

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 26-1079

BY REPRESENTATIVE(S) Bradley and Boesenecker, Bacon, Barron, Bottoms, Bradfield, Brooks, Brown, Caldwell, Camacho, Carter, Clifford, DeGraaf, Duran, English, Espenosa, Feret, Flanell, Froelich, Garcia, Garcia Sander, Gilchrist, Goldstein, Gonzalez R., Hamrick, Hartsook, Jackson, Johnson, Joseph, Keltie, Lieder, Lindsay, Luck, Lukens, Mabrey, Marshall, Martinez, Mauro, McCormick, Nguyen, Paschal, Phillips, Richardson, Rutinel, Rydin, Sirota, Slaugh, Smith, Soper, Stewart K., Stewart R., Story, Suckla, Taggart, Titone, Valdez, Velasco, Weinberg, Willford, Winter T., Woodrow, Woog, Zokaie, McCluskie;
also SENATOR(S) Bright, Cutter, Exum, Hinrichsen, Jodeh, Kipp, Kolker, Marchman, Roberts, Coleman.

CONCERNING A REQUIREMENT THAT A MINOR HAVE WRITTEN PERMISSION TO OBTAIN AN INSTRUCTION PERMIT TO DRIVE A MOTORCYCLE.

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

SECTION 1. Short title. The short title of this act is the "Cole Bradley Act".

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

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

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

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

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

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

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

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

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

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

(i) Permitting minors to obtain motorcycle endorsements or operate

motorcycles based solely on consent from any individual over 21 years old does not adequately ensure responsible oversight, informed decision-making, or appropriate evaluation of a minor's readiness to safely operate a motorcycle;

(j) Requiring parental or legal guardian consent:

(I) Provides a higher level of accountability;

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

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

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

(l) The state of Colorado has a compelling interest in protecting the health, safety, and welfare of minors and, in high-risk activities, has long exercised its authority to impose age-based safety requirements, including graduated driver licensing systems and child passenger safety laws.

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

SECTION 3. In Colorado Revised Statutes, 42-2-106 as it will become effective April 1, 2026, add (1)(f) as follows:

42-2-106. Instruction permits and temporary licenses - penalty.

(1)(f) NOTWITHSTANDING SUBSECTION (1)(a) OF THIS SECTION, THE DEPARTMENT SHALL NOT ISSUE AN INSTRUCTION PERMIT TO A MINOR WHO IS UNDER EIGHTEEN YEARS OLD TO DRIVE A MOTORCYCLE UNLESS THE MINOR HAS WRITTEN PERMISSION OF THE MINOR'S PARENT OR LEGAL GUARDIAN TO

DRIVE A MOTORCYCLE. THE WRITTEN PERMISSION REQUIREMENT IN THIS SUBSECTION (1)(f) DOES NOT APPLY TO AN EMANCIPATED MINOR.

SECTION 4. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO