

**MOTOR VEHICLE DEALER BOARD
2021 RULEMAKING AGENDA
RULE GROUP 3
COMPILATION OF EXISTING REGULATIONS**

Introduction

This regulatory compilation of existing regulations provides an initial framework for Stakeholders to discuss each regulation in the course of the Stakeholders' Meetings. The regulations appear in "rule pairs," e.g., "Rule Pair 1," "Rule Pair 2," etc., to ensure consideration of parallel regulations respective to Motor Vehicles and Powersports Vehicles. The Motor Vehicle regulation in the pair always appears first, marked by the letter "A." The parallel Powersports Vehicle regulation appears second in the pair, marked by the letter "B."

The 2021 Rule Group 3 Compilation of Existing Regulations in their current language is as follows:

RULE PAIR 1

A. 1 CCR 205-1, Regulation 44-20-121(7)(c)

The Board, in determining whether a licensee or applicant has demonstrated unfitness of financial character or record, will consider net worth, liquid assets including cash, lines of credit, marketable securities, credit reports, unpaid judgments and/or tax liens, delinquent debts, and bankruptcy status. Applications for a motor vehicle dealer or used vehicle dealer license will be closely evaluated based on the factors herein and the applicant's concept of operation for the business to assess the potential for harm to retain customers.

(I) Failure to timely pay any fine imposed by the Board, or the submission of a draft or check for the payment of any fee required by the Board which is dishonored shall be deemed to demonstrate unfitness of financial character or record.

B. 1 CCR 205-2, Regulation 44-20-420(6)(c)

The Board, in determining whether a licensee or applicant has demonstrated unfitness of financial character or record, will consider net worth, liquid assets including cash, lines of credit, marketable securities, credit reports, unpaid judgments and/or tax liens, delinquent debts, and bankruptcy status. Applications for a powersports vehicle dealer license will be closely evaluated based on the factors herein and the applicant's concept of operation for the business to assess the potential for harm to retain customers.

C. 1 CCR 205-2, Regulation 44-20-420(6)(d)

Failure to timely pay any fine imposed by the Board, or the submission of a draft or check for the payment of any fee required by the Board which is dishonored shall be deemed to demonstrate unfitness of financial character or record.

RULE PAIR 1 PROPOSED RULE CHANGE

A. 1 CCR 205-1, Regulation 44-20-121(7)(c)

The Board, in determining whether a licensee or applicant has demonstrated unfitness of financial character or record, will consider net worth, liquid assets including cash, lines of credit, marketable securities, credit reports, unpaid judgments and/or tax liens, delinquent debts, ~~and~~ bankruptcy status, ~~and~~ child support obligation status. Applications for a motor vehicle dealer or used vehicle dealer license will be closely evaluated based on the factors herein and the applicant's concept of operation for the business to assess the potential for harm to retain customers.

(I) Failure to timely pay any fine imposed by the Board, or the submission of a draft or check for the payment of any fee required by the Board which is dishonored shall be deemed to demonstrate unfitness of financial character or record.

(II) Any license for which an application has been made pursuant to this part 1 may be denied if, [at the time of the application], the Board received notice that the Applicant failed to comply with a court or administrative order for current child support, retroactive child support or child support arrears. If the Board receives notice of the Applicant's noncompliance pursuant to sections 24-35-116 and 26-13-126, C.R.S., the application may be denied.

(III) Any license for which an application for renewal has been made pursuant to this part 1 may be denied on a conditional basis if, at the time of the renewal application, the Board received notice that the Applicant failed to comply with a court or administrative order for current child support, retroactive child support or child support arrearages pursuant to sections 24-35-116 and 26-13-126, C.R.S.

B. 1 CCR 205-2, Regulation 44-20-420(6)(c)

The Board, in determining whether a licensee or applicant has demonstrated unfitness of financial character or record, will consider net worth, liquid assets including cash, lines of credit, marketable securities, credit reports, unpaid judgments and/or tax liens, delinquent debts, ~~and~~ bankruptcy status, ~~and~~ child support obligation status. Applications for a powersports vehicle dealer license will be closely evaluated based on the factors herein and

the applicant's concept of operation for the business to assess the potential for harm to retain customers.

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~~C. 1 CCR 205-2, Regulation 44-20-420(6)(d)~~

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