

**Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0730.01 Owen Hatch x2698

**HOUSE BILL 26-1242**

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**HOUSE SPONSORSHIP**

**Paschal and Jackson,**

**SENATE SPONSORSHIP**

**Roberts,**

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**House Committees**

Transportation, Housing & Local Government  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING INTERLOCK-RESTRICTED LICENSE REQUIREMENTS FOR**  
102 **IMPAIRED DRIVERS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The waiting period to apply for an interlock-restricted license following a conviction related to driving under the influence of drugs or alcohol is eliminated.

A person convicted for the first time of certain offenses related to driving while under the influence of drugs or alcohol is required to hold an interlock-restricted license for the period of revocation of the person's

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

driver's license.

Financial assistance related to the interlock device is available depending on the person's financial status. A certified ignition interlock manufacturer must provide a person who is eligible for the assistance program certain discounts on installation of, lease charges for, and removal of an interlock device.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-2-132.5, **amend**  
3 (4)(a)(I) and (4)(a)(II)(C); and **add** (1)(c) and (4)(a.5) as follows:

4 **42-2-132.5. Mandatory and voluntary restricted licenses**  
5 **following alcohol convictions - rules.**

6 (1) **Persons required to hold an interlock-restricted license.**

7 (c) A PERSON WHOSE PRIVILEGE TO DRIVE WAS REVOKED FOR A  
8 CONVICTION FOR DUI OR DUI PER SE PURSUANT TO SECTION 42-2-125  
9 (1)(b.5) OR FOR EXCESS BAC 0.08 PURSUANT TO SECTION 42-2-126  
10 (3)(a)(I) FOR A FIRST VIOLATION IS REQUIRED TO MAINTAIN AN  
11 INTERLOCK-RESTRICTED LICENSE FOR A CONSECUTIVE PERIOD OF NINE  
12 MONTHS FOLLOWING REINSTATEMENT OF THEIR DRIVER'S LICENSE PRIOR  
13 TO BEING ELIGIBLE TO OBTAIN ANY OTHER DRIVER' S LICENSE ISSUED  
14 UNDER THIS ARTICLE 2, UNLESS THE INDIVIDUAL QUALIFIES FOR AND IS  
15 GRANTED EARLY REMOVAL OF THE INTERLOCK DEVICE PURSUANT TO  
16 SECTION 42-2-132.5 (4)(a)(II)(B).

17 (4) **Persons who may acquire an interlock-restricted license**  
18 **prior to serving a full-term revocation.**

19 (a) (I) A person whose privilege to drive has been revoked for one  
20 year or more because of a DUI, DUI per se, or DWAI conviction or has  
21 been revoked for one year or more for excess BAC pursuant to section  
22 42-2-126 may apply for an early reinstatement with an interlock-restricted

1 license pursuant to this section at any time; except that a person who is  
2 less than twenty-one years of age OLD at the time of the offense may not  
3 apply for early reinstatement until the person's license has been revoked  
4 for one year. A person whose privilege to drive has been revoked for one  
5 year or more because of a refusal may apply for an early reinstatement  
6 with an interlock-restricted license pursuant to this section; ~~after the~~  
7 ~~person's privilege to drive has been revoked for two months;~~ except that  
8 a person who is less than twenty-one years of age OLD at the time of the  
9 offense may not apply for early reinstatement until the person's license  
10 has been revoked for one year. Except for first-time offenders as provided  
11 in subsection (4)(a)(II) of this section or for persistent drunk drivers as  
12 provided in subsection (3) of this section, the restrictions imposed  
13 pursuant to this section remain in effect for the longer of one year or the  
14 total time period remaining on the license restraint prior to early  
15 reinstatement.

16 (II) (C) **Financial assistance for first-time offenders and**  
17 **persistent drunk drivers.** The department shall establish a program to  
18 assist persons who apply for an interlock-restricted license pursuant to  
19 this ~~subparagraph (H)~~ SUBSECTION (4)(a)(II) or pursuant to ~~subparagraph~~  
20 ~~(I) of paragraph (a) of this subsection (4)~~ SUBSECTION (4)(a)(I) OF THIS  
21 SECTION and who are unable to pay the full cost of an approved ignition  
22 interlock device. ~~The program shall be funded from the first time drunk~~  
23 ~~driving offender account in the highway users tax fund established~~  
24 ~~pursuant to section 42-2-132 (4)(b)(H).~~ A PERSON IS ELIGIBLE TO  
25 PARTICIPATE IN THE PROGRAM IF THE PERSON SHOWS PROOF OF  
26 ENROLLMENT IN A JURISDICTIONAL OR FEDERAL PUBLIC ASSISTANCE  
27 PROGRAM; THE PERSON'S INCOME DOES NOT EXCEED ONE HUNDRED FIFTY

1 PERCENT OF THE FEDERAL POVERTY LEVEL, AS DETERMINED BY THE MOST  
2 CURRENT FEDERAL POVERTY GUIDELINES ISSUED BY THE UNITED STATES  
3 DEPARTMENT OF HEALTH AND HUMAN SERVICES; OR THE PERSON SATISFIES  
4 ELIGIBILITY CRITERIA ESTABLISHED BY THE DEPARTMENT THAT IS BASED  
5 ON A DETERMINATION OF WHETHER A PERSON'S AVAILABLE  
6 DISCRETIONARY INCOME MAKES IT IMPRACTICAL FOR THE PERSON TO  
7 AFFORD THE INTERLOCK DEVICE. THE DEPARTMENT MAY APPROVE  
8 ADDITIONAL FORMS OF INCOME VERIFICATION.

9 (a.5) **Financial assistance benefits for eligible first-time**  
10 **offenders and persistent drunk drivers.**

11 (I) A CERTIFIED IGNITION INTERLOCK MANUFACTURER MUST  
12 PROVIDE A PERSON WHO IS ELIGIBLE FOR THE ASSISTANCE PROGRAM  
13 DESCRIBED IN SUBSECTION (4)(a)(II)(C) OF THIS SECTION AND WHO IS  
14 PARTICIPATING IN THE PROGRAM:

15 (A) FREE STANDARD INSTALLATION OF THE APPROVED IGNITION  
16 INTERLOCK DEVICE IN THE PERSON'S VEHICLE; EXCEPT THAT, IF A  
17 CERTIFIED IGNITION INTERLOCK MANUFACTURER DETERMINES THE  
18 PERSON'S VEHICLE IS A HIGH-END OR ELECTRIC VEHICLE, FIFTY PERCENT OF  
19 THE INSTALLATION FEE IS COVERED;

20 (B) FREE REMOVAL OF THE INTERLOCK DEVICE UPON THE PERSON'S  
21 SUCCESSFUL COMPLETION OF THE PROGRAM; AND

22 (C) A DISCOUNT OF UP TO FIFTY PERCENT OF THE MONTHLY DEVICE  
23 LEASE RATE CHARGED TO NONINDIGENT PROGRAM APPLICANTS, AS  
24 DETERMINED BY THE DEPARTMENT.

25 (II) A PERSON RECEIVING FINANCIAL ASSISTANCE PURSUANT TO  
26 SUBSECTION (4)(a)(II)(C) OF THIS SECTION MUST NOT RECEIVE A DISCOUNT  
27 FOR FEES OR COSTS ASSOCIATED WITH PROGRAM VIOLATIONS,

1 NONCOMPLIANCE, MISSED APPOINTMENTS, LOCKOUTS, OR OTHER  
2 ADMINISTRATIVE OR SERVICE FEES.

3 (III) A PERSON WHO FAILS TO REMAIN COMPLIANT WITH THE  
4 ASSISTANCE PROGRAM REQUIREMENTS FORFEITS THE PERSON'S  
5 AFFORDABILITY STATUS AND IS RESPONSIBLE FOR THE FULL COST OF THE  
6 DEVICE UNLESS AND UNTIL ELIGIBILITY IS REESTABLISHED PURSUANT TO  
7 RULE.

8 (IV) A CERTIFIED IGNITION INTERLOCK MANUFACTURER MAY  
9 REQUEST UPDATED FINANCIAL INFORMATION FROM A PERSON  
10 PARTICIPATING IN THE ASSISTANCE PROGRAM NOT MORE THAN ONCE  
11 EVERY SIX MONTHS WHILE THE PERSON IS SUBJECT TO THE INTERLOCK  
12 REQUIREMENT FOR THE PURPOSE OF DETERMINING WHETHER THE PERSON  
13 CONTINUES TO MEET THE ASSISTANCE PROGRAM ELIGIBILITY  
14 REQUIREMENTS.

15 (V) **Consumer notice requirements for first-time offenders**  
16 **and persistent drunk drivers.** A CERTIFIED IGNITION INTERLOCK  
17 MANUFACTURER SHALL PROVIDE WRITTEN INFORMATION REGARDING THE  
18 ASSISTANCE PROGRAM TO ALL CUSTOMERS:

19 (A) AT THE TIME AN INSTALLATION APPOINTMENT IS SCHEDULED;  
20 AND

21 (B) AT THE TIME THE CUSTOMER EXECUTES A DEVICE LEASE OR  
22 SERVICE AGREEMENT.

23 (VI) THE DEPARTMENT SHALL PROMINENTLY POST INFORMATION  
24 ON ITS WEBSITE DESCRIBING THE ASSISTANCE PROGRAM, INCLUDING  
25 ELIGIBILITY REQUIREMENTS AND APPLICATION INSTRUCTIONS.

26 **SECTION 2. Act subject to petition - effective date -**  
27 **applicability.** (1) This act takes effect June 1, 2027; except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the  
2 state constitution against this act or an item, section, or part of this act  
3 within the ninety-day period after final adjournment of the general  
4 assembly, then the act, item, section, or part will not take effect unless  
5 approved by the people at the general election to be held in November  
6 2026 and, in such case, will take effect June 1, 2027.

7 (2) This act applies to revocations on or after the applicable  
8 effective date of this act.