

Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 08-0401.01 Jery Payne

HOUSE BILL 08-1050

HOUSE SPONSORSHIP

Marostica,

SENATE SPONSORSHIP

Tochtrop,

House Committees
Transportation & Energy

Senate Committees
Transportation

A BILL FOR AN ACT

101 CONCERNING MOTORCYCLE DRIVER'S LICENSE ENDORSEMENTS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Divides the current motorcycle license endorsement into a general endorsement for any motorcycle and limited endorsements for a 3-wheel motorcycle or motor-driven cycle. Restricts a person who possesses a limited endorsement from operating other types of motorcycles.

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

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
March 3, 2008

HOUSE
3rd Reading Unamended
January 29, 2008

HOUSE
Amended 2nd Reading
January 28, 2008

1 **SECTION 1.** 42-2-103, Colorado Revised Statutes, is amended
2 to read:

3 **42-2-103. Motorcycles - motorized bicycles - driver's license**
4 **requirements.** (1) (a) THE DEPARTMENT SHALL ESTABLISH A
5 MOTORCYCLE ENDORSEMENT PROGRAM FOR DRIVER'S LICENSES, MINOR
6 DRIVER'S LICENSES, AND INSTRUCTION PERMITS ISSUED PURSUANT TO THIS
7 ARTICLE.

8 (b) THE DEPARTMENT SHALL REQUIRE AN APPLICANT FOR A
9 GENERAL MOTORCYCLE ENDORSEMENT TO DEMONSTRATE THE
10 APPLICANT'S ABILITY TO EXERCISE ORDINARY AND REASONABLE CARE AND
11 CONTROL IN THE OPERATION OF A MOTORCYCLE. THE DEPARTMENT SHALL
12 ALSO REQUIRE AN APPLICANT FOR A LIMITED THREE-WHEEL MOTORCYCLE
13 ENDORSEMENT TO DEMONSTRATE THE APPLICANT'S ABILITY TO EXERCISE
14 ORDINARY AND REASONABLE CARE AND CONTROL IN THE OPERATION OF
15 A THREE-WHEEL MOTORCYCLE.

16 (c) A PERSON SHALL NOT OPERATE A TWO-WHEEL MOTORCYCLE ON
17 A ROADWAY WITHOUT A GENERAL MOTORCYCLE ENDORSEMENT, BUT A
18 PERSON WHO POSSESSES A GENERAL MOTORCYCLE ENDORSEMENT MAY
19 OPERATE ANY MOTORCYCLE ON THE ROADWAY.

20 (d) A PERSON WITH ONLY A LIMITED THREE-WHEEL MOTORCYCLE
21 ENDORSEMENT MAY OPERATE A THREE-WHEEL MOTORCYCLE BUT SHALL
22 NOT OPERATE A TWO-WHEEL MOTORCYCLE ON A ROADWAY.

23
24 (2) (a) An operator of a motorized bicycle shall possess a valid
25 driver's license or minor driver's license.

26 (b) No motorized bicycle shall be operated on any interstate
27 system as described in section 43-2-101 (2), C.R.S., except where a

1 bicycle may be operated on such interstate system, on any limited-access
2 road of the state highway system as described in section 43-2-101 (1),
3 C.R.S., or on any sidewalk, unless such operation is specifically
4 designated. Motorized bicycles may be operated upon roadways, except
5 as provided in this section, and in bicycle lanes included within such
6 roadways.

7 (3) A PERSON WHO OPERATES A MOTORCYCLE IN VIOLATION OF
8 SUBSECTION (1) OF THIS SECTION COMMITS THE OFFENSE OF DRIVING A
9 MOTOR VEHICLE WITHOUT THE CORRECT CLASS OF LICENSE IN VIOLATION
10 OF SECTION 42-2-101 (4) AND SHALL BE PUNISHED AS PROVIDED IN
11 SECTION 42-2-101 (10).

12 **SECTION 2. Effective date - applicability.** This act shall take
13 effect July 1, 2008, and shall apply to offenses committed and
14 applications submitted on or after said date.

15 **SECTION 3. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety.