

## CHAPTER 193

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**MOTOR VEHICLES AND TRAFFIC REGULATION**


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**HOUSE BILL 05-1075**

BY REPRESENTATIVE(S) Brophy, Frangas, Liston, Stafford, Todd, and Welker;  
also SENATOR(S) Hillman, Anderson, Entz, Evans, Taylor, Tochtrop, and Williams.

**AN ACT**

**CONCERNING THE PUBLIC RECORD STATUS OF RECORDS OF CONVICTION FOR UNDERAGE ALCOHOL  
RELATED STATUTES HELD BY THE DEPARTMENT OF REVENUE.**

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

**SECTION 1.** 42-1-206 (1) (a) and (2) (a), Colorado Revised Statutes, are amended, and the said 42-1-206 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**42-1-206. Records open to inspection - furnishing of copies.** (1) (a) Except as provided in part 2 of article 72 of title 24, C.R.S., AND SUBSECTION (6) OF THIS SECTION, all records made public records by any provision of this title and kept in the office of the department shall be open to inspection by the public during business hours under such reasonable rules ~~and regulations~~ relating thereto as the executive director of the department may prescribe.

(2) (a) EXCEPT AS PROVIDED IN SUBSECTION (6) OF THIS SECTION, upon written application and the payment of a fee of two dollars and twenty cents per copy, or a record search for each copy requested, the department shall furnish to any person a photostatic copy of any specified record or accident report specifically made a public record by any provision of this title and shall, for the additional fee of fifty cents per certification, if requested, certify the same. Fees collected under this subsection (2) shall be used to defray the expenses of providing such copies; except that ten cents of each fee collected by the authorized agent shall be credited to the special purpose account established under section 42-1-211 and the entire fee for vehicle and manufactured home records, if collected directly by the department, shall be credited to the special purpose account established under section 42-1-211.

(6) THE RECORD OF CONVICTION AND ACTIONS TAKEN BY THE DEPARTMENT FOR

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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.*

VIOLATING SECTION 18-13-122 OR 12-47-901 (1) (c), C.R.S., HELD BY THE DEPARTMENT OF REVENUE, SHALL NOT BE A PUBLIC RECORD AFTER THE PERIOD OF REVOCATION IMPOSED UNDER SUCH SECTIONS HAS BEEN CONCLUDED; EXCEPT THAT THIS SUBSECTION (6) SHALL NOT PREVENT THE DEPARTMENT FROM SHARING SUCH INFORMATION WITH A CRIMINAL JUSTICE AGENCY AS DEFINED IN SECTION 24-72-302 (3), C.R.S.

**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 1, 2005