

**THE DEALER'S OBLIGATION IN COLORADO
TO SELL PROPERLY EQUIPPED VEHICLES**

Dealers often ask what is required of them under Colorado law in terms of inspections of a motor vehicle at the time of sale to a consumer. Generally, dealers must deliver vehicles that are safe and have all of the equipment required by Colorado statute in "proper condition and adjustment." Putting aside issues relating to defective equipment, under Colorado law, sale of a vehicle to a retail customer which is not properly equipped or in proper condition or adjustment can result in denial, suspension or revocation of a dealer's license. The actual safeguards that a dealer must undertake to insure that every vehicle has the required equipment in "proper condition and adjustment" are less clear, but many, if not most, dealers perform a safety inspection of the vehicle prior to sale.

The following is an abbreviated list of items of equipment that should be inspected prior to any sale (including the sale of a vehicle at the end of the lease). The checklist was developed from the significantly longer equipment statutes, and some of the technical language of those statutes is used in this checklist for thoroughness where it could not be summarized. Please note that this list is only a summary of Colorado's equipment statutes. To insure compliance, each dealer should review Colorado's equipment statutes in their entirety and consult with an attorney if you have any questions or concerns.

Inspection Checklist
(excludes motorcycles, large commercial vehicles, farm vehicles
and safety vehicles such as ambulances and police cars)

1. Confirm that the vehicle is not equipped with any **TV or screen** located at any point forward of the back of the driver's seat (or which is visible to the driver while operating the motor vehicle).
2. Confirm that the vehicle has at least **two headlamps in good working order** with at least one on each side of the front of the motor vehicle, and confirm that those headlamps are located at a height measured from the center of the headlamp of not more than 54 inches nor less than 24 inches.
3. Confirm that the vehicle is equipped with at least **two tail lamps in good working order** mounted on the rear on the same level and as widely spaced laterally as practicable which, when lighted, emit a red light plainly visible from a distance of 500 feet to the rear. These tail lamps must be located at a height of no more than 72 inches nor less than 20 inches.
4. Confirm that the vehicle has a **tail lamp or separate lamp that illuminates the rear license plate area** with a white light so as to make the license plate clearly legible from a distance of 50 feet to the rear. This light must be wired so that it is lighted whenever the headlamps or auxiliary driving lamps are lighted.

5. Confirm that the vehicle has **two red reflectors on the rear**, whether as part of the tail lamps or separately. These reflectors must be mounted on the vehicle at a height of not lower than 20 inches from the ground and not higher than 60 inches and shall be of such size and characteristic so that they are visible at night from up to 350 feet from the vehicle when the vehicle is directly in front of lawful upper beams and head lamps.
6. Confirm that any vehicle which is wider than 80 inches at any part is equipped with **four clearance lamps** (two on the front and one at each side displaying an amber light visible from a distance of 500 feet to the front of the vehicle) and two on the rear and one at each side of the vehicle (displaying a red light visible only to the rear and visible from a distance of 500 feet to the rear of the vehicle, which said rear clearance lamp shall be in addition to the regular lamp mentioned above). The lamps must be placed on the extreme side of the vehicle located at the highest stationary support, except that when three or more are mounted on the rear of the vehicle on the vertical centerline and at the extreme height of the vehicle, they may be mounted at optional height.
7. Confirm that any vehicle exceeding 30 feet in length is equipped with **four side micro lamps**, with one on each side near the front displaying an amber light visible from a distance of 500 feet to the side of the vehicle and one on each side near the rear displaying a red light visible from a distance of 500 feet to the side of the vehicle (but the rear marker light shall not be faced to be visible from the front of the vehicle). Each of these side marker lamps shall be located not less than 50 inches above the ground. These lamps must be of a type approved by the Colorado Department of Motor Vehicles.
8. Confirm that any vehicle which is wider than 80 inches at any part is equipped with **clearance reflectors**, with two red reflectors on the rear and one on each side (located not more than one inch from the extreme outside edges of the vehicles). All such reflectors shall be located not more than 60 inches nor less than 50 inches above the ground. One or both of these required red reflectors may be incorporated within the tail lamp or tail lamps. All clearance reflectors must be approved by the Colorado Department of Motor Vehicles.
9. Confirm that any vehicle exceeding 30 feet in overall length is equipped with **four side marker reflectors**, with one amber reflector on each side near the front and one red reflector on each side near the rear. Each side marker reflector shall be located not more than 60 inches and not less than 50 inches above the ground. All such side marker reflectors shall be of a type approved by the Colorado Department of Motor Vehicles.
10. Confirm that the vehicle is equipped with **two stop lamps in good working order** on the rear of the vehicle which display a red or amber light (or any shade of color between red and amber) which is not a “glaring or dazzling light” visible from a distance of not less than 100 feet to the rear in normal sunlight. These stop lamps have to be actuated by the application of the foot brake and may incorporated with one or more other rear lamps. These additional stop lamps may also be automatically actuated by a mechanical device when the vehicle is reducing speed or stopping. If more than two stop lamps are installed on any vehicle, any device actuating the lamps must be designed and installed so that all of the stop lamps are actuated by the device.

NOTE: A “street rod” vehicle or custom motor vehicle may use blue dot tail lamps (a red lamp installed to the rear of a motor vehicle containing a blue or purple insert that is not more than one inch in diameter) for stop lamps, rear train indicator lamps, rear hazard lamps and rear reflectors.

11. Confirm that the vehicle has **functioning electrical turn signals** located on the same level as each other and as widely spaced laterally as practicable. These turn signals must display a white or amber light, or any shade of color between white and amber, visible from a distance of not less than 100 feet to the front and the rear in normal sunlight.
12. If the vehicle is equipped with **optional spot lamps**, confirm that there is not more than two such spot lamps, and confirm that no part of the high intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than 100 feet ahead of the vehicle.
13. If the vehicle is equipped with **optional fog lamps**, confirm that there are no more than two fog lamps, and confirm they are mounted on the front at a height of not less than 12 inches nor more than 30 inches above the ground, and confirm they are aimed so that, when the vehicle is not loaded, none of the high intensity portion of the light to the left of center of the vehicle shall, at a distance of 25 feet ahead, project higher than a level of four inches below the level of the center of the lamp from which it comes.
14. If the vehicle is equipped with **optional auxiliary passing lamps**, confirm that there are no more than two auxiliary passing lamps, and confirm they are mounted on the front at a height of not less than 20 inches nor more than 42 inches above the level of the surface upon which the vehicle stands.
15. If the vehicle is equipped with **optional auxiliary driving lamps**, confirm that there are no more than two auxiliary driving lamps, and confirm they are mounted on the front at a height of not less than 16 inches nor more than 42 inches above the level of the surface upon which the vehicle stands.
16. If the vehicle is equipped with **optional side cowl or fender lamps**, confirm that there are no more than two side cowls or fender lamps which must emit an amber or white light without glare.
17. If the vehicle is equipped with **optional running board courtesy lamps**, confirm that there are not more than one running board courtesy lamp on each side of the vehicle which must emit a white or amber light without glare.
18. If the vehicle is equipped with **optional backup lamps**, confirm that there are not more than two backup lamps, either separately or in combination with other lamps, and confirm that such backup lamps are not lighted when the motor vehicle is in forward motion.
19. If the vehicle is 80 inches or more in overall width at any part, it may be equipped with **not more than three identification lamps** showing to the front which must emit an amber light

without glare, and not more than three identification lamps showing to the rear which shall emit a red light without glare. Such lamps shall be mounted horizontally.

20. Confirm that the vehicle has **head lamps** arranged so that the driver may select at will between high beams and low beams. Confirm that the high beams have an uppermost distribution of light or composite beam aimed and of such intensity as to reveal persons and vehicles of at least 350 feet ahead for all conditions of loading. Confirm that the high intensity portion of the beam is not directed to strike the eyes of an approaching driver. Confirm that the low beams have a lowermost distribution of light or composite beam aimed and of sufficient intensity to reveal persons and vehicles of a distance of at least 100 feet ahead.
21. Confirm that the vehicle is equipped with a **functioning beam indicator** which is lighted when the high beams are on but is not lighted if the low beams are on. The indicator must be designed or located so that when lit it shall be readily visible without glare to the driver of the vehicle.
22. Confirm that there are **brakes** adequate to control the movement of and to stop and hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least to wheels. The service/foot brakes must be able to stop the vehicle when traveling 20 miles per hour within a distance of 30 feet and upon dry asphalt or concrete pavement surface free from loose material with a grade that does not exceed 1%. The hand brake must be able to stop the vehicle within a distance of 55 feet under the same conditions, and the hand brake must be adequate to hold the vehicle stationary on any grade upon which operated. The brakes must be in “good working order” and shall be adjusted so as to operate as “equally as possible” with respect to the wheels on opposite sides of the vehicle.
23. Confirm that the vehicle is equipped with a **horn** in good working order and capable of making a sound audible under normal conditions from a distance of not less than 200 feet (but it cannot emit an “unreasonably loud or harsh” sound).
24. Confirm that the vehicle is equipped with an **adequate muffler** in constant operation which is properly maintained to prevent any “excessive or unusual noise.” Confirm that the muffler system is not equipped with a cutoff, bypass or similar device.
25. **Rearview mirror:** Confirm that the vehicle is equipped with a **mirror** or mirrors located and constructed to reflect to the driver a free and unrestricted view of the highway for a distance of at least 200 feet to the rear of the vehicle. If the rear view of the driver is obstructed, the side mirrors must be located so as to meet these requirements.
26. **Window tinting:** Confirm that the front windshield allows 70% **light transmittance**. If the windows to the rear of the driver (including the rear window) allow less than 27% light transmittance, then the front side windows must allow 70% light transmittance. Non transparent materials may be applied, installed or affixed to the topmost portion of the windshield if the material extends no more than four inches from the top of the windshield

down, is not red or amber in color (and does not affect perception of primary colors or otherwise distort vision or contain lettering that distorts vision), and the material does not reflect sunlight or headlight glare into the eyes of occupants of oncoming and proceeding vehicles to any greater extent than the windshield would without the material. If any window is composed of, covered by or treated with any material or component in the manner approved by federal statute or regulation, that is okay so long as the window is included as a component part of the vehicle at the time of manufacture. Under no circumstances can any material that presents metallic or mirrored appearance be used on any window in a motor vehicle.

27. **Windshield wipers:** Confirm that the vehicle is equipped with a device for cleaning rain, snow or other moisture from the windshield and that the device can be controlled or operated by the driver.
28. Confirm that the **tires** on the vehicle do not have any block, stub, flange, cleat, spike or other protuberance of any material other than rubber which projects beyond the tread on the tracks and surface of the tire. On single tire passenger vehicles and other single tired vehicles with limited capacities up to and including three fourths ton, it is permissible to use tires containing stubs or other protuberances which do not project more than 1/16 of an inch beyond the tread of the tracks and surface of the tire.
29. Confirm that the vehicle is equipped with **safety glazing material** for the **front windshield**.
30. Confirm that **no alteration to the front or rear suspension systems** from the manufacturer's original design has occurred, *except* in accordance with specifications permitting such alteration established by the Colorado Department of Motor Vehicles.

By Christian Sederberg, Associate at McGloin, Davenport, Severson & Snow, P.C.

McGloin, Davenport, Severson & Snow, P.C. provides full service legal representation to motor vehicle dealers throughout Colorado. More information on the firm can be found at www.mdsslaw.com.

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