

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

REENGROSSED

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

LLS NO. 15-1005.01 Jery Payne x2157

HOUSE BILL 15-1345

HOUSE SPONSORSHIP

Rosenthal, Tyler, Lontine

SENATE SPONSORSHIP

Neville T.,

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.*

HOUSE
3rd Reading Unamended
April 27, 2015

HOUSE
2nd Reading Unamended
April 23, 2015

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.