

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

**PREAMENDED**

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

LLS NO. 24-0743.01 Conrad Imel x2313

**HOUSE BILL 24-1135**

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**HOUSE SPONSORSHIP**

**Soper and Snyder**, Bird, Evans

**SENATE SPONSORSHIP**

**Roberts and Will**, Hansen, Michaelson Jenet, Priola

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**House Committees**

Judiciary  
Finance

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING OFFENSES RELATED TO REQUIREMENTS FOR OPERATING**  
102 **A VEHICLE.**

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

Under existing law, it is a class A traffic infraction to operate a commercial motor vehicle without a commercial driver's license, to operate a commercial motor vehicle if the operator is under 21 years of age, or to drive a commercial motor vehicle if the person has more than one driver's license. The bill makes each a class 1 misdemeanor; except that, if a person presents a valid commercial driver's license to the court

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.*

within 30 days, the offense is a class A traffic infraction.

The bill creates the offense of unlawful direction to operate a commercial motor vehicle. An employer who knowingly authorizes or permits an employee to operate a commercial motor vehicle without a commercial driver's license, or permits an employee who is under 21 years of age to operate a commercial motor vehicle, commits unlawful direction to operate a commercial motor vehicle, a class 1 misdemeanor traffic offense.

The bill requires a driver to comply with a search warrant to conduct a blood draw. Failure to comply with a warrant to conduct a blood draw is a misdemeanor; except that it is a class 4 felony if the violation occurred after 3 or more prior convictions, arising out of separate and distinct criminal episodes, for driving under the influence (DUI), DUI per se, or driving while ability impaired (collectively, impaired driving offenses); vehicular homicide; vehicular assault; or any combination thereof. A driver who fails to comply with a warrant to conduct a blood draw is subject to the same criminal penalties as for DUI.

Under existing law, a person whose privilege to drive was revoked for multiple convictions for any combination of impaired driving offenses must have an interlock-restricted license for 2 to 5 years. The bill requires a person whose privilege to drive was revoked following a conviction for a DUI or DUI per se to hold an interlock-restricted license for at least:

- 2 years, if the DUI or DUI per se conviction is a second conviction for any combination of impaired driving offenses;
- 3 years, if the DUI or DUI per se conviction is a third conviction for any combination of impaired driving offenses; and
- 4 years, if the DUI or DUI per se conviction is a fourth conviction for any combination of impaired driving offenses.

Under existing law, a persistent drunk driver is required to hold the interlock-restricted license for at least 2 years following reinstatement. The bill requires a persistent drunk driver to hold an interlock-restricted license for at least 3 years following a second violation for refusal to take or complete a test for the purpose of determining the alcoholic content of the driver's blood or breath upon a law enforcement officer's request.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-2-404, **amend** (3)

3 as follows:

4 **42-2-404. Commercial driver's license - limitations - unlawful**

1 **direction to operate a commercial motor vehicle - rules.** (3) (a) In  
2 addition to any applicable federal penalty concerning commercial motor  
3 vehicle operators, any person who violates subsection (1) or (2) of this  
4 section, or any rule or regulation promulgated by the department pursuant  
5 to this part 4, commits a CLASS 1 MISDEMEANOR TRAFFIC OFFENSE;  
6 EXCEPT THAT, IF A PERSON WHO VIOLATES SUBSECTION (1) OR (2) OF THIS  
7 SECTION PRESENTS A VALID COMMERCIAL DRIVER'S LICENSE TO THE COURT  
8 WITHIN THIRTY DAYS AFTER THE DATE OF THE VIOLATION OR AT THE  
9 PERSON'S FIRST SCHEDULED COURT APPEARANCE, THE PERSON, IF  
10 CONVICTED, IS GUILTY OF A class A traffic infraction.

11 (b) AN EMPLOYER OR AN OFFICER 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  
16 TRAFFIC OFFENSE.

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18 **SECTION 2.** In Colorado Revised Statutes, 43-2-145, **add** (2.1)  
19 as follows:

20 **43-2-145. Transportation legislation review - committee -**  
21 **definition - repeal.** (2.1) (a) DURING THE 2024 LEGISLATIVE INTERIM,  
22 THE COMMITTEE SHALL ANALYZE THE ISSUE OF ENFORCEMENT OF  
23 IMPAIRED DRIVING OFFENSES, INCLUDING SITUATIONS INVOLVING A  
24 DRIVER WHO REFUSES TO TAKE OR COMPLETE A BLOOD OR BREATH TEST  
25 AS REQUIRED BY LAW.

26 (b) THE COMMITTEE MAY REQUEST AND RECEIVE INPUT FROM THE  
27 COLORADO STATE PATROL AND THE COLORADO TASK FORCE ON DRUNK

1 AND IMPAIRED DRIVING CREATED IN SECTION 42-4-1306 AND TAKE  
2 TESTIMONY FROM INTERESTED OR KNOWLEDGEABLE PEOPLE ABOUT THE  
3 ISSUE OF ENFORCEMENT OF IMPAIRED DRIVING OFFENSES AND MAY  
4 OTHERWISE RESEARCH THE ISSUE.

5 (c) THE COMMITTEE MAY MAKE RECOMMENDATIONS CONCERNING  
6 THE ISSUE OF ENFORCEMENT OF IMPAIRED DRIVING OFFENSES DESCRIBED  
7 IN THIS SUBSECTION (2.1) TO THE GENERAL ASSEMBLY, AND, IF THE  
8 COMMITTEE RECOMMENDS LEGISLATION, THE LEGISLATION IS TREATED AS  
9 LEGISLATION RECOMMENDED BY AN INTERIM LEGISLATIVE COMMITTEE  
10 FOR PURPOSES OF ANY INTRODUCTION DEADLINES OR BILL LIMITATIONS  
11 IMPOSED BY THE JOINT RULES OF THE GENERAL ASSEMBLY.

12 (d) THIS SUBSECTION (2.1) IS REPEALED, EFFECTIVE JULY 1, 2025.

13 **SECTION 3. Applicability.** This act applies to offenses  
14 committed on or after the effective date of this act.

15 **SECTION 4. Safety clause.** The general assembly finds,  
16 determines, and declares that this act is necessary for the immediate  
17 preservation of the public peace, health, or safety or for appropriations for  
18 the support and maintenance of the departments of the state and state  
19 institutions.