

First Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 15-1111.01 Yelana Love x2295

**SENATE BILL 15-286**

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**SENATE SPONSORSHIP**

**Sonnenberg,**

**HOUSE SPONSORSHIP**

**Saine,**

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**Senate Committees**

Transportation  
Finance  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE TRAINING REQUIRED TO RECEIVE A MOTORCYCLE**  
102            **ENDORSEMENT, AND , IN CONNECTION THEREWITH, REPEALING**  
103            **THE MOTORCYCLE OPERATOR SAFETY TRAINING PROGRAM AND**  
104            **REQUIRING THE DEPARTMENT OF REVENUE TO ISSUE AN**  
105            **ENDORSEMENT TO AN APPLICANT WHO COMPLETES CERTAIN**  
106            **MOTORCYCLE SAFETY TRAINING PROGRAMS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)*

The bill repeals the motorcycle operator safety training program

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  
3rd Reading Unamended  
May 5, 2015

SENATE  
Amended 2nd Reading  
May 4, 2015

and instead requires the department of revenue to issue a motorcycle endorsement to an applicant who:

- ! Provides proof of completion of a motorcycle training program; and
- ! Attests that the program used the curriculum established by the National Association of State Motorcycle Safety Administrators.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 43-5-507 as  
3 follows:

4 **43-5-507. Repeal.** This part 5 is repealed, effective ~~September 1,~~  
5 ~~2017~~ JULY 1, 2016.

6 **SECTION 2.** In Colorado Revised Statutes, **amend** 43-5-504 as  
7 follows:

8 **43-5-504. Motorcycle operator safety training fund.** (1) The  
9 motorcycle operator safety training fund is hereby created in the state  
10 treasury. ~~The fund consists of moneys collected under sections 42-2-114~~  
11 ~~(2) (d) and (4) (b), 42-2-118 (1) (b) (II), and 42-3-304 (4), C.R.S.~~ The  
12 moneys in the fund are available immediately, without further  
13 appropriation, for allocation by the transportation commission to the  
14 office to be used for the implementation and administration of the  
15 program. Moneys credited to the fund remain in the fund at the end of  
16 each fiscal year and are not transferred to any other fund.

17 **SECTION 3.** In Colorado Revised Statutes, 42-2-103, **amend** (1)  
18 (b) as follows:

19 **42-2-103. Motorcycles - low-power scooters - driver's license**  
20 **required.** (1) (b) (I) The department shall require an applicant for a  
21 general motorcycle endorsement to demonstrate the applicant's ability to  
22 exercise ordinary and reasonable care and control in the operation of a

1 motorcycle. The department shall also require an applicant for a limited  
2 three-wheel motorcycle endorsement to demonstrate the applicant's ability  
3 to exercise ordinary and reasonable care and control in the operation of  
4 a three-wheel motorcycle.

5 (II) AN APPLICANT MAY SATISFY THE REQUIREMENT IN  
6 SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) BY PROVIDING PROOF OF  
7 COMPLETION OF A MOTORCYCLE TRAINING PROGRAM USING CURRICULA  
8 DETERMINED IN WRITING BY THE NATIONAL ASSOCIATION OF STATE  
9 MOTORCYCLE SAFETY ADMINISTRATORS TO MEET THE NATIONAL  
10 HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S NATIONAL MODEL  
11 STANDARDS FOR ENTRY-LEVEL MOTORCYCLE RIDER TRAINING. \_\_\_\_\_

12 **SECTION 4.** In Colorado Revised Statutes, 12-15-101, **amend**  
13 (3) as follows:

14 **12-15-101. Definitions.** As used in this article, unless the context  
15 otherwise requires:

16 (3) "Commercial driving school" means any business or any  
17 person who, for compensation, provides or offers to provide instruction  
18 in the operation of a motor vehicle, with the exceptions of secondary  
19 schools and institutions of higher education offering programs approved  
20 by the department of education and private occupational schools offering  
21 programs approved by the private occupational school division. ~~Such~~ THE  
22 term ~~shall~~ DOES not include any motorcycle operator safety training  
23 program established pursuant to section ~~43-5-502, C.R.S.~~ SCHOOLS.

24 **SECTION 5.** In Colorado Revised Statutes, 24-75-402, **repeal** (5)  
25 (n) as follows:

26 **24-75-402. Cash funds - limit on uncommitted reserves -**  
27 **reduction in amount of fees - exclusions.** (5) Notwithstanding any

1 provision of this section to the contrary, the following cash funds are  
2 excluded from the limitations specified in this section:

3 (n) ~~The motorcycle operator safety training fund created in section~~  
4 ~~43-5-504, C.R.S.;~~

5 **SECTION 6.** In Colorado Revised Statutes, 42-2-106, **amend** (1)  
6 (b) (I) as follows:

