

An Act

HOUSE BILL 23-1147

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also SENATOR(S) Winter F., Ginal, Hinrichsen, Jaquez Lewis, Moreno, Priola.

CONCERNING PROVISIONS RELATING TO THE ADEQUATE TRAINING OF MOTOR VEHICLE DRIVERS, AND, IN CONNECTION THEREWITH, CREATING AN ENTERPRISE TO EDUCATE POTENTIAL DRIVERS, PROVIDING TRANSLATION SERVICES FOR DRIVING EXAMINATIONS, AND IMPOSING A FEE ON INSTRUCTION PERMITS AND DRIVER'S LICENSES.

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

SECTION 1. In Colorado Revised Statutes, 42-2-104, **amend** (4)(a); **repeal** (5); and **add** (5.5) as follows:

42-2-104. Licenses issued - denied. (4) (a) The department shall not issue a driver's license, including a temporary driver's license under section ~~42-2-106 (2)~~ 42-2-106 (5), to a person under eighteen years of age unless the person has:

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.

(I) Applied for, been issued, and possessed an appropriate instruction permit for at least twelve months; and

(II) Submitted a log or other written evidence on a standardized form approved by the department certifying that the person has completed not less than fifty hours of actual driving experience WITH A DRIVING SUPERVISOR LISTED IN SECTION 42-2-106 (2)(b), (2)(c), OR (2)(e), of which not less than ten hours must have been completed while driving at night. ~~which~~ THE form is MUST BE signed by:

(A) The person's parent or guardian or by a ANOTHER responsible adult;

(B) The instructor of a ~~driver's~~ DRIVER education course approved by the department; or

(C) Any individual who is twenty-one years of age or older, who holds a valid driver's license, and who instructed the applicant if the applicant is a foster child.

(III) SUCCESSFULLY COMPLETED A THIRTY-HOUR DRIVER EDUCATION COURSE, WHICH MAY BE COMPLETED ONLINE, THAT IS APPROVED BY THE DEPARTMENT; AND

(IV) RECEIVED A MINIMUM OF:

(A) SIX HOURS OF BEHIND-THE-WHEEL DRIVING TRAINING WITH A DRIVING INSTRUCTOR EMPLOYED BY OR ASSOCIATED WITH A DRIVER EDUCATION COURSE THAT IS APPROVED BY THE DEPARTMENT; OR

(B) TWELVE HOURS OF BEHIND-THE-WHEEL DRIVING TRAINING DIRECTED BY A PARENT, A LEGAL GUARDIAN, OR AN ALTERNATE PERMIT SUPERVISOR APPOINTED IN ACCORDANCE WITH SECTION 42-2-106 (2)(e)(I).

(5) ~~The department shall not issue a driver's license to a person under sixteen years and six months of age unless the person has either:~~

~~(a) Received a minimum of twelve hours of driving-behind-the-wheel training directed by a parent, a legal guardian, or~~

~~an alternate permit supervisor, which training shall be in addition to the driving experience required by subsection (4) of this section, if no entity offers approved behind-the-wheel driver training at least twenty hours a week from a permanent location with an address that is within thirty miles of the permit holder's residence; or~~

~~(b) Received a minimum of six hours of driving-behind-the-wheel training with a driving instructor employed or associated with an approved driver education course.~~

(5.5) THE DEPARTMENT SHALL NOT ISSUE A DRIVER'S LICENSE, INCLUDING A TEMPORARY DRIVER'S LICENSE UNDER SECTION 42-2-106 (5), TO A PERSON WHO IS EIGHTEEN YEARS OF AGE OR OLDER AND UNDER TWENTY-ONE YEARS OF AGE UNLESS THE PERSON:

(a) HAS BEEN ISSUED A DRIVER'S LICENSE FROM ANOTHER JURISDICTION; OR

(b) HAS SUCCESSFULLY COMPLETED A FOUR-HOUR PREQUALIFICATION DRIVER AWARENESS PROGRAM THAT IS APPROVED BY THE DEPARTMENT OR A THIRTY-HOUR DRIVER EDUCATION COURSE THAT IS APPROVED BY THE DEPARTMENT.

SECTION 2. In Colorado Revised Statutes, **repeal and reenact, with amendments**, 42-2-106 as follows:

42-2-106. Instruction permits and temporary licenses - penalty.

(1) (a) THE DEPARTMENT SHALL ISSUE AN INSTRUCTION PERMIT TO A MINOR WHO IS FIFTEEN YEARS OF AGE OR OLDER AND UNDER TWENTY-ONE YEARS OF AGE AND WHO:

(I) HAS SUCCESSFULLY COMPLETED, WITHIN THE PREVIOUS SIX MONTHS, A THIRTY-HOUR DRIVER EDUCATION COURSE THAT IS APPROVED BY THE DEPARTMENT; AND

(II) MEETS THE REQUIREMENTS TO BE ISSUED AN INSTRUCTION PERMIT IN ACCORDANCE WITH SECTIONS 42-2-107 AND 42-2-108.

