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Report to the Colorado General Assembly:

HIGHWAY SAFETY IN COLORADO



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The Legislative Council, which is composed of five Senators, six Representatives, and the presiding officers of the two houses, serves as a continuing research agency for the legislature through the maintenance of a trained staff. Between sessions, research activities are concentrated on the study of relatively broad problems formally proposed by legislators, and the publication and distribution of factual reports to aid in their solution.

During the sessions, the emphasis is on supplying legislators, on individual request, with personal memoranda, providing them with information needed to handle their own legislative problems. Reports and memoranda both give pertinent data in the form of facts, figures, arguments, and alternatives.

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No. 123

HIGHWAY SAFETY

**Legislative Council
Report To The
Colorado General Assembly**

**Research Publication No. 123
November, 1966**

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Rep. Mark A. Hogan
Rep. John R. P. Wheeler

November 29, 1966

To Members of the Forty-sixth Colorado General Assembly:

The Legislative Council is submitting herewith a report on Highway Safety in Colorado. This study was initiated by the Legislative Council, at the suggestion of Senator Anthony Vollack, in accordance with the provisions of Section 63-4-3 C.R.S. 1963.

The committee appointed by the Council to conduct this study submitted its report to the Council on November 28, 1966, at which time the report was accepted by the Legislative Council for transmittal to the members of the Forty-sixth General Assembly.

Respectfully submitted,

/s/ Senator Floyd Oliver
Chairman

FO/mp

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Rep. John R. P. Wheeler

Senator Floyd Oliver, Chairman
Colorado Legislative Council
341 State Capitol
Denver, Colorado

Dear Mr. Chairman:

Your Committee on Highway Safety submits herewith its report and recommendations.

In accordance with the concern over increased highway fatalities expressed by the Council, the committee has received Congressional action in highway safety programs and such legislation as might help reduce the accident toll on Colorado highways. Bills have been suggested to implement certain of the committee recommendations, and are appended.

Respectfully submitted,

/s/ Senator Anthony F. Vollack
Chairman, Committee on
Highway Safety

AFV/mp

FOREWORD

Pursuant to action of the Legislative Council at the April, 1966 meeting the following committee was appointed to study the problems related to highway safety in Colorado:

Sen. Athony F. Vollack, Chairman	Rep. Ruth B. Clark
Sen. James C. Perrill, Vice Chairman	Rep. Don Friedman
Sen. Floyd Oliver	Rep. Betty Miller
Sen. Ruth S. Stockton	Rep. Thomas V. Neal

In view of the increase in highway fatalities that has occurred this year in Colorado, Senator Vollack proposed to the Council, at its April meeting, that a study be initiated to determine if the laws of Colorado are adequate to resolve the several problems related to safety on our highways. The Council endorsed Senator Vollack's suggestion and subsequently appointed a committee.

The committee has held a series of meetings since April and the recommendations contained herein are a result of the deliberations of the committee.

Assisting the committee in the study were Mr. Jim Wilson of the Legislative Reference Office and Mr. Dave Morrissey of the Council staff.

November 29, 1966

Lyle C. Kyle
Director

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COMMITTEE ON HIGHWAY SAFETY

For a number of years the National Safety Council has inventoried state and local highway safety programs with a view towards providing information as to areas in which the states need to strengthen accident prevention programs. These inventories are designed to make a comparison of the relative levels of service rendered by respective programs in the various states. Highway safety officials have long held that a long range reduction in the number of accidents on a state's highways may be accomplished only through the strengthening of all facets of traffic control, ranging from initial training of new drivers to judicial administration of traffic laws. The National Safety Council's inventory also includes such items as highway engineering, driver license administration, accident record systems, enforcement, research, motor vehicle inspection, and local government programs. This general pattern of emphasis also has been followed by Congress in the "Highway Safety Act of 1966."

The Committee on Highway Safety believes that too often traffic safety programs have attempted a "single-shot" method or the so-called "crackdown" to reduce accident tolls. Although there are instances where a crackdown appears to be successful, over a long range period the accident tolls continue to rise. An example of the failure of a crackdown may be illustrated by former Connecticut Governor Abraham Ribicoff's crackdown on speeders in 1955. Following an increase in the number of deaths on the highways, Governor Ribicoff ordered a 30-day suspension on speeders. The number of deaths went down slightly during the crackdown period, but, based on miles traveled, the number of accidents and the injury rate steadily increased. For example, in 1955 there were 210 injuries per 100 million vehicle miles traveled in Connecticut, 212 the next year (1956), 223 the following year (1957), and 227 injuries per 100 million vehicle miles traveled in 1958. Highway safety officials now are placing increased emphasis on injuries and the number of accidents as the most reliable measure of the highway accident toll.

In view of the emphasis by highway safety experts to strengthen all aspects of traffic management, as well as Congressional action appropriating \$235,000,000 for research and state and local accident prevention programs, the Committee on Highway Safety recommends a similar over-all approach to strengthen Colorado's highway safety and accident prevention program. In viewing the recommendations of the committee, members would like to point out that the recommendations are made as a total package. Committee members would be the last to argue that any specific proposal could, in itself, reduce Colorado's accident toll to any significant degree. However, if accepted in total, the committee believes that the accompanying recommendations can foster an improved accident record in Colorado.

Driver Licensing

In Colorado an applicant for new operator's license must pass a three-part examination involving a written test, road test, and eye test. The written examination calls for a knowledge of traffic laws, driving regulations, safe driving procedures, and road signs. The road test is used to evaluate the physical capacity of the individual to maneuver a vehicle, to solve basic traffic problems, and to observe and properly comply with traffic control devices. The committee is concerned, however, that the road test does not provide an adequate test of driving situations which an individual is likely to experience.

The committee also believes that the average road test fails to measure the minimum physical needs or reaction time of drivers. Unfortunately, there is little information available with respect to driving simulators and other devices designed to test the physical qualifications of drivers to meet emergency problems. This equipment, of course, is available for training purposes but not testing purposes. For this reason, the committee recommends that the Department of Revenue explore all types of devices likely to improve driver tests throughout the state including minimum standards for physical operation of a motor vehicle.

The committee also supports a general strengthening of the written examination. In particular there is a need for increased emphasis to educate drivers on proper action in emergency situations. The National Driver's Test demonstrated conclusively that most people have little knowledge concerning "what to do" under various hazardous driving conditions. Integration of these concepts into driver training programs as well as the written examination would do much to provide a more informed driving populace. In view of the committee's recommendation for mandatory re-examination, to be discussed in detail in a following section, emphasis on up-grading the knowledge of drivers with respect to the handling of a vehicle under critical conditions would be reinforced by mandatory testing.

Permanent Driver License Number

In order to develop an accurate history and identity of drivers for court purposes, as well as for possible integration into a data processing system, the committee recommends the use of a single driver license number. This number would be issued permanently and would be retained as long as the individual remains a licensed driver in Colorado. A permanent number could prove to be a real asset to the courts in establishing the identity of an individual; this will be discussed in detail in an accompanying section.

Driving Record as Evidence

The record maintained by the Department of Revenue of the

driving history of each licensed operator is necessary for use by the court to assist judges in sentencing persons found guilty of violating motor vehicle laws and ordinances. At the present time a certified copy of the record of a defendant is not accepted by Colorado courts as evidence of the driver's record. Under present procedures someone must appear in court to testify as to the validity of the copy of the driver's record. The committee recommends proposed legislation to allow a copy, certified by the Department of Revenue, of the record to be introduced as prima facie evidence without further testimony as to the validity of the record.

Mandatory Testing

As the examination of applicants for a motor vehicle license is refined, the value of periodic testing of licensed drivers increases. As demonstrated by the National Driver's Test, habits of motorists become ingrained, and as the years pass most motorists fail to keep up with changes in the motor vehicle laws. For this reason, the committee believes that the primary purpose of periodic testing of all motorists is educational. Periodic examination of all drivers makes it mandatory that persons keep informed or face the prospect of losing their driving privileges. Another advantage of the periodic testing of motorists is that the department is given an opportunity to review changing capacities or abilities to handle a motor vehicle. It is true that the department has the opportunity to test all persons applying for renewal of their license now, but, in a practical sense, examining officers do not want to be put in the position of singling-out motorists for examination. Older people, in particular, may feel that they are being persecuted. Nevertheless, there is no doubt that people's capacities do change over a period of time; persons may suffer from a crippling disease, alcoholism, or other disabilities. Few people criticize the concept of an eye test for motorists, and the committee believes that the public eventually will accept the complete re-examination in the same manner.

