

DEPARTMENT OF REVENUE

Division of Motor Vehicles – Title and Registration Section

1 CCR 204-10

RULE 10. OBTAINING TITLE FOR A MOTOR VEHICLE ABANDONED AT A MOTOR VEHICLE REPAIR FACILITY

Basis: The statutory bases for this rule are 38-20-116, 42-1-204, 42-6-102, 42-6-104, 42-6-115(3)(a), 42-6-116, 42-6-136, 42-6-136.5, 42-6-137, and 42-9-102, C.R.S.

Purpose: The purpose of this rule is to establish requirements for obtaining a Colorado certificate of title for a motor vehicle that has been abandoned at a Motor Vehicle Repair Facility.

1.0 Definitions

- 1.1 “Abandoned Motor Vehicle” for the purposes of this rule means the same as it is defined in 38-20-116(2.5)(b), C.R.S.
- 1.2 “Last Good Faith Effort” for the purpose of this rule means notifying the vehicle owner as required pursuant to 38-20-116(2), C.R.S.
- 1.3 “Motor Vehicle Repair Facility” means the same as it is defined in 42-9-102(3), C.R.S.
- 1.4 “Work Day” for the purposes of this rule means Monday through Friday, excluding Colorado State Government recognized holidays.
- 1.5 “Work Order” means the same as it is defined in 42-9-102(6), C.R.S.

2.0 Requirements

- 2.1 A Motor Vehicle Repair Facility in possession of an Abandoned Motor Vehicle may obtain a Colorado certificate of title in its name by completing the steps below. The below steps are the recommended order of completion, the Motor Vehicle Repair Facility may complete the steps in any order, but all steps must be completed before the Motor Vehicle Repair Facility can obtain a Colorado certificate of title in its name.
 - a. Complete a title record search pursuant to 38-20-116(2.5)(c)(III), C.R.S.
 - i. If the Abandoned Motor Vehicle is a motor vehicle registered in Colorado, submit form DR 2489A Motor Vehicle Record Requestor Release And An Affidavit of Intended Use and attach thereto a copy of the Work Order.
 1. A certified Vehicle Identification Number (VIN) inspection may be submitted in lieu of a Work Order when the Work Order is not available.
 - ii. If the Abandoned Motor Vehicle is registered in another jurisdiction, a title and lien search from the other jurisdiction is required. The results of that search shall be submitted with the application for a Colorado certificate of title.
 - b. Notify the owner(s) and all lienholders in accordance with subsection 38-20-116(2.5)(c)(IV), C.R.S.

- c. Complete a certified VIN inspection pursuant to 38-20-116(2.5)(c)(II)(A) and (B), C.R.S. on form DR 2704 Colorado Certified VIN Inspection.
- d. Establish the retail fair market value of the Abandoned Motor Vehicle pursuant to section 38-20-116(2.5)(c)(I), C.R.S.
- e. Purchase a surety bond pursuant to 42-6-115(3)(a) and 38-20-116(2.5)(c)(V), C.R.S.
- f. Disclose current or previous salvage information.
- i. If the Colorado certificate of title record search indicates the Abandoned Motor Vehicle is branded as salvage, the DR 2704 Colorado Certified VIN Inspection form must indicate that the Abandoned Motor Vehicle is "Not Roadworthy".
 - 1. If an Abandoned Motor Vehicle previously having a salvage brand has been repaired to a roadworthy condition, the Motor Vehicle Repair Facility may apply for a Colorado rebuilt from salvage certificate of title by completing the requirements listed in form DR 2415 Rebuilt Title Established by Salvage Title Checklist and completing form DR 2424 Salvage Title Statement of Fact indicating what repairs were made to the Abandoned Motor Vehicle to bring it to a roadworthy condition as defined in section 42-6-102(15), C.R.S.
 - a. After making repairs to bring the branded salvage Abandoned Motor Vehicle to a roadworthy condition, a new form DR 2704 Colorado Certified VIN Inspection must be submitted with the application for Colorado certificate of title.
 - 2. If the salvage branded Abandoned Motor Vehicle is not repaired to a roadworthy condition, the Motor Vehicle Repair Facility may apply for a salvage branded title using form DR 2410 Application for Salvage Title or Nonrepairable Title.
 - 3. If the Colorado certificate of title record search indicates that the Abandoned Motor Vehicle was branded as "Previous Salvage (Rebuilt from Salvage)" and the form DR 2704 indicates that the Abandoned Motor Vehicle is roadworthy, the Motor Vehicle Repair Facility must request a salvage history on the Abandoned Motor Vehicle from the Department.
 - a. Upon determination of the reason for the vehicle being branded salvage, the Motor Vehicle Repair Facility must complete form DR 2710 Branded Title Disclosure Statement.
 - b. If the reason for the vehicle being branded salvage is indeterminate, the Motor Vehicle Repair Facility must complete form DR 2710 Branded Title Disclosure Statement, marking the "Other" box on the form and must write "Purchased as an abandoned vehicle, unable to obtain a salvage history, reason for salvage unknown" in the space provided to the right of the "Other" box.
- g. Complete form DR 2438 Storage Lien Bond Statement Guide or form DR 2444 Statement of Fact, providing the information required pursuant to section 38-20-116(c)(VI), C.R.S.

- 2.2 After completion of all steps in paragraph 2.1 above, the Motor Vehicle Repair Facility may apply for a Colorado certificate of title or salvage branded title. The application and related forms must be filed in the name of the Motor Vehicle Repair Facility, and in the county where the Motor Vehicle Repair Facility is located. The County Clerk and Recorder will issue the Colorado certificate of title in the Motor Vehicle Repair Facilities name using the previous title code of "BOS REP" (Bill of Sale Repair Facility) and assess the appropriate fees pursuant to 42-6-137, C.R.S.
- a. An Abandoned Motor Vehicle with a retail fair market value of less than \$200.00 can be sold only for the purposes of junking, scrapping, or dismantling. No certificate of title will be issued. The sale must be executed in accordance with subsection 38-20-116(2.5)(c)(VII)(B), C.R.S.
- 2.3 After the Motor Vehicle Repair Facility has obtained a Colorado certificate of title for the Abandoned Motor Vehicle, the vehicle must be sold in a commercially reasonable manner pursuant to section 38-20-116(d)(I), C.R.S.

3.0 Agents Acting on Behalf of the Motor Vehicle Repair Facility

- 3.1 An agent may obtain title to an Abandoned Motor Vehicle in a Motor Vehicle Repair Facility's name upon presenting a Power of Attorney or Permission Letter authorizing the agent to act on the Motor Vehicle Repair Facility's behalf.
- 3.2 The Permission Letter listed in paragraph 3.1 must include the make, model, model year, and VIN of the Abandoned Motor Vehicle; the business name, address, and telephone number of the Motor Vehicle Repair Facility; and a statement that "[Name of Motor Vehicle Repair Facility] hereby authorizes [agent's name] to act on my behalf in processing the title application for the above-referenced motor vehicle." The permission letter must be either (1) signed under penalty of perjury or (2) notarized.