

SB189_L.003

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.SB16-189 be amended as follows:

1 Amend reengrossed bill, page 81, before line 17 insert:

2 "SECTION 127. In Colorado Revised Statutes, 42-4-1804, amend
3 as amended by House Bill 16-1056 (6) (a) as follows:

4 42-4-1804. Report of abandoned motor vehicles - owner's
5 opportunity to request hearing. (6) (a) (I) Except as provided in
6 subparagraph (II) of this paragraph (a), an operator or its agent shall, no
7 less than two days, but no more than ten days after a motor vehicle has
8 been towed, determine who the owner is and if there is a lienholder and
9 send a notice by certified mail, return receipt requested, to the last address
10 of the owner and any lienholder as determined from records of the
11 department or from a national search performed by the department.

12 (II) If the department conducts a national title search in
13 accordance with paragraph (b) of subsection (2) of this section, each day
14 elapsing between the department being notified and the department
15 returning information on the motor vehicle as a result of the search does
16 not count against the tow operator's ten-day deadline to contact the motor
17 vehicle's owner or any lienholder. This subparagraph (II) does not affect
18 daily storage fees.

19 (III) The cost of complying with this paragraph (a) is a cost of
20 towing; except that the total of all costs of complying with this section
21 shall not exceed one hundred fifty dollars. To comply with this subsection
22 (6), the notice to the owner and lienholder must be sent within five days
23 after the operator receives the information from the department and must
24 contain the following information:

25 (F) (A) The fact of possession, including the date possession was
26 taken, the location of storage of the motor vehicle, and the location from
27 which it was towed;

28 (F) (B) The identity of the operator possessing the abandoned
29 motor vehicle, together with the operator's business address and telephone
30 number and the carrier number assigned by the public utilities
31 commission; and

32 (F) (C) A description of the motor vehicle, including the make,
33 model, color, and year and the number, issuing state, and expiration date
34 of the license plate, or any other indicia of the motor vehicle's state of
35 origin."

36 Renumber succeeding sections accordingly.

1 Page 81, before line 25 insert:

2 "(6) Section 127 of this act takes effect only if House Bill 16-1056
3 becomes law, in which case section 127 takes effect on the effective date
4 of House Bill 16-1056."

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