

CHAPTER 174

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 97-1035

BY REPRESENTATIVES June, Chavez, Clarke, Mace, Nichol, Saliman, and S. Williams;
also SENATORS Powers, Ament, Arnold, Bishop, and Hopper.

AN ACT

CONCERNING ADMINISTRATIVE ACTION AFFECTING THE DRIVING PRIVILEGES OF A PERSON UNDER
TWENTY-ONE YEARS OF AGE IN CONNECTION WITH CONDUCT INVOLVING ALCOHOL.

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

SECTION 1. 42-2-131, Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended to read:

42-2-131. Revocation of license or permit for nondriving alcohol convictions. ~~Immediately~~ Upon a plea of guilty or nolo contendere or a verdict of guilty by the court or a jury to an offense for which revocation of a license or permit is mandatory pursuant to section 42-2-125 (1) (m), the court shall ~~require the offender to immediately surrender the offender's driver's, minor driver's, provisional driver's, or temporary driver's license or instruction permit to the court.~~ The court shall forward to the department a notice of plea or verdict on the form prescribed by the department, ~~together with the offender's license or permit, not later than ten days after the surrender of the license or permit.~~ Any person who does not immediately surrender such person's license or permit to the court commits a class 2 misdemeanor traffic offense, ~~unless such person swears or affirms under oath administered by the court and subject to the penalties of perjury, that the license or permit has been lost, destroyed, or is not in said person's immediate possession.~~ Any person who swears or affirms that the license or permit is not in the immediate possession of said person shall surrender said license or permit to the court within five days of the sworn or affirmed statement, and, if not surrendered within such time, said person commits a class 2 misdemeanor traffic offense. ANY REVOCATION PURSUANT TO SECTION 42-2-125 (1) (m) SHALL BEGIN WHEN THE DEPARTMENT GIVES NOTICE OF SUCH REVOCATION TO THE PERSON IN ACCORDANCE WITH SECTION 42-2-119 (2).

SECTION 2. Effective date - applicability. This act shall take effect upon passage, and shall apply to cases in which a plea of guilty or nolo contendere was

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

entered or a guilty verdict was entered on or after said date.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 21, 1997