A BILL FOR AN ACT

CONCERNING THE APPLICATION OF VEHICLE LAWS TO LOW-POWER VEHICLES THAT OPERATE WITH LESS THAN FOUR WHEELS IN CONTACT WITH THE GROUND, AND, IN CONNECTION THEREWITH, DEFINING "LOW-POWER SCOOTER".

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Transportation Legislation Review Committee. Replaces the current categories of self-propelled vehicles of "motor-driven cycle", "motorscooter", and "motorized bicycle" with "motorcycle" and "low-power scooter". Applies substantially similar requirements to such
vehicles. Defines "low-power scooter" as a vehicle with less than 4 wheels, no manual clutch, and a power capacity not exceeding either 50cc or 4,476 watts. Conforms the definitions of "motorcycle" and "toy vehicle" to categorize the vehicles.

Requires a powersports category of license to sell a low-power scooter. Requires the driver of a low-power scooter to carry insurance, effective July 1, 2010. Prohibits the operation of a low-power scooter at over 40 miles per hour. Imposes the following penalties for exceeding 40 miles per hour:

- 1-4 miles per hour over is $56 and 0 points;
- 5-9 miles per hour over is $85 and 2 points;
- More than 9 miles per hour over is $116 and 4 points.

Clarifies that the drug and alcohol driving offenses apply to all vehicles, including low-power scooters, farm tractors, and off-highway vehicles.

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

SECTION 1. 10-4-601 (6), Colorado Revised Statutes, is amended to read:

10-4-601. Definitions. As used in this part 6, unless the context otherwise requires:

(6) "Motor vehicle" means any vehicle of a type required to be registered and licensed under the laws of this state and that is designed to be propelled by an engine or motor, except that "motor vehicle" does not include minibikes, snowmobiles, bicycles with motor or engine attached, any vehicle designed primarily for use off the road or on rails, or motor scooters a "MOTOR VEHICLE" AND A "LOW-POWER SCOOTER", as BOTH TERMS ARE defined in section 42-1-102, C.R.S.; EXCEPT THAT "MOTOR VEHICLE" DOES NOT INCLUDE A TOY VEHICLE, SNOWMOBILE, OFF-HIGHWAY VEHICLE, OR VEHICLE DESIGNED PRIMARILY FOR USE ON RAILS.

SECTION 2. 10-4-635 (4) (a), Colorado Revised Statutes, is amended to read:
(4) This section shall not apply to:

(a) A person obtaining an automobile liability or motor vehicle policy insuring against loss resulting from the ownership, maintenance, or use of a motorcycle, motor scooter, motor bicycle, motorized bicycle, low-power scooter, or toy vehicle, as defined in section 42-1-102, C.R.S., a snowmobile, as defined in section 33-14-101, C.R.S., or any vehicle designed primarily for use off the road or on rails;

SECTION 3. 12-6-502 (10), Colorado Revised Statutes, is amended to read:

12-6-502. Definitions. As used in this part 5, unless the context otherwise requires:

(10) "Powersports vehicle" means any of the following:

(a) An off-highway vehicle;
(b) A personal watercraft; or
(c) A snowmobile; or
(d) A low-power scooter, as defined in section 42-1-102, C.R.S.

SECTION 4. 14-10-122 (1.5) (d) (II), Colorado Revised Statutes, is amended to read:

14-10-122. Modification and termination of provisions for maintenance, support, and property disposition - automatic lien - repeal. (1.5) (d) Lien on motor vehicles. (II) For purposes of this subsection (1.5), "motor vehicle" means any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways, trailers, semitrailers, and trailer coaches, without motive
power; that has a net equity value based upon the loan value identified for
such vehicle in the national automobile dealers' association car guide of
not less than five thousand dollars at the time of the filing of the notice of
lien and that meets such additional conditions as the state board of human
services may establish by rule; and on which vehicle a lien already exists
that is filed for public record and noted accordingly on the owner's
certificate of title. "Motor vehicle" does not include motorized bicycles,
as defined in section 42-1-102 (59) (b), C.R.S.; low-power scooters, as
defined in section 42-1-102, C.R.S.; vehicles that operate only upon
rails or tracks laid in place on the ground or that travel through the air or
that derive their motive power from overhead electric lines; farm tractors,
farm trailers, and other machines and tools used in the production,
harvesting, and care of farm products; and mobile machinery,
self-propelled construction equipment, or industrial machinery not
designed primarily for highway transportation. "Motor vehicle" does not
include a vehicle that has a net equity value based upon the loan value
identified for such vehicle in the national automobile dealers' association
car guide of less than five thousand dollars at the time of the filing of the
notice of lien and does not include a vehicle that is not otherwise
cumbrered by a lien or mortgage that is filed for public record and noted
accordingly on the owner's certificate of title.

SECTION 5. 25-12-106 (1) (a) and (1) (b), Colorado Revised
Statutes, are amended to read:

25-12-106. Noise restrictions - sale of new vehicles. (1) Except
for such vehicles as are designed exclusively for racing purposes, no
person shall sell or offer for sale a new motor vehicle or any
self-propelled vehicle designed for off-highway use and for which
registration as a motor vehicle is not required which produces a maximum
noise exceeding the following noise limit, at a distance of fifty feet from
the center of the lane of travel or fifty feet or more from a vehicle
designed for off-highway use, under test procedures established by the
department of revenue:

(a) Any motorcycle including a motor-driven cycle, manufactured
on or after July 1, 1971, and before January 1, 1973 ........ 88 db(A);
(b) Any motorcycle including a motor-driven cycle, manufactured
on or after January 1, 1973 .......................... 86 db(A);

SECTION 6. The introductory portion to 25-12-107 (1) (a),
Colorado Revised Statutes, is amended to read:

25-12-107. Powers of local authorities. (1) Counties or
municipalities may adopt resolutions or ordinances prohibiting the
operation of motor vehicles within their respective jurisdictions which
produce noise in excess of the sound levels in decibels, measured on the
"A" scale on a standard sound level meter having characteristics
established by the American National Standards Institute, Publication
S1.4 - 1971, and measured at a distance of fifty feet from the center of the
lane of travel, or fifty feet or more from a vehicle designed for
off-highway use and within the speed limits specified in this section:

(a) Any motor vehicle with a manufacturer's gross vehicle weight
rating of six thousand pounds or more, any combination of vehicles towed
by such motor vehicle, and any motorcycle other than a motor-driven
cycle LOW-POWER SCOOTER:

SECTION 7. 42-1-102 (55), (56), (58), (59), (103.5), and (112),
Colorado Revised Statutes, are amended, and the said 42-1-102 is further
amended BY THE ADDITION OF A NEW SUBSECTION, to read:
42-1-102. Definitions. As used in articles 1 to 4 of this title, unless the context otherwise requires:

(48.5) (a) "LOW-POWER SCOOTER" MEANS A SELF-PROPELLED VEHICLE WITH NOT MORE THAN THREE WHEELS IN CONTACT WITH THE GROUND, NO MANUAL CLUTCH, AND EITHER OF THE FOLLOWING:

(I) A CYLINDER CAPACITY NOT EXCEEDING FIFTY CUBIC CENTIMETERS IF POWERED BY INTERNAL COMBUSTION; OR

(II) A WATTAGE NOT EXCEEDING FOUR THOUSAND FOUR HUNDRED SEVENTY-SIX IF POWERED BY ELECTRICITY.

(b) "LOW-POWER SCOOTER" SHALL NOT INCLUDE A TOY VEHICLE, WHEELCHAIR, OR PERSONAL MOBILITY DEVICE.

(55) "Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with the ground; except any such vehicle as may be included within the term THAT THE TERM DOES NOT INCLUDE A farm tractor and except a motorized bicycle as defined in paragraph (b) of subsection (59) of this section OR LOW-POWER SCOOTER.

(56) "Motor-driven cycle" means every motorcycle, including every motorscooter, with a motor which produces not to exceed six brake-horsepower and every bicycle with motor attached, but not trail bikes, minibikes, go-carts, golf carts, and similar vehicles which are not designed for or approved by the department for use on the public roads or highways and not motorized bicycles as defined in paragraph (b) of subsection (59) of this section:

(58) "Motor vehicle" means any self-propelled vehicle which THAT is designed primarily for travel on the public highways and which THAT is generally and commonly used to transport persons and property over the public highways; but EXCEPT THAT the term does not include
motorized bicycles as defined in paragraph (b) of subsection (59) of this section. LOW-POWER SCOOTERS, wheelchairs, as defined by subsection (113) of this section; or vehicles moved solely by human power. "Motor vehicle" includes a neighborhood electric vehicle operated pursuant to section 42-4-111 (1) (aa). For the purposes of the offenses described in sections 42-2-128, 42-4-1301, and 42-4-1401 for farm tractors and off-highway vehicles, as defined in section 33-14.5-101 (3), C.R.S., operated on streets and highways, "motor vehicle" includes a farm tractor or an off-highway vehicle which is not otherwise classified as a motor vehicle.

(59) (a) "Motor scooter" and "motor bicycle" mean every motor vehicle designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term "farm tractor" as defined in this section and any motorized bicycle as defined in paragraph (b) of this subsection (59), which motor vehicle is powered by an engine of not to exceed six brake-horsepower.

(b) "Motorized bicycle" means a vehicle having two or three wheels, a cylinder capacity not exceeding 50 cc, and an automatic transmission which produces a maximum design speed of not more than thirty miles per hour on a flat surface.

(103.5) (a) "Toy vehicle" means any vehicle whether or not home-built by the user, that has wheels with an outside diameter of not more than fourteen inches and is not designed approved, or intended for use on public roadways or highways OR FOR OFF-ROAD USE.

(b) "Toy vehicle" includes, but is not limited to, gas-powered or electric-powered vehicles commonly known as mini bikes, "pocket" bikes, kamikaze boards, go-peds, and stand-up scooters.
(c) "TOY VEHICLE" DOES NOT INCLUDE OFF-HIGHWAY VEHICLES OR SNOWMOBILES.

(112) "Vehicle" means any device which is capable of moving itself, or of being moved, from place to place upon wheels or endless tracks. "Vehicle" includes any bicycle, but such term does not include any wheelchair as defined by subsection (113) of this section, or any off-highway vehicle, snowmobile, any farm tractor, or any implement of husbandry designed primarily or exclusively for use and used in agricultural operations or any device moved by muscular power or moved exclusively over stationary rails or tracks or designed to move primarily through the air.

SECTION 8. 42-2-103 (2), Colorado Revised Statutes, is amended to read:

42-2-103. Motorcycles - low-power scooters - driver's license required. (2) (a) An operator of a motorized bicycle LOW-POWER SCOOTER shall possess a valid driver's license or minor driver's license.

(b) No motorized bicycle LOW-POWER SCOOTER shall be operated on any interstate system as described in section 43-2-101 (2), C.R.S., except where a bicycle may be operated on such interstate system, on any limited-access road of the state highway system as described in section 43-2-101 (1), C.R.S., or on any sidewalk, unless such operation is specifically designated. Motorized bicycles LOW-POWER SCOOTERS may be operated upon roadways, except as provided in this section, and in bicycle lanes included within such roadways.

SECTION 9. 42-2-106 (1), Colorado Revised Statutes, is amended to read:

42-2-106. Instruction permits and temporary licenses.
(1) (a) (I) A person who is sixteen years of age or older and who, except for the person's lack of instruction in operating a motor vehicle OR motorcycle, or motor-driven cycle, would otherwise be qualified to obtain a license under this article may apply for a temporary instruction permit in accordance with sections 42-2-107 and 42-2-108. The department shall issue a permit entitling an applicant, who is sixteen years of age or older but under eighteen years of age, while having the permit in the applicant's immediate possession, to drive a motor vehicle OR motorcycle or motor-driven cycle upon the highways when accompanied by the parent, stepparent, grandparent with power of attorney, or guardian or foster parent, who signed the affidavit of liability pursuant to section 42-2-108 (1) (a), who holds a valid Colorado driver's license, and who occupies the front seat in close proximity to the driver or, in the case of a motorcycle, or motor-driven cycle, under the immediate proximate supervision of a licensed driver, who holds a valid Colorado driver's license and is twenty-one years of age or older, authorized under this article to drive a motorcycle. or motor-driven cycle. In addition, the parent, stepparent, grandparent with power of attorney, or guardian or foster parent, who is authorized pursuant to this section to supervise the minor driver while the minor is driving, may allow the minor, while having the permit in the applicant's immediate possession, to drive with an individual who holds a valid driver's license and is twenty-one years of age or older for additional driving experience, but such additional driving experience shall not count toward the requirement established in section 42-2-104. The permit shall expire three years after issuance. The department shall issue a permit entitling the applicant, who is eighteen years of age or older, while having the permit in the applicant's immediate
possession, to drive a motor vehicle or motorcycle or motor-driven cycle upon the highways when accompanied by a driver, who holds a valid Colorado driver's license and is twenty-one years of age or older, who occupies the front seat of the motor vehicle, or if the vehicle is a motorcycle or motor-driven cycle; under the immediate proximate supervision of a driver, who is authorized under this article to drive a motorcycle or motor-driven cycle. The permit shall expire three years after issuance.

(II) If the parent, stepparent, grandparent with power of attorney, or guardian or foster parent, who signed the affidavit of liability pursuant to section 42-2-108 (1) (a), does not hold a valid Colorado driver's license, the parent, stepparent, grandparent with power of attorney, or guardian or foster parent may appoint an alternate permit supervisor. An alternate permit supervisor shall hold a valid Colorado driver's license and be twenty-one years of age or older or, if the vehicle is a motorcycle or motor-driven cycle, is authorized under this article to drive a motorcycle or motor-driven cycle. A minor who is issued a permit under this paragraph (a) may drive a motor vehicle, including a motorcycle, or motor-driven cycle; under the supervision of the alternate permit supervisor if the minor has the permit in the minor's immediate possession and the alternate permit supervisor occupies the front seat of the motor vehicle or, if the vehicle is a motorcycle or motor-driven cycle, is in close proximity to the driver.

(III) If the parent, stepparent, grandparent with power of attorney, or guardian or foster parent, who signed the affidavit of liability pursuant to section 42-2-108 (1) (a), does not hold a valid Colorado driver's license but holds a valid driver's license from another state and is authorized to
drive a motor vehicle OR motorcycle or motor-driven cycle and has proper military identification, then the applicant, while having the permit in the applicant's immediate possession, shall be authorized to drive a motor vehicle, including a motorcycle, or motor-driven cycle; under the supervision of the parent, stepparent, grandparent with power of attorney, or guardian or foster parent, who cosigned the application for the minor's instruction permit, if the parent, stepparent, grandparent with power of attorney, or guardian or foster parent occupies the front seat of the motor vehicle or, if the vehicle is a motorcycle, or motor-driven cycle, is in close proximity to the driver while the minor is driving.

(b) (I) A minor who is fifteen years of age or older and has completed a department-approved driver education course within the last six months may apply for a minor's instruction permit, pursuant to sections 42-2-107 and 42-2-108. Upon presentation of a written or printed statement signed by the parent, stepparent, grandparent with power of attorney, or guardian or foster parent and the instructor of the driver education course that the minor has passed an approved driver education course, the department shall issue the permit entitling the applicant, while having the permit in the applicant's immediate possession, to drive a motor vehicle, including a motorcycle, or motor-driven cycle; under the supervision of the parent, stepparent, grandparent with power of attorney, or guardian or foster parent, who cosigned the application for the minor's instruction permit, if the parent, stepparent, grandparent with power of attorney, or guardian or foster parent holds a valid Colorado driver's license and occupies the front seat of the motor vehicle or, if the vehicle is a motorcycle, or motor-driven cycle; is authorized under this article to drive a motorcycle or...
motor-driven cycle and is in close proximity to the driver while the minor is driving. In addition, the parent, stepparent, grandparent with power of attorney, or guardian or foster parent, who is authorized pursuant to this section to supervise the minor driver while the minor is driving, may allow the minor, while having the permit in the applicant's immediate possession, to drive with an individual who holds a valid driver's license and is twenty-one years of age or older for additional driving experience, but such additional driving experience shall not count toward the requirement established in section 42-2-104. The permit shall also entitle the applicant to drive a motor vehicle, including a motorcycle, or motor-driven cycle that is marked to indicate that it is a motor vehicle used for instruction and that is properly equipped for instruction, upon the highways when accompanied by or under the supervision of an approved driver education instructor who holds a valid Colorado driver's license. Driver education instructors giving instruction in motorcycle safety shall have a valid motorcycle driver's license from Colorado and shall have successfully completed an instruction program in motorcycle safety approved by the department. The permit shall expire three years after issuance.

(II) If the parent, stepparent, grandparent with power of attorney, or guardian or foster parent, who signed the affidavit of liability pursuant to section 42-2-108 (1) (a), does not hold a valid Colorado driver's license, the parent, stepparent, grandparent with power of attorney, or guardian or foster parent may appoint an alternate permit supervisor. An alternate permit supervisor shall hold a valid Colorado driver's license and be twenty-one years of age or older or, if the vehicle is a motorcycle, or motor-driven cycle; is authorized under this article to drive a motorcycle.
or motor-driven cycle. A minor who is issued a permit under this paragraph (b) may drive a motor vehicle, including a motorcycle, or motor-driven cycle, under the supervision of the alternate permit supervisor if the minor has the permit in the minor's immediate possession and the alternate permit supervisor occupies the front seat of the motor vehicle or, if the vehicle is a motorcycle, or motor-driven cycle, is in close proximity to the driver.

(III) If the parent, stepparent, grandparent with power of attorney, or guardian or foster parent, who signed the affidavit of liability pursuant to section 42-2-108 (1) (a), does not hold a valid Colorado driver's license but holds a valid driver's license from another state and is authorized to drive a motor vehicle OR motorcycle OR motor-driven cycle and has proper military identification, then the applicant, while having the permit in the applicant's immediate possession, shall be authorized to drive a motor vehicle, including a motorcycle, or motor-driven cycle, under the supervision of the parent, stepparent, grandparent with power of attorney, or guardian or foster parent, who cosigned the application for the minor's instruction permit, if the parent, stepparent, grandparent with power of attorney, or guardian or foster parent occupies the front seat of the motor vehicle or, if the vehicle is a motorcycle, or motor-driven cycle, is in close proximity to the driver while the minor is driving.

(c) A person sixteen years of age or older who, except for his or her lack of instruction in operating a motorcycle or motor-driven cycle, would otherwise be qualified to obtain a driver's license under this article to drive a motorcycle or motor-driven cycle may apply for a temporary instruction permit, pursuant to sections 42-2-107 and 42-2-108. The department shall issue the permit entitling the applicant, while having the
permit in the applicant's immediate possession, to drive a motorcycle or motor-driven cycle upon the highways while under the immediate supervision of a licensed driver, who holds a valid Colorado driver's license and is twenty-one years of age or older, authorized under this article to drive a motorcycle or motor-driven cycle. The permit shall expire three years after issuance.

(d) (I) A minor fifteen and one-half years of age but less than sixteen years of age who has completed a four-hour prequalification driver awareness program approved by the department may apply for a minor's instruction permit pursuant to sections 42-2-107 and 42-2-108. Upon presenting a written or printed statement signed by the parent, stepparent, grandparent with power of attorney, or guardian or foster parent of the applicant and documentation that the minor completed the driver awareness program, the department shall issue a permit entitling the applicant, while having the permit in the applicant's immediate possession, to drive a motor vehicle, including a motorcycle or motor-driven cycle, under the supervision of the parent, stepparent, grandparent with power of attorney, or guardian or foster parent, who cosigned the application for the minor's instruction permit, if the parent, stepparent, grandparent with power of attorney, or guardian or foster parent holds a valid Colorado driver's license and occupies the front seat of the motor vehicle or, if the vehicle is a motorcycle or motor-driven cycle, is authorized under this article to drive a motorcycle or motor-driven cycle and is in close proximity to the driver while he or she is driving. In addition, the parent, stepparent, grandparent with power of attorney, or guardian or foster parent, who is authorized pursuant to this section to supervise the minor driver while the minor is driving, may
allow the minor, while having the permit in the applicant's immediate
possession, to drive with an individual who holds a valid driver's license
and is twenty-one years of age or older for additional driving experience,
but such additional driving experience shall not count toward the
requirement established in section 42-2-104. The permit shall expire
three years after issuance.

(II) If the parent, stepparent, grandparent with power of attorney,
or guardian or foster parent, who signed the affidavit of liability pursuant
to section 42-2-108 (1) (a), does not hold a valid Colorado driver's
license, the parent, stepparent, grandparent with power of attorney, or
guardian or foster parent may appoint an alternate permit supervisor. An
alternate permit supervisor shall hold a valid Colorado driver's license and
be twenty-one years of age or older or, if the vehicle is a motorcycle, or
motor-driven cycle, is authorized under this article to drive a motorcycle.
or motor-driven cycle. A minor who is issued a permit under this
paragraph (d) may drive a motor vehicle, including a motorcycle, or
motor-driven cycle, under the supervision of the alternate permit
supervisor if the minor has the permit in the minor's immediate possession
and the alternate permit supervisor occupies the front seat of the motor
vehicle or, if the vehicle is a motorcycle, or motor-driven cycle is in close
proximity to the driver.

(III) If the parent, stepparent, grandparent with power of attorney,
or guardian or foster parent, who signed the affidavit of liability pursuant
to section 42-2-108 (1) (a), does not hold a valid Colorado driver's license
but holds a valid driver's license from another state and is authorized to
drive a motor vehicle OR motorcycle OR motor-driven cycle and has proper
military identification, then the applicant, while having the permit in the
applicant's immediate possession, shall be authorized to drive a motor
vehicle, including a motorcycle, or motor-driven cycle, under the
supervision of the parent, stepparent, grandparent with power of attorney,
or guardian or foster parent, who cosigned the application for the minor's
instruction permit, if the parent, stepparent, grandparent with power of
attorney, or guardian or foster parent occupies the front seat of the motor
vehicle or, if the vehicle is a motorcycle, or motor-driven cycle, is in close
proximity to the driver while the minor is driving.

(e) Repealed.

(f) Notwithstanding paragraphs (a) to (d) of this subsection (1), a
temporary instruction permit to operate a commercial motor vehicle as
defined in section 42-2-402 shall expire one year after issuance.

SECTION 10. 42-2-127 (5) (f), Colorado Revised Statutes, is
amended BY THE ADDITION OF THE FOLLOWING NEW
SUBPARAGRAPHs to read:

42-2-127. Authority to suspend license - to deny license - type
of conviction - points. (5) Point system schedule:

<table>
<thead>
<tr>
<th>Type of conviction</th>
<th>Points</th>
</tr>
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<tbody>
<tr>
<td>(f) Speeding:</td>
<td></td>
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<tr>
<td>(VI) ONE TO FOUR MILES PER HOUR OVER THE MAXIMUM LAWFUL SPEED LIMIT OF FORTY MILES PER HOUR DRIVING A LOW-POWER SCOOTER</td>
<td>0</td>
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<td>(VII) FIVE TO NINE MILES PER HOUR OVER THE MAXIMUM LAWFUL SPEED LIMIT OF FORTY MILES PER HOUR DRIVING A LOW-POWER SCOOTER</td>
<td>2</td>
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<tr>
<td>(VIII) GREATER THAN NINE MILES PER HOUR OVER THE MAXIMUM LAWFUL SPEED LIMIT OF FORTY MILES PER HOUR DRIVING A LOW-POWER SCOOTER</td>
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SECTION 11. 42-3-301 (2) (a) (VIII), Colorado Revised Statutes, is amended to read:

42-3-301. License plate cash fund - license plate fees.
(2) (a) The fees imposed pursuant to subsection (1) of this section shall be set in an amount necessary to recover only the costs of the production and distribution of any license plates, decals, or validating tabs issued pursuant to this article and shall be:

(VIII) Twenty-five cents per motorized bicycle LOW-POWER SCOOTER decal issued pursuant to this section;

SECTION 12. 42-3-304 (4), (5), and (6) (a), Colorado Revised Statutes, are amended to read:

42-3-304. Registration fees - passenger and passenger-mile taxes - clean screen fund. (4) Upon registration, the owner of each motorcycle or motorscooter shall pay a surcharge of four dollars, which shall be credited to the motorcycle operator safety training fund created in section 43-5-504, C.R.S.

(5) In lieu of registering each vehicle separately, a dealer in motorcycles, motorscooters, or motorbicycles shall pay to the department an annual registration fee of twenty-five dollars for the first license plate issued pursuant to section 42-3-116 (1), a fee of seven dollars and fifty cents for each additional license plate so issued up to and including five such plates, and a fee of ten dollars for each license plate so issued in excess of five.

(6) In lieu of registering each vehicle separately:

(a) A dealer in motor vehicles, trailers, and semitrailers, except dealers in motorcycles, motorscooters, and motorbicycles, shall pay to the
department an annual fee of thirty dollars for the first license plate issued pursuant to section 42-3-116 (1), and a fee of seven dollars and fifty cents for each additional license plate so issued up to and including five, and a fee of ten dollars for each license plate so issued in excess of five; and

SECTION 13. 42-3-305 (2) (a), Colorado Revised Statutes, is amended to read:

42-3-305. Registration fees - passenger and passenger-mile taxes - fee schedule for years of TABOR surplus revenue - applicability. (2) Fees for the annual registration of passenger-carrying motor vehicles shall be as follows:

(a) Motorcycles, motorscooters, and motorbicycles, two dollars and twenty-five cents;

SECTION 14. 42-3-306 (2) (a), Colorado Revised Statutes, is amended to read:

42-3-306. Registration fees - passenger and passenger-mile taxes - fee schedule for years in which TABOR surplus revenue is insufficient. (2) Fees for the annual registration of passenger-carrying motor vehicles shall be as follows:

(a) Motorcycles, motorscooters, and motorbicycles, three dollars;

SECTION 15. 42-3-310 (4), Colorado Revised Statutes, is amended to read:

42-3-310. Additional registration fees - apportionment of fees. (4) Two dollars and fifty cents of each annual vehicle registration fee imposed by sections 42-3-304 to 42-3-306, exclusive of the annual registration fees prescribed for motorcycles, motorscooters, motorbicycles, trailer coaches, mobile machinery and self-propelled construction equipment, and trailers having an empty weight of two
thousand pounds or less and exclusive of a registration fee paid for a fractional part of a year, shall not be transmitted to the department but shall be paid over by the authorized agent, as collected, to the county treasurer, who shall credit the same to an account entitled "apportioned vehicle registration fees". On the tenth day of each month, the county treasurer shall apportion the balance in such account existing on the last day of the immediately preceding month between the county and the cities and incorporated towns located within the boundaries of the county on the basis of the record of rural and urban registrations that indicates the place of residence of each vehicle owner.

SECTION 16. 42-3-311, Colorado Revised Statutes, is amended to read:

42-3-311. Low-power scooter registration - fee. (1) Every motorized bicycle sold in this state shall have an identification number stamped on its frame, which number shall be recorded upon registration. Motorized bicycles shall be registered with the department, and such registration shall be evidenced by a number decal that is securely affixed to the motorized bicycle frame in a conspicuous place. Registration shall be valid for a period of three years, and the fee for such registration shall be five dollars. Retail sellers of motorized bicycles shall retain one dollar from each such fee, and four dollars of each such fee shall be forwarded monthly to the department for deposit in the state treasury to the credit of the highway users tax fund.

(2) The general assembly shall make appropriations from the fund for the expenses of the administration of this section, and any fees
credited to the fund pursuant to this subsection (1) OF THIS SECTION in excess of the amount of the appropriations shall be allocated and expended as specified in section 43-4-205 (5.5) (f), C.R.S. The department shall promulgate rules authorizing retail sellers of motorized bicycles LOW-POWER SCOOTERS to be agents of the department for such registration.

SECTION 17. 42-4-109 (1), (2), (3), (4), (5), (6), (6.5), and (7), Colorado Revised Statutes, are amended to read:

42-4-109. Low-power scooters, animals, skis, skates, and toy vehicles on highways. (1) Every A person riding a motorized bicycle LOW-POWER SCOOTER upon a roadway where motorized bicycle LOW-POWER SCOOTER travel is permitted shall be granted all of the rights and shall be subject to all of the duties and penalties applicable to the driver of a vehicle as set forth in this article except those provisions of this article which THAT, by their very nature, can have no application. Said riders shall also comply with special rules set forth in this section and in section 42-4-220 (1) (b) and (1) (c) and, when using streets and highways within incorporated cities and towns, shall be subject to local ordinances regulating the operation of motorized bicycles as provided in section 42-4-111. Whenever the word "vehicle" is used in any of the driving rules set forth in this article that are applicable to motorized bicycle riders, such term shall include motorized bicycles.

(2) A person riding a motorized bicycle LOW-POWER SCOOTER shall not ride other than upon or astride a permanent and regular seat attached thereto.

(3) No motorized bicycle LOW-POWER SCOOTER shall be used to carry more persons at one time than the number for which it is designed
(4) No person riding upon any motorized bicycle, coaster, roller skates, sled, or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway.

(5) Every A person operating a motorized bicycle upon a roadway shall ride as close to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(6) Persons riding motorized bicycles upon a roadway shall not ride more than two abreast except on lanes or parts of roadways set aside for the exclusive use of bicycles.

(6.5) A person under the age of eighteen years may not operate or carry a passenger who is under eighteen years of age on a motorized bicycle on a highway in this state unless the person and the passenger are wearing protective helmets in accordance with the provisions of section 42-4-1502 (4.5).

(7) For the sake of uniformity and bicycle and motorized bicycle safety throughout the state, the department in cooperation with the department of transportation shall prepare and make available to all local jurisdictions for distribution to bicycle and motorized bicycle riders therein a digest of state regulations explaining and illustrating the rules of the road, equipment requirements, and traffic control devices that are applicable to such riders and their bicycles or motorized bicycles. Local authorities may supplement this digest with a leaflet describing any additional regulations of a local nature that are applicable within their respective jurisdictions.
SECTION 18.  42-4-111 (1) (z), Colorado Revised Statutes, is amended to read:

42-4-111.  Powers of local authorities.  (1) The provisions of this article shall not be deemed to prevent local authorities, with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power, except those streets and highways which are parts of the state highway system which are subject to the provisions of section 43-2-135, C.R.S., from:

(z) Regulating the operation of motorized bicycles LOW-POWER SCOOTERS, consistent with the provisions of this article; except that local authorities shall be prohibited from establishing any requirements for the registration and licensing of motorized bicycles LOW-POWER SCOOTERS;

SECTION 19.  42-4-205 (1), (2), and (3), Colorado Revised Statutes, are amended to read:

42-4-205.  Head lamps on motor vehicles.  (1) Every motor vehicle other than a motorcycle or motor-driven cycle shall be equipped with at least two head lamps with at least one on each side of the front of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in sections 42-4-202 and 42-4-204 to 42-4-231 and part 3 of this article where applicable. thereto:

(2) Every motorcycle and every motor-driven cycle shall be equipped with at least one and not more than two head lamps which shall comply with the requirements and limitations of sections 42-4-202 and 42-4-204 to 42-4-231 and part 3 of this article where applicable. thereto:

(3) Every head lamp upon every motor vehicle, including every motorcycle, and motor-driven cycle shall be located at a height measured
from the center of the head lamp of not more than fifty-four inches nor
less than twenty-four inches, to be measured as set forth in section
42-4-204 (3).

SECTION 20. 42-4-206 (5), Colorado Revised Statutes, is
amended to read:

42-4-206. Tail lamps and reflectors. (5) Every new motor
vehicle sold and operated on and after January 1, 1958, upon a highway
shall carry on the rear, whether as a part of the tail lamps or separately,
two red reflectors; except that every motorcycle and every motor-driven
cycle shall carry at least one reflector meeting the requirements of this
section, and vehicles of the type mentioned in section 42-4-207 shall be
equipped with reflectors as required in those sections applicable thereto.

SECTION 21. 42-4-208 (2) and (3), Colorado Revised Statutes,
are amended to read:

42-4-208. Stop lamps and turn signals. (2) No person shall sell
or offer for sale or operate on the highways any motor vehicle registered
in this state and manufactured or assembled after January 1, 1958, unless
it is equipped with at least two stop lamps meeting the requirements of
section 42-4-215 (1); except that a motorcycle or motor-driven cycle
manufactured or assembled after said date shall be equipped with at least
one stop lamp meeting the requirements of section 42-4-215 (1).

(3) No person shall sell or offer for sale or operate on the
highways any motor vehicle, trailer, or semitrailer registered in this state
and manufactured or assembled after January 1, 1958, and no person shall
operate any motor vehicle, trailer, or semitrailer on the highways when
the distance from the center of the top of the steering post to the left
outside limit of the body, cab, or load of such motor vehicle exceeds
twenty-four inches, unless it is equipped with electrical turn signals
meeting the requirements of section 42-4-215 (2). This subsection (3)
shall not apply to any motorcycle or motor-driven cycle LOW-POWER
SCOOTER.

SECTION 22. 42-4-210 (2), Colorado Revised Statutes, is
amended to read:

42-4-210. Lamps on parked vehicles. (2) Whenever a vehicle
is parked or stopped upon a roadway or shoulder adjacent thereto,
whether attended or unattended, during the hours between sunset and
sunrise and there is not sufficient light to reveal any person or object
within a distance of one thousand feet upon such highway, such vehicle
so parked or stopped shall be equipped with one or more operating lamps
meeting the following requirements: At least one lamp shall display a
white or amber light visible from a distance of five hundred feet to the
front of the vehicle, and the same lamp or at least one other lamp shall
display a red light visible from a distance of five hundred feet to the rear
of the vehicle, and the location of said lamp or lamps shall always be such
that at least one lamp or combination of lamps meeting the requirements
of this section is installed as near as practicable to the side of the vehicle
which is closer to passing traffic. This subsection (2) shall not
apply to a motor-driven cycle LOW-POWER SCOOTER.

SECTION 23. 42-4-211 (4), Colorado Revised Statutes, is
amended to read:

42-4-211. Lamps on farm equipment and other vehicles and
equipment. (4) Every farm tractor and every self-propelled unit of farm
equipment or implement of husbandry equipped with an electric lighting
system shall, at all times mentioned in section 42-4-204, be equipped with
two single-beam head lamps meeting the requirements of section 42-4-216 or 42-4-218, respectively, or, as an alternative, section 42-4-220 (2) and at least one red lamp visible from a distance of not less than five hundred feet to the rear; but every such self-propelled unit of farm equipment other than a farm tractor shall have two such red lamps or, as an alternative, one such red lamp and two red reflectors visible from all distances within six hundred feet to one hundred feet when directly in front of lawful upper beams of head lamps.

**SECTION 24.** The introductory portion to 42-4-216 (1) and 42-4-216 (2), Colorado Revised Statutes, are amended to read:

**42-4-216. Multiple-beam road lights.** (1) Except as provided in this article, the head lamps or the auxiliary driving lamp or the auxiliary passing lamp or combination thereof on motor vehicles, other than motorcycles or motor-driven cycles, shall be so arranged that the driver may select at will between distributions of light projected to different elevations, and such lamps may, in addition, be so arranged that such selection can be made automatically, subject to the following limitations:

(2) Every A new motor vehicle, other than a motorcycle or motor-driven cycle, registered in this state after July 1, 1955, which LOW-POWER SCOOTER, THAT has multiple-beam road-lighting equipment, shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the head lamps is in use and shall not otherwise be lighted. Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped.

**SECTION 25.** 42-4-220 (1) and (2), Colorado Revised Statutes,
are amended to read:

42-4-220. Low-power scooters - lighting equipment - department control - use and operation. (1) (a) Every motorized bicycle A LOW-POWER SCOOTER when in use at the times specified in section 42-4-204 shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet to the front and with a red reflector on the rear, of a type approved by the department, which shall be visible from all distances from fifty feet to three hundred feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet to the rear may be used in addition to the red reflector.

(b) No person shall operate a motorized bicycle LOW-POWER SCOOTER unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred feet; except that a motorized bicycle LOW-POWER SCOOTER shall not be equipped with a siren or whistle.

(c) Every motorized bicycle A LOW-POWER SCOOTER shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

(2) The head lamp or head lamps upon every motor-driven cycle may be of the single-beam or multiple-beam type but in either event shall comply with the requirements and limitations as follows:

(a) Every said head lamp or head lamps on a motor-driven cycle shall be of sufficient intensity to reveal a person or a vehicle at a distance of not less than one hundred feet when the motor-driven cycle is operated
at any speed less than twenty-five miles per hour, and at a distance of not
less than two hundred feet when the motor-driven cycle is operated at a
speed of twenty-five miles or more per hour, and at a distance of not less
than three hundred feet when the motor-driven cycle is operated at a
speed of thirty-five or more miles per hour.

(b) In the event the motor-driven cycle is equipped with a
multiple-beam head lamp or head lamps, the upper beam shall meet the
minimum requirements set forth in paragraph (a) of this subsection (2)
and shall not exceed the limitations set forth in section 42-4-216 (1) (a),
and the lowermost beam shall meet the requirements applicable to a
lowermost distribution of light as set forth in section 42-4-216 (1) (b).

(c) In the event the motor-driven cycle is equipped with a
single-beam lamp, said lamp shall be so aimed that when the vehicle is
loaded none of the high-intensity portion of light, at a distance of
twenty-five feet ahead, shall project higher than the level of the center of
the lamp from which it comes.

SECTION 26. 42-4-223 (1) (b), Colorado Revised Statutes, is
amended to read:

42-4-223. Brakes. (1) Brake equipment required:

(b) Every motorcycle motorized bicycle, and bicycle with motor
attached AND LOW-POWER SCOOTER, when operated upon a highway, shall
be equipped with at least one brake, which may be operated by hand or
foot.

SECTION 27. 42-4-224 (3), Colorado Revised Statutes, is
amended to read:

42-4-224. Horns or warning devices. (3) No bicycle or
motorized bicycle LOW-POWER SCOOTER shall be equipped with nor shall
any person use upon a bicycle or motorized bicycle any SUCH VEHICLE A
siren or whistle.

SECTION 28. 42-4-232 (1), Colorado Revised Statutes, is
amended to read:

42-4-232. Minimum safety standards for motorcycles and
low-power scooters. (1) No person shall operate any motorcycle or
motor-driven cycle LOW-POWER SCOOTER on any public highway in this
state unless such person and any passenger thereon is wearing goggles or
eyeglasses with lenses made of safety glass or plastic; EXCEPT THAT THIS
SUBSECTION (1) SHALL NOT APPLY TO A PERSON WEARING A HELMET
CONTAINING EYE PROTECTION MADE OF SAFETY GLASS OF PLASTIC.

SECTION 29. 42-4-237 (1) (a), Colorado Revised Statutes, is
amended to read:

42-4-237. Safety belt systems - mandatory use - exemptions -
penalty. (1) As used in this section:

(a) "Motor vehicle" means a self-propelled vehicle intended
primarily for use and operation on the public highways, including
passenger cars, station wagons, vans, taxicabs, ambulances, motor homes,
and pickups. The term does not include motorcycles, motor scooters,
motorbicycles, motorized bicycles LOW-POWER SCOOTERS, passenger
buses, school buses, and farm tractors and implements of husbandry
designed primarily or exclusively for use in agricultural operations.

SECTION 30. 42-4-1101 (8), Colorado Revised Statutes, is
amended BY THE ADDITION OF A NEW PARAGRAPH to read:

42-4-1101. Speed limits. (8) (g) NOTWITHSTANDING ANY OTHER
PROVISION OF THIS SECTION, NO PERSON SHALL DRIVE A LOW-POWER
SCOOTER ON A ROADWAY AT A SPEED IN EXCESS OF FORTY MILES PER
HOUR. STATE AND LOCAL AUTHORITIES SHALL NOT AUTHORIZE
LOW-POWER SCOOTERS TO EXCEED FORTY MILES PER HOUR ON A
ROADWAY.

SECTION 31. 42-4-1301 (1) (a), (1) (b), (1) (c), (1) (f), (1) (g),
(1) (h), (1) (i), (2) (a), (2) (a.5) (I), (2) (c), (6) (a) (I), (6) (a) (II), (6) (b),
(6) (i) (I), and (6) (i) (II), Colorado Revised Statutes, are amended to read:

42-4-1301. Driving under the influence - driving while
impaired - driving with excessive alcoholic content - definitions -
penalties. (1) (a) It is a misdemeanor for any person who is under the
influence of alcohol or one or more drugs, or a combination of both
alcohol and one or more drugs, to drive any vehicle a motor vehicle,
vehicle, or low-power scooter in this state.

(b) It is a misdemeanor for any person who is impaired by alcohol
or by one or more drugs, or by a combination of alcohol and one or more
drugs, to drive any vehicle a motor vehicle, vehicle, or low-power
scooter in this state.

(c) It is a misdemeanor for any person who is an habitual user of
any controlled substance defined in section 12-22-303 (7), C.R.S., to
drive any vehicle a motor vehicle, vehicle, or low-power scooter
in this state.

(f) "Driving under the influence" means driving a motor vehicle,
vehicle, or low-power scooter when a person has consumed alcohol
or one or more drugs, or a combination of alcohol and one or more drugs,
which alcohol alone, or one or more drugs alone, or alcohol combined
with one or more drugs that affects the person to a degree that the
person is substantially incapable, either mentally or physically, or both
mentally and physically, to exercise clear judgment, sufficient physical
control, or due care in the safe operation of a vehicle.

(g) "Driving while ability impaired" means driving a MOTOR vehicle, VEHICLE, OR LOW-POWER SCOOTER when a person has consumed alcohol or one or more drugs, or a combination of both alcohol and one or more drugs, which alcohol alone, or one or more drugs alone, or alcohol combined with one or more drugs, THAT affects the person to the slightest degree so that the person is less able than the person ordinarily would have been, either mentally or physically, or both mentally and physically, to exercise clear judgment, sufficient physical control, or due care in the safe operation of a vehicle.

(h) Pursuant to section 16-2-106, C.R.S., in charging the offense of DUI, it shall be sufficient to describe the offense charged as "drove a MOTOR vehicle under the influence of alcohol or drugs or both" OR "DROVE A VEHICLE OR LOW-POWER SCOOTER UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR BOTH".

(i) Pursuant to section 16-2-106, C.R.S., in charging the offense of DWAI, it shall be sufficient to describe the offense charged as "drove a MOTOR vehicle while impaired by alcohol or drugs or both" OR AS "DROVE A VEHICLE OR LOW-POWER SCOOTER WHILE IMPAIRED BY ALCOHOL OR DRUGS OR BOTH".

(2) (a) It is a misdemeanor for any person to drive any MOTOR vehicle, VEHICLE, OR LOW-POWER SCOOTER in this state when the person's BAC is 0.08 or more at the time of driving or within two hours after driving. During a trial, if the state's evidence raises the issue, or if a defendant presents some credible evidence, that the defendant consumed alcohol between the time that the defendant stopped driving and the time that testing occurred, such issue shall be an affirmative defense, and the
prosecution must establish beyond a reasonable doubt that the minimum
0.08 blood or breath alcohol content required in this paragraph (a) was
reached as a result of alcohol consumed by the defendant before the
defendant stopped driving.

(a.5) (I) It is a class A traffic infraction for any person under
twenty-one years of age to drive any A MOTOR vehicle, VEHICLE, OR
LOW-POWER SCOOTER in this state when the person's BAC, as shown by
analysis of the person's breath, is at least 0.02 but not more than 0.05 at
the time of driving or within two hours after driving. The court, upon
sentencing a defendant pursuant to this subparagraph (I), may, in addition
to any penalty imposed under a class A traffic infraction, order that the
defendant perform up to twenty-four hours of useful public service,
subject to the conditions and restrictions of section 18-1.3-507, C.R.S.,
and may further order that the defendant submit to and complete an
alcohol evaluation or assessment, an alcohol education program, or an
alcohol treatment program at such defendant's own expense.

(c) Pursuant to section 16-2-106, C.R.S., in charging the offense
of DUI per se, it shall be sufficient to describe the offense charged as
"drove a MOTOR vehicle with excessive alcohol content" OR AS "DROVE
A VEHICLE OR LOW-POWER SCOOTER WITH EXCESSIVE ALCOHOL
CONTENT".

(6) (a) In any prosecution for DUI or DWAI, the defendant's BAC
at the time of the commission of the alleged offense or within a
reasonable time thereafter gives rise to the following presumptions or
inferences:

(I) If at such time the defendant's BAC was 0.05 or less, it shall
be presumed that the defendant was not under the influence of alcohol
and that the defendant's ability to operate a MOTOR vehicle, VEHICLE, OR LOW-POWER SCOOTER was not impaired by the consumption of alcohol.

(II) If at such time the defendant's BAC was in excess of 0.05 but less than 0.08, such fact gives rise to the permissible inference that the defendant's ability to operate a MOTOR vehicle, VEHICLE, OR LOW-POWER SCOOTER was impaired by the consumption of alcohol, and such fact may also be considered with other competent evidence in determining whether or not the defendant was under the influence of alcohol.

(b) The limitations of this subsection (6) shall not be construed as limiting the introduction, reception, or consideration of any other competent evidence bearing upon the question of whether or not the defendant was under the influence of alcohol or whether or not the defendant's ability to operate a MOTOR vehicle, VEHICLE, OR LOW-POWER SCOOTER was impaired by the consumption of alcohol.

(i) (I) Following the lawful contact with a person who has been driving a MOTOR vehicle, VEHICLE, OR LOW-POWER SCOOTER, and when a law enforcement officer reasonably suspects that a person was driving a MOTOR vehicle, VEHICLE, OR LOW-POWER SCOOTER while under the influence of or while impaired by alcohol, the law enforcement officer may conduct a preliminary screening test using a device approved by the executive director of the department of public health and environment after first advising the driver that the driver may either refuse or agree to provide a sample of the driver's breath for such preliminary test; except that, if the driver is under twenty-one years of age, the law enforcement officer may, after providing such advisement to the person, conduct such preliminary screening test if the officer reasonably suspects that the person has consumed any alcohol.
(II) The results of this preliminary screening test may be used by a law enforcement officer in determining whether probable cause exists to believe such person was driving a motor vehicle, vehicle, or low-power scooter in violation of this section and whether to administer a test pursuant to section 42-4-1301.1 (2).

SECTION 32. 42-4-1401 (1), Colorado Revised Statutes, is amended to read:

42-4-1401. Reckless driving - penalty. (1) Any person who drives any motor vehicle, bicycle, or motorized bicycle in such a manner as to indicate either a wanton or a willful disregard for the safety of persons or property is guilty of reckless driving. A person convicted of reckless driving of a bicycle or motorized bicycle shall not be subject to the provisions of section 42-2-127.

SECTION 33. 42-4-1402 (1), Colorado Revised Statutes, is amended to read:

42-4-1402. Careless driving - penalty. (1) Any person who drives any motor vehicle, bicycle, or motorized bicycle in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic, and use of the streets and highways and all other attendant circumstances, is guilty of careless driving. A person convicted of careless driving of a bicycle or motorized bicycle shall not be subject to the provisions of section 42-2-127.

SECTION 34. 42-4-1409 (1), (2), (3), (5), and (7), Colorado Revised Statutes, are amended to read:

42-4-1409. Compulsory insurance - penalty - legislative intent.
(1) No owner of a motor vehicle OR LOW-POWER SCOOTER required to be registered in this state shall operate the vehicle or permit it to be operated on the public highways of this state when the owner has failed to have a complying policy or certificate of self-insurance in full force and effect as required by law.

(2) No person shall operate a motor vehicle OR LOW-POWER SCOOTER on the public highways of this state without a complying policy or certificate of self-insurance in full force and effect as required by law.

(3) When an accident occurs, or when requested to do so following any lawful traffic contact or during any traffic investigation by a peace officer, no owner or operator of a motor vehicle OR LOW-POWER SCOOTER shall fail to present to the requesting officer immediate evidence of a complying policy or certificate of self-insurance in full force and effect as required by law.

(5) Testimony of the failure of any owner or operator of a motor vehicle OR LOW-POWER SCOOTER to present immediate evidence of a complying policy or certificate of self-insurance in full force and effect as required by law, when requested to do so by a peace officer, shall constitute prima facie evidence, at a trial concerning a violation charged under subsection (1) or (2) of this section, that such owner or operator of a motor vehicle violated subsection (1) or (2) of this section.

(7) The owner of a motor vehicle OR LOW-POWER SCOOTER, upon receipt of an affirmation of insurance as described in section 42-3-113 (2) and (3), shall sign and date such affirmation in the space provided.

SECTION 35. 42-4-1701 (4) (a) (I) (L), Colorado Revised Statutes, is amended to read:

42-4-1701. Traffic offenses and infractions classified -
penalties - penalty and surcharge schedule. (4) (a) (I) Except as provided in paragraph (c) of subsection (5) of this section, every person who is convicted of, who admits liability for, or against whom a judgment is entered for a violation of any provision of this title to which the provisions of paragraph (a) or (b) of subsection (5) of this section apply shall be fined or penalized, and have a surcharge levied thereon pursuant to sections 24-4.1-119 (1) (f) and 24-4.2-104 (1) (b) (I), C.R.S., in accordance with the penalty and surcharge schedule set forth in sub-subparagraphs (A) to (P) of this subparagraph (I); or, if no penalty or surcharge is specified in the schedule, the penalty for class A and class B traffic infractions shall be fifteen dollars, and the surcharge shall be four dollars. These penalties and surcharges shall apply whether the defendant acknowledges the defendant's guilt or liability in accordance with the procedure set forth by paragraph (a) of subsection (5) of this section or is found guilty by a court of competent jurisdiction or has judgment entered against the defendant by a county court magistrate. Penalties and surcharges for violating specific sections shall be as follows:

<table>
<thead>
<tr>
<th>Section Violated</th>
<th>Penalty</th>
<th>Surcharge</th>
</tr>
</thead>
<tbody>
<tr>
<td>(L) Speeding violations:</td>
<td></td>
<td></td>
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<tr>
<td>42-4-1101 (1) or (8) (b) (1 to 4 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles)</td>
<td>$30.00</td>
<td>$6.00</td>
</tr>
<tr>
<td>42-4-1101 (1) or (8) (b) (5 to 9 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles)</td>
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<td></td>
</tr>
<tr>
<td>Line</td>
<td>Description</td>
<td>Fine</td>
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</tr>
<tr>
<td>1</td>
<td>lawful speed limit of 75 miles per hour</td>
<td>70.00</td>
</tr>
<tr>
<td>2</td>
<td>42-4-1101 (1) or (8) (b) (10 to 19 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)</td>
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<td>3</td>
<td>42-4-1101 (1) or (8) (b) (20 to 24 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)</td>
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<tr>
<td>4</td>
<td>42-4-1101(8) (g) (1 TO 4 MILES PER HOUR OVER THE MAXIMUM LAWFUL SPEED LIMIT OF 40 MILES PER HOUR DRIVING A LOW-POWER SCOOTER)</td>
<td>50.00</td>
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<tr>
<td>5</td>
<td>42-4-1101 (8) (g) (5 TO 9 MILES PER HOUR OVER THE MAXIMUM LAWFUL SPEED LIMIT OF 40 MILES PER HOUR DRIVING A LOW-POWER SCOOTER)</td>
<td>75.00</td>
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<td>6</td>
<td>42-4-1101 (8) (g) (GREATER THAN 9 MILES PER HOUR DRIVING A LOW-POWER SCOOTER)</td>
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<td>7</td>
<td>42-4-1101 (3)</td>
<td>100.00</td>
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<td>8</td>
<td>42-4-1103</td>
<td>50.00</td>
</tr>
<tr>
<td>9</td>
<td>42-4-1104</td>
<td>30.00</td>
</tr>
</tbody>
</table>
SECTION 36. 42-6-102 (10), Colorado Revised Statutes, is amended to read:

42-6-102. Definitions. As used in this part 1, unless the context otherwise requires:

(10) "Motor vehicle" means any self-propelled vehicle that is designed primarily for travel on the public highways and is generally and commonly used to transport persons and property over the public highways, including trailers, semitrailers, and trailer coaches, without motive power. "Motor vehicle" does not include motorized bicycles, THE FOLLOWING:

(a) A LOW-POWER SCOOTER, as defined in section 42-1-102; (59)

(b) A VEHICLE that operate only upon rails or tracks laid in place on the ground or that travel through the air or that derive their motive power from overhead electric lines;

(c) A FARM TRACTOR, FARM TRAILER, AND ANY other machines and tools used in the production, harvesting, and care of farm products; and OR

(d) Mobile machinery, self-propelled construction equipment, or industrial machinery not designed primarily for highway transportation.

SECTION 37. Effective date. Sections 1 and 34 of this act shall take effect July 1, 2010, and the remainder of this act shall take effect July 1, 2009.

SECTION 38. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.