

# ~~DEPARTMENT OF REVENUE~~

## ~~Division of Motor Vehicles- Title and Registration Sections~~

### ~~1 CCR 204-10~~

#### ~~Rule 39. CANCEL RECORD~~

~~**Basis:** The statutory bases for this regulation are 38-20-116(2.5), 38-29-118, 42-4-1805 (2), 42-4-1810, 42-4-2104, 42-4-2109, 42-4-2201, 42-4-2202, 42-6-102, 42-6-104, 42-6-115, 42-6-136 and 42-9-102 C.R.S.~~

~~**Purpose:** The following rules and regulations are promulgated to establish criteria for the notification to the Department upon a motor vehicle or vehicle being sold or disposed of as salvage.~~

#### ~~1.0—Definitions~~

~~1.1—"Auto parts recycler" means any person who purchases motor vehicles for the purpose of dismantling and selling the components thereof and who complies with all federal, state, and local regulations. "Auto parts recycler" includes a vehicle dismantler.~~

~~1.2—"Business Day" means any day other than Saturday, Sunday, or a state of Colorado or federal legal holiday.~~

~~1.3—"Cancel Record" means the motor vehicle record, registration and Colorado Certificate of Title will be cancelled in the Colorado State Title and Registration System and no subsequent Colorado Certificate of Title or registration will be issued.~~

~~1.4—"Department" means the Colorado Department of Revenue, Title and Registration Sections.~~

~~1.5—"Director-Approved Form" means a properly assigned Certificate of Title, DR 2173 Motor Vehicle Bill of Sale, DR 2407 Dealer's Bill of Sale, invoice or electronic invoice in a Department approved format.~~

~~1.6—"Licensed Motor Vehicle Dealer" means a motor vehicle dealer that is licensed pursuant to Part 1 of Article 6 of title 12, C.R.S.~~

~~1.7—"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;~~

~~(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;~~

~~(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.~~

~~1.8 "Notification" means the submission of a director-approved form to the Department, by the owner, with indication such as 'JUNK', 'SCRAP' or 'PARTS ONLY' and includes the date, signature and printed name of the owner and company name (if applicable) declaring the vehicle as salvage.~~

~~1.9 "Operator" means a person or a firm licensed by the public utilities commission as a towing carrier.~~

~~1.10 "Owner" means a person or firm in whose name the title to a motor vehicle is registered. The term also includes parties otherwise having lawful use or control or the right to use or control a vehicle for a period of thirty days or more.~~

~~1.11 "Parts Only" means a vehicle sold as a source of component and body parts for the purpose of using the component and body parts to repair or restore another vehicle.~~

~~1.12 "Recycling" means crushing or shredding a motor vehicle to produce scrap metal that may be used to produce new products or dismantling a motor vehicle to remove reusable parts prior to recycling the remainder of the vehicle.~~

~~1.13 "Salvage" means the secondary or scrap value of a motor vehicle stemming from a state of damage or disrepair that renders the vehicle unsuitable for its originally intended use on the public highways in the absence of major alteration or repair. Salvage includes the scrapping, junking, disposal or sale of a vehicle for parts only.~~

## **2.0 Requirements**

~~2.1 An owner, licensed motor vehicle dealer, auto parts recycler or operator must provide notification to the Department for all motor vehicles being sold or disposed of as salvage within 10 business days of determining that the motor vehicle will be sold or disposed of as salvage.~~

- ~~2.2—Notification must be submitted by the owner on the director-approved form.~~
- ~~2.3—Upon receipt of a “Notification”, the Department shall modify the record to indicate the record is in “Cancel Record” status.~~
- ~~2.4—Motor vehicles abandoned at a Repair Shop with a retail fair market value of less than \$200.00 shall only be sold for the purposes of junking, scrapping, or dismantling.~~
- ~~a.—Sale by the repair shop shall be executed and delivered to the purchaser on a bill of sale.~~
- ~~1.—The bill of sale shall state that the purchaser acquires no right to a certificate of title for such vehicle.~~
- ~~2.—Under no circumstances shall a purchaser of an abandoned motor vehicle sold for the purposes of junking, scrapping, or dismantling be entitled to a Colorado Certificate of Title pursuant to CRS 38-20-116 (2.5)(VII) (B).~~
- ~~2.5—Motor vehicles abandoned on public or private property with an appraised value of less than \$350.00 shall only be sold for the purposes of junking, scrapping, or dismantling.~~
- ~~a.—Sale by the responsible law enforcement agency or tow operator shall be executed and delivered to the purchaser on a bill of sale.~~
- ~~1.—The bill of sale shall state that the purchaser acquires no right to a certificate of title for such vehicle.~~
- ~~2.—Under no circumstances shall a purchaser of an abandoned motor vehicle sold for the purposes of junking, scrapping, or dismantling be entitled to a Colorado Certificate of Title pursuant to CRS 42-4-1805 and CRS 42-4-2104.~~