7 **42-2-106. Instruction permits and temporary licenses.**

8 (1) (b) (I) A minor who is fifteen years of age or older and has completed  
9 a department-approved driver education course within the last six months  
10 may apply for a minor's instruction permit, pursuant to sections 42-2-107  
11 and 42-2-108. Nothing in this subparagraph (I) shall require a minor who  
12 is fifteen years of age or older and in the foster care system to complete  
13 and present an affidavit of liability to register for a department-approved  
14 driver education course prior to applying for a minor's instruction permit.  
15 Upon presentation of a written or printed statement signed by the parent,  
16 stepparent, grandparent with power of attorney, or guardian or foster  
17 parent and the instructor of the driver education course that the minor has  
18 passed an approved driver education course, and a signed affidavit of  
19 liability pursuant to section 42-2-108, the department shall issue the  
20 permit entitling the applicant, while having the permit in the applicant's  
21 immediate possession, to drive a motor vehicle, including a motorcycle,  
22 under the supervision of the parent, stepparent, grandparent with power  
23 of attorney, or guardian or foster parent, who cosigned the application for  
24 the minor's instruction permit, if the parent, stepparent, grandparent with  
25 power of attorney, or guardian or foster parent holds a valid Colorado  
26 driver's license and occupies the front seat of the motor vehicle or, if the  
27 vehicle is a motorcycle, is authorized under this article to drive a

1 motorcycle and is in close proximity to the driver while the minor is  
2 driving. In addition, the parent, stepparent, grandparent with power of  
3 attorney, or guardian or foster parent, who is authorized pursuant to this  
4 section to supervise the minor driver while the minor is driving, may  
5 allow the minor, while having the permit in the applicant's immediate  
6 possession, to drive with an individual who holds a valid driver's license  
7 and is twenty-one years of age or older for additional driving experience,  
8 but such additional driving experience shall not count toward the  
9 requirement established in section 42-2-104. The permit shall also entitle  
10 the applicant to drive a motor vehicle, including a motorcycle, that is  
11 marked to indicate that it is a motor vehicle used for instruction and that  
12 is properly equipped for instruction, upon the highways when  
13 accompanied by or under the supervision of an approved driver education  
14 instructor who holds a valid Colorado driver's license. ~~Driver education~~  
15 ~~instructors giving instruction in motorcycle safety shall have a valid~~  
16 ~~motorcycle driver's license from Colorado and shall have successfully~~  
17 ~~completed an instruction program in motorcycle safety approved by the~~  
18 ~~department.~~ The permit shall ~~expire~~ EXPIRES three years after issuance.

19 **SECTION 7.** In Colorado Revised Statutes, 42-2-114, **repeal** (2)  
20 (d) as follows:

21 **42-2-114. License issued - fees - rules - repeal.** (2) (d) ~~In~~  
22 ~~addition to the fee established in paragraph (a) of this subsection (2), a~~  
23 ~~surcharge of two dollars is added for issuance of a driver's or minor~~  
24 ~~driver's license with a motorcycle endorsement. The department shall~~  
25 ~~transfer the surcharge to the state treasurer, who shall credit it to the~~  
26 ~~motorcycle operator safety training fund, created in section 43-5-504,~~  
27 ~~C.R.S.~~

1           **SECTION 8.** In Colorado Revised Statutes, **repeal** 42-2-118 (2)  
2 (b) (II) as follows:

3           **42-2-118. Renewal of license in person or by mail - donations**  
4 **to Emily Maureen Ellen Keyes organ and tissue donation awareness**  
5 **fund - repeal.** (2) (b) (II) ~~A surcharge of one dollar shall be added to any~~  
6 ~~extension sought for a license for which a motorcycle endorsement is~~  
7 ~~requested which shall be credited to the motorcycle operator safety~~  
8 ~~training fund created in section 43-5-504, C.R.S.~~

9           **SECTION 9.** In Colorado Revised Statutes, **repeal** 42-3-304 (4)  
10 as follows:

11           **42-3-304. Registration fees - passenger and passenger-mile**  
12 **taxes - clean screen fund - definitions - repeal.** (4) ~~Upon registration,~~  
13 ~~the owner of each motorcycle shall pay a surcharge of four dollars, which~~  
14 ~~shall be credited to the motorcycle operator safety training fund created~~  
15 ~~in section 43-5-504, C.R.S.~~

16           **SECTION 10.** In Colorado Revised Statutes, **amend** 42-4-101 as  
17 follows:

18           **42-4-101. Short title.** Parts 1 to 3, 5 to 19, and 21 of this article,  
19 AND part 1 of article 2 of this title and ~~part 5 of article 5 of title 43,~~  
20 ~~C.R.S.~~, shall be known and may be cited as the "Uniform Safety Code of  
21 1935".

22           **SECTION 11. Act subject to petition - effective date.** Sections  
23 1, 3 through 6, and 10 of this act take effect July 1, 2016, and the  
24 remainder of this act takes effect at 12:01 a.m. on the day following the  
25 expiration of the ninety-day period after final adjournment of the general  
26 assembly (August 5, 2015, if adjournment sine die is on May 5, 2015);  
27 except that, if a referendum petition is filed pursuant to section 1 (3) of

1 article V of the state constitution against this act or an item, section, or  
2 part of this act within such period, then the act, item, section, or part will  
3 not take effect unless approved by the people at the general election to be  
4 held in November 2016 and, in such case, will take effect on the date of  
5 the official declaration of the vote thereon by the governor; except that  
6 sections 1, 3 through 6, and 10 of this act takes effect July 1, 2016, or  
7 upon the official declaration of the vote thereon by the governor,  
8 whichever is later.