(b) THE DEPARTMENT SHALL ISSUE AN INSTRUCTION PERMIT TO A MINOR WHO IS EIGHTEEN YEARS OF AGE OR OLDER AND WHO:

(I) HAS SUCCESSFULLY COMPLETED A THIRTY-HOUR DRIVER EDUCATION COURSE THAT IS APPROVED BY THE DEPARTMENT OR A FOUR-HOUR PREQUALIFICATION DRIVER AWARENESS PROGRAM THAT IS APPROVED BY THE DEPARTMENT; AND

(II) QUALIFIES FOR AN INSTRUCTION PERMIT IN ACCORDANCE WITH SECTIONS 42-2-107 AND 42-2-108.

(c) THE DEPARTMENT SHALL ISSUE AN INSTRUCTION PERMIT TO A MINOR WHO IS QUALIFIED UNDER SUBSECTION (1)(a) OR (1)(b) OF THIS SECTION AND WHO HAS A DISABILITY THAT REQUIRES THE PERSON TO USE A SPECIAL VEHICLE OR THAT QUALIFIES THE MINOR FOR PARKING PRIVILEGES UNDER SECTION 42-3-204, BUT THE DEPARTMENT MAY SET ADDITIONAL REASONABLE REQUIREMENTS ON THE USE OF THE INSTRUCTION PERMIT.

(2) (a) AN INSTRUCTION PERMIT ENTITLES THE HOLDER TO DRIVE A MOTOR VEHICLE ON A ROADWAY IF THE MINOR COMPLIES WITH SUBSECTION (2)(b) OF THIS SECTION.

(b) EXCEPT AS PROVIDED IN SUBSECTION (2)(c), (2)(d), OR (2)(e) OF THIS SECTION, AN INSTRUCTION PERMIT HOLDER SHALL NOT DRIVE A MOTOR VEHICLE ON A ROADWAY UNLESS:

(I) THE PERMIT IS IN THE HOLDER'S IMMEDIATE POSSESSION; AND

(II) ONE OF THE FOLLOWING PERSONS WHO HOLDS A VALID DRIVER'S LICENSE IS SUPERVISING THE PERMIT HOLDER FROM THE FRONT PASSENGER SEAT OR, IF THE MOTOR VEHICLE IS A MOTORCYCLE, IN CLOSE PROXIMITY TO WHERE THE PERMIT HOLDER IS DRIVING:

(A) THE MINOR'S PARENT OR STEPPARENT;

(B) THE MINOR'S GRANDPARENT WITH POWER OF ATTORNEY;

(C) THE GUARDIAN WHO SIGNED THE AFFIDAVIT OF LIABILITY;

(D) THE FOSTER PARENT WHO SIGNED THE AFFIDAVIT OF LIABILITY;

(E) AN APPROVED DRIVER EDUCATION INSTRUCTOR IF THE MOTOR VEHICLE COMPLIES WITH SECTION 42-2-602;

(F) A PERSON AUTHORIZED TO SUPERVISE A FOSTER CHILD IN SUBSECTION (2)(c) OF THIS SECTION;

(G) AN ALTERNATE PERMIT SUPERVISOR APPOINTED IN ACCORDANCE WITH SUBSECTION (2)(e)(I) OF THIS SECTION; OR

(H) THE PERSON WHO SIGNED THE AFFIDAVIT OF LIABILITY.

(c) NOTWITHSTANDING SUBSECTION (2)(d) OF THIS SECTION, A FOSTER CHILD MAY DRIVE WITH AND FULFILL THE FIFTY-HOUR DRIVING REQUIREMENT ESTABLISHED IN SECTION 42-2-104 (4)(a)(II) WITH ANY PERSON WHO:

(I) HOLDS A VALID DRIVER'S LICENSE;

(II) IS TWENTY-ONE YEARS OF AGE OR OLDER; AND

(III) OCCUPIES THE FRONT PASSENGER SEAT, IN CLOSE PROXIMITY TO THE FOSTER CHILD, FOR THE PURPOSES OF INSTRUCTION.

(d) THE PARENT, STEPPARENT, GRANDPARENT WITH POWER OF ATTORNEY, GUARDIAN WHO SIGNED THE AFFIDAVIT OF LIABILITY, OR FOSTER PARENT WHO SIGNED THE AFFIDAVIT OF LIABILITY MAY ALLOW THE MINOR TO DRIVE WITH AN INDIVIDUAL WHO HOLDS A VALID DRIVER'S LICENSE AND IS TWENTY-ONE YEARS OF AGE OR OLDER FOR ADDITIONAL DRIVING EXPERIENCE, BUT THE ADDITIONAL DRIVING EXPERIENCE DOES NOT COUNT TOWARD THE FIFTY-HOUR DRIVING REQUIREMENT ESTABLISHED IN SECTION 42-2-104 (4)(a)(II).

(e) (I) IF THE PARENT, STEPPARENT, GRANDPARENT WITH POWER OF ATTORNEY, GUARDIAN WHO COSIGNED THE APPLICATION FOR THE MINOR'S INSTRUCTION PERMIT, OR FOSTER PARENT WHO COSIGNED THE APPLICATION FOR THE MINOR'S INSTRUCTION PERMIT DOES NOT HAVE A COLORADO DRIVER'S LICENSE, THE PERSON MAY APPOINT AN ALTERNATE PERMIT SUPERVISOR WHO HOLDS A COLORADO DRIVER'S LICENSE.

(II) IF THE PARENT, STEPPARENT, GRANDPARENT WITH POWER OF ATTORNEY, GUARDIAN WHO COSIGNED THE APPLICATION FOR THE MINOR'S INSTRUCTION PERMIT, OR FOSTER PARENT WHO COSIGNED THE APPLICATION FOR THE MINOR'S INSTRUCTION PERMIT IS IN THE UNITED STATES MILITARY

AND DOES NOT HAVE A COLORADO DRIVER'S LICENSE, THE PERSON MAY SUPERVISE THE INSTRUCTION PERMIT HOLDER IF THE PERSON HOLDS A VALID DRIVER'S LICENSE FROM ANOTHER STATE, IS AUTHORIZED TO DRIVE A MOTOR VEHICLE OR MOTORCYCLE, AND HAS PROPER MILITARY IDENTIFICATION.

(3) TO BE AN APPROVED DRIVING INSTRUCTOR, THE INSTRUCTOR MUST HAVE A VALID DRIVER'S LICENSE. TO BE AN APPROVED DRIVING INSTRUCTOR WHO GIVES INSTRUCTION IN MOTORCYCLES, THE INSTRUCTOR MUST HAVE A VALID MOTORCYCLE DRIVER'S LICENSE OR ENDORSEMENT AND HAVE SUCCESSFULLY COMPLETED AN INSTRUCTION PROGRAM IN MOTORCYCLE SAFETY THAT IS APPROVED BY THE COLORADO STATE PATROL.

(4) AN INSTRUCTION PERMIT EXPIRES THREE YEARS AFTER THE DATE OF ISSUANCE; EXCEPT THAT A TEMPORARY INSTRUCTION PERMIT TO DRIVE A COMMERCIAL MOTOR VEHICLE, AS DEFINED IN SECTION 42-2-402 (4), EXPIRES ONE YEAR AFTER THE DATE OF ISSUANCE.

(5) (a) THE DEPARTMENT, IN ITS DISCRETION, MAY ISSUE A TEMPORARY MINOR DRIVER'S LICENSE OR TEMPORARY DRIVER'S LICENSE TO AN APPLICANT WHO IS NOT A FIRST-TIME APPLICANT IN COLORADO OR WHO IS UNDER EIGHTEEN YEARS OF AGE AND IS ACCOMPANIED BY A PERSON WHO SIGNS AN AFFIDAVIT OF LIABILITY IN ACCORDANCE WITH SECTION 42-2-108 (1) THAT WILL PERMIT THE APPLICANT TO OPERATE A MOTOR VEHICLE WHILE THE DEPARTMENT COMPLETES ITS VERIFICATION OF ALL FACTS RELATIVE TO THE APPLICANT'S RIGHT TO RECEIVE A MINOR DRIVER'S LICENSE OR DRIVER'S LICENSE.

(b) THE DEPARTMENT SHALL ISSUE A TEMPORARY MINOR DRIVER'S LICENSE OR TEMPORARY DRIVER'S LICENSE TO A FIRST-TIME APPLICANT IN COLORADO FOR A MINOR DRIVER'S LICENSE OR DRIVER'S LICENSE THAT WILL PERMIT THE APPLICANT TO OPERATE A MOTOR VEHICLE WHILE THE DEPARTMENT COMPLETES ITS VERIFICATION OF ALL FACTS RELATIVE TO THE APPLICANT'S RIGHT TO RECEIVE A MINOR DRIVER'S LICENSE OR DRIVER'S LICENSE, INCLUDING THE AGE, IDENTITY, AND RESIDENCY OF THE APPLICANT, UNLESS THE APPLICANT IS UNDER EIGHTEEN YEARS OF AGE AND IS ACCOMPANIED BY A PERSON WHO SIGNS AN AFFIDAVIT OF LIABILITY IN ACCORDANCE WITH SECTION 42-2-108 (1). THE VERIFICATION MUST INCLUDE A COMPARISON OF EXISTING DRIVER'S LICENSE AND IDENTIFICATION CARD IMAGES IN DEPARTMENT FILES WITH THE APPLICANT'S IMAGES TO ENSURE THE APPLICANT HAS ONLY ONE IDENTITY.

(c) A TEMPORARY DRIVER'S LICENSE OR TEMPORARY MINOR DRIVER'S LICENSE IS VALID FOR UP TO ONE YEAR AS DETERMINED BY THE DEPARTMENT, UNLESS EXTENDED BY THE DEPARTMENT, AND MUST BE IN THE APPLICANT'S IMMEDIATE POSSESSION WHILE OPERATING A MOTOR VEHICLE. A TEMPORARY DRIVER'S LICENSE OR TEMPORARY MINOR DRIVER'S LICENSE IMMEDIATELY BECOMES INVALID WHEN THE PERMANENT DRIVER'S LICENSE HAS BEEN ISSUED OR HAS BEEN REFUSED FOR GOOD CAUSE.

(6) A PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS A TRAFFIC INFRACTION.

SECTION 3. In Colorado Revised Statutes, 42-2-107, **amend** (1)(a)(II) as follows:

42-2-107. Application for license or instruction permit - anatomical gifts - donations to Emily Keyes - John W. Buckner organ and tissue donation awareness fund - legislative declaration - rules - annual report - repeal. (1) (a) (II) If an applicant is applying for an instruction permit, ~~or driver's LICENSE~~, or minor driver's license for the first time in Colorado and the applicant otherwise meets the requirements for such license or permit, the applicant shall receive a temporary license, TEMPORARY MINOR DRIVER'S LICENSE, or instruction permit pursuant to section ~~42-2-106 (2)~~ 42-2-106 (5) until the department verifies all facts relative to ~~such~~ THE applicant's right to receive an instruction permit, ~~or~~ minor driver's LICENSE, or driver's license, including the age, identity, and residency of the applicant.

SECTION 4. In Colorado Revised Statutes, 42-2-114.5, **amend** (2) introductory portion; and **add** (8) as follows:

42-2-114.5. Fees for driver's licenses, identification cards, and related services - crediting to DRIVES account - fee-setting procedures - rules - repeal. (2) Except as provided in ~~subsection (3)~~ SUBSECTIONS (3) AND (8) of this section, the following fees must be paid for the following functions:

(8) ON AND AFTER JULY 1, 2025, THE DEPARTMENT SHALL NOT COLLECT THE EXAMINATION FEE IMPOSED IN SUBSECTION (2)(e) OF THIS SECTION UNLESS THE DEPARTMENT ADMINISTERS THE DRIVING EXAMINATION THAT IS BEING RETAKEN.

SECTION 5. In Colorado Revised Statutes, **add 42-2-605** as follows:

42-2-605. Criminal history of commercial driving instructors - rules - definition. (1) A COMMERCIAL DRIVING INSTRUCTOR SHALL NOT PROVIDE, AND A COMMERCIAL DRIVING SCHOOL SHALL NOT EMPLOY A COMMERCIAL DRIVING INSTRUCTOR TO PROVIDE, DRIVING INSTRUCTION TO A MINOR OR AT-RISK ADULT IF THE COMMERCIAL DRIVING INSTRUCTOR HAS BEEN, WITHIN THE LAST TWENTY YEARS, CONVICTED OF OR PLEAD GUILTY OR NOLO CONTENDERE TO:

(a) A CRIMINAL VIOLATION OF ARTICLE 3; PART 4 OR 8 OF ARTICLE 6; ARTICLE 6.5; OR PART 4, 5, OR 8 OF ARTICLE 7 OF TITLE 18;

(b) ANY OTHER CRIME THAT THE DEPARTMENT DETERMINES, BY RULE, PLACES A MINOR OR AT-RISK ADULT AT RISK OF SEXUAL MISCONDUCT OR VIOLENCE WHEN WITH THE COMMERCIAL DRIVING INSTRUCTOR; OR

(c) A CRIMINAL VIOLATION OF ARTICLE 2 OF TITLE 18, THE BASIS OF WHICH IS AN OFFENSE LISTED IN SUBSECTION (1)(a) OR (1)(b) OF THIS SECTION.

(2) (a) A COMMERCIAL DRIVING SCHOOL SHALL NOT EMPLOY OR AUTHORIZE A COMMERCIAL DRIVING INSTRUCTOR TO PROVIDE DRIVING INSTRUCTION TO A MINOR OR AT-RISK ADULT UNLESS THE COMMERCIAL DRIVING INSTRUCTOR HAS OBTAINED A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK IN ACCORDANCE WITH SUBSECTION (2)(b) OF THIS SECTION; EXCEPT THAT A COMMERCIAL DRIVING INSTRUCTOR MAY PROVIDE DRIVING INSTRUCTION ON A PROBATIONARY BASIS WHILE THE RESULTS OF THE RECORD CHECK ARE PENDING. THE COMMERCIAL DRIVING SCHOOL SHALL SUBMIT TO THE DEPARTMENT THE NAME OF EACH COMMERCIAL DRIVING INSTRUCTOR THAT IT INTENDS TO EMPLOY OR TO AUTHORIZE TO PROVIDE DRIVING INSTRUCTION TO MINORS OR AT-RISK ADULTS.

(b) A COMMERCIAL DRIVING SCHOOL SHALL REQUIRE EACH COMMERCIAL DRIVING INSTRUCTOR WHO PROVIDES DRIVING INSTRUCTION TO MINORS OR AT-RISK ADULTS TO SUBMIT A COMPLETE SET OF FINGERPRINTS TO A LOCAL LAW ENFORCEMENT AGENCY. THE LAW ENFORCEMENT AGENCY SHALL SUBMIT THE FINGERPRINTS TO THE COLORADO BUREAU OF INVESTIGATION FOR THE PURPOSE OF CONDUCTING

