

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

REREVISED

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

LLS NO. 24-0829.01 Jery Payne x2157

HOUSE BILL 24-1021

HOUSE SPONSORSHIP

Lindsay, Boesenecker, Brown, Duran, Jodeh, Joseph, Mauro, Snyder, Willford

SENATE SPONSORSHIP

Winter F. and Priola, Exum

House Committees

Transportation, Housing & Local Government
Appropriations

Senate Committees

Transportation & Energy
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE TRAINING OF INDIVIDUALS TO DRIVE MOTOR**
102 **VEHICLES.**

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>.)

Currently, a minor who is under 18 years of age may be issued a driver's license or temporary driver's license if the minor has held an instruction permit for 12 months and has completed 50 hours of supervised driving, including 10 hours of night driving. To obtain an instruction permit, current law requires a minor to meet one of the following conditions:

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.

SENATE
3rd Reading Unamended
April 19, 2024

SENATE
Amended 2nd Reading
April 18, 2024

HOUSE
3rd Reading Unamended
March 22, 2024

HOUSE
Amended 2nd Reading
March 21, 2024

- A minor who is at least 15 and one-half years of age but under 16 years of age must have completed a driver education course or a 4-hour driver awareness course; or
- A minor who is 15 years of age or older but under 15 and one-half years of age must have completed a driver education course, including 30 hours of driving instruction and 6 hours of behind-the-wheel driving training with a driving instructor, or, if the minor lives more than 30 miles from a business offering driving instruction, the minor may choose to have at least 12 hours of training from a parent, legal guardian, or responsible adult.

Therefore, to obtain a driver's license, the minor must meet these requirements. The bill replaces the current requirements to be issued an instruction permit with requirements that a minor applicant 18 years of age or younger must:

- Complete a 30-hour driver education course, which may include an online course, approved by the department of revenue (department); and
- Receive at least 6 hours of behind-the-wheel driving training with a driving instructor, or, if the minor lives more than 30 miles from a business offering driving instruction, the minor may choose to have at least 12 hours of training from a parent, legal guardian, or responsible adult.

The bill also adds a requirement that a minor who is 18 years of age or older and under 21 years of age must successfully complete a 4-hour prequalification driver awareness program approved by the department in order to be issued a driver's license or temporary driver's license.

The bill prohibits a person who has been convicted of certain violent or sexual crimes from providing behind-the-wheel driving instruction to minors and at-risk adults. A commercial driving school is prohibited from employing such a driving instructor to provide behind-the-wheel driving instruction to minors and at-risk adults. Each instructor employed by a commercial driving school must obtain a fingerprint-based criminal history record check to verify that the instructor has not committed a disqualifying crime.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-2-104, **amend**
 3 (4)(a) as follows:

4 **42-2-104. Licenses issued - denied.** (4) (a) The department shall

1 not issue a driver's license, including a temporary driver's license under
2 section ~~42-2-106 (2)~~ 42-2-106 (5), to ~~a person~~ AN INDIVIDUAL under
3 eighteen years of age unless the ~~person~~ INDIVIDUAL has:

4 (I) Applied for, been issued, and possessed an appropriate
5 instruction permit for at least twelve months; and

6 (II) Submitted a log or other written evidence on a standardized
7 form approved by the department certifying that the ~~person~~ INDIVIDUAL
8 has completed not less than fifty hours of actual driving experience WITH
9 A DRIVING SUPERVISOR LISTED IN SECTION 42-2-106 (2)(b)(II) of which
10 not less than ten hours must have been completed while driving at night,
11 which form ~~is~~ MUST BE signed by:

12 (A) ~~The person's parent or guardian or by a responsible adult~~
13 ~~INDIVIDUAL WHO SIGNED THE AFFIDAVIT OF LIABILITY FOR THE~~
14 ~~INDIVIDUAL TO OBTAIN AN INSTRUCTION PERMIT;~~

15 (B) The instructor of a ~~driver's~~ DRIVER education course approved
16 by the department; or

17 (C) Any individual who is twenty-one years of age or older, who
18 holds a valid driver's license, and who instructed the applicant if the
19 applicant is a foster child.

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21 **SECTION 2.** In Colorado Revised Statutes, **repeal and reenact,**
22 **with amendments,** 42-2-106 as follows:

23 **42-2-106. Instruction permits and temporary licenses -**
24 **penalty.** (1) (a) THE DEPARTMENT SHALL ISSUE AN INSTRUCTION PERMIT
25 TO A MINOR WHO IS FIFTEEN YEARS OF AGE OR OLDER AND UNDER
26 ~~EIGHTEEN~~ YEARS OF AGE AND WHO:

27 (I) HAS SUCCESSFULLY COMPLETED A THIRTY-HOUR DRIVER

1 EDUCATION COURSE THAT IS APPROVED BY THE DEPARTMENT, WHICH
2 COURSE MAY BE COMPLETED ONLINE; AND

3 (II) MEETS THE REQUIREMENTS TO BE ISSUED AN INSTRUCTION
4 PERMIT IN ACCORDANCE WITH SECTIONS 42-2-107 AND 42-2-108.

5 (b) THE DEPARTMENT SHALL ISSUE AN INSTRUCTION PERMIT TO A
6 MINOR WHO IS EIGHTEEN YEARS OF AGE OR OLDER AND WHO:

7 (I) HAS SUCCESSFULLY COMPLETED A THIRTY-HOUR DRIVER
8 EDUCATION COURSE THAT IS APPROVED BY THE DEPARTMENT, WHICH
9 COURSE MAY BE ONLINE, OR A FOUR-HOUR PREQUALIFICATION DRIVER
10 AWARENESS PROGRAM THAT IS APPROVED BY THE DEPARTMENT; AND

11 (II) QUALIFIES FOR AN INSTRUCTION PERMIT IN ACCORDANCE WITH
12 SECTION 42-2-107.

13 (c) THE DEPARTMENT SHALL ISSUE AN INSTRUCTION PERMIT TO A
14 MINOR WHO IS QUALIFIED UNDER SUBSECTION (1)(a) OR (1)(b) OF THIS
15 SECTION AND WHO HAS A DISABILITY THAT REQUIRES THE PERSON TO USE
16 A SPECIAL VEHICLE OR THAT QUALIFIES THE MINOR FOR PARKING
17 PRIVILEGES UNDER SECTION 42-3-204, BUT THE DEPARTMENT MAY SET
18 ADDITIONAL REASONABLE REQUIREMENTS ON THE USE OF THE
19 INSTRUCTION PERMIT.

20 (d) THE DEPARTMENT SHALL ISSUE AN INSTRUCTION PERMIT TO A
21 MINOR WHO IS TWENTY-ONE YEARS OF AGE OR OLDER AND WHO MEETS
22 THE REQUIREMENTS TO BE ISSUED AN INSTRUCTION PERMIT IN
23 ACCORDANCE WITH SECTIONS 42-2-107 AND 42-2-108.

24 (e) THE DEPARTMENT SHALL NOT ISSUE AN INSTRUCTION PERMIT
25 TO A MINOR WHO IS UNDER TWENTY-ONE YEARS OF AGE TO DRIVE A
26 MOTORCYCLE UNLESS THE APPLICANT HAS SUCCESSFULLY COMPLETED AN
27 INSTRUCTION PROGRAM IN MOTORCYCLE SAFETY THAT IS APPROVED BY

1 THE COLORADO STATE PATROL.

2 (2) (a) AN INSTRUCTION PERMIT ENTITLES THE HOLDER TO DRIVE
3 A MOTOR VEHICLE ON A ROADWAY IF THE MINOR COMPLIES WITH
4 SUBSECTION (2)(b) OF THIS SECTION.

5 (b) EXCEPT AS PROVIDED IN SUBSECTION (2)(c), (2)(d), OR (2)(e)
6 OF THIS SECTION, AN INSTRUCTION PERMIT HOLDER SHALL NOT DRIVE A
7 MOTOR VEHICLE ON A ROADWAY UNLESS:

8 (I) THE PERMIT IS IN THE HOLDER'S IMMEDIATE POSSESSION; AND

9 (II) ONE OF THE FOLLOWING INDIVIDUALS WHO HOLDS A VALID
10 COLORADO DRIVER'S LICENSE IS SUPERVISING THE PERMIT HOLDER FROM
11 THE FRONT PASSENGER SEAT OR, IF THE MOTOR VEHICLE IS A
12 MOTORCYCLE, IN CLOSE PROXIMITY TO WHERE THE PERMIT HOLDER IS
13 DRIVING:

14 (A) THE MINOR'S PARENT OR STEPPARENT;

15 (B) THE MINOR'S GRANDPARENT WITH POWER OF ATTORNEY;

16 (C) THE GUARDIAN WHO SIGNED THE AFFIDAVIT OF LIABILITY;

17 (D) THE FOSTER PARENT WHO SIGNED THE AFFIDAVIT OF
18 LIABILITY;

19 (E) AN APPROVED DRIVER EDUCATION INSTRUCTOR IF THE MOTOR
20 VEHICLE COMPLIES WITH SECTION 42-2-602;

21 (F) AN INDIVIDUAL AUTHORIZED TO SUPERVISE A FOSTER CHILD IN
22 SUBSECTION (2)(c) OF THIS SECTION;

23 (G) AN ALTERNATE PERMIT SUPERVISOR APPOINTED IN
24 ACCORDANCE WITH SUBSECTION (2)(e)(I) OF THIS SECTION;

25 (H) AN INDIVIDUAL DESCRIBED IN SUBSECTION (2)(e)(II) OF THIS
26 SECTION;

27 (I) AN INDIVIDUAL AUTHORIZED TO SUPERVISE THE MINOR UNDER

1 SUBSECTION (2)(d) OF THIS SECTION; OR

2 (J) AN INDIVIDUAL WHO IS TWENTY-ONE YEARS OF AGE OR OLDER
3 AND WHO ASSUMED THE OBLIGATIONS UNDER THIS ARTICLE 2 BY SIGNING
4 THE AFFIDAVIT OF LIABILITY FOR THE MINOR.

5 (c) NOTWITHSTANDING SUBSECTION (2)(d) OF THIS SECTION, A
6 FOSTER CHILD MAY DRIVE WITH AND FULFILL THE FIFTY-HOUR DRIVING
7 REQUIREMENT ESTABLISHED IN SECTION 42-2-104 (4)(a)(II) WITH ANY
8 INDIVIDUAL WHO:

9 (I) HOLDS A VALID COLORADO DRIVER'S LICENSE; AND

10 (II) IS TWENTY-ONE YEARS OF AGE OR OLDER.

11 (d) THE INDIVIDUAL WHO SIGNED THE AFFIDAVIT OF LIABILITY
12 MAY ALLOW THE MINOR TO DRIVE WITH AN INDIVIDUAL WHO HOLDS A
13 VALID DRIVER'S LICENSE AND IS TWENTY-ONE YEARS OF AGE OR OLDER.

14 (e) (I) IF THE INDIVIDUAL WHO SIGNED THE AFFIDAVIT OF LIABILITY
15 DOES NOT HAVE A COLORADO DRIVER'S LICENSE, THE INDIVIDUAL MAY
16 APPOINT AN ALTERNATE PERMIT SUPERVISOR WHO HOLDS A COLORADO
17 DRIVER'S LICENSE.

18 (II) IF THE INDIVIDUAL WHO SIGNED THE AFFIDAVIT OF LIABILITY
19 FOR THE MINOR IS IN THE UNITED STATES MILITARY AND DOES NOT HAVE
20 A COLORADO DRIVER'S LICENSE, THE INDIVIDUAL MAY SUPERVISE THE
21 INSTRUCTION PERMIT HOLDER IF THE INDIVIDUAL HOLDS A VALID DRIVER'S
22 LICENSE FROM ANOTHER STATE, IS AUTHORIZED TO DRIVE A MOTOR
23 VEHICLE OR MOTORCYCLE, AND HAS PROPER MILITARY IDENTIFICATION.

24 (3) (a) TO BE AN APPROVED DRIVING INSTRUCTOR, THE
25 INSTRUCTOR MUST HAVE A VALID COLORADO DRIVER'S LICENSE.

26 (b) TO BE AN APPROVED DRIVING INSTRUCTOR WHO GIVES
27 INSTRUCTION IN MOTORCYCLES, THE INSTRUCTOR MUST HAVE A VALID

1 MOTORCYCLE DRIVER'S LICENSE OR ENDORSEMENT AND HAVE
2 SUCCESSFULLY COMPLETED AN INSTRUCTION PROGRAM IN MOTORCYCLE
3 SAFETY THAT IS APPROVED BY THE COLORADO STATE PATROL.

4 (4) AN INSTRUCTION PERMIT EXPIRES THREE YEARS AFTER THE
5 DATE OF ISSUANCE; EXCEPT THAT A TEMPORARY INSTRUCTION PERMIT TO
6 DRIVE A COMMERCIAL MOTOR VEHICLE, AS DEFINED IN SECTION 42-2-402
7 (4), EXPIRES ONE YEAR AFTER THE DATE OF ISSUANCE.

8 (5) (a) THE DEPARTMENT, IN ITS DISCRETION, MAY ISSUE A
9 TEMPORARY MINOR DRIVER'S LICENSE OR TEMPORARY DRIVER'S LICENSE
10 TO AN APPLICANT WHO:

11 (I) IS NOT A FIRST-TIME APPLICANT IN COLORADO; OR

12 (II) IS UNDER EIGHTEEN YEARS OF AGE AND IS ACCOMPANIED BY
13 A PERSON WHO SIGNS AN AFFIDAVIT OF LIABILITY IN ACCORDANCE WITH
14 SECTION 42-2-108 (1) THAT WILL PERMIT THE APPLICANT TO OPERATE A
15 MOTOR VEHICLE WHILE THE DEPARTMENT COMPLETES ITS VERIFICATION
16 OF ALL FACTS RELATIVE TO THE APPLICANT'S RIGHT TO RECEIVE A MINOR
17 DRIVER'S LICENSE OR DRIVER'S LICENSE.

18 (b) THE DEPARTMENT SHALL ISSUE A TEMPORARY MINOR DRIVER'S
19 LICENSE OR TEMPORARY DRIVER'S LICENSE TO A FIRST-TIME APPLICANT IN
20 COLORADO FOR A MINOR DRIVER'S LICENSE OR DRIVER'S LICENSE THAT
21 WILL PERMIT THE APPLICANT TO OPERATE A MOTOR VEHICLE WHILE THE
22 DEPARTMENT COMPLETES ITS VERIFICATION OF ALL FACTS RELATIVE TO
23 THE APPLICANT'S RIGHT TO RECEIVE A MINOR DRIVER'S LICENSE OR
24 DRIVER'S LICENSE, INCLUDING THE AGE, IDENTITY, AND RESIDENCY OF THE
25 APPLICANT, UNLESS THE APPLICANT IS UNDER EIGHTEEN YEARS OF AGE
26 AND IS ACCOMPANIED BY A PERSON WHO SIGNS AN AFFIDAVIT OF LIABILITY
27 IN ACCORDANCE WITH SECTION 42-2-108 (1). THE VERIFICATION MUST

1 INCLUDE A COMPARISON OF EXISTING DRIVER'S LICENSE AND
2 IDENTIFICATION CARD IMAGES IN DEPARTMENT FILES WITH THE
3 APPLICANT'S IMAGES TO ENSURE THE APPLICANT HAS ONLY ONE IDENTITY.

4 (c) A TEMPORARY DRIVER'S LICENSE OR TEMPORARY MINOR
5 DRIVER'S LICENSE IS VALID FOR UP TO ONE YEAR AS DETERMINED BY THE
6 DEPARTMENT, UNLESS EXTENDED BY THE DEPARTMENT, AND MUST BE IN
7 THE APPLICANT'S IMMEDIATE POSSESSION WHILE OPERATING A MOTOR
8 VEHICLE. A TEMPORARY DRIVER'S LICENSE OR TEMPORARY MINOR
9 DRIVER'S LICENSE IMMEDIATELY BECOMES INVALID WHEN THE PERMANENT
10 DRIVER'S LICENSE HAS BEEN ISSUED OR HAS BEEN REFUSED FOR GOOD
11 CAUSE.

12 (6) A PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS A
13 TRAFFIC INFRACTION.

14 **SECTION 3.** In Colorado Revised Statutes, 42-2-107, **amend**
15 (1)(a)(II) as follows:

16 **42-2-107. Application for license or instruction permit -**
17 **anatomical gifts - donations to Emily Keyes - John W. Buckner organ**
18 **and tissue donation awareness fund - legislative declaration - rules -**
19 **annual report - repeal.** (1) (a) (II) If an applicant is applying for an
20 instruction permit, ~~or~~ driver's LICENSE, or minor driver's license for the
21 first time in Colorado and the applicant otherwise meets the requirements
22 for ~~such~~ THE license or permit, the applicant shall receive a temporary
23 license, TEMPORARY MINOR DRIVER'S LICENSE, or TEMPORARY instruction
24 permit pursuant to section ~~42-2-106(2)~~ 42-2-106(5) until the department
25 verifies all facts relative to ~~such~~ THE applicant's right to receive an
26 instruction permit, ~~or~~ minor driver's LICENSE, or driver's license, including
27 the age, identity, and residency of the applicant.

1 **SECTION 4.** In Colorado Revised Statutes, **add** 42-2-602.5 as
2 follows:

3 **42-2-602.5. Criminal history of commercial driving instructors**

4 **- rules - definition - repeal.** (1) A COMMERCIAL DRIVING INSTRUCTOR
5 SHALL NOT PROVIDE, AND A COMMERCIAL DRIVING SCHOOL SHALL NOT
6 EMPLOY A COMMERCIAL DRIVING INSTRUCTOR TO PROVIDE, DRIVING
7 INSTRUCTION TO A MINOR OR AT-RISK ADULT IF THE COMMERCIAL DRIVING
8 INSTRUCTOR HAS BEEN, WITHIN THE LAST TWENTY YEARS, CONVICTED OF
9 OR PLEAD GUILTY OR NOLO CONTENDERE TO:

10 (a) A VIOLATION OF ARTICLE 3; PART 4 OR 8 OF ARTICLE 6; ARTICLE
11 6.5; OR PART 4, 5, OR 8 OF ARTICLE 7 OF TITLE 18;

12 (b) ANY OTHER CRIME THAT THE DEPARTMENT DETERMINES, BY
13 RULE, PLACES A MINOR OR AT-RISK ADULT AT RISK OF SEXUAL
14 MISCONDUCT OR VIOLENCE WHEN WITH THE COMMERCIAL DRIVING
15 INSTRUCTOR; OR

16 (c) A VIOLATION OF ARTICLE 2 OF TITLE 18, THE BASIS OF WHICH
17 IS AN OFFENSE LISTED IN SUBSECTION (1)(a) OR (1)(b) OF THIS SECTION.

18 (2) (a) A COMMERCIAL DRIVING SCHOOL SHALL NOT EMPLOY OR
19 AUTHORIZE A COMMERCIAL DRIVING INSTRUCTOR TO PROVIDE DRIVING
20 INSTRUCTION TO A MINOR OR AT-RISK ADULT UNLESS THE COMMERCIAL
21 DRIVING INSTRUCTOR HAS OBTAINED A FINGERPRINT-BASED CRIMINAL
22 HISTORY RECORD CHECK IN ACCORDANCE WITH SUBSECTION (2)(b) OF THIS
23 SECTION; EXCEPT THAT A COMMERCIAL DRIVING INSTRUCTOR MAY
24 PROVIDE DRIVING INSTRUCTION ON A PROBATIONARY BASIS WHILE THE
25 RESULTS OF THE RECORD CHECK ARE PENDING. THE COMMERCIAL DRIVING
26 SCHOOL SHALL SUBMIT TO THE DEPARTMENT THE NAME OF EACH
27 COMMERCIAL DRIVING INSTRUCTOR THAT IT INTENDS TO EMPLOY OR TO

1 AUTHORIZE TO PROVIDE DRIVING INSTRUCTION TO MINORS OR AT-RISK
2 ADULTS.

3 (b) (I) THE DEPARTMENT SHALL REQUIRE EACH COMMERCIAL
4 DRIVING INSTRUCTOR WHO PROVIDES OR IS RETAINED TO PROVIDE DRIVING
5 INSTRUCTION TO MINORS OR AT-RISK ADULTS TO HAVE THE APPLICANT'S
6 FINGERPRINTS TAKEN BY A LOCAL LAW ENFORCEMENT AGENCY OR ANY
7 THIRD PARTY APPROVED BY THE COLORADO BUREAU OF INVESTIGATION
8 FOR THE PURPOSE OF OBTAINING A FINGERPRINT-BASED CRIMINAL HISTORY
9 RECORD CHECK. THE COMMERCIAL DRIVING INSTRUCTOR SHALL
10 AUTHORIZE THE ENTITY TAKING THE APPLICANT'S FINGERPRINTS TO
11 SUBMIT, AND THE ENTITY SHALL SUBMIT, THE COMPLETE SET OF THE
12 APPLICANT'S FINGERPRINTS TO THE COLORADO BUREAU OF INVESTIGATION
13 FOR THE PURPOSE OF CONDUCTING A FINGERPRINT-BASED CRIMINAL
14 HISTORY RECORD CHECK.

15 (II) IF AN APPROVED THIRD PARTY TAKES THE PERSON'S
16 FINGERPRINTS, THE FINGERPRINTS MAY BE ELECTRONICALLY CAPTURED
17 USING COLORADO BUREAU OF INVESTIGATION-APPROVED LIVESCAN
18 EQUIPMENT. THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT'S
19 INFORMATION FOR MORE THAN THIRTY DAYS.

20 (III) THE COLORADO BUREAU OF INVESTIGATION SHALL USE THE
21 COMMERCIAL DRIVING INSTRUCTOR'S FINGERPRINTS TO CONDUCT A
22 CRIMINAL HISTORY RECORD CHECK USING THE BUREAU'S RECORDS. THE
23 COLORADO BUREAU OF INVESTIGATION SHALL ALSO FORWARD THE
24 FINGERPRINTS TO THE FEDERAL BUREAU OF INVESTIGATION FOR THE
25 PURPOSE OF CONDUCTING A FINGERPRINT-BASED CRIMINAL HISTORY
26 RECORD CHECK. THE COLORADO BUREAU OF INVESTIGATION,
27 COMMERCIAL DRIVING INSTRUCTOR, DEPARTMENT, AND ENTITY TAKING

1 FINGERPRINTS SHALL COMPLY WITH THE FEDERAL BUREAU OF
2 INVESTIGATION'S REQUIREMENTS TO CONDUCT A CRIMINAL HISTORY
3 RECORD CHECK.

4 (IV) THE COLORADO BUREAU OF INVESTIGATION SHALL RETURN
5 THE RESULTS OF ITS CRIMINAL HISTORY RECORD CHECK TO THE
6 DEPARTMENT, AND THE DEPARTMENT IS AUTHORIZED TO RECEIVE THE
7 RESULTS OF THE FEDERAL BUREAU OF INVESTIGATION'S CRIMINAL HISTORY
8 RECORD CHECK. THE DEPARTMENT SHALL USE THE INFORMATION
9 RESULTING FROM THE CRIMINAL HISTORY RECORD CHECKS TO
10 INVESTIGATE AND DETERMINE WHETHER AN APPLICANT IS QUALIFIED FOR
11 EMPLOYMENT AS A COMMERCIAL DRIVING INSTRUCTOR PURSUANT TO
12 SUBSECTION (1) OF THIS SECTION.

13 (V) WHEN THE FEDERAL BUREAU OF INVESTIGATION IS UNABLE TO
14 COMPLETE A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK OF
15 A COMMERCIAL DRIVING INSTRUCTOR, THE COLORADO BUREAU OF
16 INVESTIGATION SHALL INFORM THE DEPARTMENT AND THE DEPARTMENT
17 SHALL INFORM THE COMMERCIAL DRIVING SCHOOL, AND THE COMMERCIAL
18 DRIVING SCHOOL SHALL REQUIRE THE COMMERCIAL DRIVING INSTRUCTOR
19 TO CONDUCT A CRIMINAL HISTORY RECORD CHECK OF THE PERSON USING
20 COLORADO BUREAU OF INVESTIGATION'S RECORDS AS A SUBSTITUTE FOR
21 THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK REQUIRED IN
22 THIS SUBSECTION (2).

23 (VI) WHEN THE RESULTS OF A CRIMINAL HISTORY RECORD CHECK
24 OF AN APPLICANT PERFORMED PURSUANT TO THIS SUBSECTION (2) REVEAL
25 A RECORD OF ARREST WITHOUT A DISPOSITION, THE DEPARTMENT SHALL
26 REQUIRE THE APPLICANT TO SUBMIT TO A NAME-BASED JUDICIAL RECORD
27 CHECK, AS DEFINED IN SECTION 22-2-119.3 (6)(d).

1 (VII) THE DEPARTMENT SHALL NOTIFY THE COMMERCIAL DRIVING
2 SCHOOL WHETHER THE COMMERCIAL DRIVING INSTRUCTOR QUALIFIES OR
3 IS DISQUALIFIED FROM PROVIDING INSTRUCTION IN ACCORDANCE WITH
4 SUBSECTION (1) OF THIS SECTION.

5 (VIII) THE COMMERCIAL DRIVING SCHOOL SHALL PAY THE COSTS
6 ASSOCIATED WITH THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD
7 CHECK TO THE COLORADO BUREAU OF INVESTIGATION.

8 (3) AS USED IN THIS SECTION, "AT-RISK ADULT" HAS THE MEANING
9 SET FORTH IN SECTION 18-6.5-102 (2).

10 (4) (a) THIS SECTION TAKES EFFECT JULY 1, 2026.

11 (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2027.

12 **SECTION 5. Act subject to petition - effective date -**
13 **applicability.** (1) This act takes effect April 1, 2026; except that, if a
14 referendum petition is filed pursuant to section 1 (3) of article V of the
15 state constitution against this act or an item, section, or part of this act
16 within the ninety-day period after final adjournment of the general
17 assembly, then the act, item, section, or part will not take effect unless
18 approved by the people at the general election to be held in November
19 2024 and, in such case, will take effect April 1, 2026, or on the date of the
20 official declaration of the vote thereon by the governor, whichever is
21 later.

22 (2) This act applies to applications for instruction permits and
23 driver's licenses submitted on or after January 1, 2027.