

# DEPARTMENT OF REVENUE

## Division of Motor Vehicles – ~~Title and Registration Section~~ Vehicle Services Section

### 1 CCR 204-10

#### **RULE 41. PERMANENT DISPOSAL OF A LICENSE PLATE ~~DESTRUCTION,~~ ~~RECYCLING AND OR PRODUCT~~**

**Basis:** ~~This regulation is promulgated under the authority of~~ The statutory bases for this rule are sections 42-1-204, ~~42-3-201(6)(a)~~ and ~~42-3-201(6)(b)~~, C.R.S.

**Purpose:** ~~The following rules and regulations are promulgated~~ purpose of this rule is to establish criteria for the ~~destruction, recycling and/or disposal of license plates~~ Permanent Disposal of a license plate or product .

#### **1.0 Definitions**

- 1.1 “Damaged” means a license plate or product that has been rendered unusable to issue to a customer. “Damaged” includes, but is not limited to, scratched, bent, torn, or the adhesion medium is not longer effective.
- 1.2 “Damaged In Transit” means a license plate or product that is Damaged while being moved from one location to another.
- 1.3 “Destroy” means applying a method in which the Scrap and the material it is made of is rendered unusable as a license plate or product. “Destroy” may include, but is not limited to, melting, cutting into pieces, crushing, or burning.
- 1.4 “DRIVES” means the Driver License, Record, Identification, and Vehicle Enterprise Solution.
- 1.5 “Expired Product” means any product that is date bound by a date indicator printed on the product for which the date on the product is no longer valid or able to be issued in DRIVES.
- 1.5 “Issued” for the purpose of this rule means:
  - a. A DRIVES inventory status of a license plate or product that has been consumed during a vehicle registration activity in DRIVES, but due to various reasons has not been physically provided to a customer or affixed to the vehicle and has not been returned to available inventory in DRIVES which renders the reuse of such license plate or product impossible; or
  - b. A license plate or product produced via a “Print On Demand” process that was unable to be delivered to the owner and was returned to the County and the County was unsuccessful in contacting the owner to receive the returned license plate or product.
- 1.6 “Ordinary Course of Business” means, but is not limited to, the receipt of a license plate or product that is Voluntarily Surrendered, found, directed to be Destroyed per a law enforcement action or by the Department, turned in by a person to the Department or a County Motor Vehicle office, Expired Product, or a license plate or product that is in an “Issued”, “Reserved”, “Damaged”, or “Damaged In Transit” inventory status in DRIVES.

- 1.7 "Permanent Dispose" means to either Destroy or Recycle Scrap.
- 1.8 "Product" means assigned ID VIN tag, collector owner decal, identifying placard, low power scooter decal, trailer ID tag, month tab, mounting board, plug-in electric vehicle decal, title paper, PWD validating tab, year tab, combined registration receipt, or secure form.
- 1.9 "Recycle" means the converting of Scrap into another reusable material rendering it unusable as a license plate or product.
- 1.10 "Reserved" for the purpose of this rule means a DRIVES inventory status of license plate or product that has been associated to a pending registration activity in DRIVES, that has not been properly completed or cancelled for a prolonged period of time, but due to various reasons cannot be resolved and does not allow the return of such license plate or product to available inventory in DRIVES which renders the reuse of the license plate or product impossible.
- 1.11 "Scrap" means any license plate or product that has either been Voluntarily Surrendered or acquired in the Ordinary Course of Business with the intent of the license plate or product being Permanently Disposed.
- 1.12 "Scrap Entity" means any business, entity, junk yard, recycler or metals dealer that is in the business of Permanently Disposing of materials.
- 1.13 "Voluntarily Surrendered" means a license plate or product given to the Department or to a County Motor Vehicle office by any person.

## **2.0 Permanent Disposal Processes Approval**

- 2.1 The Department will maintain a Scrap Permanent Disposal processes with the Department of Corrections, Colorado Correctional Industries which will be made available to County Motor Vehicle offices to Permanently Dispose of Scrap the County received in the Ordinary Course of Business.
- 2.2 Every five years, each County Clerk and Recorder must complete and apply for approval from the Department the County's Scrap Permanent Disposal process. Application must be completed on forms provided by the Department.
- 2.3 A County that elects to perform Scrap Permanent Disposal with a Scrap Entity that is not the Colorado Correctional Industries must have a written agreement with that Scrap Entity. The agreement must contain provisions in it holding the Scrap Entity to the same standards as a County per Colorado Revised Statute and this rule as it relates to the Scrap Entity performing Scrap Permanent Disposal operations for the County. If a County elects to utilize the Colorado Correctional Industries for its Scrap Permanent Disposal a written agreement is not required between the County and the Colorado Correctional Industries.