A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK. THE COLORADO BUREAU OF INVESTIGATION SHALL FORWARD THE FINGERPRINTS TO THE FEDERAL BUREAU OF INVESTIGATION FOR THE PURPOSE OF CONDUCTING A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK. THE COLORADO BUREAU OF INVESTIGATION SHALL FORWARD THE RESULTS TO THE COMMERCIAL DRIVING SCHOOL. THE COMMERCIAL DRIVING SCHOOL MAY ACQUIRE A NAME-BASED JUDICIAL RECORD CHECK FOR A COMMERCIAL DRIVING INSTRUCTOR WHO HAS TWICE SUBMITTED TO A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK AND WHOSE FINGERPRINTS ARE UNCLASSIFIABLE. THE COMMERCIAL DRIVING SCHOOL SHALL NOTIFY THE DEPARTMENT OF ANY CRIMINAL CONVICTION OR PLEA OF GUILTY OR NOLO CONTENDERE THAT DISQUALIFIES THE COMMERCIAL DRIVING INSTRUCTOR FROM PROVIDING INSTRUCTION IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION. THE COMMERCIAL DRIVING INSTRUCTOR SHALL PAY THE COSTS ASSOCIATED WITH THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK TO THE COLORADO BUREAU OF INVESTIGATION.

(3) AS USED IN THIS SECTION, "AT-RISK ADULT" HAS THE MEANING SET FORTH IN SECTION 18-6.5-102 (2).

(4) (a) THIS SECTION TAKES EFFECT JULY 1, 2025.

(b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 6. In Colorado Revised Statutes, **add** part 7 to article 2 of title 42 as follows:

PART 7
AFFORDABLE DRIVER EDUCATION
PROGRAM TESTING

42-2-701. Short title. THE SHORT TITLE OF THIS PART 7 IS THE "DRIVER EDUCATION VOUCHER PROGRAM ACT".

42-2-702. Legislative declaration. (1) THE GENERAL ASSEMBLY DECLARES THAT:

(a) THE STATE HAS AN INTEREST IN:

(I) ENSURING DRIVERS ARE APPROPRIATELY TRAINED TO ENSURE THEY ARE ABLE TO SAFELY OPERATE MOTOR VEHICLES ON STATE

ROADWAYS, AND REQUIRING ALL INDIVIDUALS UNDER TWENTY-ONE YEARS OF AGE TO COMPLETE A DRIVER EDUCATION COURSE OR DRIVER AWARENESS PROGRAM BEFORE OBTAINING A DRIVER'S LICENSE TO PROTECT ALL DRIVERS ON THE STATE ROADWAYS; AND

(II) REDUCING FINANCIAL BARRIERS THAT AFFECT THE ABILITY OF SOME APPLICANTS TO OBTAIN DRIVER'S LICENSES;

(b) IN AREAS OF THE STATE THAT DO NOT HAVE PUBLIC TRANSPORTATION, BARRIERS TO OBTAINING A DRIVER'S LICENSE CAN INCREASE THE NUMBER OF UNLICENSED DRIVERS ON THE ROADS, MAKING COLORADO'S ROADS LESS SAFE FOR EVERYONE, AND CAN INCREASE THE NUMBER OF UNINSURED DRIVERS ON THE ROADS;

(c) THE DRIVER EDUCATION VOUCHER PROGRAM ENTERPRISE IS ESTABLISHED AS A STATE-OWNED, DRIVING DRIVER EDUCATION VOUCHER PROGRAM TO REDUCE THE COST BARRIERS TO OBTAINING DRIVER'S LICENSES, AND THIS VOUCHER PROGRAM IS ANALOGOUS TO AN INSURANCE PROGRAM BECAUSE THE FEES ESTABLISHED UNDER SECTION 42-2-707 ENSURE THAT THE COST OF A DRIVER EDUCATION COURSE WILL NOT BE A BARRIER FOR A LICENSE APPLICANT TO OBTAIN A DRIVER'S LICENSE;

(d) THE DRIVER EDUCATION VOUCHER PROGRAM ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION, AS LONG AS THE DRIVER EDUCATION VOUCHER PROGRAM ENTERPRISE RETAINS AUTHORITY TO ISSUE REVENUE BONDS AND RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL ANNUAL REVENUES IN GRANTS, AS DEFINED IN SECTION 24-77-102 (7), FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS COMBINED;

(e) FOR AS LONG AS IT CONSTITUTES AN ENTERPRISE UNDER THIS SECTION, THE DRIVER EDUCATION VOUCHER PROGRAM ENTERPRISE IS NOT SUBJECT TO SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION; AND

(f) THE FEE IMPOSED IN SECTION 42-2-707 IS NOT A TAX BUT IS INSTEAD A FEE IMPOSED:

(I) TO DEFRAY THE COST OF PARTICIPATING IN AND COMPLETING A DRIVER EDUCATION COURSE, WHICH IS A SPECIFIC SERVICE TO EACH

INDIVIDUAL SEEKING A DRIVER'S LICENSE UPON WHOM THE FEE IS IMPOSED;
AND

(II) AT RATES REASONABLY CALCULATED BASED ON THE OVERALL COST OF THE SERVICES PROVIDED BY THE DRIVER EDUCATION VOUCHER PROGRAM ENTERPRISE.

42-2-703. Definitions. AS USED IN THIS PART 7, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE.

(2) (a) "DRIVER EDUCATION COURSE" MEANS A DRIVER EDUCATION COURSE OR PREQUALIFICATION DRIVER AWARENESS PROGRAM THAT MEETS THE REQUIREMENTS SET FORTH IN SECTION 42-2-104 (4)(a)(III) OR (5.5) OR 42-2-106 (1)(a)(I) OR (1)(b)(I), AS APPLICABLE, AND THAT IS APPROVED BY THE DEPARTMENT.

(b) "DRIVER EDUCATION COURSE" INCLUDES THE PROVISION OF A DRIVING EXAMINATION AUTHORIZED IN SECTION 42-2-111.

(3) "DRIVER EDUCATION VOUCHER PROGRAM ENTERPRISE" OR "ENTERPRISE" MEANS THE ENTERPRISE CREATED IN SECTION 43-2-704 (1).

(4) "ELIGIBLE INDIVIDUAL" MEANS AN INDIVIDUAL WHO:

(a) IS REQUIRED, PURSUANT TO SECTION 42-2-104 (4)(a)(III) OR (5.5) OR 42-2-106 (1)(a)(I) OR (1)(b)(I), AS APPLICABLE, TO COMPLETE A DRIVER EDUCATION COURSE OR PREQUALIFICATION DRIVER AWARENESS PROGRAM AS A PREREQUISITE TO OBTAINING A DRIVER'S LICENSE; AND

(b) HAS A HOUSEHOLD INCOME OF LESS THAN OR EQUAL TO THREE HUNDRED PERCENT OF THE FEDERAL POVERTY GUIDELINE.

(5) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE DEPARTMENT.

(6) "FEE" MEANS THE ENTERPRISE FEE ESTABLISHED IN SECTION 42-2-707.

(7) "FUND" MEANS THE DRIVER EDUCATION VOUCHER PROGRAM ENTERPRISE FUND CREATED IN SECTION 42-2-706.

(8) "GOVERNING BOARD" MEANS THE GOVERNING BOARD OF THE ENTERPRISE DESCRIBED IN SECTION 42-2-704 (2).

(9) "INFLATION OR DEFLATION" MEANS THE ANNUAL PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR DENVER-AURORA-LAKEWOOD FOR ALL ITEMS AND ALL URBAN CONSUMERS, OR ITS SUCCESSOR INDEX.

(10) "VOUCHER PROGRAM" MEANS THE DRIVER EDUCATION VOUCHER PROGRAM ESTABLISHED IN SECTION 42-2-705.

42-2-704. Enterprise - creation - governing board - powers and duties - issuance of bonds. (1) THE DRIVER EDUCATION VOUCHER PROGRAM ENTERPRISE IS CREATED AS A GOVERNMENT-OWNED BUSINESS WITHIN THE DEPARTMENT.

(2)(a) THE GOVERNING BOARD OF THE ENTERPRISE CONSISTS OF FIVE MEMBERS APPOINTED AS FOLLOWS:

(I) THE EXECUTIVE DIRECTOR SHALL APPOINT ONE MEMBER WHO REPRESENTS THE EXECUTIVE DIRECTOR AND WHO IS THE CHAIR OF THE GOVERNING BOARD;

(II) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT:

(A) ONE MEMBER WHO HAS EXPERIENCE PROVIDING TRANSLATION SERVICES OR ADMINISTERING PROGRAMS THAT ASSIST INDIVIDUALS FOR WHOM ENGLISH IS NOT THEIR NATIVE LANGUAGE; AND

(B) ONE MEMBER WHO REPRESENTS A PROVIDER OF A DRIVER EDUCATION COURSE APPROVED BY THE DEPARTMENT;

(III) THE PRESIDENT OF THE SENATE SHALL APPOINT ONE MEMBER WHO HAS EXPERIENCE WORKING WITH YOUTH; AND

(IV) THE GOVERNOR SHALL APPOINT ONE MEMBER WHO REPRESENTS

RURAL AREAS.

(b) THE EXECUTIVE DIRECTOR, THE GOVERNOR, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE PRESIDENT OF THE SENATE SHALL MAKE THE INITIAL APPOINTMENTS TO THE GOVERNING BOARD NO LATER THAN JANUARY 1, 2025.

(c) THE TERM OF OFFICE OF MEMBERS OF THE GOVERNING BOARD IS FOUR YEARS; EXCEPT THAT:

(I) EACH MEMBER OF THE GOVERNING BOARD SERVES AT THE PLEASURE OF THE OFFICIAL WHO APPOINTED THE MEMBER; AND

(II) (A) IN ORDER TO ENSURE STAGGERED TERMS OF OFFICE, FOR EACH MEMBER INITIALLY APPOINTED IN ACCORDANCE WITH SUBSECTION (2)(a)(II) OF THIS SECTION, THE INITIAL TERM OF OFFICE IS TWO YEARS.

(B) THIS SUBSECTION (2)(c)(II) IS REPEALED, EFFECTIVE JULY 1, 2028.

(3) EACH MEMBER OF THE GOVERNING BOARD OTHER THAN A STATE EMPLOYEE SERVES WITHOUT COMPENSATION BUT IS ENTITLED TO RECEIVE REIMBURSEMENT FROM MONEY IN THE FUND FOR ACTUAL AND NECESSARY EXPENSES THE MEMBER INCURS IN THE PERFORMANCE OF THE MEMBER'S DUTIES FOR THE GOVERNING BOARD.

(4) (a) THE EXECUTIVE DIRECTOR SHALL ORGANIZE THE GOVERNING BOARD AND CALL THE FIRST MEETING OF THE GOVERNING BOARD TO OCCUR BY MARCH 1, 2025.

(b) THE GOVERNING BOARD SHALL MEET AT LEAST ANNUALLY. THE CHAIR MAY CALL ADDITIONAL MEETINGS AS NECESSARY FOR THE GOVERNING BOARD TO COMPLETE ITS DUTIES.

(5) THE GOVERNING BOARD MAY:

(a) TAKE ACTIONS NECESSARY TO IMPLEMENT AND ADMINISTER THIS PART 7;

(b) ISSUE BONDS IN ACCORDANCE WITH SUBSECTION (8) OF THIS

SECTION; AND

(c) ANNUALLY DETERMINE THE AMOUNT OF THE VOUCHER AVAILABLE IN A STATE FISCAL YEAR UNDER THE VOUCHER PROGRAM.

(6) THE GOVERNING BOARD SHALL:

(a) OVERSEE THE IMPLEMENTATION AND ADMINISTRATION OF THIS PART 7;

(b) ANNUALLY REPORT TO THE EXECUTIVE DIRECTOR, BY A DATE DETERMINED BY THE EXECUTIVE DIRECTOR, CONCERNING THE IMPLEMENTATION AND ADMINISTRATION OF THIS PART 7;

(c) ESTABLISH POLICIES TO IMPLEMENT AND ADMINISTER THIS PART 7;

(d) HIRE ANY NECESSARY EMPLOYEES, WHO MAY ALSO BE EMPLOYEES OF THE DEPARTMENT, TO IMPLEMENT AND ADMINISTER THIS PART 7;

(e) OBTAIN THE NECESSARY OFFICE SPACE, EQUIPMENT, AND SERVICES NECESSARY TO IMPLEMENT AND ADMINISTER THIS PART 7; AND

(f) COORDINATE WITH THE DEPARTMENT TO IMPLEMENT AND ADMINISTER THIS PART 7.

(7) THE ENTERPRISE SHALL REIMBURSE, AT FAIR MARKET VALUE, THE DEPARTMENT FOR ANY EMPLOYEE TIME, OFFICE SPACE, OR GOODS OR SERVICES PROVIDED BY THE DEPARTMENT.

(8) THE ENTERPRISE MAY ISSUE BONDS. THE BONDS MUST BE:

(a) ISSUED BY A RESOLUTION OF THE GOVERNING BOARD; AND

(b) SECURED BY AND PAYABLE SOLELY OUT OF THE MONEY IN THE FUND.

42-2-705. Driver education voucher program - governing board policies - annual determination of voucher amount. (1) (a) THE DRIVER

EDUCATION VOUCHER PROGRAM IS CREATED TO PROVIDE VOUCHERS TO ELIGIBLE INDIVIDUALS, STARTING JULY 1, 2025, TO HELP DEFRAY THE COSTS OF PARTICIPATING IN AND COMPLETING A DRIVER EDUCATION COURSE AS REQUIRED BY SECTION 42-2-104 (4)(a)(III) OR (5.5) OR 42-2-106 (1)(a)(I) OR (1)(b)(I), AS APPLICABLE. AN ELIGIBLE INDIVIDUAL MAY USE A VOUCHER GRANTED PURSUANT TO THIS SECTION TO DEFRAY THE COSTS OF DRIVER TRAINING, INCLUDING CLASSROOM OR ONLINE TRAINING AND BEHIND-THE-WHEEL TRAINING, AND A DRIVING EXAMINATION.

(b) THE ENTERPRISE SHALL ADMINISTER THE VOUCHER PROGRAM PURSUANT TO POLICIES DEVELOPED BY THE GOVERNING BOARD PURSUANT TO SECTION 42-2-704 (6)(c), INCLUDING POLICIES REGARDING:

(I) THE FORM AND MANNER FOR INDIVIDUALS TO APPLY FOR A VOUCHER;

(II) THE METHOD BY WHICH AN APPLICANT DEMONSTRATES ELIGIBILITY FOR A VOUCHER;

(III) THE DETERMINATION OF THE VOUCHER AMOUNT AVAILABLE EACH STATE FISCAL YEAR;

(IV) THE MECHANISM FOR TRANSFERRING THE VOUCHER, ON BEHALF OF AN ELIGIBLE INDIVIDUAL, TO THE PROVIDER OF A DRIVER EDUCATION COURSE IN WHICH THE ELIGIBLE INDIVIDUAL ENROLLS AND FOR THE DRIVER EDUCATION COURSE PROVIDER TO REDEEM THE VOUCHER THROUGH THE ENTERPRISE;

(V) THE MECHANISM FOR VERIFYING THE APPROPRIATE USE OF A VOUCHER ISSUED BY THE ENTERPRISE AND FOR ENSURING THE ELIGIBLE INDIVIDUAL SUCCESSFULLY COMPLETES A DRIVER EDUCATION COURSE FOR WHICH A VOUCHER IS OBTAINED; AND

(VI) ANY OTHER MATTERS NECESSARY TO ADMINISTER THE VOUCHER PROGRAM.

(2) BY MAY 1, 2025, AND BY EACH MAY 1 THEREAFTER, THE GOVERNING BOARD SHALL DETERMINE, PURSUANT TO ITS POLICIES AND BASED ON PROJECTIONS OF ANTICIPATED REVENUES IN THE FUND AND EXPECTED NUMBER OF APPLICANTS TO THE VOUCHER PROGRAM, THE

AMOUNT OF THE VOUCHER AVAILABLE IN THE NEXT STATE FISCAL YEAR. THE DEPARTMENT SHALL POST THE VOUCHER AMOUNT FOR A GIVEN FISCAL YEAR ON ITS PUBLIC-FACING WEBSITE.

(3) AN ELIGIBLE INDIVIDUAL THAT RECEIVES A VOUCHER SHALL USE THE VOUCHER TO PAY THE COST TO ENROLL IN A DRIVER EDUCATION COURSE THAT IS APPROVED BY THE DEPARTMENT FOR PURPOSES OF COMPLYING WITH THE REQUIREMENTS OF SECTION 42-2-104 (4)(a)(III) OR (5.5) OR 42-2-106 (1)(a)(I) OR (1)(b)(I), AS APPLICABLE.

42-2-706. Driver education voucher program enterprise fund.

(1) THE DRIVER EDUCATION VOUCHER PROGRAM ENTERPRISE FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY CREDITED TO THE FUND UNDER SECTION 42-2-707, REVENUE COLLECTED FROM ANY REVENUE BONDS ISSUED PURSUANT TO SECTION 42-2-704 (8), AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

(2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(3) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE ENTERPRISE TO IMPLEMENT AND ADMINISTER THIS PART 7.

42-2-707. Enterprise fee - rules. (1) IN ADDITION TO ANY OTHER FEE FOR THE ISSUANCE OF OR RENEWAL OF A DRIVER'S LICENSE, MINOR DRIVER'S LICENSE, OR INSTRUCTION PERMIT, ON AND AFTER JANUARY 1, 2025, THE DEPARTMENT SHALL COLLECT AN ENTERPRISE FEE OF TWO DOLLARS FOR EACH ISSUANCE OF OR RENEWAL OF A DRIVER'S LICENSE, MINOR DRIVER'S LICENSE, OR INSTRUCTION PERMIT. THE DEPARTMENT SHALL TRANSMIT THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE FUND.

(2) THE DEPARTMENT MAY PROMULGATE RULES ADJUSTING THE AMOUNT OF THE FEE SPECIFIED IN SUBSECTION (1) OF THIS SECTION TO ACCOUNT FOR INFLATION OR DEFLATION.

42-2-708. Translation services. ON REQUEST AND WHEN REASONABLY POSSIBLE, THE ENTERPRISE SHALL PROVIDE TRANSLATION

SERVICES FOR THE PURPOSES OF THIS PART 7 FOR INDIVIDUALS WHO DO NOT SPEAK, READ, OR WRITE ENGLISH AT A LEVEL NECESSARY TO TAKE THE DRIVING EXAMINATION. THE TRANSLATION SERVICES MAY BE PROVIDED ELECTRONICALLY OR, WHEN THE INSTRUCTOR OR EXAMINER IS IN THE MOTOR VEHICLE WITH THE STUDENT, BY HAND SIGNAL IF THE HAND SIGNALS ARE EXPLAINED IN THE STUDENT'S LANGUAGE.

SECTION 7. Act subject to petition - effective date - applicability. (1) 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; 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 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

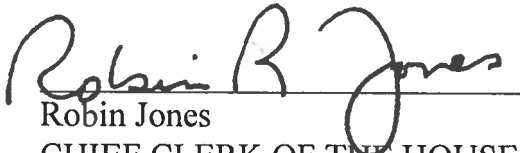
(2) This act applies to applications for driver's licenses, instruction permits, and vouchers submitted on or after July 1, 2025.



Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Steve Fenberg
PRESIDENT OF
THE SENATE



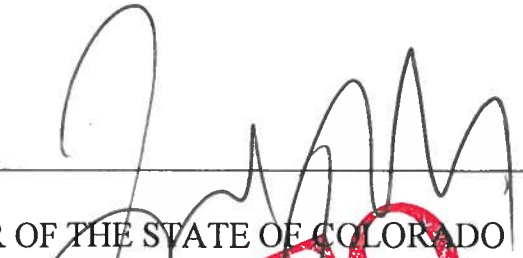
Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES



Cindi L. Markwell
SECRETARY OF
THE SENATE



DIS APPROVED + VETOED Tuesday May 16th 2023 at 1:32 pm
(Date and Time)



Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO

