

HB1176\_L.018

## HOUSE COMMITTEE OF REFERENCE REPORT

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 Chairman of Committee

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 Date
Committee on Transportation & Energy.

After consideration on the merits, the Committee recommends the following:

HB09-1176 be amended as follows:

1 Amend proposed committee amendment, (HB1176\_L.014), page 7, after  
2 line 16, insert the following:

3 "SECTION 5. Article 15 of title 12, Colorado Revised Statutes,  
4 is amended BY THE ADDITION OF A NEW SECTION to read:

5 **12-15-122. Criminal history record check - driving instructors.**

6 (1) NO INDIVIDUAL SHALL PROVIDE BEHIND-THE-WHEEL DRIVING  
7 INSTRUCTION IF THE INDIVIDUAL HAS BEEN CONVICTED OF OR PLEAD NOLO  
8 CONTENDERE TO A VIOLATION OF ARTICLE 3 OR 6.5, PART 3, 4, OR 8 OF  
9 ARTICLE 6, OR PART 4, 5, OR 6 OF ARTICLE 7 OF TITLE 18, C.R.S.

10 (2) AN INDIVIDUAL WISHING TO PROVIDE BEHIND-THE-WHEEL  
11 DRIVING INSTRUCTION SHALL SUBMIT A SET OF FINGERPRINTS TO THE  
12 DEPARTMENT, WHO SHALL FORWARD THE FINGERPRINTS TO THE  
13 COLORADO BUREAU OF INVESTIGATION TO OBTAIN A FINGERPRINT-BASED  
14 CRIMINAL HISTORY RECORD CHECK. UPON RECEIPT OF FINGERPRINTS AND  
15 PAYMENT OF COSTS, THE COLORADO BUREAU OF INVESTIGATION SHALL  
16 CONDUCT A STATE AND NATIONAL FINGERPRINT-BASED CRIMINAL HISTORY  
17 RECORD CHECK USING RECORDS OF THE COLORADO BUREAU OF  
18 INVESTIGATION AND THE FEDERAL BUREAU OF INVESTIGATION. THE  
19 DEPARTMENT IS THE AUTHORIZED AGENCY TO RECEIVE THE RESULTS OF  
20 THE NATIONAL CRIMINAL HISTORY RECORD CHECK. THE INDIVIDUAL  
21 WHOSE FINGERPRINTS ARE CHECKED SHALL BEAR THE COSTS OF THE STATE  
22 AND NATIONAL FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK.

23 (3) A VIOLATION OF THIS SECTION IS A CLASS 2 MISDEMEANOR AND  
24 SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-501, C.R.S."

25 Renumber succeeding sections accordingly.

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