

CHAPTER 177

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 21-1139

BY REPRESENTATIVE(S) McCluskie, Bacon, Bernett, Bird, Bockenfeld, Duran, Exum, Gray, Hooton, Lontine, Lynch, McCormick, McKean, McLachlan, Michaelson Jenet, Mullica, Pico, Ricks, Roberts, Sandridge, Soper, Titone, Valdez A., Valdez D., Van Beber, Van Winkle, Young, Garnett;
 also SENATOR(S) Rankin, Bridges, Buckner, Cooke, Gardner, Ginal, Gonzales, Hansen, Hisey, Kirkmeyer, Kolker, Lee, Lundeen, Moreno, Priola, Scott, Simpson, Smallwood, Sonnenberg, Winter, Garcia.

AN ACT

CONCERNING THE ACQUISITION OF FORMS OF IDENTIFICATION FROM THE DEPARTMENT OF REVENUE, AND, IN CONNECTION THEREWITH, FACILITATING THE RENEWAL OF DRIVERS' LICENSES BY MAIL AND BY ELECTRONIC MEANS, FACILITATING THE RENEWAL OF IDENTIFICATION CARDS BY ELECTRONIC MEANS, FACILITATING THE RENEWAL OF DRIVERS' LICENSES AND IDENTIFICATION CARDS BY OLDER INDIVIDUALS, AND ALLOWING CERTAIN INDIVIDUALS TO SIGN A DRIVING LOG ATTESTING THAT A MINOR DRIVER WITH AN INSTRUCTION PERMIT HAS COMPLETED A MINIMUM NUMBER OF DRIVING HOURS.

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

SECTION 1. In Colorado Revised Statutes, 42-2-118, **amend** (1.3)(a)(II), (1.3)(a)(III), (1.5)(a) introductory portion, (1.5)(a)(I), (1.5)(a)(II), and (1.5)(a)(III); and **add** (5) as follows:

42-2-118. Renewal of license in person, by mail, or electronically - donations to Emily Keyes - John W. Buckner organ and tissue donation awareness fund - report - repeal. (1.3) (a) The department may, in its discretion, allow renewal of a driver's license issued under section 42-2-114 or 42-2-505 by mail subject to the following requirements:

(II) Renewal by mail ~~shall only be~~ is available ~~every other driver's license renewal period as provided in section 42-2-114 (2)(a) and (3) or 42-2-509 (1)~~ ONLY IF THE PHOTO OF THE PERSON THAT IS ON FILE WITH THE DEPARTMENT IS AT LEAST AS RECENT AS REQUIRED BY 6 CFR 37.25 (a)(1) FOR PURPOSES OF THE FEDERAL "REAL ID ACT OF 2005", PUB.L. 109-13, AS AMENDED;

(III) A person who is ~~less than sixty-six~~ UNDER EIGHTY years of age renewing by

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mail shall attest under penalty of law that ~~he or she~~ THE PERSON has had an eye examination by an optometrist or ophthalmologist within ~~three years~~ ONE YEAR before the renewal. A person who is ~~sixty-six~~ EIGHTY years of age or older renewing by mail shall obtain, on a form as required by the department, a signed statement from an optometrist or ophthalmologist attesting that ~~he or she~~ THE PERSON has had an eye examination within the ~~last~~ PRECEDING SIX MONTHS and attesting to the results of the ~~applicant's~~ eye examination. ~~and~~

(1.5) (a) The department may ~~in its discretion~~, allow renewal of a driver's license issued under section 42-2-114 or 42-2-505 by electronic means subject to the following requirements:

(I) Electronic renewal ~~shall be~~ is available only to drivers twenty-one years of age or older; ~~and less than sixty-six years of age;~~

(II) A person may renew a driver's license electronically only ~~for two consecutive driver's license renewal periods as provided in section 42-2-114 (2)(a) and (3) or 42-2-509 (1)~~ IF THE PHOTO OF THE PERSON THAT IS ON FILE WITH THE DEPARTMENT IS AT LEAST AS RECENT AS REQUIRED BY 6 CFR 37.25 (a)(1) FOR PURPOSES OF THE FEDERAL "REAL ID ACT OF 2005", PUB.L. 109-13, AS AMENDED;

(III) A person WHO IS UNDER EIGHTY YEARS OF AGE renewing electronically shall attest under penalty of law that ~~he or she~~ THE PERSON has had an eye examination by an optometrist or ophthalmologist within ~~three years~~ ONE YEAR before the renewal. A PERSON WHO IS EIGHTY YEARS OF AGE OR OLDER RENEWING ELECTRONICALLY SHALL OBTAIN, ON A FORM AS REQUIRED BY THE DEPARTMENT, A SIGNED STATEMENT FROM AN OPTOMETRIST OR OPHTHALMOLOGIST ATTESTING THAT THE PERSON HAS HAD AN EYE EXAMINATION WITHIN THE PRECEDING SIX MONTHS AND ATTESTING TO THE RESULTS OF THE EYE EXAMINATION. ~~and~~

(5) (a) ON OR BEFORE JUNE 1, 2022, AND ON OR BEFORE JUNE 1 EACH OF THE NEXT TWO YEARS THEREAFTER, THE DEPARTMENT SHALL PROVIDE TO THE GENERAL ASSEMBLY A REPORT CONCERNING MOTOR VEHICLE ACCIDENTS IN COLORADO, WHICH REPORT INCLUDES DATA, ORGANIZED BY THE AGE OF EACH AT-FAULT DRIVER, CONCERNING:

(I) THE CAUSE OF EACH SUCH ACCIDENT, INCLUDING DATA RELATED TO DRIVER ACTIONS; AND

(II) THE MOST APPARENT HUMAN CONTRIBUTING FACTOR OF EACH SUCH ACCIDENT.

(b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JUNE 30, 2024.

SECTION 2. In Colorado Revised Statutes, 42-2-304, **amend** (1.9)(a)(I); and **repeal** (1.8) as follows:

42-2-304. Validity of identification card - rules. (1.8) (a) ~~The department shall allow an applicant to renew an identification card issued under section 42-2-302 or 42-2-505 by electronic means if the applicant:~~

~~(I) Is sixty-five years of age or older;~~

~~(II) Attests under penalty of perjury to being lawfully present in the United States;~~

~~(III) Attests under penalty of perjury to being a resident of Colorado; and~~

~~(IV) Pays any required fee or surcharge.~~

~~(b) Applicants who meet the qualifications of paragraph (a) of this subsection (1.8) may electronically renew every renewal period.~~

(1.9) (a) The department may allow an applicant to renew an identification card issued under section 42-2-302 or 42-2-505 by electronic means if the applicant:

(I) Is twenty-one years of age or older; ~~but not older than sixty-four years of age;~~

SECTION 3. In Colorado Revised Statutes, 42-2-104, **amend** (4)(a) introductory portion, (4)(a)(II) introductory portion, and (4)(a)(II)(A) as follows:

42-2-104. Licenses issued - denied. (4) (a) The department shall not issue a driver's license, including ~~without limitation;~~ a temporary driver's license under section 42-2-106 (2), to a person under eighteen years of age unless the person has:

(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, of which not less than ten hours ~~shall~~ **MUST** have been completed while driving at night, which form is signed by:

(A) ~~The person who signed the affidavit of liability~~ THE PERSON'S PARENT OR GUARDIAN OR BY A RESPONSIBLE ADULT;

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: May 24, 2021