Cost of Mandatory Testing. The department estimates that the administrative expenses for an examining officer may be allocated on the basis of 35 cents for a written test and \$1.05 for the road test. (These cost estimates do not include overhead costs and the need for additional space required to conduct a mandatory test program.) On this basis, the annual administrative cost of compulsory testing approximates about \$76,000 for written examinations and \$304,000 for the road tests, or a total of \$380,000. With a small allowance for overhead expenses, the cost of mandatory testing probably could be covered by an additional fee of \$1.00 per license. The committee requests that the department carefully review these projected costs and report within thirty days of the convening of the First Session of the Forty-sixth General Assembly a detailed analysis of the cost of a mandatory program, documenting all expected increases and overhead costs on a county-by-county basis.

Motorcycle Operators

Most persons support the concept that an applicant for a driver's license must demonstrate competence to operate an automobile on Colorado highways. At the same time, there are no test requirements for the operation of a motorcycle. In other words, any person licensed to operate a motor vehicle in Colorado, even though the individual has never been on a motorcycle, legally may drive a motor scooter or motorcycle on any highway in the state. Representatives of two motorcycle clubs testifying to the committee -- Denver Black Toppers and the Mile-hi Motorcycle Club -- urged that the committee consider legislation designating the Department of Revenue as the agency to license persons to drive motorcycles. In particular, John Shelby, Mile-hi Motorcycle Club, pointed out that "...there is no reference to motorcycles in the license examination of the department, and rarely are cycles emphasized in driver education courses."¹ The committee believes that with the rapid growth of the motorcycle industry (probably due to the recent innovations of lightweight cycles), there is a definite need for a special written examination and road test for motorcycle operators. Motorcycle operators must demonstrate competency in the same manner as operators of an automobile.

The committee also believes that a learner's permit must be obtained from the department. The learner's permit for operation of a motorcycle or motor scooter would be issued for a \$2.00 fee upon the satisfactory completion of a special written examination.

Medical Review Board

The Department of Revenue is charged with the responsibility of insuring that mentally and physically incompetent drivers or applicants for an operator's license are prohibited from driving on Colorado highways. To assist the department in making these medical decisions, the Governor, by executive order, provided for the establishment of a Medical Review Board. The hearing officers of the Motor Vehicle Division utilize the services of the Medical Review Board in the event a license is denied for physical and mental incompetency. In view of the growing problems of alcoholism, drug addiction, and other physical and mental impairments, the committee recommends that the activities of the Medical Review Board in the driver licensing program be increased and suggests that their services be authorized by statute.

1. Committee on Highway Safety, "Minutes of Meeting," July 27, 1966.

County Operated Driver Licensing Offices

Sections 13-2-10 and 13-2-12, C.R.S. 1963, empower the county clerks to issue driver licenses if so designated by the director of the Department of Revenue. There are 26 counties administering the driver licensing program, and the counties issue a little less than one-half of the total number of driver licenses in Colorado. The counties employ 96 driver examiners who are trained under the direction of the Department of Revenue. The state employs 70 examiners. A number of the county examiners function on a part-time basis, which accounts for the larger number of county examiners. The department does not establish qualifications for county examiners, but retains authority to reject any county appointee sent to the department for training.

Colorado is one of only four states which permit some form of local administration of the driver licensing program. County police departments administer the driving license program in Hawaii, while county sheriffs or some other designated agency are responsible for driver licensing in Idaho and Michigan. It also may be argued that driver licensing is a state problem rather than a county matter, and for this reason the state should be charged with administration of the licensing program.

The committee believes that it is essential that Colorado develop the most effective driver licensing program possible. Driver licensing officers should be required to complete exhaustive training programs prior to assuming their duties. They should be full-time experts in the evaluation of driving abilities. The committee recommends that, in order to assure a continual upgrading of the driver licensing program, the licensing of drivers be administered, completely, by the State Department of Revenue through a system of state offices.

Vehicle Condition and Equipment

Motor Vehicle Inspection

Recent studies have indicated that mechanical failure of automobiles is playing a larger role in accidents on our highways than previously anticipated. Paul Kearney, in his book Highway Homicide, reports that a Harvard study team found considerable evidence indicating that vehicle failure plays a significant role in some accidents. For example, in an accident in which police reported that high speed was a contributing factor, the Harvard study concluded that the vehicle had been traveling about 30 miles an hour and that a broken tie rod was the real accident factor. In another case, police officials believed the individual had fallen asleep at the wheel, but the Harvard team proved failure of the steering mechanism before impact. The Harvard study team also concluded that a crash in which a driver was thought to have been asleep actually resulted from a fast leak in a front tire which had gone unnoticed because of

power steering. Repetition of such findings in the study of 124 fatal crashes in the Boston area led to the following conclusion: "Primary or secondary contribution of vehicle failure in automobile deaths is many times higher than believed."²

The committee believes that with the increased emphasis on accident investigation, the role of motor vehicle inspection as an essential part of an over-all highway safety program will continually grow in importance. For this reason, the committee believes that more time should be devoted to the inspection of vehicles, especially safety and pollution devices. In particular, there is a definite need to end the "logjam" at the end of inspection periods, because inspection station operators are reported to be giving inadequate inspections during these periods.

The committee recommends that motor vehicle inspections be conducted semi-annually on a twelve-month basis. A "staggered" inspection period should be substituted for the current practice of inspecting all the vehicles in the state in the same period. In other words, one-sixth of the vehicles would be subject to examination in January and July, another sixth in February and August, etc. A staggered program would reduce the seasonal workloads of the inspection stations, allowing better utilization of personnel and in particular the use of more experienced personnel. Temporary help would not be needed to meet the demands of the inspection periods, and the number of vehicles inspected prior to inspection deadlines would be reduced. The department also would be in a better position to enforce proper inspections since inspection personnel would be checking all inspection stations during actual inspection periods. It is practically impossible for the department to check each inspection station during current inspection periods.

The committee recommends that the "staggered inspection" program be implemented beginning in the fall of 1967. At this time, as each automobile is inspected, the owner would be issued an inspection sticker numbered according to the month the vehicle was purchased as listed on the owner's registration card. In other words, if a person purchased an automobile in January the sticker would be numbered "1"; if the vehicle was purchased in August the sticker would contain a number "2"; etc. With respect to new or used cars, an option could be given -- whereby (1) the purchaser must obtain an inspection sticker during the period of temporary registration of the vehicle, or (2) the dealer would continue to place inspection stickers on the vehicle at his convenience.

Since the inspection of motor vehicles would be conducted on a 12-month basis, as a convenience to the public, the committee also believes that an owner should be permitted to obtain an inspection

2. Kearney, Paul W., Highway Homicide.

sticker at any time. For instance, if an individual has major repairs made on an automobile, he would exercise the option of obtaining an inspection sticker at this time, rather than waiting until the end of his inspection period. Of course, the expiration date of all stickers issued would continue to be every six months. Perhaps by encouraging people to bring their inspection stickers up to date, many people actually would have more than the "two" required inspections per year.

"Red Tag." The committee believes that motor vehicle owners should be given every opportunity to have their vehicles repaired at the garage of their choice. However, the public should not "shop" for stickers. That is, in the event a person has a defective vehicle, he should not be permitted to drive from one inspection station to another attempting to find someone willing to issue a sticker regardless of the condition of the vehicle. For this reason, as a first step in the inspection process, the committee recommends that the sticker be removed. In the event the vehicle does not pass inspection and the owner does not wish to have the vehicle repaired at the inspection station, a so-called "red tag" would be issued. The "red tag" system would require the owner to have his vehicle repaired within a five-day period. The committee believes that the "red tag" program could be administered through existing channels. There is no need for a complicated enforcement system to be instituted by the department.

In actual practice the "red tag" system may provide additional protection to the motorist. In the event an owner is informed of the need for major repairs, an itemized list could be required of the inspection station operator. The owner could verify the need for repairs at the next inspection station. If the work was not required, an investigation would be undertaken by the Motor Vehicle Division. In this sense, the "red tag" system may prove beneficial to the motorist. At the same time, an inspection station operator may be more careful in inspecting "red tagged" vehicles.

In general, the committee believes that Section 13-5-117, C.R.S. 1963, provides law enforcement officials with ample authority to require inspection of cars or trucks involved in accidents or for which the police officers have reasonable cause to believe are not in proper working condition. Therefore the committee recommends that local enforcement agencies and the State Patrol make greater use of this section in an attempt to improve the condition of vehicles on Colorado highways.

Tire Inspection

National attention recently focused on the problem of tire standards, because through faulty design some tires could not meet maximum load conditions or speed requirements of the automobiles for which the tires were made. Through the "National Traffic and Motor Vehicle Safety Act of 1966," Congress has provided the means

whereby minimum standards for tires will have to be met. In addition a program of tire grading also will be developed to assist the public in making an informed choice with respect to tire selection. In view of the federal legislation with respect to new tires, the states now are concerned with the problem of worn, bruised, cut, and cracked tires. Colorado law does not provide any standards for new or used pneumatic tires. The Department of Revenue's Motor Vehicle Inspection Manual does provide that in order for a vehicle to pass inspection, the tires must meet the following conditions: "Tires shall not have any fabric breaks, boots or other inserts; shall not be so worn as to show any fabric."

The committee believes that the department's minimum standards are not sufficient to protect Colorado motorists. Therefore, the committee recommends strengthening these standards to prohibit bulges and to provide a minimum amount of tread. Caution needs to be exercised by the department because unwarranted requirements or demands could be made on the public for purchase of tires. Nevertheless, standards of minimum tread and elimination of bulges are necessary. In the event this approach is not successful, the General Assembly may have to enact implementing legislation.

Reflectorized Plates

The success of reflectorized plates as a tool in law enforcement and highway safety has been accepted in some 22 states. Reflectorization provides a high degree of illumination, especially when the entire plate is reflectorized. The plates are designed to assist in reducing rear end collisions at night involving vehicles approaching parked or stalled cars and trucks. Reflectorization also is an asset to enforcement officers in identifying license plate numbers. There are two basic methods of reflectorization: 1) plastic sheeting which covers the entire plate (estimated cost of 25 cents per set of plates), and 2) a liquid material primarily used for reflectorization of the numbers only. The liquid reflectorization material is substantially cheaper. The committee believes that the advantages of reflectorization of license plates outweigh the added costs and for this reason supports the adoption of reflectorization of the entire Colorado license plate.

Seat Belts

Seat belts have reduced deaths and injury on the nation's highways and have long been utilized by racing car drivers. Many states have adopted legislation requiring the installation of seat belts in passenger vehicles; unfortunately these mandatory programs have not been successful in developing a high degree of utilization by persons riding in private vehicles. For this reason, the committee is reluctant to recommend mandatory legislation for passenger vehicles. On the other hand, the committee believes that public conveyances should be encouraged to install seat belts, and in particular the committee urges the State Department of Education

to take action to encourage installation of seat belts in school buses.

Motorcycle Equipment

The committee believes that a motorcycle operator should be prohibited from carrying a passenger unless the vehicle is specifically designed to carry a passenger. If the motorcycle does not have a side car, the cycle must be designed with a permanent two-person seat. Handgrips and foot rests for the passenger also are essential items of equipment.

Driver Education

During the course of the committee's study, Congress enacted the "Highway Safety Act of 1966." This legislation is designed to provide federal funds to strengthen highway safety programs within the states, and, in particular, to provide minimum standards for driver education. At the time this report was prepared, little information was available concerning state qualifications for federal aid for driver education or the amount of aid that will be forthcoming. Congress has appropriated \$20,000,000 for the current fiscal year (1966-67) for state highway safety programs. This money is to be distributed on the basis of 75 per cent population and 25 per cent according to directive of the Secretary of Transportation. Forty per cent of all federal monies allocated to the states must be distributed to political subdivisions. Congress also requires that the state highway safety programs provide "...for comprehensive driver training programs, including (1) the initiation of a state program for driver education in the school systems or for a significant expansion and improvement of such a program already in existence, to be administered by appropriate school officials under the supervision of the Governor as set forth in subparagraph (A) of this paragraph; (2) the training of qualified school instructors and their certification; (3) appropriate regulation of other driver training schools, including the licensing of the schools and certification of their instructors; (4) adult driver training programs, and programs for the retraining of selected drivers; and (5) adequate research, development and procurement of practice driving facilities, simulators, and other similar teaching aids for both school and other driver training use."³

3. Section 402, "Highway Safety Act of 1966."

Although the committee does not have a specific recommendation in the area of driver training, the committee believes that driver education programs in Colorado must be expanded and up-graded. For this reason, the committee recommends that the General Assembly give close attention to the federal standards for driver education, as well as other safety programs that will soon be promulgated by the Secretary of Transportation.

