



Colorado Legislative Council Staff Fiscal Note
NO FISCAL IMPACT

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Prime Sponsor(s): Sen. Morse

Bill Status: Senate Judiciary

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TITLE: CONCERNING THE AUTHORITY OF A LAW ENFORCEMENT OFFICER UNDER THE EXPRESS CONSENT LAW TO REQUEST A DRIVER TO TAKE A TEST OTHER THAN THE TEST ELECTED BY THE DRIVER FOR THE PURPOSE OF DETERMINING THE DRIVER'S ALCOHOL CONTENT.

Summary of Assessment

Under Colorado's expressed consent law, a driver suspected of drunk driving is required to cooperate with law enforcement when asked to take and complete a test to determine the alcoholic content of the driver's blood or breath. The bill requires a law enforcement officer to request that a driver take a different test if the officer determines that extraordinary circumstances prevent the driver from completing the originally agreed upon test within 2 hours. It specifies that a driver's refusal to take the alternative test is considered a refusal to submit to testing.

The bill makes minimal changes to procedures related to the expressed consent law. It does not impact state or local revenues or expenditures. Thus, it is assessed as having no fiscal impact. The bill takes effect on July 1, 2007.

Departments Contacted

Public Safety

Revenue

Transportation