

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0515.01 Renee Leone x2695

HOUSE BILL 26-1125

HOUSE SPONSORSHIP

Bradley,

SENATE SPONSORSHIP

Carson,

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ASSESSMENT OF PENALTIES AGAINST A PARENT**
102 **WHEN A MINOR VIOLATES LAWS CONCERNING THE USAGE OF**
103 **CERTAIN ELECTRIC VEHICLES, AND, IN CONNECTION**
104 **THEREWITH, AUTHORIZING THE ASSESSMENT OF PENALTIES**
105 **AGAINST A PARENT FOR A MINOR'S IMPROPER USAGE OF AN**
106 **ELECTRICAL ASSISTED BICYCLE, ELECTRIC MOTORCYCLE,**
107 **ELECTRIC SCOOTER, OR ELECTRIC SKATEBOARD.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

The bill creates penalties to be assessed against a parent or guardian who permits their minor child or ward to operate an electrical assisted bicycle, electric motorcycle, electric scooter, or electric skateboard (electric vehicle) if the minor child or ward operates the electric vehicle in a manner that violates certain laws concerning the usage of such electric vehicles, including laws regarding age requirements for different classes of such electric vehicles, how to safely and properly operate such electric vehicles on roadways or pathways, and required safety gear.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 42-1-102, **add** (28.6)

3 as follows:

4 **42-1-102. Definitions.**

5 As used in articles 1 to 4 of this title 42, unless the context
6 otherwise requires:

7 (28.6) (a) "ELECTRIC MOTORCYCLE" MEANS AN OFF-HIGHWAY
8 MOTORCYCLE THAT:

9 (I) IS POWERED EXCLUSIVELY BY AN ELECTRIC MOTOR AND
10 BATTERY;

11 (II) IS EQUIPPED FROM THE MANUFACTURER WITH FOOT PEGS; AND

12 (III) DOES NOT HAVE AN OPTION FOR PEDAL-ASSISTED POWER.

13 (b) "ELECTRIC MOTORCYCLE" INCLUDES AN ELECTRIC DIRT BIKE.

14 **SECTION 2.** In Colorado Revised Statutes, 42-4-1412, **add** (16)

15 as follows:

16 **42-4-1412. Operation of bicycles, electric scooters, and other
17 human-powered vehicles - legislative declaration - definitions.**

18 (16) (a) **Legislative declaration.** THE GENERAL ASSEMBLY FINDS
19 AND DECLARES THAT:

20 (I) OVER THE LAST SEVERAL YEARS, COLORADO HAS EXPERIENCED

1 AN INCREASE IN THE USE OF ELECTRICAL ASSISTED BICYCLES, ELECTRIC
2 MOTORCYCLES, ELECTRIC SCOOTERS, AND ELECTRIC SKATEBOARDS BY
3 MINORS ON PUBLIC ROADWAYS, SIDEWALKS, AND TRAILS;

4 (II) EXISTING COLORADO LAW RESTRICTS THE OPERATION OF
5 THESE TYPES OF ELECTRIC VEHICLES BY MINORS BASED ON AGE, HELMET
6 USE, GEAR COMPLIANCE, AND LOCATION;

7 (III) LAW ENFORCEMENT OFTEN LACKS MEANINGFUL
8 ENFORCEMENT TOOLS WHEN MINORS VIOLATE THE RESTRICTIONS PLACED
9 ON THE OPERATION OF THESE TYPES OF ELECTRIC VEHICLES;

10 (IV) PARENTS AND GUARDIANS FREQUENTLY PURCHASE, CONTROL,
11 STORE, OR MAINTAIN SUCH ELECTRIC VEHICLES AND ARE BEST POSITIONED
12 TO PREVENT UNLAWFUL OPERATION OF THESE TYPES OF ELECTRIC
13 VEHICLES BY MINORS;

14 (V) ASSIGNING CIVIL RESPONSIBILITY TO PARENTS AND
15 GUARDIANS WHO PERMIT UNLAWFUL OPERATION OF THESE TYPES OF
16 ELECTRIC VEHICLES BY MINORS:

17 (A) IMPROVES SAFETY FOR MINORS;

18 (B) REDUCES RISK FOR DRIVERS OF MOTOR VEHICLES AND OTHER
19 ROADWAY USERS; AND

20 (C) ALIGNS WITH EXISTING COLORADO LAW REGULATING THE USE
21 OF CERTAIN ELECTRIC VEHICLES BY MINORS; AND

22 (VI) THIS SUBSECTION (16) IS INTENDED TO BE CIVIL IN NATURE,
23 NARROWLY TAILORED, AND FOCUSED ON PROMOTING SAFE AND
24 RESPONSIBLE USE OF ELECTRICAL ASSISTED BICYCLES, ELECTRIC
25 MOTORCYCLES, ELECTRIC SCOOTERS, AND ELECTRIC SKATEBOARDS BY
26 MINORS.

27 (b) (I) A PARENT OR GUARDIAN COMMITS A CIVIL INFRACTION, AND

1 MAY BE PUNISHED PURSUANT TO SECTION 18-1.3-503 (1.6), IF THE PARENT
2 OR GUARDIAN PERMITS THEIR MINOR CHILD OR WARD TO OPERATE AN
3 ELECTRICAL ASSISTED BICYCLE, ELECTRIC MOTORCYCLE, ELECTRIC
4 SCOOTER, OR ELECTRIC SKATEBOARD:

5 (A) IN VIOLATION OF THIS SECTION; OR
6 (B) IN VIOLATION OF SECTION 42-4-221 (2), (6), OR (7), IF A POLICE
7 OFFICER DETERMINES THAT THE VIOLATION COULD HAVE RESULTED IN
8 SERIOUS BODILY INJURY, AS DEFINED IN SECTION 18-1-901 (3)(p), TO THE
9 MINOR CHILD OR WARD OR TO ANOTHER INDIVIDUAL.

10 (II) FOR A FIRST VIOLATION OF SUBSECTION (16)(b)(I) OF THIS
11 SECTION, A POLICE OFFICER SHALL:

12 (A) ASSESS AGAINST THE PARENT OR GUARDIAN A PENALTY OF
13 NOT MORE THAN ONE HUNDRED DOLLARS PURSUANT TO SECTION
14 18-1.3-503 (1.6); OR

15 (B) ISSUE THE PARENT OR GUARDIAN A WRITTEN WARNING OR
16 SAFETY NOTICE.

17 (III) FOR A SECOND VIOLATION OF SUBSECTION (16)(b)(I) OF THIS
18 SECTION WITHIN TWO YEARS AFTER THE FIRST VIOLATION, A POLICE
19 OFFICER SHALL ASSESS AGAINST THE PARENT OR GUARDIAN A PENALTY OF
20 NOT MORE THAN TWO HUNDRED DOLLARS.

21 (IV) FOR A THIRD OR SUBSEQUENT VIOLATION OF SUBSECTION
22 (16)(b)(I) OF THIS SECTION WITHIN TWO YEARS AFTER THE FIRST
23 VIOLATION, A POLICE OFFICER SHALL:

24 (A) ASSESS AGAINST THE PARENT OR GUARDIAN A PENALTY OF
25 NOT MORE THAN THREE HUNDRED DOLLARS; AND

26 (B) IMPOSE ADDITIONAL REASONABLE COMPLIANCE CONDITIONS
27 THAT THE POLICE OFFICER HAS AUTHORITY TO IMPOSE AND THAT THE LAW

1 ENFORCEMENT AGENCY HAS AUTHORITY TO IMPOSE AND THE CAPACITY TO
2 ENFORCE.

3 (c) (I) FOR THE PURPOSES OF SUBSECTION (16)(b) OF THIS SECTION,
4 A PARENT OR GUARDIAN IS PRESUMED TO HAVE PERMITTED THEIR MINOR
5 CHILD OR WARD TO OPERATE AN ELECTRICAL ASSISTED BICYCLE, ELECTRIC
6 MOTORCYCLE, ELECTRIC SCOOTER, OR ELECTRIC SKATEBOARD IF:

7 (A) THE ELECTRICAL ASSISTED BICYCLE, ELECTRIC MOTORCYCLE,
8 ELECTRIC SCOOTER, OR ELECTRIC SKATEBOARD USED BY THE MINOR CHILD
9 OR WARD WAS PURCHASED BY OR IS OWNED BY OR REGISTERED TO THE
10 PARENT OR GUARDIAN;

11 (B) THE ELECTRICAL ASSISTED BICYCLE, ELECTRIC MOTORCYCLE,
12 ELECTRIC SCOOTER, OR ELECTRIC SKATEBOARD IS PRIMARILY STORED AT
13 THE RESIDENCE OF THE PARENT OR GUARDIAN; OR

14 (C) THE PARENT OR GUARDIAN KNEW OR REASONABLY SHOULD
15 HAVE KNOWN THAT THE MINOR CHILD OR WARD WAS OPERATING THE
16 ELECTRICAL ASSISTED BICYCLE, ELECTRIC MOTORCYCLE, ELECTRIC
17 SCOOTER, OR ELECTRIC SKATEBOARD.

