

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

January 29, 2020

Committee on Transportation & Local Government.

After consideration on the merits, the Committee recommends the following:

HB20-1071 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, strike lines 2 through 8 and substitute:
2 "SECTION 1. In Colorado Revised Statutes, **add** 26-5-115 as
3 follows:
4 **26-5-115. Acquisition of drivers' licenses by persons in foster**
5 **care - immunity from liability - rules.** (1) ON AND AFTER THE
6 EFFECTIVE DATE OF THIS SECTION, IN ADDITION TO ANY OTHER
7 REIMBURSEMENT FOR CHILD WELFARE SERVICES DESCRIBED IN THIS
8 ARTICLE 5, THE STATE DEPARTMENT SHALL REIMBURSE A COUNTY
9 DEPARTMENT FOR COSTS PAID BY THE COUNTY DEPARTMENT TO A PUBLIC
10 OR PRIVATE DRIVING SCHOOL FOR THE PROVISION OF DRIVING
11 INSTRUCTION TO A PERSON IN THE CUSTODY OF THE COUNTY DEPARTMENT
12 WHO IS FIFTEEN YEARS OF AGE OR OLDER BUT UNDER TWENTY-ONE YEARS
13 OF AGE.
14 (2) THE STATE DEPARTMENT MAY SEEK AND ACCEPT GIFTS,
15 GRANTS, AND DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
16 PURPOSES OF THIS SECTION; EXCEPT THAT THE STATE DEPARTMENT MAY
17 NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO
18 CONDITIONS THAT ARE INCONSISTENT WITH THIS SECTION OR ANY OTHER
19 LAW OF THE STATE.
20 (3) (a) NOTHING IN THIS SECTION PLACES ANY LIABILITY ON A
21 COUNTY DEPARTMENT FOR:
22 (I) CONTRACTING WITH A PUBLIC OR PRIVATE DRIVING SCHOOL TO
23 PROVIDE DRIVING INSTRUCTION TO A PERSON WHO IS IN THE CUSTODY OF
24 THE COUNTY DEPARTMENT; OR

1 (II) AN INJURY ALLEGED TO HAVE OCCURRED WHILE A PERSON IN
2 THE CUSTODY OF THE COUNTY DEPARTMENT RECEIVES DRIVING
3 INSTRUCTION FROM A PUBLIC OR PRIVATE DRIVING SCHOOL.

4 (b) NOTHING IN THIS SECTION WAIVES OR LIMITS A COUNTY
5 DEPARTMENT'S GOVERNMENTAL IMMUNITY, AS DESCRIBED IN ARTICLE 10
6 OF TITLE 24.

7 (4) ON OR BEFORE DECEMBER 1, 2020, THE STATE BOARD SHALL
8 PROMULGATE RULES FOR THE ADMINISTRATION OF THIS SECTION."

9 Strike pages 3 and 4.

10 Page 5, strike lines 1 through 22.

11 Renumber succeeding sections accordingly.

12 Page 5, line 24, after "(5)" insert "and (6)".

13 Page 5, line 25, strike "**minors.**" and substitute "**minors - rules.**".

14 Page 6, lines 14 and 15, strike "A COUNTY DEPARTMENT'S
15 GOVERNMENTAL IMMUNITY," and substitute "THE GOVERNMENTAL
16 IMMUNITY OF A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES,".

17 Page 6, strike lines 17 through 22 and substitute:

18 "(5) A PERSON WHO IS IN THE CUSTODY OF THE STATE
19 DEPARTMENT OF HUMAN SERVICES OR A COUNTY DEPARTMENT OF HUMAN
20 OR SOCIAL SERVICES WHO DOES NOT POSSESS ALL OF THE REQUIRED
21 DOCUMENTS TO APPLY FOR AN INSTRUCTION PERMIT OR A DRIVER'S
22 LICENSE PURSUANT TO THIS SECTION MAY BE ELIGIBLE FOR EXCEPTION
23 PROCESSING PURSUANT TO RULES OF THE DEPARTMENT OF REVENUE.

24 (6) ON OR BEFORE NOVEMBER 1, 2020, THE DEPARTMENT OF
25 REVENUE SHALL PROMULGATE RULES ESTABLISHING, TO THE EXTENT
26 PERMISSIBLE UNDER FEDERAL LAW, FORMS OF DOCUMENTATION THAT ARE
27 ACCEPTABLE FOR THE PURPOSE OF ALLOWING PERSONS WHO ARE IN THE
28 CUSTODY OF THE STATE DEPARTMENT OF HUMAN SERVICES OR A COUNTY
29 DEPARTMENT OF HUMAN OR SOCIAL SERVICES TO VERIFY THEIR LEGAL
30 RESIDENCE IN THE UNITED STATES, ESTABLISH IDENTITY, AND SATISFY
31 ANY OTHER PREREQUISITES FOR THE ACQUISITION OF AN INSTRUCTION
32 PERMIT OR DRIVER'S LICENSE."

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