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HOUSE BILL 25-1281

BY REPRESENTATIVE(S) Lindstedt and Suckla, Barron, Boesenecker, Caldwell, Clifford, Froelich, Garcia, Lindsay, Mabrey, Martinez, Rutinel, Valdez, Velasco, Weinberg;
also SENATOR(S) Hinrichsen and Pelton B., Bridges, Gonzales J., Kolker, Marchman, Wallace.

CONCERNING KEI VEHICLES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 10-4-601, **amend** (6) as follows:

10-4-601. Definitions. As used in this part 6, unless the context otherwise requires:

(6) "Motor vehicle" means a "motor vehicle", A "KEI VEHICLE", and a "low-power scooter", as ~~both~~ EACH OF THESE terms ~~are~~ IS defined in section 42-1-102; ~~C.R.S.~~; except that "motor vehicle" does not include a toy vehicle, snowmobile, off-highway vehicle, or vehicle designed primarily for use on rails.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

SECTION 2. In Colorado Revised Statutes, 42-1-102, **amend** (58)(a); and **add** (45.3) as follows:

42-1-102. Definitions. As used in articles 1 to 4 of this title 42, unless the context otherwise requires:

(45.3) "KEI VEHICLE" MEANS A VEHICLE THAT:

(a) IS POWERED BY AN INTERNAL COMBUSTION ENGINE WITH A DISPLACEMENT OF ONE THOUSAND CUBIC CENTIMETERS OR LESS OR AN ELECTRICAL MOTOR OF FIFTY-SIX THOUSAND WATTS OR LESS;

(b) IS SIXTY-SEVEN INCHES OR LESS IN WIDTH;

(c) IS ONE HUNDRED FORTY INCHES OR LESS IN LENGTH;

(d) TRAVELS ON FOUR OR MORE TIRES IN CONTACT WITH THE GROUND;

(e) HAS A TOP SPEED OF AT LEAST FIFTY MILES PER HOUR;

(f) HAS AN ENCLOSED PASSENGER CAB;

(g) WAS IMPORTED INTO THE UNITED STATES; AND

(h) (I) WAS TWENTY-FIVE YEARS OLD OR OLDER WHEN IMPORTED INTO THE UNITED STATES; OR

(II) IS TWENTY-FIVE YEARS OLD OR OLDER AND WAS PREVIOUSLY ISSUED A TITLE IN THE UNITED STATES.

(58) "Motor vehicle":

(a) Means ~~any~~ A self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways, a low-speed electric vehicle, A KEI VEHICLE, or an autocycle; except that the term does not include electrical assisted bicycles, electric scooters, low-power scooters except as provided in subsection (58)(b) of this section, wheelchairs, or vehicles moved solely by human power;

SECTION 3. In Colorado Revised Statutes, **add** 42-4-109.7 as follows:

42-4-109.7. Kei vehicles. (1) (a) A PERSON SHALL NOT DRIVE A KEI VEHICLE ON A ROADWAY THAT HAS A SPEED LIMIT GREATER THAN FIFTY-FIVE MILES PER HOUR; EXCEPT THAT A PERSON MAY DRIVE ACROSS A ROADWAY WITH A SPEED LIMIT GREATER THAN FIFTY-FIVE MILES PER HOUR AT AN AT-GRADE INTERSECTION.

(b) A PERSON SHALL NOT DRIVE A KEI VEHICLE ON A LIMITED-ACCESS HIGHWAY.

(2) A VIOLATION OF THIS SECTION IS A CLASS B TRAFFIC INFRACTION.

SECTION 4. In Colorado Revised Statutes, 42-4-304, **amend** (19)(b)(II) as follows:

42-4-304. Definitions relating to motor vehicle inspection and readjustment program. As used in sections 42-4-301 to 42-4-316, unless the context otherwise requires:

(19) (b) (II) EXCEPT AS PROVIDED IN SECTION 42-4-310 (2)(a)(II), inspection procedures used by a motor vehicle dealer test facility pursuant to this ~~paragraph (b) shall~~ SUBSECTION (19)(b) MUST include a loaded mode transient dynamometer test cycle in combination with appropriate idle short tests pursuant to rules ~~and regulations~~ of the commission.

SECTION 5. In Colorado Revised Statutes, 42-4-309, **amend** (3)(b) as follows:

42-4-309. Vehicle fleet owners - motor vehicle dealers - authority to conduct inspections - fleet inspection stations - motor vehicle dealer test facilities - contracts with licensed inspection-only entities.

(3) (b) Within the enhanced emissions program, motor vehicle dealers licensed pursuant to part 1 of article 20 of title 44 may contract for used motor vehicle inspection services by a licensed motor vehicle dealer test facility. EXCEPT AS PROVIDED IN SECTION 42-4-310 (2)(a)(II) AND pursuant to rules of the commission, inspection procedures ~~shall~~ MUST include a loaded mode transient dynamometer test cycle in combination with appropriate idle short tests.

SECTION 6. In Colorado Revised Statutes, 42-4-310, **amend** (2)(a) as follows:

42-4-310. Periodic emissions control inspection required.

(2) (a) (I) TO DETERMINE WHETHER A MOTOR VEHICLE QUALIFIES FOR ISSUANCE OF A CERTIFICATION OF EMISSIONS COMPLIANCE, ~~the emissions inspection required under this section shall~~ MUST include:

(A) An analysis of ~~tail pipe~~ TAILPIPE and evaporative emissions;

(B) ~~After January 1, 1994, such inspection shall include~~ An analysis of emissions control equipment, including on-board diagnostic systems, chlorofluorocarbons, and visible smoke emissions for the basic emissions program area and the enhanced emissions program area; ~~and~~

(C) Emissions testing that meets the performance standards set by federal requirements for the enhanced emissions program area by means of procedures specified by ~~regulation~~ RULE of the commission; ~~to determine whether the motor vehicle qualifies for issuance of a certification of emissions compliance.~~ AND

(D) For motor vehicles of the model year 1975 or later, not tested under a transient load on a dynamometer, ~~said inspection shall also include~~ a visual inspection of emissions control equipment pursuant to rules of the commission.

(II) NOTWITHSTANDING SUBSECTION (2)(a)(I) OF THIS SECTION, A KEI VEHICLE IS NOT TESTED USING A DYNAMOMETER. A KEI VEHICLE MUST BE TESTED USING A TWO-SPEED IDLE TEST. TO BE ISSUED A CERTIFICATE OF EMISSIONS COMPLIANCE, A KEI VEHICLE MUST PASS THE EMISSIONS STANDARDS FOR THE MODEL YEAR IT WAS MANUFACTURED.

SECTION 7. In Colorado Revised Statutes, 42-5-202, **add** (5) as follows:

42-5-202. Vehicle identification number inspection. (5) THE DEPARTMENT OF REVENUE, THE AGENTS OF THE DEPARTMENT OF REVENUE, THE COLORADO STATE PATROL, THE AGENTS OF THE COLORADO STATE PATROL, OR A PERSON THAT HAS CONTRACTED WITH THE DEPARTMENT OF REVENUE OR THE COLORADO STATE PATROL SHALL NOT REQUIRE A VEHICLE

TO HAVE AN INSPECTION BECAUSE IT IS A KEI VEHICLE, AS DEFINED IN SECTION 42-1-102 (45.3), OR HAS THE DESIGN OR MANUFACTURING PARAMETERS OF A KEI VEHICLE, AS DEFINED IN SECTION 42-1-102 (45.3). THIS SUBSECTION (5) APPLIES FOR THE PURPOSES OF BOTH ARTICLE 6 OF THIS TITLE 42 AND PART 3 OF ARTICLE 4 OF THIS TITLE 42.

SECTION 8. In Colorado Revised Statutes, 42-6-102, **amend** (6.5), (10) introductory portion, (11.5)(b)(I) introductory portion, and (15); and **add** (6.6) and (6.7) as follows:

42-6-102. Definitions. As used in this part 1, unless the context otherwise requires:

(6.5) ~~"Kit vehicle" means a passenger-type motor vehicle assembled by other than a licensed manufacturer, from a manufactured kit that includes a prefabricated body and chassis and is accompanied by a manufacturer's statement of origin~~ "KEI VEHICLE" HAS THE MEANING SET FORTH IN SECTION 42-1-102.

(6.6) "KEI OFF-ROAD VEHICLE" MEANS A VEHICLE THAT:

(a) IS POWERED BY AN INTERNAL COMBUSTION ENGINE WITH A DISPLACEMENT OF ONE THOUSAND CUBIC CENTIMETERS OR LESS OR AN ELECTRICAL MOTOR OF FIFTY-SIX THOUSAND WATTS OR LESS;

(b) IS SIXTY-SEVEN INCHES OR LESS IN WIDTH;

(c) IS ONE HUNDRED FORTY INCHES OR LESS IN LENGTH;

(d) TRAVELS ON FOUR OR MORE TIRES IN CONTACT WITH THE GROUND;

(e) HAS AN ENCLOSED PASSENGER CAB;

(f) WAS IMPORTED INTO THE UNITED STATES; AND

(g) DOES NOT MEET THE REQUIREMENTS OF SECTION 42-1-102 (45.3)(h).

(6.7) "KIT VEHICLE" MEANS A PASSENGER-TYPE MOTOR VEHICLE

ASSEMBLED, BY OTHER THAN A LICENSED MANUFACTURER, FROM A MANUFACTURED KIT THAT INCLUDES A PREFABRICATED BODY AND CHASSIS AND IS ACCOMPANIED BY A MANUFACTURER'S STATEMENT OF ORIGIN.

