

CHAPTER 118

MOTOR VEHICLES

LIABILITY OF OWNER OR OPERATOR OF MOTOR
VEHICLE

(H. B. No. 238. By Representative Carruthers)

AN ACT

RELATING TO THE LIABILITY OF AN OWNER OR OPER-
ATOR OF A MOTOR VEHICLE FOR THE DEATH, IN-
JURY OR LOSS OF A GUEST, AND REPEALING ALL
ACTS OR PARTS OF ACTS IN CONFLICT HEREWITH.*Be It Enacted by the General Assembly of the State of Colorado:*

Section 1. No person transported by the owner or operator of a motor vehicle as his guest, without payment for such transportation, shall have a cause of action for damages against such owner or operator for injury, death or loss in case of accident, unless such accident shall have been intentional on the part of such owner or operator or caused by his intoxication, or by negligence consisting of a willful and wanton disregard of the rights of others. The provisions of this Section shall not relieve a public carrier or any owner or operator of a motor vehicle, while the same is being demonstrated to a prospective purchaser, of responsibility for any injuries sustained by a passenger being transported by such public carrier or by such owner or operator.

Guest of Owner
of Motor Vehicle
Shall Not Have
Cause of Action
for Damages

Provisions of Act
Shall Not Relieve
Public Carrier or
Owner or
Operator
Demonstrating
Motor Vehicle

Section 2. All Acts or parts of Acts in conflict herewith are hereby repealed. Repealing

Section 3. It is hereby declared that this Act is necessary for the immediate preservation of the public peace, health and safety. Safety Cl.

Approved April 29, 1931.

(b) The term "person" means an individual, a firm or a co-partnership.

(c) The term "Commission" means the Public Utilities Commission of the State of Colorado, or such other official board or body as may succeed to the powers and duties of said Public Utilities Commission.

(d) The term "permit" means the permit authorized to be issued under the provisions of this Act.

(e) The term "public highway" means every street, road or highway in this State over which the public generally has a right to travel.

(f) The term "motor vehicle" means a vehicle propelled by power other than muscular, except one operated on or over rails.

(g) The term "compensation" as used in this Act shall mean money or property of value charged and/or received, or to be charged and/or received, whether directly or indirectly, as compensation for the service rendered of transporting over any of the public highways of Colorado in motor vehicles by a private carrier by motor vehicle, as the term is defined in this Act, any person, property, article or thing.

(h) The term "private carrier by motor vehicle" means every corporation or person, lessee, trustee, receiver or trustee appointed by any court whatsoever, other than motor vehicle carriers as defined by Section 1-(d) of Chapter 134 of the Session Laws of Colorado for the year 1927, as amended, owning, operating, controlling or managing any motor vehicle

in the business of transporting persons or property for compensation over any public highway of this State between fixed points or over established routes, or otherwise, by contract or otherwise, and shall include all persons or corporations operating their own motor vehicles for the transportation of their own property, goods or merchandise, who charge or collect from the consignee, purchaser or recipient of such property, goods or merchandise, compensation for transporting or delivering the same.

Private carriers by motor vehicle are hereby divided into two classes for the purposes of this Act, which shall be as follows:

Classificati
of Carriers

(1) Class A Private Carriers shall embrace all private carriers by motor vehicle operating over substantially regular or established routes or between substantially fixed termini; or to a fixed terminus or termini;

(2) Class B Private Carriers shall embrace all private carriers by motor vehicle who do not operate over substantially regular or established routes or between substantially fixed termini.

Section 2. No person or corporation shall operate any motor vehicle for the transportation of persons or property for compensation on or over any public highway in this State, except in accordance with the provisions of this Act or of Chapter 134 of the Session Laws of Colorado for the year 1927, as amended; provided, however, that nothing in this Act shall apply where a private individual carries a neighbor or friend on a pleasure trip.

Not to Oper
Motor Vehh
for
Compensati
Except

Session LAW is the FOUNDATION that statutes and CODES are based on.

Until such time the LAW is REPEALED, it stands.

A law that requires a license to TRAVEL is a violation of the right to travel.

A law that requires a Man to register his private property or get a license to use his is private property is a violation of his right to privacy.

This is WHY traffic LAW and CODE ONLY applies to commercial use of public roads.

The 1931 session LAW, pertaining to ^{Liability} ~~TRAFFIC~~ page 467, section 2 SPECIFICALLY states:

“Nothing in this act shall apply where a private individual carries a neighbor or friend on a pleasure trip.”

To require otherwise would be a violation of both the right travel and the right to privacy.