

DEPARTMENT OF REVENUE

Division of Motor Vehicles

Title and Registration Section

1 CCR 204-10

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

RULE 35. TRANSPORTER LICENSE PLATES

Basis: The statutory bases for this rule are 42-1-204, 42-3-116(1), and 42-3-304(7)(a), C.R.S.

Purpose: The purpose of this rule is to establish criteria for the issuance, renewal, and to regulate the use of Transporter License Plates.

1.0 Definitions

- 1.1 "Financial Institution" means a bank, savings bank, savings and loan association, industrial bank, industrial loan company, credit union, or bank or savings association holding company organized under federal law or the laws of any state, the District of Columbia, a territory or protectorate of the United States, or an operating subsidiary or affiliate of such entities.
- 1.2 "Repair Activity" means "Repairs on a Motor Vehicle" or "Repairs" as those terms are defined in 42-9-102(5), C.R.S.
- 1.3 "Repair Facility" means "Motor Vehicle Repair Facility" as that term is defined in 42-9-102(3), C.R.S.
- 1.4 "Transporter Tag(s)" or "Transporter License Plate(s)" means the numbered license plate issued by the Department on the Colorado blue and white license plate graphic with the stacked lettering "TRP".

2.0 Issuance and Renewal Requirements

- 2.1 An applicant requesting a Transporter License Plate or renewal must submit to the Department:
 - a. A form DR 2222 Transporter Plate Application;
 - I. Requests for annual renewal must include the renewal notice attached to the DR 2222 Transporter Plate Application.

- b. The documentation or other evidence identified in paragraphs 2.2 a. through 2.2 i. below proving that the applicant meets the requirement to be issued a Transporter License Plate; and
- c. The fees required in 42-3-301(1)(a) and 42-3-304(7)(a), C.R.S.

2.2 A Transporter License Plate will only be issued and renewed to:

- a. A Dealer or auctioneer that provides a valid license issued by the Colorado Department of Revenue, Auto Industry Division.
- b. A manufacturer that provides a valid license issued by the Colorado Department of Revenue, Auto Industry Division.
- c. A Distributor, as defined in 12-6-102(5), C.R.S., that provides a valid license issued by the Colorado Department of Revenue, Auto Industry Division.
- d. A Dealer of special mobile machinery that provides: (1) a valid Colorado Sales Tax License; and (2) a business license or other proof that the Dealer is engaged in the sale of special mobile machinery in the ordinary course of business.
- e. A Government agency that is acting in the capacity of disposing, auctioning, or movement of vehicles previously owned by the Government.
- f. A Repair Facility that provides a current executed written agreement proving that it is engaged in Repair Activity for a State of Colorado licensed dealer and a valid Colorado Sales Tax License.
- g. A drive-away or tow-away transporter that provides: (1) a valid Colorado Sales Tax License; and, (2) a current executed written agreement proving that it is providing drive-away or tow-away services for a person listed in this subsection 2.2; or (3) other proof demonstrating that it is providing drive-away or tow-away services for a lawful purpose.
- h. A Financial Institution that provides to the Department a copy of its certificate of charter or other documentation proving its authority to do business in the State of Colorado.
- i. A reposessor that provides proof of a bond filed with and drawn in favor of the State of Colorado Attorney General pursuant to 4-9-629(b), C.R.S.

2.3 The Department will not mail or otherwise deliver a Transporter License Plate to an out of state address.

3.0 Lost or Stolen Transporter License Plate

- 3.1 A person who has been issued a Transporter License Plate shall report the loss or theft of a plate to local law enforcement and the Department within seventy-two (72) hours. A lost or stolen Transporter License Plate will be replaced upon receipt by the Department of a form DR 2283 Lost or Stolen License Plate/Permit Affidavit along with a filed police report. The fees required in 42-3-301(1)(a) and 42-3-304(7)(a), C.R.S., must be paid at the time of replacement.

4.0 Surrender of Transporter License Plate

- 4.1 If a person who has been issued a Transporter License Plate no longer meets the requirements in paragraph 2.2, that person shall surrender all Transporter License Plates to the Department within seventy-two (72) hours. The Department will not refund any portion of the fees paid for the Transporter License Plate(s).

5.0 Denial and Enforcement

- 5.1 Providing false information on an application may result in criminal charges pursuant to 18-8-503, C.R.S., and/or denial of the application and cancellation of the registration of all Transporter License Plate(s) issued to the person providing such false information.
- 5.2 Any violation of Title 42 pertaining to Transporter License Plates or this Rule may result in cancellation of the registration of the Transporter License Plate(s) issued to the person engaged in such violation.

6.0 Application Rejection or Loss of Transporter License Plates Appeals

- 6.1 Applicants who have been denied issuance or persons subject to loss of one or more Transporter License Plate(s) may request a hearing, in writing, within thirty days of the date of the action. The request for hearing shall be submitted to the Department of Revenue, Hearings Division. If a hearing is not requested, within thirty days, the Transporter License Plate(s) in question may be suspended. If so, the plate shall be surrendered to the Department of Revenue, Division of Motor Vehicles, Title and Registration Section within ten days of the date of notice of the suspension at the cost of person/business subject to the loss.
- 6.2 The hearing shall be held at the Department of Revenue, Hearings Division. The presiding hearing officer shall be an authorized representative designated by the Executive Director. The law enforcement officer or Department Investigator who submits the documents and affidavit related to the action in question need not be present at the hearing unless his or her presence is required by the presiding officer, or requested by the person/business subject to the loss at the time the written request for hearing is submitted. If the law enforcement officer or investigator is not present at the hearing, the hearing officer may use the written documents and affidavit submitted by the officer or investigator.