

**First Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 09-0411.01 Jery Payne

**HOUSE BILL 09-1016**

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**HOUSE SPONSORSHIP**

**Court,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Transportation & Energy

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING AN EXCEPTION TO THE REQUIREMENT THAT A PERSON**  
102             **WHO IS LAWFULLY PRESENT IN COLORADO BE LICENSED TO**  
103             **DRIVE BY THE DEPARTMENT OF REVENUE WHEN SUCH PERSON**  
104             **DRIVES WHILE PRESENT IN COLORADO FOR BUSINESS PURPOSES.**

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**Bill Summary**

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

Authorizes a person who is domiciled in another state but is employed in Colorado to drive in Colorado on the person's existing license. Authorizes a person who is lawfully present and employed in Colorado for no more than 180 days under a work visa or similar

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.*

document to drive in Colorado on the person's existing license. Authorizes an agricultural worker who is employed under a work visa or similar document to obtain a driver's license in Colorado.

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

2 **SECTION 1.** The introductory portion to 42-2-102 (1), Colorado  
3 Revised Statutes, is amended, and the said 42-2-102 (1) is further  
4 amended BY THE ADDITION OF THE FOLLOWING NEW  
5 PARAGRAPHS, to read:

6 **42-2-102. Persons exempt from license.** (1) The following  
7 persons need not obtain a Colorado driver's license TO OPERATE A MOTOR  
8 VEHICLE:

9 (g) A PERSON WHO IS DOMICILED IN ANOTHER STATE, WHO OWNS  
10 OR IS EMPLOYED BY A BUSINESS IN COLORADO, AND WHO HOLDS A VALID  
11 DRIVER'S LICENSE IN THE PERSON'S STATE OF DOMICILE;

12 (h) A PERSON WHO IS LAWFULLY PRESENT AND EMPLOYED IN  
13 COLORADO FOR NO MORE THAN ONE HUNDRED EIGHTY DAYS IN A  
14 TWELVE-MONTH PERIOD BY MEANS OF A DOCUMENT THAT AUTHORIZES  
15 ONLY TEMPORARY OR SEASONAL EMPLOYMENT ISSUED BY THE UNITED  
16 STATES CITIZENSHIP AND IMMIGRATION SERVICES, WHO IS AT LEAST  
17 SIXTEEN YEARS OF AGE, AND WHO HOLDS A VALID DRIVER'S LICENSE IN  
18 THE PERSON'S COUNTRY OF RESIDENCE.

19 **SECTION 2.** 8-3.5-109, Colorado Revised Statutes, is amended  
20 to read:

21 **8-3.5-109. Identification required.** Within two weeks after an  
22 employee's arrival in Colorado, the employee shall apply for an  
23 identification card OR DRIVER'S LICENSE issued by the department of  
24 revenue pursuant to ~~part 3 of~~ article 2 of title 42, C.R.S. The employer

1 shall provide free transportation to the employee in order for the  
2 employee to meet this requirement.

3 **SECTION 3.** 42-2-302 (1) (a) (IV) and (6), Colorado Revised  
4 Statutes, are amended to read:

5 **42-2-302. Department may issue - limitations.** (1) (a) (IV) An  
6 identification card shall not be issued until any previously issued  
7 instruction permit or minor driver's or driver's license is surrendered or  
8 cancelled; EXCEPT THAT AN APPLICANT SHALL NOT BE REQUIRED TO  
9 SURRENDER A DRIVER'S LICENSE FROM ANOTHER COUNTRY IF THE  
10 APPLICANT ELECTS TO OBTAIN AN IDENTIFICATION CARD PURSUANT TO  
11 SECTION 8-3.5-109, C.R.S.

12 (6) The department shall not issue an identification card to a  
13 person who holds a valid minor driver's or driver's license UNLESS THE  
14 DRIVER'S LICENSE IS ISSUED BY ANOTHER COUNTRY AND THE PERSON  
15 ELECTS TO OBTAIN AN IDENTIFICATION CARD PURSUANT TO SECTION  
16 8-3.5-109, C.R.S.

17 **SECTION 4. Applicability.** This act shall apply to applications  
18 for identification cards or driver's licenses submitted on or after the  
19 effective date of this act.

20 **SECTION 5. Safety clause.** The general assembly hereby finds,  
21 determines, and declares that this act is necessary for the immediate  
22 preservation of the public peace, health, and safety.