

**Second Regular Session  
Sixty-fourth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 04-0094.01 Julie Hoerner

**HOUSE BILL 04-1034**

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**HOUSE SPONSORSHIP**

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

**SENATE SPONSORSHIP**

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

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**House Committees**

Transportation & Energy

**Senate Committees**

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**A BILL FOR AN ACT**

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

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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.)*

**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.

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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.*

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.

14           (1.5) (a) THE DEPARTMENT MAY, IN ITS DISCRETION, ALLOW  
15 RENEWAL OF A DRIVER'S LICENSE ISSUED UNDER SECTION 42-2-114 BY  
16 ELECTRONIC MEANS TO DRIVERS AT LEAST TWENTY-ONE YEARS OF AGE OR  
17 OLDER AND UNDER SIXTY-ONE YEARS OF AGE.

18           (b) THE DEPARTMENT SHALL NOT ALLOW ANY THIRD-PARTY  
19 CHARGES THAT MAY BE ASSESSED TO COMPLETE THE ELECTRONIC  
20 TRANSACTION TO REDUCE THE AMOUNT OF REVENUE THAT WOULD  
21 OTHERWISE BE REQUIRED TO BE DISTRIBUTED TO THE HIGHWAY USERS TAX  
22 FUND.

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

- 25           (I) PAYMENT OF THE REQUIRED FEE; AND
- 26           (II) PAYMENT OF ANY PENALTY ASSESSMENT, FINE, COST, OR
- 27 FORFEITURE AS PRESCRIBED BY SUBSECTION (3) OF THIS SECTION.

1 (d) THE DEPARTMENT SHALL NOT ALLOW THE RENEWAL OF A  
2 DRIVER'S LICENSE BY ELECTRONIC MEANS UNTIL A STATEWIDE INTERNET  
3 PORTAL OR OTHER ELECTRONIC SERVICE DELIVERY MECHANISM THROUGH  
4 WHICH CITIZENS HAVE ELECTRONIC ACCESS TO STATE AGENCY  
5 INFORMATION, PRODUCTS, AND SERVICES THROUGH THE WORLD-WIDE WEB  
6 HAS BEEN CREATED PURSUANT TO SECTION 24-37.5-105 (3) (b), C.R.S.,  
7 AND THE DEPARTMENT PROMULGATES RULES NECESSARY FOR THE  
8 IMPLEMENTATION OF THIS SUBSECTION (1.5), INCLUDING RULES, IN  
9 COMPLIANCE WITH STANDARDS ESTABLISHED PURSUANT TO ARTICLE 37.5  
10 OF TITLE 24, C.R.S., TO MINIMIZE TO THE GREATEST EXTENT POSSIBLE  
11 OPPORTUNITIES FOR IDENTITY THEFT AND THE RISKS OF A DRIVER'S  
12 LICENSE BEING OBTAINED FRAUDULENTLY OR ISSUED TO THE IMPROPER  
13 PERSON.

14 (e) ON OR BEFORE AUGUST 31, 2004, THE DEPARTMENT SHALL  
15 REPORT TO THE TRANSPORTATION LEGISLATION REVIEW COMMITTEE ON  
16 THE DEPARTMENT'S PROGRESS WITH THE STATEWIDE INTERNET PORTAL OR  
17 OTHER ELECTRONIC SERVICE DELIVERY MECHANISM THROUGH WHICH  
18 CITIZENS HAVE ELECTRONIC ACCESS TO STATE AGENCY INFORMATION,  
19 INCLUDING RULES NECESSARY FOR THE IMPLEMENTATION OF THIS  
20 SUBSECTION (1.5) AND MEASURES THE DEPARTMENT WILL IMPLEMENT TO  
21 MINIMIZE POSSIBLE OPPORTUNITIES FOR IDENTITY THEFT AND FRAUD.

22 **SECTION 2. Effective date - applicability.** (1) This act shall  
23 take effect at 12:01 a.m. on the day following the expiration of the  
24 ninety-day period after final adjournment of the general assembly that is  
25 allowed for submitting a referendum petition pursuant to article V,  
26 section 1 (3) of the state constitution (August 4, 2004, if adjournment sine  
27 die is on May 5, 2004); except that, if a referendum petition is filed

1     against this act or an item, section, or part of this act within such period,  
2     then the act, item, section, or part, if approved by the people, shall take  
3     effect on the date of the official declaration of the vote thereon by  
4     proclamation of the governor.

5             (2) The provisions of this act shall apply to drivers' licenses  
6     renewed on or after the applicable effective date of this act.