

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 21-0169.01 Yelana Love x2295

HOUSE BILL 21-1014

HOUSE SPONSORSHIP

Michaelson Jenet and Baisley,

SENATE SPONSORSHIP

Danielson,

House Committees
Transportation & Local Government
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ABILITY OF A PERSON TO VOLUNTARILY DISCLOSE**
102 **DISABILITY INFORMATION TO THE DEPARTMENT OF REVENUE,**
103 **~~AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.~~**

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 bill adds an option for a person with a disability to request that the department of revenue place a discreet disability identifier symbol on the person's driver's license or identification card. The symbol must represent all types of disabilities, such as cognitive, neurological, or physical disabilities.

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

HOUSE
Amended 2nd Reading
May 7, 2021

The bill also requires the department to collect information that the owner of a vehicle voluntarily discloses about the disability of a person who is either authorized to drive, or a regular passenger of, the registered vehicle. The department shall make this information immediately available to a peace officer who queries information about the registered vehicle.

The department is required to notify peace officers about the creation of the disability identifier symbol and the availability of information regarding the disability of a driver or passenger of a motor vehicle.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) People living with visible and invisible disabilities, including
5 cognitive disabilities, neurological diversities, mental health disorders,
6 sensory needs, chronic illness, chronic pain, and physical disabilities, are
7 equal and valuable citizens of the state of Colorado;

8 (b) According to a study published in 2016 by the Ruderman
9 Family Foundation, up to half of all people killed by police in the United
10 States have a disability, and almost all well-known cases of police
11 brutality involve a person with a disability;

12 (c) Colorado's law enforcement officers perform honorably,
13 courageously, and selflessly, and their safety remains of paramount
14 importance;

15 (d) Law enforcement officers routinely encounter people living
16 with disabilities such as neurodiversity or a mental health disorder while
17 performing their duties;

18 (e) In Colorado, there are multiple instances every year of people
19 living with disabilities such as neurodiversity or a mental health disorder
20 having force applied against them by police officers. At times it is found

1 that the use of force is excessive, unjustified, or could have been avoided.

2 (f) Law enforcement officers may not have adequate training or
3 experience identifying or interacting with people living with disabilities
4 such as neurodiversity or a mental health disorder;

5 (g) Increasing an officer's knowledge of, and comfort with,
6 interactions with people with disabilities such as neurodiversity or a
7 mental health disorder will better serve Colorado's marginalized
8 populations, as well as protect law enforcement officers while performing
9 their duties; [REDACTED]

10 (h) One way to avoid unnecessary escalation resulting from the
11 failure of law enforcement officers to identify a person with a disability
12 is by marking the person's driver's license or state identification card with
13 a simple, widely recognized symbol, such as that adopted by the Invisible
14 Disabilities Association, Inc., for this purpose, and by having disability
15 information about a driver or regular passenger attached to a vehicle
16 registration made available when law enforcement queries the vehicle's
17 registration information, which symbol will indicate that the person has
18 a disability that may result in behaviors or communications that may be
19 misinterpreted in a stressful situation; and

20 (i) By directing the department of revenue to issue drivers'
21 licenses and identification cards marked with such a symbol, the general
22 assembly hopes to eliminate or reduce the number of use-of-force
23 incidents between law enforcement officers and people with disabilities,
24 including neurodiversity or a mental health disorder.

25 **SECTION 2.** In Colorado Revised Statutes, 42-2-114, **amend**
26 (1)(b)(I); and **add** (12) as follows:

27 **42-2-114. License issued - disability identifier symbol - fees -**

1 **rules.** (1) (b) (I) ~~In the event~~ IF the department issues a driver's license
2 that contains stored information, ~~such license may include~~ THE
3 DEPARTMENT SHALL INCLUDE IN THE STORED INFORMATION only the
4 information that is specifically referenced in ~~paragraph (a) of this~~
5 **subsection (1) and** SUBSECTION (1)(a) OF THIS SECTION, that appears in
6 printed form on the face of the license issued by the department to the
7 licensee, ~~and~~ OR THAT IS any race or ethnicity information identified on
8 the application ~~pursuant to~~ UNDER section 42-2-107 (2)(a)(II); except that
9 ~~such stored information~~ THE DEPARTMENT shall not include IN THE
10 STORED INFORMATION:

11 (A) The licensee's social security number; OR
12 (B) ~~THE FACT THAT THE LICENSEE HAS REQUESTED THAT A~~
13 ~~DISABILITY IDENTIFIER SYMBOL BE PLACED ON THE LICENSEE'S DRIVER'S~~
14 ~~LICENSE IN ACCORDANCE WITH SUBSECTION (12) OF THIS SECTION.~~

15 (12) (a) (I) ~~AT AN APPLICANT'S REQUEST, THE DEPARTMENT SHALL~~
16 ~~ISSUE TO THE APPLICANT A DRIVER'S LICENSE BEARING A DISABILITY~~
17 ~~IDENTIFIER SYMBOL IF THE APPLICANT HAS A DISABILITY AS DEFINED IN~~
18 ~~THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C.~~
19 ~~SEC. 12101 ET SEQ., AND THE DISABILITY INTERFERES WITH THE PERSON'S~~
20 ~~ABILITY TO EFFECTIVELY COMMUNICATE WITH A PEACE OFFICER.~~

21 (II) ~~THE APPLICANT NEED NOT PROVIDE DOCUMENTATION THAT~~
22 ~~THE APPLICANT IS A PERSON WITH A DISABILITY TO BE ISSUED, TO RENEW,~~
23 ~~OR TO BE REISSUED A DRIVER'S LICENSE BEARING A DISABILITY IDENTIFIER~~
24 ~~SYMBOL ISSUED UNDER THIS SUBSECTION (12).~~

25 (b) ~~THE DISABILITY IDENTIFIER SYMBOL PLACED ON A DRIVER'S~~
26 ~~LICENSE IN ACCORDANCE WITH THIS SUBSECTION (12) MUST BE DISCREET~~
27 ~~AND MUST REPRESENT ALL TYPES OF DISABILITIES, INCLUDING COGNITIVE~~

1 DISABILITIES, NEUROLOGICAL DIVERSITIES, MENTAL HEALTH DISORDERS,
2 SENSORY NEEDS, CHRONIC ILLNESS, CHRONIC PAIN, AND PHYSICAL
3 DISABILITIES. THE DESIGN MUST CONFORM TO THE CURRENT STANDARDS
4 ADOPTED BY THE INVISIBLE DISABILITIES ASSOCIATION, INC., OR ITS
5 SUCCESSOR ORGANIZATION.

6 (c) THE DEPARTMENT SHALL NOT CHARGE A FEE FOR PLACING A
7 DISABILITY IDENTIFIER SYMBOL ON A DRIVER'S LICENSE.

8 (d) THE DEPARTMENT SHALL NOTIFY PEACE OFFICERS IN
9 COLORADO ABOUT THE VOLUNTARY DISABILITY IDENTIFIER SYMBOL
10 CREATED IN THIS SUBSECTION (12), NOTING THAT THE SYMBOL IS NOT THE
11 EXCLUSIVE OR ONLY DETERMINATION OF DISABILITY, AND DIRECTING
12 PEACE OFFICERS TO RELEVANT P.O.S.T. CURRICULUM RESOURCES,
13 INCLUDING TRAINING IN RECOGNIZING PERSONS WITH DISABILITIES,
14 APPROPRIATE INTERACTIONS WITH PERSONS WITH DISABILITIES,
15 RESOURCES AVAILABLE TO PERSONS WITH DISABILITIES AND TO THOSE
16 INTERACTING WITH PERSONS WITH DISABILITIES, AND THE REQUIREMENTS
17 OF THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42
18 U.S.C. SEC. 12101 ET SEQ., AS AMENDED.

