

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 26-0730.01 Owen Hatch x2698

HOUSE BILL 26-1242

HOUSE SPONSORSHIP

Paschal and Jackson,

SENATE SPONSORSHIP

Roberts,

House Committees

Transportation, Housing & Local Government
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING INTERLOCK-RESTRICTED LICENSE REQUIREMENTS FOR**
102 **IMPAIRED DRIVERS, AND, IN CONNECTION THEREWITH, MAKING**
103 **AN APPROPRIATION.**

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>.)

The waiting period to apply for an interlock-restricted license following a conviction related to driving under the influence of drugs or alcohol is eliminated.

A person convicted for the first time of certain offenses related to driving while under the influence of drugs or alcohol is required to hold

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.

an interlock-restricted license for the period of revocation of the person's driver's license.

Financial assistance related to the interlock device is available depending on the person's financial status. A certified ignition interlock manufacturer must provide a person who is eligible for the assistance program certain discounts on installation of, lease charges for, and removal of an interlock device.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-2-132.5, **amend**
3 (4)(a)(I) and (4)(a)(II)(C); and **add** (1)(c) and (4)(a.5) as follows:

4 **42-2-132.5. Mandatory and voluntary restricted licenses**
5 **following alcohol convictions - rules.**

6 **(1) Persons required to hold an interlock-restricted license.**

7 (c) A PERSON WHOSE PRIVILEGE TO DRIVE WAS REVOKED FOR A
8 CONVICTION FOR DUI OR DUI PER SE PURSUANT TO SECTION 42-2-125
9 (1)(b.5) OR FOR EXCESS BAC 0.08 PURSUANT TO SECTION 42-2-126
10 (3)(a)(I) FOR A FIRST VIOLATION IS REQUIRED TO MAINTAIN AN
11 INTERLOCK-RESTRICTED LICENSE FOR A CONSECUTIVE PERIOD OF NINE
12 MONTHS FOLLOWING REINSTATEMENT OF THEIR DRIVER'S LICENSE PRIOR
13 TO BEING ELIGIBLE TO OBTAIN ANY OTHER DRIVER' S LICENSE ISSUED
14 UNDER THIS ARTICLE 2, UNLESS THE INDIVIDUAL QUALIFIES FOR AND IS
15 GRANTED EARLY REMOVAL OF THE INTERLOCK DEVICE PURSUANT TO
16 SECTION 42-2-132.5 (4)(a)(II)(B).

17 **(4) Persons who may acquire an interlock-restricted license**
18 **prior to serving a full-term revocation.**

19 (a) (I) A person whose privilege to drive has been revoked for one
20 year or more because of a DUI, DUI per se, or DWAI conviction or has
21 been revoked for one year or more for excess BAC pursuant to section
22 42-2-126 may apply for an early reinstatement with an interlock-restricted

1 license pursuant to this section at any time; except that a person who is
2 less than twenty-one years of age OLD at the time of the offense may not
3 apply for early reinstatement until the person's license has been revoked
4 for one year. A person whose privilege to drive has been revoked for one
5 year or more because of a refusal may apply for an early reinstatement
6 with an interlock-restricted license pursuant to this section; ~~after the~~
7 ~~person's privilege to drive has been revoked for two months;~~ except that
8 a person who is less than twenty-one years of age OLD at the time of the
9 offense may not apply for early reinstatement until the person's license
10 has been revoked for one year. Except for first-time offenders as provided
11 in subsection (4)(a)(II) of this section or for persistent drunk drivers as
12 provided in subsection (3) of this section, the restrictions imposed
13 pursuant to this section remain in effect for the longer of one year or the
14 total time period remaining on the license restraint prior to early
15 reinstatement.

16 (II) (C) **Financial assistance for first-time offenders and**
17 **persistent drunk drivers.** The department shall establish a program to
18 assist persons who apply for an interlock-restricted license pursuant to
19 this ~~subparagraph (H)~~ SUBSECTION (4)(a)(II) or pursuant to ~~subparagraph~~
20 ~~(I) of paragraph (a) of this subsection (4)~~ SUBSECTION (4)(a)(I) OF THIS
21 SECTION and who are unable to pay the full cost of an approved ignition
22 interlock device. ~~The program shall be funded from the first time drunk~~
23 ~~driving offender account in the highway users tax fund established~~
24 ~~pursuant to section 42-2-132 (4)(b)(H).~~ A PERSON IS ELIGIBLE TO
25 PARTICIPATE IN THE PROGRAM IF THE PERSON SHOWS PROOF OF
26 ENROLLMENT IN A JURISDICTIONAL OR FEDERAL PUBLIC ASSISTANCE
27 PROGRAM; THE PERSON'S INCOME DOES NOT EXCEED ONE HUNDRED FIFTY

1 PERCENT OF THE FEDERAL POVERTY LEVEL, AS DETERMINED BY THE MOST
2 CURRENT FEDERAL POVERTY GUIDELINES ISSUED BY THE UNITED STATES
3 DEPARTMENT OF HEALTH AND HUMAN SERVICES; OR THE PERSON SATISFIES
4 ELIGIBILITY CRITERIA ESTABLISHED BY THE DEPARTMENT THAT IS BASED
5 ON A DETERMINATION OF WHETHER A PERSON'S AVAILABLE
6 DISCRETIONARY INCOME MAKES IT IMPRACTICAL FOR THE PERSON TO
7 AFFORD THE INTERLOCK DEVICE. THE DEPARTMENT MAY APPROVE
8 ADDITIONAL FORMS OF INCOME VERIFICATION.

9 (a.5) **Financial assistance benefits for eligible first-time**
10 **offenders and persistent drunk drivers.**

11 (I) A CERTIFIED IGNITION INTERLOCK MANUFACTURER MUST
12 PROVIDE A PERSON WHO IS ELIGIBLE FOR THE ASSISTANCE PROGRAM
13 DESCRIBED IN SUBSECTION (4)(a)(II)(C) OF THIS SECTION AND WHO IS
14 PARTICIPATING IN THE PROGRAM:

15 (A) FREE STANDARD INSTALLATION OF THE APPROVED IGNITION
16 INTERLOCK DEVICE IN THE PERSON'S VEHICLE; EXCEPT THAT, IF A
17 CERTIFIED IGNITION INTERLOCK MANUFACTURER DETERMINES THE
18 PERSON'S VEHICLE IS A HIGH-END OR ELECTRIC VEHICLE, FIFTY PERCENT OF
19 THE INSTALLATION FEE IS COVERED;

20 (B) FREE REMOVAL OF THE INTERLOCK DEVICE UPON THE PERSON'S
21 SUCCESSFUL COMPLETION OF THE PROGRAM; AND

22 (C) A DISCOUNT OF UP TO FIFTY PERCENT OF THE MONTHLY DEVICE
23 LEASE RATE CHARGED TO NONINDIGENT PROGRAM APPLICANTS, AS
24 DETERMINED BY THE DEPARTMENT.

25 (II) A PERSON RECEIVING FINANCIAL ASSISTANCE PURSUANT TO
26 SUBSECTION (4)(a)(II)(C) OF THIS SECTION MUST NOT RECEIVE A DISCOUNT
27 FOR FEES OR COSTS ASSOCIATED WITH PROGRAM VIOLATIONS,

1 NONCOMPLIANCE, MISSED APPOINTMENTS, LOCKOUTS, OR OTHER
2 ADMINISTRATIVE OR SERVICE FEES.

3 (III) A PERSON WHO FAILS TO REMAIN COMPLIANT WITH THE
4 ASSISTANCE PROGRAM REQUIREMENTS FORFEITS THE PERSON'S
5 AFFORDABILITY STATUS AND IS RESPONSIBLE FOR THE FULL COST OF THE
6 DEVICE UNLESS AND UNTIL ELIGIBILITY IS REESTABLISHED PURSUANT TO
7 RULE.

8 (IV) A CERTIFIED IGNITION INTERLOCK MANUFACTURER MAY
9 REQUEST UPDATED FINANCIAL INFORMATION FROM A PERSON
10 PARTICIPATING IN THE ASSISTANCE PROGRAM NOT MORE THAN ONCE
11 EVERY SIX MONTHS WHILE THE PERSON IS SUBJECT TO THE INTERLOCK
12 REQUIREMENT FOR THE PURPOSE OF DETERMINING WHETHER THE PERSON
13 CONTINUES TO MEET THE ASSISTANCE PROGRAM ELIGIBILITY
14 REQUIREMENTS.

15 (V) **Consumer notice requirements for first-time offenders**
16 **and persistent drunk drivers.** A CERTIFIED IGNITION INTERLOCK
17 MANUFACTURER SHALL PROVIDE WRITTEN INFORMATION REGARDING THE
18 ASSISTANCE PROGRAM TO ALL CUSTOMERS:

19 (A) AT THE TIME AN INSTALLATION APPOINTMENT IS SCHEDULED;
20 AND

21 (B) AT THE TIME THE CUSTOMER EXECUTES A DEVICE LEASE OR
22 SERVICE AGREEMENT.

23 (VI) THE DEPARTMENT SHALL PROMINENTLY POST INFORMATION
24 ON ITS WEBSITE DESCRIBING THE ASSISTANCE PROGRAM, INCLUDING
25 ELIGIBILITY REQUIREMENTS AND APPLICATION INSTRUCTIONS.

26 **SECTION 2. Appropriation.** (1) For the 2026-27 state fiscal
27 year, \$15,225 is appropriated to the department of revenue. This

1 appropriation is from the Colorado DRIVES vehicle services account in
2 the highway users tax fund created in section 42-1-211 (2)(a), C.R.S. To
3 implement this act, the department may use this appropriation as follows:

4 (a) \$11,700 for DRIVES maintenance and support;

5 (b) \$943 for use by the division of motor vehicles for personal
6 services related to vehicle services;

7 (c) \$1,394 for use by the executive director's office for personal
8 services related to administration and support; and

9 (d) \$1,188 for payments to OIT.

10 **SECTION 3. Act subject to petition - effective date -**

11 **applicability.** (1) This act takes effect June 1, 2027; except that, if a
12 referendum petition is filed pursuant to section 1 (3) of article V of the
13 state constitution against this act or an item, section, or part of this act
14 within the ninety-day period after final adjournment of the general
15 assembly, then the act, item, section, or part will not take effect unless
16 approved by the people at the general election to be held in November
17 2026 and, in such case, will take effect June 1, 2027.

18 (2) This act applies to revocations on or after the applicable
19 effective date of this act.