

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 26-0601.01 Jery Payne x2157

HOUSE BILL 26-1079

HOUSE SPONSORSHIP

Bradley and Boesenecker,

SENATE SPONSORSHIP

Bright,

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT A MINOR HAVE WRITTEN**
102 **PERMISSION TO OBTAIN AN INSTRUCTION PERMIT TO DRIVE A**
103 **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://leg.colorado.gov>.)

The bill requires a minor to have written permission of the minor's parent or legal guardian to obtain an instruction permit to drive a motorcycle. The bill does not apply to foster children or emancipated minors.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Motorcycles inherently provide significantly less occupant
5 protection than passenger motor vehicles, leaving operators and
6 passengers fully exposed to impact forces in the event of a crash, loss of
7 control, or roadway hazard;

8 (b) In 2024, the state of Colorado recorded 165 motorcycle
9 fatalities, which is the highest number of motorcycle deaths in state
10 history and represents a 57% increase since 2015;

11 (c) In 2024, motorcycle fatalities accounted for approximately
12 24% of all traffic fatalities in Colorado, despite motorcycles comprising
13 only approximately 3% of registered vehicles statewide, demonstrating
14 a disproportionate risk of death associated with motorcycle operation;

15 (d) State crash data for 2024 indicate that approximately 80% of
16 motorcycle crashes resulted in injury, with injuries frequently involving
17 traumatic brain injury, spinal trauma, or permanent disability;

18 (e) Minors are particularly vulnerable to motorcycle-related
19 injuries and fatalities due to ongoing physical, neurological, and cognitive
20 development, including limitations in hazard recognition, risk assessment,
21 judgment, and reaction time;

22 (f) Colorado law currently recognizes the heightened vulnerability
23 of minors by requiring helmet use for motorcycle operators and
24 passengers under 18 years old; however, protective equipment alone does
25 not sufficiently mitigate the inherent risks of motorcycle operation by
26 minors;

1 (g) A substantial number of motorcycle fatalities in Colorado
2 involve riders not wearing helmets, and, even when helmets are worn,
3 minors remain at elevated risk due to the absence of structural protections
4 on motorcycles;

5 (h) Colorado's high-speed roadways, mountainous terrain, variable
6 weather conditions, and increasing traffic congestion further increase the
7 dangers associated with motorcycle operation, particularly for young and
8 inexperienced riders;

9 (i) Permitting minors to obtain motorcycle endorsements or
10 operate motorcycles based solely on consent from any individual over 21
11 years old does not adequately ensure responsible oversight, informed
12 decision-making, or appropriate evaluation of a minor's readiness to
13 safely operate a motorcycle;

14 (j) Requiring parental or legal guardian consent:

15 (I) Provides a higher level of accountability;

16 (II) Aligns motorcycle endorsement requirements with Colorado's
17 existing youth safety frameworks; and

18 (III) Helps ensure that minors receive appropriate training,
19 supervision, and assessment prior to operating motorcycles on public
20 roadways;

21 (k) Motorcycle-related injuries and fatalities involving minors
22 impose significant emotional and financial burdens on families and
23 substantial costs to the state through emergency medical response,
24 long-term medical care, rehabilitation, and disability support services; and

25 (l) The state of Colorado has a compelling interest in protecting
26 the health, safety, and welfare of minors and, in high-risk activities, has
27 long exercised its authority to impose age-based safety requirements,

1 including graduated driver licensing systems and child passenger safety
2 laws.

3 (2) Therefore, the general assembly declares that it is necessary
4 and appropriate to enact legislation regulating motorcycle operation and
5 endorsement eligibility involving minors, including consent and training
6 requirements, in order to protect Colorado's youth.

7 **SECTION 2.** In Colorado Revised Statutes, 42-2-106 **as it will**
8 **become effective April 1, 2026, add (1)(f) as follows:**

9 **42-2-106. Instruction permits and temporary licenses -**
10 **penalty.**

11 (1) (f) NOTWITHSTANDING SUBSECTION (1)(a) OF THIS SECTION,
12 THE DEPARTMENT SHALL NOT ISSUE AN INSTRUCTION PERMIT TO A MINOR
13 WHO IS UNDER EIGHTEEN YEARS OLD TO DRIVE A MOTORCYCLE UNLESS
14 THE MINOR HAS WRITTEN PERMISSION OF THE MINOR'S PARENT OR LEGAL
15 GUARDIAN TO DRIVE A MOTORCYCLE. THE WRITTEN PERMISSION
16 REQUIREMENT IN THIS SUBSECTION (1)(f) DOES NOT APPLY TO AN
17 EMANCIPATED MINOR.

18 **SECTION 3. Act subject to petition - effective date -**
19 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
20 the expiration of the ninety-day period after final adjournment of the
21 general assembly (August 12, 2026, if adjournment sine die is on May 13,
22 2026); except that, if a referendum petition is filed pursuant to section 1
23 (3) of article V of the state constitution against this act or an item, section,
24 or part of this act within such period, then the act, item, section, or part
25 will not take effect unless approved by the people at the general election
26 to be held in November 2026 and, in such case, will take effect on the
27 date of the official declaration of the vote thereon by the governor.

1 (2) This act applies to applications for instruction permits
2 submitted on or after the applicable effective date of this act.