

CHAPTER 49

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 04-012

BY SENATOR(S) May R., Arnold, Chlouber, Hagedorn, Jones, Phillips, Taylor, and Veiga;
also REPRESENTATIVE(S) Ragsdale, Welker, Borodkin, Coleman, Garcia, Miller, Spence, Stafford, and Williams S.

AN ACT

**CONCERNING THE TYPES OF RECORDS NECESSARY FOR THE DEPARTMENT OF REVENUE TO
ADMINISTRATIVELY REVOKE A DRIVER'S LICENSE FOR TAMPERING WITH AN INTERLOCK DEVICE.**

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

SECTION 1. 42-2-132.5 (5) (b), Colorado Revised Statutes, is amended to read:

42-2-132.5. Mandatory and voluntary restricted licenses following alcohol conviction. (5) (b) Upon receipt of a record other than a conviction described in paragraph (a) of this subsection (5) ~~from any court or peace officer~~ indicating that any person who is subject to the restrictions of this section has operated a motor vehicle other than a vehicle in which an approved ignition interlock device is installed or has circumvented or attempted to circumvent the proper use of an approved ignition interlock device, the department may revoke any license of such person issued under this section and not reinstate the license for a period ~~of the longer~~ of one year or the remaining period of license restraint imposed prior to the issuance of a license pursuant to this section, **WHICHEVER IS LONGER**. A person shall be entitled to a hearing on the question of whether the license should be revoked and the length of the ineligibility.

SECTION 2. 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: March 23, 2004

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