

Second Regular Session  
Sixty-fourth General Assembly  
STATE OF COLORADO

**2nd REENGROSSED**

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

LLS NO. 04-0094.01 Julie Hoerner

**HOUSE BILL 04-1034**

---

**HOUSE SPONSORSHIP**

**Welker,** Berry, Borodkin, Larson, Pommer, Sinclair, Spence, and Stafford

**SENATE SPONSORSHIP**

**Takis,** Isgar, and May R.

---

**House Committees**

Transportation & Energy  
Information & Technology  
Appropriations

**Senate Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING ELECTRONIC RENEWAL OF A DRIVER'S LICENSE.**

---

**Bill Summary**

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

**Transportation Legislation Review Committee.** Allows a driver to renew his or her driver's license via the internet when the driver is at least 21 years of age but under 66 years of age and the driver has paid a fee and any outstanding fines or penalties. Allows the department of revenue to promulgate rules to implement internet renewals.

---

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.*

HOUSE  
2nd Reading amended  
April 15, 2004

HOUSE  
Amended 2nd Reading  
March 3, 2004

1           **SECTION 1.** 42-2-118 (1) (a) (I), Colorado Revised Statutes, is  
2 amended, and the said 42-2-118 is further amended BY THE ADDITION  
3 OF A NEW SUBSECTION, to read:

4           **42-2-118. Renewal of license in person, by mail, or by**  
5 **electronic means - donations to organ and tissue donation awareness**  
6 **fund - repeal.** (1) (a) (I) Every license issued under section 42-2-114  
7 shall be renewable prior to its expiration, upon application in person, ~~or~~  
8 by mail as provided in subsection (1.3) of this section, OR BY ELECTRONIC  
9 MEANS AS PROVIDED IN SUBSECTION (1.5) OF THIS SECTION, payment of the  
10 required fee, passing of an eye test, passing of such other examinations  
11 as the applicant's physical limitations or driver's record indicates to be  
12 desirable, and payment of any penalty assessment, fine, cost, or forfeiture  
13 as prescribed by subsection (3) of this section. ~~IF A PERSON RENEWS HIS~~  
14 ~~OR HER LICENSE PURSUANT TO THIS SUBPARAGRAPH (I) BY ELECTRONIC~~  
15 ~~MEANS, THE PERSON SHALL ATTEST UNDER PENALTY OF PERJURY THAT HE~~  
16 ~~OR SHE HAS HAD AN EYE EXAMINATION BY ANY OPTOMETRIST OR AN~~  
17 ~~OPHTHALMOLOGIST WITHIN THREE YEARS BEFORE THE DATE OF~~  
18 ~~APPLICATION.~~

19           (1.5) (a) THE DEPARTMENT MAY, IN ITS DISCRETION, ALLOW  
20 RENEWAL OF A DRIVER'S LICENSE ISSUED UNDER SECTION 42-2-114 BY  
21 ELECTRONIC MEANS TO DRIVERS AT LEAST TWENTY-ONE YEARS OF AGE OR  
22 OLDER AND UNDER SIXTY-ONE YEARS OF AGE.

23           (b) ~~PURSUANT TO SECTIONS 24-19.5-103 (3) AND 29-11.5-103 (3),~~  
24 ~~C.R.S., THE DEPARTMENT SHALL NOT ALLOW ANY THIRD-PARTY CHARGES~~  
25 ~~THAT MAY BE ASSESSED TO COMPLETE THE ELECTRONIC TRANSACTION TO~~  
26 ~~REDUCE THE AMOUNT OF REVENUE THAT WOULD OTHERWISE BE REQUIRED~~  
27 ~~TO BE DISTRIBUTED TO THE HIGHWAY USERS TAX FUND.~~

1 (c) EVERY APPLICANT FOR RENEWAL OF A DRIVER'S LICENSE BY  
2 ELECTRONIC MEANS SHALL SUBMIT THE FOLLOWING TO THE DEPARTMENT:

3 (I) PAYMENT OF THE REQUIRED FEE; AND

4 (II) PAYMENT OF ANY PENALTY ASSESSMENT, FINE, COST, OR  
5 FORFEITURE AS PRESCRIBED BY SUBSECTION (3) OF THIS SECTION.

6

7 (d) TO IMPLEMENT ELECTRONIC RENEWAL OF A DRIVER'S LICENSE  
8 PURSUANT TO THIS SECTION, THE DEPARTMENT SHALL:

9 (I) SUBMIT TO THE COMMISSION ON INFORMATION AND  
10 TECHNOLOGY WITHIN THE OFFICE OF INNOVATION AND TECHNOLOGY  
11 CREATED IN THE OFFICE OF THE GOVERNOR FOR THE COMMISSION'S REVIEW  
12 AND APPROVAL THE DEPARTMENT'S PLAN FOR THE RENEWAL OF A DRIVER'S  
13 LICENSE BY ELECTRONIC MEANS;

14 (II) DEVELOP AND IMPLEMENT ELECTRONIC RENEWAL OF A  
15 DRIVER'S LICENSE IN MANNER THAT IS CONSISTENT WITH THE NATION'S  
16 POLICY ON NATIONAL SECURITY AND IN CONFORMANCE WITH FEDERAL  
17 AND STATE LAW FOR HOMELAND SECURITY;

18 (III) DEVELOP AND IMPLEMENT AN INFORMATION SECURITY  
19 PROGRAM AND UTILIZE A LAYERED SECURITY APPROACH WHICH SHALL  
20 CONSIST OF THE FOLLOWING:

21 (A) A BUSINESS IMPACT ANALYSIS THAT ASSESSES THE  
22 CRITICALITY OF SERVICES;

23 (B) A RISK OR SECURITY ASSESSMENT THAT IDENTIFIES  
24 VULNERABILITIES OF THE SYSTEM;

25 (C) A RISK MANAGEMENT PROCESS;

26 (D) A CONTINGENCY PLAN FOR DISASTER RECOVERY OF  
27 INFORMATION AND SERVICES AND BUSINESS CONTINUITY;

1 (E) PROCEDURES THAT IDENTIFY SECURITY SAFEGUARDS FOR  
2 ASSET PROTECTION;

3 (F) A SECURE ARCHITECTURAL DESIGN;

4 (G) SECURITY AWARENESS AND TRAINING PROGRAMS; AND

5 (H) MONITORING AND AUDIT SYSTEMS FOR BACK-END REVIEWS TO  
6 EVALUATE EFFICIENCY AND EFFICACY;

7 (IV) DEVELOP SECURITY POLICIES THAT ADDRESS, AT A MINIMUM,  
8 THE FOLLOWING:

9 (A) SYSTEM PROTECTION FROM VIRUSES AND SYSTEM VIRUS  
10 DETECTION;

11 (B) FIREWALL SECURITY;

12 (C) LOGGING CAPABILITY;

13 (D) SERVER SECURITY;

14 (E) INTRUSION DETECTION;

15 (F) ENCRYPTION;

16 (G) PHYSICAL SECURITY; AND

17 (H) SECURE REMOTE ACCESS COMMUNICATION, IF APPLICABLE;

18 AND

19 (V) DEVELOP A MIGRATION PLAN THAT SETS OUT THE  
20 DEPARTMENT'S GOALS AND OBJECTIVES AND ESTABLISHES PRIORITIES AND  
21 THE DEPARTMENT'S TIME LINE FOR ACHIEVING SUCH REQUIREMENTS.

22 (e) FAILURE TO COMPLY WITH THE REQUIREMENTS OF PARAGRAPH  
23 (d) OF THIS SUBSECTION (1.5) MAY RESULT IN THE DEPARTMENT BEING  
24 REMOVED FROM OR DENIED ACCESS TO THE STATE NETWORK OR  
25 MAINFRAME COMPUTER UNTIL ALL OF THE PROVISIONS OF PARAGRAPH (d)  
26 OF THIS SUBSECTION (1.5) ARE DEMONSTRATED BY THE DEPARTMENT.

27 (f) ON OR BEFORE AUGUST 31, 2004, THE DEPARTMENT SHALL

1 REPORT TO THE TRANSPORTATION LEGISLATION REVIEW COMMITTEE ON  
2 THE DEPARTMENT'S PROGRESS WITH THE RENEWAL OF A DRIVER'S LICENSE  
3 BY ELECTRONIC MEANS, ANTICIPATED EXPENSES AND COSTS OF  
4 IMPLEMENTING THIS RENEWAL PROCESS INCLUDING ANTICIPATED FUNDING  
5 REQUESTS ASSOCIATED WITH THESE EXPENSES AND COSTS, WORLD WIDE  
6 WEB APPLICATIONS, AND MEASURES THE DEPARTMENT WILL IMPLEMENT  
7 TO MINIMIZE POSSIBLE OPPORTUNITIES FOR IDENTITY THEFT AND FRAUD.

8 (g) THE DEPARTMENT MAY PROMULGATE ANY NECESSARY RULES  
9 FOR THE IMPLEMENTATION OF THIS SUBSECTION (1.5).

10 **SECTION 2. Applicability.** This act shall apply to drivers'  
11 licenses renewed on or after the effective date of this act.

12 **SECTION 3. Safety clause.** The general assembly hereby finds,  
13 determines, and declares that this act is necessary for the immediate  
14 preservation of the public peace, health, and safety. April 16, 2004