

CHAPTER 158

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 06-083

BY SENATOR(S) May R., Entz, Groff, Isgar, Jones, Mitchell, Spence, Teck, Tochtrop, Williams, and Shaffer;
also REPRESENTATIVE(S) Ragsdale, Benefield, Liston, Merrifield, and Todd.

AN ACT

CONCERNING AUTHORIZATION FOR AN ALTERNATE PERSON TO SUPERVISE A HOLDER OF A DRIVER'S PERMIT ISSUED TO A MINOR WHO IS UNDER SIXTEEN YEARS OF AGE.

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

SECTION 1. 42-2-106 (1) (b) and (1) (d), Colorado Revised Statutes, are amended to read:

42-2-106. Instruction permits and temporary licenses - repeal.

(1) (b) (I) Any minor ~~of the age of~~ WHO IS fifteen years ~~who is~~ OF AGE AND enrolled in a driver education course approved by the department may apply for a minor's instruction permit pursuant to sections 42-2-107 and 42-2-108. Upon presentation of a written or printed statement signed by the parent, stepparent, grandparent with power of attorney, or guardian and the instructor of the driver education course that such minor is enrolled in an approved driver education course, the department shall issue such permit entitling the applicant, while having such permit in such applicant's immediate possession, to drive a motor vehicle, ~~excluding~~ INCLUDING a motorcycle or motor-driven cycle, under the supervision of the parent, stepparent, grandparent with power of attorney, or guardian who cosigned the application for the minor's instruction permit if such parent, stepparent, grandparent with power of attorney, or guardian holds a valid driver's license, OR IF THE VEHICLE IS A MOTORCYCLE, IS AUTHORIZED UNDER THIS ARTICLE TO DRIVE A MOTORCYCLE OR MOTOR-DRIVEN CYCLE. Such permit shall also entitle the applicant to drive a motor vehicle, including a motorcycle or motor-driven cycle ~~which~~ THAT is marked ~~so as~~ to indicate that it is a motor vehicle used for instruction and ~~which~~ THAT is properly equipped for such instruction upon the highways when accompanied by or under the supervision of an approved driver education instructor who holds a valid driver's license. Driver education instructors giving instruction in motorcycle safety ~~must~~ SHALL have a valid motorcycle driver's license and ~~must~~ SHALL have successfully

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

completed an instruction program in motorcycle safety approved by the department. Such permit shall expire three years after issuance.

(II) IF THE PARENT, STEPPARENT, GRANDPARENT WITH POWER OF ATTORNEY, OR GUARDIAN OR FOSTER PARENT, WHO SIGNED THE AFFIDAVIT OF LIABILITY PURSUANT TO SECTION 42-2-108 (1) (a), DOES NOT HOLD A DRIVER'S LICENSE, THE PARENT, STEPPARENT, GRANDPARENT WITH POWER OF ATTORNEY, OR GUARDIAN OR FOSTER PARENT MAY APPOINT AN ALTERNATE PERMIT SUPERVISOR. AN ALTERNATE PERMIT SUPERVISOR SHALL HOLD A VALID COLORADO DRIVER'S LICENSE AND BE TWENTY-ONE YEARS OF AGE OR OLDER, OR IF THE VEHICLE IS A MOTORCYCLE, IS AUTHORIZED UNDER THIS ARTICLE TO DRIVE A MOTORCYCLE OR MOTOR-DRIVEN CYCLE. A MINOR WHO IS ISSUED A PERMIT UNDER THIS PARAGRAPH (b) MAY DRIVE A MOTOR VEHICLE, INCLUDING A MOTORCYCLE OR MOTOR-DRIVEN CYCLE, UNDER THE SUPERVISION OF THE ALTERNATE PERMIT SUPERVISOR IF THE MINOR HAS THE PERMIT IN THE MINOR'S IMMEDIATE POSSESSION.

(d) (I) A minor fifteen and one-half years of age who has completed a four-hour prequalification driver awareness program approved by the department may apply for a minor's instruction permit pursuant to sections 42-2-107 and 42-2-108. Upon presenting a written or printed statement signed by the parent, stepparent, grandparent with power of attorney, or guardian OR FOSTER PARENT of the applicant and documentation that the minor completed such driver awareness program, the department shall issue a permit entitling the applicant, while having the permit in the applicant's immediate possession, to drive a motor vehicle, ~~excluding~~ INCLUDING a motorcycle or motor-driven cycle, under the supervision of the parent, stepparent, grandparent with power of attorney, or guardian OR FOSTER PARENT who cosigned the application for the minor's instruction permit if such parent, stepparent, grandparent with power of attorney, or guardian OR FOSTER PARENT holds a valid driver's license, OR IF THE VEHICLE IS A MOTORCYCLE, IS AUTHORIZED UNDER THIS ARTICLE TO DRIVE A MOTORCYCLE OR MOTOR-DRIVEN CYCLE. Such permit shall expire three years after issuance.

(II) IF THE PARENT, STEPPARENT, GRANDPARENT WITH POWER OF ATTORNEY, OR GUARDIAN OR FOSTER PARENT, WHO SIGNED THE AFFIDAVIT OF LIABILITY PURSUANT TO SECTION 42-2-108 (1) (a), DOES NOT HOLD A DRIVER'S LICENSE, THE PARENT, STEPPARENT, GRANDPARENT WITH POWER OF ATTORNEY, OR GUARDIAN MAY APPOINT AN ALTERNATE PERMIT SUPERVISOR. AN ALTERNATE PERMIT SUPERVISOR SHALL HOLD A VALID COLORADO DRIVER'S LICENSE AND BE TWENTY-ONE YEARS OF AGE OR OLDER, OR IF THE VEHICLE IS A MOTORCYCLE, IS AUTHORIZED UNDER THIS ARTICLE TO DRIVE A MOTORCYCLE OR MOTOR-DRIVEN CYCLE. A MINOR WHO IS ISSUED A PERMIT UNDER THIS PARAGRAPH (d) MAY DRIVE A MOTOR VEHICLE, INCLUDING A MOTORCYCLE OR MOTOR-DRIVEN CYCLE, UNDER THE SUPERVISION OF THE ALTERNATE PERMIT SUPERVISOR IF THE MINOR HAS THE PERMIT IN THE MINOR'S IMMEDIATE POSSESSION.

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: April 24, 2006