

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

**ENGROSSED**

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

LLS NO. 23-0018.02 Jery Payne x2157

**HOUSE BILL 23-1147**

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**HOUSE SPONSORSHIP**

**Kipp,**

**SENATE SPONSORSHIP**

**Winter F.,**

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**House Committees**

Transportation, Housing & Local Government  
Finance  
Appropriations

**Senate Committees**

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**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 AND COUNTIES FOR**  
105               **A PORTION OF THE COSTS OF ADMINISTERING DRIVING**  
106               **EXAMINATIONS, SETTING LIMITS ON THE FEES THIRD-PARTY**  
107               **PROVIDERS MAY CHARGE, PROVIDING TRANSLATION SERVICES**  
108               **FOR DRIVING EXAMINATIONS, IMPOSING A FEE ON**  
109               **INSTRUCTION PERMITS AND DRIVER'S LICENSES, AND MAKING AN**  
110               **APPROPRIATION.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does*

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.*

HOUSE  
Amended 2nd Reading  
April 21, 2023

*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**

15 **AFFORDABLE DRIVER EDUCATION**

1 PROGRAM TESTING

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

5 42-2-702. **Legislative declaration.** (1) THE GENERAL ASSEMBLY  
6 FINDS THAT:

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

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

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

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

24 (e) FOR MANY DRIVERS OR DRIVING APPLICANTS, PARTICULARLY  
25 THOSE WHO ARE YOUNG OR ELDERLY, THE COST OF A DRIVING  
26 EXAMINATION MAY BE A SIGNIFICANT BARRIER TO OBTAINING OR  
27 RETAINING A DRIVER'S LICENSE; ■

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

6 (g) ALL DRIVERS BENEFIT FROM DRIVERS BEING ADEQUATELY  
7 EXAMINED TO DETERMINE IF THEY ARE SAFE DRIVERS BEFORE BEING  
8 LICENSED, AND THIS PART 7 HELPS FINANCE THE PROVISION OF THESE  
9 DRIVING EXAMINATIONS IN A LANGUAGE THAT THE DRIVER UNDERSTANDS.

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

11 (a) THE STATE HAS AN INTEREST IN:

12 (I) ENSURING DRIVERS ARE APPROPRIATELY EXAMINED TO  
13 DETERMINE THEIR ABILITY TO SAFELY OPERATE MOTOR VEHICLES ON  
14 STATE ROADWAYS; AND

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

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

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

1 CONTINUE TO BE LICENSED;

2 (d) TO MAINTAIN THE EXISTING LEVEL OF SERVICE TO  
3 COLORADANS, PRIVATE BUSINESSES MAY CONTINUE TO CONDUCT  
4 REQUIRED DRIVING EXAMINATIONS, AND THE ADEPT ENTERPRISE WILL  
5 REIMBURSE ALL OR A PORTION OF THE COST OF PROVIDING THE DRIVING  
6 EXAMINATIONS TO ENSURE EQUITABLE OPPORTUNITIES TO OBTAIN  
7 DRIVER'S LICENSES;

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

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

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

19 (I) TO DEFRAID THE COST OF PRIVATELY ADMINISTERED DRIVING  
20 EXAMINATIONS, WHICH IS A SPECIFIC SERVICE TO EACH INDIVIDUAL  
21 SEEKING A DRIVER'S LICENSE UPON WHOM THE FEE IS IMPOSED; AND

22 (II) AT RATES REASONABLY CALCULATED BASED ON THE OVERALL  
23 COST OF THE SERVICES PROVIDED BY THE ADEPT ENTERPRISE.

24 **42-2-703. Definitions.** AS USED IN THIS PART 7, UNLESS THE  
25 CONTEXT OTHERWISE REQUIRES:

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

1 (2) "COUNTY OFFICE" MEANS THE OFFICE OF A COUNTY CLERK AND  
2 RECORDER THAT ISSUES DRIVER'S LICENSES AND PERFORMS DRIVING  
3 EXAMINATIONS.

4 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE.

5 (4) "DRIVING EXAMINATION" MEANS AN EXAMINATION  
6 AUTHORIZED IN SECTION 42-2-111.

7 (5) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF  
8 THE DEPARTMENT.

9 (6) "FEE" MEANS THE ADEPT ENTERPRISE FEE ESTABLISHED IN  
10 SECTION 42-2-708.

11 (7) "FUND" MEANS THE ADEPT ENTERPRISE FUND CREATED IN  
12 SECTION 42-2-707.

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

15 (9) "INFLATION OR DEFLATION" MEANS THE ANNUAL PERCENTAGE  
16 CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR BUREAU OF  
17 LABOR STATISTICS CONSUMER PRICE INDEX FOR  
18 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS AND ALL URBAN  
19 CONSUMERS, OR ITS SUCCESSOR INDEX.

20 (10) "PROOF OF FINANCIAL RESPONSIBILITY" HAS THE SAME  
21 MEANING AS "PROOF OF FINANCIAL RESPONSIBILITY FOR THE FUTURE", AS  
22 DEFINED IN SECTION 42-7-103 (14).

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

26 **42-2-704. ADEPT enterprise - creation - governing board -**  
27 **powers and duties - issuance of bonds.** (1) THE ADEPT ENTERPRISE IS

1       CREATED AS A GOVERNMENT-OWNED BUSINESS WITHIN THE DEPARTMENT.

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

4               (I) THE EXECUTIVE DIRECTOR SHALL APPOINT ONE MEMBER WHO  
5       REPRESENTS THE EXECUTIVE DIRECTOR AND WHO IS THE CHAIR OF THE  
6       GOVERNING BOARD;

7               (II) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL  
8       APPOINT:

9               (A) ONE MEMBER WHO HAS EXPERIENCE PROVIDING TRANSLATION  
10       SERVICES OR ADMINISTERING PROGRAMS THAT ASSIST INDIVIDUALS FOR  
11       WHOM ENGLISH IS NOT THEIR NATIVE LANGUAGE; AND

12              (B) ONE MEMBER WHO REPRESENTS THIRD-PARTY PROVIDERS;  
13       WHO HAS EXPERIENCE WORKING WITH YOUTH; AND

14              (III) THE GOVERNOR SHALL APPOINT ONE MEMBER WHO  
15       REPRESENTS RURAL AREAS THAT ARE UNDERSERVED BY THIRD-PARTY  
16       PROVIDERS.

17              (b) THE EXECUTIVE DIRECTOR, THE GOVERNOR, THE SPEAKER OF  
18       THE HOUSE OF REPRESENTATIVES, AND THE PRESIDENT OF THE SENATE  
19       SHALL MAKE THE INITIAL APPOINTMENTS TO THE GOVERNING BOARD NO  
20       LATER THAN OCTOBER 1, 2023.

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

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

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

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

3 (3) EACH MEMBER OF THE GOVERNING BOARD OTHER THAN A  
4 STATE EMPLOYEE SERVES WITHOUT COMPENSATION BUT IS ENTITLED TO  
5 RECEIVE REIMBURSEMENT FROM MONEY IN THE FUND FOR ACTUAL AND  
6 NECESSARY EXPENSES THE MEMBER INCURS IN THE PERFORMANCE OF THE  
7 MEMBER'S DUTIES FOR THE GOVERNING BOARD.

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

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

14 (5) THE GOVERNING BOARD MAY:

15 (a) TAKE ACTIONS NECESSARY TO IMPLEMENT AND ADMINISTER  
16 THIS PART 7;

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

19 (c) ISSUE BONDS IN ACCORDANCE WITH SUBSECTION (8) OF THIS  
20 SECTION;

21 (d) DETERMINE THE AMOUNT OF REIMBURSEMENT GIVEN TO THE  
22 THIRD-PARTY PROVIDER FOR INDIVIDUALS WHO MAKE AN APPOINTMENT  
23 FOR A DRIVING EXAMINATION AND DO NOT SHOW OR CANCEL LATE OR WHO  
24 FAIL TO PASS THE DRIVING EXAMINATION; AND

25 (e) CONTRACT WITH A PRIVATE OR PUBLIC ENTITY TO DEVELOP  
26 AND UPDATE THE ONLINE DRIVER TRAINING PROGRAM REQUIRED IN  
27 SECTION 42-2-705 (1)(b).

- 1 (6) THE GOVERNING BOARD SHALL:
- 2 (a) OVERSEE THE IMPLEMENTATION AND ADMINISTRATION OF THIS
- 3 PART 7;
- 4 (b) ANNUALLY REPORT TO THE EXECUTIVE DIRECTOR, BY A DATE
- 5 DETERMINED BY THE EXECUTIVE DIRECTOR, CONCERNING THE
- 6 IMPLEMENTATION AND ADMINISTRATION OF THIS PART 7;
- 7 (c) ESTABLISH POLICIES TO IMPLEMENT AND ADMINISTER THIS
- 8 PART 7;
- 9 (d) HIRE ANY NECESSARY EMPLOYEES, WHO MAY ALSO BE
- 10 EMPLOYEES OF THE DEPARTMENT, TO IMPLEMENT AND ADMINISTER THIS
- 11 PART 7;
- 12 (e) OBTAIN THE NECESSARY OFFICE SPACE, EQUIPMENT, AND
- 13 SERVICES NECESSARY TO IMPLEMENT AND ADMINISTER THIS PART 7; AND
- 14 (f) COORDINATE WITH THE DEPARTMENT TO IMPLEMENT AND
- 15 ADMINISTER THIS PART 7.

16 (7) THE ADEPT ENTERPRISE SHALL REIMBURSE, AT FAIR MARKET

17 VALUE, THE DEPARTMENT FOR ANY EMPLOYEE TIME, OFFICE SPACE, OR

18 GOODS OR SERVICES PROVIDED BY THE DEPARTMENT.

19 (8) THE ADEPT ENTERPRISE MAY ISSUE BONDS. THE BONDS MUST

20 BE:

- 21 (a) ISSUED BY A RESOLUTION OF THE GOVERNING BOARD; AND
- 22 (b) SECURED BY AND PAYABLE SOLELY OUT OF THE MONEY IN THE
- 23 FUND.

24 **42-2-705. ADEPT enterprise - reimbursement of third-party**

25 **providers. (1) THE ADEPT ENTERPRISE SHALL:**

26 (a) BY JULY 1, 2025, IN AREAS THAT DO NOT HAVE A THIRD-PARTY

27 PROVIDER WITHIN SIXTY MILES FROM A DEPARTMENT OR COUNTY OFFICE

1 THAT ISSUES DRIVER'S LICENSES, PROVIDE DRIVING EXAMINATIONS AT  
2 LEAST ONCE EACH WEEK THAT DEMONSTRATE THE ABILITY OF AN  
3 APPLICANT FOR A DRIVER'S LICENSE TO DRIVE A MOTOR VEHICLE WITH  
4 APPROPRIATE CARE AND CONTROL; AND

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

7 (I) BE AT LEAST THIRTY HOURS LONG;

8 (II) MEET THE STANDARDS NECESSARY TO QUALIFY A STUDENT TO  
9 BE ISSUED AN INSTRUCTION PERMIT UNDER SECTION 42-2-106 (1)(b);

10 (III) TEACH:

11 (A) THE LAW APPLICABLE TO DRIVING A MOTOR VEHICLE ON A  
12 HIGHWAY; AND

13 (B) BASIC DECISION MAKING WHEN DRIVING ON A HIGHWAY; AND

14 (IV) BE AVAILABLE IN ENGLISH AND SPANISH.

15 (2) (a) (I) THE ADEPT ENTERPRISE SHALL REIMBURSE, FROM THE  
16 FUND AND IN ACCORDANCE WITH RULES ADOPTED BY THE DEPARTMENT  
17 PURSUANT TO SECTION 42-2-706, A THIRD-PARTY PROVIDER OR COUNTY  
18 OFFICE THAT ADMINISTERS A DRIVING EXAMINATION. A THIRD-PARTY  
19 PROVIDER OR COUNTY OFFICE SEEKING REIMBURSEMENT FROM THE  
20 ADEPT ENTERPRISE SHALL APPLY FOR REIMBURSEMENT IN THE FORM AND  
21 MANNER SPECIFIED IN RULES ADOPTED BY THE DEPARTMENT PURSUANT TO  
22 SECTION 42-2-706.

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

26 (b) THE ADEPT ENTERPRISE SHALL DETERMINE THE  
27 REIMBURSEMENT AMOUNT FOR A THIRD-PARTY PROVIDER BASED ON THE

1 AMOUNT THE THIRD-PARTY PROVIDER CHARGES FOR THE DRIVING  
2 EXAMINATION, WHICH CHARGE MUST NOT EXCEED ANY LIMIT ESTABLISHED  
3 IN RULES ADOPTED BY THE DEPARTMENT PURSUANT TO SECTION 42-2-706,  
4 LESS THE AMOUNT THE INDIVIDUAL TAKING THE DRIVING EXAMINATION  
5 PAYS THE THIRD-PARTY PROVIDER FOR ADMINISTERING THE DRIVING  
6 EXAMINATION. THE COST TO THE INDIVIDUAL TAKING THE DRIVING  
7 EXAMINATION MUST NOT EXCEED, EXCEPT AS PROVIDED IN SUBSECTION  
8 (2)(c) OF THIS SECTION:

9 (I) TWENTY-FIVE DOLLARS PER DRIVING EXAMINATION IF THE  
10 INDIVIDUAL TAKING THE DRIVING EXAMINATION HAS NOT PREVIOUSLY  
11 FAILED THE EXAMINATION; AND

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

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

17 (d) THE ADEPT ENTERPRISE SHALL SET THE REIMBURSEMENT  
18 RATE FOR COUNTY OFFICES AT A STANDARD RATE THAT IS BASED ON THE  
19 AVERAGE COST IN COLORADO OF COUNTY OFFICES PROVIDING DRIVING  
20 EXAMINATIONS.

21 **42-2-706. Department rules - reimbursement procedures -**  
22 **driving examination price limits.** (1) THE DEPARTMENT SHALL  
23 PROMULGATE RULES, IN CONSULTATION WITH THE GOVERNING BOARD,  
24 ESTABLISHING THE PROCESS FOR THIRD-PARTY PROVIDERS OR COUNTY  
25 OFFICES TO APPLY FOR AND OBTAIN REIMBURSEMENTS FOR DRIVING  
26 EXAMINATIONS IN ACCORDANCE WITH SECTION 42-2-705. THE RULES  
27 MUST SPECIFY, AT A MINIMUM:

1 (a) THE FORM AND MANNER OF APPLYING FOR REIMBURSEMENT,  
2 INCLUDING THE REQUIRED DOCUMENTATION TO SUPPORT THE CLAIM FOR  
3 REIMBURSEMENT;

4 (b) A TIMELINE FOR THE ADEPT ENTERPRISE TO ACCEPT  
5 REIMBURSEMENT APPLICATIONS, DETERMINE A THIRD-PARTY PROVIDER'S  
6 ELIGIBILITY FOR AND AMOUNT OF REIMBURSEMENT, AND PAY  
7 REIMBURSEMENTS TO THIRD-PARTY PROVIDERS OR COUNTY OFFICES;

8 (c) THAT A REIMBURSEMENT MUST BE MADE WITHIN THIRTY DAYS  
9 AFTER THE THIRD-PARTY PROVIDER OR COUNTY OFFICE REQUESTS  
10 REIMBURSEMENT; AND

11 (d) 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 (8),  
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) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE  
3 ADEPT ENTERPRISE TO IMPLEMENT AND ADMINISTER THIS PART 7.

4 **42-2-708. ADEPT enterprise fee - rules.** (1) IN ADDITION TO  
5 ANY OTHER FEE FOR THE ISSUANCE OF OR RENEWAL OF A DRIVER'S  
6 LICENSE, MINOR DRIVER'S LICENSE, OR INSTRUCTION PERMIT, THE  
7 DEPARTMENT SHALL COLLECT AN ADEPT ENTERPRISE FEE OF SIX  
8 DOLLARS FOR EACH ISSUANCE OF OR RENEWAL OF A DRIVER'S LICENSE,  
9 MINOR DRIVER'S LICENSE, OR INSTRUCTION PERMIT. THE DEPARTMENT  
10 SHALL TRANSMIT THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT  
11 THE FEE TO THE FUND.

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

15  
16 **42-2-709. Translation services.** ON REQUEST AND WHEN  
17 REASONABLY POSSIBLE, THE ADEPT ENTERPRISE SHALL PROVIDE  
18 TRANSLATION SERVICES FOR A DRIVING EXAMINATION FOR INDIVIDUALS  
19 WHO DO NOT SPEAK, READ, OR WRITE ENGLISH AT A LEVEL NECESSARY TO  
20 TAKE THE DRIVING EXAMINATION. THE TRANSLATION SERVICES MAY BE  
21 PROVIDED ELECTRONICALLY OR, FOR DRIVING EXAMINATIONS THAT  
22 DEMONSTRATE THE ABILITY OF THE APPLICANT, BY HAND SIGNAL IF THE  
23 HAND SIGNALS ARE EXPLAINED IN THE APPLICANT'S LANGUAGE.

24 **SECTION 3. Appropriation.** (1) For the 2023-24 state fiscal  
25 year, \$4,833,654 is appropriated to the department of revenue. This  
26 appropriation is from the ADEPT enterprise fund created in section 42-2-  
27 707 (1), C.R.S. To implement this act, the department may use this

1 appropriation as follows:

2 (a) \$143,042 for use by the executive director's office for personal  
3 services related to administration and support, which amount is based on  
4 an assumption that the department will require an additional 1.7 FTE;

5 (b) \$22,305 for use by the executive director's office for operating  
6 expenses related to administration and support;

7 (c) \$71,011 for DRIVES maintenance and support; and

8 (d) \$4,597,296 for use by the division of motor vehicles for  
9 driver's license exam reimbursements.

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

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