

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0534.01 Jery Payne x2157

HOUSE BILL 22-1043

HOUSE SPONSORSHIP

Pico,

SENATE SPONSORSHIP

Hisey,

House Committees

Transportation & Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING MOTOR VEHICLES THAT OPERATE ON THE ROADWAY
102 WITH FEWER THAN FOUR WHEELS IN CONTACT WITH THE
103 ROADWAY.

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>.)

Current law defines an autocycle as a motorcycle. **Section 1** of the bill removes autocycle from the definition of motorcycle. The definition of motorcycle is changed to add that a motorcycle needs to have handlebars to steer and has a seat the rider sits astride. The definition of autocycle is also changed to clarify that an autocycle doesn't use

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

handlebars directly connected to the front tire or tires to steer. In removing autocycle from the definition of motorcycle, the bill makes the following clarifications and changes:

- **Section 2** clarifies that the driver of an autocycle need not have a motorcycle endorsement regardless of the autocycle's maximum speed and that all 3-wheel motorcycle drivers need a general or limited motorcycle endorsement;
- Current law requires all motorcycle drivers to wear eye protection unless the motorcycle has 3 wheels, has a maximum speed of no more than 25 miles per hour, has a windshield, and has seatbelts. **Section 3** clarifies that this exception applies to drivers of autocycles, not motorcycles, fitting that description.
- Current law requires a motorcycle driver who is under 18 years of age to wear a helmet unless the motorcycle has 3 wheels, has a maximum speed of no more than 25 miles per hour, has a windshield, and has seatbelts. **Section 4** clarifies that this exception applies to autocycles, not motorcycles, fitting that description.
- Current law imposes a fee of \$4 to register motorcycles for motorcycle operator safety training. Redefining autocycles as not being motorcycles means that autocycle owners will not pay the fee.
- **Section 5** removes the authorization for 2 autocycles to drive abreast in one lane.

Sections 6 through 31 make conforming amendments.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-1-102, **amend**
3 (7.5) and (55) as follows:

4 **42-1-102. Definitions.** As used in articles 1 to 4 of this title 42,
5 unless the context otherwise requires:

6 (7.5) (a) "Autocycle" means a three-wheeled ~~motorcycle~~ MOTOR
7 VEHICLE that does not use handlebars ~~or any other device that is~~ THAT ARE
8 directly connected to ~~a single~~ THE front wheel OR WHEELS to steer and in
9 which the driver and each passenger ride in a fully or partly enclosed
10 seating area that is equipped with safety belts for all occupants that

1 constitute a safety belt system, as defined in section 42-4-237 (1)(b). For
2 purposes of

3 (b) AS USED IN this subsection (7.5), "partly enclosed seating area"
4 means a seating area that is entirely or partly surrounded on the sides by
5 the frame or body of a vehicle but is not fully enclosed.

6 (55) (a) "Motorcycle" means ~~an autocycle or~~ a motor vehicle that:

7 (I) Uses handlebars ~~or any other device~~ connected to the front
8 wheel OR WHEELS to steer;

9 (II) HAS A SEAT THE RIDER SITS ASTRIDE; and

10 (III) ~~that~~ Is designed to travel on not more than three wheels in
11 contact with the ground.

12 (b) ~~except that the term~~ "MOTORCYCLE" does not include a farm
13 tractor, low-speed electric vehicle, or low-power scooter.

14 **SECTION 2.** In Colorado Revised Statutes, 42-2-103, **amend**
15 (1)(b), (1)(d), and (1)(e); and **repeal** (2.5) as follows:

16 **42-2-103. Motorcycles - autocycles - low-power scooters -**
17 **driver's license required.** (1) (b) The department shall require an
18 applicant for a general motorcycle endorsement to demonstrate the
19 applicant's ability to exercise ordinary and reasonable care and control in
20 the operation of a motorcycle. ~~that is not an autocycle.~~ The department
21 shall also require an applicant for a limited three-wheel motorcycle
22 endorsement to demonstrate the applicant's ability to exercise ordinary
23 and reasonable care and control in the operation of a three-wheel
24 motorcycle. ~~that is not an autocycle.~~

25 (d) Except as provided in subsection (1)(e) of this section, a
26 person with only a limited three-wheel motorcycle endorsement may
27 drive a three-wheel motorcycle ~~that is not an autocycle~~ but shall not drive

1 a two-wheel motorcycle on a roadway.

2 (e) A DRIVER OF AN AUTOCYCLE SHALL POSSESS A VALID DRIVER'S
3 LICENSE OR MINOR DRIVER'S LICENSE. The driver of ~~a motorcycle~~ AN
4 AUTOCYCLE need not obtain a two- or three-wheel motorcycle
5 endorsement. ~~if the motorcycle is an autocycle or if the motorcycle has:~~

6 ~~(I) Three wheels;~~

7 ~~(II) A maximum design speed of twenty-five miles per hour or~~
8 ~~less;~~

9 ~~(III) A windshield; and~~

10 ~~(IV) Seat belts.~~

11 ~~(2.5) An operator of an autocycle shall possess a valid driver's~~
12 ~~license or minor driver's license.~~

13 **SECTION 3.** In Colorado Revised Statutes, 42-4-232, **amend**
14 (1)(a) and (1)(b) introductory portion as follows:

15 **42-4-232. Minimum safety standards for motorcycles,**
16 **autocycles, and low-power scooters.** (1) (a) Except as provided in
17 ~~paragraph (b) of this subsection~~ (1) SUBSECTION (1)(b) OF THIS SECTION,
18 a person shall not drive a motorcycle, AUTOCYCLE, or low-power scooter
19 on a public highway unless the person and any passenger ~~thereon~~ IN OR
20 ON THE MOTORCYCLE, AUTOCYCLE, OR LOW-POWER SCOOTER is wearing
21 goggles or eyeglasses with lenses made of safety glass or plastic; except
22 that this subsection (1) does not apply to a person wearing a helmet
23 containing eye protection made of safety glass or plastic.

24 (b) A person driving or riding ~~a motorcycle~~ AN AUTOCYCLE need
25 not wear eye protection if the ~~motorcycle~~ AUTOCYCLE has:

26 **SECTION 4.** In Colorado Revised Statutes, 42-4-1502, **amend**
27 (1), (4), (4.5)(a) introductory portion, (4.5)(a)(III), and (4.5)(c)

1 introductory portion as follows:

2 **42-4-1502. Motorcycles and autocycles - protective helmet.**

3 (1) A person ~~operating~~ DRIVING a motorcycle OR AUTOCYCLE shall ride
4 only upon the permanent and regular seat attached ~~thereto, and such~~
5 ~~operator~~ TO THE MOTORCYCLE OR AUTOCYCLE. THE DRIVER OF A
6 MOTORCYCLE OR AN AUTOCYCLE shall not carry any other person, ~~nor~~
7 ~~shall any other~~ AND ANOTHER person SHALL NOT ride on a motorcycle OR
8 AUTOCYCLE, unless ~~such motorcycle~~ THE MOTORCYCLE OR AUTOCYCLE
9 is designed to carry more than one person. ~~In which event~~ IF A
10 MOTORCYCLE OR AUTOCYCLE IS DESIGNED TO CARRY MORE THAN ONE
11 PERSON, a passenger may ride upon the permanent seat if THE PERMANENT
12 SEAT IS designed for two persons or upon another seat firmly attached to
13 the motorcycle OR AUTOCYCLE at the rear or side of the operator.

14 (4) ~~No operator~~ A DRIVER shall NOT carry any person, ~~nor shall~~
15 ~~any~~ AND ANOTHER person SHALL NOT ride, in a position that will interfere
16 with the operation or control of the motorcycle OR AUTOCYCLE or the
17 view of the operator.

18 (4.5) (a) Except as provided in ~~paragraph (c) of this subsection~~
19 ~~(4.5)~~ SUBSECTION (4.5)(c) OF THIS SECTION, a person shall not drive or
20 ride as a passenger on a motorcycle, AUTOCYCLE, or low-power scooter
21 on a roadway unless:

22 (III) The protective helmet is secured properly on the person's head
23 with a chin strap while the motorcycle, AUTOCYCLE, OR LOW-POWER
24 SCOOTER is in motion.

