

CHAPTER 322

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 16-1021

BY REPRESENTATIVE(S) Salazar, Duran, Fields, Ginal, Lontine, McCann, Melton, Rosenthal, Ryden, Williams, Mitsch Bush;
also SENATOR(S) Ulibarri and Roberts, Aguilar, Garcia, Guzman, Heath, Kefalas, Merrifield, Newell.

AN ACT**CONCERNING PROVIDING THE OPPORTUNITY TO COLLECT IDENTIFYING INFORMATION FROM APPLICANTS FOR STATE-ISSUED CARDS.**

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

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

42-2-107. Application for license or instruction permit - anatomical gifts - donations to Emily Maureen Ellen Keyes organ and tissue donation awareness fund - legislative declaration - rules - repeal. (2) (a) (I) Every application shall state the full name, date of birth, sex, and residence address of the applicant; briefly describe the applicant; be signed by the applicant with such applicant's usual signature; have affixed thereon the applicant's fingerprint; and state whether the licensee has ever been licensed as a minor driver or driver and, if so, when and by what state or country and whether any such license has ever been denied, suspended, or revoked, the reasons therefor, and the date thereof. These statements shall be verified by the applicant's signature thereon.

(II) IN ADDITION TO THE INFORMATION REQUIRED BY SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), EVERY APPLICATION SHALL INCLUDE THE OPPORTUNITY FOR THE APPLICANT TO SELF-IDENTIFY HIS OR HER RACE OR ETHNICITY. THE RACE OR ETHNICITY INFORMATION THAT MAY BE IDENTIFIED ON THE APPLICATION SHALL NOT BE PRINTED ON THE DRIVER'S LICENSE BUT SHALL BE MAINTAINED IN THE STORED INFORMATION AS DEFINED BY SECTION 42-2-114 (1) (b). THAT INFORMATION MUST BE ACCESSIBLE TO A LAW ENFORCEMENT OFFICER THROUGH MAGNETIC OR ELECTRONIC READERS.

SECTION 2. In Colorado Revised Statutes, 42-2-114, **amend** (1) (b) (I) as follows:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

42-2-114. License issued - fees - rules - repeal. (1) (b) (I) In the event the department issues a driver's license that contains stored information, such license may include only the information that is specifically referenced in paragraph (a) of this subsection (1) and that appears in printed form on the face of the license issued by the department to the licensee AND ANY RACE OR ETHNICITY INFORMATION IDENTIFIED ON THE APPLICATION PURSUANT TO SECTION 42-2-107(2) (a) (II); except that such stored information shall not include the licensee's social security number.

SECTION 3. In Colorado Revised Statutes, 42-2-302, **add** (1) (a) (VI) as follows:

42-2-302. Department may or shall issue - limitations - rules. (1) (a) (VI) EVERY APPLICATION SHALL INCLUDE THE OPPORTUNITY FOR THE APPLICANT TO SELF-IDENTIFY HIS OR HER RACE OR ETHNICITY. THE RACE OR ETHNICITY INFORMATION THAT MAY BE IDENTIFIED ON THE APPLICATION SHALL NOT BE PRINTED ON THE IDENTIFICATION CARD BUT SHALL BE MAINTAINED IN THE STORED INFORMATION AS DEFINED BY SECTION 42-2-303 (1) (b) (II). THAT INFORMATION MUST BE ACCESSIBLE TO A LAW ENFORCEMENT OFFICER THROUGH MAGNETIC OR ELECTRONIC READERS.

SECTION 4. In Colorado Revised Statutes, 42-2-303, **amend** (1) (b) (I) as follows:

42-2-303. Contents of identification card. (1) (b) (I) In the event the department issues an identification card that contains stored information, such card may include only the information that is specifically referenced in paragraph (a) of this subsection (1), and that appears in printed form on the face of the card issued by the department to the registrant AND ANY RACE OR ETHNICITY INFORMATION IDENTIFIED ON AN APPLICATION PURSUANT TO SECTION 42-2-302 (1) (a) (VI); except that such stored information shall not include the registrant's social security number.

SECTION 5. Applicability. This act applies to driver's license and state identification card applications made on or after March 1, 2017.

SECTION 6. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 10, 2016