

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 21-0169.01 Yelana Love x2295

HOUSE BILL 21-1014

HOUSE SPONSORSHIP

Michaelson Jenet and Baisley,

SENATE SPONSORSHIP

Danielson,

House Committees

Transportation & Local Government
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ABILITY OF A PERSON TO VOLUNTARILY DISCLOSE**
102 **DISABILITY INFORMATION TO THE DEPARTMENT OF REVENUE.**

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>.)

The bill adds an option for a person with a disability to request that the department of revenue place a discreet disability identifier symbol on the person's driver's license or identification card. The symbol must represent all types of disabilities, such as cognitive, neurological, or physical disabilities.

The bill also requires the department to collect information that the

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.

owner of a vehicle voluntarily discloses about the disability of a person who is either authorized to drive, or a regular passenger of, the registered vehicle. The department shall make this information immediately available to a peace officer who queries information about the registered vehicle.

The department is required to notify peace officers about the creation of the disability identifier symbol and the availability of information regarding the disability of a driver or passenger of a motor vehicle.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) People living with visible and invisible disabilities, including
5 cognitive disabilities, neurological diversities, mental health disorders,
6 sensory needs, chronic illness, chronic pain, and physical disabilities, are
7 equal and valuable citizens of the state of Colorado;

8 (b) According to a study published in 2016 by the Ruderman
9 Family Foundation, up to half of all people killed by police in the United
10 States have a disability, and almost all well-known cases of police
11 brutality involve a person with a disability;

12 (c) Colorado's law enforcement officers perform honorably,
13 courageously, and selflessly, and their safety remains of paramount
14 importance;

15 (d) Law enforcement officers routinely encounter people living
16 with disabilities such as neurodiversity or a mental health disorder while
17 performing their duties;

18 (e) In Colorado, there are multiple instances every year of people
19 living with disabilities such as neurodiversity or a mental health disorder
20 having force applied against them by police officers. At times it is found

1 that the use of force is excessive, unjustified, or could have been avoided.

2 (f) Law enforcement officers may not have adequate training or
3 experience identifying or interacting with people living with disabilities
4 such as neurodiversity or a mental health disorder;

5 (g) Increasing an officer's knowledge of, and comfort with,
6 interactions with people with disabilities such as neurodiversity or a
7 mental health disorder will better serve Colorado's marginalized
8 populations, as well as protect law enforcement officers while performing
9 their duties; ■

10 (h) One way to avoid unnecessary escalation resulting from the
11 failure of law enforcement officers to identify a person with a disability
12 is by marking the person's driver's license or state identification card with
13 a simple, widely recognized symbol, such as that adopted by the Invisible
14 Disabilities Association, Inc., for this purpose, and by having disability
15 information about a driver or regular passenger attached to a vehicle
16 registration made available when law enforcement queries the vehicle's
17 registration information, which symbol will indicate that the person has
18 a disability that may result in behaviors or communications that may be
19 misinterpreted in a stressful situation; and

20 (i) By directing the department of revenue to issue drivers'
21 licenses and identification cards marked with such a symbol, the general
22 assembly hopes to eliminate or reduce the number of use-of-force
23 incidents between law enforcement officers and people with disabilities,
24 including neurodiversity or a mental health disorder.

25 **SECTION 2.** In Colorado Revised Statutes, 42-2-114, **amend**
26 (1)(b)(I); and **add** (12) as follows:

27 **42-2-114. License issued - disability identifier symbol - fees -**

1 **rules.** (1) (b) (I) ~~In the event~~ If the department issues a driver's license
2 that contains stored information, ~~such license may include~~ THE
3 DEPARTMENT SHALL INCLUDE IN THE STORED INFORMATION only the
4 information that is specifically referenced in ~~paragraph (a) of this~~
5 ~~subsection (1) and~~ SUBSECTION (1)(a) OF THIS SECTION, that appears in
6 printed form on the face of the license issued by the department to the
7 licensee, ~~and~~ OR THAT IS any race or ethnicity information identified on
8 the application ~~pursuant to~~ UNDER section 42-2-107 (2)(a)(II); except that
9 ~~such stored information~~ THE DEPARTMENT shall not include IN THE
10 STORED INFORMATION:

11 (A) The licensee's social security number; OR

12 (B) THE FACT THAT THE LICENSEE HAS REQUESTED THAT A
13 DISABILITY IDENTIFIER SYMBOL BE PLACED ON THE LICENSEE'S DRIVER'S
14 LICENSE IN ACCORDANCE WITH SUBSECTION (12) OF THIS SECTION.