25 (c) A person driving or riding ~~a motorcycle~~ AN AUTOCYCLE need
26 not wear a helmet if the ~~motorcycle~~ AUTOCYCLE has:

27 **SECTION 5.** In Colorado Revised Statutes, 42-4-1503, **amend**

1 (2) and (3) as follows:

2 **42-4-1503. Operating motorcycles and autocycles on roadways**
3 **laned for traffic.** (2) The operator of a motorcycle OR AUTOCYCLE shall
4 not overtake or pass in the same lane occupied by the vehicle being
5 overtaken.

6 (3) ~~No~~ A person shall NOT operate a motorcycle OR AUTOCYCLE
7 between lanes of traffic or between adjacent lines or ROWS of vehicles.

8 **SECTION 6.** In Colorado Revised Statutes, 10-4-635, **amend** (4)
9 introductory portion and (4)(a) as follows:

10 **10-4-635. Medical payments coverage - exceptions -**
11 **definitions.** (4) This section ~~shall~~ DOES not apply to:

12 (a) A person obtaining an automobile liability or motor vehicle
13 policy insuring against loss resulting from the ownership, maintenance,
14 or use of a motorcycle, AUTOCYCLE, low-power scooter, or toy vehicle,
15 as defined in section 42-1-102; ~~C.R.S.~~, a snowmobile, as defined in
16 section 33-14-101; ~~C.R.S.~~, or any vehicle designed primarily for use off
17 the road or on rails;

18 **SECTION 7.** In Colorado Revised Statutes, 42-3-116, **amend**
19 (6)(b)(II) as follows:

20 **42-3-116. Manufacturers or dealers - fees - rules - definition**
21 **- penalty.** (6) (b) (II) The DEPARTMENT SHALL ESTABLISH AND
22 ANNUALLY ADJUST THE annual fee for full-use dealer plates ~~shall be~~
23 ~~established and adjusted annually by the department~~ based on the average
24 of specific ownership taxes and registration fees paid for passenger
25 vehicles and light-duty trucks that are seven model years old or newer and
26 that were registered during the one-year period preceding January 1 of
27 each year. ~~Such~~ THE DEPARTMENT SHALL PRORATE THE annual fee ~~shall~~

1 ~~be prorated~~ on a monthly basis. The DEPARTMENT SHALL ESTABLISH AND
2 ANNUALLY ADJUST THE annual fee for full-use dealer plates for
3 motorcycles ~~shall be established and adjusted annually by the department~~
4 AND AUTOCYCLES based on the average of specific ownership taxes and
5 registration fees paid for motorcycles AND AUTOCYCLES that are seven
6 model years old or newer and that were registered during the one-year
7 period preceding January 1 of each year. ~~Such~~ THE DEPARTMENT SHALL
8 PRORATE THE annual fee for motorcycles ~~shall be prorated~~ AND
9 AUTOCYCLES on a monthly basis.

10 **SECTION 8.** In Colorado Revised Statutes, 42-3-201, **amend**
11 (1)(a)(I)(D) and (1)(a)(I)(E); and **add** (1)(a)(I)(G) as follows:

12 **42-3-201. Number plates furnished - style - periodic reissuance**
13 **- tabs - rules.** (1) (a) (I) The department shall issue to every owner
14 whose vehicle is registered two number plates; except that the department
15 shall issue one number plate for the following:

- 16 (D) A vehicle drawn by a motor vehicle; ~~or~~
- 17 (E) An item of special mobile machinery; OR
- 18 (G) AN AUTOCYCLE.

19 **SECTION 9.** In Colorado Revised Statutes, 42-3-202, **amend**
20 (1)(a) as follows:

21 **42-3-202. Number plates furnished to be attached - penalty.**

22 (1) (a) (I) EXCEPT AS PROVIDED IN SUBSECTION (1)(a)(II) OF THIS
23 SECTION, the owner shall attach the number plates assigned to a
24 self-propelled vehicle ~~other than a motorcycle or street rod vehicle~~, to the
25 vehicle with one in the front and the other in the rear.

