

## CHAPTER 35

---

**MOTOR VEHICLES AND TRAFFIC REGULATION**

---

**HOUSE BILL 08-1050**

BY REPRESENTATIVE(S) Marostica, Ferrandino, Garza-Hicks, Kerr J., and McFadyen;  
also SENATOR(S) Tochtrop, and Gibbs.

**AN ACT****CONCERNING MOTORCYCLE DRIVER'S LICENSE ENDORSEMENTS.**

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

**SECTION 1.** 42-2-103, Colorado Revised Statutes, is amended to read:

**42-2-103. Motorcycles - motorized bicycles - driver's license requirements.**

(1) (a) THE DEPARTMENT SHALL ESTABLISH A MOTORCYCLE ENDORSEMENT PROGRAM FOR DRIVER'S LICENSES, MINOR DRIVER'S LICENSES, AND INSTRUCTION PERMITS ISSUED PURSUANT TO THIS ARTICLE.

(b) THE DEPARTMENT SHALL REQUIRE AN APPLICANT FOR A GENERAL MOTORCYCLE ENDORSEMENT TO DEMONSTRATE THE APPLICANT'S ABILITY TO EXERCISE ORDINARY AND REASONABLE CARE AND CONTROL IN THE OPERATION OF A MOTORCYCLE. THE DEPARTMENT SHALL ALSO REQUIRE AN APPLICANT FOR A LIMITED THREE-WHEEL MOTORCYCLE ENDORSEMENT TO DEMONSTRATE THE APPLICANT'S ABILITY TO EXERCISE ORDINARY AND REASONABLE CARE AND CONTROL IN THE OPERATION OF A THREE-WHEEL MOTORCYCLE.

(c) A PERSON SHALL NOT OPERATE A TWO-WHEEL MOTORCYCLE ON A ROADWAY WITHOUT A GENERAL MOTORCYCLE ENDORSEMENT, BUT A PERSON WHO POSSESSES A GENERAL MOTORCYCLE ENDORSEMENT MAY OPERATE ANY MOTORCYCLE ON THE ROADWAY.

(d) A PERSON WITH ONLY A LIMITED THREE-WHEEL MOTORCYCLE ENDORSEMENT MAY OPERATE A THREE-WHEEL MOTORCYCLE BUT SHALL NOT OPERATE A TWO-WHEEL MOTORCYCLE ON A ROADWAY.

(2) (a) An operator of a motorized bicycle shall possess a valid driver's license

---

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

or minor driver's license.

(b) No motorized bicycle shall be operated on any interstate system as described in section 43-2-101 (2), C.R.S., except where a bicycle may be operated on such interstate system, on any limited-access road of the state highway system as described in section 43-2-101 (1), C.R.S., or on any sidewalk, unless such operation is specifically designated. Motorized bicycles may be operated upon roadways, except as provided in this section, and in bicycle lanes included within such roadways.

(3) A PERSON WHO OPERATES A MOTORCYCLE IN VIOLATION OF SUBSECTION (1) OF THIS SECTION COMMITS THE OFFENSE OF DRIVING A MOTOR VEHICLE WITHOUT THE CORRECT CLASS OF LICENSE IN VIOLATION OF SECTION 42-2-101 (4) AND SHALL BE PUNISHED AS PROVIDED IN SECTION 42-2-101 (10).

**SECTION 2. Effective date - applicability.** This act shall take effect July 1, 2008, and shall apply to offenses committed and applications submitted 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: March 18, 2008