

**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
Appropriations

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, IMPOSING A FEE ON**
109 **INSTRUCTION PERMITS AND DRIVER'S LICENSES, AND MAKING AN**
110 **APPROPRIATION.**

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.

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.