26 (II) The owner shall attach the number plate assigned to ANY OF
27 THE FOLLOWING VEHICLES TO THE REAR OF THE VEHICLE:

- 1 (A) A motorcycle;
- 2 (B) AN AUTOCYCLE;
- 3 (C) A street rod vehicle;
- 4 (D) A trailer, semitrailer, OR other vehicle drawn by a motor
- 5 vehicle; or
- 6 (E) Special mobile machinery. ~~to the rear of the vehicle.~~
- 7 (III) The owner shall display number plates during the current
- 8 registration year, except as otherwise provided in this article 3.

9 **SECTION 10.** In Colorado Revised Statutes, 42-3-304, **amend**

10 (5) and (6)(a) as follows:

11 **42-3-304. Registration fees - passenger-mile taxes - clean**

12 **screen fund - pilot program - report - rules - definitions.** (5) In lieu of

13 registering each vehicle separately, a dealer in motorcycles OR

14 AUTOCYCLES shall pay to the department an annual registration fee of

15 twenty-five dollars for the first license plate issued pursuant to section

16 42-3-116 (1), a fee of seven dollars and fifty cents for each additional

17 license plate ~~so~~ issued up to and including five ~~such~~ plates, and a fee of

18 ten dollars for each license plate ~~so~~ issued in excess of five.

19 (6) In lieu of registering each vehicle separately:

20 (a) A dealer in motor vehicles, trailers, and semitrailers, except

21 dealers in motorcycles OR AUTOCYCLES, shall pay to the department an

22 annual fee of thirty dollars for the first license plate issued pursuant to

23 section 42-3-116 (1), and a fee of seven dollars and fifty cents for each

24 additional license plate ~~so~~ issued up to and including five, and a fee of ten

25 dollars for each license plate ~~so~~ issued in excess of five; and

26 **SECTION 11.** In Colorado Revised Statutes, 42-3-306, **amend**

27 (2) introductory portion and (2)(a) as follows:

1 **42-3-306. Registration fees - passenger and passenger-mile**
2 **taxes - fee schedule.** (2) Fees for the annual registration of
3 passenger-carrying motor vehicles ~~shall be~~ ARE as follows:

4 (a) Motorcycles AND AUTOCYCLES, three dollars;

5 **SECTION 12.** In Colorado Revised Statutes, 42-3-310, **amend**
6 (4) as follows:

7 **42-3-310. Additional registration fees - apportionment of fees.**

8 (4) Two dollars and fifty cents of each annual vehicle registration fee
9 imposed by sections 42-3-304 to 42-3-306, exclusive of the annual
10 registration fees prescribed for motorcycles, AUTOCYCLES, trailer coaches,
11 special mobile machinery, and trailers having an empty weight of two
12 thousand pounds or less and exclusive of a registration fee paid for a
13 fractional part of a year, shall not be transmitted to the department but
14 shall be paid over by the authorized agent, as collected, to the county
15 treasurer, who shall credit the same to an account entitled "apportioned
16 vehicle registration fees". On the tenth day of each month, the county
17 treasurer shall apportion the balance in the account existing on the last
18 day of the immediately preceding month between the county and the cities
19 and incorporated towns located within the boundaries of the county on the
20 basis of the record of rural and urban registrations that indicates the place
21 of residence of each vehicle owner.

22 **SECTION 13.** In Colorado Revised Statutes, 42-4-205, **amend**
23 (1) and (2) as follows:

24 **42-4-205. Head lamps on motor vehicles - penalty.** (1) Every
25 motor vehicle, other than a motorcycle OR AUTOCYCLE, shall be equipped
26 with at least two head lamps, with at least one on each side of the front of
27 the motor vehicle. ~~which~~ THE head lamps shall comply with the

1 requirements and limitations set forth in sections 42-4-202 and 42-4-204
2 to 42-4-231 and part 3 of this ~~article~~ ARTICLE 4 where applicable.

3 (2) Every motorcycle OR AUTOCYCLE shall be equipped with at
4 least one and not more than two head lamps that ~~shall~~ comply with the
5 requirements and limitations of sections 42-4-202 and 42-4-204 to
6 42-4-231 and part 3 of this ~~article~~ ARTICLE 4 where applicable.