## **3.0 Requirements**

- 3.1 A license plate or product that is acquired in the Ordinary Course of Business shall be Permanently Disposed of in a timely and secure manner as approved by the Department in accordance with the Department approved County Scrap Permanent Disposal application.
- 3.2 Reselling, reusing, giving or gifting of Scrap is prohibited.
- 3.3 It is the responsibility of the County to ensure compliance of this rule and any laws pertaining to the Permanent Disposal of Scrap with any Scrap Entity the County has an agreement with.
  - a. If Colorado Correctional Industries in used to Permanently Dispose of Scarp for the County, the County's responsibility is limited to the time period that the Scrap is in physical possession of the

County and only until it is surrendered to and evidence of receipt of Scrap is received from Colorado Correctional Industries.

- 3.4 Scrap must be maintained in a secure location and accounted for at all times until the actual Permanent Disposal is completed. This includes transportation to the Scrap Entity.
  - 3.5 Scrap must be logged in DRIVES within twenty-four hours of receipt of the Scrap and recorded on forms required by the Department. The Department may waive the twenty-four hour requirement if a large amount of Scrap is being logged.
  - 3.6 Upon surrendering Scrap to a Scrap Entity or to the Colorado Correctional Industries to Permanently Dispose the County must obtain evidence of receipt of the Scrap from the Scrap Entity or the Colorado Correctional Industries.
- 1.1 ~~“Scrap Plate” means any license plate that has either been voluntarily surrendered or acquired in the ordinary course of business with the intent of the license plate being canceled in motor vehicle systems, destroyed, recycled or permanently disposed of.~~
  - 1.2 ~~“Voluntarily Surrendered” means given to the department or its authorized agents by the license plate owner or the owner’s agent.~~
  - 1.3 ~~“Ordinary Course of Business” means but is not limited to the receipt of a plate that is voluntarily surrendered, found, damaged, directed to be destroyed per an enforcement action or turned in by a non-owner to the State or its authorized agents.~~
  - 1.4 ~~“Destroyed, Recycled and/or Permanently Disposed” means a method of destruction that renders the material unusable as a license plate.~~
  - 1.5 ~~“Department” means the Department of Revenue, Division of Motor Vehicles.~~

## **2.0 Requirements**

- 2.1 ~~License plates that are voluntarily surrendered or acquired in the ordinary course of business shall be destroyed, recycled or permanently disposed of in a manner approved by the department.~~
- 2.2 ~~License plates that have been voluntarily surrendered by the owner or owner’s agent shall be canceled at the time the plates are surrendered.~~
- 2.3 ~~License plates acquired in the ordinary course of business shall be canceled in motor vehicle system within 24 hours of receipt.~~
- 2.4 ~~Scrap license plates surrendered shall be destroyed, recycled, or permanently disposed of. Reselling, reusing, giving or gifting of scrap plates is prohibited.~~
- 2.5 ~~The department, through Correctional Industries, shall provide a plate scrapping program in which the department or its authorized agents may surrender license plates to be destroyed, recycled or disposed of.~~
- 2.6 ~~Unless Correctional Industries is used to recycle plates, any authorized agent that receives scrap plates or desires to conduct disposal, recycling or destruction of license plates shall apply to State Registrations, 1881 Pierce St., Lakewood, CO 80214 for approval detailing the disposal, recycling or destruction activities of license plates. At a minimum, this application will be on the entity’s letterhead and shall describe in detail:~~

- ~~a. Means of receiving and storing the scrap plates to include such details as security, accountability and personnel (i.e. motor vehicle supervisor, motor vehicle clerk, janitorial staff) that would have access to the plates.~~
- ~~b. Timeline for completion of destruction disposal, recycling, or disposal.~~
- ~~c. Destruction, recycling or disposal method to be used.~~
- ~~d. Agreements with any scrap yard, junkyard, recycler, metals dealer or any other entity use to destroy, recycle or dispose license plates. This should detail evidence of receipt for scrap plates, evidence of destruction, recycling or disposal.~~
- ~~e. The name of the person responsible for administration of program and their contact information.~~

~~2.7 Unless Correctional Industries is used to recycle plates, it is the responsibility of the authorized agent to ensure compliance of the rules and statutes pertaining to the destruction, recycle or disposal of license plates with the junk yard, scrap yard, recycler or metals dealer that they have scrap plate agreements with.~~

~~2.8 A log, as determined by the Department, shall be maintained by the authorized agent of all plates destroyed, recycled, or disposed of. The log shall be submitted to the Department quarterly or upon the Department's request.~~