

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 20-0515.01 Jery Payne x2157

HOUSE BILL 20-1285

HOUSE SPONSORSHIP

Sullivan, Snyder, Van Winkle, Williams D.

SENATE SPONSORSHIP

Zenzinger,

House Committees

Business Affairs & Labor
Finance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CONTINUATION OF THE MOTORCYCLE OPERATOR**
102 **SAFETY TRAINING PROGRAM, AND, IN CONNECTION THEREWITH,**
103 **IMPLEMENTING THE RECOMMENDATIONS CONTAINED IN THE**
104 **2019 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY**
105 **AGENCIES.**

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/>.)

Sunset Process - House Business Affairs and Labor Committee. The bill implements the recommendations of the department

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.

of regulatory agencies' sunset review and report of the motorcycle operator safety training (MOST) program by:

- ! Extending the repeal date of the MOST program until September 1, 2025 (**sections 1 and 2** of the bill); and
- ! Removing the requirement that an applicant for a MOST instructor certificate have a license to drive a motorcycle that was issued in Colorado (**section 3**).

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-104, **repeal**
3 (19)(a)(XIII); and **add** (26)(a)(IX) as follows:

4 **24-34-104. General assembly review of regulatory agencies**
5 **and functions for repeal, continuation, or reestablishment - legislative**
6 **declaration - repeal.** (19) (a) The following agencies, functions, or both,
7 are scheduled for repeal on September 1, 2020:

8 (XIII) ~~The motorcycle operator safety training program created in~~
9 ~~part 5 of article 5 of title 43.~~

10 (26) (a) The following agencies, functions, or both, are scheduled
11 for repeal on September 1, 2025:

12 (IX) THE MOTORCYCLE OPERATOR SAFETY TRAINING PROGRAM
13 CREATED IN PART 5 OF ARTICLE 5 OF TITLE 43.

14 **SECTION 2.** In Colorado Revised Statutes, **amend** 43-5-507 as
15 follows:

16 **43-5-507. Repeal of part.** This part 5 is repealed, effective
17 September 1, 2020 2025. Before its THE repeal, this part 5 is scheduled
18 for review in accordance with section 24-34-104.

19 **SECTION 3.** In Colorado Revised Statutes, 43-5-503, **amend** (2)
20 as follows:

21 **43-5-503. MOST instructor requirements and training.** (2) To
22 be eligible, each applicant for an instructor certificate must:

- 1 (a) Be at least twenty-one years of age; and
- 2 (b) Hold a valid Colorado driver's license that:
 - 3 (I) ~~is endorsed for motorcycles~~ AUTHORIZES THE HOLDER TO
 - 4 DRIVE A MOTORCYCLE; and ~~that~~
 - 5 (II) Has not been revoked WITHIN or suspended within the three
 - 6 years before the date the application is filed.

7 **SECTION 4.** In Colorado Revised Statutes, 43-5-505, **amend**
8 (1)(d)(IV); and **repeal** (1)(d)(VI) as follows:

9 **43-5-505. Advisory board.** (1) The motorcycle operator safety
10 advisory board is hereby created. The board consists of:

11 (d) Nine members appointed by the chief of the Colorado state
12 patrol:

13 (IV) ~~One member who represents~~ TWO MEMBERS WHO REPRESENT
14 instructor training specialists;

15 (VI) ~~One member who represents motorcycle training providers~~
16 ~~not affiliated with the program;~~

17 **SECTION 5. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly (August
20 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
21 referendum petition is filed pursuant to section 1 (3) of article V of the
22 state constitution against this act or an item, section, or part of this act
23 within such period, then the act, item, section, or part will not take effect
24 unless approved by the people at the general election to be held in
25 November 2020 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor.