

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 24-0837.01 Yelana Love x2295

SENATE BILL 24-065

SENATE SPONSORSHIP

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HOUSE SPONSORSHIP

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Senate Committees

Transportation & Energy
Appropriations

House Committees

Transportation, Housing & Local Government
Appropriations

HOUSE
Amended 3rd Reading
May 5, 2024

A BILL FOR AN ACT

101 **CONCERNING THE USE OF MOBILE ELECTRONIC DEVICES WHEN**
102 **DRIVING A MOTOR VEHICLE, AND, IN CONNECTION THEREWITH,**
103 **MAKING AN APPROPRIATION.**

HOUSE
Amended 2nd Reading
May 4, 2024

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>.)

SENATE
3rd Reading Unamended
March 15, 2024

Current law prohibits an individual who is under 18 years of age from using a mobile electronic device when driving. The bill applies the prohibition to an individual who is 18 years of age or older unless the individual is using a hands-free accessory. The following uses are exempted:

SENATE
Amended 2nd Reading
March 13, 2024

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

- By an individual reporting an emergency to state or local authorities;
- By an employee or contractor of a utility when responding to a utility emergency;
- By a first responder; or
- By an individual in a motor vehicle that is parked.

The penalties for a violation are:

- For a first offense, \$75 and 2 license suspension points;
- For a second offense within 24 months, \$150 and 3 license suspension points; and
- For a third or subsequent offense within 24 months, \$250 and 4 license suspension points.

A violation will be dismissed if the individual has not previously committed a violation, produces proof of purchase of a hands-free accessory, and affirms, under penalty of perjury, that the defendant has not previously claimed this option to dismiss.

Current law requires a peace officer who makes a traffic stop to record the demographic information of the violator, whether a citation has been issued, and the violation cited. The bill clarifies that the peace officer must record whether the bill has been violated.

The executive director of the department of transportation, in consultation with the chief of the Colorado state patrol, is required to create a campaign raising public awareness of the requirements of the bill and of the dangers of using mobile electronic devices when driving.

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal and reenact,**
 3 **with amendments,** 42-4-239 as follows:

4 **42-4-239. Use of a mobile electronic device - definitions -**
 5 **penalty - preemption - legislative declaration - repeal.** (1) AS USED IN
 6 THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 (a) "EMERGENCY" MEANS A CIRCUMSTANCE IN WHICH AN
 8 INDIVIDUAL:

9 (I) HAS REASON TO FEAR FOR THE INDIVIDUAL'S LIFE OR SAFETY OR
 10 BELIEVES THAT A CRIMINAL ACT MAY BE PERPETRATED AGAINST THE
 11 INDIVIDUAL OR ANOTHER INDIVIDUAL, REQUIRING THE USE OF A MOBILE

1 ELECTRONIC DEVICE WHEN THE INDIVIDUAL IS DRIVING A MOTOR VEHICLE;
2 OR

3 (II) REPORTS A FIRE, A TRAFFIC ACCIDENT IN WHICH ONE OR MORE
4 INJURIES ARE APPARENT, A SERIOUS ROAD HAZARD, A MEDICAL OR
5 HAZARDOUS MATERIALS EMERGENCY, OR AN INDIVIDUAL WHO IS DRIVING
6 IN A RECKLESS, CARELESS, OR UNSAFE MANNER.

7 (b) "FIRST RESPONDER" MEANS:

8 (I) A PEACE OFFICER, AS DESCRIBED IN SECTION 16-2.5-101;

9 (II) A FIREFIGHTER, AS DEFINED IN SECTION 29-5-203 (10);

10 (III) A VOLUNTEER FIREFIGHTER, AS DEFINED IN SECTION
11 31-30-1102 (9)(a);

12 (IV) AN EMERGENCY MEDICAL SERVICE PROVIDER, AS DEFINED IN
13 SECTION 25-3.5-103 (8); OR

14 (V) ANY OTHER INDIVIDUAL WHO RESPONDS IN A PROFESSIONAL
15 CAPACITY TO A PUBLIC SAFETY EMERGENCY.

16 (c) "HANDS-FREE ACCESSORY" MEANS AN ACCESSORY WITH A
17 FEATURE OR FUNCTION THAT ENABLES AN INDIVIDUAL TO USE A MOBILE
18 ELECTRONIC DEVICE WITHOUT USING EITHER HAND, EXCEPT TO ACTIVATE,
19 DEACTIVATE, OR INITIATE THE FEATURE OR FUNCTION WITH A SINGLE
20 TOUCH OR SINGLE SWIPE.

21 (d) (I) "MOBILE ELECTRONIC DEVICE" MEANS A HANDHELD OR
22 PORTABLE ELECTRONIC DEVICE CAPABLE OF PROVIDING VOICE
23 COMMUNICATION BETWEEN TWO OR MORE PERSONS, AMUSEMENT, OR THE
24 WIRELESS TRANSFER OF DATA.

25 (II) "MOBILE ELECTRONIC DEVICE" DOES NOT INCLUDE:

26 (A) A RADIO, CITIZENS BAND RADIO, OR CITIZENS BAND RADIO
27 HYBRID;

1 (B) A COMMERCIAL TWO-WAY RADIO COMMUNICATION DEVICE OR
2 ITS FUNCTIONAL EQUIVALENT;

3 (C) A SUBSCRIPTION-BASED EMERGENCY COMMUNICATION
4 DEVICE;

5 (D) A PRESCRIBED MEDICAL DEVICE;

6 (E) AN AMATEUR OR HAM RADIO DEVICE; OR

7 (F) SYSTEMS THAT ARE DESIGNED FOR AND INSTALLED WITHIN THE
8 VEHICLE'S ELECTRONICS, SUCH AS AN IN-VEHICLE SECURITY, NAVIGATION,
9 COMMUNICATIONS, OR REMOTE DIAGNOSTICS SYSTEM.

10 (e) "USE" OR "USING" MEANS:

11 (I) PHYSICALLY HOLDING A MOBILE ELECTRONIC DEVICE IN THE
12 DRIVER'S HAND OR PINNING A MOBILE ELECTRONIC DEVICE TO A DRIVER'S
13 EAR TO CONDUCT VOICE-BASED COMMUNICATION; EXCEPT THAT AN
14 INDIVIDUAL MAY USE A SPEAKER OR OTHER LISTENING DEVICE THAT IS
15 BUILT INTO PROTECTIVE HEADGEAR OR A DEVICE OR PORTION OF A DEVICE
16 THAT ONLY COVERS ALL OR A PORTION OF ONE EAR AND THAT IS
17 CONNECTED TO A WIRELESS, HANDHELD TELEPHONE AS PROVIDED IN
18 SECTION 42-4-1411;

19 (II) WATCHING A VIDEO OR MOVIE ON A MOBILE ELECTRONIC
20 DEVICE, OTHER THAN WATCHING DATA RELATED TO THE NAVIGATION OF
21 THE MOTOR VEHICLE; OR

22 (III) WRITING, SENDING, OR READING TEXT-BASED
23 COMMUNICATION, INCLUDING A TEXT MESSAGE, INSTANT MESSAGE,
24 E-MAIL, OR INTERNET DATA, ON A MOBILE ELECTRONIC DEVICE; EXCEPT
25 THAT TEXT-BASED COMMUNICATION DOES NOT INCLUDE:

26 (A) A VOICE-BASED COMMUNICATION THAT IS AUTOMATICALLY
27 CONVERTED BY THE MOBILE ELECTRONIC DEVICE TO BE SENT AS A

1 MESSAGE IN WRITTEN FORM; OR

2 (B) COMMUNICATION CONCERNING THE NAVIGATION OF A MOTOR
3 VEHICLE.

4 (2) ■ EXCEPT AS SPECIFIED IN SUBSECTION (4) OF THIS SECTION,
5 AN INDIVIDUAL UNDER EIGHTEEN YEARS OF AGE SHALL NOT DRIVE A
6 MOTOR VEHICLE WHEN USING A MOBILE ELECTRONIC DEVICE.

7 ■
8 (3) ■ EXCEPT AS PROVIDED IN SUBSECTION (4) OF THIS SECTION,
9 AN INDIVIDUAL EIGHTEEN YEARS OF AGE OR OLDER SHALL NOT DRIVE A
10 MOTOR VEHICLE WHEN USING A MOBILE ELECTRONIC DEVICE UNLESS THE
11 USE IS THROUGH A HANDS-FREE ACCESSORY.

12 (4) IT IS NOT A VIOLATION OF SUBSECTION (2) OR (3) OF THIS
13 SECTION TO USE A MOBILE ELECTRONIC DEVICE:

14 (a) TO CONTACT A PUBLIC SAFETY ENTITY;

15 (b) DURING AN EMERGENCY;

16 (c) WHEN IN A MOTOR VEHICLE THAT IS PARKED;

17 (d) WHEN AN EMPLOYEE OR CONTRACTOR OF A UTILITY IS ACTING
18 WITHIN THE SCOPE OF THE EMPLOYEE'S OR CONTRACTOR'S DUTIES WHEN
19 RESPONDING TO A UTILITY EMERGENCY;

20 (e) WHEN AN EMPLOYEE OR CONTRACTOR OF A CITY OR COUNTY
21 IS ACTING WITHIN THE SCOPE OF THE EMPLOYEE'S OR CONTRACTOR'S
22 DUTIES AS A CODE ENFORCEMENT OFFICER OR ANIMAL PROTECTION
23 OFFICER; OR

24 (f) DURING THE PERFORMANCE OF A FIRST RESPONDER'S OFFICIAL
25 DUTIES.

26 (5) A LAW ENFORCEMENT OFFICER SHALL NOT STOP OR CITE AN
27 INDIVIDUAL FOR A VIOLATION OF SUBSECTION (2) OR (3) OF THIS SECTION

1 UNLESS:

2 (a) (I) A LAW ENFORCEMENT OFFICER SAW THE OPERATOR USE A

3 MOBILE ELECTRONIC DEVICE WHILE DRIVING; AND

4 (II) DURING THE USE OF THE MOBILE ELECTRONIC DEVICE, THE

5 DRIVER WAS:

6 (A) IN CLOSE PROXIMITY TO A VULNERABLE ROAD USER, AS

7 DEFINED IN SECTION 42-4-1402.5 (1), ON THE ROADWAY OR ON AN

8 IMMEDIATELY ADJACENT SIDEWALK;

9 (B) IN A SCHOOL ZONE;

10 (C) ADJACENT TO A PARK;

11 (D) IN A CONSTRUCTION ZONE; OR

12 (E) ADJACENT TO A DESIGNATED BIKE LANE.

13 (b) THE INDIVIDUAL WAS STOPPED BY A LAW ENFORCEMENT

14 OFFICER FOR AN ALLEGED VIOLATION OF ANY OF THE FOLLOWING:

15 (I) OBEDIENCE TO OFFICIAL TRAFFIC CONTROL DEVICES, AS

16 SPECIFIED IN SECTION 42-4-603;

17 (II) FAILURE TO YIELD A RIGHT-OF-WAY, AS SPECIFIED IN PART 7

18 OF THIS ARTICLE 4;

19 (III) FAILURE TO EXERCISE DUE CARE TO AVOID PEDESTRIANS, AS

20 SPECIFIED IN SECTION 42-4-807;

21 (IV) FAILURE TO YIELD TO AN INDIVIDUAL WITH A DISABILITY, AS

22 SPECIFIED IN SECTION 42-4-808;

23 (V) LIMITATIONS ON TURNING AROUND, AS SPECIFIED IN SECTION

24 42-4-902;

25 (VI) FAILURE TO DRIVE ON THE RIGHT SIDE OF THE ROAD, AS

26 SPECIFIED IN SECTION 42-4-1001;

27 (VII) UNSAFE LANE CHANGE, AS SPECIFIED IN SECTION 42-4-1007;

1 (VIII) FOLLOWING TOO CLOSELY, AS SPECIFIED IN SECTION
2 42-4-1008;

3 (IX) DRIVING ON THE WRONG SIDE OF ROAD, AS SPECIFIED IN
4 SECTION 42-4-1010;

5 (X) SPEEDING, AS SPECIFIED IN SECTION 42-4-1101;

6 (XI) RECKLESS DRIVING, AS SPECIFIED IN SECTION 42-4-1401; OR

7 (XI) CARELESS DRIVING, AS SPECIFIED IN SECTION 42-4-1402.

8 (6) (a) EXCEPT AS PROVIDED IN SUBSECTION (6)(b) OF THIS
9 SECTION, AN INDIVIDUAL WHO VIOLATES THIS SECTION COMMITS A CLASS
10 A TRAFFIC INFRACTION, AND THE COURT SHALL ASSESS A PENALTY AS
11 PROVIDED IN SECTION 42-4-1701 (4)(a)(I)(P).

12 (b) (I) AN INDIVIDUAL CHARGED WITH VIOLATING SUBSECTION (3)
13 OF THIS SECTION SHALL NOT BE CONVICTED IF THE INDIVIDUAL:

14 (A) PRODUCES A HANDS-FREE ACCESSORY OR PROOF OF PURCHASE
15 OF A HANDS-FREE ACCESSORY; AND

16 (B) AFFIRMS UNDER PENALTY OF PERJURY THAT THE INDIVIDUAL
17 HAS NOT PREVIOUSLY HAD A CHARGE DISMISSED UNDER THIS SUBSECTION
18 (5)(b).

19 (II) THE COURT CLERK MAY DISMISS THE CHARGE IF THE CLERK
20 VERIFIES THAT THE INDIVIDUAL HAS COMPLIED WITH BOTH SUBSECTIONS
21 (6)(b)(I)(A) AND (6)(b)(I)(B) OF THIS SECTION.

22 (c) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WITH A
23 COMMERCIAL DRIVER'S LICENSE WHO IS OPERATING A COMMERCIAL
24 VEHICLE.

25 (7) WHEN A PEACE OFFICER ISSUES A CITATION FOR A VIOLATION
26 OF THIS SECTION, THE PEACE OFFICER SHALL, WHEN COMPLYING WITH
27 SECTION 24-31-309 (3.5), RECORD THAT THE INDIVIDUAL WAS ISSUED A

1 CITATION FOR A VIOLATION OF THIS SECTION.

2 (8) THIS SECTION DOES NOT AUTHORIZE THE SEIZURE AND
3 FORFEITURE OF A MOBILE ELECTRONIC DEVICE, UNLESS OTHERWISE
4 PROVIDED BY LAW. PRIOR TO REQUESTING CONSENT TO SEARCH A MOBILE
5 ELECTRONIC DEVICE AS PART OF AN INVESTIGATION OF A VIOLATION OF
6 THIS SECTION, A PEACE OFFICER SHALL COMPLY WITH THE REQUIREMENTS
7 OF SECTION 16-3-310.

8 (9) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2030.

9 SECTION 2. In Colorado Revised Statutes, add 43-1-132 as
10 follows:

11 43-1-132. Mobile electronic device education - repeal. (1) BY
12 OCTOBER 1, 2024, THE EXECUTIVE DIRECTOR OR THE EXECUTIVE
13 DIRECTOR'S DESIGNEE SHALL, IN CONSULTATION WITH THE CHIEF OF THE
14 COLORADO STATE PATROL, CREATE A CULTURALLY AND LINGUISTICALLY
15 COMPETENT CAMPAIGN RAISING PUBLIC AWARENESS OF THE
16 REQUIREMENTS OF SECTION 42-4-239 AND OF THE DANGERS OF USING
17 MOBILE ELECTRONIC DEVICES WHEN DRIVING.

18 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

19 SECTION 3. In Colorado Revised Statutes, 42-2-127, amend
20 (5)(jj) and (5)(jj.5); and add (5)(jj.7) as follows:

21 42-2-127. Authority to suspend license - to deny license - type
22 of conviction - points. (5) Point system schedule:

Type of conviction	Points
(jj) A violation of section 42-4-239 (2) IF THE PERSON HAS NOT BEEN CONVICTED OF THE SAME VIOLATION WITHIN THE IMMEDIATELY PRECEDING TWENTY-FOUR MONTHS	+ 2
(jj.5) A SECOND violation of section 42-4-239 (3) WITHIN THE	

1 IMMEDIATELY PRECEDING TWENTY-FOUR MONTHS 4 3

2 (jj.7) A THIRD OR SUBSEQUENT VIOLATION OF SECTION 42-4-239
3 WITHIN THE IMMEDIATELY PRECEDING TWENTY-FOUR MONTHS 4

4 **SECTION 4.** In Colorado Revised Statutes, 42-4-1701, **amend**
5 (4)(a)(I)(P) as follows:

6 **42-4-1701. Traffic offenses and infractions classified -**
7 **penalties - penalty and surcharge schedule - repeal.** (4) (a) (I) Except
8 as provided in subsection (5)(c) of this section, every person who is
9 convicted of, who admits liability for, or against whom a judgment is
10 entered for a violation of this title 42 to which subsection (5)(a) or (5)(b)
11 of this section applies shall be fined or penalized and have a surcharge
12 levied in accordance with sections 24-4.1-119 (1)(f) and 24-4.2-104
13 (1)(b)(I), in accordance with the penalty and surcharge schedule set forth
14 in subsections (4)(a)(I)(A) to (4)(a)(I)(S) of this section; or, if no penalty
15 or surcharge is specified in the schedule, the penalty for class A and class
16 B traffic infractions is fifteen dollars, and the surcharge is four dollars.
17 These penalties and surcharges apply whether the defendant
18 acknowledges the defendant's guilt or liability in accordance with the
19 procedure set forth by subsection (5)(a) of this section, is found guilty by
20 a court of competent jurisdiction, or has judgment entered against the
21 defendant by a county court magistrate. Penalties and surcharges for
22 violating specific sections are as follows:

Section Violated	Penalty	Surcharge
(P) Offenses by persons controlling vehicles:		
42-4-239 (5)(a) FIRST OFFENSE WITHIN THE IMMEDIATELY PRECEDING TWENTY-FOUR MONTHS	\$ 50.00 75.00	\$ 6.00 10.00

1	42-4-239 (5)(b) SECOND OFFENSE		
2	WITHIN THE IMMEDIATELY PRECEDING		
3	TWENTY-FOUR MONTHS	100.00 150.00	6.00 10.00
4	42-4-239 (5.5) THIRD OFFENSE		
5	WITHIN THE IMMEDIATELY PRECEDING		
6	TWENTY-FOUR MONTHS	300.00 250.00	6.00 10.00
7	42-4-1704	15.00	6.00

8 **SECTION 5.** In Colorado Revised Statutes, **add** 24-33.5-231 as
9 follows:

10 **24-33.5-231. Use of mobile electronic devices while driving -**
11 **demographic information - report to legislature.**

12 (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), BY MAY 15, 2026,
13 AND EACH MAY 15 THEREAFTER, THE COLORADO STATE PATROL AND
14 EACH LOCAL LAW ENFORCEMENT AGENCY THAT EMPLOYS PEACE OFFICERS
15 SHALL SUBMIT TO THE TRANSPORTATION LEGISLATION REVIEW
16 COMMITTEE, CREATED IN SECTION 43-2-145, THE FOLLOWING
17 INFORMATION FOR EACH CITATION AN OFFICER ISSUED FOR A VIOLATION
18 OF SECTION 42-4-239 IN THE PRIOR CALENDAR YEAR:

- 19 (a) THE DATE, TIME, AND LOCATION OF THE INTERACTION;
- 20 (b) THE DEMOGRAPHIC INFORMATION OF THE INDIVIDUAL
- 21 CONTACTED, SO LONG AS THE IDENTIFICATION OF THESE CHARACTERISTICS
- 22 IS BASED ON SELF-IDENTIFICATION, THE OBSERVATION AND PERCEPTION OF
- 23 THE OFFICER MAKING THE CONTACT, AND OTHER AVAILABLE DATA. AT
- 24 MINIMUM, THIS DEMOGRAPHIC INFORMATION MUST INCLUDE:
- 25 (I) RACE;
- 26 (II) ETHNICITY;
- 27 (III) GENDER; AND

1 (IV) AGE.

2 (c) THE INITIAL REASON FOR THE INTERACTION;

3 (d) THE RESULT OF THE INTERACTION, SUCH AS:

4 (I) NO ACTION, A WARNING, A CITATION, PROPERTY SEIZURE, OR

5 ARREST;

6 (II) IF A WARNING OR CITATION WAS ISSUED, THE WARNING

7 PROVIDED OR VIOLATION CITED; AND

8 (III) IF AN ARREST WAS MADE, THE OFFENSE CHARGED AND

9 WHETHER THE INDIVIDUAL WAS CONVICTED; AND

10 (e) THE ACTIONS TAKEN BY THE OFFICER DURING THE

11 INTERACTION, INCLUDING WHETHER:

12 (I) THE OFFICER ASKED FOR CONSENT TO SEARCH THE INDIVIDUAL

13 AND, IF SO, WHETHER CONSENT WAS PROVIDED;

14 (II) THE OFFICER SEARCHED THE INDIVIDUAL OR ANY PROPERTY

15 AND, IF SO, THE BASIS FOR THE SEARCH AND THE TYPE OF CONTRABAND OR

16 EVIDENCE DISCOVERED, IF ANY; AND

17 (III) THE OFFICER SEIZED ANY PROPERTY AND, IF SO, THE TYPE OF

18 PROPERTY THAT WAS SEIZED AND THE BASIS FOR SEIZING THE PROPERTY.

19 (2) THE COLORADO STATE PATROL AND LOCAL LAW ENFORCEMENT

20 AGENCIES SHALL NOT REPORT TO THE COMMITTEE THE NAMES,

21 ADDRESSES, SOCIAL SECURITY NUMBERS, OR ANY OTHER UNIQUE

22 PERSONAL IDENTIFYING INFORMATION OF INDIVIDUALS CONTACTED,

23 WARNED, TICKETED, ARRESTED, SEARCHED, OR SUBJECTED TO A PROPERTY

24 SEIZURE. NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE DATA

25 REPORTED PURSUANT TO THIS SECTION IS AVAILABLE TO THE PUBLIC.

26 **SECTION 6.** In Colorado Revised Statutes, 43-2-145, **add** (2.1)

27 as follows:

1 **43-2-145. Transportation legislation review - committee -**
2 **definition - repeal.** (2.1) (a) EACH LEGISLATIVE INTERIM, THE
3 COMMITTEE SHALL REVIEW THE INFORMATION PROVIDED TO THE
4 COMMITTEE FROM THE COLORADO STATE PATROL AND LOCAL LAW
5 ENFORCEMENT AGENCIES PURSUANT TO SECTION 24-33.5-231, INCLUDING
6 WHETHER AND TO WHAT DEGREE THE ENFORCEMENT OF SECTION 42-4-239
7 REFLECTS PRETEXTUAL STOPS OR DISPARATE RACIAL OR ETHNIC IMPACTS.

8 (b) (I) DURING THE 2029 LEGISLATIVE INTERIM, THE COMMITTEE
9 SHALL CONSIDER THE COMMUTATIVE INFORMATION REPORTED TO THE
10 COMMITTEE PURSUANT TO SECTION 24-33.5-231 AND SHALL MAKE A
11 RECOMMENDATION TO THE LEGISLATURE REGARDING WHETHER TO
12 CONTINUE THE EXISTENCE OF THE PROHIBITION ON THE USE OF MOBILE
13 ELECTRONIC DEVICES, AS SPECIFIED IN SECTION 42-4-239, OR ALLOW THE
14 PROHIBITION TO REPEAL.

15 (II) THIS SUBSECTION (2.1)(b) IS REPEALED, EFFECTIVE
16 SEPTEMBER 1, 2030.

17 **SECTION 7. Appropriation.** For the 2024-25 state fiscal year,
18 \$6,900 is appropriated to the department of revenue for use by the
19 division of motor vehicles. This appropriation is from the Colorado
20 DRIVES vehicle services account in the highway users tax fund created
21 in section 42-1-211(2), C.R.S. To implement this act, the department may
22 use this appropriation for DRIVES maintenance and support.

23 **SECTION 8. Act subject to petition - effective date -**
24 **applicability.** (1) Except as specified in subsection (2) of this section,
25 this act takes effect at 12:01 a.m. on the day following the expiration of
26 the ninety-day period after final adjournment of the general assembly;
27 except that, if a referendum petition is filed pursuant to section 1 (3) of

1 article V of the state constitution against this act or an item, section, or
2 part of this act within such period, then the act, item, section, or part will
3 not take effect unless approved by the people at the general election to be
4 held in November 2024 and, in such case, will take effect on the date of
5 the official declaration of the vote thereon by the governor.

6 (2) Section 42-4-239, Colorado Revised Statutes, as amended in
7 section 1 of this act, takes effect January 1, 2025.

8 (3) This act applies to conduct occurring on or after the applicable
9 effective date of this act.

10 (2) This act applies to conduct occurring on or after the applicable
11 effective date of this act.