

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 17-0946.01 Jery Payne x2157

**HOUSE BILL 17-1205**

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**HOUSE SPONSORSHIP**

**Melton, Pabon**

**SENATE SPONSORSHIP**

**Martinez Humenik,**

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**House Committees**

Business Affairs and Labor

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING CHANGING THE DEFINITION OF "SALVAGE VEHICLE".**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill changes the definition of "salvage vehicle" from when the cost of repairing the vehicle to a roadworthy condition exceeds the fair market value immediately prior to the damage to when an insurer determines the vehicle to be a total loss. The bill also adds theft damage as an exclusion to the types of damage that can cause a vehicle to be a salvage vehicle.

HOUSE  
3rd Reading Unamended  
March 21, 2017

HOUSE  
Amended 2nd Reading  
March 20, 2017

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Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

*Capital letters indicate new material to be added to existing statute.*

*Dashes through the words indicate deletions from existing statute.*

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

2           **SECTION 1.** In Colorado Revised Statutes, 42-6-102, **amend**  
3           (17)(a)(I)(C) as follows:

4           **42-6-102. Definitions.** As used in this part 1, unless the context  
5           otherwise requires:

6           (17) (a) (I) "Salvage vehicle" means:

7           (C) A vehicle that is damaged by collision, fire, flood, accident,  
8           trespass, or other occurrence, excluding hail damage OR THEFT, to the  
9           extent that THE VEHICLE IS DETERMINED TO BE A TOTAL LOSS BY THE  
10           INSURER OR OTHER PERSON ACTING ON BEHALF OF THE OWNER OR THAT  
11           the cost of repairing the vehicle to a roadworthy condition and for legal  
12           operation on the highways exceeds the vehicle's retail fair market value  
13           immediately prior to the damage, as determined by the person who owns  
14           the vehicle at the time of the occurrence or by the insurer or other person  
15           acting on behalf of the owner.

16           **SECTION 2. Act subject to petition - effective date -**  
17           **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
18           the expiration of the ninety-day period after final adjournment of the  
19           general assembly (August 9, 2017, if adjournment sine die is on May 10,  
20           2017); except that, if a referendum petition is filed pursuant to section 1  
21           (3) of article V of the state constitution against this act or an item, section,  
22           or part of this act within such period, then the act, item, section, or part  
23           will not take effect unless approved by the people at the general election  
24           to be held in November 2018 and, in such case, will take effect on the  
25           date of the official declaration of the vote thereon by the governor.

1                   (2) This act applies to motor vehicle damage occurring on or after  
2                   the applicable effective date of this act.