

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 10-0431.01 Jery Payne

**SENATE BILL 10-040**

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**SENATE SPONSORSHIP**

**Tochtrop,**

**HOUSE SPONSORSHIP**

**Merrifield,**

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**Senate Committees**  
Transportation

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING MOTORCYCLE SAFETY EDUCATION PROGRAMS.**

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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://www.leg.state.co.us/billsummaries>.)*

**Section 2** of the bill creates a program to raise motorists' awareness of safely using the road with motorcycles, funded by using 5% of the motorcycle operator safety training fund. **Section 1** limits the use of the motorcycle operator safety training fund moneys to providing motorcycle training tuition for students and travel reimbursement for instructors. In addition, section 1 sets a maximum tuition level.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

SENATE  
3rd Reading Unamended  
February 15, 2010

SENATE  
Amended 2nd Reading  
February 12, 2010

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

2 **SECTION 1. Legislative declaration.** This act is not intended  
3 to authorize an increase in the amount of the fees collected pursuant to  
4 sections 42-2-114 (2) (b) and (4) (b), 42-2-118 (1) (b) (II), and 42-3-304  
5 (4), C.R.S.

6 **SECTION 2.** 43-5-504, Colorado Revised Statutes, is amended  
7 to read:

8 **43-5-504. Motorcycle operator safety training fund.** (1) There  
9 is hereby created in the state treasury a motorcycle operator safety  
10 training fund, which shall consist of moneys collected pursuant to  
11 sections 42-2-114 (2) (b) and (4) (b), 42-2-118 (1) (b) (II), and 42-3-304  
12 (4), C.R.S. The moneys in the fund shall be available immediately,  
13 without further appropriation, for allocation by the transportation  
14 commission to the office of transportation safety to be used for the  
15 implementation and administration of the program. Moneys credited to  
16 the fund shall remain ~~therein~~ IN THE FUND at the end of each fiscal year  
17 and shall not be transferred to any other fund.

18 (2) THE OFFICE SHALL USE FIVE PERCENT OF THE MONEYS IN THE  
19 FUND TO IMPLEMENT SECTION 43-5-506.

20 (3) THE OFFICE SHALL DISTRIBUTE EIGHTY PERCENT OF THE  
21 MONEYS IN THE FUND ONLY FOR TUITION SUBSIDIZATION BASED UPON THE  
22 NUMBER OF STUDENTS TRAINED BY THE PROGRAM USING A TUITION  
23 SYSTEM; EXCEPT THAT A PROGRAM SPONSOR MAY BE REIMBURSED FOR  
24 EXPENSES OCCURRING AS A RESULT OF TRAVELING TO PROVIDE A  
25 PROGRAM TO AN AREA WITHOUT A PERMANENT TRAINING SITE.

26 (4) THE OFFICE SHALL ANNUALLY SET A MAXIMUM TUITION PER

1 STUDENT THAT MAY BE CHARGED TO STUDENTS IN ORDER TO ENABLE THE  
2 MAXIMUM NUMBER OF STUDENTS TO OBTAIN SAFETY TRAINING.

3 **SECTION 3.** Part 5 of article 5 of title 43, Colorado Revised  
4 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
5 read:

6 **43-5-506. Motorist awareness.** THE OFFICE SHALL CREATE A  
7 PROGRAM TO RAISE MOTORISTS' AWARENESS CONCERNING SAFE  
8 INTERACTION BETWEEN MOTORCYCLES AND OTHER MOTOR VEHICLES. THE  
9 PROGRAM MAY INCLUDE PLACING SIGNS AT PLACES KNOWN TO BE  
10 HAZARDOUS TO MOTORCYCLES AND PROMOTING A MOTORCYCLE  
11 AWARENESS MONTH.

12 **SECTION 4. Act subject to petition - effective date.** This act  
13 shall take effect at 12:01 a.m. on the day following the expiration of the  
14 ninety-day period after final adjournment of the general assembly (August  
15 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a  
16 referendum petition is filed pursuant to section 1 (3) of article V of the  
17 state constitution against this act or an item, section, or part of this act  
18 within such period, then the act, item, section, or part shall not take effect  
19 unless approved by the people at the general election to be held in  
20 November 2010 and shall take effect on the date of the official  
21 declaration of the vote thereon by the governor.