

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB23-028 be amended as follows:

1 Amend printed bill, page 2, strike lines 4 through 12 and substitute:

2 **"42-2-404. Commercial driver's license - limitations - rules -**
3 **penalty.** (3) (a) In addition to any applicable federal penalty concerning
4 commercial motor vehicle operators, any person who violates subsection
5 (1) or (2) of this section, or any rule or regulation promulgated by the
6 department pursuant to this part 4, is guilty of a ~~class A traffic infraction~~
7 ~~and, upon conviction thereof, shall be punished by a fine of not less than~~
8 ~~twenty-five dollars nor more than one thousand dollars, or by~~
9 ~~imprisonment in the county jail for not more than one year, or by both~~
10 ~~such fine and imprisonment~~ CLASS 1 MISDEMEANOR TRAFFIC OFFENSE.

11 (b) AN EMPLOYER OR OFFICER OF OR AGENT OF AN EMPLOYER WHO
12 KNOWINGLY AUTHORIZES OR PERMITS AN EMPLOYEE TO VIOLATE
13 SUBSECTION (1) OF THIS SECTION COMMITS UNLAWFUL DIRECTION TO
14 OPERATE A COMMERCIAL MOTOR VEHICLE. UNLAWFUL DIRECTION TO
15 OPERATE A COMMERCIAL MOTOR VEHICLE IS A CLASS 1 MISDEMEANOR AND
16 SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-501; EXCEPT THAT A
17 SECOND OR SUBSEQUENT OFFENSE IS A CLASS 5 FELONY AND SHALL BE
18 PUNISHED AS PROVIDED IN SECTION 18-1.3-401."

19 Page 2, strike lines 13 through 23.

20 Strike page 3.

21 Renumber succeeding sections accordingly.

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