

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

PREAMENDED

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

LLS NO. 23-0018.02 Jery Payne x2157

HOUSE BILL 23-1147

HOUSE SPONSORSHIP

Kipp,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government
Finance

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 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, AND IMPOSING A FEE ON**
109 **INSTRUCTION PERMITS AND DRIVER'S LICENSES.**

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

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.

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**
16 **PROGRAM TESTING**

1 **42-2-701. Short title.** THE SHORT TITLE OF THIS PART 7 IS THE
2 "AFFORDABLE DRIVER EDUCATION PROGRAM TESTING ACT" OR THE
3 "ADEPT ACT".

4 **42-2-702. Legislative declaration.** (1) THE GENERAL ASSEMBLY
5 FINDS THAT:

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

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

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

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

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

27 (f) COLLECTING A FEE FROM EACH INDIVIDUAL WHO IS ISSUED A

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

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

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

10 (a) THE STATE HAS AN INTEREST IN:

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

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

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

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

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

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

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

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

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

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

23 **42-2-703. Definitions.** AS USED IN THIS PART 7, UNLESS THE
24 CONTEXT OTHERWISE REQUIRES:

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

27 (2) "COUNTY OFFICE" MEANS THE OFFICE OF A COUNTY CLERK AND

1 RECORDER THAT ISSUES DRIVER'S LICENSES AND PERFORMS DRIVING
2 EXAMINATIONS.

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

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

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

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

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

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

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

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

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

25 **42-2-704. ADEPT enterprise - creation - governing board -**
26 **powers and duties - issuance of bonds.** (1) THE ADEPT ENTERPRISE IS
27 CREATED AS A GOVERNMENT-OWNED BUSINESS WITHIN THE DEPARTMENT.

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

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

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

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

12 (IV) THE GOVERNOR SHALL APPOINT:

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

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

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

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

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

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

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

1 2028.

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

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

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

13 (5) THE GOVERNING BOARD MAY:

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

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

18 (c) ISSUE BONDS IN ACCORDANCE WITH SUBSECTION (8) OF THIS
19 SECTION.

20 (6) THE GOVERNING BOARD SHALL:

21 (a) OVERSEE THE IMPLEMENTATION AND ADMINISTRATION OF THIS
22 PART 7;

23 (b) ANNUALLY REPORT TO THE EXECUTIVE DIRECTOR, BY A DATE
24 DETERMINED BY THE EXECUTIVE DIRECTOR, CONCERNING THE
25 IMPLEMENTATION AND ADMINISTRATION OF THIS PART 7;

26 (c) ESTABLISH POLICIES TO IMPLEMENT AND ADMINISTER THIS
27 PART 7;

1 (d) HIRE ANY NECESSARY EMPLOYEES, WHO MAY ALSO BE
2 EMPLOYEES OF THE DEPARTMENT, TO IMPLEMENT AND ADMINISTER THIS
3 PART 7;

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

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

8 (7) THE ADEPT ENTERPRISE SHALL REIMBURSE, AT FAIR MARKET
9 VALUE, THE DEPARTMENT FOR ANY EMPLOYEE TIME, OFFICE SPACE, OR
10 GOODS OR SERVICES PROVIDED BY THE DEPARTMENT.

11 (8) THE ADEPT ENTERPRISE MAY ISSUE BONDS. THE BONDS MUST
12 BE:

13 (a) ISSUED BY A RESOLUTION OF THE GOVERNING BOARD; AND

14 (b) SECURED BY AND PAYABLE SOLELY OUT OF THE MONEY IN THE
15 FUND.

16 **42-2-705. ADEPT enterprise - reimbursement of third-party**
17 **providers. (1) THE ADEPT ENTERPRISE SHALL:**

18 (a) BY JULY 1, 2025, IN AREAS THAT DO NOT HAVE A THIRD-PARTY
19 PROVIDER WITHIN SIXTY MILES FROM A DEPARTMENT OR COUNTY OFFICE
20 THAT ISSUES DRIVER'S LICENSES, PROVIDE DRIVING EXAMINATIONS AT
21 LEAST ONCE EACH WEEK THAT DEMONSTRATE THE ABILITY OF AN
22 APPLICANT FOR A DRIVER'S LICENSE TO DRIVE A MOTOR VEHICLE WITH
23 APPROPRIATE CARE AND CONTROL; AND

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

26 (I) BE AT LEAST THIRTY HOURS LONG;

27 (II) MEET THE STANDARDS NECESSARY TO QUALIFY A STUDENT TO

1 BE ISSUED AN INSTRUCTION PERMIT UNDER SECTION 42-2-106 (1)(b);

2 (III) TEACH:

3 (A) THE LAW APPLICABLE TO DRIVING A MOTOR VEHICLE ON A
4 HIGHWAY; AND

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

6 (IV) BE AVAILABLE IN ENGLISH AND SPANISH.

7 (2) (a) (I) THE ADEPT ENTERPRISE SHALL REIMBURSE, FROM THE
8 FUND AND IN ACCORDANCE WITH RULES ADOPTED BY THE DEPARTMENT
9 PURSUANT TO SECTION 42-2-706, A THIRD-PARTY PROVIDER OR COUNTY
10 OFFICE THAT ADMINISTERS A DRIVING EXAMINATION. A THIRD-PARTY
11 PROVIDER OR COUNTY OFFICE SEEKING REIMBURSEMENT FROM THE
12 ADEPT ENTERPRISE SHALL APPLY FOR REIMBURSEMENT IN THE FORM AND
13 MANNER SPECIFIED IN RULES ADOPTED BY THE DEPARTMENT PURSUANT TO
14 SECTION 42-2-706.

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

18 (b) THE ADEPT ENTERPRISE SHALL DETERMINE THE
19 REIMBURSEMENT AMOUNT FOR A THIRD-PARTY PROVIDER BASED ON THE
20 AMOUNT THE THIRD-PARTY PROVIDER CHARGES FOR THE DRIVING
21 EXAMINATION, WHICH CHARGE MUST NOT EXCEED ANY LIMIT ESTABLISHED
22 IN RULES ADOPTED BY THE DEPARTMENT PURSUANT TO SECTION 42-2-706,
23 LESS THE AMOUNT THE INDIVIDUAL TAKING THE DRIVING EXAMINATION
24 PAYS THE THIRD-PARTY PROVIDER FOR ADMINISTERING THE DRIVING
25 EXAMINATION. THE COST TO THE INDIVIDUAL TAKING THE DRIVING
26 EXAMINATION MUST NOT EXCEED, EXCEPT AS PROVIDED IN SUBSECTION
27 (2)(c) OF THIS SECTION:

1 (I) TWENTY-FIVE DOLLARS PER DRIVING EXAMINATION IF THE
2 INDIVIDUAL TAKING THE DRIVING EXAMINATION HAS NOT PREVIOUSLY
3 FAILED THE EXAMINATION; AND

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

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

9 (d) THE ADEPT ENTERPRISE SHALL SET THE REIMBURSEMENT
10 RATE FOR COUNTY OFFICES AT A STANDARD RATE THAT IS BASED ON THE
11 AVERAGE COST IN COLORADO OF COUNTY OFFICES PROVIDING DRIVING
12 EXAMINATIONS.

13 **42-2-706. Department rules - reimbursement procedures -**
14 **driving examination price limits.** (1) THE DEPARTMENT SHALL
15 PROMULGATE RULES, IN CONSULTATION WITH THE GOVERNING BOARD,
16 ESTABLISHING THE PROCESS FOR THIRD-PARTY PROVIDERS OR COUNTY
17 OFFICES TO APPLY FOR AND OBTAIN REIMBURSEMENTS FOR DRIVING
18 EXAMINATIONS IN ACCORDANCE WITH SECTION 42-2-705. THE RULES
19 MUST SPECIFY, AT A MINIMUM:

20 (a) THE FORM AND MANNER OF APPLYING FOR REIMBURSEMENT,
21 INCLUDING THE REQUIRED DOCUMENTATION TO SUPPORT THE CLAIM FOR
22 REIMBURSEMENT;

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

27 (c) THAT A REIMBURSEMENT MUST BE MADE WITHIN THIRTY DAYS

1 AFTER THE THIRD-PARTY PROVIDER OR COUNTY OFFICE REQUESTS
2 REIMBURSEMENT; AND

3 (d) ANY OTHER REQUIREMENTS NECESSARY FOR THE
4 ADMINISTRATION OF REIMBURSEMENTS.

5 (2) THE DEPARTMENT MAY PROMULGATE RULES SETTING A
6 MAXIMUM AMOUNT, INCLUDING THE AMOUNT ASSESSED AND RECEIVED
7 FROM THE INDIVIDUAL TAKING THE EXAMINATION, THAT A THIRD-PARTY
8 PROVIDER MAY CHARGE FOR A DRIVING EXAMINATION AND ADJUSTING THE
9 MAXIMUM AMOUNT TO ACCOUNT FOR INFLATION OR DEFLATION OR FOR
10 DIFFERENCES IN THE COST OF PROVIDING DRIVING EXAMINATIONS IN
11 DIFFERENT AREAS OF THE STATE.

12 **42-2-707. ADEPT enterprise fund.** (1) THE ADEPT ENTERPRISE
13 FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY
14 CREDITED TO THE FUND UNDER SECTION 42-2-708, REVENUE COLLECTED
15 FROM ANY REVENUE BONDS ISSUED PURSUANT TO SECTION 42-2-704 (8),
16 AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE
17 OR TRANSFER TO THE FUND.


18 (2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
19 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
20 FUND TO THE FUND.

21 (3) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
22 ADEPT ENTERPRISE TO IMPLEMENT AND ADMINISTER THIS PART 7.

23 **42-2-708. ADEPT enterprise fee - rules.** (1) IN ADDITION TO
24 ANY OTHER FEE FOR THE ISSUANCE OF OR RENEWAL OF A DRIVER'S
25 LICENSE, MINOR DRIVER'S LICENSE, OR INSTRUCTION PERMIT, THE
26 DEPARTMENT SHALL COLLECT AN ADEPT ENTERPRISE FEE OF THREE
27 DOLLARS FOR EACH ISSUANCE OF OR RENEWAL OF A DRIVER'S LICENSE,

1 MINOR DRIVER'S LICENSE, OR INSTRUCTION PERMIT. THE DEPARTMENT
2 SHALL TRANSMIT THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT
3 THE FEE TO THE FUND.

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

7 
8 **42-2-709. Translation services.** ON REQUEST AND WHEN
9 REASONABLY POSSIBLE, THE ADEPT ENTERPRISE SHALL PROVIDE
10 TRANSLATION SERVICES FOR A DRIVING EXAMINATION FOR INDIVIDUALS
11 WHO DO NOT SPEAK, READ, OR WRITE ENGLISH AT A LEVEL NECESSARY TO
12 TAKE THE DRIVING EXAMINATION. THE TRANSLATION SERVICES MAY BE
13 PROVIDED ELECTRONICALLY OR, FOR DRIVING EXAMINATIONS THAT
14 DEMONSTRATE THE ABILITY OF THE APPLICANT, BY HAND SIGNAL IF THE
15 HAND SIGNALS ARE EXPLAINED IN THE APPLICANT'S LANGUAGE.

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

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