18 (II) A PARENT OR GUARDIAN MAY REBUT THE PRESUMPTION
19 DESCRIBED IN SUBSECTION (16)(c)(I) OF THIS SECTION IF THE PARENT OR
20 GUARDIAN CAN DEMONSTRATE THAT:

21 (A) THE ELECTRICAL ASSISTED BICYCLE, ELECTRIC MOTORCYCLE,
22 ELECTRIC SCOOTER, OR ELECTRIC SKATEBOARD WAS TAKEN BY THE MINOR
23 CHILD OR WARD WITHOUT THE PARENT'S OR GUARDIAN'S PERMISSION;

24 (B) REASONABLE STEPS WERE TAKEN TO PREVENT THE MINOR
25 CHILD'S OR WARD'S ACCESS TO THE ELECTRICAL ASSISTED BICYCLE,
26 ELECTRIC MOTORCYCLE, ELECTRIC SCOOTER, OR ELECTRIC SKATEBOARD;

27 (C) THE ELECTRICAL ASSISTED BICYCLE, ELECTRIC MOTORCYCLE,

1 ELECTRIC SCOOTER, OR ELECTRIC SKATEBOARD WAS COMPLIANT AND
2 APPROPRIATE FOR THE MINOR CHILD OR WARD AT THE TIME OF PURCHASE
3 OR REGISTRATION AND ANY MODIFICATION MADE TO THE VEHICLE THAT
4 MAKES THE MINOR CHILD'S OR WARD'S USE OF THE VEHICLE A VIOLATION
5 OF THIS SECTION WAS MADE WITHOUT THE PARENT'S OR GUARDIAN'S
6 KNOWLEDGE; OR

7 (D) THE MINOR CHILD OR WARD CIRCUMVENTED ACCESS
8 CONTROLS OR SAFEGUARDS THE PARENT OR GUARDIAN BELIEVED TO BE IN
9 PLACE WITHOUT THE PARENT'S OR GUARDIAN'S CONSENT.

10 (d) THIS SUBSECTION (16) IS NOT INTENDED TO:

11 (I) CREATE CRIMINAL LIABILITY; OR
12 (II) ALTER THE REGULATION OF ADULT OPERATION OF ELECTRICAL
13 ASSISTED BICYCLES, ELECTRIC MOTORCYCLES, ELECTRIC SCOOTERS, OR
14 ELECTRIC SKATEBOARDS.

15 (e) **Definitions.** AS USED IN THIS SUBSECTION (16), UNLESS THE
16 CONTEXT OTHERWISE REQUIRES:

17 (I) "GUARDIAN" MEANS AN INDIVIDUAL WHO IS ENTRUSTED BY
18 LAW WITH THE CARE OF A MINOR.

19 (II) "MINOR" OR "MINOR CHILD" MEANS AN INDIVIDUAL UNDER
20 EIGHTEEN YEARS OLD.

21 (III) "WARD" MEANS AN INDIVIDUAL FOR WHOM A GUARDIAN HAS
22 BEEN APPOINTED.

23 **SECTION 3. Act subject to petition - effective date -**
24 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
25 the expiration of the ninety-day period after final adjournment of the
26 general assembly (August 12, 2026, if adjournment sine die is on May 13,
27 2026); except that, if a referendum petition is filed pursuant to section 1

1 (3) of article V of the state constitution against this act or an item, section,
2 or part of this act within such period, then the act, item, section, or part
3 will not take effect unless approved by the people at the general election
4 to be held in November 2026 and, in such case, will take effect on the
5 date of the official declaration of the vote thereon by the governor.

6 (2) This act applies to conduct occurring on or after the applicable
7 effective date of this act.