

**First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 23-0018.02 Jery Payne x2157

**HOUSE BILL 23-1147**

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**HOUSE SPONSORSHIP**

**Kipp,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Transportation, Housing & Local Government  
Finance  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101       **CONCERNING PROVISIONS RELATING TO THE ADEQUATE TRAINING OF**  
102               **MOTOR VEHICLE DRIVERS, AND, IN CONNECTION THEREWITH,**  
103               **CREATING AN ENTERPRISE TO EDUCATE POTENTIAL DRIVERS**  
104               **AND REIMBURSE THIRD-PARTY PROVIDERS AND COUNTIES FOR**  
105               **A PORTION OF THE COSTS OF ADMINISTERING DRIVING**  
106               **EXAMINATIONS, SETTING LIMITS ON THE FEES THIRD-PARTY**  
107               **PROVIDERS MAY CHARGE, PROVIDING TRANSLATION SERVICES**  
108               **FOR DRIVING EXAMINATIONS, AND IMPOSING A FEE ON**  
109               **INSTRUCTION PERMITS AND DRIVER'S LICENSES.**

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**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*

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.

*applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill prohibits the department of revenue (department) from collecting a fee when an individual retakes a driving examination when the department does not administer the driving examination.

The bill creates the affordable driver education program testing enterprise (ADEPT enterprise) for the purpose of:

- Increasing access to driver training and driving examination in underserved areas;
- Deploying a free online driver training program in English and Spanish; and
- Reimbursing private driving schools for conducting driving examinations required by state law.

The governing board of the ADEPT enterprise consists of the following members:

- One member who represents the executive director (executive director) of the department and who is the chair of the governing board;
- One member who has experience providing translation services or administering programs that assist individuals for whom English is not their native language;
- One member who has experience working with youth;
- One member who represents rural areas that are underserved by private driving examination providers; and
- One member who represents private driving examination providers.

The governing board may advise the department about rules and may issue bonds with the approval of the executive director. The governing board is directed to:

- Oversee the implementation of the bill;
- Annually report to the executive director and coordinate with the department;
- Establish policies; and
- Hire employees and obtain necessary office space, equipment, and services.

The bill requires the ADEPT enterprise to:

- Make reasonable efforts to increase access to driver training and driving examinations in areas that are underserved by third-party driving examination providers;
- Make available to the public, at no cost, an online driver training program that qualifies the student to be issued an instruction permit and that is offered in English and Spanish;
- Create a system that allows a third-party provider to

electronically request and receive information contained in the motorist insurance identification database to verify whether an individual seeking a driving examination has proof of financial responsibility; and

- Reimburse a third-party provider so that the cost to an individual taking an examination is \$25 for each initial driving examination and \$50 for a reexamination taken after a failed examination.

The bill directs the department to promulgate rules establishing procedures for the ADEPT enterprise to reimburse third-party providers and authorizes the department to limit the amount a third-party provider may charge for a driving examination.

Upon request and when reasonably possible, the department is required to provide translation services for driving examinations.

To implement the bill, a fee is established on applications for or issuance of an instruction permit or a driver's license.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-2-114.5, **amend**  
3 (2) introductory portion; and **add** (8) as follows:

4 **42-2-114.5. Fees for driver's licenses, identification cards, and**  
5 **related services - crediting to DRIVES account - fee-setting**  
6 **procedures - rules - repeal.** (2) Except as provided in ~~subsection (3)~~  
7 SUBSECTIONS (3) AND (8) of this section, the following fees must be paid  
8 for the following functions:

9 (8) THE DEPARTMENT SHALL NOT COLLECT THE EXAMINATION FEE  
10 IMPOSED IN SUBSECTION (2)(e) OF THIS SECTION UNLESS THE DEPARTMENT  
11 ADMINISTERS THE DRIVING EXAMINATION THAT IS BEING RETAKEN.

12 **SECTION 2.** In Colorado Revised Statutes, **add** part 7 to article  
13 2 of title 42 as follows:

14 **PART 7**  
15 **AFFORDABLE DRIVER EDUCATION**  
16 **PROGRAM TESTING**

1           **42-2-701. Short title.** THE SHORT TITLE OF THIS PART 7 IS THE  
2 "AFFORDABLE DRIVER EDUCATION PROGRAM TESTING ACT" OR THE  
3 "ADEPT ACT".

4           **42-2-702. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
5 FINDS THAT:

6           (a) THE DEPARTMENT IS REQUIRED TO EXAMINE EVERY APPLICANT  
7 FOR A DRIVER'S LICENSE OR MINOR DRIVER'S LICENSE TO ENSURE THE  
8 APPLICANT HAS THE KNOWLEDGE AND ABILITY REQUIRED TO OPERATE A  
9 MOTOR VEHICLE SAFELY ON STATE ROADWAYS;

10          (b) BEFORE APRIL OF 2020, THE DEPARTMENT PROVIDED DRIVING  
11 EXAMINATIONS AT NO COST TO AN APPLICANT;

12          (c) IN APRIL OF 2020, BECAUSE OF THE COVID-19 PANDEMIC, THE  
13 DEPARTMENT STOPPED PROVIDING FREE DRIVING EXAMINATIONS, AND  
14 SINCE THAT TIME, COLORADANS HAVE DEPENDED SOLELY ON PRIVATE  
15 BUSINESSES TO PROVIDE DRIVING EXAMINATIONS, RESULTING IN A  
16 SIGNIFICANT INCREASE IN THE AVERAGE COST OF TAKING A DRIVING  
17 EXAMINATION;

18          (d) UNDER SECTION 42-2-111, THE DEPARTMENT MAY REQUIRE  
19 THE HOLDER OF A DRIVER'S LICENSE TO SUBMIT TO ANOTHER DRIVING  
20 EXAMINATION; THEREFORE, THE FEES ESTABLISHED UNDER SECTION  
21 42-2-708 ARE COLLECTED TO POTENTIALLY REDUCE COSTS FOR LICENSE  
22 HOLDERS WHO ARE REQUIRED TO SUBMIT TO ANOTHER EXAMINATION;

23          (e) FOR MANY DRIVERS OR DRIVING APPLICANTS, PARTICULARLY  
24 THOSE WHO ARE YOUNG OR ELDERLY, THE COST OF A DRIVING  
25 EXAMINATION MAY BE A SIGNIFICANT BARRIER TO OBTAINING OR  
26 RETAINING A DRIVER'S LICENSE; ■

27          (f) COLLECTING A FEE FROM EACH INDIVIDUAL WHO IS ISSUED A

1 DRIVER'S LICENSE OR WHO RENEWS A DRIVER'S LICENSE IS AN EFFECTIVE  
2 WAY TO ENSURE THAT AN INDIVIDUAL WHO MUST COMPLETE A DRIVING  
3 EXAMINATION MAY DO SO WITHOUT THE COST OF THE EXAMINATION BEING  
4 A SIGNIFICANT BARRIER TO HOLDING A DRIVER'S LICENSE; AND

5 (g) ALL DRIVERS BENEFIT FROM DRIVERS BEING ADEQUATELY  
6 EXAMINED TO DETERMINE IF THEY ARE SAFE DRIVERS BEFORE BEING  
7 LICENSED, AND THIS PART 7 HELPS FINANCE THE PROVISION OF THESE  
8 DRIVING EXAMINATIONS IN A LANGUAGE THAT THE DRIVER UNDERSTANDS.

9 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT:

10 (a) THE STATE HAS AN INTEREST IN:

11 (I) ENSURING DRIVERS ARE APPROPRIATELY EXAMINED TO  
12 DETERMINE THEIR ABILITY TO SAFELY OPERATE MOTOR VEHICLES ON  
13 STATE ROADWAYS; AND

14 (II) REDUCING FINANCIAL BARRIERS THAT AFFECT THE ABILITY OF  
15 SOME APPLICANTS TO OBTAIN DRIVER'S LICENSES;

16 (b) IN AREAS OF THE STATE THAT DO NOT HAVE PUBLIC  
17 TRANSPORTATION, BARRIERS TO OBTAINING A DRIVER'S LICENSE CAN  
18 INCREASE THE NUMBER OF UNLICENSED DRIVERS ON THE ROADS, MAKING  
19 COLORADO'S ROADS LESS SAFE FOR EVERYONE, AND CAN INCREASE THE  
20 NUMBER OF UNINSURED DRIVERS ON THE ROADS;

21 (c) THE ADEPT ENTERPRISE IS ESTABLISHED AS A STATE-OWNED,  
22 DRIVING EXAMINATION REIMBURSEMENT PROGRAM TO REDUCE THE COST  
23 BARRIERS TO OBTAINING DRIVER'S LICENSES, AND THIS REIMBURSEMENT  
24 PROGRAM IS ANALOGOUS TO AN INSURANCE PROGRAM BECAUSE THE FEES  
25 ESTABLISHED UNDER SECTION 42-2-708 ENSURE THAT THE COST OF AN  
26 EXAMINATION WILL NOT BE A BARRIER FOR A LICENSE HOLDER TO  
27 CONTINUE TO BE LICENSED;

1 (d) TO MAINTAIN THE EXISTING LEVEL OF SERVICE TO  
2 COLORADANS, PRIVATE BUSINESSES MAY CONTINUE TO CONDUCT  
3 REQUIRED DRIVING EXAMINATIONS, AND THE ADEPT ENTERPRISE WILL  
4 REIMBURSE ALL OR A PORTION OF THE COST OF PROVIDING THE DRIVING  
5 EXAMINATIONS TO ENSURE EQUITABLE OPPORTUNITIES TO OBTAIN  
6 DRIVER'S LICENSES;

7 (e) THE ADEPT ENTERPRISE CONSTITUTES AN ENTERPRISE FOR  
8 PURPOSES OF SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION,  
9 AS LONG AS THE ADEPT ENTERPRISE RETAINS AUTHORITY TO ISSUE  
10 REVENUE BONDS AND RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL  
11 ANNUAL REVENUES IN GRANTS, AS DEFINED IN SECTION 24-77-102 (7),  
12 FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS COMBINED;

13 (f) FOR AS LONG AS IT CONSTITUTES AN ENTERPRISE UNDER THIS  
14 SECTION, THE ADEPT ENTERPRISE IS NOT SUBJECT TO SECTION 20 OF  
15 ARTICLE X OF THE COLORADO CONSTITUTION; AND

16 (g) THE FEE IMPOSED IN SECTION 42-2-708 IS NOT A TAX BUT IS  
17 INSTEAD A FEE IMPOSED:

18 (I) TO DEFRAID THE COST OF PRIVATELY ADMINISTERED DRIVING  
19 EXAMINATIONS, WHICH IS A SPECIFIC SERVICE TO EACH INDIVIDUAL  
20 SEEKING A DRIVER'S LICENSE UPON WHOM THE FEE IS IMPOSED; AND

21 (II) AT RATES REASONABLY CALCULATED BASED ON THE OVERALL  
22 COST OF THE SERVICES PROVIDED BY THE ADEPT ENTERPRISE.

23 **42-2-703. Definitions.** AS USED IN THIS PART 7, UNLESS THE  
24 CONTEXT OTHERWISE REQUIRES:

25 (1) "ADEPT ENTERPRISE" MEANS THE ENTERPRISE CREATED IN  
26 SECTION 42-2-704 (1).

27 (2) "COUNTY OFFICE" MEANS THE OFFICE OF A COUNTY CLERK AND

1 RECORDER THAT ISSUES DRIVER'S LICENSES AND PERFORMS DRIVING  
2 EXAMINATIONS.

3 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE.

4 (4) "DRIVING EXAMINATION" MEANS AN EXAMINATION  
5 AUTHORIZED IN SECTION 42-2-111.

6 (5) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF  
7 THE DEPARTMENT.

8 (6) "FEE" MEANS THE ADEPT ENTERPRISE FEE ESTABLISHED IN  
9 SECTION 42-2-708.

10 (7) "FUND" MEANS THE ADEPT ENTERPRISE FUND CREATED IN  
11 SECTION 42-2-707.

12 (8) "GOVERNING BOARD" MEANS THE GOVERNING BOARD OF THE  
13 ADEPT ENTERPRISE DESCRIBED IN SECTION 42-2-704 (2).

14 (9) "INFLATION OR DEFLATION" MEANS THE ANNUAL PERCENTAGE  
15 CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR BUREAU OF  
16 LABOR STATISTICS CONSUMER PRICE INDEX FOR  
17 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS AND ALL URBAN  
18 CONSUMERS, OR ITS SUCCESSOR INDEX.

19 (10) "PROOF OF FINANCIAL RESPONSIBILITY" HAS THE SAME  
20 MEANING AS "PROOF OF FINANCIAL RESPONSIBILITY FOR THE FUTURE", AS  
21 DEFINED IN SECTION 42-7-103 (14).

