

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

Attachment A

1.21.20

DRAFT

LLS NO. 20-0515.01 Jery Payne x2157

SUNSET BILL

Sunset Process - House Business Affairs and Labor Committee

BILL TOPIC: "Sunset Motorcycle Operator Safety Training Program"
DEADLINES: Finalize by: JAN 27, 2020 File by: JAN 29, 2020

A BILL FOR AN ACT

101 CONCERNING THE CONTINUATION OF THE MOTORCYCLE OPERATOR
102 SAFETY TRAINING PROGRAM, AND, IN CONNECTION THEREWITH,
103 IMPLEMENTING THE RECOMMENDATIONS CONTAINED IN THE
104 2019 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY
105 AGENCIES.

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/>.)

Sunset Process - House Business Affairs and Labor Committee. The bill implements the recommendations of the department

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

of regulatory agencies' sunset review and report of the motorcycle operator safety training (MOST) program by:

- Extending the repeal date of the MOST program until September 1, 2025 (*recommendation 1, sections 1 and 2 of the bill*); and
- Removing the requirement that an applicant for a MOST instructor certificate have a license to drive a motorcycle that was issued in Colorado (*recommendation 2, section 3*).

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

2 *Recommendation 1*

3 **SECTION 1.** In Colorado Revised Statutes, 24-34-104, repeal
4 (19)(a)(XIII); and add (26)(a)(IX) as follows:

5 **24-34-104. General assembly review of regulatory agencies**
6 **and functions for repeal, continuation, or reestablishment - legislative**
7 **declaration - repeal.** (19) (a) The following agencies, functions, or both,
8 are scheduled for repeal on September 1, 2020:

9 (XIII) ~~The motorcycle operator safety training program created in~~
10 ~~part 5 of article 5 of title 43.~~

11 (26) (a) The following agencies, functions, or both, are scheduled
12 for repeal on September 1, 2025:

13 (IX) THE MOTORCYCLE OPERATOR SAFETY TRAINING PROGRAM
14 CREATED IN PART 5 OF ARTICLE 5 OF TITLE 43.

15 **SECTION 2.** In Colorado Revised Statutes, amend 43-5-507 as
16 follows:

17 **43-5-507. Repeal of part.** This part 5 is repealed, effective
18 September 1, 2020 2025. Before its repeal, this part 5 is scheduled for
19 review in accordance with section 24-34-104.

20 *Recommendation 2*

21 **SECTION 3.** In Colorado Revised Statutes, 43-5-503, amend (2)

1 as follows:

2 **43-5-503. MOST instructor requirements and training.**

3 (2) To be eligible, each applicant for an instructor certificate must:

4 (a) Be at least twenty-one years of age; and

5 (b) Hold a valid Colorado driver's license that:

6 (I) ~~is endorsed for motorcycles~~ AUTHORIZES THE HOLDER TO
7 DRIVE A MOTORCYCLE; and ~~that~~

8 (II) Has not been revoked WITHIN or suspended within the three
9 years before the date the application is filed.

10 **SECTION 4. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly (August
13 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
14 referendum petition is filed pursuant to section 1 (3) of article V of the
15 state constitution against this act or an item, section, or part of this act
16 within such period, then the act, item, section, or part will not take effect
17 unless approved by the people at the general election to be held in
18 November 2020 and, in such case, will take effect on the date of the
19 official declaration of the vote thereon by the governor.