

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Boesenecker

1 Amend the Finance Committee Report, dated March 25, 2024, page 2,  
2 line 37, strike "(4)(f)(III)" and substitute "(4)(f)(III), (8)".

3 Page 6, strike lines 4 through 13 and substitute:

4 "(8) **Towing carrier responsibility.** ~~For a nonconsensual tow, the~~  
5 ~~towing carrier is responsible for the security and safety of the towed~~  
6 ~~vehicle until it is released to an authorized or interested person."~~

7 Page 6, after line 16 insert:

8 "SECTION 4. In Colorado Revised Statutes, 40-10.1-406, **add**  
9 (1)(c) as follows:

10 **40-10.1-406. Failure to comply. (1) No fees - return of vehicle.**

11 (c) WITHIN FORTY-EIGHT HOURS AFTER A TOW IS DETERMINED TO HAVE  
12 BEEN PERFORMED IN VIOLATION OF THIS ARTICLE 10.1 OR ANY RULES  
13 PROMULGATED UNDER THIS ARTICLE 10.1, THE TOWING CARRIER SHALL  
14 RETURN THE VEHICLE BACK TO THE LOCATION FROM WHERE IT WAS TOWED  
15 UNLESS:

16 (I) THE AUTHORIZED OR INTERESTED PERSON NOTIFIES THE  
17 TOWING CARRIER THAT THE PERSON PREFERS TO RETRIEVE THE VEHICLE  
18 FROM THE TOWING CARRIER'S STORAGE FACILITY WITHOUT CHARGE; OR

19 (II) RETURNING THE VEHICLE TO THE LOCATION FROM WHERE THE  
20 VEHICLE WAS TOWED IS NOT PRACTICAL, AS DETERMINED BY THE  
21 COMMISSION."

22 Renumber succeeding sections accordingly.

23 Page 6, after line 23 insert:

24 "SECTION 6. In Colorado Revised Statutes, **add** 40-10.1-411 as  
25 follows:

26 **40-10.1-411. Towing carrier responsibility.** THE TOWING  
27 CARRIER IS RESPONSIBLE FOR THE SECURITY AND SAFETY OF THE TOWED  
28 VEHICLE UNTIL THE VEHICLE IS RELEASED TO AN AUTHORIZED OR  
29 INTERESTED PERSON."

30 Renumber succeeding sections accordingly.

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