

CHAPTER 369

INSURANCE

SENATE BILL 03-345

BY SENATOR(S) McElhany;
also REPRESENTATIVE(S) King, Coleman, Lundberg, McFadyen, Rhodes, Schultheis, Spence, Stafford, and Williams S.

AN ACT

CONCERNING A CLARIFICATION THAT A PERSON WHO RECEIVES A CERTIFICATE OF SELF-INSURANCE FOR MOTOR VEHICLES FROM THE COMMISSIONER OF INSURANCE IS NOT SUBJECT TO CERTAIN OTHER COMPULSORY MOTOR VEHICLE COVERAGE REQUIREMENTS.

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

SECTION 1. 10-4-608 (1) (c), Colorado Revised Statutes, is amended to read:

10-4-608. Exemptions. (1) This part 6 shall not apply to any policy:

(c) EXCEPT AS AUTHORIZED BY SECTION 10-4-621, arising out of a motor vehicle rental agreement or any self-insurance thereof;

SECTION 2. 10-4-616, Colorado Revised Statutes, as enacted by House Bill 03-1188, enacted at the First Regular Session of the Sixty-fourth General Assembly, is amended to read:

10-4-616. Coverage compulsory. Every owner of a motor vehicle who operates the motor vehicle on the public highways of this state or who knowingly permits the operation of the motor vehicle on the public highways of this state shall have in full force and effect a complying policy under the terms of this part 6 covering the said motor vehicle, and any owner who fails to do so shall be subject to the sanctions provided under sections 42-4-1409 and 42-7-301, C.R.S., of the "Motor Vehicle Financial Responsibility Act". THIS SECTION SHALL NOT APPLY TO PERSONS WHO HOLD A CURRENT AND VALID CERTIFICATE OF SELF-INSURANCE PURSUANT TO SECTION 10-4-621.

SECTION 3. 10-4-621 (2), Colorado Revised Statutes, as enacted by House Bill 03-1188, enacted at the First Regular Session of the Sixty-fourth General Assembly,

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

is amended to read:

10-4-621. Self-insurers. (2) The commissioner may, in his or her discretion, upon the application of such person, issue a certificate of self-insurance when the commissioner is satisfied that such person is able and will continue to be able to pay ~~direct~~ benefits as required under section 10-4-617 and to pay any and all judgments that may be obtained against such person. Upon not less than five days' notice and a hearing pursuant to such notice, the commissioner may, upon reasonable grounds, cancel a certificate of self-insurance. Failure to pay any benefits under section 10-4-617 or failure to pay any judgment within thirty days after such judgment has become final shall constitute a reasonable ground for the cancellation of a certificate of self-insurance.

SECTION 4. Effective date. This act shall take effect only if House Bill 03-1188 is enacted at the First Regular Session of the Sixty-fourth General Assembly and becomes law.

SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 5, 2003