

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 15-1005.01 Jery Payne x2157

HOUSE BILL 15-1345

HOUSE SPONSORSHIP

Rosenthal, Tyler, Lontine

SENATE SPONSORSHIP

(None),

House Committees
Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AN EXEMPTION FROM CERTAIN TRAFFIC REQUIREMENTS**
102 **FOR THE RIDERS OF A THREE-WHEEL LOW-SPEED MOTORCYCLE.**

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/billsummaries>.)

Currently, the driver and passenger of a motorcycle are required to wear eye protection and, if either are under 18, a helmet. The driver is also required to obtain a motorcycle endorsement for the driver's license. The bill creates an exemption from these requirements for a driver and passenger of a 3-wheel motorcycle if it has a top speed of 25 miles per hour, a windshield, and seatbelts.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-2-103, **amend** (1)
3 (c) and (1) (d); and **add** (1) (e) as follows:

4 **42-2-103. Motorcycles - low-power scooters - driver's license**
5 **required.** (1) (c) EXCEPT AS PROVIDED IN PARAGRAPH (e) OF THIS
6 SUBSECTION (1), a person shall not ~~operate~~ DRIVE a two-wheel motorcycle
7 on a roadway without a general motorcycle endorsement, but a person
8 who possesses a general motorcycle endorsement may ~~operate~~ DRIVE any
9 motorcycle on the roadway.

10 (d) EXCEPT AS PROVIDED IN PARAGRAPH (e) OF THIS SUBSECTION
11 (1), a person with only a limited three-wheel motorcycle endorsement
12 may ~~operate~~ DRIVE a three-wheel motorcycle but shall not ~~operate~~ DRIVE
13 a two-wheel motorcycle on a roadway.

14 (e) THE DRIVER OF A MOTORCYCLE NEED NOT OBTAIN A TWO- OR
15 THREE-WHEEL MOTORCYCLE ENDORSEMENT IF THE MOTORCYCLE HAS:

16 (I) THREE WHEELS;

17 (II) A MAXIMUM DESIGN SPEED OF TWENTY-FIVE MILES PER HOUR
18 OR LESS;

19 (III) A WINDSHIELD; AND

20 (IV) SEAT BELTS.

21 **SECTION 2.** In Colorado Revised Statutes, 42-4-232, **amend** (1)
22 as follows:

23 **42-4-232. Minimum safety standards for motorcycles and**
24 **low-power scooters.** (1) (a) ~~No~~ EXCEPT AS PROVIDED IN PARAGRAPH (b)
25 OF THIS SUBSECTION (1), A person shall ~~operate any~~ NOT DRIVE A
26 motorcycle or low-power scooter on ~~any~~ A public highway ~~in this state~~

1 unless ~~such~~ THE person and any passenger thereon is wearing goggles or
2 eyeglasses with lenses made of safety glass or plastic; except that this
3 subsection (1) ~~shall~~ DOES not apply to a person wearing a helmet
4 containing eye protection made of safety glass or plastic.

5 (b) A PERSON DRIVING OR RIDING A MOTORCYCLE NEED NOT WEAR
6 EYE PROTECTION IF THE MOTORCYCLE HAS:

7 (I) THREE WHEELS; AND

8 (II) A MAXIMUM DESIGN SPEED OF TWENTY-FIVE MILES PER HOUR
9 OR LESS;

10 (III) A WINDSHIELD; AND

11 (IV) SEAT BELTS.

12 **SECTION 3.** In Colorado Revised Statutes, 42-4-1502, **amend**

13 (4.5) (a) introductory portion; and **add** (4.5) (c) as follows:

14 **42-4-1502. Riding on motorcycles - protective helmet.**

15 (4.5) (a) EXCEPT AS PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION
16 (4.5), a person shall not ~~operate~~ DRIVE or ride as a passenger on a
17 motorcycle or low-power scooter on a roadway unless:

18 (c) A PERSON DRIVING OR RIDING A MOTORCYCLE NEED NOT WEAR
19 A HELMET IF THE MOTORCYCLE HAS:

20 (I) THREE WHEELS;

21 (II) A MAXIMUM DESIGN SPEED OF TWENTY-FIVE MILES PER HOUR
22 OR LESS;

23 (III) A WINDSHIELD; AND

24 (IV) SEAT BELTS.

25 **SECTION 4. Act subject to petition - effective date.** This act
26 takes effect at 12:01 a.m. on the day following the expiration of the
27 ninety-day period after final adjournment of the general assembly (August

1 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a
2 referendum petition is filed pursuant to section 1 (3) of article V of the
3 state constitution against this act or an item, section, or part of this act
4 within such period, then the act, item, section, or part will not take effect
5 unless approved by the people at the general election to be held in
6 November 2016 and, in such case, will take effect on the date of the
7 official declaration of the vote thereon by the governor.