

## Colorado Revised Statutes

-  **Colorado Revised Statutes**
-  **TITLE 42 VEHICLES AND TRAFFIC**
-  **MOTOR VEHICLE FINANCIAL RESPONSIBILITY LAW**
-  **ARTICLE 7 Motor Vehicle Financial Responsibility Law**
-  **PART 4 PROOF OF FINANCIAL RESPONSIBILITY – JUDGMENTS AND CONVICTIONS**

### 42-7-406. Proof required under certain conditions.

(1) Whenever the director revokes the license of any person under section [42-2-125](#) or [42-2-126](#), or cancels any license under section [42-2-122](#) because of the licensee's inability to operate a motor vehicle because of physical or mental incompetence, or cancels any probationary license under section [42-2-127](#), the director shall not issue to or continue in effect for any such person any new or renewal of license until permitted under the motor vehicle laws of this state, and not then until and unless such person files or has filed and maintains proof of financial responsibility as provided in this article; except that persons whose licenses are canceled pursuant to section [42-2-122](#) (2.5), revoked pursuant to section [42-2-125](#) (1)(m) or (1) (n), revoked for a first offense under section [42-2-125](#) (1) (g.5) or a first offense under section [42-2-126](#) (3)(b) or (3)(e), suspended pursuant to section [42-2-127.3](#) or denied pursuant to section [42-2-104](#) (3)(f) based upon a conviction under section [18-4-509](#), C.R.S., or a conviction under section [18-4-501](#), C.R.S., where the underlying factual basis involved defacing property, or any counterpart municipal charter or ordinance offense to either of said sections, shall not be required to file proof of financial responsibility in order to be relicensed.

(1.5) (a) Whenever the director revokes the license of a person under section [42-2-126](#) (3)(a), (3)(c), or (3)(d) for a second or subsequent offense and such person was driving the same vehicle in two or more of such offenses but did not own such vehicle, the director shall mail a notice to the owner of the vehicle pursuant to section [42-2-119](#) (2). In such notice, the director shall inform the owner that:

(I) The operator of the motor vehicle owned by the owner has been involved in multiple alcohol-related driving violations while operating the owner's vehicle;

(II) Because of the risks to the public connected with the use of the vehicle in alcohol-related driving violations, it is necessary for the motor vehicle owner to establish proof of financial responsibility;

(III) Within thirty days after the date of mailing of the notice, the owner is required to file proof of financial responsibility for the future pursuant to the requirements of section [42-7-408](#) or to request a hearing regarding the applicability of this requirement to the owner;

(IV) The vehicle owner is entitled to a hearing and judicial review pursuant to section [42-7-201](#);

(V) If the owner has not filed proof of financial responsibility or requested a hearing within thirty days after the date of mailing of the

notice, the department will suspend the driver's license or nonresident operating privilege of the owner.

(b) If proof of financial responsibility for the future is required under this subsection (1.5), such proof shall be maintained for a period of three years as required by section [42-7-408](#)(1)(b).

(c) This subsection (1.5) does not apply to a motor vehicle that is:

(I) Rented from a person, firm, corporation, or other business entity whose primary business is the rental of motor vehicles; or

(II) Rented or loaned from a person, firm, corporation, or other business entity whose primary business is operation as a motor vehicle repair facility and who is providing such motor vehicle to the person while a motor vehicle is being repaired.

(2)(a) Whenever the director suspends the license of any person under section [42-2-127](#), the director shall not issue a probationary license to such person, nor shall the director at the termination of such person's period of suspension reinstate, reissue, renew, or issue a new license to such person unless such person furnishes the director evidence of insurance to show that the person is then insured, unless such person has deposited or deposits money or securities as provided in section [42-7-418](#).

(b) Evidence of insurance required pursuant to this subsection (2) does not require the use of the form known as the "SR-22" or any substantially similar form.

Source: L. 94: Entire title amended with relocations, p. 2481, § 1, effective January 1, 1995. L. 95: Entire section amended, p. 709, § 5, effective May 23. L. 97: (1) amended, p. 1536, § 1, effective July 1; (1) amended, p. 1388, § 9, effective July 1; (1) amended, p. 1469, § 16, effective July 1. L. 98: (1) amended, p. 1436, § 9, effective July 1; (1.5) added, p. 1241, § 7, effective July 1. L. 99: (1) amended, p. 392, § 4, effective July 1. L. 2002: (1) amended, p. 1586, § 20, effective July 1. L. 2003: (1) amended, p. 1905, § 6, effective July 1. L. 2008: (1) and IP(1.5)(a) amended, p. 254, § 24, effective July 1.

Editor's note: Amendments to subsection (1) by House Bill 97-1003, House Bill 97-1125, and House Bill 97-1301 were harmonized.

Cross references: For the legislative declaration contained in the 1998 act enacting subsection (1.5), see section 1 of chapter 295, Session Laws of Colorado 1998.