

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 23-0018.02 Jery Payne x2157

HOUSE BILL 23-1147

HOUSE SPONSORSHIP

Kipp,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROVISIONS RELATING TO THE ADEQUATE TRAINING OF**
102 **MOTOR VEHICLE DRIVERS, AND, IN CONNECTION THEREWITH,**
103 **CREATING AN ENTERPRISE TO EDUCATE POTENTIAL DRIVERS**
104 **AND REIMBURSE THIRD-PARTY PROVIDERS FOR A PORTION OF**
105 **THE COSTS OF ADMINISTERING DRIVING EXAMINATIONS,**
106 **CREATING A SYSTEM TO ALLOW THIRD-PARTY PROVIDERS TO**
107 **VERIFY FINANCIAL RESPONSIBILITY OF APPLICANTS, SETTING**
108 **LIMITS ON THE FEES THIRD-PARTY PROVIDERS MAY CHARGE,**
109 **PROVIDING TRANSLATION SERVICES FOR DRIVING**
110 **EXAMINATIONS, AND IMPOSING A FEE ON INSTRUCTION PERMITS**
111 **AND DRIVER'S LICENSES.**

Bill Summary

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.

(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 prohibits the department of revenue (department) from collecting a fee when an individual retakes a driving examination when the department does not administer the driving examination.

The bill creates the affordable driver education program testing enterprise (ADEPT enterprise) for the purpose of:

- Increasing access to driver training and driving examination in underserved areas;
- Deploying a free online driver training program in English and Spanish; and
- Reimbursing private driving schools for conducting driving examinations required by state law.

The governing board of the ADEPT enterprise consists of the following members:

- One member who represents the executive director (executive director) of the department and who is the chair of the governing board;
- One member who has experience providing translation services or administering programs that assist individuals for whom English is not their native language;
- One member who has experience working with youth;
- One member who represents rural areas that are underserved by private driving examination providers; and
- One member who represents private driving examination providers.

The governing board may advise the department about rules and may issue bonds with the approval of the executive director. The governing board is directed to:

- Oversee the implementation of the bill;
- Annually report to the executive director and coordinate with the department;
- Establish policies; and
- Hire employees and obtain necessary office space, equipment, and services.

The bill requires the ADEPT enterprise to:

- Make reasonable efforts to increase access to driver training and driving examinations in areas that are underserved by third-party driving examination providers;
- Make available to the public, at no cost, an online driver training program that qualifies the student to be issued an

instruction permit and that is offered in English and Spanish;

- Create a system that allows a third-party provider to electronically request and receive information contained in the motorist insurance identification database to verify whether an individual seeking a driving examination has proof of financial responsibility; and
- Reimburse a third-party provider so that the cost to an individual taking an examination is \$25 for each initial driving examination and \$50 for a reexamination taken after a failed examination.

The bill directs the department to promulgate rules establishing procedures for the ADEPT enterprise to reimburse third-party providers and authorizes the department to limit the amount a third-party provider may charge for a driving examination.

Upon request and when reasonably possible, the department is required to provide translation services for driving examinations.

To implement the bill, a fee is established on applications for or issuance of an instruction permit or a driver's license.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-2-114.5, **amend**
3 (2) introductory portion; and **add** (8) as follows:

4 **42-2-114.5. Fees for driver's licenses, identification cards, and**
5 **related services - crediting to DRIVES account - fee-setting**
6 **procedures - rules - repeal.** (2) Except as provided in ~~subsection (3)~~
7 SUBSECTIONS (3) AND (8) of this section, the following fees must be paid
8 for the following functions:

9 (8) THE DEPARTMENT SHALL NOT COLLECT THE EXAMINATION FEE
10 IMPOSED IN SUBSECTION (2)(e) OF THIS SECTION UNLESS THE DEPARTMENT
11 ADMINISTERS THE DRIVING EXAMINATION THAT IS BEING RETAKEN.

12 **SECTION 2.** In Colorado Revised Statutes, **add** part 7 to article
13 2 of title 42 as follows:

14 **PART 7**

1 AFFORDABLE DRIVER EDUCATION
2 PROGRAM TESTING

3 **42-2-701. Short title.** THE SHORT TITLE OF THIS PART 7 IS THE
4 "AFFORDABLE DRIVER EDUCATION PROGRAM TESTING ACT" OR THE
5 "ADEPT ACT".

6 **42-2-702. Legislative declaration.** (1) THE GENERAL ASSEMBLY
7 FINDS THAT:

8 (a) THE DEPARTMENT IS REQUIRED TO EXAMINE EVERY APPLICANT
9 FOR A DRIVER'S LICENSE OR MINOR DRIVER'S LICENSE TO ENSURE THE
10 APPLICANT HAS THE KNOWLEDGE AND ABILITY REQUIRED TO OPERATE A
11 MOTOR VEHICLE SAFELY ON STATE ROADWAYS;

12 (b) BEFORE APRIL OF 2020, THE DEPARTMENT PROVIDED DRIVING
13 EXAMINATIONS AT NO COST TO AN APPLICANT;

14 (c) IN APRIL OF 2020, BECAUSE OF THE COVID-19 PANDEMIC, THE
15 DEPARTMENT STOPPED PROVIDING FREE DRIVING EXAMINATIONS, AND
16 SINCE THAT TIME, COLORADANS HAVE DEPENDED SOLELY ON PRIVATE
17 BUSINESSES TO PROVIDE DRIVING EXAMINATIONS, RESULTING IN A
18 SIGNIFICANT INCREASE IN THE AVERAGE COST OF TAKING A DRIVING
19 EXAMINATION;

20 (d) UNDER SECTION 42-2-111, THE DEPARTMENT MAY REQUIRE
21 THE HOLDER OF A DRIVER'S LICENSE TO SUBMIT TO ANOTHER DRIVING
22 EXAMINATION; THEREFORE, THE FEES ESTABLISHED UNDER SECTION
23 42-2-708 ARE COLLECTED TO POTENTIALLY REDUCE COSTS FOR LICENSE
24 HOLDERS WHO ARE REQUIRED TO SUBMIT TO ANOTHER EXAMINATION;

25 (e) FOR MANY DRIVERS OR DRIVING APPLICANTS, PARTICULARLY
26 THOSE WHO ARE YOUNG OR ELDERLY, THE COST OF A DRIVING
27 EXAMINATION MAY BE A SIGNIFICANT BARRIER TO OBTAINING OR

1 RETAINING A DRIVER'S LICENSE; AND

2 (f) COLLECTING A FEE FROM EACH INDIVIDUAL WHO IS ISSUED A
3 DRIVER'S LICENSE OR WHO RENEWS A DRIVER'S LICENSE IS AN EFFECTIVE
4 WAY TO ENSURE THAT AN INDIVIDUAL WHO MUST COMPLETE A DRIVING
5 EXAMINATION MAY DO SO WITHOUT THE COST OF THE EXAMINATION BEING
6 A SIGNIFICANT BARRIER TO HOLDING A DRIVER'S LICENSE.

7 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT:

8 (a) THE STATE HAS AN INTEREST IN:

9 (I) ENSURING DRIVERS ARE APPROPRIATELY EXAMINED TO
10 DETERMINE THEIR ABILITY TO SAFELY OPERATE MOTOR VEHICLES ON
11 STATE ROADWAYS; AND

12 (II) REDUCING FINANCIAL BARRIERS THAT AFFECT THE ABILITY OF
13 SOME APPLICANTS TO OBTAIN DRIVER'S LICENSES;

14 (b) IN AREAS OF THE STATE THAT DO NOT HAVE PUBLIC
15 TRANSPORTATION, BARRIERS TO OBTAINING A DRIVER'S LICENSE CAN
16 INCREASE THE NUMBER OF UNLICENSED DRIVERS ON THE ROADS, MAKING
17 COLORADO'S ROADS LESS SAFE FOR EVERYONE, AND CAN INCREASE THE
18 NUMBER OF UNINSURED DRIVERS ON THE ROADS;

19 (c) THE ADEPT ENTERPRISE IS ESTABLISHED AS A STATE-OWNED,
20 DRIVING EXAMINATION REIMBURSEMENT PROGRAM TO REDUCE THE COST
21 BARRIERS TO OBTAINING DRIVER'S LICENSES, AND THIS REIMBURSEMENT
22 PROGRAM IS ANALOGOUS TO AN INSURANCE PROGRAM BECAUSE THE FEES
23 ESTABLISHED UNDER SECTION 42-2-708 ENSURE THAT THE COST OF AN
24 EXAMINATION WILL NOT BE A BARRIER FOR A LICENSE HOLDER TO
25 CONTINUE TO BE LICENSED;

26 (d) TO MAINTAIN THE EXISTING LEVEL OF SERVICE TO
27 COLORADANS, PRIVATE BUSINESSES MAY CONTINUE TO CONDUCT

1 REQUIRED DRIVING EXAMINATIONS, AND THE ADEPT ENTERPRISE WILL
2 REIMBURSE ALL OR A PORTION OF THE COST OF PROVIDING THE DRIVING
3 EXAMINATIONS TO ENSURE EQUITABLE OPPORTUNITIES TO OBTAIN
4 DRIVER'S LICENSES;

5 (e) THE ADEPT ENTERPRISE CONSTITUTES AN ENTERPRISE FOR
6 PURPOSES OF SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION,
7 AS LONG AS THE ADEPT ENTERPRISE RETAINS AUTHORITY TO ISSUE
8 REVENUE BONDS AND RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL
9 ANNUAL REVENUES IN GRANTS, AS DEFINED IN SECTION 24-77-102 (7),
10 FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS COMBINED;

11 (f) FOR AS LONG AS IT CONSTITUTES AN ENTERPRISE UNDER THIS
12 SECTION, THE ADEPT ENTERPRISE IS NOT SUBJECT TO SECTION 20 OF
13 ARTICLE X OF THE COLORADO CONSTITUTION; AND

14 (g) THE FEE IMPOSED IN SECTION 42-2-708 IS NOT A TAX BUT IS
15 INSTEAD A FEE IMPOSED:

16 (I) TO DEFRAY THE COST OF PRIVATELY ADMINISTERED DRIVING
17 EXAMINATIONS, WHICH IS A SPECIFIC SERVICE TO EACH INDIVIDUAL
18 SEEKING A DRIVER'S LICENSE UPON WHOM THE FEE IS IMPOSED; AND

19 (II) AT RATES REASONABLY CALCULATED BASED ON THE BENEFITS
20 RECEIVED BY THE INDIVIDUAL WHO PAYS THE FEE.

21 **42-2-703. Definitions.** AS USED IN THIS PART 7, UNLESS THE
22 CONTEXT OTHERWISE REQUIRES:

23 (1) "ADEPT ENTERPRISE" MEANS THE ENTERPRISE CREATED IN
24 SECTION 42-2-704 (1).

25 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE.

26 (3) "DRIVING EXAMINATION" MEANS AN EXAMINATION
27 AUTHORIZED IN SECTION 42-2-111.

1 (4) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
2 THE DEPARTMENT.

3 (5) "FEE" MEANS THE ADEPT ENTERPRISE FEE ESTABLISHED IN
4 SECTION 42-2-708.

5 (6) "FUND" MEANS THE ADEPT ENTERPRISE FUND CREATED IN
6 SECTION 42-2-707.

7 (7) "GOVERNING BOARD" MEANS THE GOVERNING BOARD OF THE
8 ADEPT ENTERPRISE DESCRIBED IN SECTION 42-2-704 (2).

9 (8) "INFLATION OR DEFLATION" MEANS THE ANNUAL PERCENTAGE
10 CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR BUREAU OF
11 LABOR STATISTICS CONSUMER PRICE INDEX FOR
12 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS AND ALL URBAN
13 CONSUMERS, OR ITS SUCCESSOR INDEX.

14 (9) "PROOF OF FINANCIAL RESPONSIBILITY" HAS THE SAME
15 MEANING AS "PROOF OF FINANCIAL RESPONSIBILITY FOR THE FUTURE", AS
16 DEFINED IN SECTION 42-7-103 (14).

17 (10) "THIRD-PARTY PROVIDER" MEANS A PERSON CERTIFIED UNDER
18 SECTION 42-2-111 (1)(b) TO EXAMINE APPLICANTS FOR TYPES OR GENERAL
19 CLASSES OF DRIVER'S LICENSES.

20 **42-2-704. ADEPT enterprise - creation - governing board -**
21 **powers and duties - issuance of bonds.** (1) THE ADEPT ENTERPRISE IS
22 CREATED AS A GOVERNMENT-OWNED BUSINESS WITHIN THE DEPARTMENT.

23 (2) (a) THE GOVERNING BOARD OF THE ADEPT ENTERPRISE
24 CONSISTS OF FIVE MEMBERS APPOINTED AS FOLLOWS:

25 (I) THE EXECUTIVE DIRECTOR SHALL APPOINT ONE MEMBER WHO
26 REPRESENTS THE EXECUTIVE DIRECTOR AND WHO IS THE CHAIR OF THE
27 GOVERNING BOARD;

1 (II) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL
2 APPOINT ONE MEMBER WHO HAS EXPERIENCE PROVIDING TRANSLATION
3 SERVICES OR ADMINISTERING PROGRAMS THAT ASSIST INDIVIDUALS FOR
4 WHOM ENGLISH IS NOT THEIR NATIVE LANGUAGE;

5 (III) THE PRESIDENT OF THE SENATE SHALL APPOINT ONE MEMBER
6 WHO HAS EXPERIENCE WORKING WITH YOUTH; AND

7 (IV) THE GOVERNOR SHALL APPOINT:

8 (A) ONE MEMBER WHO REPRESENTS RURAL AREAS THAT ARE
9 UNDERSERVED BY THIRD-PARTY PROVIDERS; AND

10 (B) ONE MEMBER WHO REPRESENTS THIRD-PARTY PROVIDERS.

11 (b) THE EXECUTIVE DIRECTOR, THE GOVERNOR, THE SPEAKER OF
12 THE HOUSE OF REPRESENTATIVES, AND THE PRESIDENT OF THE SENATE
13 SHALL MAKE THE INITIAL APPOINTMENTS TO THE GOVERNING BOARD NO
14 LATER THAN OCTOBER 1, 2023.

15 (c) THE TERM OF OFFICE OF MEMBERS OF THE GOVERNING BOARD
16 IS FOUR YEARS; EXCEPT THAT:

17 (I) EACH MEMBER OF THE GOVERNING BOARD SERVES AT THE
18 PLEASURE OF THE OFFICIAL WHO APPOINTED THE MEMBER; AND

19 (II) (A) IN ORDER TO ENSURE STAGGERED TERMS OF OFFICE, FOR
20 EACH MEMBER INITIALLY APPOINTED IN ACCORDANCE WITH SUBSECTION
21 (2)(a)(IV) OF THIS SECTION, THE INITIAL TERM OF OFFICE IS TWO YEARS.

22 (B) THIS SUBSECTION (2)(c)(II) IS REPEALED, EFFECTIVE JULY 1,
23 2028.

24 (3) EACH MEMBER OF THE GOVERNING BOARD OTHER THAN A
25 STATE EMPLOYEE SERVES WITHOUT COMPENSATION BUT IS ENTITLED TO
26 RECEIVE REIMBURSEMENT FROM MONEY IN THE FUND FOR ACTUAL AND
27 NECESSARY EXPENSES THE MEMBER INCURS IN THE PERFORMANCE OF THE

1 MEMBER'S DUTIES FOR THE GOVERNING BOARD.

2 (4) (a) THE EXECUTIVE DIRECTOR SHALL ORGANIZE THE
3 GOVERNING BOARD AND CALL THE FIRST MEETING OF THE GOVERNING
4 BOARD TO OCCUR BY NOVEMBER 1, 2023.

5 (b) THE GOVERNING BOARD SHALL MEET AT LEAST ANNUALLY.
6 THE CHAIR MAY CALL ADDITIONAL MEETINGS AS NECESSARY FOR THE
7 GOVERNING BOARD TO COMPLETE ITS DUTIES.

8 (5) THE GOVERNING BOARD MAY:

9 (a) TAKE ACTIONS NECESSARY TO IMPLEMENT AND ADMINISTER
10 THIS PART 7;

11 (b) ADVISE THE DEPARTMENT CONCERNING THE ADOPTION OF OR
12 AMENDMENT OF RULES UNDER SECTIONS 42-2-706 AND 42-2-708; AND

13 (c) ISSUE BONDS IN ACCORDANCE WITH SUBSECTION (7) OF THIS
14 SECTION.

15 (6) THE GOVERNING BOARD SHALL:

16 (a) OVERSEE THE IMPLEMENTATION AND ADMINISTRATION OF THIS
17 PART 7;

18 (b) ANNUALLY REPORT TO THE EXECUTIVE DIRECTOR, BY A DATE
19 DETERMINED BY THE EXECUTIVE DIRECTOR, CONCERNING THE
20 IMPLEMENTATION AND ADMINISTRATION OF THIS PART 7;

21 (c) ESTABLISH POLICIES TO IMPLEMENT AND ADMINISTER THIS
22 PART 7;

23 (d) HIRE ANY NECESSARY EMPLOYEES, WHO MAY ALSO BE
24 EMPLOYEES OF THE DEPARTMENT, TO IMPLEMENT AND ADMINISTER THIS
25 PART 7;

26 (e) OBTAIN THE NECESSARY OFFICE SPACE, EQUIPMENT, AND
27 SERVICES NECESSARY TO IMPLEMENT AND ADMINISTER THIS PART 7; AND

1 (f) COORDINATE WITH THE DEPARTMENT TO IMPLEMENT AND
2 ADMINISTER THIS PART 7.

3 (7) SUBJECT TO APPROVAL BY THE EXECUTIVE DIRECTOR, THE
4 ADEPT ENTERPRISE MAY ISSUE BONDS. THE BONDS MUST BE:

- 5 (a) ISSUED BY A RESOLUTION OF THE GOVERNING BOARD; AND
- 6 (b) SECURED BY AND PAYABLE SOLELY OUT OF THE MONEY IN THE
7 FUND.

8 **42-2-705. ADEPT enterprise - reimbursement of third-party**
9 **providers. (1) THE ADEPT ENTERPRISE SHALL:**

10 (a) BY JULY 1, 2025, TAKE REASONABLE EFFORTS TO INCREASE
11 ACCESS TO DRIVER TRAINING AND DRIVING EXAMINATIONS IN AREAS THAT
12 ARE SIXTY MILES OR MORE FROM A THIRD-PARTY PROVIDER'S OFFICE; AND

13 (b) MAKE AN ONLINE DRIVER TRAINING PROGRAM AVAILABLE AT
14 NO COST TO THE PUBLIC. THE DRIVER TRAINING PROGRAM MUST:

- 15 (I) BE AT LEAST THIRTY HOURS LONG;
- 16 (II) MEET THE STANDARDS NECESSARY TO QUALIFY A STUDENT TO
17 BE ISSUED AN INSTRUCTION PERMIT UNDER SECTION 42-2-106 (1)(b);
- 18 (III) TEACH:
 - 19 (A) THE LAW APPLICABLE TO DRIVING A MOTOR VEHICLE ON A
20 HIGHWAY; AND
 - 21 (B) BASIC DECISION MAKING WHEN DRIVING ON A HIGHWAY; AND
 - 22 (IV) BE AVAILABLE IN ENGLISH AND SPANISH.

23 (2) (a) (I) THE ADEPT ENTERPRISE SHALL REIMBURSE, FROM THE
24 FUND AND IN ACCORDANCE WITH RULES ADOPTED BY THE DEPARTMENT
25 PURSUANT TO SECTION 42-2-706, A THIRD-PARTY PROVIDER THAT
26 ADMINISTERS A DRIVING EXAMINATION. A THIRD-PARTY PROVIDER
27 SEEKING REIMBURSEMENT FROM THE ADEPT ENTERPRISE SHALL APPLY

1 FOR REIMBURSEMENT IN THE FORM AND MANNER SPECIFIED IN RULES
2 ADOPTED BY THE DEPARTMENT PURSUANT TO SECTION 42-2-706.

3 (II) A THIRD-PARTY PROVIDER SHALL NOT CHARGE AN INDIVIDUAL
4 TAKING A DRIVING EXAMINATION FOR AN AMOUNT REIMBURSED UNDER
5 THIS SUBSECTION (2).

6 (b) THE ADEPT ENTERPRISE SHALL DETERMINE THE
7 REIMBURSEMENT AMOUNT FOR A THIRD-PARTY PROVIDER BASED ON THE
8 AMOUNT THE THIRD-PARTY PROVIDER CHARGES FOR THE DRIVING
9 EXAMINATION, WHICH CHARGE MUST NOT EXCEED ANY LIMIT ESTABLISHED
10 IN RULES ADOPTED BY THE DEPARTMENT PURSUANT TO SECTION 42-2-706,
11 LESS THE AMOUNT THE INDIVIDUAL TAKING THE DRIVING EXAMINATION
12 PAYS THE THIRD-PARTY PROVIDER FOR ADMINISTERING THE DRIVING
13 EXAMINATION. THE COST TO THE INDIVIDUAL TAKING THE DRIVING
14 EXAMINATION MUST NOT EXCEED, EXCEPT AS PROVIDED IN SUBSECTION
15 (2)(c) OF THIS SECTION:

16 (I) TWENTY-FIVE DOLLARS PER DRIVING EXAMINATION IF THE
17 INDIVIDUAL TAKING THE DRIVING EXAMINATION HAS NOT PREVIOUSLY
18 FAILED THE EXAMINATION; AND

19 (II) FIFTY DOLLARS PER DRIVING EXAMINATION IF THE INDIVIDUAL
20 HAS PREVIOUSLY FAILED THE SAME DRIVING EXAMINATION.

21 (c) TO ACCOUNT FOR INFLATION OR DEFLATION, THE GOVERNING
22 BOARD MAY ANNUALLY ADJUST THE AMOUNTS DESCRIBED IN SUBSECTIONS
23 (2)(b)(I) AND (2)(b)(II) OF THIS SECTION.

24 **42-2-706. Department rules - reimbursement procedures -**
25 **driving examination price limits.** (1) THE DEPARTMENT SHALL
26 PROMULGATE RULES, IN CONSULTATION WITH THE GOVERNING BOARD,
27 ESTABLISHING THE PROCESS FOR THIRD-PARTY PROVIDERS TO APPLY FOR

1 AND OBTAIN REIMBURSEMENTS FOR DRIVING EXAMINATIONS IN
2 ACCORDANCE WITH SECTION 42-2-705. THE RULES MUST SPECIFY, AT A
3 MINIMUM:

4 (a) THE FORM AND MANNER OF APPLYING FOR REIMBURSEMENT,
5 INCLUDING THE REQUIRED DOCUMENTATION TO SUPPORT THE CLAIM FOR
6 REIMBURSEMENT;

7 (b) A TIMELINE FOR THE ADEPT ENTERPRISE TO ACCEPT
8 REIMBURSEMENT APPLICATIONS, DETERMINE A THIRD-PARTY PROVIDER'S
9 ELIGIBILITY FOR AND AMOUNT OF REIMBURSEMENT, AND PAY
10 REIMBURSEMENTS TO THIRD-PARTY PROVIDERS; AND

11 (c) ANY OTHER REQUIREMENTS NECESSARY FOR THE
12 ADMINISTRATION OF REIMBURSEMENTS.

13 (2) THE DEPARTMENT MAY PROMULGATE RULES SETTING A
14 MAXIMUM AMOUNT, INCLUDING THE AMOUNT ASSESSED AND RECEIVED
15 FROM THE INDIVIDUAL TAKING THE EXAMINATION, THAT A THIRD-PARTY
16 PROVIDER MAY CHARGE FOR A DRIVING EXAMINATION AND ADJUSTING THE
17 MAXIMUM AMOUNT TO ACCOUNT FOR INFLATION OR DEFLATION OR FOR
18 DIFFERENCES IN THE COST OF PROVIDING DRIVING EXAMINATIONS IN
19 DIFFERENT AREAS OF THE STATE.

20 **42-2-707. ADEPT enterprise fund.** (1) THE ADEPT ENTERPRISE
21 FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY
22 CREDITED TO THE FUND UNDER SECTION 42-2-708, REVENUE COLLECTED
23 FROM ANY REVENUE BONDS ISSUED PURSUANT TO SECTION 42-2-704 (7),
24 AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE
25 OR TRANSFER TO THE FUND.

26 (2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
27 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE

1 FUND TO THE FUND.

2 (3) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
3 ASSEMBLY, THE ADEPT ENTERPRISE MAY EXPEND MONEY FROM THE FUND
4 TO IMPLEMENT AND ADMINISTER THIS PART 7.

5 **42-2-708. ADEPT enterprise fee - rules.** (1) IN ADDITION TO
6 ANY OTHER FEE FOR THE ISSUANCE OF OR RENEWAL OF A DRIVER'S
7 LICENSE, MINOR DRIVER'S LICENSE, OR INSTRUCTION PERMIT, THE
8 DEPARTMENT SHALL COLLECT AN ADEPT ENTERPRISE FEE OF THREE
9 DOLLARS FOR EACH ISSUANCE OF OR RENEWAL OF A DRIVER'S LICENSE,
10 MINOR DRIVER'S LICENSE, OR INSTRUCTION PERMIT. THE DEPARTMENT
11 SHALL TRANSMIT THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT
12 THE FEE TO THE FUND.

13 (2) THE DEPARTMENT MAY PROMULGATE RULES ADJUSTING THE
14 AMOUNT OF THE FEE SPECIFIED IN SUBSECTION (1) OF THIS SECTION TO
15 ACCOUNT FOR INFLATION OR DEFLATION.

16 **42-2-709. Verification system.** THE DEPARTMENT SHALL CREATE
17 A SYSTEM THAT ALLOWS A THIRD-PARTY PROVIDER TO ELECTRONICALLY
18 REQUEST AND RECEIVE INFORMATION CONTAINED IN THE MOTORIST
19 INSURANCE IDENTIFICATION DATABASE PROGRAM, CREATED IN SECTION
20 42-7-604, TO VERIFY WHETHER AN INDIVIDUAL SEEKING A DRIVING
21 EXAMINATION FROM THE THIRD-PARTY PROVIDER HAS PROOF OF
22 FINANCIAL RESPONSIBILITY.

23 **42-2-710. Translation services.** ON REQUEST AND WHEN
24 REASONABLY POSSIBLE, THE ADEPT ENTERPRISE SHALL PROVIDE
25 TRANSLATION SERVICES FOR A DRIVING EXAMINATION FOR INDIVIDUALS
26 WHO DO NOT SPEAK, READ, OR WRITE ENGLISH AT A LEVEL NECESSARY TO
27 TAKE THE DRIVING EXAMINATION. THE TRANSLATION SERVICES MAY BE

1 PROVIDED ELECTRONICALLY OR, FOR DRIVING EXAMINATIONS THAT
2 DEMONSTRATE THE ABILITY OF THE APPLICANT, BY HAND SIGNAL IF THE
3 HAND SIGNALS ARE EXPLAINED IN THE APPLICANT'S LANGUAGE.

4 **SECTION 3. Act subject to petition - effective date -**
5 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
6 the expiration of the ninety-day period after final adjournment of the
7 general assembly; except that, if a referendum petition is filed pursuant
8 to section 1 (3) of article V of the state constitution against this act or an
9 item, section, or part of this act within such period, then the act, item,
10 section, or part will not take effect unless approved by the people at the
11 general election to be held in November 2024 and, in such case, will take
12 effect on the date of the official declaration of the vote thereon by the
13 governor.

14 (2) This act applies to driver's licenses and instruction permits
15 issued and to examinations performed on or after the applicable effective
16 date of this act.