19 (e) A PERSON MAY CHOOSE TO NO LONGER HAVE THE DISABILITY
20 IDENTIFIER SYMBOL ON THE PERSON'S DRIVER'S LICENSE. THE
21 DEPARTMENT SHALL ISSUE A PERSON A NEW DRIVER'S LICENSE WITHOUT
22 A DISABILITY IDENTIFIER SYMBOL AT THE REQUEST OF THE PERSON. THE
23 DEPARTMENT SHALL NOT CHARGE A FEE FOR THE ISSUANCE OF A NEW
24 DRIVER'S LICENSE WITHOUT THE DISABILITY IDENTIFIER SYMBOL. THE
25 DEPARTMENT SHALL NOT RETAIN ANY INFORMATION REGARDING A
26 PERSON'S DISABILITY WHEN THE PERSON CHOOSES TO REMOVE THE
27 DISABILITY IDENTIFIER SYMBOL FROM THE PERSON'S DRIVER'S LICENSE.

1 (f) BY JANUARY 15, 2023, AND EACH YEAR THEREAFTER, THE
2 DEPARTMENT SHALL REPORT TO THE HOUSE OF REPRESENTATIVES HEALTH
3 AND INSURANCE COMMITTEE AND TRANSPORTATION AND LOCAL
4 GOVERNMENT COMMITTEE AND THE SENATE HEALTH AND HUMAN
5 SERVICES COMMITTEE AND TRANSPORTATION AND ENERGY COMMITTEE,
6 OR THEIR SUCCESSOR COMMITTEES, ON THE PERCENTAGE OF PERSONS
7 ISSUED A DRIVER'S LICENSE WHO HAVE REQUESTED A DISABILITY
8 IDENTIFIER SYMBOL ISSUED IN ACCORDANCE WITH THIS SUBSECTION (12)
9 IN THE PREVIOUS CALENDAR YEAR.

10 **SECTION 3.** In Colorado Revised Statutes, 42-2-303, **amend**
11 (1)(b)(I); and **add** (6) as follows:

12 **42-2-303. Contents of identification card - disability identifier**
13 **symbol.** (1) (b) (I) ~~In the event~~ IF the department issues an identification
14 card that contains stored information, ~~such card may include~~ THE
15 DEPARTMENT SHALL INCLUDE IN THE STORED INFORMATION only the
16 information that is specifically referenced in ~~paragraph (a) of this~~
17 subsection ~~(1), and~~ SUBSECTION (1)(a) OF THIS SECTION, that appears in
18 printed form on the face of the card issued by the department to the
19 registrant, ~~and~~ OR THAT IS any race or ethnicity information identified on
20 an application ~~pursuant to~~ UNDER section 42-2-302 (1)(a)(VI); except that
21 ~~such stored information~~ THE DEPARTMENT shall not include IN THE
22 STORED INFORMATION:

23 (A) The registrant's social security number; OR
24 (B) THE FACT THAT THE REGISTRANT HAS REQUESTED THAT A
25 DISABILITY IDENTIFIER SYMBOL BE PLACED ON THE REGISTRANT'S
26 IDENTIFICATION CARD IN ACCORDANCE WITH SUBSECTION (6) OF THIS
27 SECTION.

11 (b) THE DISABILITY IDENTIFIER SYMBOL PLACED ON AN
12 IDENTIFICATION CARD IN ACCORDANCE WITH THIS SUBSECTION (6) MUST
13 BE DISCREET AND MUST REPRESENT ALL TYPES OF DISABILITIES,
14 INCLUDING COGNITIVE DISABILITIES, NEUROLOGICAL DIVERSITIES, MENTAL
15 HEALTH DISORDERS, SENSORY NEEDS, CHRONIC ILLNESS, CHRONIC PAIN,
16 AND PHYSICAL DISABILITIES. THE DESIGN MUST CONFORM TO THE
17 CURRENT STANDARDS ADOPTED BY THE INVISIBLE DISABILITIES
18 ASSOCIATION, INC., OR ITS SUCCESSOR ORGANIZATION.

19 (c) THE DEPARTMENT SHALL NOT CHARGE A FEE FOR PLACING A
20 DISABILITY IDENTIFIER SYMBOL ON AN IDENTIFICATION CARD.

21 (d) THE DEPARTMENT SHALL NOTIFY PEACE OFFICERS IN
22 COLORADO ABOUT THE VOLUNTARY DISABILITY IDENTIFIER SYMBOL
23 CREATED IN THIS SUBSECTION (6), NOTING THAT THE SYMBOL IS NOT THE
24 EXCLUSIVE OR ONLY DETERMINATION OF DISABILITY, AND DIRECTING
25 PEACE OFFICERS TO RELEVANT P.O.S.T. CURRICULUM RESOURCES,
26 INCLUDING TRAINING IN RECOGNIZING PERSONS WITH DISABILITIES,
27 APPROPRIATE INTERACTIONS WITH PERSONS WITH DISABILITIES,

1 RESOURCES AVAILABLE TO PERSONS WITH DISABILITIES AND TO THOSE
2 INTERACTING WITH PERSONS WITH DISABILITIES, AND THE REQUIREMENTS
3 OF THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42
4 U.S.C. SEC. 12101 ET SEQ., AS AMENDED.

5 (e) A PERSON MAY CHOOSE TO NO LONGER HAVE THE DISABILITY
6 IDENTIFIER SYMBOL ON THE PERSON'S IDENTIFICATION CARD. THE
7 DEPARTMENT SHALL ISSUE A PERSON A NEW IDENTIFICATION CARD
8 WITHOUT A DISABILITY IDENTIFIER SYMBOL AT THE REQUEST OF THE
9 PERSON. THE DEPARTMENT SHALL NOT CHARGE A FEE FOR THE ISSUANCE
10 OF A NEW IDENTIFICATION CARD WITHOUT THE DISABILITY IDENTIFIER
11 SYMBOL. THE DEPARTMENT SHALL NOT RETAIN ANY INFORMATION
12 REGARDING A PERSON'S DISABILITY WHEN THE PERSON CHOOSES TO
13 REMOVE THE DISABILITY IDENTIFIER SYMBOL FROM THE PERSON'S
14 IDENTIFICATION CARD.

15 (f) BY JANUARY 15, 2023, AND EACH YEAR THEREAFTER, THE
16 DEPARTMENT SHALL REPORT TO THE HOUSE OF REPRESENTATIVES HEALTH
17 AND INSURANCE COMMITTEE AND TRANSPORTATION AND LOCAL
18 GOVERNMENT COMMITTEE AND THE SENATE HEALTH AND HUMAN
19 SERVICES COMMITTEE AND TRANSPORTATION AND ENERGY COMMITTEE,
20 OR THEIR SUCCESSOR COMMITTEES, ON THE PERCENTAGE OF PERSONS
21 ISSUED AN IDENTIFICATION CARD WHO HAVE REQUESTED A DISABILITY
22 IDENTIFIER SYMBOL ISSUED IN ACCORDANCE WITH THIS SUBSECTION (6) IN
23 THE PREVIOUS CALENDAR YEAR.

