

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0142.03 Jery Payne x2157

HOUSE BILL 18-1204

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HOUSE SPONSORSHIP

Beckman,

SENATE SPONSORSHIP

(None),

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House Committees

Judiciary  
Finance

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING MEASURES TO REDUCE THE NUMBER OF PEOPLE WHO  
102 DRIVE A VEHICLE WITHOUT PROVIDING FOR FINANCIAL  
103 RESPONSIBILITY.

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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>.)*

**Section 1** of the bill repeals the motorist insurance database. If a person drives without insurance, the bill:

- ! Requires the person, in **sections 3, 5, and 8**, to pay a \$250 fee each year for 3 years unless the person prepays for insurance for 6 months, in which case the person pays

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.

\$125; except that the fee is waived if the person's income is under 130% of the poverty line and he or she prepay for insurance for 6 months; and

! In **section 7**, imposes a surcharge of up to \$4,000 if the violation occurred in connection with an accident that caused serious bodily injury to another person. Section 7 also authorizes a court to order an immobilization device (a boot) on the person's motor vehicle for up to 180 days.

If the person does not pay the fees or prepay for insurance as required in section 3, 5, and 8, **section 5** cancels the person's driver's license. In **section 2**, the fees are deposited in the Colorado DRIVES vehicle services account in the highway users tax fund. In **section 6**, the motorist insurance fee is set to 10 cents.

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal** 10-4-615 as  
3 follows:

4 **10-4-615. Motorist insurance identification database program**  
5 **- reporting required - fine.** (1) (a) ~~Each insurer that issues a policy~~  
6 ~~pursuant to this part 6 shall provide to the department of revenue a record~~  
7 ~~of each policy issued during the immediately preceding period. Such~~  
8 ~~record shall comply with the requirements of subsections (2) and (3) of~~  
9 ~~this section. This subsection (1) shall not be construed to prohibit more~~  
10 ~~frequent reporting. Such policy information shall be provided to the~~  
11 ~~department as follows:~~

12 ~~(I) and (H) (Deleted by amendment, L. 2006, p. 1014, § 10,~~  
13 ~~effective July 1, 2006.)~~

14 ~~(HH) Each insurer with any policies in place for the preceding six~~  
15 ~~months shall provide such policy information every week for the~~  
16 ~~immediately preceding week. Such information shall be reported no later~~  
17 ~~than seven working days after the last date of the week reported on.~~

18 ~~(b) Each insurer shall provide policy information on all existing~~

1 policies issued by such insurer to the department at least every six  
2 months. The department and the working group created in section  
3 42-7-604 (4)(b), C.R.S., shall determine if any new means of transmittal  
4 of such information may be utilized. Each insurer shall provide  
5 information regarding changes to existing policies to the department at  
6 the time of receipt of such information.

7 (2) The record described in subsection (1) of this section shall  
8 include:

9 (a) The name, date of birth, driver's license number, and address  
10 of each named insured owner or operator;

11 (b) The make, year, and vehicle identification number of each  
12 insured motor vehicle; and

13 (c) The policy number, effective date, and expiration date of each  
14 policy.

15 (3) Each insurer shall provide the required information in a form  
16 or manner acceptable to the designated agent.

17 (4) (a) The division of insurance shall assess a fine of not more  
18 than two hundred fifty dollars against an insurer for each day such insurer  
19 fails to report timely and accurate information in accordance with this  
20 section or with rules promulgated pursuant to section 42-7-604 (8), C.R.S.  
21 Any administrative costs incurred by the division of insurance shall be  
22 paid from the fines assessed pursuant to this paragraph (a).

23 (b) The commissioner shall excuse the fine if an insurer provides  
24 proof that its failure to comply was inadvertent, accidental, or the result  
25 of excusable neglect.

26 (5) (Deleted by amendment, L. 2006, p. 1014, § 10, effective July  
27 1, 2006.)

1           ~~(6) Repealed.~~

2           **SECTION 2.** In Colorado Revised Statutes, 42-1-211, **amend as**  
3 **it will become effective September 1, 2018,** (2)(b)(I) as follows:

4           **42-1-211. Driver's license, record, identification, and vehicle**  
5 **enterprise solution - repeal.** (2) (b) (I) There is hereby created the  
6 Colorado DRIVES vehicle services account in the highway users tax fund  
7 for the purpose of providing funds for the development and operation of  
8 Colorado DRIVES, including operations performed under articles 3, 4, 6,  
9 7, and 12 of this title 42, ~~to cover the costs of administration and~~  
10 ~~enforcement of the motorist insurance identification database program~~  
11 ~~created in section 42-7-604, and to purchase and issue~~ PURCHASING AND  
12 ISSUING license plates, decals, and validating tabs in accordance with  
13 article 3 of this title 42. Money received from the fees imposed by ~~section~~  
14 ~~SECTIONS 38-29-138 (1), (2), (4), and (5); and sections 42-1-206 (2)(a);~~  
15 ~~42-1-231; 42-2-127.7 (2)(a)(I)(B), (2)(a)(II)(C), AND (2)(a)(III)(C);~~  
16 ~~42-2-145; 42-3-107 (22); 42-3-213 (1)(b)(IV); 42-3-304 (18); 42-3-306~~  
17 ~~(14); 42-3-313 (2)(c)(I); and 42-6-137 (1), (2), (4), (5), and (6); AND~~  
18 ~~42-7-511~~, as well as any money received through gifts, grants, and  
19 donations to the account from private or public sources for the purposes  
20 of this section, shall be credited by the state treasurer to the Colorado  
21 DRIVES vehicle services account. The general assembly shall appropriate  
22 annually the money in the account for the purposes of this subsection (2).  
23 If any unexpended and unencumbered money remains in the account at  
24 the end of a fiscal year, the balance remains in the account and is not  
25 transferred to the general fund or any other fund.

26           **SECTION 3.** In Colorado Revised Statutes, 42-2-127.7, **amend**  
27 (2)(a), (2)(d), (3), and (5)(a); **repeal** (6)(b) and (11); and **add** (2)(e) as

1 follows:

2 **42-2-127.7. Authority to suspend driver's license - uninsured**  
3 **motorists - legislative declaration - definitions.** (2) (a) The department  
4 ~~may~~ SHALL suspend the driver's license of any person upon its  
5 determination that the person drove a vehicle in this state without having  
6 in full force and effect a complying policy AS REQUIRED IN SECTION  
7 10-4-619 or certificate of self-insurance as required by ~~sections 10-4-619~~  
8 ~~and~~ IN SECTION 10-4-624, ~~C.R.S.~~, as follows:

9 (I) Upon the first determination that a person operated a motor  
10 vehicle in this state without having in full force and effect a complying  
11 policy AS REQUIRED IN SECTION 10-4-619 or certificate of self-insurance  
12 as required ~~pursuant to~~ IN section ~~10-4-619~~ or 10-4-624, ~~C.R.S.~~, the  
13 department shall suspend the PERSON'S driver's license ~~of a person~~ until  
14 the person:

15 (A) Furnishes proof of financial responsibility ~~as defined in~~  
16 ~~section 42-7-103 (14)~~, FOR THE FUTURE in the manner contemplated by  
17 section 42-7-301 (1); ~~in the amount specified in section 10-4-620, C.R.S.~~

18 (B) EXCEPT AS PROVIDED IN SUBSECTION (2)(e)(III) OF THIS  
19 SECTION, EITHER PAYS A FEE OF TWO HUNDRED FIFTY DOLLARS OR, IF THE  
20 PROOF OF FINANCIAL RESPONSIBILITY FOR THE FUTURE IS INSURANCE THAT  
21 IS PREPAID FOR A PERIOD OF AT LEAST SIX MONTHS, PAYS A FEE OF ONE  
22 HUNDRED TWENTY-FIVE DOLLARS; AND

23 (C) PAYS THE RESTORATION FEE REQUIRED IN SECTION 42-2-132  
24 (4).

25 (II) Upon the second determination that the person operated a  
26 motor vehicle in this state without having in full force and effect a  
27 complying policy AS REQUIRED IN SECTION 10-4-619 or certificate of

1 self-insurance as required ~~by sections 10-4-619 and~~ IN SECTION 10-4-624  
2 ~~C.R.S.~~, within five years AFTER THE FIRST DETERMINATION, the  
3 department shall suspend the person's driver's license UNTIL:

4 (A) THE PERSON'S DRIVER'S LICENSE HAS BEEN SUSPENDED for a  
5 ~~period of~~ AT LEAST four months;

6 (B) THE PERSON FURNISHES PROOF OF FINANCIAL RESPONSIBILITY  
7 FOR THE FUTURE IN THE MANNER CONTEMPLATED BY SECTION 42-7-301  
8 (1);

9 (C) EXCEPT AS PROVIDED IN SUBSECTION (2)(e)(III) OF THIS  
10 SECTION, THE PERSON EITHER PAYS A FEE OF TWO HUNDRED FIFTY  
11 DOLLARS OR, IF THE PROOF OF FINANCIAL RESPONSIBILITY FOR THE FUTURE  
12 IS INSURANCE THAT IS PREPAID FOR AT LEAST SIX MONTHS, PAYS A FEE OF  
13 ONE HUNDRED TWENTY-FIVE DOLLARS; AND

14 (D) THE PERSON PAYS THE RESTORATION FEE REQUIRED IN  
15 SECTION 42-2-132 (4).

16 (III) Upon the third or subsequent determination that the person  
17 operated a motor vehicle in this state without having in full force and  
18 effect a complying policy AS REQUIRED IN SECTION 10-4-619 or certificate  
19 of self-insurance as required ~~by sections 10-4-619 and~~ IN SECTION  
20 10-4-624, ~~C.R.S.~~, the department shall suspend the person's driver's  
21 license UNTIL:

22 (A) THE PERSON'S DRIVER'S LICENSE HAS BEEN SUSPENDED for a  
23 ~~period of~~ AT LEAST eight months;

24 (B) THE PERSON FURNISHES PROOF OF FINANCIAL RESPONSIBILITY  
25 FOR THE FUTURE IN THE MANNER CONTEMPLATED BY SECTION 42-7-301  
26 (1);

27 (C) EXCEPT AS PROVIDED IN SUBSECTION (2)(e)(III) OF THIS

1 SECTION, THE PERSON EITHER PAYS A FEE OF TWO HUNDRED FIFTY  
2 DOLLARS OR, IF THE PROOF OF FINANCIAL RESPONSIBILITY FOR THE FUTURE  
3 IS INSURANCE THAT IS PREPAID FOR AT LEAST SIX MONTHS, PAYS A FEE OF  
4 ONE HUNDRED TWENTY-FIVE DOLLARS; AND

5 (D) THE PERSON PAYS THE RESTORATION FEE REQUIRED IN  
6 SECTION 42-2-132 (4).

7 (d) For purposes of this section:

8 (I) "License" includes any driving privilege.

9 (II) "PROOF OF FINANCIAL RESPONSIBILITY FOR THE FUTURE" HAS  
10 THE MEANING SET FORTH IN SECTION 42-7-103 (14).

11 (e) (I) THE DEPARTMENT SHALL TRANSFER THE FEES COLLECTED  
12 IN ACCORDANCE WITH SUBSECTIONS (2)(a)(I)(B), (2)(a)(II)(C), AND  
13 (2)(a)(III)(C) OF THIS SECTION TO THE STATE TREASURER, WHO SHALL  
14 CREDIT THE FEES TO THE COLORADO DRIVES VEHICLE SERVICES  
15 ACCOUNT IN THE HIGHWAY USERS TAX FUND, CREATED IN SECTION  
16 42-1-211 (2)(b)(I).

17 (II) IF A PERSON HAS PAID THE FEE FOR REINSTATEMENT OF A  
18 LICENSE IN ACCORDANCE WITH SECTION 42-7-511, THE PERSON NEED NOT  
19 PAY THE FEE TO REINSTATE A DRIVER'S LICENSE UNDER THIS SECTION.

20 (III) THE DEPARTMENT SHALL, UPON APPLICATION BY A PERSON  
21 SUBJECT TO A FEE IMPOSED IN SUBSECTION (2)(a)(I)(B), (2)(a)(II)(C), OR  
22 (2)(a)(III)(C) OF THIS SECTION, WAIVE ONE HUNDRED TWENTY-FIVE  
23 DOLLARS OF THE FEE IF:

24 (A) THE PERSON LIVES IN A HOUSEHOLD THAT HAS AN INCOME  
25 THAT IS AT OR BELOW ONE HUNDRED THIRTY PERCENT OF THE FEDERAL  
26 POVERTY LINE, AS ADJUSTED BY FAMILY SIZE; AND

27 (B) THE PERSON FURNISHES PROOF OF INSURANCE PREPAID FOR AT

1 LEAST SIX MONTHS.

2 (3) Whenever a law enforcement officer determines ~~by checking~~  
3 ~~the motorist insurance identification database created in section 42-7-604,~~  
4 ~~and by any other means authorized by law,~~ that a driver violates  
5 VIOLATED section 42-4-1409 by not having a complying policy AS  
6 REQUIRED IN SECTION 10-4-619 or certificate of self-insurance in full  
7 force and effect as required ~~by sections 10-4-619 and~~ IN SECTION  
8 10-4-624, ~~C.R.S.~~, the law enforcement officer making ~~such~~ THE  
9 determination shall forward to the department an affidavit that includes  
10 a statement of the officer's probable cause that the person committed ~~such~~  
11 THE violation, and a copy of the citation and complaint, if any, filed with  
12 the court. The affidavit ~~shall~~ MUST be dated, signed, and sworn to by the  
13 law enforcement officer under penalty of perjury, but need not be  
14 notarized or sworn to before any other person.

15 (5) (a) Whenever a law enforcement officer determines ~~by~~  
16 ~~checking the motorist insurance identification database created in section~~  
17 ~~42-7-604, and by any other means authorized by law,~~ that a driver violates  
18 VIOLATED section 42-4-1409 by not having a complying policy AS  
19 REQUIRED IN SECTION 10-4-619 or certificate of self-insurance as required  
20 ~~by sections 10-4-619 and~~ IN SECTION 10-4-624, ~~C.R.S.~~, the officer, acting  
21 on behalf of the department, may serve the notice of suspension  
22 personally on ~~such~~ THE driver. If the law enforcement officer serves the  
23 notice of suspension, the officer shall take possession of any driver's  
24 license issued by this state or any other state that is held by the person.  
25 When the officer takes possession of a valid license, the officer, acting on  
26 behalf of the department, shall issue a temporary permit that is valid for  
27 seven days after its date of issuance.

1           (6) (b) ~~The period of license suspension under paragraph (a) of~~  
2 ~~subsection (2) of this section shall be for an indefinite period. The person~~  
3 ~~may reinstate at any time by complying with section 42-7-302 or by filing~~  
4 ~~with the department proof of financial responsibility for the future and~~  
5 ~~paying the required reinstatement fee pursuant to section 42-2-132. If the~~  
6 ~~person files proof of financial responsibility for the future, such proof of~~  
7 ~~financial responsibility for the future must be maintained for three years~~  
8 ~~from the date such proof of financial responsibility for the future is~~  
9 ~~received by the department.~~

10           (11) ~~This section shall take effect when the motorist insurance~~  
11 ~~identification database, created in section 42-7-604, has been developed~~  
12 ~~and is operational, but not later than January 1, 1999.~~

13           **SECTION 4.** In Colorado Revised Statutes, 42-2-132, **amend** (1)  
14 as follows:

15           **42-2-132. Period of suspension or revocation.** (1) The  
16 department shall not suspend a driver's or minor driver's license to drive  
17 a motor vehicle on the public highways for a period of more than one  
18 year, except as permitted under section 42-2-138 and except for  
19 noncompliance with ~~the provisions of~~ SECTION 42-7-406, SECTION  
20 42-2-127.7, OR subsection (4) of this section. ~~or section 42-7-406, or both.~~

21           **SECTION 5.** In Colorado Revised Statutes, **add** 42-2-145 as  
22 follows:

23           **42-2-145. Conviction of failure to prove financial**  
24 **responsibility - fee - cancellation of license - definition.** (1) A PERSON  
25 TO WHOM THE FOLLOWING APPLIES MUST PAY THE FEE IMPOSED UNDER  
26 SUBSECTION (2) OF THIS SECTION:

27           (a) A PERSON'S PRIVILEGE TO DRIVE WAS SUSPENDED UNDER

1 SECTION 42-2-127.7 AND THEN REINSTATED;

2 (b) A PERSON'S PRIVILEGE TO DRIVE WAS SUSPENDED UNDER  
3 ARTICLE 7 OF THIS TITLE 42 AND THEN REINSTATED; OR

4 (c) A PERSON WAS CONVICTED OF VIOLATING SECTION 42-4-1409  
5 AND THE PERSON'S PRIVILEGE TO DRIVE WAS NOT SUSPENDED UNDER  
6 SECTION 42-2-127.7 OR ARTICLE 7 OF THIS TITLE 42.

7 (2) (a) A PERSON DESCRIBED IN SUBSECTION (1) OF THIS SECTION  
8 SHALL EITHER:

9 (I) PAY A FEE OF TWO HUNDRED FIFTY DOLLARS;

10 (II) PAY A FEE OF ONE HUNDRED TWENTY-FIVE DOLLARS IF THE  
11 PERSON FURNISHES PROOF OF FINANCIAL RESPONSIBILITY FOR THE FUTURE  
12 BY PREPAYING FOR INSURANCE FOR AT LEAST SIX MONTHS; OR

13 (III) PAY NO FEE IF:

14 (A) THE PERSON LIVES IN A HOUSEHOLD THAT HAS AN INCOME  
15 THAT IS AT OR BELOW ONE HUNDRED THIRTY PERCENT OF THE FEDERAL  
16 POVERTY LINE, AS ADJUSTED BY FAMILY SIZE; AND

17 (B) THE PERSON FURNISHES PROOF OF FINANCIAL RESPONSIBILITY  
18 FOR THE FUTURE BY PREPAYING FOR INSURANCE FOR AT LEAST SIX  
19 MONTHS.

20 (b) THE DEPARTMENT SHALL TRANSFER THE FEE TO THE STATE  
21 TREASURER, WHO SHALL CREDIT IT TO THE COLORADO DRIVES VEHICLE  
22 SERVICES ACCOUNT IN THE HIGHWAY USERS TAX FUND, CREATED IN  
23 SECTION 42-1-211 (2)(b)(I).

24 (3) THE FEE IMPOSED UNDER SUBSECTION (2) OF THIS SECTION IS  
25 DUE BOTH TWELVE MONTHS AFTER AND TWENTY-FOUR MONTHS AFTER  
26 EITHER:

27 (a) THE PERSON'S PRIVILEGE TO DRIVE IS REINSTATED IF THE

1 PERSON'S PRIVILEGE TO DRIVE WAS SUSPENDED AS DESCRIBED IN  
2 SUBSECTION (1)(a) OR (1)(b) OF THIS SECTION; OR

3 (b) THE PERSON WAS CONVICTED OF VIOLATING SECTION  
4 42-4-1409 AND THE PERSON'S PRIVILEGE TO DRIVE WAS NOT SUSPENDED  
5 AS DESCRIBED IN SECTION 42-2-127.7 OR ARTICLE 7 OF THIS TITLE 42.

6 (4) (a) IF A PERSON FAILS TO COMPLY WITH SUBSECTION (2)(a) OF  
7 THIS SECTION WITHIN THIRTY DAYS AFTER THE DEADLINE IMPOSED BY  
8 SUBSECTION (3) OF THIS SECTION, THE DEPARTMENT SHALL CANCEL THE  
9 PERSON'S INSTRUCTION PERMIT, DRIVER'S LICENSE, OR MINOR DRIVER'S  
10 LICENSE UNTIL THE PERSON PAYS THE FEE TO THE DEPARTMENT.

11 (b) AT LEAST THIRTY DAYS BEFORE THE FEE IMPOSED UNDER  
12 SUBSECTION (2) OF THIS SECTION IS DUE, THE DEPARTMENT SHALL SEND A  
13 NOTICE TO THE PERSON WHO OWES THE FEE:

14 (I) STATING:

15 (A) WHEN THE FEE IS DUE;

16 (B) THAT THE FEE CAN BE REDUCED BY FURNISHING PROOF OF  
17 PREPAID INSURANCE FOR A PERIOD OF AT LEAST SIX MONTHS; AND

18 (C) THAT, IF THE PERSON DOES NOT PAY THE FEE BY THE DUE  
19 DATE, THE PERSON'S INSTRUCTION PERMIT, DRIVER'S LICENSE, OR MINOR  
20 DRIVER'S LICENSE WILL BE CANCELLED UNTIL THE PERSON PAYS THE FEE;  
21 AND

22 (II) EXPLAINING THE CONTENTS OF THIS SECTION.

23 (5) AS USED IN THIS SECTION, "PROOF OF FINANCIAL  
24 RESPONSIBILITY FOR THE FUTURE" HAS THE MEANING SET FORTH IN  
25 SECTION 42-7-103 (14).

26 **SECTION 6.** In Colorado Revised Statutes, 42-3-304, **amend**  
27 (1)(a) and (1)(b) introductory portion; and **amend as it will become**

1 effective September 1, 2018, (18)(d)(I)(B) as follows:

2 **42-3-304. Registration fees - passenger and passenger-mile**  
3 **taxes - clean screen fund - definitions - repeal.** (1) (a) In addition to  
4 other fees specified in this section, an applicant shall pay a motorist  
5 insurance ~~identification~~ fee in an amount determined by ~~paragraph (d) of~~  
6 ~~subsection (18)~~ SUBSECTION (18)(d) of this section when applying for  
7 registration or renewal of registration of a motor vehicle under this ~~article~~  
8 ARTICLE 3.

9 (b) The following vehicles are exempt from the motorist insurance  
10 ~~identification~~ fee:

11 (18) (d) (I) (B) In addition to any other fee imposed by this  
12 section, the owner, in order to register a motor vehicle or low-power  
13 scooter, must pay a motorist insurance ~~identification~~ fee. ~~The department~~  
14 ~~shall annually adjust the fee based upon appropriations made by the~~  
15 ~~general assembly for the operation of the motorist insurance identification~~  
16 ~~database program~~ THE FEE IS TEN CENTS PER MOTOR VEHICLE OR  
17 LOW-POWER SCOOTER. The department shall transmit the fee to the state  
18 treasurer, who shall credit it to the Colorado DRIVES vehicle services  
19 account created in section 42-1-211 (2). This subsection (18)(d)(I)(B)  
20 takes effect September 1, 2018.

21 **SECTION 7.** In Colorado Revised Statutes, 42-4-1409, **amend**  
22 (4)(c) and (6); and **add** (4)(d) and (4)(e) as follows:

23 **42-4-1409. Compulsory insurance - penalty - legislative intent**  
24 **- definition.** (4) (c) In addition to the penalties prescribed in ~~paragraphs~~  
25 ~~(a) and (b) of this subsection (4)~~ SUBSECTIONS (4)(a) AND (4)(b) OF THIS  
26 SECTION, any person convicted ~~pursuant to~~ UNDER this section:

27 (I) May, at the discretion of the court, be sentenced to perform not

1 less than forty hours of community service, subject to ~~the provisions of~~  
2 section 18-1.3-507; ~~C.R.S.~~ AND

3 (II) SHALL PAY THE FEE IMPOSED IN SECTION 42-2-145.

4 (d) IN ADDITION TO THE PENALTIES IMPOSED UNDER THIS SECTION,  
5 A PERSON WHO IS CONVICTED OF VIOLATING SUBSECTION (1) OR (2) OF  
6 THIS SECTION SHALL PAY A SURCHARGE OF UP TO FOUR THOUSAND  
7 DOLLARS IF THE VIOLATION OCCURRED IN CONNECTION WITH AN ACCIDENT  
8 THAT CAUSED SERIOUS BODILY INJURY TO ANOTHER PERSON.

9 (e) (I) IN ADDITION TO ANY PENALTIES IMPOSED UNDER THIS  
10 SECTION, A COURT MAY, UPON CONVICTING A PERSON OF VIOLATING  
11 SUBSECTION (1) OR (2) OF THIS SECTION, ORDER THE PRIMARY LAW  
12 ENFORCEMENT AGENCY INVOLVED WITH THE CASE TO PLACE AN  
13 IMMOBILIZATION DEVICE ON THE PERSON'S MOTOR VEHICLE FOR A PERIOD  
14 OF UP TO ONE HUNDRED EIGHTY DAYS.

15 (II) FOR PURPOSES OF THIS SUBSECTION (4)(e), "IMMOBILIZATION  
16 DEVICE" MEANS A DEVICE LOCKED INTO PLACE OVER A WHEEL OF A MOTOR  
17 VEHICLE THAT PREVENTS THE MOTOR VEHICLE FROM BEING MOVED  
18 WITHOUT CAUSING DAMAGE TO THE MOTOR VEHICLE. AN EXAMPLE OF AN  
19 "IMMOBILIZATION DEVICE" INCLUDES THOSE DEVICES COMMONLY  
20 REFERRED TO AS A "TRAFFIC BOOT" OR "BOOT".

21 (6) A person charged with violating subsection (1), (2), or (3) of  
22 this section shall not be convicted if the person produces in court a bona  
23 fide complying policy or certificate of self-insurance that was in full force  
24 and effect as required by law at the time of the alleged violation. The  
25 court clerk's office may dismiss the charge if it verifies that the person  
26 had a valid policy OR CERTIFICATE OF SELF-INSURANCE in effect at the  
27 time of the alleged violation. ~~using the uninsured motorist identification~~

1 ~~database created in section 42-7-602.~~

2           **SECTION 8.** In Colorado Revised Statutes, **add** 42-7-511 as  
3 follows:

4           **42-7-511. Insurance reinstatement fee.** (1) TO REINSTATE A  
5 LICENSE THAT HAS BEEN SUSPENDED UNDER THIS ARTICLE 7, THE  
6 APPLICANT MUST, IN ADDITION TO PAYING ANY OTHER FEES IMPOSED BY  
7 LAW, EITHER:

8           (a) PAY A FEE OF TWO HUNDRED FIFTY DOLLARS;

9           (b) PAY A FEE OF ONE HUNDRED TWENTY-FIVE DOLLARS IF THE  
10 PERSON FURNISHES PROOF OF FINANCIAL RESPONSIBILITY FOR THE FUTURE  
11 BY PREPAYING FOR INSURANCE FOR AT LEAST SIX MONTHS; OR

12           (c) PAY NO FEE IF:

13           (I) THE PERSON LIVES IN A HOUSEHOLD THAT HAS AN INCOME THAT  
14 IS AT OR BELOW ONE HUNDRED THIRTY PERCENT OF THE FEDERAL POVERTY  
15 LINE, AS ADJUSTED BY FAMILY SIZE; AND

16           (II) THE PERSON FURNISHES PROOF OF FINANCIAL RESPONSIBILITY  
17 FOR THE FUTURE BY PREPAYING FOR INSURANCE FOR AT LEAST SIX  
18 MONTHS.

19           (2) IF A PERSON HAS PAID THE FEE FOR REINSTATEMENT OF A  
20 LICENSE IN ACCORDANCE WITH SECTION 42-2-127.7 (2)(a)(I)(B),  
21 (2)(a)(II)(C), OR (2)(a)(III)(C), THE PERSON NEED NOT PAY THE FEE TO  
22 REINSTATE A LICENSE UNDER THIS SECTION. THE DEPARTMENT SHALL  
23 TRANSFER THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT IT TO  
24 THE COLORADO DRIVES VEHICLE SERVICES ACCOUNT IN THE HIGHWAY  
25 USERS TAX FUND, CREATED IN SECTION 42-1-211 (2)(b)(I).

26           **SECTION 9.** In Colorado Revised Statutes, **repeal** part 6 of  
27 article 7 of title 42.

1           **SECTION 10.** In Colorado Revised Statutes, 1-2-302, **amend** (6)  
2 as follows:

3           **1-2-302. Maintenance of computerized statewide voter**  
4 **registration list - confidentiality.** (6) The secretary of state shall  
5 determine and use other necessary means to maintain the master list of  
6 registered electors on a current basis. The department of state and the  
7 department of revenue shall allow for the exchange of information  
8 between the systems used by them to collect information on residence  
9 addresses, signatures, and party affiliation for all applicants for driver's  
10 licenses or state identification cards. The department of revenue may  
11 exchange information on residence addresses in the driver's license  
12 database with the motor vehicle registration database ~~motorist insurance~~  
13 ~~database~~, and the state income tax information systems.

14           **SECTION 11.** In Colorado Revised Statutes, 42-3-105, **amend**  
15 (1)(d)(I) as follows:

16           **42-3-105. Application for registration - tax.** (1) (d) (I) The  
17 department or its authorized agents shall not register a motor vehicle or  
18 low-power scooter unless the applicant has a complying motor vehicle  
19 insurance policy ~~pursuant to part 6 of article 4 of title 10, C.R.S., AS~~  
20 ~~REQUIRED IN SECTION 10-4-619~~ or a certificate of self-insurance in full  
21 force and effect as required ~~by sections 10-4-619 and~~ IN SECTION  
22 10-4-624. ~~C.R.S.~~ The requirements of this ~~paragraph (d)~~ SUBSECTION  
23 (1)(d) apply only to motor vehicles classified as Class C personal property  
24 under section 42-3-106 (2)(c), to light trucks that do not exceed sixteen  
25 thousand pounds empty weight, to sports utility vehicles that are  
26 classified as Class B personal property under section 42-3-106 (2)(b), or  
27 to low-power scooters. The applicant shall provide the department or its

1 authorized agents with the proof of insurance certificate or insurance  
2 identification card provided to the applicant by the applicant's insurer  
3 pursuant to section 10-4-604.5 ~~C.R.S.~~, or provide proof of insurance in  
4 such other media as is authorized by the department. ~~Nothing in this~~  
5 ~~paragraph (d) shall be interpreted to preclude the department from~~  
6 ~~electronically transmitting insurance information to designated agents~~  
7 ~~pursuant to section 42-7-604 for the purpose of ensuring compliance with~~  
8 ~~mandatory insurance requirements.~~

9 **SECTION 12.** In Colorado Revised Statutes, 43-4-205, **amend**  
10 (5.5)(c) as follows:

11 **43-4-205. Allocation of fund.** (5.5) The following highway users  
12 tax fund revenues shall be allocated and expended in accordance with the  
13 formula specified in subsection (5) of this section:

14 (c) Revenues from driver's license fees, motor vehicle title and  
15 registration fees, and motorist insurance ~~identification~~ fees that are  
16 credited to the fund pursuant to sections 42-2-132 (4)(b), 42-3-304  
17 (18)(d)(I), and 42-3-306 (6) and (7); ~~C.R.S.~~;

18 **SECTION 13. Act subject to petition - effective date -**  
19 **applicability.** (1) This act takes effect September 1, 2018; except that,  
20 if a referendum petition is filed pursuant to section 1 (3) of article V of  
21 the state constitution against this act or an item, section, or part of this act  
22 within the ninety-day period after final adjournment of the general  
23 assembly, then the act, item, section, or part will not take effect unless  
24 approved by the people at the general election to be held in November  
25 2018 and, in such case, will take effect on the date of the official  
26 declaration of the vote thereon by the governor.

1           (2) This act applies to offenses committed on or after the  
2 applicable effective date of this act.