

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 10-0431.01 Jery Payne

SENATE BILL 10-040

SENATE SPONSORSHIP

Tochtrop,

HOUSE SPONSORSHIP

(None),

Senate Committees
Transportation

House Committees

A BILL FOR AN ACT

101 CONCERNING MOTORCYCLE SAFETY EDUCATION PROGRAMS.

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>.)

Section 2 of the bill creates a program to raise motorists' awareness of safely using the road with motorcycles, funded by using 5% of the motorcycle operator safety training fund. **Section 1** limits the use of the motorcycle operator safety training fund moneys to providing motorcycle training tuition for students and travel reimbursement for instructors. In addition, section 1 sets a maximum tuition level.

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.** 43-5-504, Colorado Revised Statutes, is amended
3 to read:

4 **43-5-504. Motorcycle operator safety training fund.** (1) There
5 is hereby created in the state treasury a motorcycle operator safety
6 training fund, which shall consist of moneys collected pursuant to
7 sections 42-2-114 (2) (b) and (4) (b), 42-2-118 (1) (b) (II), and 42-3-304
8 (4), C.R.S. The moneys in the fund shall be available immediately,
9 without further appropriation, for allocation by the transportation
10 commission to the office of transportation safety to be used for the
11 implementation and administration of the program. Moneys credited to
12 the fund shall remain ~~therein~~ IN THE FUND at the end of each fiscal year
13 and shall not be transferred to any other fund.

14 (2) THE OFFICE SHALL USE FIVE PERCENT OF THE MONEYS IN THE
15 FUND TO IMPLEMENT SECTION 43-5-506.

16 (3) THE OFFICE SHALL DISTRIBUTE EIGHTY PERCENT OF THE
17 MONEYS IN THE FUND ONLY FOR TUITION SUBSIDIZATION BASED UPON THE
18 NUMBER OF STUDENTS TRAINED BY THE PROGRAM USING A TUITION
19 SYSTEM; EXCEPT THAT A PROGRAM SPONSOR MAY BE REIMBURSED FOR
20 EXPENSES OCCURRING AS A RESULT OF TRAVELING TO PROVIDE A
21 PROGRAM TO AN AREA WITHOUT A PERMANENT TRAINING SITE.

22 (4) THE OFFICE SHALL ANNUALLY SET A MAXIMUM TUITION PER
23 STUDENT THAT MAY BE CHARGED TO STUDENTS IN ORDER TO ENABLE THE
24 MAXIMUM NUMBER OF STUDENTS TO OBTAIN SAFETY TRAINING.

25 **SECTION 2.** Part 5 of article 5 of title 43, Colorado Revised
26 Statutes, is amended BY THE ADDITION OF A NEW SECTION to

1 read:

2 **43-5-506. Motorist awareness.** THE OFFICE SHALL CREATE A
3 PROGRAM TO RAISE MOTORISTS' AWARENESS CONCERNING SAFE
4 INTERACTION BETWEEN MOTORCYCLES AND OTHER MOTOR VEHICLES. THE
5 PROGRAM MAY INCLUDE PLACING SIGNS AT PLACES KNOWN TO BE
6 HAZARDOUS TO MOTORCYCLES AND PROMOTING A MOTORCYCLE
7 AWARENESS MONTH.

8 **SECTION 3. Act subject to petition - effective date.** This act
9 shall take effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly (August
11 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
12 referendum petition is filed pursuant to section 1 (3) of article V of the
13 state constitution against this act or an item, section, or part of this act
14 within such period, then the act, item, section, or part shall not take effect
15 unless approved by the people at the general election to be held in
16 November 2010 and shall take effect on the date of the official
17 declaration of the vote thereon by the governor.