

## CHAPTER 94

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**MOTOR VEHICLES AND TRAFFIC REGULATION**

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HOUSE BILL 97-1227

BY REPRESENTATIVES May, Sullivant, and Swenson;  
also SENATORS Powers, Ament, Arnold, and Bishop.

**AN ACT**

CONCERNING ELIMINATION OF DRIVER EXAMINATION REQUIREMENTS FOR A PERSON WHOSE LICENSE WAS REVOKED BECAUSE OF A FIRST-TIME VIOLATION OF DRIVING WITH EXCESSIVE ALCOHOL CONTENT.

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

**SECTION 1.** 42-2-126 (7) (c), Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended to read:

**42-2-126. Revocation of license based on administrative determination.**  
(7) (c) Following a license revocation, the department shall not issue a new license or otherwise restore the driving privilege unless it is satisfied, after an investigation of the character, habits, and driving ability of the person, that it will be safe to grant the privilege of driving a motor vehicle on the highways. ~~THE DEPARTMENT MAY NOT REQUIRE A PERSON TO UNDERGO SKILLS OR KNOWLEDGE TESTING PRIOR TO ISSUANCE OF A NEW LICENSE OR RESTORATION OF SUCH PERSON'S DRIVING PRIVILEGE IF SUCH PERSON'S LICENSE WAS REVOKED FOR A FIRST VIOLATION OF DRIVING WITH EXCESSIVE ALCOHOL CONTENT PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (b) OF SUBSECTION (6) OF THIS SECTION.~~

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**SECTION 2. Effective date - applicability.** (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: April 16, 1997