

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

**PREAMENDED**

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

LLS NO. 24-0829.01 Jery Payne x2157

**HOUSE BILL 24-1021**

---

**HOUSE SPONSORSHIP**

**Lindsay**, Boesenecker, Brown, Duran, Jodeh, Joseph, Mauro, Snyder, Willford

**SENATE SPONSORSHIP**

**Winter F.,**

---

**House Committees**

Transportation, Housing & Local Government  
Appropriations

**Senate Committees**

Transportation & Energy  
Appropriations

---

**A BILL FOR AN ACT**

101 **CONCERNING THE TRAINING OF INDIVIDUALS TO DRIVE MOTOR**  
102 **VEHICLES.**

---

**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>.)*

Currently, a minor who is under 18 years of age may be issued a driver's license or temporary driver's license if the minor has held an instruction permit for 12 months and has completed 50 hours of supervised driving, including 10 hours of night driving. To obtain an instruction permit, current law requires a minor to meet one of the following conditions:

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  
3rd Reading Unamended  
March 22, 2024

HOUSE  
Amended 2nd Reading  
March 21, 2024

- A minor who is at least 15 and one-half years of age but under 16 years of age must have completed a driver education course or a 4-hour driver awareness course; or
- A minor who is 15 years of age or older but under 15 and one-half years of age must have completed a driver education course, including 30 hours of driving instruction and 6 hours of behind-the-wheel driving training with a driving instructor, or, if the minor lives more than 30 miles from a business offering driving instruction, the minor may choose to have at least 12 hours of training from a parent, legal guardian, or responsible adult.

Therefore, to obtain a driver's license, the minor must meet these requirements. The bill replaces the current requirements to be issued an instruction permit with requirements that a minor applicant 18 years of age or younger must:

- Complete a 30-hour driver education course, which may include an online course, approved by the department of revenue (department); and
- Receive at least 6 hours of behind-the-wheel driving training with a driving instructor, or, if the minor lives more than 30 miles from a business offering driving instruction, the minor may choose to have at least 12 hours of training from a parent, legal guardian, or responsible adult.

The bill also adds a requirement that a minor who is 18 years of age or older and under 21 years of age must successfully complete a 4-hour prequalification driver awareness program approved by the department in order to be issued a driver's license or temporary driver's license.

The bill prohibits a person who has been convicted of certain violent or sexual crimes from providing behind-the-wheel driving instruction to minors and at-risk adults. A commercial driving school is prohibited from employing such a driving instructor to provide behind-the-wheel driving instruction to minors and at-risk adults. Each instructor employed by a commercial driving school must obtain a fingerprint-based criminal history record check to verify that the instructor has not committed a disqualifying crime.

---

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

2           **SECTION 1.** In Colorado Revised Statutes, 42-2-104, **amend**  
 3 (4)(a) as follows:

4           **42-2-104. Licenses issued - denied.** (4) (a) The department shall

1 not issue a driver's license, including a temporary driver's license under  
2 section ~~42-2-106 (2)~~ 42-2-106 (5), to ~~a person~~ AN INDIVIDUAL under  
3 eighteen years of age unless the ~~person~~ INDIVIDUAL has:

4 (I) Applied for, been issued, and possessed an appropriate  
5 instruction permit for at least twelve months; and

6 (II) Submitted a log or other written evidence on a standardized  
7 form approved by the department certifying that the ~~person~~ INDIVIDUAL  
8 has completed not less than fifty hours of actual driving experience WITH  
9 A DRIVING SUPERVISOR LISTED IN SECTION 42-2-106 (2)(b)(II) of which  
10 not less than ten hours must have been completed while driving at night,  
11 which form ~~is~~ MUST BE signed by:

12 (A) ~~The person's parent or guardian or by a responsible adult~~  
13 ~~INDIVIDUAL WHO SIGNED THE AFFIDAVIT OF LIABILITY FOR THE~~  
14 ~~INDIVIDUAL TO OBTAIN AN INSTRUCTION PERMIT;~~

15 (B) The instructor of a ~~driver's~~ DRIVER education course approved  
16 by the department; or

17 (C) Any individual who is twenty-one years of age or older, who  
18 holds a valid driver's license, and who instructed the applicant if the  
19 applicant is a foster child.

20 == ==

21 **SECTION 2.** In Colorado Revised Statutes, **repeal and reenact,**  
22 **with amendments,** 42-2-106 as follows:

23 **42-2-106. Instruction permits and temporary licenses -**  
24 **penalty.** (1) (a) THE DEPARTMENT SHALL ISSUE AN INSTRUCTION PERMIT  
25 TO A MINOR WHO IS FIFTEEN YEARS OF AGE OR OLDER AND UNDER  
26 ~~EIGHTEEN~~ YEARS OF AGE AND WHO:

27 (I) HAS SUCCESSFULLY COMPLETED A THIRTY-HOUR DRIVER

1 EDUCATION COURSE THAT IS APPROVED BY THE DEPARTMENT, WHICH  
2 COURSE MAY BE COMPLETED ONLINE; AND

3 (II) MEETS THE REQUIREMENTS TO BE ISSUED AN INSTRUCTION  
4 PERMIT IN ACCORDANCE WITH SECTIONS 42-2-107 AND 42-2-108.

5 (b) THE DEPARTMENT SHALL ISSUE AN INSTRUCTION PERMIT TO A  
6 MINOR WHO IS EIGHTEEN YEARS OF AGE OR OLDER AND WHO:

7 (I) HAS SUCCESSFULLY COMPLETED A THIRTY-HOUR DRIVER  
8 EDUCATION COURSE THAT IS APPROVED BY THE DEPARTMENT, WHICH  
9 COURSE MAY BE ONLINE, OR A FOUR-HOUR PREQUALIFICATION DRIVER  
10 AWARENESS PROGRAM THAT IS APPROVED BY THE DEPARTMENT; AND

11 (II) QUALIFIES FOR AN INSTRUCTION PERMIT IN ACCORDANCE WITH  
12 SECTION 42-2-107.

13 (c) THE DEPARTMENT SHALL ISSUE AN INSTRUCTION PERMIT TO A  
14 MINOR WHO IS QUALIFIED UNDER SUBSECTION (1)(a) OR (1)(b) OF THIS  
15 SECTION AND WHO HAS A DISABILITY THAT REQUIRES THE PERSON TO USE  
16 A SPECIAL VEHICLE OR THAT QUALIFIES THE MINOR FOR PARKING  
17 PRIVILEGES UNDER SECTION 42-3-204, BUT THE DEPARTMENT MAY SET  
18 ADDITIONAL REASONABLE REQUIREMENTS ON THE USE OF THE  
19 INSTRUCTION PERMIT.

20 (d) THE DEPARTMENT SHALL ISSUE AN INSTRUCTION PERMIT TO A  
21 MINOR WHO IS EIGHTEEN YEARS OF AGE OR OLDER AND WHO MEETS THE  
22 REQUIREMENTS TO BE ISSUED AN INSTRUCTION PERMIT IN ACCORDANCE  
23 WITH SECTIONS 42-2-107 AND 42-2-108.

24 (e) THE DEPARTMENT SHALL NOT ISSUE AN INSTRUCTION PERMIT  
25 TO DRIVE A MOTORCYCLE UNLESS THE APPLICANT HAS SUCCESSFULLY  
26 COMPLETED AN INSTRUCTION PROGRAM IN MOTORCYCLE SAFETY THAT IS  
27 APPROVED BY THE COLORADO STATE PATROL.

1 (2) (a) AN INSTRUCTION PERMIT ENTITLES THE HOLDER TO DRIVE  
2 A MOTOR VEHICLE ON A ROADWAY IF THE MINOR COMPLIES WITH  
3 SUBSECTION (2)(b) OF THIS SECTION.

4 (b) EXCEPT AS PROVIDED IN SUBSECTION (2)(c), (2)(d), OR (2)(e)  
5 OF THIS SECTION, AN INSTRUCTION PERMIT HOLDER SHALL NOT DRIVE A  
6 MOTOR VEHICLE ON A ROADWAY UNLESS:

7 (I) THE PERMIT IS IN THE HOLDER'S IMMEDIATE POSSESSION; AND

8 (II) ONE OF THE FOLLOWING INDIVIDUALS WHO HOLDS A VALID  
9 COLORADO DRIVER'S LICENSE IS SUPERVISING THE PERMIT HOLDER FROM  
10 THE FRONT PASSENGER SEAT OR, IF THE MOTOR VEHICLE IS A  
11 MOTORCYCLE, IN CLOSE PROXIMITY TO WHERE THE PERMIT HOLDER IS  
12 DRIVING:

13 (A) THE MINOR'S PARENT OR STEPPARENT;

14 (B) THE MINOR'S GRANDPARENT WITH POWER OF ATTORNEY;

15 (C) THE GUARDIAN WHO SIGNED THE AFFIDAVIT OF LIABILITY;

16 (D) THE FOSTER PARENT WHO SIGNED THE AFFIDAVIT OF  
17 LIABILITY;

18 (E) AN APPROVED DRIVER EDUCATION INSTRUCTOR IF THE MOTOR  
19 VEHICLE COMPLIES WITH SECTION 42-2-602;

20 (F) AN INDIVIDUAL AUTHORIZED TO SUPERVISE A FOSTER CHILD IN  
21 SUBSECTION (2)(c) OF THIS SECTION;

22 (G) AN ALTERNATE PERMIT SUPERVISOR APPOINTED IN  
23 ACCORDANCE WITH SUBSECTION (2)(e)(I) OF THIS SECTION;

24 (H) AN INDIVIDUAL DESCRIBED IN SUBSECTION (2)(e)(II) OF THIS  
25 SECTION; OR

26 (I) AN INDIVIDUAL WHO IS TWENTY-ONE YEARS OF AGE OR OLDER  
27 AND WHO ASSUMED THE OBLIGATIONS UNDER THIS ARTICLE 2 BY SIGNING

1 THE AFFIDAVIT OF LIABILITY FOR THE MINOR.

2 (c) NOTWITHSTANDING SUBSECTION (2)(d) OF THIS SECTION, A  
3 FOSTER CHILD MAY DRIVE WITH AND FULFILL THE FIFTY-HOUR DRIVING  
4 REQUIREMENT ESTABLISHED IN SECTION 42-2-104 (4)(a)(II) WITH ANY  
5 INDIVIDUAL WHO:

6 (I) HOLDS A VALID COLORADO DRIVER'S LICENSE; AND

7 (II) IS TWENTY-ONE YEARS OF AGE OR OLDER.

8 (d) THE INDIVIDUAL WHO SIGNED THE AFFIDAVIT OF LIABILITY  
9 MAY ALLOW THE MINOR TO DRIVE WITH AN INDIVIDUAL WHO HOLDS A  
10 VALID DRIVER'S LICENSE AND IS TWENTY-ONE YEARS OF AGE OR OLDER  
11 FOR ADDITIONAL DRIVING EXPERIENCE, BUT THE ADDITIONAL DRIVING  
12 EXPERIENCE DOES NOT COUNT TOWARD THE FIFTY-HOUR DRIVING  
13 REQUIREMENT ESTABLISHED IN SECTION 42-2-104 (4)(a)(II).

14 (e)(I) IF THE INDIVIDUAL WHO SIGNED THE AFFIDAVIT OF LIABILITY  
15 DOES NOT HAVE A COLORADO DRIVER'S LICENSE, THE INDIVIDUAL MAY  
16 APPOINT AN ALTERNATE PERMIT SUPERVISOR WHO HOLDS A COLORADO  
17 DRIVER'S LICENSE.

18 (II) IF THE INDIVIDUAL WHO COSIGNED THE APPLICATION FOR THE  
19 MINOR'S INSTRUCTION PERMIT IS IN THE UNITED STATES MILITARY AND  
20 DOES NOT HAVE A COLORADO DRIVER'S LICENSE, THE INDIVIDUAL MAY  
21 SUPERVISE THE INSTRUCTION PERMIT HOLDER IF THE INDIVIDUAL HOLDS  
22 A VALID DRIVER'S LICENSE FROM ANOTHER STATE, IS AUTHORIZED TO  
23 DRIVE A MOTOR VEHICLE OR MOTORCYCLE, AND HAS PROPER MILITARY  
24 IDENTIFICATION.

25 (3) (a) TO BE AN APPROVED DRIVING INSTRUCTOR, THE  
26 INSTRUCTOR MUST HAVE A VALID COLORADO DRIVER'S LICENSE.

27 (b) TO BE AN APPROVED DRIVING INSTRUCTOR WHO GIVES

1 INSTRUCTION IN MOTORCYCLES, THE INSTRUCTOR MUST HAVE A VALID  
2 MOTORCYCLE DRIVER'S LICENSE OR ENDORSEMENT AND HAVE  
3 SUCCESSFULLY COMPLETED AN INSTRUCTION PROGRAM IN MOTORCYCLE  
4 SAFETY THAT IS APPROVED BY THE COLORADO STATE PATROL.

5 (4) AN INSTRUCTION PERMIT EXPIRES THREE YEARS AFTER THE  
6 DATE OF ISSUANCE; EXCEPT THAT A TEMPORARY INSTRUCTION PERMIT TO  
7 DRIVE A COMMERCIAL MOTOR VEHICLE, AS DEFINED IN SECTION 42-2-402  
8 (4), EXPIRES ONE YEAR AFTER THE DATE OF ISSUANCE.

9 (5) (a) THE DEPARTMENT, IN ITS DISCRETION, MAY ISSUE A  
10 TEMPORARY MINOR DRIVER'S LICENSE OR TEMPORARY DRIVER'S LICENSE  
11 TO AN APPLICANT WHO:

12 (I) IS NOT A FIRST-TIME APPLICANT IN COLORADO; OR

13 (II) IS UNDER EIGHTEEN YEARS OF AGE AND IS ACCOMPANIED BY  
14 A PERSON WHO SIGNS AN AFFIDAVIT OF LIABILITY IN ACCORDANCE WITH  
15 SECTION 42-2-108 (1) THAT WILL PERMIT THE APPLICANT TO OPERATE A  
16 MOTOR VEHICLE WHILE THE DEPARTMENT COMPLETES ITS VERIFICATION  
17 OF ALL FACTS RELATIVE TO THE APPLICANT'S RIGHT TO RECEIVE A MINOR  
18 DRIVER'S LICENSE OR DRIVER'S LICENSE.

19 (b) THE DEPARTMENT SHALL ISSUE A TEMPORARY MINOR DRIVER'S  
20 LICENSE OR TEMPORARY DRIVER'S LICENSE TO A FIRST-TIME APPLICANT IN  
21 COLORADO FOR A MINOR DRIVER'S LICENSE OR DRIVER'S LICENSE THAT  
22 WILL PERMIT THE APPLICANT TO OPERATE A MOTOR VEHICLE WHILE THE  
23 DEPARTMENT COMPLETES ITS VERIFICATION OF ALL FACTS RELATIVE TO  
24 THE APPLICANT'S RIGHT TO RECEIVE A MINOR DRIVER'S LICENSE OR  
25 DRIVER'S LICENSE, INCLUDING THE AGE, IDENTITY, AND RESIDENCY OF THE  
26 APPLICANT, UNLESS THE APPLICANT IS UNDER EIGHTEEN YEARS OF AGE  
27 AND IS ACCOMPANIED BY A PERSON WHO SIGNS AN AFFIDAVIT OF LIABILITY

1 IN ACCORDANCE WITH SECTION 42-2-108 (1). THE VERIFICATION MUST  
2 INCLUDE A COMPARISON OF EXISTING DRIVER'S LICENSE AND  
3 IDENTIFICATION CARD IMAGES IN DEPARTMENT FILES WITH THE  
4 APPLICANT'S IMAGES TO ENSURE THE APPLICANT HAS ONLY ONE IDENTITY.

5 (c) A TEMPORARY DRIVER'S LICENSE OR TEMPORARY MINOR  
6 DRIVER'S LICENSE IS VALID FOR UP TO ONE YEAR AS DETERMINED BY THE  
7 DEPARTMENT, UNLESS EXTENDED BY THE DEPARTMENT, AND MUST BE IN  
8 THE APPLICANT'S IMMEDIATE POSSESSION WHILE OPERATING A MOTOR  
9 VEHICLE. A TEMPORARY DRIVER'S LICENSE OR TEMPORARY MINOR  
10 DRIVER'S LICENSE IMMEDIATELY BECOMES INVALID WHEN THE PERMANENT  
11 DRIVER'S LICENSE HAS BEEN ISSUED OR HAS BEEN REFUSED FOR GOOD  
12 CAUSE.

13 (6) A PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS A  
14 TRAFFIC INFRACTION.

15 **SECTION 3.** In Colorado Revised Statutes, 42-2-107, **amend**  
16 (1)(a)(II) as follows:

17 **42-2-107. Application for license or instruction permit -**  
18 **anatomical gifts - donations to Emily Keyes - John W. Buckner organ**  
19 **and tissue donation awareness fund - legislative declaration - rules -**  
20 **annual report - repeal.** (1) (a) (II) If an applicant is applying for an  
21 instruction permit, ~~or~~ driver's LICENSE, or minor driver's license for the  
22 first time in Colorado and the applicant otherwise meets the requirements  
23 for ~~such~~ THE license or permit, the applicant shall receive a temporary  
24 license, TEMPORARY MINOR DRIVER'S LICENSE, or TEMPORARY instruction  
25 permit pursuant to section ~~42-2-106(2)~~ 42-2-106(5) until the department  
26 verifies all facts relative to ~~such~~ THE applicant's right to receive an  
27 instruction permit, ~~or~~ minor driver's LICENSE, or driver's license, including



1 the age, identity, and residency of the applicant.

2 **SECTION 4.** In Colorado Revised Statutes, **add** 42-2-602.5 as  
3 follows:

4 **42-2-602.5. Criminal history of commercial driving instructors**  
5 **- rules - definition - repeal.** (1) A COMMERCIAL DRIVING INSTRUCTOR  
6 SHALL NOT PROVIDE, AND A COMMERCIAL DRIVING SCHOOL SHALL NOT  
7 EMPLOY A COMMERCIAL DRIVING INSTRUCTOR TO PROVIDE, DRIVING  
8 INSTRUCTION TO A MINOR OR AT-RISK ADULT IF THE COMMERCIAL DRIVING  
9 INSTRUCTOR HAS BEEN, WITHIN THE LAST TWENTY YEARS, CONVICTED OF  
10 OR PLEAD GUILTY OR NOLO CONTENDERE TO:

11 (a) A VIOLATION OF ARTICLE 3; PART 4 OR 8 OF ARTICLE 6; ARTICLE  
12 6.5; OR PART 4, 5, OR 8 OF ARTICLE 7 OF TITLE 18;

13 (b) ANY OTHER CRIME THAT THE DEPARTMENT DETERMINES, BY  
14 RULE, PLACES A MINOR OR AT-RISK ADULT AT RISK OF SEXUAL  
15 MISCONDUCT OR VIOLENCE WHEN WITH THE COMMERCIAL DRIVING  
16 INSTRUCTOR; OR

17 (c) A VIOLATION OF ARTICLE 2 OF TITLE 18, THE BASIS OF WHICH  
18 IS AN OFFENSE LISTED IN SUBSECTION (1)(a) OR (1)(b) OF THIS SECTION.

19 (2) (a) A COMMERCIAL DRIVING SCHOOL SHALL NOT EMPLOY OR  
20 AUTHORIZE A COMMERCIAL DRIVING INSTRUCTOR TO PROVIDE DRIVING  
21 INSTRUCTION TO A MINOR OR AT-RISK ADULT UNLESS THE COMMERCIAL  
22 DRIVING INSTRUCTOR HAS OBTAINED A FINGERPRINT-BASED CRIMINAL  
23 HISTORY RECORD CHECK IN ACCORDANCE WITH SUBSECTION (2)(b) OF THIS  
24 SECTION; EXCEPT THAT A COMMERCIAL DRIVING INSTRUCTOR MAY  
25 PROVIDE DRIVING INSTRUCTION ON A PROBATIONARY BASIS WHILE THE  
26 RESULTS OF THE RECORD CHECK ARE PENDING. THE COMMERCIAL DRIVING  
27 SCHOOL SHALL SUBMIT TO THE DEPARTMENT THE NAME OF EACH

1 COMMERCIAL DRIVING INSTRUCTOR THAT IT INTENDS TO EMPLOY OR TO  
2 AUTHORIZE TO PROVIDE DRIVING INSTRUCTION TO MINORS OR AT-RISK  
3 ADULTS.

4 (b) (I) THE DEPARTMENT SHALL REQUIRE EACH COMMERCIAL  
5 DRIVING INSTRUCTOR WHO PROVIDES OR IS RETAINED TO PROVIDE DRIVING  
6 INSTRUCTION TO MINORS OR AT-RISK ADULTS TO HAVE THE APPLICANT'S  
7 FINGERPRINTS TAKEN BY A LOCAL LAW ENFORCEMENT AGENCY OR ANY  
8 THIRD PARTY APPROVED BY THE COLORADO BUREAU OF INVESTIGATION  
9 FOR THE PURPOSE OF OBTAINING A FINGERPRINT-BASED CRIMINAL HISTORY  
10 RECORD CHECK. THE COMMERCIAL DRIVING INSTRUCTOR SHALL  
11 AUTHORIZE THE ENTITY TAKING THE APPLICANT'S FINGERPRINTS TO  
12 SUBMIT, AND THE ENTITY SHALL SUBMIT, THE COMPLETE SET OF THE  
13 APPLICANT'S FINGERPRINTS TO THE COLORADO BUREAU OF INVESTIGATION  
14 FOR THE PURPOSE OF CONDUCTING A FINGERPRINT-BASED CRIMINAL  
15 HISTORY RECORD CHECK.

16 (II) IF AN APPROVED THIRD PARTY TAKES THE PERSON'S  
17 FINGERPRINTS, THE FINGERPRINTS MAY BE ELECTRONICALLY CAPTURED  
18 USING COLORADO BUREAU OF INVESTIGATION-APPROVED LIVESCAN  
19 EQUIPMENT. THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT'S  
20 INFORMATION FOR MORE THAN THIRTY DAYS.

21 (III) THE COLORADO BUREAU OF INVESTIGATION SHALL USE THE  
22 COMMERCIAL DRIVING INSTRUCTOR'S FINGERPRINTS TO CONDUCT A  
23 CRIMINAL HISTORY RECORD CHECK USING THE BUREAU'S RECORDS. THE  
24 COLORADO BUREAU OF INVESTIGATION SHALL ALSO FORWARD THE  
25 FINGERPRINTS TO THE FEDERAL BUREAU OF INVESTIGATION FOR THE  
26 PURPOSE OF CONDUCTING A FINGERPRINT-BASED CRIMINAL HISTORY  
27 RECORD CHECK. THE COLORADO BUREAU OF INVESTIGATION,

1 COMMERCIAL DRIVING INSTRUCTOR, DEPARTMENT, AND ENTITY TAKING  
2 FINGERPRINTS SHALL COMPLY WITH THE FEDERAL BUREAU OF  
3 INVESTIGATION'S REQUIREMENTS TO CONDUCT A CRIMINAL HISTORY  
4 RECORD CHECK.

5 (IV) THE COLORADO BUREAU OF INVESTIGATION SHALL RETURN  
6 THE RESULTS OF ITS CRIMINAL HISTORY RECORD CHECK TO THE  
7 DEPARTMENT, AND THE DEPARTMENT IS AUTHORIZED TO RECEIVE THE  
8 RESULTS OF THE FEDERAL BUREAU OF INVESTIGATION'S CRIMINAL HISTORY  
9 RECORD CHECK. THE DEPARTMENT SHALL USE THE INFORMATION  
10 RESULTING FROM THE CRIMINAL HISTORY RECORD CHECKS TO  
11 INVESTIGATE AND DETERMINE WHETHER AN APPLICANT IS QUALIFIED FOR  
12 EMPLOYMENT AS A COMMERCIAL DRIVING INSTRUCTOR PURSUANT TO  
13 SUBSECTION (1) OF THIS SECTION.

14 (V) WHEN THE FEDERAL BUREAU OF INVESTIGATION IS UNABLE TO  
15 COMPLETE A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK OF  
16 A COMMERCIAL DRIVING INSTRUCTOR, THE COLORADO BUREAU OF  
17 INVESTIGATION SHALL INFORM THE DEPARTMENT AND THE DEPARTMENT  
18 SHALL INFORM THE COMMERCIAL DRIVING SCHOOL, AND THE COMMERCIAL  
19 DRIVING SCHOOL SHALL REQUIRE THE COMMERCIAL DRIVING INSTRUCTOR  
20 TO CONDUCT A CRIMINAL HISTORY RECORD CHECK OF THE PERSON USING  
21 COLORADO BUREAU OF INVESTIGATION'S RECORDS AS A SUBSTITUTE FOR  
22 THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK REQUIRED IN  
23 THIS SUBSECTION (2).

24 (VI) WHEN THE RESULTS OF A CRIMINAL HISTORY RECORD CHECK  
25 OF AN APPLICANT PERFORMED PURSUANT TO THIS SUBSECTION (2) REVEAL  
26 A RECORD OF ARREST WITHOUT A DISPOSITION, THE DEPARTMENT SHALL  
27 REQUIRE THE APPLICANT TO SUBMIT TO A NAME-BASED JUDICIAL RECORD

1 CHECK, AS DEFINED IN SECTION 22-2-119.3 (6)(d).

2 (VII) THE DEPARTMENT SHALL NOTIFY THE COMMERCIAL DRIVING  
3 SCHOOL WHETHER THE COMMERCIAL DRIVING INSTRUCTOR QUALIFIES OR  
4 IS DISQUALIFIED FROM PROVIDING INSTRUCTION IN ACCORDANCE WITH  
5 SUBSECTION (1) OF THIS SECTION.

6 (VIII) THE COMMERCIAL DRIVING SCHOOL SHALL PAY THE COSTS  
7 ASSOCIATED WITH THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD  
8 CHECK TO THE COLORADO BUREAU OF INVESTIGATION.

9 (3) AS USED IN THIS SECTION, "AT-RISK ADULT" HAS THE MEANING  
10 SET FORTH IN SECTION 18-6.5-102 (2).

11 (4) (a) THIS SECTION TAKES EFFECT JULY 1, 2026.

12 (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2027.

13 **SECTION 5. Act subject to petition - effective date -**  
14 **applicability.** (1) This act takes effect April 1, 2026; except that, if a  
15 referendum petition is filed pursuant to section 1 (3) of article V of the  
16 state constitution against this act or an item, section, or part of this act  
17 within the ninety-day period after final adjournment of the general  
18 assembly, then the act, item, section, or part will not take effect unless  
19 approved by the people at the general election to be held in November  
20 2024 and, in such case, will take effect April 1, 2026, or on the date of the  
21 official declaration of the vote thereon by the governor, whichever is  
22 later.

23 (2) This act applies to applications for instruction permits and  
24 driver's licenses submitted on or after April 1, 2026.