42-1-102(105), C.R.S., a utility trailer, as defined in section 42-1-102(111), C.R.S., a multipurpose trailer, as defined in section 42-1-102(60.3), C.R.S., a camper trailer, as defined in section 42-1-102(14), or a trailer coach defined in section 42-1-102(106)(a), C.R.S., used to further the purposes of a business or commercial enterprise.
- 1.3 “Farm Vehicle Trailer” means a trailer, as defined in section 42-1-102(105), C.R.S., a utility trailer, as defined in section 42-1-102(111), C.R.S., a multipurpose trailer, as defined in section 42-1-102(60.3), C.R.S., a camper trailer, as defined in section 42-1-102(14), or a trailer coach, as defined in section 42-1-102(106)(a), C.R.S., owned by a farmer or rancher that is operated over the public highways and used commercially to transport to market or place of storage raw agricultural products actually produced or livestock actually raised by such farmer or rancher or to transport commodities and livestock purchased by such farmer or rancher for personal use and used in such person’s farming or ranching operations.
- 1.4 “Furlough” means a government-mandated closure of a Motor Vehicle Office.
- 1.5 “Information Technology Failure” means any computer system or related software or hardware malfunction that prevents successfully completing a vehicle title, registration, Temporary Registration Permit issuance, or renewal transaction.
- 1.6 “Late Fee” means the fee authorized by section 42-3-112(1), C.R.S.
- 1.7 “Medical Hardship” means medical care, treatment and/or physical or mental incapacity that prevents a vehicle owner from titling, registration, obtaining a Temporary Registration Permit issuance, or renewing the vehicle’s registration within statutory time requirements.
- 1.8 “Medical Professional” means a “professional” as defined in section 42-3-204(1)(i), C.R.S.
- 1.9 “Motor Vehicle Office” means a county or state office that performs Colorado vehicle title, registration, Temporary Registration Permit issuance, or registration renewal transactions.
- 1.10 “Office Closure” means a closure of a Motor Vehicle Office for any reason during normal posted business hours.
- 1.11 “Temporary Registration Permit” means a temporary number plate, tag, or certificate registered to a vehicle pursuant to section 42-3-203(3), C.R.S.

1.12 “Weather-Related Delay” means weather or weather-related circumstances that prevent a Motor Vehicle Office from completing vehicle titling, registration, Temporary Registration Permit issuance, or registration renewal transactions, as determined by the Executive Director of the Department or a county commissioner.

2.0 Requirements for Exemption, Waiver, or Reduction of Late Fees.

2.1 The Department will reduce or waive a Late Fee for a Commercial Vehicle Trailer upon receiving a completed form DR 2505 Late Fee Exemption/Reduction Request at the Motor Vehicle Office in the vehicle owners county of residence certifying that (1) the owner uses the vehicle in the operation of a commercial business and (2) as a part of the normal operation of the business idles the vehicle so that it is not operated on a public highway for a full registration period.

2.2 The Department will reduce or waive a Late Fee for a Farm Vehicle Trailer upon receiving a completed form DR 2505 Late Fee Exemption/Reduction Request at the Motor Vehicle office in the vehicle owners county of residence certifying that (1) the owner uses the vehicle commercially to transport to market or place of storage raw agricultural products actually produced or livestock actually raised by such farmer or rancher or to transport commodities and livestock purchased by such farmer or rancher for personal use and used in such person’s farming or ranching operation and (2) as a part of the normal operations idles the vehicle so that it is not operated on a public highway for a full registration period.

2.3 The Department will not impose a Late Fee for Medical Hardship upon receiving a completed form DR 2538 Medical Hardship Late Fee Exemption Affidavit at the Motor Vehicle Office in the vehicle owners’ county of residence.

2.4 The Department will not impose a Late Fee for a vehicle upon receiving a completed form DR 2505 Late Fee Exemption/Reduction Request at the Motor Vehicle office in the vehicle owner’s county of residence certifying that the owner (1) uses the vehicle in the operation of a commercial business and (2), as a part of the normal operation of the business, idles the vehicle so that it is not operated on a public highway for a full registration period.

2.5 The Department will not impose a Late Fee on a vehicle owner who is in the active military service of the United States and who satisfies the requirements of section 42-3-112(3)(b), C.R.S. The vehicle owner must provide:

- A. Military orders or other proof that the owner was serving outside the state at the time the vehicle was required to be registered; and
- B. An affidavit stating that the vehicle was not operated on any public highway in Colorado between the time the registration period and grace period ended and the vehicle is reregistered.

2.6 Upon approval of the Department, an owner of a vehicle may be entitled to waiver of a Late Fee if any of the events below occur and prevent the vehicle owner from accessing title and registration services. Upon approval by the Department, the Motor Vehicle Office shall exempt such vehicle owners for the period of the event, and for 10 calendar days following the last day of the event. If the vehicle owner fails to complete the titling, registration, or registration renewal of the vehicle, the Late Fee will be charged, unless the vehicle is otherwise exempt pursuant to this rule. If an event affects only one Motor Vehicle Office in a county with multiple offices, the exemption will apply for all Motor Vehicle Offices in that county.

- A. Act of God
- B. Furlough

- C. Information Technology Failure
 - D. Office Closure
 - E. Weather-Related Delay
- 2.7 If a county is unable to complete a title, registration, Temporary Registration Permit issuance, or renewal transaction without modification of the transaction or record by the Department and the Department offices are closed, a Late Fee will not be imposed.
- 2.8 The Department will determine whether to grant a Late Fee exemption on a case by case basis for circumstances not included in this rule. Any such exemption must be approved by the Department before a county can grant a Late Fee exemption for vehicles in their county. The Department may determine to grant Late Fee exemptions on its own initiative.

3.0 Appeal from Denial of Late Fee Refund

- 3.1 If a county denies a request to waive, reduce, or allow an exemption from a Late Fee the vehicle owner must pay the Late Fee. The Motor Vehicle Office will not complete the vehicle title, registration, Temporary Registration Permit issuance, or registration renewal transaction on a vehicle until the Late Fee is paid.
- A. If the Department determines that the request for waiver, reduction, or exemption from a Late Fee should have been granted, the Department will refund the previously collected Late Fee. The vehicle owner must complete any additional documents required by the Department to process refunds.
 - B. If the Department determines that the request for a waiver, reduction, or exemption was correctly denied, the Department will mail a notice of denial to the vehicle owner at the address provided on the DR 2468 Late Fee Review and Refund Request.
- 3.2 A vehicle owner who has received a notice of denial may, within 60 days of the date of the notice of denial, request a hearing on the denial by submitting a written request for hearing with the Hearings Division.
- 3.3 The hearing will be held at the Department of Revenue, Hearings Division. The hearing officer will be an authorized representative designated by the Executive Director. The Department employee who completed the review and denial of the waiver, reduction, or exemption request need not be present at the hearing unless required by the hearing officer, or unless requested in writing by the vehicle owner at the time the written request for hearing is submitted. If the Department employee is not present at the hearing, the hearing office may use documents and any affidavit submitted by the Department.

RULE 45. ALUMNI LICENSE PLATES

Basis: The statutory bases for this rule are 42-1-204, and 42-3-214 C.R.S.

Purpose: The purpose of this rule is to establish criteria for the application, responsibilities, and processes for Alumni License Plates.

1.0 Definitions

- 1.1 "Alumni License Plate" means a special license plate issued to recognize an alumni association of a private or public college or university that is located within Colorado pursuant to section 42-3-214, C.R.S.

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- 1.2 “Notice of Approval” means written notice issued by the Department approving establishment of a new Alumni License Plate.
- 1.3 “Certificate” for the purpose of this rule means the Department approved-letter, voucher, or other document issued by an alumni association as evidence that a person is qualified to receive an Alumni License Plate. A Certificate may be issued in electronic or digital format instead of paper, if approved by the Department.
- 1.4 “Pre-Certification Qualifier” means a condition(s) that must be met in order to qualify for issuance of an Alumni License Plate.
- 1.5 “Registered” for the purpose of this rule means a vehicle with an unexpired registration as provided in sections 42-3-102 and 42-3-114, C.R.S., that is currently issued the Alumni License Plate, unless the context otherwise requires.
- 1.6 “Retire” or “Retirement” means the discontinuation of the production of the Alumni License Plate.
- 1.7 “Secure and Verifiable Identification” means a form of identification listed on form DR 2841 Secure and Verifiable ID.

2.0 Application for Creation of Alumni License Plates

- 2.1 An alumni association that meets the requirements of section 42-3-214, C.R.S., and this rule may apply for the creation of an Alumni License Plate.
- 2.2 A college or university may have only one Alumni License Plate. If an alumni association is able to demonstrate that a college or university is independent from its parent college or university, either by statute, separate accreditation by a nationally recognized accrediting agency or association, or other bases, then the alumni association may apply for an Alumni License Plate pursuant to section 42-3-214, C.R.S., and this rule.
- 2.3 An alumni association may apply for the creation of an Alumni License Plate by submitting an application supplied by the Department to the Title and Registration Section, Division of Motor Vehicles. Applications may be submitted in paper or electronic form. Incomplete applications will not be accepted or retained.
- a. Applications must be signed by the alumni association’s designated representative, who shall affirm that the alumni association has complied with the requirements of section 42-3-214, C.R.S. and this rule. In addition to the signed application, the alumni association must submit:
1. Commitments from at least five hundred persons to purchase an Alumni License Plate, including the name, addresses of residence, signature, and date signed for each person.
 - A. Purchase commitments may be submitted in either paper, electronic, or digital format, as required by the Department.
 - B. Purchase commitments are not transferable between applications for different Alumni License Plates.
 - C. Purchase commitments are valid for two years from the date signed prior to being submitted with the application to the Department.