15 (12) (a) (I) AT AN APPLICANT'S REQUEST, THE DEPARTMENT SHALL
16 ISSUE TO THE APPLICANT A DRIVER'S LICENSE BEARING A DISABILITY
17 IDENTIFIER SYMBOL IF THE APPLICANT HAS A DISABILITY.

18 (II) THE APPLICANT NEED NOT PROVIDE DOCUMENTATION THAT
19 THE APPLICANT IS A PERSON WITH A DISABILITY TO BE ISSUED, TO RENEW,
20 OR TO BE REISSUED A DRIVER'S LICENSE BEARING A DISABILITY IDENTIFIER
21 SYMBOL ISSUED UNDER THIS SUBSECTION (12).

22 (b) THE DISABILITY IDENTIFIER SYMBOL PLACED ON A DRIVER'S
23 LICENSE IN ACCORDANCE WITH THIS SUBSECTION (12) MUST BE DISCREET
24 AND MUST REPRESENT ALL TYPES OF DISABILITIES, INCLUDING COGNITIVE
25 DISABILITIES, NEUROLOGICAL DIVERSITIES, MENTAL HEALTH DISORDERS,
26 SENSORY NEEDS, CHRONIC ILLNESS, CHRONIC PAIN, AND PHYSICAL
27 DISABILITIES. THE DESIGN MUST CONFORM TO THE CURRENT STANDARDS

1 ADOPTED BY THE INVISIBLE DISABILITIES ASSOCIATION, INC., OR ITS
2 SUCCESSOR ORGANIZATION.

3 (c) THE DEPARTMENT SHALL NOT CHARGE A FEE FOR PLACING A
4 DISABILITY IDENTIFIER SYMBOL ON A DRIVER'S LICENSE.

5 (d) THE DEPARTMENT SHALL NOTIFY PEACE OFFICERS IN
6 COLORADO ABOUT THE DISABILITY IDENTIFIER SYMBOL CREATED IN THIS
7 SUBSECTION (12).

8 (e) BY JANUARY 15, 2023, AND EACH YEAR THEREAFTER, THE
9 DEPARTMENT SHALL REPORT TO THE HOUSE OF REPRESENTATIVES HEALTH
10 AND INSURANCE COMMITTEE AND TRANSPORTATION AND LOCAL
11 GOVERNMENT COMMITTEE AND THE SENATE HEALTH AND HUMAN
12 SERVICES COMMITTEE AND TRANSPORTATION AND ENERGY COMMITTEE,
13 OR THEIR SUCCESSOR COMMITTEES, ON THE PERCENTAGE OF INDIVIDUALS
14 ISSUED A DRIVER'S LICENSE WHO HAVE REQUESTED A DISABILITY
15 IDENTIFIER SYMBOL ISSUED IN ACCORDANCE WITH THIS SUBSECTION (12)
16 IN THE PREVIOUS CALENDAR YEAR.

17 **SECTION 3.** In Colorado Revised Statutes, 42-2-303, **amend**
18 (1)(b)(I); and **add** (6) as follows:

19 **42-2-303. Contents of identification card - disability identifier**
20 **symbol.** (1) (b) (I) ~~In the event~~ IF the department issues an identification
21 card that contains stored information, ~~such card may include~~ THE
22 DEPARTMENT SHALL INCLUDE IN THE STORED INFORMATION only the
23 information that is specifically referenced in ~~paragraph (a) of this~~
24 ~~subsection (1), and~~ SUBSECTION (1)(a) OF THIS SECTION, that appears in
25 printed form on the face of the card issued by the department to the
26 registrant, ~~and~~ OR THAT IS any race or ethnicity information identified on
27 an application pursuant to UNDER section 42-2-302 (1)(a)(VI); except that

1 ~~such stored information~~ THE DEPARTMENT shall not include IN THE
2 STORED INFORMATION:

3 (A) The registrant's social security number; OR

4 (B) THE FACT THAT THE REGISTRANT HAS REQUESTED THAT A
5 DISABILITY IDENTIFIER SYMBOL BE PLACED ON THE REGISTRANT'S
6 IDENTIFICATION CARD IN ACCORDANCE WITH SUBSECTION (6) OF THIS
7 SECTION.

8 (6) (a) (I) AT AN APPLICANT'S REQUEST, THE DEPARTMENT SHALL
9 ISSUE TO THE APPLICANT AN IDENTIFICATION CARD BEARING A DISABILITY
10 IDENTIFIER SYMBOL IF THE APPLICANT HAS A DISABILITY.

11 (II) THE APPLICANT NEED NOT PROVIDE DOCUMENTATION THAT
12 THE APPLICANT IS A PERSON WITH A DISABILITY TO BE ISSUED, TO RENEW,
13 OR TO BE REISSUED AN IDENTIFICATION CARD BEARING A DISABILITY
14 IDENTIFIER SYMBOL ISSUED UNDER THIS SUBSECTION (6).

15 (b) THE DISABILITY IDENTIFIER SYMBOL PLACED ON AN
16 IDENTIFICATION CARD IN ACCORDANCE WITH THIS SUBSECTION (6) MUST
17 BE DISCREET AND MUST REPRESENT ALL TYPES OF DISABILITIES,
18 INCLUDING COGNITIVE DISABILITIES, NEUROLOGICAL DIVERSITIES, MENTAL
19 HEALTH DISORDERS, SENSORY NEEDS, CHRONIC ILLNESS, CHRONIC PAIN,
20 AND PHYSICAL DISABILITIES. THE DESIGN MUST CONFORM TO THE
21 CURRENT STANDARDS ADOPTED BY THE INVISIBLE DISABILITIES
22 ASSOCIATION, INC., OR ITS SUCCESSOR ORGANIZATION.

23 (c) THE DEPARTMENT SHALL NOT CHARGE A FEE FOR PLACING A
24 DISABILITY IDENTIFIER SYMBOL ON AN IDENTIFICATION CARD.

25 (d) THE DEPARTMENT SHALL NOTIFY PEACE OFFICERS IN
26 COLORADO ABOUT THE DISABILITY IDENTIFIER SYMBOL CREATED IN THIS
27 SUBSECTION (6).

1 (e) BY JANUARY 15, 2023, AND EACH YEAR THEREAFTER, THE
2 DEPARTMENT SHALL REPORT TO THE HOUSE OF REPRESENTATIVES HEALTH
3 AND INSURANCE COMMITTEE AND TRANSPORTATION AND LOCAL
4 GOVERNMENT COMMITTEE AND THE SENATE HEALTH AND HUMAN
5 SERVICES COMMITTEE AND TRANSPORTATION AND ENERGY COMMITTEE,
6 OR THEIR SUCCESSOR COMMITTEES, ON THE PERCENTAGE OF INDIVIDUALS
7 ISSUED AN IDENTIFICATION CARD WHO HAVE REQUESTED A DISABILITY
8 IDENTIFIER SYMBOL ISSUED IN ACCORDANCE WITH THIS SUBSECTION (6) IN
9 THE PREVIOUS CALENDAR YEAR.

10 SECTION 4. In Colorado Revised Statutes, 42-3-113, add (9.5)
11 as follows:

12 **42-3-113. Records of application and registration - disability**
13 **of a driver - definitions.** (9.5) (a) WHEN REGISTERING OR RENEWING THE
14 REGISTRATION OF A VEHICLE PURSUANT TO THIS SECTION, THE
15 DEPARTMENT SHALL COLLECT INFORMATION THAT THE OWNER OF A
16 VEHICLE VOLUNTARILY DISCLOSES ABOUT THE DISABILITY OF A PERSON
17 WHO IS EITHER AUTHORIZED TO DRIVE, OR A REGULAR PASSENGER OF, THE
18 REGISTERED VEHICLE. THE DEPARTMENT SHALL MAKE THIS INFORMATION
19 IMMEDIATELY AVAILABLE TO A PEACE OFFICER WHO QUERIES
20 INFORMATION ABOUT THE REGISTERED VEHICLE.

21 (b) THE DEPARTMENT SHALL NOT CHARGE A FEE FOR COLLECTING
22 OR MAKING THIS INFORMATION AVAILABLE TO PEACE OFFICERS.

23
24 (c) BY JANUARY 15, 2023, AND EACH YEAR THEREAFTER, THE
25 DEPARTMENT SHALL REPORT TO THE HOUSE OF REPRESENTATIVES HEALTH
26 AND INSURANCE COMMITTEE AND TRANSPORTATION AND LOCAL
27 GOVERNMENT COMMITTEE AND THE SENATE HEALTH AND HUMAN

1 SERVICES COMMITTEE AND TRANSPORTATION AND ENERGY COMMITTEE,
2 OR THEIR SUCCESSOR COMMITTEES, ON THE PERCENTAGE OF INDIVIDUALS
3 REGISTERING A VEHICLE WHO HAVE DISCLOSED DISABILITY INFORMATION
4 IN ACCORDANCE WITH THIS SUBSECTION (9) IN THE PREVIOUS CALENDAR
5 YEAR.

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