

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

**REREVISED**

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

LLS NO. 24-0743.01 Conrad Imel x2313

**HOUSE BILL 24-1135**

**HOUSE SPONSORSHIP**

**Soper and Snyder**, Bird, Evans, Armagost, deGruy Kennedy, McCluskie

**SENATE SPONSORSHIP**

**Roberts and Will**, Hansen, Michaelson Jenet, Priola, Baisley, Hinrichsen, Van Winkle

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**House Committees**

Judiciary  
Finance  
Appropriations

**Senate Committees**

Judiciary  
Appropriations

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**A BILL FOR AN ACT**

101    **CONCERNING OFFENSES RELATED TO REQUIREMENTS FOR OPERATING**  
102            **A VEHICLE, AND, IN CONNECTION THEREWITH, MAKING AN**  
103            **APPROPRIATION.**

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**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>.)*

Under existing law, it is a class A traffic infraction to operate a commercial motor vehicle without a commercial driver's license, to operate a commercial motor vehicle if the operator is under 21 years of age, or to drive a commercial motor vehicle if the person has more than one driver's license. The bill makes each a class 1 misdemeanor; except

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  
May 4, 2024

SENATE  
Amended 2nd Reading  
May 3, 2024

HOUSE  
3rd Reading Unamended  
April 29, 2024

HOUSE  
Amended 2nd Reading  
April 26, 2024

that, if a person presents a valid commercial driver's license to the court within 30 days, the offense is a class A traffic infraction.

The bill creates the offense of unlawful direction to operate a commercial motor vehicle. An employer who knowingly authorizes or permits an employee to operate a commercial motor vehicle without a commercial driver's license, or permits an employee who is under 21 years of age to operate a commercial motor vehicle, commits unlawful direction to operate a commercial motor vehicle, a class 1 misdemeanor traffic offense.

The bill requires a driver to comply with a search warrant to conduct a blood draw. Failure to comply with a warrant to conduct a blood draw is a misdemeanor; except that it is a class 4 felony if the violation occurred after 3 or more prior convictions, arising out of separate and distinct criminal episodes, for driving under the influence (DUI), DUI per se, or driving while ability impaired (collectively, impaired driving offenses); vehicular homicide; vehicular assault; or any combination thereof. A driver who fails to comply with a warrant to conduct a blood draw is subject to the same criminal penalties as for DUI.

Under existing law, a person whose privilege to drive was revoked for multiple convictions for any combination of impaired driving offenses must have an interlock-restricted license for 2 to 5 years. The bill requires a person whose privilege to drive was revoked following a conviction for a DUI or DUI per se to hold an interlock-restricted license for at least:

- 2 years, if the DUI or DUI per se conviction is a second conviction for any combination of impaired driving offenses;
- 3 years, if the DUI or DUI per se conviction is a third conviction for any combination of impaired driving offenses; and
- 4 years, if the DUI or DUI per se conviction is a fourth conviction for any combination of impaired driving offenses.

Under existing law, a persistent drunk driver is required to hold the interlock-restricted license for at least 2 years following reinstatement. The bill requires a persistent drunk driver to hold an interlock-restricted license for at least 3 years following a second violation for refusal to take or complete a test for the purpose of determining the alcoholic content of the driver's blood or breath upon a law enforcement officer's request.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-2-404, **amend** (3)

3 as follows:

1           **42-2-404. Commercial driver's license - limitations - unlawful**  
2 **direction to operate a commercial motor vehicle - rules.** (3) (a) In  
3 addition to any applicable federal penalty concerning commercial motor  
4 vehicle operators, any person who violates subsection (1) or (2) of this  
5 section, or any rule or regulation promulgated by the department pursuant  
6 to this part 4, commits a CLASS 1 MISDEMEANOR TRAFFIC OFFENSE;  
7 EXCEPT THAT, IF A PERSON WHO VIOLATES SUBSECTION (1) OR (2) OF THIS  
8 SECTION PRESENTS A VALID COMMERCIAL DRIVER'S LICENSE TO THE COURT  
9 WITHIN THIRTY DAYS AFTER THE DATE OF THE VIOLATION OR AT THE  
10 PERSON'S FIRST SCHEDULED COURT APPEARANCE, THE PERSON, IF  
11 CONVICTED, IS GUILTY OF A class A traffic infraction.

12           (b) (I) AN EMPLOYER OR AN OFFICER OR AGENT OF AN EMPLOYER  
13 SHALL NOT AUTHORIZE OR PERMIT AN EMPLOYEE TO OPERATE A  
14 COMMERCIAL MOTOR VEHICLE IF THE EMPLOYER, OFFICER, OR AGENT  
15 KNOWS OR REASONABLY SHOULD KNOW THAT THE EMPLOYEE DOES NOT  
16 SATISFY THE REQUIREMENTS IN SUBSECTION (1) OF THIS SECTION TO  
17 OPERATE A COMMERCIAL MOTOR VEHICLE.

18           (II) AN EMPLOYER, OFFICER, OR AGENT WHO VIOLATES  
19 SUBSECTION (3)(b)(I) OF THIS SECTION COMMITS UNLAWFUL  
20 DIRECTION TO OPERATE A COMMERCIAL MOTOR VEHICLE. UNLAWFUL  
21 DIRECTION TO OPERATE A COMMERCIAL MOTOR VEHICLE IS A CLASS 1  
22 MISDEMEANOR TRAFFIC OFFENSE.

23           

24           **SECTION 2.** In Colorado Revised Statutes, 43-2-145, **add** (2.1),  
25 (2.2), and (2.3) as follows:

26           **43-2-145. Transportation legislation review - committee -**  
27 **definition - repeal.** (2.1) (a) DURING THE 2024 LEGISLATIVE INTERIM,

1 THE COMMITTEE SHALL ANALYZE THE ISSUE OF ENFORCEMENT OF  
2 IMPAIRED DRIVING OFFENSES, INCLUDING SITUATIONS INVOLVING A  
3 DRIVER WHO REFUSES TO TAKE OR COMPLETE A BLOOD OR BREATH TEST  
4 AS REQUIRED BY LAW.

5 (b) THE COMMITTEE MAY REQUEST AND RECEIVE INPUT FROM THE  
6 COLORADO STATE PATROL AND THE COLORADO TASK FORCE ON DRUNK  
7 AND IMPAIRED DRIVING CREATED IN SECTION 42-4-1306 AND TAKE  
8 TESTIMONY FROM INTERESTED OR KNOWLEDGEABLE PEOPLE ABOUT THE  
9 ISSUE OF ENFORCEMENT OF IMPAIRED DRIVING OFFENSES AND MAY  
10 OTHERWISE RESEARCH THE ISSUE.

11 (c) THE COMMITTEE MAY MAKE RECOMMENDATIONS CONCERNING  
12 THE ISSUE OF ENFORCEMENT OF IMPAIRED DRIVING OFFENSES DESCRIBED  
13 IN THIS SUBSECTION (2.1) TO THE GENERAL ASSEMBLY, AND, IF THE  
14 COMMITTEE RECOMMENDS LEGISLATION, THE LEGISLATION IS TREATED AS  
15 LEGISLATION RECOMMENDED BY AN INTERIM LEGISLATIVE COMMITTEE  
16 FOR PURPOSES OF ANY INTRODUCTION DEADLINES OR BILL LIMITATIONS  
17 IMPOSED BY THE JOINT RULES OF THE GENERAL ASSEMBLY.

18 (d) THIS SUBSECTION (2.1) IS REPEALED, EFFECTIVE JULY 1, 2025.

19 (2.2) (a) DURING THE 2024 LEGISLATIVE INTERIM, THE COMMITTEE  
20 SHALL STUDY THE ISSUE OF CARELESS DRIVING, DESCRIBED IN SECTION  
21 42-4-1402, THAT RESULTS IN ACCIDENTAL DEATH. THE COMMITTEE SHALL  
22 STUDY THE FREQUENCY OF CARELESS DRIVING INCIDENTS THAT RESULT IN  
23 ACCIDENTAL DEATH AND WHETHER THE CURRENT POSSIBLE CIVIL AND  
24 CRIMINAL CHARGES, INCLUDING CHARGES THAT MAY BE BROUGHT IN  
25 ADDITION TO THOSE FOR CARELESS DRIVING, AND ASSOCIATED PENALTIES,  
26 ARE APPROPRIATE.

27 (b) AS PART OF ITS STUDY, THE COMMITTEE SHALL REQUEST INPUT

1 FROM COUNTY COURT JUDGES, THE COLORADO STATE PATROL, AND OTHER  
2 LAW ENFORCEMENT AGENCIES.

3 (c) THE COMMITTEE MAY MAKE RECOMMENDATIONS TO THE  
4 GENERAL ASSEMBLY CONCERNING CARELESS DRIVING INCIDENTS THAT  
5 RESULT IN ACCIDENTAL DEATH. IF THE COMMITTEE RECOMMENDS  
6 LEGISLATION, THE LEGISLATION IS TREATED AS LEGISLATION  
7 RECOMMENDED BY AN INTERIM LEGISLATIVE COMMITTEE FOR PURPOSES  
8 OF ANY INTRODUCTION DEADLINES OR BILL LIMITATIONS IMPOSED BY THE  
9 JOINT RULES OF THE GENERAL ASSEMBLY. IF THE COMMITTEE DOES NOT  
10 RECOMMEND LEGISLATION, THE COMMITTEE SHALL REPORT TO THE  
11 GENERAL ASSEMBLY, IN WRITING, THE FINDINGS OF ITS STUDY AND ANY  
12 RECOMMENDATIONS OF THE COMMITTEE. THE WRITTEN FINDINGS AND  
13 RECOMMENDATIONS MAY BE INCLUDED IN THE COMMITTEE'S FINAL  
14 REPORT MADE FOLLOWING ITS WORK DURING THE 2024 LEGISLATIVE  
15 INTERIM.

16 (d) THIS SUBSECTION (2.2) IS REPEALED, EFFECTIVE JULY 1, 2025.

17 \_\_\_\_\_ (2.3) (a) DURING THE 2024 LEGISLATIVE INTERIM, THE  
18 COMMITTEE SHALL STUDY THE ISSUE OF THE APPROPRIATE PENALTY FOR  
19 FAILING TO MAINTAIN MOTOR VEHICLE OR LOW-POWERED SCOOTER  
20 INSURANCE AND PRESENT EVIDENCE OF INSURANCE TO A REQUESTING  
21 OFFICER, AS REQUIRED IN SECTION 42-4-1409. ANY REQUIREMENT TO  
22 MAINTAIN INSURANCE TO OPERATE A COMMERCIAL VEHICLE, AND THE  
23 PENALTY FOR NOT MAINTAINING COMMERCIAL VEHICLE INSURANCE, IS  
24 NOT WITHIN THE SCOPE OF THE STUDY REQUIRED IN THIS SUBSECTION  
25 (2.3).

26 (b) AS PART OF ITS STUDY, THE COMMITTEE SHALL REQUEST INPUT  
27 FROM COUNTY COURT JUDGES, THE COLORADO STATE PATROL AND OTHER

1 LAW ENFORCEMENT AGENCIES, THE COLORADO DISTRICT ATTORNEYS'  
2 COUNCIL, THE OFFICE OF STATE PUBLIC DEFENDER, PRIVATE ATTORNEYS  
3 WHO DEFEND PERSONS IN ACTIONS RELATED TO MAINTAINING MOTOR  
4 VEHICLE INSURANCE, VICTIMS OF PERSONS DRIVING WITHOUT INSURANCE,  
5 PERSONS WHO WERE CONVICTED OF DRIVING WITHOUT INSURANCE, THE  
6 DEPARTMENT OF REVENUE, AND CRIMINAL JUSTICE REFORM  
7 ORGANIZATIONS IN COLORADO. UPON APPROVAL OF THE EXECUTIVE  
8 COMMITTEE OF THE LEGISLATIVE COUNCIL, THE COMMITTEE MAY HOLD  
9 HEARINGS AWAY FROM THE CAPITOL AS PART OF THE STUDY.

10 (c) THE COMMITTEE MAY MAKE RECOMMENDATIONS TO THE  
11 GENERAL ASSEMBLY CONCERNING THE APPROPRIATE PENALTY FOR  
12 FAILING TO MAINTAIN INSURANCE AND PRESENT EVIDENCE OF INSURANCE  
13 TO A REQUESTING OFFICER. IF THE COMMITTEE RECOMMENDS  
14 LEGISLATION, THE LEGISLATION IS TREATED AS LEGISLATION  
15 RECOMMENDED BY AN INTERIM LEGISLATIVE COMMITTEE FOR PURPOSES  
16 OF ANY INTRODUCTION DEADLINES OR BILL LIMITATIONS IMPOSED BY THE  
17 JOINT RULES OF THE GENERAL ASSEMBLY. IF THE COMMITTEE DOES NOT  
18 RECOMMEND LEGISLATION, THE COMMITTEE SHALL REPORT TO THE  
19 GENERAL ASSEMBLY, IN WRITING, THE FINDINGS OF ITS STUDY AND ANY  
20 RECOMMENDATIONS OF THE COMMITTEE. THE WRITTEN FINDINGS AND  
21 RECOMMENDATIONS MAY BE INCLUDED IN THE COMMITTEE'S FINAL  
22 REPORT MADE FOLLOWING ITS WORK DURING THE 2024 LEGISLATIVE  
23 INTERIM.

24 (d) THIS SUBSECTION (2.3) IS REPEALED, EFFECTIVE JULY 1, 2025.

25 **SECTION 3. Appropriation.** (1) For the 2024-25 state fiscal  
26 year, \$1,455 is appropriated to the department of revenue. This  
27 appropriation is from the Colorado DRIVES vehicle services account in

1 the highway users tax fund created in section 42-1-211 (2), C.R.S. To  
2 implement this act, the department may use this appropriation as follows:

3 (a) \$992 for DRIVES maintenance and support;

4 (b) \$160 for use by the division of motor vehicles for personal  
5 services related to vehicle services;

6 (c) \$105 for use by the executive director's office for personal  
7 services related to administration and support; and

8 (d) \$198 for payments to OIT.

9 **SECTION 4. Effective date - applicability.** This act takes effect  
10 August 1, 2024, and applies to offenses committed on or after said date.

11 **SECTION 5. Safety clause.** The general assembly finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, or safety or for appropriations for  
14 the support and maintenance of the departments of the state and state  
15 institutions.