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- D. With prior approval of the Department, the alumni association may use electronic or digital methods to collect purchase commitments. Electronic or digital methods may include, but are not limited to, web petitions or electronic mail.
 - 2. Proof that the college or university is: (1) an institution of higher education that offers at least a bachelor's degree; (2) accredited by a nationally recognized accrediting agency or association; and (3) located in Colorado.
 - 3. A sample Certificate (paper, electronic, or digital) with a written description of security features (serialization, watermarks, holograms, etc.) incorporated into the Certificate. Sample Certificates must be provided to the Department prior to issuing Certificates to qualified individuals. An individual's name on a Certificate must be identical to that listed on the individual's Secure and Verifiable Identification. Certificates are not transferable and are valid for issuance and registration of one set (single if a motorcycle) of Alumni License Plates. The Department will destroy the Certificate upon issuing the Alumni License Plate. The Certificate must contain an area in which the alumni association may place a Department system generated serial number/PIN.
 - 4. Proof that the alumni association has the legal right to use all logos, designs, colors and other intellectual property in the proposed design of the Alumni License Plate.
 - 5. A description of the qualifications the alumni association has established for eligibility to obtain a Certificate. The qualifications may be either membership in the alumni association or specified levels of monetary contributions to the college or university. If the alumni association has no qualifications, the alumni association must provide a written statement of this fact.
 - A. If the qualifications include monetary contributions to the college or university, the application must specify what monetary level of contributions are required.
 - 6. If a monetary donation is required, the alumni association must provide a document that demonstrates the use of those funds to be for either scholarships for students attending the college or university or support of academic programs at the college or university.
- 2.4 Proof of payment for the design was submitted by check or money order directly to Colorado Correctional Industries. The design fee becomes non-refundable upon the receipt of the Approval Notification from the Department.
 - 2.5 The alumni association must meet all requirements under section 42-3-214, C.R.S. and this rule prior to the production and issuance of the Alumni License Plate.
- 3.0 Approved Alumni License Plates: Responsibilities and Processes**
- 3.1 Alumni License Plates must be designed within the parameters established by the Department. The Department may deny any design violating such parameters.

- a. Design changes requested after the design has been approved must be submitted in writing to the Department by the alumni association, and signed by its designated representative. Supporting documentation for the design change is required and may include, but is not limited to, issuance trends, current inventory levels, and costs associated with changes. If the change request is approved, the alumni association must prepay all design costs directly to Colorado Department of Corrections Division of Correctional Industries prior to production of the new design. Design changes are effective upon approval by the Department. If approval is granted while existing inventory is available, and the alumni association requests that the new plates be implemented prior to the sale of such inventory, the alumni association must pay all costs associated with the recall, collection, and destruction of existing inventory. Registered vehicle owners may continue to use their current alumni license plate regardless of any subsequent design change; provided that such plate will not be replaced if the inventory is destroyed, exhausted, or the Department has determined not to issue additional plates of the prior design or designs.
- 3.2 Upon completion of the proposed Alumni License Plate design, the alumni association will receive one sample of the approved plate design. Sample plates used in the design approval process are the property of the Department. The alumni association may request up to five samples for marketing and display purposes upon payment of material fees for each sample plate, as established in section 42-3-301, C.R.S. Sample plates will be produced using the standard passenger size license plate with the standard sample plate numbers assigned by the Department. Non-standard plate number requests will not be accepted.
 - a. The Department must be given at least one business day in advance notice from the alumni association of all news releases, interviews, or mass communications that reference the Alumni License Plate.
 - 3.3 Alumni License Plates are produced through a print on demand process, which does not require pre-stocking of inventory. However, the Department may use methods other than print on demand if the Department deems it appropriate.
 - 3.4 The Department will not distribute thank you notes, requests for contributions, or other materials on behalf of the alumni association.
 - 3.5 The college or university for which an alumni association applies to establish an Alumni License Plate must continuously be located in Colorado, offer at least a bachelor degree in an educational program, and be accredited by a nationally recognized accrediting agency or association pursuant to sections 42-3-214(2)(a) and 42-3-214(2)(c), C.R.S.
 - a. If a college or university no longer meets this requirement, the Department may Retire the Alumni License Plate pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement, and, if Retired, the alumni association must eliminate the Pre-Certification Qualifier, if any.
 - 3.6 If an alumni association has Pre-Certification Qualifiers, it may enter information for each individual who the alumni association has approved to be issued the Alumni License Plate into Department maintained systems and record the system generated serial number/PIN on the Certificate. If the alumni association enters the system generated serial number/PIN on the Certificate the Department may use the serial number/PIN to authenticate the Certificate.
 - 3.7 The alumni association must notify the Department in writing if its right to use the Alumni License Plate is transferred to a successor alumni association. The successor alumni association must meet all statutory and regulatory requirements.

- 3.8 An alumni association may request changes to its Certificate. Requests must be submitted in writing, and any change must be approved by the Department prior to issuing the new Certificate. Any changes must meet the requirements of this rule. Upon approval, the Department will work with the alumni association to establish an effective date upon which the alumni association may begin to issue the new Certificate. Only new Certificates will be accepted by the Department after the effective date of the new Certificate; provided, however, that the Department will accept an old Certificate if it was issued by the alumni association before the effective date of the new Certificate.
- 3.9 Alumni License Plates will be issued beginning on the issuance date specified in the Notice of Approval.
- 3.10 The Department may audit an alumni association. The audit may include, but is not limited to, a review of accounting, financial, tax, and Pre-Certification Qualifiers.
- a. If the Department determines that the college or university or the alumni association has violated or no longer meets the requirements of section 42-3-214, C.R.S., or this rule, the Department may require additional information or, at the Department's discretion, may Retire the Alumni License Plate pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.
- b. If the Department requires additional information, and the information is not provided or does not change the Department's determination that the college or university or the alumni association has violated or no longer meets the requirements of section 42-3-214, C.R.S, the Department may Retire the Alumni License Plate pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.
- 3.11 Alumni associations with Alumni License Plates established prior to this rule must meet the requirements of this rule except as otherwise provided herein and/or pursuant to a contract between the alumni association and the Department that establishes requirements that differ from this rule.

4.0 Denial and Retirement Appeals

- 4.1 If an alumni association's application for an Alumni License Plate has been denied, it may request a hearing, in writing, within 60 days after a notice of denial is issued. Written hearing requests shall be submitted to the Department of Revenue, Hearings Section.
- 4.2 The hearing shall be held at the Department of Revenue, Hearings Section. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The Department's representative need not be present at the hearing unless the presiding hearing officer requires his or her presence or the alumni association requests his or her presence in writing. If the Department's representative is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the Department.
- 4.3 An Alumni License Plate will be Retired pursuant to Code of Colorado Regulations 1 CCR 204-10 Rule 20. License Plate Retirement.

RULE 46. [Repealed eff. 09/14/2015]

RULE 47. [Repealed eff. 09/14/2017]

Rule 48. COLORADO DEALER LICENSE PLATES

Basis: The statutory bases for this rule are sections 42-1-102(22), 42-1-204, 42-3-116, and 42-3-304, C.R.S.

Purpose: The following rule is promulgated to establish criteria for issuance of license plates authorized for use by vehicle Dealers, vehicle Wholesalers, and persons who Offer for Sale special mobile machinery (SMM).

1.0 Definitions

- 1.1 “Dealer” has the same meaning as set forth in section 42-1-102(22), C.R.S.
- 1.2 “Dealer Demonstration” means a license plate that has stacked “DMO” lettering on the Colorado blue and white graphic license plate.
- 1.3 “Dealer Full-Use” means a license plate that has stacked “DLR” lettering on the Colorado blue and white graphic license plate.
- 1.4 “Dealer In-Transit” means a license plate that has stacked “INT” lettering on the Colorado blue and white graphic license plate.
- 1.5 “Dealer License Plates” means the Dealer Demonstration, Dealer Full-Use, Dealer In-Transit, or SMM Dealer Demonstration license plates.
- 1.6 “Established Place of Business” has the same meaning as set forth in section 42-1-102(31), C.R.S.
- 1.7 “Legitimate Business Interest” for the purpose of Section 2.8 as referred to in section 42-3-116(6)(d)(III), C.R.S., means:
- a. One or more specific and identifiable reasons that assigning a Dealer Full-Use license plate to any person serves the bona fide business interest of the Dealer or Wholesaler; and
 - b. Use of the plate is benefiting the bona fide business interest.
- 1.8 “Motorcycle Plate” means a license plate manufactured in the standard size and configuration for a motorcycle.
- 1.9 “Normal Business Hours” for the purpose of this rule means 7:00 a.m. – 7:00 p.m. Monday through Saturday, unless otherwise defined by the Motor Vehicle Dealer Board.
- 1.10 “Offered for Sale” means:
- a. The title to a vehicle has been properly assigned to Dealer or Wholesaler, or if a new motor vehicle, the Dealer or Wholesaler has evidence of a manufacturer’s certificate of origin for the vehicle; and
 - b. The vehicle is identified as available for sale on the Dealer’s or Wholesaler’s inventory list.
- 1.11 “Passenger Plate” means a standardized license plate manufactured for a Class C vehicle pursuant to section 42-3-203(1)(a), C.R.S.

- 1.12 “SMM Dealer” means a person who Offers to Sell special mobile machinery in the ordinary course of business.
- 1.13 “SMM Dealer Demonstration” means a license plate that has dual stacked “SMM” and “DMO” lettering on the Colorado blue and white license plate graphic.
- 1.14 “Wholesaler” has the same meaning as set forth in section 12-6-102(29), C.R.S.

2.0 Requirements

- 2.1 A Dealer or Wholesaler meeting all statutory and regulatory requirements may be issued Dealer License Plates.
- 2.2 SMM Dealers meeting all statutory and regulatory requirements may be issued SMM Dealer Demonstration license plate.
- 2.3 Dealer License Plates shall be issued, registered, and renewed by the County Motor Vehicle Office in the county in which the Dealer, Wholesaler, or SMM Dealer has an Established Place of Business.
- 2.4 Dealer License Plates shall be manufactured and offered as:
- a. Dealer Demonstration – single Passenger Plate and single Motorcycle Plate.
 - b. Dealer In-Transit – single Passenger Plate.
 - c. Dealer Full-Use – single Passenger Plate and single Motorcycle Plate.
 - d. SMM Dealer Demonstration – single Passenger Plate.
- 2.5 Quantity of Dealer License Plates issued:
- a. Dealer Demonstration license plates may be issued in unrestricted quantities to Dealers with the “Demo Plates: Y” indicator on the DR 2118 Dealer’s License.
 - b. Dealer In-Transit license plates may be issued in unrestricted quantities to Dealers with a current and valid DR 2118 Dealer’s License.
 - c. Dealer Full-Use license plates may be issued in unrestricted quantities to Dealers and Wholesalers with a valid “Full Use Plates: Y” indicator on the DR 2118 Dealer’s License.
- 2.6 Prior to initial issuance of an SMM Dealer Demonstration license plate the SMM Dealer will be assigned a SMM Dealer number that begins with “S” by the County Motor Vehicle Office. This SMM Dealer number shall be used for the issuance, renewal, and reporting of SMM Dealer Demonstration license plates registered under that “S” number. This SMM Dealer number shall be retained by the SMM Dealer and be used for all SMM transactions with regard to SMM Dealer Demonstration license plates.
- 2.7 Fees for Dealer License Plates shall be paid upon issuance and renewal as listed below:
- a. Dealer Demonstration and Dealer In-Transit license plates fees must be paid as required by sections 42-3-304(6), 42-3-301, and 42-1-210, C.R.S.
 - b. Dealer Full-Use license plates fees must be paid as required by sections 42-3-116(6)(b)(II), 42-3-301, and 42-1-210, C.R.S

- c. SMM Dealer Demonstration license plates fees must be paid as required by sections 42-3-116(7)(b)(II), 42-3-301, and 42-1-210, C.R.S.

2.8 Dealer License Plates can be used only as follows:

- a. A Dealer Demonstration license plate:
 - 1. May be displayed on a vehicle Offered for Sale by a Dealer; and
 - 2. May be displayed on a vehicle operated by a prospective buyer for demonstration drive purposes during Normal Business Hours when a dealership employee is in the vehicle with the prospective buyer or
 - 3. May be displayed on a vehicle operated by a prospective buyer for demonstration drives purposes outside of Normal Business Hours when a dealership employee is not in the vehicle with the prospective buyer; provided that:
 - A. The Dealer must provide the prospective buyer a letter authorizing him/her to operate the vehicle with a Dealer Demonstration license plate after Normal Business Hours;
 - B. The authorization letter must include the name and address of the prospective buyer, Dealer Demonstration license plate number, dates of the demonstration drive, vehicle make, vehicle model, and vehicle identification number; and
 - C. The authorization letter must be kept in the vehicle when operating and must be presented to law enforcement upon request.
- b. A Dealer In-Transit license plate:
 - 1. May be displayed on a vehicle operated intra-state or inter-state that is Offered for Sale, consigned to be sold, or owned by a Dealer.
 - 2. May be displayed on a vehicle operated from point of purchase to the point of storage, or from the point of storage to the point of sale;
 - 3. May be displayed on a vehicle operated for demonstration purposes only during Normal Business Hours when a dealership employee is in the vehicle with a prospective buyer.
- c. A Dealer Full-Use license plate:
 - 1. May be displayed only on vehicles Offered for Sale by a Dealer or Wholesaler.
 - 2. May be displayed on a vehicle owned by the Dealer or Wholesaler while used by any of the persons listed in section 42-3-116(6)(d), C.R.S. The DR 2574 Colorado Registration Receipt issued with the Dealer Full-Use license plate must be maintained in the vehicle displaying the Dealer Full-Use license plate along with documents demonstrating the Dealer or Wholesaler's ownership.
- d. A SMM Dealer Demonstration license plate:
 - 1. May be displayed on special mobile machinery:

- A. Offered for Sale by a SMM Dealer; and
 - B. Being demonstrated for purposes of a sale.
- 2.9 Dealers and Wholesalers issued Dealer Full-Use license plates must maintain a record of all Dealer Full-Use license plates issued to them. Such record must include the name, address, and phone number of the individual currently authorized to use the Dealer Full-Use license plates.
- 2.10 All Dealer License Plates must be returned within ten days to the Department if:
- a. Through either a voluntary or an involuntary action, the Dealer, Wholesaler, or SMM Dealer ceases to be a Dealer, Wholesaler, or SMM Dealer; or
 - b. Upon revocation of the Dealer's DR 2118 Dealer's License by the Motor Vehicle Dealer Board.
- 2.11 A Dealer, Wholesaler, or SMM Dealer that changes ownership or legal status (e.g., changes from a corporation to a limited liability company, etc.) must immediately return all Dealer License Plates to the County Motor Vehicle Office that issued the plates and apply for new Dealer License Plates.
- 2.12 Lost or stolen Dealer License Plates must be reported within seventy-two hours to local law enforcement and to the County Motor Vehicle Office that issued the Dealer License Plates. A copy of the police report must be attached to the DR 2283 Lost or Stolen License Plate/Permit Affidavit when submitted to the County Motor Vehicle Office.
- 2.13 Secure and verifiable identification is required for issuance and replacement of Dealer License Plates. Dealers, Wholesalers, and SMM Dealers must provide the Department a list of all personnel authorized to conduct Dealer License Plate transactions with the Department on the Dealer's, Wholesaler's, or SMM Dealer's behalf.
- 3.0 Appeals**
- 3.1 If a Dealer, Wholesaler, or SMM Dealer has been denied a Dealer License Plate, it may request a hearing, in writing, within 60 days after a notice of denial is issued. Written hearing requests shall be submitted to the Department of Revenue, Hearings Section.
- 3.2 The hearing shall be held at the Department of Revenue, Hearing Section. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The Department's representative need not be present at the hearing unless the presiding hearing officer requires his or her presence or the Dealer, Wholesaler, or SMM Dealer requests his or her presence in writing. If the Department's representative is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the Department.

RULE 50. SLOW MOVING VEHICLES

1. All machinery and equipment, including implements of husbandry, horse drawn vehicles, farm tractors, road machinery, road graders, and every vehicle which has a maximum speed that does not exceed 25 miles per hour or every vehicle capable of speeds in excess of 25 miles per hour but which in its normal operational use is moved at less than 25 miles per hour on the highway, shall display a "Slow Moving Vehicle" emblem complying with the specifications set forth in Section 7 of this regulation.

2. All road construction or maintenance machinery when engaged in actual construction or maintenance work guarded by a flagman or clearly visible warning signs need not display the "Slow Moving Vehicle" emblem.
3. All machinery, equipment and vehicles displaying such Slow Moving Vehicle emblem, when being transported or moved on the highways at speeds in excess of 25 miles per hour, shall have the Slow Moving Vehicle emblem removed or covered when being so moved or transported.
4. Any combination of slow moving vehicles, i.e., tractor-trailers, shall display the "Slow Moving Vehicle" emblem on the rearmost unit of the combination.
5. The Slow Moving Vehicle emblem shall be mounted as near the center as possible on the rear of the vehicle at a height of not less than 2 feet nor more than 6 feet from the ground to the bottom edge of the emblem. Such emblem will be mounted with a point of the triangle at the top and shall be mounted in a plane perpendicular to the direction of travel.
6. The requirements for such emblem shall be in addition to any other lighting devices required by law.
7. Specifications for SLOW MOVING VEHICLE Emblem.
 - A. Description:
 - (1) The SLOW MOVING VEHICLE Emblem (Fig. 1) shall consist of a fluorescent yellow-orange triangle with a dark, red reflective border. The yellow-orange fluorescent triangle is for daylight identification. The reflective border defines the shape of the fluorescent color in daylight and becomes a hollow red triangle in the path of motor vehicle headlights at night.
 - B. Performance Requirements:
 - (1) Visibility. The emblem shall be entirely visible in daylight and at night from all distances between 600 feet and 100 feet from the rear when directly in front of lawful upper beam of headlamps.
 - (2) Dimensional requirements. The minimum size shall be as shown in Fig. 1.
 - (3) Color and reflectivity.
 - (a) The spectrophotometric color values of the yellow-orange fluorescent material shall have a dominant wave length of 590–610 millimicrons and a purity of 98 percent before use. After Durability Test, paragraph (4), the dominant wave length of the fluorescent material shall not change more than 10 percent.
 - (b) The reflective material shall have minimum intensity values at each of the angles listed per Table 1. After Durability Test, paragraph (4), the minimum reflective intensity values for the reflective material shall not change more than 20 percent from the values specified in Table 1.

TABLE 1. Minimum Reflective Intensity Values, R*

Divergence Angle, deg	Incidence Angle, deg	Reflective Intensity, R
0.2	0	10
0.2	15	7
0.2	30	5
0.5	0	5
0.5	15	4
0.5	30	2

*Measurements shall be conducted in accordance with photometric testing procedures for reflex-reflectors as specified in Society of Automotive Engineers Standard, SAE J594, Reflex Reflectors, and using 50, ±3 sq. in. (322.6, ± 32.3 sq. centimeters) of reflective material. The maximum dimension of the test surface shall not be greater than 1.5 times the minimum dimension. The Reflective Intensity (R) is computed from the equation.

$$R = \frac{(L_r)(d^2)}{(L_s)(A)}$$

where

R = reflective intensity, candlepower per incident foot-candle per square foot

L_r = illumination incident upon receiver at observation point, foot-candles

L_s = illumination incident upon a plane perpendicular to the incident ray at the test specimen position, foot-candles

d = distance from test specimen to source of illumination (100 feet as specified in SAE J594), feet

A = area of test surface, square feet

(4) Durability

(a) The reflective and fluorescent materials shall be tough, flexible and of sufficient thickness and strength to meet the requirements of sections B and C. After the Durability test, paragraph (4), the fluorescent and reflective material shall show no appreciable discoloration, cracking, crazing, blistering, loss of durable bond, or dimensional change.

(b) Backing material for portable identification emblem shall be equivalent to 0.040 in. minimum thickness aluminum, 22-gauge minimum thickness mill-galvanized or coated sheet steel with the surface clean and receptive to a durable bond. The backing material shall be free of burrs.

NOTE: These requirements are minimal and do not preclude the use of materials having superior performance.

C. Test Procedures:

- (1) The emblem shall be tested in conformance with the following sections from SAE J575, Test for Motor Vehicle Lighting Devices and Components:

Section B - Samples for test

Section D - Laboratory Facilities

Section E - Vibration Test

Section H - Corrosion Test (pertains to face of emblem only)

- (2) Durability Test. Samples shall be exposed to the sun at an angle of 45 deg to horizontal and facing south per American Society for Testing and Materials, ASTM D1014, Method of Conducting Exterior Exposure Tests of Paints on Steel.

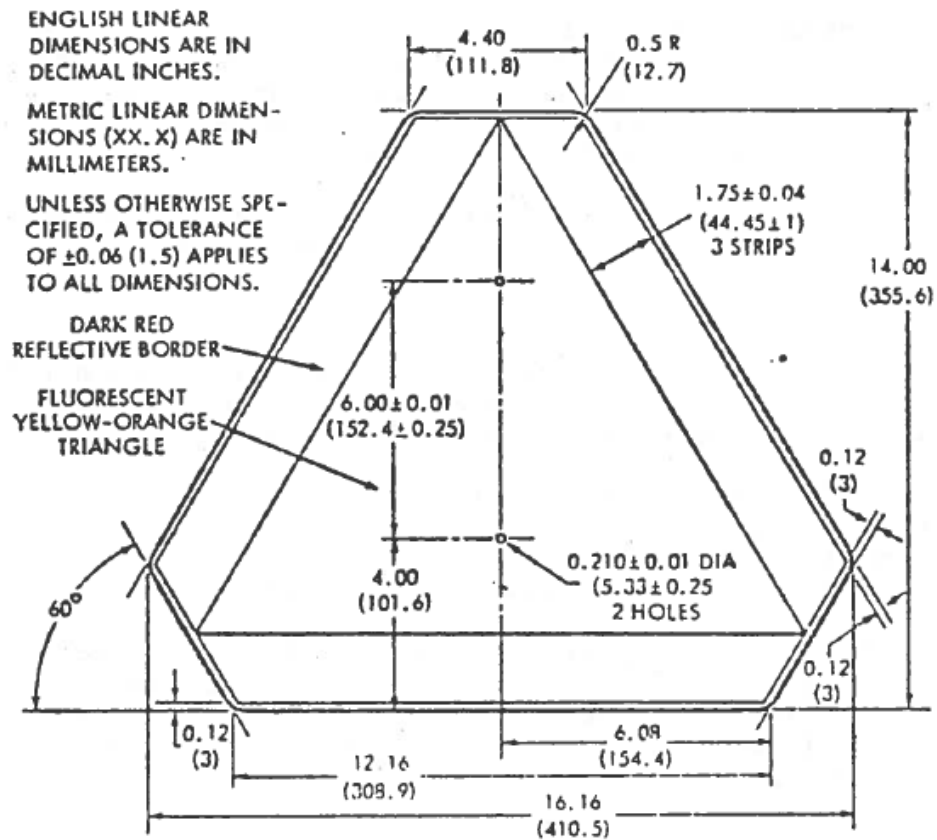
TABLE 2. Durability Test Periods

Location	Minimum Test Period, months	Minimum Test Period, months
	Fluorescent	Reflective
Outside in Midwest	12	24
Or		
Outside in Miami, Florida	6	12

- (3) Drop Test. Each test sample shall be dropped from a height of 5 feet (1.53 m) to a smooth hard surface equivalent to rigid metal or concrete. Each test sample shall be submitted to three drop tests: corner drop, edge drop, and flat drop. Failure shall be considered to have occurred when the emblem will no longer meet requirements in Section B.

8. All "Slow Moving Vehicle" emblems must be approved for use and sale in the State of Colorado by the Department of Revenue. Such approval shall be accomplished through the A.A.M.V.A. Equipment Approval Section, Washington, D.C.

FIG. 1 - IDENTIFICATION EMBLEM



RULE 52. RESIDENCY DOCUMENTATION

Basis: The statutory basis for this rule is section 42-3-103, C.R.S.

Purpose: The purpose of this rule is to clarify the documents needed to prove the date of establishing residence for the calculation of prorated registration taxes and fees owed, pursuant to section 42-3-103, C.R.S.

1.0 Definitions

- 1.1 "Department" refers to the Department of Revenue.
- 1.2 "DR 2504" is the Department of Revenue's Colorado Residency Establishment form.
- 1.3 "DR 2444" is the Department of Revenue's Statement of Fact form.

2.0 Documentation

- 2.1 For vehicles that are or were previously registered in another state, the out of state registration, with the dates of registration, must be provided, per section 42-3-103(4)(a)(II)(A), C.R.S. Acceptable documentation includes:
 - a. The original Out of State title;
 - b. A copy of the Out of State title;
 - c. Paper or electronic form of documentation from an Out of State DMV showing current or previous vehicle registration and ownership; or
 - d. Electronic Lien Provider documents provided by the registering jurisdiction, who did not hold title, for suspense registration purposes.
- 2.2 For any vehicle not previously registered, a Bill of Sale with the purchase date must be provided.
- 2.3 The owner must submit a DR 2504 and documentation to calculate the prorated taxes and fees owed from the date the owner became a resident of Colorado to the date the owner applied to register the vehicle, pursuant to section 42-3-103(4)(a)(II)(C), C.R.S. The Department will accept one of the following as evidence of Colorado residency, per section 42-3-103(4)(a)(III), C.R.S.
 - a. One of the following identification documents:
 - 1. Colorado driver's license or identification card;
 - 2. Voter registration card;
 - 3. Colorado college/university enrollment papers or student ID card showing date of enrollment; or
 - b. One of the following employment documents:
 - 1. Pay stubs from an employer located in Colorado;
 - 2. Signed letter from employer that is written on employer letterhead and verifies employment start date;

3. Signed job offer letter on employer letterhead; or
 - c. One of the following documents related to the ownership or operation of a business:
 1. A copy of the owner's tax return (corporation or sole ownership);
 2. A copy of the Statement of Trade Name of an Individual form that the individual filed to establish the alternative business name (sole ownership);
 3. Articles of organization (for an LLC); or
 - d. One the following housing documents:
 1. Property tax receipt;
 2. Utility bill indicating the utility service start date;
 3. Lease/rental agreement that includes start date;
 4. Mortgage statement that includes start date;
 5. Deed of ownership for residence;
 6. Other evidence deemed by the Department to be satisfactory evidence of residency; or
 7. DR 2444 if none of the above documents exist for the customer.
- 2.4 The DR 2504 must be completed and signed by the customer. The Department or its Authorized Agent should indicate on the form which documentation was presented. The DR 2504 and the DR 2444, if presented, should be scanned into the Ownership Account. The documentation should not be scanned or retained.

3.0 Appeals

- 3.1 A vehicle owner who has received a notice of denial may, within 60 days of the date of the notice of denial, request a hearing on the denial by submitting a written request for hearing with the Hearings Division.
- 3.2 The hearing shall be held at the Department of Revenue, Hearing Section. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The Department's representative need not be present at the hearing unless the presiding hearing officer requires his or her presence or the vehicle owner requests his or her presence in writing. If the Department's representative is not present at the hearing, the hearing officer has the discretion to consider any written documents and affidavits submitted by the Department.

Editor's Notes

History

Rule 41 eff. 03/30/2010.

Rule 2 recodified from 1 CCR 204-9; Rules 1, 3, 5-38 and 40 recodified from 1 CCR 204-14; and Rule 4 recodified from 1 CCR 204-15 eff. 04/01/2010.

Rules 44, 47 emer. rules 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, 4 eff. 12/15/2010.

Rules 4, 16, 43, 45 eff. 12/30/2010.

Rules 12, 13 eff. 02/14/2011.

Rules 5, 48 eff. 03/02/2011. Rules 7, 18, 19, 36 repealed eff. 03/02/2011.

Rule 2 eff. 03/17/2011.

Rule 25 emer. rule eff. 12/23/2011.

Rules 16, 23, 37 eff. 01/14/2012.

Rule 25 eff. 04/14/2012.

Rule 48 eff. 06/30/2012.

Rules 18, 19 eff. 01/14/2013.

Rule 23 eff. 01/30/2013.

Rules 15, 17, 25 eff. 06/30/2013.

Rules 31, 39 eff. 07/30/2013.

Rule 26 eff. 08/14/2013.

Rule 2 eff. 09/14/2013.

Rule 11 eff. 10/15/2013.

Rule 8 eff. 12/30/2013.

Rules 17, 28 eff. 06/30/2014.

Rule 36 emer. rule eff. 08/21/2014.

Rule 12 eff. 08/30/2014.

Rule 50 recodified from 1 CCR 204-5 eff. 12/05/2014.

Rule 36 eff. 12/15/2014.

Rule 7 recodified from 1 CCR 204-21 eff. 01/14/2015.

Rule 24 repealed eff. 03/17/2015.

Rule 14 recodified as 1 CCR 210-3 eff. 04/01/2015.

Rule 29 repealed eff. 06/14/2015.

Rules 20, 25 eff. 07/30/2015. Rule 27 repealed eff. 07/30/2015.

Rules 3, 46 repealed eff. 09/14/2015.

Rule 18 eff. 11/14/2015.

Rule 31 eff. 12/15/2015.

Rule 4 eff. 01/14/2016.

Rule 5 eff. 01/30/2016.

Rule 9 eff. 03/01/2016.

Rule 10 eff. 05/30/2016.
Rule 11 eff. 06/14/2016. Rule 21 repealed eff. 06/14/2016.
Rules 19, 22 eff. 07/30/2016.
Rule 37 repealed eff. 08/30/2016.
Rule 35 eff. 09/14/2016.
Rule 34 eff. 12/30/2016.
Rule 15 repealed eff. 03/02/2017.
Rule 12 eff. 07/30/2017. Rule 13 repealed eff. 07/30/2017.
Rule 44 eff. 09/14/2017. Rule 47 repealed eff. 09/14/2017.
Rule 36 repealed eff. 10/30/2017.
Rule 28 eff. 12/15/2017.
Rule 11 eff. 02/14/2018.
Rule 48 eff. 03/02/2018.
Rules 2, 16, 45 eff. 04/14/2018.
Rule 20 eff. 05/15/2018.
Rule 5 eff. 05/30/2018.
Rule 39 repealed eff. 06/14/2018.
Rule 43 eff. 08/14/2018.
Rules 1, 18 eff. 08/30/2018.
Rules 12, 34 eff. 09/30/2018. Rule 31 repealed eff. 09/30/2018.
Rule 33 eff. 10/30/2018.
Rule 26 eff. 12/15/2018.
Rules 16, 20, 45 eff. 03/02/2019.
Rule 12 eff. 05/15/2019.
Rule 7 eff. 06/14/2019.
Rule 8 eff. 06/30/2019.
Rule 34 eff. 08/14/2019.
Rule 17 eff. 01/30/2020.
Rules 20, 34 eff. 03/16/2020.
Rule 38 eff. 04/14/2020.
Rule 32 eff. 05/01/2020.
Rule 40 eff. 07/16/2020.
Rule 41 eff. 10/15/2020. Rule 42 repealed eff. 10/15/2020.
Rule 19 eff. 07/31/2021.
Rules 12, 16 eff. 01/30/2022.
Rule 25 eff. 07/01/2022.
Rule 44 eff. 04/03/2023.
Rule 23 eff. 04/30/2023.
Rules 8, 19, 52 eff. 12/30/2023.
Rule 28 eff. 01/30/2024.
Rule 26 eff. 03/16/2024.
Rules 2, 43 eff. 03/30/2024.
Rule 23 eff. 07/30/2024.
Rules 1, 6 eff. 08/14/2024.

Rule 7 eff. 09/30/2024.