

CHAPTER 201

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 26-1242

BY REPRESENTATIVE(S) Paschal and Jackson, Boesenecker, Clifford, Duran, Froelich, Lindsay, Marshall, Nguyen, Rutinel, Sirota;
also SENATOR(S) Roberts and Carson, Ball, Benavidez, Cutter, Kipp, Lindstedt, Marchman.

AN ACT

CONCERNING INTERLOCK-RESTRICTED LICENSE REQUIREMENTS FOR IMPAIRED DRIVERS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

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

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

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

(c) A PERSON WHOSE PRIVILEGE TO DRIVE WAS REVOKED FOR A CONVICTION FOR DUI OR DUI PER SE PURSUANT TO SECTION 42-2-125 (1)(b.5) OR FOR EXCESS BAC 0.08 PURSUANT TO SECTION 42-2-126 (3)(a)(I) FOR A FIRST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

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

(a) (I) A person whose privilege to drive has been revoked for one year or more because of a DUI, DUI per se, or DWAI conviction or has been revoked for one

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

year or more for excess BAC pursuant to section 42-2-126 may apply for an early reinstatement with an interlock-restricted license pursuant to this section at any time; except that a person who is less than twenty-one years of age OLD at the time of the offense may not apply for early reinstatement until the person's license has been revoked for one year. A person whose privilege to drive has been revoked for one year or more because of a refusal may apply for an early reinstatement with an interlock-restricted license pursuant to this section; ~~after the person's privilege to drive has been revoked for two months;~~ except that a person who is less than twenty-one years of age OLD at the time of the offense may not apply for early reinstatement until the person's license has been revoked for one year. Except for first-time offenders as provided in subsection (4)(a)(II) of this section or for persistent drunk drivers as provided in subsection (3) of this section, the restrictions imposed pursuant to this section remain in effect for the longer of one year or the total time period remaining on the license restraint prior to early reinstatement.

(II) (C) Financial assistance for first-time offenders and persistent drunk drivers. The department shall establish a program to assist persons who apply for an interlock-restricted license pursuant to this ~~subparagraph (II)~~ SUBSECTION (4)(a)(II) or pursuant to ~~subparagraph (I) of paragraph (a) of this subsection (4)~~ SUBSECTION (4)(a)(I) OF THIS SECTION and who are unable to pay the full cost of an approved ignition interlock device. ~~The program shall be funded from the first time drunk driving offender account in the highway users tax fund established pursuant to section 42-2-132 (4)(b)(II).~~ A PERSON IS ELIGIBLE TO PARTICIPATE IN THE PROGRAM IF THE PERSON SHOWS PROOF OF ENROLLMENT IN A JURISDICTIONAL OR FEDERAL PUBLIC ASSISTANCE PROGRAM; THE PERSON'S INCOME DOES NOT EXCEED ONE HUNDRED FIFTY PERCENT OF THE FEDERAL POVERTY LEVEL, AS DETERMINED BY THE MOST CURRENT FEDERAL POVERTY GUIDELINES ISSUED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; OR THE PERSON SATISFIES ELIGIBILITY CRITERIA ESTABLISHED BY THE DEPARTMENT THAT IS BASED ON A DETERMINATION OF WHETHER A PERSON'S AVAILABLE DISCRETIONARY INCOME MAKES IT IMPRACTICAL FOR THE PERSON TO AFFORD THE INTERLOCK DEVICE. THE DEPARTMENT MAY APPROVE ADDITIONAL FORMS OF INCOME VERIFICATION.

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

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

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

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

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

(II) A PERSON RECEIVING FINANCIAL ASSISTANCE PURSUANT TO SUBSECTION (4)(a)(II)(C) OF THIS SECTION MUST NOT RECEIVE A DISCOUNT FOR FEES OR COSTS ASSOCIATED WITH PROGRAM VIOLATIONS, NONCOMPLIANCE, MISSED APPOINTMENTS, LOCKOUTS, OR OTHER ADMINISTRATIVE OR SERVICE FEES.

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

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

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

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

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

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

SECTION 2. Appropriation. (1) For the 2026-27 state fiscal year, \$15,225 is appropriated to the department of revenue. This appropriation is from the Colorado DRIVES vehicle services account in the highway users tax fund created in section 42-1-211 (2)(a), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) \$11,700 for DRIVES maintenance and support;

(b) \$943 for use by the division of motor vehicles for personal services related to vehicle services;

(c) \$1,394 for use by the executive director's office for personal services related to administration and support; and

(d) \$1,188 for payments to OIT.

SECTION 3. Act subject to petition - effective date - applicability. (1) This act takes effect June 1, 2027; 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 the ninety-day period after final adjournment of the general assembly, 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 2026 and, in such case, will take effect June 1, 2027.

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

Approved: May 28, 2026