7 **SECTION 14.** In Colorado Revised Statutes, 42-4-206, **amend**
8 (5) as follows:

9 **42-4-206. Tail lamps and reflectors - penalty.** (5) Every new
10 motor vehicle sold ON AND AFTER JANUARY 1, 1958, and operated ~~on and~~
11 ~~after January 1, 1958,~~ upon a highway shall carry on the rear, whether as
12 a part of the tail lamps or separately, two red reflectors; except that every
13 motorcycle OR AUTOCYCLE shall carry at least one reflector meeting the
14 requirements of this section, and vehicles of the type mentioned in section
15 42-4-207 shall be equipped with reflectors as required in ~~those sections~~
16 ~~applicable thereto~~ THIS PART 2.

17 **SECTION 15.** In Colorado Revised Statutes, 42-4-208, **amend**
18 (2) and (3) as follows:

19 **42-4-208. Stop lamps and turn signals - penalty.** (2) ~~No~~ A
20 person shall NOT sell or offer for sale or operate on the highways any
21 motor vehicle registered in this state and manufactured or assembled after
22 January 1, 1958, unless it is equipped with at least two stop lamps
23 meeting the requirements of section 42-4-215 (1); except that a
24 motorcycle OR AUTOCYCLE manufactured or assembled after ~~said date~~
25 ~~shall~~ JANUARY 1, 1958, MUST be equipped with at least one stop lamp
26 meeting the requirements of section 42-4-215 (1).

27 (3) ~~No~~ A person shall NOT sell or offer for sale or operate on the

1 highways any motor vehicle, trailer, or semitrailer registered in this state
2 and manufactured or assembled after January 1, 1958, and ~~no~~ A person
3 shall NOT operate any motor vehicle, trailer, or semitrailer on the
4 highways when the distance from the center of the top of the steering post
5 to the left outside limit of the body, cab, or load of ~~such~~ THE motor
6 vehicle exceeds twenty-four inches, unless it is equipped with electrical
7 turn signals meeting the requirements of section 42-4-215 (2). This
8 subsection (3) ~~shall~~ DOES not apply to any motorcycle, AUTOCYCLE, or
9 low-power scooter.

10 **SECTION 16.** In Colorado Revised Statutes, 42-4-216, **amend**
11 (1) introductory portion and (2) as follows:

12 **42-4-216. Multiple-beam road lights - penalty.** (1) Except as
13 provided in this ~~article~~ ARTICLE 4, the head lamps or the auxiliary driving
14 lamp or the auxiliary passing lamp or combination ~~thereof~~ OF LAMPS on
15 motor vehicles, other than motorcycles, AUTOCYCLES, or low-power
16 scooters, shall be ~~so~~ arranged SO that the driver may select at will between
17 distributions of light projected to different elevations, and ~~such~~ THE lamps
18 may, in addition, be ~~so~~ arranged SO that ~~such~~ THE selection can be made
19 automatically, subject to the following limitations:

20 (2) A new motor vehicle, other than a motorcycle, AUTOCYCLE, or
21 low-power scooter, that has multiple-beam road-lighting equipment shall
22 be equipped with a beam indicator, which shall be lighted whenever the
23 uppermost distribution of light from the head lamps is in use and shall not
24 otherwise be lighted. ~~Said~~ THE indicator shall be ~~so~~ designed and located
25 SO that when lighted it will be readily visible without glare to the driver
26 of the vehicle so equipped.

27 **SECTION 17.** In Colorado Revised Statutes, 42-4-223, **amend**

1 (1)(a) and (1)(b) as follows:

2 **42-4-223. Brakes - penalty.** (1) Brake equipment required:

3 (a) Every motor vehicle, other than a motorcycle OR AUTOCYCLE,
4 when operated upon a highway shall be equipped with brakes adequate
5 to control the movement of and to stop and hold ~~such~~ THE vehicle,
6 including two separate means of applying the brakes, each of which
7 means shall be effective to apply the brakes to at least two wheels. If
8 these two separate means of applying the brakes are connected in any
9 way, they shall be ~~so~~ constructed SO that failure of any one part of the
10 operating mechanism ~~shall~~ DOES not leave the motor vehicle without
11 brakes on at least two wheels.

12 (b) Every motorcycle, AUTOCYCLE, and low-power scooter, when
13 operated upon a highway, shall be equipped with at least one brake,
14 which may be operated by hand or foot.

