

CHAPTER 25

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 15-1021

BY REPRESENTATIVE(S) Willett, Kagan, Mitsch Bush, Tate;
also SENATOR(S) Merrifield, Cooke, Guzman, Hodge, Johnston, Kerr, Lundberg, Newell, Scott, Steadman, Todd.

AN ACT

CONCERNING STATUTORILY ESTABLISHED TIME PERIODS THAT ARE MULTIPLES OF SEVEN DAYS.

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

SECTION 1. In Colorado Revised Statutes, 42-2-126, **amend** (9) (a) as follows:

42-2-126. Revocation of license based on administrative determination. (9) **Appeal.** (a) Within ~~thirty~~ THIRTY-FIVE days after the department issues its final determination under this section, a person aggrieved by the determination ~~shall have~~ HAS the right to file a petition for judicial review in the district court in the county of the person's residence.

SECTION 2. In Colorado Revised Statutes, 42-2-127.7, **amend** (9) (a) as follows:

42-2-127.7. Authority to suspend driver's license - uninsured motorists - legislative declaration. (9) (a) Within ~~thirty~~ THIRTY-FIVE days of the issuance of the final determination of the department under this section, a person aggrieved by the determination ~~shall have~~ HAS the right to file a petition for judicial review in the district court in the county of the person's residence.

SECTION 3. In Colorado Revised Statutes, 42-2-135, **amend** (1) as follows:

42-2-135. Right to appeal. (1) Every person finally denied a license or identification card, whose identification card has been finally cancelled, or whose license has been finally cancelled, suspended, or revoked by or under the authority of the department may, within ~~thirty~~ THIRTY-FIVE days thereafter, obtain judicial review in accordance with section 24-4-106, C.R.S.; except that the venue for such

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

judicial review shall be in the county of residence of the person seeking judicial review.

SECTION 4. In Colorado Revised Statutes, 42-2-405.5, **amend** (5) (c) (I) as follows:

42-2-405.5. Violations of out-of-service order. (5) (c) (I) The order of the hearing officer is the final agency action and may be appealed under section 42-2-135. A petition for judicial review ~~shall~~ **MUST** be filed within ~~thirty~~ **THIRTY-FIVE** days after the date of the order.

SECTION 5. In Colorado Revised Statutes, 42-2-409, **amend** (3) (d) as follows:

42-2-409. Unlawful possession or use of a commercial driver's license. (3) (d) The order of the hearing officer is the final agency action and may be appealed under section 42-2-135. A petition for judicial review ~~shall~~ **MUST** be filed within ~~thirty~~ **THIRTY-FIVE** days after the date of the order.

SECTION 6. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 13, 2015