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### Colorado

#### Motor Vehicle Industry Laws & Regulations

#### **Sunday Closing Law (TITLE 12, ARTICLE 6, PART 3, C.R.S.)**

##### **12-6-301. Definitions.**

As used in this part 3, unless the context otherwise requires:

(1) "Motor vehicle" means every self-propelled vehicle intended primarily for use and operation on the public highways and every vehicle intended primarily for operation on the public highways which is not driven or propelled by its own power, but which is designed either to be attached to or become a part of a self-propelled vehicle; it does not include farm tractors and other machines and tools used in the production, harvesting, and care of farm products.

##### **12-6-302. Sunday closing.**

No person, firm, or corporation, whether owner, proprietor, agent, or employee, shall keep open, operate, or assist in keeping open or operating any place or premises or residences, whether open or closed, for the purpose of selling, bartering, or exchanging or offering for sale, barter, or exchange any motor vehicle, whether new, used, or secondhand, on the first day of the week commonly called Sunday. This part 3 shall not apply to the opening of an establishment or place of business on the said first day of the week for other purposes, such as the sale of petroleum products, tires, or automobile accessories, or for the purpose of operating and conducting a motor vehicle repair shop, or for the purpose of supplying such services as towing or wrecking. The provisions of this part 3 shall not apply to the opening of an establishment or place of business on the said first day of the week for the purpose of selling, bartering, or exchanging or offering for sale, barter, or exchange any boat, boat trailer, snowmobile, or snowmobile trailer.

##### **12-6-303. Penalties.**

Any person, firm, partnership, or corporation who violates any of the provisions of this part 3 is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than seventy-five dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than six months, or the court, in its discretion, may suspend or revoke the Colorado motor vehicle dealer's license issued under the provisions of part 1 of this article, or by such fine and imprisonment and suspension or revocation.

#### **ANNOTATION**

**Law reviews.** For comment on *Mosko v. Dunbar*, appearing below, see 34 Dicta 182 (1957). For article, "One Year Review of Constitutional and Administrative Law", see 35 Dicta 7 (1958).

**The Sunday closing law did not violate the due process or equal protection clause** of the fourteenth amendment of the United States constitution. Mosko v. Dunbar, 135 Colo. 172, 309 P.2d 581 (1957).

**The Sunday closing law does not violate § 25 of art. V, Colo. Const.**, which prohibits special legislation. Mosko v. Dunbar, 135 Colo. 172, 309 P.2d 581 (1957).

**The fact that the sale of motor vehicles is singled out for legislative treatment** is no ground for complaint if there is any reasonable basis for such action. Mosko v. Dunbar, 135 Colo. 172, 309 P.2d 581 (1957).