(10) "Motor vehicle" means ~~any~~ A 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 autocycles, KEI VEHICLES, trailers, semitrailers, and trailer coaches, without motive power. "Motor vehicle" does not include the following:

(11.5) (b) (I) Except as described in subsection (11.5)(b)(II) of this section, "off-highway vehicle" includes ~~vehicles commonly known as~~ all-terrain vehicles, snowmobiles, KEI OFF-ROAD VEHICLES, and surplus military vehicles but does not include:

(15) (a) "Roadworthy" means a condition in which a motor vehicle has sufficient power and is fit to operate on the roads and highways of this state after visual inspection by appropriate law enforcement authorities.

(b) In order to be roadworthy, ~~such~~ A vehicle, in accord with its design and use, ~~shall~~ MUST have all major parts and systems permanently attached and functioning and ~~shall~~ MUST not be repaired in such a manner as to make the vehicle unsafe.

(c) ~~For purposes of this subsection (15);~~ AS USED IN THIS SUBSECTION (15):

(I) "IN ACCORD WITH ITS DESIGN AND USE" PRECLUDES A KEI VEHICLE FROM BEING DECLARED TO BE NOT ROADWORTHY BASED ON ITS DESIGN OR MANUFACTURING PARAMETERS.

(II) "Major parts and systems" ~~shall include, but not be limited to,~~ INCLUDES the body of a motor vehicle with related component parts, engine, transmission, tires, wheels, seats, exhaust, AND brakes and all other equipment required by Colorado law for the particular vehicle.

SECTION 9. In Colorado Revised Statutes, 44-20-102, **amend** (16); and **add** (12.5) as follows:

44-20-102. Definitions. As used in this part 1, and in part 4 of this article 20, unless the context or section 44-20-402 otherwise requires:

(12.5) "KEI ROAD VEHICLE" MEANS A "KEI VEHICLE" AS DEFINED IN SECTION 42-1-102 (45.3).

(16) "Motor vehicle" means every vehicle intended primarily for use on the public highways that is self-propelled and every vehicle intended primarily for operation on the public highways that is not self-propelled but is designed to be attached to, become a part of, or be drawn by a self-propelled vehicle, not including farm tractors and other machines and tools used in the production, harvesting, and care of farm products. "Motor vehicle" includes a KEI ROAD VEHICLE OR A low-power scooter or autocycle as either is defined in section 42-1-102.

SECTION 10. In Colorado Revised Statutes, **add** 44-20-131.5 as follows:

44-20-131.5. Kei road vehicles - no liability for manufacturing standards. A PERSON LICENSED UNDER THIS PART 1 IS NOT LIABLE FOR ANY DAMAGES THAT ARE DIRECTLY OR INDIRECTLY ATTRIBUTABLE TO SELLING A KEI ROAD VEHICLE THAT IS NOT MANUFACTURED IN ACCORDANCE WITH UNITED STATES FEDERAL SAFETY STANDARDS.

SECTION 11. In Colorado Revised Statutes, 44-20-402, **amend** (11)(b) and (11)(c); and **add** (6.5) and (11)(d) as follows:

44-20-402. Definitions. As used in this part 4, unless the context otherwise requires:

(6.5) "KEI OFF-ROAD VEHICLE" MEANS A VEHICLE THAT:

(a) IS POWERED BY AN INTERNAL COMBUSTION ENGINE WITH A DISPLACEMENT OF ONE THOUSAND CUBIC CENTIMETERS OR LESS OR AN ELECTRICAL MOTOR OF FIFTY-SIX THOUSAND WATTS OR LESS;

(b) IS SIXTY-SEVEN INCHES OR LESS IN WIDTH;

(c) IS ONE HUNDRED FORTY INCHES OR LESS IN LENGTH;

(d) TRAVELS ON FOUR OR MORE TIRES IN CONTACT WITH THE GROUND;

(e) HAS AN ENCLOSED PASSENGER CAB;

(f) WAS IMPORTED INTO THE UNITED STATES; AND

(g) DOES NOT MEET THE REQUIREMENTS OF SECTION 42-1-102 (45.3)(h).

(11) "Powersports vehicle" means any of the following:

(b) A personal watercraft; ~~or~~

(c) A snowmobile; OR

(d) A KEI OFF-ROAD VEHICLE.

SECTION 12. In Colorado Revised Statutes, **add** 44-20-432.5 as follows:

44-20-432.5. Kei off-road vehicles - no liability for manufacturing standards. A PERSON LICENSED UNDER THIS PART 4 IS NOT LIABLE FOR ANY DAMAGES THAT ARE DIRECTLY OR INDIRECTLY ATTRIBUTABLE TO SELLING A KEI OFF-ROAD VEHICLE THAT IS NOT MANUFACTURED IN ACCORDANCE WITH UNITED STATES FEDERAL SAFETY STANDARDS.

SECTION 13. Act subject to petition - effective date - applicability. (1) This act takes effect July 1, 2027; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect July 1, 2027.

(2) This act applies to applications submitted or offenses committed on or after January 1, 2028.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO