

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 12, 2008

Date

Committee on Transportation & Energy.

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

HB08-1194 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 7, line 26, strike "**convictions.**" and substitute
2 "**convictions - rules.**".

3 Page 9, strike line 14 and substitute the following:

4 "SUBSECTION (1.7) OF THIS SECTION.

5 (C) THE DEPARTMENT SHALL ESTABLISH A PROGRAM TO ASSIST
6 PERSONS WHO APPLY FOR A RESTRICTED LICENSE UNDER THIS
7 SUBPARAGRAPH (II) WHO ARE UNABLE TO PAY THE FULL COST OF AN
8 IGNITION INTERLOCK DEVICE. THE PROGRAM SHALL BE FUNDED FROM THE
9 FIRST TIME DRUNK DRIVING OFFENDER ACCOUNT IN THE HIGHWAY USERS
10 TAX FUND ESTABLISHED PURSUANT TO SECTION 42-2-132 (4) (b) (II). THE
11 EXECUTIVE DIRECTOR OF THE DEPARTMENT MAY PROMULGATE RULES
12 GOVERNING THE PROGRAM."

13 Page 10, line 20, after "2009,", insert "FIRST TO THE DEPARTMENT OF
14 REVENUE TO PAY ITS COSTS ASSOCIATED WITH THE IMPLEMENTATION OF
15 HOUSE BILL 08-1194, AS ENACTED AT THE SECOND REGULAR SESSION OF
16 THE SIXTY-SIXTH GENERAL ASSEMBLY; SECOND, TO THE DEPARTMENT OF
17 REVENUE";

18 line 23, strike "DEVICE." and substitute "DEVICE; AND THEN TO PROVIDE
19 TWO MILLION DOLLARS TO THE DEPARTMENT OF TRANSPORTATION FOR

1 HIGH VISIBILITY DRUNK DRIVING ENFORCEMENT PURSUANT TO SECTION
2 43-4-901, C.R.S. ANY MONEYS IN THE ACCOUNT NOT EXPENDED FOR
3 THESE PURPOSES MAY BE INVESTED BY THE STATE TREASURER AS
4 PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE
5 INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED
6 TO THE ACCOUNT.";

7 line 24, strike "BE" and substitute "REMAIN IN THE ACCOUNT AND SHALL
8 NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND, THE HIGHWAY
9 USERS TAX FUND, OR ANOTHER FUND.";

10 strike lines 25 through 27.

11 Page 11, line 16, strike "July" and substitute "the later of September";

12 line 17, after "2008,", insert "or the effective date of this act,";

13 line 19, after "effect", insert "the later of" and, after "2009,", insert "or the
14 effective date of this act,";

15 strike lines 21 through 23 and substitute the following:

16 **"SECTION 10. Effective date.** This act shall take effect at 12:01
17 a.m. on the day following the expiration of the ninety-day period after
18 final adjournment of the general assembly that is allowed for submitting
19 a referendum petition pursuant to article V, section 1 (3) of the state
20 constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008);
21 except that, if a referendum petition is filed against this act or an item,
22 section, or part of this act within such period, then the act, item, section,
23 or part, if approved by the people, shall take effect on the date of the
24 official declaration of the vote thereon by proclamation of the governor.".

** *** ** *** **