

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

INTRODUCED

LLS NO. 04-0092.01 Jery Payne

HOUSE BILL 04-1017

HOUSE SPONSORSHIP

Berry, Borodkin, Larson, McFadyen, Pommer, Spence, Stafford, Welker, and Williams S.

SENATE SPONSORSHIP

May R., and Isgar

House Committees

Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE AGE AT WHICH A PERSON MAY LAWFULLY DRIVE A**
102 **MOTOR VEHICLE.**

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. Makes a legislative declaration. Requires a teenager to hold an instruction permit for 6 months before being eligible to get a driver's license. Raises, from 15 years and 6 months to 16 years old, the age at which a person is eligible for an instruction permit, unless the person has taken a driver training course that meets the standards of the national safety council. If the person has such education, raises, from 15 to 15 and 6 months, the age at which the person can get an instruction permit.

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. Legislative declaration.** (1) The general assembly
3 hereby finds that driving a motor vehicle safely is a skill that requires
4 significant technical ability and sound judgment, based upon significant
5 education and experience, before the driver is able to continuously make
6 the necessary decisions. The accident rate for sixteen-year-old drivers is
7 over two and one-half times as high as for eighteen-year-old drivers, and
8 for sixteen-year-olds the rate is about twice as high at night as during the
9 day. Over thirty percent of teenagers are involved in at least one accident
10 during their first year of driving. Motor vehicle crashes are the leading
11 cause of death for persons who are fifteen to twenty years old.

12 (2) Therefore, the general assembly hereby declares that educating
13 aspiring young drivers will promote the development of the judgment and
14 skills necessary for safe driving, helping to ensure the safety of
15 Colorado's youth.

16 **SECTION 2.** 42-2-104 (1) (c), Colorado Revised Statutes, is
17 amended to read:

18 **42-2-104. Licenses issued - denied - repeal.** (1) Except as
19 otherwise provided in this article, the department may license the
20 following persons in the manner prescribed in this article:

21 (c) Any person ATLEAST sixteen years of age ~~or older who has not~~
22 ~~reached his or her twenty-first birthday~~ BUT LESS THAN TWENTY-ONE
23 YEARS OF AGE WHO HAS HELD AN INSTRUCTION PERMIT FOR SIX MONTHS,
24 as a minor driver.

25 **SECTION 3.** 42-2-106 (1) (a) and (1) (b), Colorado Revised
26 Statutes, are amended to read:

1 **42-2-106. Instruction permits and temporary licenses.**

2 (1) (a) ~~Any~~ EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION
3 (1), A minor ~~of the age of fifteen~~ WHO IS AT LEAST SIXTEEN years ~~within~~
4 ~~six months prior to such minor's sixteenth birthday, or any person who,~~
5 ~~except for such person's lack of instruction in operating a motor vehicle,~~
6 ~~a motorcycle, or a motor-driven cycle, would otherwise be qualified to~~
7 ~~obtain a license under this article~~ OF AGE may apply for a temporary
8 instruction permit in accordance with sections 42-2-107 and 42-2-108.
9 The department shall issue such permit entitling the applicant, while
10 having such permit in such applicant's immediate possession, to drive a
11 motor vehicle, a motorcycle, or a motor-driven cycle upon the highways
12 for a period of six months when accompanied by a licensed driver,
13 twenty-one years of age or over, who is actually occupying the front seat
14 in close proximity to the driver, or in the case of a motorcycle or a
15 motor-driven cycle, under the immediate proximate supervision of a
16 licensed driver, twenty-one years of age or over, authorized under this
17 article to drive a motorcycle or a motor-driven cycle. Any such
18 instruction permit may be extended for an additional period of ninety
19 days.

20 (b) Any minor of the age of fifteen years AND SIX MONTHS who ~~is~~
21 ~~enrolled in a driver education course approved by the department~~ HAS
22 COMPLETED A DRIVER TRAINING PROGRAM THAT MEETS THE STANDARDS
23 AND CONTAINS THE CURRICULUM OF THE NATIONAL SAFETY COUNCIL
24 EDUCATION PROGRAM may apply for a minor's instruction permit,
25 pursuant to the provisions of sections 42-2-107 and 42-2-108. Upon the
26 presentation of a written or printed statement signed by the parent or
27 guardian and the instructor of the driver education course that such minor

1 is enrolled in an approved driver education course, the department shall
2 issue such permit entitling the applicant, while having such permit in such
3 applicant's immediate possession, to drive any motor vehicle, excluding
4 a motorcycle or motor-driven cycle, under the supervision of the parent
5 or guardian who cosigned the application for the minor's instruction
6 permit ~~providing~~ IF such parent or guardian holds a valid driver's license.
7 Such permit shall also entitle the applicant to drive any motor vehicle,
8 including a motorcycle or motor-driven cycle, which is marked so as to
9 indicate that it is a motor vehicle used for instruction and which is
10 properly equipped for such instruction upon the highways when
11 accompanied by or under the supervision of an approved driver education
12 instructor who holds a valid driver's license. Driver education instructors
13 giving instruction in motorcycle safety must have a valid motorcycle
14 driver's license and must have successfully completed an instruction
15 program in motorcycle safety approved by the department. Such permit
16 shall expire twenty days after the applicant's sixteenth birthday.

17 **SECTION 4. Effective date - applicability.** This act shall take
18 effect July 1, 2004, and shall apply to licenses and instruction permits
19 issued on or after said date.

20 **SECTION 5. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, and safety.