

DEPARTMENT OF REVENUE

Division of Motor Vehicles – Title and Registration Section

1 CCR 204-10

RULE 26. PHYSICAL INSPECTION OF ~~MOTOR A~~ VEHICLES

Basis: ~~The statutory bases for this regulation are~~ This rule is promulgated under the authority of sections 42-1-204, 42-3-105(1)(c)(I), ~~and 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 regulation is to establish criteria for the performance of physical inspections on motor a vehicles.~~ 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 an 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. When document provided to title and/or register the vehicle cannot be validated without requiring the vehicle to have a Physical Inspection.
 - iv. When 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.

~~1.0 Definitions~~

~~1.1 "Department" means the Colorado Department of Revenue, Title and Registration Sections.~~

~~1.2 "Inspection and Physical Inspection" means the physical verification of the vehicles:~~

- a. ~~Vehicle identification number or numbers; and,~~
- b. ~~Make; and,~~
- c. ~~Model; and,~~
- d. ~~Type of vehicle; and,~~
- e. ~~Year of manufacturer; and,~~
- f. ~~Primary body color; and,~~
- g. ~~Type of fuel used by the vehicle; and,~~
- h. ~~Odometer reading; and,~~
- i. ~~Other information required by the Department.~~
 - i. ~~Reason for the inspection~~
 - ii. ~~Who completed the inspection~~
 - a. ~~Business or agency~~
 - b. ~~Address of business or agency~~
 - c. ~~Printed name of person completing the inspection~~
 - d. ~~Signature and title of the person completing the inspection~~
 - iii. ~~Date of the inspection~~

1.3 ~~“Manufacturer’s Certificate of Origin” means the document provided by the manufacturer which sets forth the manufacturer’s vehicle description and 17 digit vehicle identification number and chain of ownership. This document must accompany the first retail customer’s title application to establish a Colorado Certificate of Title.~~

1.4 ~~“Motor Vehicle” means any self-propelled vehicle that is designed primarily for travel on the public highways and is generally and commonly used to transport persons and property over the public highways, including trailers, semitrailers, and trailer coaches, without motive power. “Motor vehicle” does not include the following:~~

- a. ~~A low power scooter, as defined in section 42-1-102, C.R.S.; or,~~
- b. ~~A vehicle that operates only upon rails or tracks laid in place on the ground or that travels through the air or that derives its motive power from overhead electric lines; or,~~

- ~~c.—A farm tractor, farm trailer, and any other machines and tools used in the production, harvesting, and care of farm products; or,~~
- ~~d.—Special mobile machinery or industrial machinery not designed primarily for highway transportation.~~

~~1.5 “Vehicle” means any motor vehicle as defined in 42-6-102(10), C.R.S.~~

2.0 Requirements

~~2.1 Vehicles required to be titled or registered in Colorado shall be required to provide proof of vehicle inspection prior to issuance of a Colorado certificate of title and/or registration pursuant to C.R.S 42-6-119 (4) if:~~

- ~~a.—The vehicle was previously titled and/or registered in another state or country; or,~~
- ~~b.—The vehicle has a Manufacturer’s Certificate of Origin assigned to an out-of-state dealer.~~

~~2.2 Inspections shall be completed on forms approved by the Department.~~

~~2.3 Inspection of vehicles shall be completed by:~~

- ~~a.—Colorado law enforcement officers; or,~~
- ~~b.—Licensed new or used Colorado motor vehicle dealer; or,~~
- ~~c.—Licensed Colorado inspection and readjustment station; or~~
- ~~d.—Licensed Colorado diesel inspection station; or,~~
- ~~e.—Colorado County Clerk and Recorder or their designated employee; or,~~
- ~~f.—Any other vehicle related entity designated by the Department.~~
 - ~~i. Out of state law enforcement~~
 - ~~ii. Military police~~
 - ~~iii. Military commanding officer~~