

**MINUTES
AUTO INDUSTRY DIVISION
RULEMAKING
STAKEHOLDER RULE GROUP 3
MEETING**

Meeting of March 2, 2022
2:03 p.m.

Virtually via Cisco Webex

Working Group Members Present

Chris Rouze, Director - Auto Industry Division
Beth Spellerberg, Rules Administrator - Auto Industry Division
Cory Amend, Sr. Director - Specialized Business Group
David Cardella, CEO - CIADA
Frank Agos, Investigative Supervisor - Auto Industry Division
Michael McKinnon, CIADA Staff Attorney
Gloria Breeden, Investigative Supervisor - Compliance - Auto Industry Division
John Opeka, Acting Deputy Director - Auto Industry Division
Joshua Dexter, Investigative Supervisor - Auto Industry Division
Matthew Groves, CADA
Michael Calo, Investigative Supervisor - Auto Industry Division
Sarah Killeen, Assistant Attorney General - Colorado Attorney General's office
Kyle Boyd, SBG - Communications Manager
Arleen Criddell Tapanen, Meeting Recorder - Auto Industry Division

Rules under Review:

- 1 CCR 205-1, Regulation 44-20-121(7)(c) - Unfitness of Financial Character or Record - Motor Vehicle Dealers**
- 1 CCR 205-2, Regulation 44-20-420(6)(c) - Unfitness of Financial Character or Record - Powersports Dealers**

Director Rouze opened the Stakeholder meeting of Rule Group 3 with participant introductions. Director Rouze stated that the Auto Industry Division (Division) can only propose rules. The Motor Vehicle Dealer Board (MVDB) is the rulemaking authority and they are empowered by statute to promulgate rules.

Director Rouze further stated that we need to remain consistent with our guiding principles to keep rules transparent, to clearly articulate expectations of licensees and that the rules need to be grounded in law.

Director Rouze stated that we are embarking on this rulemaking process because Congress enacted Title 3 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, which amended the Federal Child Support Enforcement program. Of relevance here is 42 USC 666 A16, under which the state has the authority to withhold or suspend driver licenses, professional and occupational licenses and recreational and supporting licenses of individuals owing overdue support or failing, after receiving appropriate notice, to comply with subpoenas or warrants relating to paternity or child support proceedings.

In response to this Act, the Colorado General Assembly passed HB97-1205. This bill added several statutory provisions concerning occupational and professional licenses of those delinquent in their child support obligations. Section 26-13-126 is part of the Colorado Child Support Enforcement Act. It authorizes the Department of Human Services to request the denial, suspension or revocation of any professional, occupational or recreational license issued by state licensing agencies after following certain requirements as far as communications with the child support obligor and exhaustion of the child support obligor's rights of review.

Assistant Attorney General, Sarah Killen has prepared the draft proposed rules that were sent to stakeholders by Rules Administrator, Beth Spellerberg. There are two parallel rules, one pertaining to motor vehicles and one pertaining to powersports vehicles.

Director Rouze turned the floor over to Rules Administrator Spellerberg.

Rules Administrator Spellerberg proceeded to outline proposed changes by the Division.

Regulation 44-20-121(7)(c) - After a lengthy discussion, the working group concurred with proposed changes.

Regulation 44-20-420 (6)(c) - After a lengthy discussion, the working group concurred with proposed changes.

Rules Administrator Spellerberg stated that the Rulemaking Hearing date for these proposed rules is Tuesday, June 21, 2022 at 9:00 a.m.

Director Rouze thanked everyone for their participation and adjourned the meeting at 2:38 p.m.

(Note: The minutes of these rulemaking working groups are very general in nature and only summarize the contents of the meeting. They are not verbatim transcripts and are based principally upon the digital recording of the meeting and upon the later collaboration of staff attendees to ensure that the summary faithfully captures the matters before the working group and the discussion the group had. The digital recording of the meeting is a permanent record of the Division, retained in the electronic filing system of Division, and is available on the Division's website).