15 **SECTION 18.** In Colorado Revised Statutes, 42-4-236, **amend**
16 (1)(a.8) as follows:

17 **42-4-236. Child restraint systems required - definitions -**
18 **exemptions.** (1) As used in this section, unless the context otherwise
19 requires:

20 (a.8) "Motor vehicle" means a passenger car; a pickup truck; or a
21 van, minivan, or sport utility vehicle with a gross vehicle weight rating of
22 less than ten thousand pounds. "Motor vehicle" does not include
23 motorcycles, ~~that are not autocycles;~~ low-power scooters, ~~motorscooters;~~
24 ~~motorbicycles, motorized bicycles;~~ and farm tractors and implements of
25 husbandry designed primarily or exclusively for use in agricultural
26 operations.

27 **SECTION 19.** In Colorado Revised Statutes, 42-4-237, **amend**

1 (1)(b) as follows:

2 **42-4-237. Safety belt systems - mandatory use - exemptions -**
3 **penalty - definitions.** (1) As used in this section:

4 (b) "Safety belt system" means a system utilizing a lap belt, a
5 shoulder belt, or any other belt or combination of belts installed in a
6 motor vehicle ~~or an autocycle~~ to restrain drivers and passengers, which
7 system conforms to federal motor vehicle safety standards.

8 **SECTION 20.** In Colorado Revised Statutes, **amend** 42-4-503 as
9 follows:

10 **42-4-503. Projecting loads on passenger vehicles - penalty.**

11 Except with regard to the operation of a motorcycle, AUTOCYCLE, bicycle,
12 electrical assisted bicycle, or electric scooter, a person shall not operate
13 a passenger-type vehicle on any highway with any load carried on the
14 vehicle extending beyond the line of the fenders on the left side of the
15 vehicle nor extending more than six inches beyond the line of the fenders
16 on the right side of the vehicle. A person who violates this section
17 commits a class B traffic infraction.

18 **SECTION 21.** In Colorado Revised Statutes, 42-4-612, **amend**
19 (1)(a) as follows:

20 **42-4-612. When signals are inoperative or malfunctioning -**
21 **penalty.** (1) (a) When a driver approaches an intersection and faces a
22 traffic control signal that is inoperative, that remains on steady red or
23 steady yellow during several time cycles, or that does not recognize a
24 motorcycle OR AUTOCYCLE that is operated by the driver, the provisions
25 controlling entrance to a through street or highway from a stop sign or
26 highway, as provided under section 42-4-703, apply until a police officer
27 assumes control of traffic or until the traffic control signal resumes

1 normal operation.

2 **SECTION 22.** In Colorado Revised Statutes, 42-4-1012, **amend**
3 (2) as follows:

4 **42-4-1012. High occupancy vehicle (HOV) and high occupancy**
5 **toll (HOT) lanes - penalty.** (2) A motorcycle OR AUTOCYCLE may be
6 operated upon high occupancy vehicle lanes pursuant to section 163 of
7 ~~Public Law 97-424~~ THE "HIGHWAY IMPROVEMENT ACT OF 1982", PUB.L.
8 97-424, AS AMENDED, or upon high occupancy toll lanes, unless
9 prohibited by official traffic control devices.

10 **SECTION 23.** In Colorado Revised Statutes, 42-4-1204, **amend**
11 (8) as follows:

12 **42-4-1204. Stopping, standing, or parking prohibited in**
13 **specified places - penalty.** (8) A political subdivision ~~may~~ SHALL not
14 adopt or enforce an ordinance or regulation that prohibits the parking of
15 more than one motorcycle OR AUTOCYCLE within a space served by a
16 single parking meter.

17 **SECTION 24.** In Colorado Revised Statutes, 42-4-1402.5,
18 **amend** (1)(f)(XV) and (1)(f)(XVI); and **add** (1)(f)(XVII) as follows:

19 **42-4-1402.5. Vulnerable road user - prohibition - violations**
20 **and penalties - definition.** (1) **Definition.** As used in this section, unless
21 the context otherwise requires, "vulnerable road user" means:

22 (f) A person lawfully using any of the following on a public
23 right-of-way, crosswalk, or shoulder of the roadway:

24 (XV) A baby stroller; ~~or~~

25 (XVI) A nonmotorized pull wagon; OR

26 (XVII) AN AUTOCYCLE.

27 **SECTION 25.** In Colorado Revised Statutes, **amend** 42-4-1501

1 as follows:

2 **42-4-1501. Traffic laws apply to persons operating**
3 **motorcycles and autocycles - special permits.** (1) Every person
4 operating a motorcycle OR AUTOCYCLE shall be granted all of the rights
5 and ~~shall be~~ IS subject to all of the duties applicable to the driver of any
6 other vehicle under this ~~article~~ ARTICLE 4, except as to special regulations
7 in this ~~article~~ ARTICLE 4 and except as to those provisions of this ~~article~~
8 ~~which~~ ARTICLE 4 THAT by their nature ~~can have no application~~ ARE NOT
9 APPLICABLE.

10 (2) For the purposes of a prearranged, organized special event and
11 upon a showing that safety will be reasonably maintained, the department
12 of transportation may grant a special permit exempting the operation of
13 a motorcycle OR AUTOCYCLE from any requirement of this part 15.

14 **SECTION 26.** In Colorado Revised Statutes, **amend** 42-4-1504
15 as follows:

16 **42-4-1504. Clinging to other vehicles - penalty.** ~~No~~ A person
17 riding upon a motorcycle OR AUTOCYCLE shall NOT attach himself,
18 herself, or the motorcycle OR AUTOCYCLE to any other vehicle on a
19 roadway. Any person who violates ~~any provision of~~ this section commits
20 a class A traffic infraction.

21 **SECTION 27.** In Colorado Revised Statutes, 42-4-1701, **amend**
22 (4)(e)(III) as follows:

23 **42-4-1701. Traffic offenses and infractions classified -**
24 **penalties - penalty and surcharge schedule - repeal.** (4) (e) (III) An
25 additional twenty dollars is assessed for a violation of a traffic regulation
26 pursuant to subsection (4)(a)(I)(C) of this section for a violation of
27 section 42-4-109 (13)(b), in addition to the penalties stated in subsection

1 (4)(a)(I)(C) of this section. An additional twenty dollars must be assessed
2 for a motorcycle OR AUTOCYCLE violation pursuant to subsection
3 (4)(a)(I)(O) of this section for a violation of section 42-4-1502 (4.5), in
4 addition to the penalties stated in subsection (4)(a)(I)(O) of this section.
5 Money collected pursuant to this subsection (4)(e)(III) must be
6 transmitted to the state treasurer, who shall deposit the money in the
7 Colorado brain injury trust fund created pursuant to section 26-1-309, to
8 be used for the purposes set forth in part 3 of article 1 of title 26.

9 **SECTION 28.** In Colorado Revised Statutes, 42-9-102, **amend**
10 the introductory portion and (2) as follows:

11 **42-9-102. Definitions.** As used in this ~~article~~ ARTICLE 9, unless
12 the context otherwise requires:

13 (2) (a) "Motor vehicle" means every self-propelled vehicle
14 intended primarily for use and operation on the public highways.

15 (b) The term does not include:

16 (I) Trucks and truck tractors having a gross vehicle weight of
17 more than eight thousand five hundred pounds; ~~nor does it include~~

18 (II) Farm tractors and other machines and tools used in the
19 production, harvesting, and care of farm products; ~~nor does it include~~ OR

20 (III) Motorcycles OR AUTOCYCLES.

21 **SECTION 29.** In Colorado Revised Statutes, 43-4-804, **amend**
22 (1)(a)(I)(A) as follows:

23 **43-4-804. Highway safety projects - surcharges and fees -**
24 **crediting of money to highway users tax fund - definition.** (1) On and
25 after July 1, 2009, the following surcharges, fees, and fines shall be
26 collected and credited to the highway users tax fund created in section
27 43-4-201 (1)(a) and allocated to the state highway fund, counties, and

1 municipalities as specified in section 43-4-205 (6.3):

2 (a) (I) A road safety surcharge, which, except as otherwise
3 provided in subsections (1)(a)(III) and (1)(a)(VI) of this section, is
4 imposed for any registration period that commences on or after July 1,
5 2009, upon the registration of any vehicle for which a registration fee
6 must be paid pursuant to part 3 of article 3 of title 42 and is also imposed
7 upon any item of special mobile machinery that is covered by a
8 registration exempt certificate issued by the department of revenue in
9 accordance with section 42-3-107 (16)(g). Except as otherwise provided
10 in subsections (1)(a)(IV), (1)(a)(V), and (1)(a)(VIII) of this section, the
11 amount of the surcharge is:

12 (A) Sixteen dollars for a motorcycle, as defined in section
13 42-1-102 (55); AN AUTOCYCLE, AS DEFINED IN SECTION 42-1-102 (7.5); or
14 any vehicle that weighs two thousand pounds or less;

15 **SECTION 30.** In Colorado Revised Statutes, 44-20-108, **amend**
16 (1)(b) as follows:

17 **44-20-108. Classes of licenses.** (1) The following classes of
18 licenses are issued under this part 1:

19 (b) Used motor vehicle dealer's license, ~~shall permit~~ WHICH
20 PERMITS the licensee to engage in the business of selling, exchanging,
21 leasing, or offering used motor vehicles only. The license ~~shall~~ also
22 ~~permit~~ PERMITS a licensee to negotiate for a consumer the sale, exchange,
23 or lease of used and new motor vehicles not owned by the licensee,
24 except those vehicles defined in section 42-1-102 (~~55~~) (7.5) AND (55) as
25 AUTOCYCLES OR motorcycles and section 33-14.5-101 (3) as off-highway
26 vehicles; however, prior to completion of the sale, exchange, or lease of
27 a motor vehicle not owned by the licensee, the licensee shall disclose in

1 writing to the consumer whether the licensee will receive any
2 compensation from the consumer and whether the licensee will receive
3 any compensation from the owner of the motor vehicle as a result of the
4 transaction. If the licensee receives compensation from the owner of the
5 motor vehicle as a result of the transaction, the licensee shall include in
6 the written disclosure the name of the owner from whom the licensee will
7 receive compensation. This form of license ~~shall permit~~ PERMITS not more
8 than two persons named ~~therein~~ IN THE LICENSE, who shall be owners or
9 part owners of the business of the licensee, to act as motor vehicle
10 salespersons.

11 **SECTION 31.** In Colorado Revised Statutes, 44-20-124, **amend**
12 (1)(x)(II) as follows:

13 **44-20-124. Unlawful acts.** (1) It is unlawful and a violation of
14 this part 1 for any manufacturer, distributor, or manufacturer
15 representative:

16 (x) To require, coerce, or attempt to coerce a motor vehicle dealer
17 to substantially alter a facility or premises if:

18 (II) (A) EXCEPT AS PROVIDED IN SUBSECTION (1)(x)(II)(B) OF THIS
19 SECTION, the motor vehicle dealer: Sells only motorcycles, AUTOCYCLES,
20 MOTORCYCLES AND AUTOCYCLES, or motorcycles, AUTOCYCLES, and
21 powersports vehicles; the facility or premises has been altered within the
22 last ten years at a cost of more than twenty-five thousand dollars; and the
23 alteration was required and approved by the manufacturer, distributor, or
24 manufacturer representative. ~~except that~~

25 (B) This ~~subsection (1)(x)~~ SUBSECTION (1)(x)(II) does not apply
26 to improvements made to comply with health or safety laws; to
27 improvements made to accommodate the technology requirements

1 necessary to sell or service a line-make; to technological improvements
2 related to electric, automated, compressed natural gas, and fuel-cell
3 motorcycles and powersports vehicles; or to improvements made to install
4 or upgrade electric vehicle charging equipment.

5 **SECTION 32. Act subject to petition - effective date -**
6 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
7 the expiration of the ninety-day period after final adjournment of the
8 general assembly; except that, if a referendum petition is filed pursuant
9 to section 1 (3) of article V of the state constitution against this act or an
10 item, section, or part of this act within such period, then the act, item,
11 section, or part will not take effect unless approved by the people at the
12 general election to be held in November 2022 and, in such case, will take
13 effect on the date of the official declaration of the vote thereon by the
14 governor.

15 (2) This act applies to offenses committed on or after the
16 applicable effective date of this act.