

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 16-0334.01 Michael Dohr x4347

HOUSE BILL 16-1021

HOUSE SPONSORSHIP

Salazar,

SENATE SPONSORSHIP

Ulibarri and Roberts,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROVIDING THE OPPORTUNITY TO COLLECT IDENTIFYING**
102 **INFORMATION FROM APPLICANTS FOR STATE-ISSUED CARDS.**

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>.)

Profiling - Initiated Contacts by Law Enforcement (PICLE) Interim Study Committee. The bill requires that an application for a driver's license or state identification card include the opportunity for the applicant to self-identify his or her race or ethnicity. The race or ethnicity information will not be printed on the driver's license or identification card but will be included in the information on the stored information

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.

HOUSE
Amended 2nd Reading
April 18, 2016

magnetic strip on the card. A law enforcement officer will be able to access the information when he or she swipes the driver's license or identification card.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-2-107, **amend** (2)
3 (a) as follows:

4 **42-2-107. Application for license or instruction permit -**
5 **anatomical gifts - donations to Emily Maureen Ellen Keyes organ and**
6 **tissue donation awareness fund - legislative declaration - rules -**
7 **repeal.** (2) (a) (I) Every application shall state the full name, date of
8 birth, sex, and residence address of the applicant; briefly describe the
9 applicant; be signed by the applicant with such applicant's usual
10 signature; have affixed thereon the applicant's fingerprint; and state
11 whether the licensee has ever been licensed as a minor driver or driver
12 and, if so, when and by what state or country and whether any such
13 license has ever been denied, suspended, or revoked, the reasons therefor,
14 and the date thereof. These statements shall be verified by the applicant's
15 signature thereon.

16 (II) IN ADDITION TO THE INFORMATION REQUIRED BY
17 SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), EVERY APPLICATION SHALL
18 INCLUDE THE OPPORTUNITY FOR THE APPLICANT TO SELF-IDENTIFY HIS OR
19 HER RACE OR ETHNICITY. THE RACE OR ETHNICITY INFORMATION THAT
20 MAY BE IDENTIFIED ON THE APPLICATION SHALL NOT BE PRINTED ON THE
21 DRIVER'S LICENSE BUT SHALL BE MAINTAINED IN THE STORED
22 INFORMATION AS DEFINED BY SECTION 42-2-114 (1) (b). THAT
23 INFORMATION MUST BE ACCESSIBLE TO A LAW ENFORCEMENT AGENCY
24 THROUGH MAGNETIC OR ELECTRONIC READERS, BUT THAT INFORMATION

1 SHALL NOT BE AVAILABLE TO A LAW ENFORCEMENT OFFICER WHEN
2 MAKING A STOP.

3 **SECTION 2.** In Colorado Revised Statutes, 42-2-114, **amend** (1)
4 (b) (I) as follows:

5 **42-2-114. License issued - fees - rules - repeal.** (1) (b) (I) In the
6 event the department issues a driver's license that contains stored
7 information, such license may include only the information that is
8 specifically referenced in paragraph (a) of this subsection (1) and that
9 appears in printed form on the face of the license issued by the
10 department to the licensee AND ANY RACE OR ETHNICITY INFORMATION
11 IDENTIFIED ON THE APPLICATION PURSUANT TO SECTION 42-2-107 (2) (a)
12 (II); except that such stored information shall not include the licensee's
13 social security number.

14 **SECTION 3.** In Colorado Revised Statutes, 42-2-302, **add** (1) (a)
15 (VI) as follows:

16 **42-2-302. Department may or shall issue - limitations - rules.**
17 (1) (a) (VI) EVERY APPLICATION SHALL INCLUDE THE OPPORTUNITY FOR
18 THE APPLICANT TO SELF-IDENTIFY HIS OR HER RACE OR ETHNICITY. THE
19 RACE OR ETHNICITY INFORMATION THAT MAY BE IDENTIFIED ON THE
20 APPLICATION SHALL NOT BE PRINTED ON THE IDENTIFICATION CARD BUT
21 SHALL BE MAINTAINED IN THE STORED INFORMATION AS DEFINED BY
22 SECTION 42-2-303 (1) (b) (II). THAT INFORMATION MUST BE ACCESSIBLE
23 TO A LAW ENFORCEMENT AGENCY THROUGH MAGNETIC OR ELECTRONIC
24 READERS, BUT THAT INFORMATION SHALL NOT BE AVAILABLE TO A LAW
25 ENFORCEMENT OFFICER WHEN MAKING A STOP.

26 **SECTION 4.** In Colorado Revised Statutes, 42-2-303, **amend** (1)
27 (b) (I) as follows:

1 **42-2-303. Contents of identification card.** (1) (b) (I) In the
2 event the department issues an identification card that contains stored
3 information, such card may include only the information that is
4 specifically referenced in paragraph (a) of this subsection (1), and that
5 appears in printed form on the face of the card issued by the department
6 to the registrant AND ANY RACE OR ETHNICITY INFORMATION IDENTIFIED
7 ON AN APPLICATION PURSUANT TO SECTION 42-2-302 (1) (a) (VI); except
8 that such stored information shall not include the registrant's social
9 number.

10 **SECTION 5. Applicability.** This act applies to driver's license
11 and state identification card applications made on or after **March 1, 2017**.

12 **SECTION 6. Safety clause.** The general assembly hereby finds,
13 determines, and declares that this act is necessary for the immediate
14 preservation of the public peace, health, and safety.