

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

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 24-0201.02 Jery Payne x2157

HOUSE BILL 24-1250

HOUSE SPONSORSHIP

Armagost and Kipp,

SENATE SPONSORSHIP

Hansen and Smallwood,

House Committees

Transportation, Housing & Local Government
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE WAIVER OF DRIVER'S LICENSE SUSPENSION POINTS**
102 **FOR SUCCESSFUL COMPLETION OF A DRIVING IMPROVEMENT**
103 **COURSE.**

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>.)

The bill allows an individual who has been convicted of a traffic infraction to attend a driving improvement course for the purpose of waiving license suspension points for the conviction. The individual must complete a driving improvement course that is offered by a commercial driving school and is approved by the department of revenue

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.

HOUSE
Amended 2nd Reading
March 15, 2024

(department). The department must adopt rules that:

- Set the number of points assessed for a conviction that may be waived for an individual who successfully completes a driving improvement course;
- Specify how often a points waiver may be claimed;
- Set procedures for claiming a points waiver;
- Establish a process for a commercial driving school to have a driving improvement course approved by the department; and
- Set fees that the department may charge a commercial driving school to offset the direct and indirect costs to implement the bill.

The bill sets standards for the approval of driving improvement courses.

The department may charge a commercial driving school both a fee to approve a driving improvement course and a fee for each individual who claims a points waiver.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 42-2-127.1 as
3 follows:

4 **42-2-127.1. Driving improvement course - points waiver -**
5 **rules - definitions - notice to revisor of statutes - repeal.** (1) AS USED
6 IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 (a) "COMMERCIAL DRIVER'S LICENSE" HAS THE MEANING SET
8 FORTH IN SECTION 42-2-402 (1).

9 (b) "COMMERCIAL DRIVING SCHOOL" HAS THE MEANING SET FORTH
10 IN SECTION 42-2-601 (2).

11 (c) "DRIVING IMPROVEMENT COURSE" MEANS A CLASS THAT IS
12 OFFERED BY A COMMERCIAL DRIVING SCHOOL AND THAT, WHEN APPROVED
13 BY THE DEPARTMENT, QUALIFIES AN INDIVIDUAL WHO SUCCESSFULLY
14 COMPLETES THE COURSE FOR A POINTS WAIVER.

15 (d) "POINT" MEANS A LICENSE SUSPENSION POINT AS DESCRIBED IN
16 SECTION 42-2-127.

1 (e) "POINTS WAIVER" OR "WAIVE POINTS" MEANS A REDUCTION IN,
2 OR THE LOWERING OF, THE NUMBER OF POINTS ASSESSED FOR A SPECIFIC
3 CONVICTION.

4 (2) (a) NOTWITHSTANDING SECTION 42-2-127, THE DEPARTMENT
5 SHALL PROMULGATE RULES THAT ALLOW AN INDIVIDUAL WHO HAS BEEN
6 CONVICTED OF A TRAFFIC INFRACTION OR A MISDEMEANOR TRAFFIC
7 OFFENSE TO OBTAIN A POINTS WAIVER AFTER SUCCESSFULLY COMPLETING
8 A DRIVING IMPROVEMENT COURSE. THE RULES MUST:

9 (I) SET THE NUMBER OF POINTS ASSESSED FOR A CONVICTION THAT
10 MAY BE WAIVED FOR AN INDIVIDUAL WHO SUCCESSFULLY COMPLETES A
11 DRIVING IMPROVEMENT COURSE;

12 (II) SPECIFY HOW OFTEN AN INDIVIDUAL MAY CLAIM A POINTS
13 WAIVER;

14 (III) ESTABLISH PROCEDURES FOR CLAIMING A POINTS WAIVER;

15 (IV) ESTABLISH A PROCESS FOR A COMMERCIAL DRIVING SCHOOL
16 TO HAVE A DRIVING IMPROVEMENT COURSE APPROVED BY THE
17 DEPARTMENT; AND

18 (V) SET THE AMOUNT OF EACH OF THE FEES AUTHORIZED IN
19 SUBSECTION (4) OF THIS SECTION. THE AMOUNT OF EACH FEE MUST BE
20 ROUNDED TO THE NEAREST DOLLAR, AND BOTH FEES MUST BE SET SO THAT
21 THE FEES ARE REASONABLY RELATED TO THE DIRECT AND INDIRECT COSTS
22 OF THE PROGRAM CREATED IN THIS SECTION.

23 (b) (I) IN ORDER TO QUALIFY FOR A POINTS WAIVER, AN
24 INDIVIDUAL MUST HAVE SUCCESSFULLY COMPLETED A DRIVING
25 IMPROVEMENT COURSE THAT IS APPROVED BY THE DEPARTMENT IN
26 ACCORDANCE WITH SUBSECTION (3) OF THIS SECTION AND RULES
27 PROMULGATED UNDER SUBSECTION (2)(a) OF THIS SECTION. IN

1 ACCORDANCE WITH THE RULES PROMULGATED UNDER SUBSECTION (2)(a)
2 OF THIS SECTION, THE DEPARTMENT SHALL WAIVE POINTS ASSESSED FOR
3 A CONVICTION WHEN AN INDIVIDUAL DEMONSTRATES TO THE DEPARTMENT
4 THAT THE INDIVIDUAL HAS SUCCESSFULLY COMPLETED A DRIVING
5 IMPROVEMENT COURSE AND IS ELIGIBLE FOR A POINTS WAIVER BASED ON
6 COMPLETION OF THE DRIVING IMPROVEMENT COURSE. THE INDIVIDUAL
7 MAY ATTEND A DRIVING IMPROVEMENT COURSE AT A PHYSICAL LOCATION
8 OR TAKE A DRIVING IMPROVEMENT COURSE OFFERED ONLINE.

9 (II) (A) THIS SUBSECTION (2)(b) WILL TAKE EFFECT ON THE
10 EARLIER OF JANUARY 1, 2027, OR WHEN THE DEPARTMENT PROMULGATES
11 THE RULES REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION. THE
12 EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL NOTIFY THE REVISOR OF
13 STATUTES IN WRITING OF THE DATE WHEN THE CONDITION SPECIFIED IN
14 THIS SUBSECTION (2)(b)(II)(A) HAS OCCURRED BY E-MAILING THE NOTICE
15 TO REVISOROFSTATUTES.GA@COLEG.GOV. SUBSECTION (2)(b)(I) OF THIS
16 SECTION TAKES EFFECT UPON THE EARLIER OF JANUARY 1, 2027, OR THE
17 DATE IDENTIFIED IN THE NOTICE THAT THE DEPARTMENT HAS
18 PROMULGATED THE RULES REQUIRED IN SUBSECTION (2)(a) OF THIS
19 SECTION OR, IF THE NOTICE DOES NOT SPECIFY THAT DATE, UPON THE DATE
20 OF THE NOTICE TO THE REVISOR OF STATUTES.

21 (B) THIS SUBSECTION (2)(b)(II) IS REPEALED, EFFECTIVE JULY 1,
22 2027.

23 (3) TO OBTAIN APPROVAL OF A DRIVING IMPROVEMENT COURSE, A
24 COMMERCIAL DRIVING SCHOOL MUST APPLY TO THE DEPARTMENT IN THE
25 MANNER SPECIFIED IN RULES PROMULGATED UNDER SUBSECTION (2)(a) OF
26 THIS SECTION AND MUST DEMONSTRATE THAT THE DRIVING IMPROVEMENT
27 COURSE PROVIDES EDUCATION IN THE TRAFFIC LAWS OF THIS STATE,

1 RECOGNITION OF HAZARDOUS TRAFFIC SITUATIONS, AND TRAFFIC
2 ACCIDENT PREVENTION.

3 (4) THE DEPARTMENT MAY CHARGE A COMMERCIAL DRIVING
4 SCHOOL THE FOLLOWING FEES AS ESTABLISHED IN RULES PROMULGATED
5 UNDER SUBSECTION (2)(a) OF THIS SECTION:

6 (a) A FEE TO APPROVE A DRIVING IMPROVEMENT COURSE; AND

7 (b) A FEE FOR EACH INDIVIDUAL WHO CLAIMS A POINTS WAIVER
8 FOR COMPLETING A DRIVING IMPROVEMENT COURSE OFFERED BY THE
9 COMMERCIAL DRIVING SCHOOL.

10 (5) THIS SECTION DOES NOT AUTHORIZE THE ISSUANCE OF A POINTS
11 WAIVER TO AN INDIVIDUAL WHO:

12 (a) COMMITTED A TRAFFIC INFRACTION OR MISDEMEANOR TRAFFIC
13 OFFENSE WHILE OPERATING A MOTOR VEHICLE UNDER THE AUTHORITY OF
14 A COMMERCIAL DRIVER'S LICENSE; OR

15 (b) IS CONVICTED OF A VIOLATION DESCRIBED IN SECTION 42-2-127
16 OR ARTICLE 4 OF THIS TITLE 42 COMMITTED WHILE DRIVING A
17 COMMERCIAL MOTOR VEHICLE.

18 **SECTION 2. Act subject to petition - effective date -**
19 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
20 the expiration of the ninety-day period after final adjournment of the
21 general assembly; except that, if a referendum petition is filed pursuant
22 to section 1 (3) of article V of the state constitution against this act or an
23 item, section, or part of this act within such period, then the act, item,
24 section, or part will not take effect unless approved by the people at the
25 general election to be held in November 2024 and, in such case, will take
26 effect on the date of the official declaration of the vote thereon by the
27 governor.

1 (2) This act applies to convictions for traffic infractions occurring
2 on or after the applicable effective date of this act.