

CHAPTER 330

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 15-1345

BY REPRESENTATIVE(S) Rosenthal, Tyler, Lontine, Court, Williams;
also SENATOR(S) Neville T., Baumgardner, Cooke, Holbert, Lundberg, Marble, Steadman, Todd, Woods.

AN ACT

CONCERNING AN EXEMPTION FROM CERTAIN TRAFFIC REQUIREMENTS FOR THE RIDERS OF A
THREE-WHEEL LOW-SPEED MOTORCYCLE.

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

SECTION 1. In Colorado Revised Statutes, 42-2-103, **amend** (1) (c) and (1) (d); and **add** (1) (e) as follows:

42-2-103. Motorcycles - low-power scooters - driver's license required.

(1) (c) EXCEPT AS PROVIDED IN PARAGRAPH (e) OF THIS SUBSECTION (1), a person shall not ~~operate~~ DRIVE a two-wheel motorcycle on a roadway without a general motorcycle endorsement, but a person who possesses a general motorcycle endorsement may ~~operate~~ DRIVE any motorcycle on the roadway.

(d) EXCEPT AS PROVIDED IN PARAGRAPH (e) OF THIS SUBSECTION (1), a person with only a limited three-wheel motorcycle endorsement may ~~operate~~ DRIVE a three-wheel motorcycle but shall not ~~operate~~ DRIVE a two-wheel motorcycle on a roadway.

(e) THE DRIVER OF A MOTORCYCLE NEED NOT OBTAIN A TWO- OR THREE-WHEEL MOTORCYCLE ENDORSEMENT IF THE MOTORCYCLE HAS:

- (I) THREE WHEELS;
- (II) A MAXIMUM DESIGN SPEED OF TWENTY-FIVE MILES PER HOUR OR LESS;
- (III) A WINDSHIELD; AND
- (IV) SEAT BELTS.

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

SECTION 2. In Colorado Revised Statutes, 42-4-232, **amend** (1) as follows:

42-4-232. Minimum safety standards for motorcycles and low-power scooters. (1) (a) ~~No~~ EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (1), A person shall ~~operate any~~ NOT DRIVE A motorcycle or low-power scooter on ~~any~~ A public highway ~~in this state~~ unless ~~such~~ THE person and any passenger thereon is wearing goggles or eyeglasses with lenses made of safety glass or plastic; except that this subsection (1) ~~shall~~ DOES NOT apply to a person wearing a helmet containing eye protection made of safety glass or plastic.

(b) A PERSON DRIVING OR RIDING A MOTORCYCLE NEED NOT WEAR EYE PROTECTION IF THE MOTORCYCLE HAS:

- (I) THREE WHEELS; AND
- (II) A MAXIMUM DESIGN SPEED OF TWENTY-FIVE MILES PER HOUR OR LESS;
- (III) A WINDSHIELD; AND
- (IV) SEAT BELTS.

SECTION 3. In Colorado Revised Statutes, 42-4-1502, **amend** (4.5) (a) introductory portion; and **add** (4.5) (c) as follows:

42-4-1502. Riding on motorcycles - protective helmet. (4.5) (a) EXCEPT AS PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION (4.5), a person shall not ~~operate~~ DRIVE or ride as a passenger on a motorcycle or low-power scooter on a roadway unless:

(c) A PERSON DRIVING OR RIDING A MOTORCYCLE NEED NOT WEAR A HELMET IF THE MOTORCYCLE HAS:

- (I) THREE WHEELS;
- (II) A MAXIMUM DESIGN SPEED OF TWENTY-FIVE MILES PER HOUR OR LESS;
- (III) A WINDSHIELD; AND
- (IV) SEAT BELTS.

SECTION 4. 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: June 5, 2015