24 **SECTION 4.** In Colorado Revised Statutes, 42-3-113, **add (9.5)**
25 as follows:

26 **42-3-113. Records of application and registration - disability**
27 **of a driver - definitions.** (9.5) (a) WHEN REGISTERING OR RENEWING THE

1 REGISTRATION OF A VEHICLE PURSUANT TO THIS SECTION, THE
2 DEPARTMENT SHALL COLLECT INFORMATION THAT THE OWNER OF A
3 VEHICLE VOLUNTARILY DISCLOSES ABOUT THE DISABILITY OF A PERSON
4 WHO IS EITHER AUTHORIZED TO DRIVE, OR A REGULAR PASSENGER OF, THE
5 REGISTERED VEHICLE FOR A PERSON WHO HAS A DISABILITY AS DEFINED IN
6 THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C.
7 SEC. 12101 ET SEQ., AND THE DISABILITY INTERFERES WITH THE PERSON'S
8 ABILITY TO EFFECTIVELY COMMUNICATE WITH A PEACE OFFICER. THE
9 DEPARTMENT SHALL MAKE THIS INFORMATION IMMEDIATELY AVAILABLE
10 TO A PEACE OFFICER WHO QUERIES INFORMATION ABOUT THE REGISTERED
11 VEHICLE.

12 (b) THE DEPARTMENT SHALL NOT CHARGE A FEE FOR COLLECTING
13 OR MAKING THIS INFORMATION AVAILABLE TO PEACE OFFICERS.

14 [REDACTED]

15 (c) AN OWNER OF A VEHICLE MAY CHOOSE TO NO LONGER HAVE
16 THE INFORMATION REGARDING A DISABILITY AVAILABLE TO A PEACE
17 OFFICER WHO QUERIES THE VEHICLE REGISTRATION. AT AN OWNER'S
18 REQUEST, THE DEPARTMENT SHALL REMOVE THE DISABILITY INFORMATION
19 ATTACHED TO THE OWNER'S VEHICLE REGISTRATION. THE DEPARTMENT
20 SHALL NOT RETAIN ANY DISABILITY INFORMATION FOR AN OWNER WHO
21 CHOOSES TO REMOVE DISABILITY INFORMATION FROM THE OWNER'S
22 VEHICLE REGISTRATION.

23 (d) BY JANUARY 15, 2023, AND EACH YEAR THEREAFTER, THE
24 DEPARTMENT SHALL REPORT TO THE HOUSE OF REPRESENTATIVES HEALTH
25 AND INSURANCE COMMITTEE AND TRANSPORTATION AND LOCAL
26 GOVERNMENT COMMITTEE AND THE SENATE HEALTH AND HUMAN
27 SERVICES COMMITTEE AND TRANSPORTATION AND ENERGY COMMITTEE,

1 OR THEIR SUCCESSOR COMMITTEES, ON THE PERCENTAGE OF PERSONS
2 REGISTERING A VEHICLE WHO HAVE DISCLOSED DISABILITY INFORMATION
3 IN ACCORDANCE WITH THIS SUBSECTION (9) IN THE PREVIOUS CALENDAR
4 YEAR.

5 **SECTION 5. Appropriation.** (1) For the 2021-22 state fiscal
6 year, \$83,100 is appropriated to the department of revenue. This
7 appropriation is from the general fund. To implement this act, the
8 department may use this appropriation as follows:

9 (a) \$53,100 for use by the division of motor vehicles for DRIVES
10 maintenance and support; and

11 (b) \$30,000 for the purchase of information technology services.

12 (2) For the 2021-22 state fiscal year, \$30,000 is appropriated to
13 the office of the governor for use by the office of information technology.
14 This appropriation is from reappropriated funds received from the
15 department of revenue under subsection (1)(b) of this section. To
16 implement this act, the office may use this appropriation to provide
17 information technology services for the department of revenue.

18 **SECTION 6. Act subject to petition - effective date.** This act
19 takes effect July 1, 2022; except that, if a referendum petition is filed
20 pursuant to section 1 (3) of article V of the state constitution against this
21 act or an item, section, or part of this act within such period, then the act,
22 item, section, or part will not take effect unless approved by the people
23 at the general election to be held in November 2022 and, in such case,
24 will take effect on the date of the official declaration of the vote thereon
25 by the governor.