

# LAW SUMMARY

*Office of Legislative Legal Services*



## ***COLORADO DRIVER'S LICENSE LAWS<sup>1</sup>***

**Colorado has different types of licenses:** In addition to the normal driver's license, a person may get a minor driver's license, a commercial driver's license, or a motorcycle license. The Colorado Department of Revenue issues drivers' licenses. The department can suspend a driver's license when the driver accumulates too many points for their license. A driver accumulates points when he or she is convicted of a traffic offense.

### *Types of Driver's Licenses and When They May Be Suspended*

<i>Type of license</i>	<i>Age requirements</i>	<i>Suspension</i>
Driver's license	At least 21 years of age	12 points within 12 months 18 points within 24 months
Minor driver's license	At least 18 but less than 21 years of age	9 points within 12 months 12 points within 24 months 14 points after turning 18
	At least 16 but less than 18 years of age and at least one year with a driver's permit.	Over 5 points within 12 months Over 6 points before turning 18

The Department will not license any person:

- While his or her license has been suspended;
- Whose license is revoked, until 12 months after the revocation;
- Whom a court determines is a habitual drunkard or addicted to the use of a controlled substance; or

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<sup>1</sup> This summary contains information commonly requested from the Office of Legislative Legal Services. It does not represent an official legal opinion of the General Assembly or the state of Colorado and does not bind the members of the General Assembly. It is intended to provide a general overview of Colorado law as of the date of its preparation. Any person needing legal advice should consult his or her own lawyer and should not rely on the information in this memorandum.

- Whom a court determines suffers from mental disability or disease and for whom competency has not been restored.

A minor may not transport other minors for the first six months the license is held. For the second six months, the minor may transport one other minor passenger. A minor may not drive between midnight and 5 a.m. for the first year the license is held. There are exceptions for immediate family members, a medical emergency, and if an adult driver is in the vehicle.<sup>2</sup>

***Types of Instruction Permits with Basic Requirements.***

<i>Age</i>	<i>Type of Permit and Education requirements</i>	<i>Supervision requirements</i>
15 - 15 ½	Driver Education Permit if applicant passed a driver education classroom course	A parent, stepparent, grandparent guardian, foster parent, driving instructor, or alternate permit supervisor
15 ½ - 16	Driver Awareness Permit if applicant passed a 4-hour driver awareness program	A parent, stepparent, guardian, grandparent, foster parent, driving instructor, or alternate permit supervisor
16 – 21	Minor Instruction Permit	A parent, stepparent, guardian, foster parent, driving instructor, or anyone over 21 who holds a license

An instruction permit must be held for at least one year before a minor may be licensed. The instruction permit may be held for up to 3 years. In addition, the department may issue a temporary permit, valid for up to 1 year, to a person who has applied for a permanent license.

**Here’s how to get a driver's license.** Anyone seeking a license should go to the nearest Driver License Office and:

- Submit proof of [name, age, and identity](#);
- State whether he or she was previously issued or denied a license;
- Pass all required examinations;

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<sup>2</sup> § 42-4-116.

- Demonstrate completion of required behind the wheel instruction.
- Pay the required fee;
- Be fingerprinted and photographed;

**Do you want to drive a motorcycle?** The department also licenses motorcycle drivers. To drive a motorcycle, a person must obtain a driver's license and pass a motorcycle skills test. Passage entitles a driver to a class M endorsement. A person may also receive a class M driver's license, which only authorizes the person to drive a motorcycle. A person may also receive a limited endorsement that authorizes operation of three-wheeled motorcycles only.

**Do you want to drive after getting a DUI?** The department may also issue a probationary license to any person whose driver's license or provisional driver's license has been revoked because of an alcohol-related administrative proceeding or habitual offenses. This license requires the use of an ignition interlock device. For the requirements of a probationary license, see § 42-2-127.

**Do you want to drive commercially?** The department also issues commercial driver's licenses, which are required to operate:

- Any motor vehicle with a gross vehicle weight rating or combination vehicle weight rating of over 26,000 pounds;
- Any vehicle that transports quantities of hazardous materials that requires a warning placard under the Department of Transportation regulations; or
- Any vehicle designed to transport 16 or more persons, including the driver.

The requirements to be issued a commercial driver's license are found in part 4 of article 2 of title 42.

**Driving while temporarily present in Colorado?** The department will issue driver's licenses to people who are temporarily present in the United States. The applicant must qualify for a driver's license and produce documentation of lawful presence in the United States. The department will then verify the person's status with the Federal Government and issue the license or card.

**Driving while not being lawfully present in Colorado?** The department may also issue driver's licenses cards to people who are not lawfully present in the United States. The applicant must qualify for a driver's license or identification card. And the applicant must:

- Sign an affidavit of residency in Colorado;
- Present proof of filing last year's tax return;
- Show evidence of residence in Colorado for two years;

- Sign an affidavit that the applicant has been a resident of Colorado for the last two years;
- Provide an individual taxpayer-identification number or social security number;
- Sign an affidavit that the applicant has applied or will apply for lawful presence; and
- Provide, from the applicant's country of origin, (1) a passport, (2) a consular identification card, or (3) a military identification card.

Any documents or evidence not written in English must be translated. The license or card will have a disclaimer: "Not valid for federal identification, voting, or public benefit purposes."

**Not driving at all?** The department also issues identification cards to people who can prove their name, age, and identity. These provisions are found in part 3 of article 2 of title 42. The main requirement is that the applicant prove their [name, age, and identity](#).

**This is a summary.** This summary does not include all the details and exceptions in state law and rules. For more information, contact your local Division of Motor Vehicles Driver's License Offices or visit a public library and ask for Title 42 of the Colorado Revised Statutes. The information summarized here can be found in article 2 of title 42:

- Part 1 covers general driver's license statutes;
- Part 2 covers habitual offenders;
- Part 3 covers identification cards;
- Part 4 covers commercial driver's licenses; and
- Part 5 covers drivers who are temporarily present and who are not lawfully present.

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