

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0293.02 Duane Gall x4335

SENATE BILL 12-049

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SENATE SPONSORSHIP

Roberts,

HOUSE SPONSORSHIP

Coram, Baumgardner, Brown

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Senate Committees  
Transportation

House Committees

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A BILL FOR AN ACT

101 CONCERNING FINANCIAL RESPONSIBILITY REQUIREMENTS FOR MOTOR  
102 CARRIERS, AND, IN CONNECTION THEREWITH, REDUCING THE  
103 SURETY BOND REQUIREMENT FOR TOWING CARRIERS AND  
104 LIMITING ITS APPLICABILITY TO COUNTIES OF RELATIVELY HIGH  
105 POPULATION DENSITY.

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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://www.leg.state.co.us/bills/summaries>.)*

The bill amends the requirement for a \$50,000 surety bond that

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.*

was added to the statutes governing towing carriers in 2011 by:  
! Reducing the amount to \$10,000; and  
! Exempting carriers in counties with less than 200 persons  
per square mile from the bond requirement.

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

2 **SECTION 1.** In Colorado Revised Statutes, 40-10.1-401, **amend**  
3 (3) (a) as follows:

4 **40-10.1-401. Permit requirements.** (3) (a) (I) Except as  
5 otherwise provided in subsection (2) of this section and section  
6 40-10.1-112 (4), the commission shall issue a permit to a towing carrier  
7 upon completion of the application, the filing of proof of workers'  
8 compensation insurance coverage in accordance with the "Workers'  
9 Compensation Act of Colorado", articles 40 to 47 of title 8, C.R.S., the  
10 filing of proof of a surety bond ~~in the amount of at least fifty thousand~~  
11 ~~dollars~~ IN ACCORDANCE WITH SUBPARAGRAPH (II) OF THIS PARAGRAPH (a)  
12 IF REQUIRED, and compliance with the financial responsibility  
13 requirements of this article. ~~and~~ THE COMMISSION may attach to ~~such~~ THE  
14 permit and to the exercise of the rights granted by the permit such  
15 restrictions, terms, and conditions, including altering the rates and charges  
16 of ~~such~~ THE applicant, as are reasonably ~~deemed~~ necessary for the  
17 protection of the property of the public. The surety bond must be made  
18 payable to the commission and is for the purpose of paying any civil  
19 penalty assessments against the carrier that the carrier fails to pay when  
20 due.

21 (II) THE SURETY BOND MUST BE IN THE AMOUNT OF AT LEAST TEN  
22 THOUSAND DOLLARS; EXCEPT THAT NO BOND IS REQUIRED OF TOWING  
23 CARRIERS THAT OPERATE ONLY IN COUNTIES WITH A POPULATION DENSITY

1 OF LESS THAN TWO HUNDRED PERSONS PER SQUARE MILE, ACCORDING TO  
2 THE MOST RECENT AVAILABLE UNITED STATES CENSUS INFORMATION.

3 **SECTION 2. Effective date - applicability.** This act takes effect  
4 upon passage and applies to towing carriers that applied for permits on,  
5 before, or after said date.

6 **SECTION 3. Safety clause.** The general assembly hereby finds,  
7 determines, and declares that this act is necessary for the immediate  
8 preservation of the public peace, health, and safety.