22 (11) "THIRD-PARTY PROVIDER" MEANS A PERSON CERTIFIED UNDER  
23 SECTION 42-2-111 (1)(b) TO EXAMINE APPLICANTS FOR TYPES OR GENERAL  
24 CLASSES OF DRIVER'S LICENSES.

25 **42-2-704. ADEPT enterprise - creation - governing board -**  
26 **powers and duties - issuance of bonds.** (1) THE ADEPT ENTERPRISE IS  
27 CREATED AS A GOVERNMENT-OWNED BUSINESS WITHIN THE DEPARTMENT.

1           (2) (a) THE GOVERNING BOARD OF THE ADEPT ENTERPRISE  
2 CONSISTS OF FIVE MEMBERS APPOINTED AS FOLLOWS:

3           (I) THE EXECUTIVE DIRECTOR SHALL APPOINT ONE MEMBER WHO  
4 REPRESENTS THE EXECUTIVE DIRECTOR AND WHO IS THE CHAIR OF THE  
5 GOVERNING BOARD;

6           (II) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL  
7 APPOINT:

8           (A) ONE MEMBER WHO HAS EXPERIENCE PROVIDING TRANSLATION  
9 SERVICES OR ADMINISTERING PROGRAMS THAT ASSIST INDIVIDUALS FOR  
10 WHOM ENGLISH IS NOT THEIR NATIVE LANGUAGE; AND

11           (B) ONE MEMBER WHO REPRESENTS THIRD-PARTY PROVIDERS;  
12 WHO HAS EXPERIENCE WORKING WITH YOUTH; AND

13           (III) THE GOVERNOR SHALL APPOINT ONE MEMBER WHO  
14 REPRESENTS RURAL AREAS THAT ARE UNDERSERVED BY THIRD-PARTY  
15 PROVIDERS.

16           (b) THE EXECUTIVE DIRECTOR, THE GOVERNOR, THE SPEAKER OF  
17 THE HOUSE OF REPRESENTATIVES, AND THE PRESIDENT OF THE SENATE  
18 SHALL MAKE THE INITIAL APPOINTMENTS TO THE GOVERNING BOARD NO  
19 LATER THAN OCTOBER 1, 2023.

20           (c) THE TERM OF OFFICE OF MEMBERS OF THE GOVERNING BOARD  
21 IS FOUR YEARS; EXCEPT THAT:

22           (I) EACH MEMBER OF THE GOVERNING BOARD SERVES AT THE  
23 PLEASURE OF THE OFFICIAL WHO APPOINTED THE MEMBER; AND

24           (II) (A) IN ORDER TO ENSURE STAGGERED TERMS OF OFFICE, FOR  
25 EACH MEMBER INITIALLY APPOINTED IN ACCORDANCE WITH SUBSECTION  
26 (2)(a)(II) OF THIS SECTION, THE INITIAL TERM OF OFFICE IS TWO YEARS.

27           (B) THIS SUBSECTION (2)(c)(II) IS REPEALED, EFFECTIVE JULY 1,



1 2028.

2 (3) EACH MEMBER OF THE GOVERNING BOARD OTHER THAN A  
3 STATE EMPLOYEE SERVES WITHOUT COMPENSATION BUT IS ENTITLED TO  
4 RECEIVE REIMBURSEMENT FROM MONEY IN THE FUND FOR ACTUAL AND  
5 NECESSARY EXPENSES THE MEMBER INCURS IN THE PERFORMANCE OF THE  
6 MEMBER'S DUTIES FOR THE GOVERNING BOARD.

7 (4) (a) THE EXECUTIVE DIRECTOR SHALL ORGANIZE THE  
8 GOVERNING BOARD AND CALL THE FIRST MEETING OF THE GOVERNING  
9 BOARD TO OCCUR BY NOVEMBER 1, 2023.

10 (b) THE GOVERNING BOARD SHALL MEET AT LEAST ANNUALLY.  
11 THE CHAIR MAY CALL ADDITIONAL MEETINGS AS NECESSARY FOR THE  
12 GOVERNING BOARD TO COMPLETE ITS DUTIES.

13 (5) THE GOVERNING BOARD MAY:

14 (a) TAKE ACTIONS NECESSARY TO IMPLEMENT AND ADMINISTER  
15 THIS PART 7;

16 (b) ADVISE THE DEPARTMENT CONCERNING THE ADOPTION OF OR  
17 AMENDMENT OF RULES UNDER SECTIONS 42-2-706 AND 42-2-708; ■

18 (c) ISSUE BONDS IN ACCORDANCE WITH SUBSECTION (8) OF THIS  
19 SECTION;

20 (d) DETERMINE THE AMOUNT OF REIMBURSEMENT GIVEN TO THE  
21 THIRD-PARTY PROVIDER FOR INDIVIDUALS WHO MAKE AN APPOINTMENT  
22 FOR A DRIVING EXAMINATION AND DO NOT SHOW OR CANCEL LATE OR WHO  
23 FAIL TO PASS THE DRIVING EXAMINATION; AND

24 (e) CONTRACT WITH A PRIVATE OR PUBLIC ENTITY TO DEVELOP  
25 AND UPDATE THE ONLINE DRIVER TRAINING PROGRAM REQUIRED IN  
26 SECTION 42-2-705 (1)(b).

27 (6) THE GOVERNING BOARD SHALL:

1 (a) OVERSEE THE IMPLEMENTATION AND ADMINISTRATION OF THIS  
2 PART 7;

3 (b) ANNUALLY REPORT TO THE EXECUTIVE DIRECTOR, BY A DATE  
4 DETERMINED BY THE EXECUTIVE DIRECTOR, CONCERNING THE  
5 IMPLEMENTATION AND ADMINISTRATION OF THIS PART 7;

6 (c) ESTABLISH POLICIES TO IMPLEMENT AND ADMINISTER THIS  
7 PART 7;

8 (d) HIRE ANY NECESSARY EMPLOYEES, WHO MAY ALSO BE  
9 EMPLOYEES OF THE DEPARTMENT, TO IMPLEMENT AND ADMINISTER THIS  
10 PART 7;

11 (e) OBTAIN THE NECESSARY OFFICE SPACE, EQUIPMENT, AND  
12 SERVICES NECESSARY TO IMPLEMENT AND ADMINISTER THIS PART 7; AND

13 (f) COORDINATE WITH THE DEPARTMENT TO IMPLEMENT AND  
14 ADMINISTER THIS PART 7.

15 (7) THE ADEPT ENTERPRISE SHALL REIMBURSE, AT FAIR MARKET  
16 VALUE, THE DEPARTMENT FOR ANY EMPLOYEE TIME, OFFICE SPACE, OR  
17 GOODS OR SERVICES PROVIDED BY THE DEPARTMENT.

18 (8) THE ADEPT ENTERPRISE MAY ISSUE BONDS. THE BONDS MUST  
19 BE:

20 (a) ISSUED BY A RESOLUTION OF THE GOVERNING BOARD; AND

21 (b) SECURED BY AND PAYABLE SOLELY OUT OF THE MONEY IN THE  
22 FUND.

23 **42-2-705. ADEPT enterprise - reimbursement of third-party**  
24 **providers. (1) THE ADEPT ENTERPRISE SHALL:**

25 (a) BY JULY 1, 2025, IN AREAS THAT DO NOT HAVE A THIRD-PARTY  
26 PROVIDER WITHIN SIXTY MILES FROM A DEPARTMENT OR COUNTY OFFICE  
27 THAT ISSUES DRIVER'S LICENSES, PROVIDE DRIVING EXAMINATIONS AT

1 LEAST ONCE EACH WEEK THAT DEMONSTRATE THE ABILITY OF AN  
2 APPLICANT FOR A DRIVER'S LICENSE TO DRIVE A MOTOR VEHICLE WITH  
3 APPROPRIATE CARE AND CONTROL; AND

4 (b) MAKE AN ONLINE DRIVER TRAINING PROGRAM AVAILABLE AT  
5 NO COST TO THE PUBLIC. THE DRIVER TRAINING PROGRAM MUST:

6 (I) BE AT LEAST THIRTY HOURS LONG;

7 (II) MEET THE STANDARDS NECESSARY TO QUALIFY A STUDENT TO  
8 BE ISSUED AN INSTRUCTION PERMIT UNDER SECTION 42-2-106 (1)(b);

9 (III) TEACH:

10 (A) THE LAW APPLICABLE TO DRIVING A MOTOR VEHICLE ON A  
11 HIGHWAY; AND

12 (B) BASIC DECISION MAKING WHEN DRIVING ON A HIGHWAY; AND

13 (IV) BE AVAILABLE IN ENGLISH AND SPANISH.

14 (2) (a) (I) THE ADEPT ENTERPRISE SHALL REIMBURSE, FROM THE  
15 FUND AND IN ACCORDANCE WITH RULES ADOPTED BY THE DEPARTMENT  
16 PURSUANT TO SECTION 42-2-706, A THIRD-PARTY PROVIDER OR COUNTY  
17 OFFICE THAT ADMINISTERS A DRIVING EXAMINATION. A THIRD-PARTY  
18 PROVIDER OR COUNTY OFFICE SEEKING REIMBURSEMENT FROM THE  
19 ADEPT ENTERPRISE SHALL APPLY FOR REIMBURSEMENT IN THE FORM AND  
20 MANNER SPECIFIED IN RULES ADOPTED BY THE DEPARTMENT PURSUANT TO  
21 SECTION 42-2-706.

22 (II) A THIRD-PARTY PROVIDER SHALL NOT CHARGE AN INDIVIDUAL  
23 TAKING A DRIVING EXAMINATION FOR AN AMOUNT REIMBURSED UNDER  
24 THIS SUBSECTION (2).

25 (b) THE ADEPT ENTERPRISE SHALL DETERMINE THE  
26 REIMBURSEMENT AMOUNT FOR A THIRD-PARTY PROVIDER BASED ON THE  
27 AMOUNT THE THIRD-PARTY PROVIDER CHARGES FOR THE DRIVING

1 EXAMINATION, WHICH CHARGE MUST NOT EXCEED ANY LIMIT ESTABLISHED  
2 IN RULES ADOPTED BY THE DEPARTMENT PURSUANT TO SECTION 42-2-706,  
3 LESS THE AMOUNT THE INDIVIDUAL TAKING THE DRIVING EXAMINATION  
4 PAYS THE THIRD-PARTY PROVIDER FOR ADMINISTERING THE DRIVING  
5 EXAMINATION. THE COST TO THE INDIVIDUAL TAKING THE DRIVING  
6 EXAMINATION MUST NOT EXCEED, EXCEPT AS PROVIDED IN SUBSECTION  
7 (2)(c) OF THIS SECTION:

8 (I) TWENTY-FIVE DOLLARS PER DRIVING EXAMINATION IF THE  
9 INDIVIDUAL TAKING THE DRIVING EXAMINATION HAS NOT PREVIOUSLY  
10 FAILED THE EXAMINATION; AND

11 (II) FIFTY DOLLARS PER DRIVING EXAMINATION IF THE INDIVIDUAL  
12 HAS PREVIOUSLY FAILED THE SAME DRIVING EXAMINATION.

13 (c) TO ACCOUNT FOR INFLATION OR DEFLATION, THE GOVERNING  
14 BOARD MAY ANNUALLY ADJUST THE AMOUNTS DESCRIBED IN SUBSECTIONS  
15 (2)(b)(I) AND (2)(b)(II) OF THIS SECTION.

16 (d) THE ADEPT ENTERPRISE SHALL SET THE REIMBURSEMENT  
17 RATE FOR COUNTY OFFICES AT A STANDARD RATE THAT IS BASED ON THE  
18 AVERAGE COST IN COLORADO OF COUNTY OFFICES PROVIDING DRIVING  
19 EXAMINATIONS.

20 **42-2-706. Department rules - reimbursement procedures -**  
21 **driving examination price limits.** (1) THE DEPARTMENT SHALL  
22 PROMULGATE RULES, IN CONSULTATION WITH THE GOVERNING BOARD,  
23 ESTABLISHING THE PROCESS FOR THIRD-PARTY PROVIDERS OR COUNTY  
24 OFFICES TO APPLY FOR AND OBTAIN REIMBURSEMENTS FOR DRIVING  
25 EXAMINATIONS IN ACCORDANCE WITH SECTION 42-2-705. THE RULES  
26 MUST SPECIFY, AT A MINIMUM:

27 (a) THE FORM AND MANNER OF APPLYING FOR REIMBURSEMENT,

1 INCLUDING THE REQUIRED DOCUMENTATION TO SUPPORT THE CLAIM FOR  
2 REIMBURSEMENT;

3 (b) A TIMELINE FOR THE ADEPT ENTERPRISE TO ACCEPT  
4 REIMBURSEMENT APPLICATIONS, DETERMINE A THIRD-PARTY PROVIDER'S  
5 ELIGIBILITY FOR AND AMOUNT OF REIMBURSEMENT, AND PAY  
6 REIMBURSEMENTS TO THIRD-PARTY PROVIDERS OR COUNTY OFFICES;

7 (c) THAT A REIMBURSEMENT MUST BE MADE WITHIN THIRTY DAYS  
8 AFTER THE THIRD-PARTY PROVIDER OR COUNTY OFFICE REQUESTS  
9 REIMBURSEMENT; AND

10 (d) ANY OTHER REQUIREMENTS NECESSARY FOR THE  
11 ADMINISTRATION OF REIMBURSEMENTS.

12 (2) THE DEPARTMENT MAY PROMULGATE RULES SETTING A  
13 MAXIMUM AMOUNT, INCLUDING THE AMOUNT ASSESSED AND RECEIVED  
14 FROM THE INDIVIDUAL TAKING THE EXAMINATION, THAT A THIRD-PARTY  
15 PROVIDER MAY CHARGE FOR A DRIVING EXAMINATION AND ADJUSTING THE  
16 MAXIMUM AMOUNT TO ACCOUNT FOR INFLATION OR DEFLATION OR FOR  
17 DIFFERENCES IN THE COST OF PROVIDING DRIVING EXAMINATIONS IN  
18 DIFFERENT AREAS OF THE STATE.

19 **42-2-707. ADEPT enterprise fund.** (1) THE ADEPT ENTERPRISE  
20 FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY  
21 CREDITED TO THE FUND UNDER SECTION 42-2-708, REVENUE COLLECTED  
22 FROM ANY REVENUE BONDS ISSUED PURSUANT TO SECTION 42-2-704 (8),  
23 AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE  
24 OR TRANSFER TO THE FUND.

25 (2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
26 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
27 FUND TO THE FUND.

1 (3) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE  
2 ADEPT ENTERPRISE TO IMPLEMENT AND ADMINISTER THIS PART 7.

3 **42-2-708. ADEPT enterprise fee - rules.** (1) IN ADDITION TO  
4 ANY OTHER FEE FOR THE ISSUANCE OF OR RENEWAL OF A DRIVER'S  
5 LICENSE, MINOR DRIVER'S LICENSE, OR INSTRUCTION PERMIT, THE  
6 DEPARTMENT SHALL COLLECT AN ADEPT ENTERPRISE FEE OF SIX  
7 DOLLARS FOR EACH ISSUANCE OF OR RENEWAL OF A DRIVER'S LICENSE,  
8 MINOR DRIVER'S LICENSE, OR INSTRUCTION PERMIT. THE DEPARTMENT  
9 SHALL TRANSMIT THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT  
10 THE FEE TO THE FUND.

11 (2) THE DEPARTMENT MAY PROMULGATE RULES ADJUSTING THE  
12 AMOUNT OF THE FEE SPECIFIED IN SUBSECTION (1) OF THIS SECTION TO  
13 ACCOUNT FOR INFLATION OR DEFLATION.

14  
15 **42-2-709. Translation services.** ON REQUEST AND WHEN  
16 REASONABLY POSSIBLE, THE ADEPT ENTERPRISE SHALL PROVIDE  
17 TRANSLATION SERVICES FOR A DRIVING EXAMINATION FOR INDIVIDUALS  
18 WHO DO NOT SPEAK, READ, OR WRITE ENGLISH AT A LEVEL NECESSARY TO  
19 TAKE THE DRIVING EXAMINATION. THE TRANSLATION SERVICES MAY BE  
20 PROVIDED ELECTRONICALLY OR, FOR DRIVING EXAMINATIONS THAT  
21 DEMONSTRATE THE ABILITY OF THE APPLICANT, BY HAND SIGNAL IF THE  
22 HAND SIGNALS ARE EXPLAINED IN THE APPLICANT'S LANGUAGE.

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; except that, if a referendum petition is filed pursuant  
27 to section 1 (3) of article V of the state constitution against this act or an

1 item, section, or part of this act within such period, then the act, item,  
2 section, or part will not take effect unless approved by the people at the  
3 general election to be held in November 2024 and, in such case, will take  
4 effect on the date of the official declaration of the vote thereon by the  
5 governor.

6 (2) This act applies to driver's licenses and instruction permits  
7 issued and to examinations performed on or after the applicable effective  
8 date of this act.