Health and Highway Safety

Alcohol

Nationwide, highway safety officials have been unable to cope with the problems posed by the drinking driver. Perhaps there are two reasons for this: 1) most adults disassociate themselves from the so-called "drunk driver," or the driver with a blood alcohol ratio of .15 or more; and 2) a vast segment of our population who consider themselves as "social drinkers" are not willing to admit that a few drinks affect their ability to drive an automobile in a safe manner. Enforcement officers, licensing officials, and the judiciary have been relatively successful in fining, jailing, and suspending licenses of persons driving while under the influence of alcohol. However, all three of these penalties have not proved an effective deterrent to the alcoholic driver. Although a jail sentence may temporarily "dry out" an alcoholic, this is, at best, a temporary condition. Of course, during this period of incarceration society is protected because the individual is kept off the highways.

The Alcoholic Driver. To meet the problems of the alcoholic, county court judges meeting with the committee have recommended that "hold and treat" powers be given to the county courts. County judges have made this recommendation simply because this is where the judiciary meets the problem -- in traffic cases. These county judges recommended, however, that the district courts retain jurisdiction over other mental health matters. The committee was reluctant to consider this proposal because of the lack of treatment facilities in Colorado. In addition, the problem of alcoholism simply is too complex to be handled in the short period of time allotted by the committee. And, finally, under present law aggravated cases of alcoholism may be remanded to the district court, thus providing some discretion to county judges and prosecutors to meet the needs of the alcoholic. The committee recommends, however, that an indepth study of available facilities and programs be conducted by a Legislative Council Committee in 1967. Expansion of facilities could provide the resources necessary to make the "hold and treat" proposal meaningful.

"Social Drinkers." In order to minimize the problem of the "social drinker," or the driver impaired by alcohol, the committee is recommending a lesser charge of drinking and driving for persons with a blood alcohol level of .10 per cent and over but less than

.15 per cent. Although an individual may not be under the influence of alcohol, his reflexes, judgment, ability to make quick decisions, etc., can be impaired. Furthermore, consumption of alcohol tends to release inhibitions and provide a false sense of confidence with the result that many experts in the field of highway safety believe that the "social drinker" rather than "drunk" poses the greatest numerical impact to safety on the highways.

The committee believes that with the adoption of a penalty for drinking and driving, prosecutors and judges would be more willing to deal with the "social drinker." Under current law, an individual can be charged only with driving while under the influence. It is the hope of this committee that the proposed legislation "drives home" to the portion of the driving population utilizing alcohol that a driver who HAS BEEN DRINKING (HBD) is in violation of the law.

Implied Consent

Chemical analysis of a person's blood, breath, or urine provides a scientific measure of the amount of alcohol in a person's blood stream. A chemical test of the blood alcohol ratio is the only guide enforcement officers, prosecutors, judges, and juries have to determine the actual amount of alcohol consumed by a defendant. For this reason, persons arrested for driving while under the influence occasionally refuse to take a chemical test. To counteract such refusals, a number of states have adopted "implied consent" legislation. "Implied consent" means that by driving on the highways of a state, an individual is deemed to have given his consent to a chemical test to determine the alcoholic content of his blood, breath, or urine. Failure to take the test is grounds for suspension of the person's driver license. The committee believes that law enforcement officers should be given this additional tool to assist in the prosecution of persons driving under the influence, as well as the driver impaired by alcohol.

Ambulance Services

With the exception of a few municipal ordinances, ambulance services in Colorado are not required to meet any type of basic medical standards with respect to vehicle equipment and trained personnel. Proper first-aid and the handling of victims at the scene of an accident are particularly important with respect to serious injuries. A properly trained ambulance driver can do much to minimize the possibility of permanent disablement and even death. Testimony to the committee revealed that, in some instances, ambulance services are nothing more than "lie-down" taxis that offer little in the way of first-aid equipment or skilled personnel. Therefore, the committee recommends that steps be taken to insure that trained personnel, properly equipped, are servicing accident victims on Colorado highways. Based on information presented to the committee, the need for high speed transportation to

hospitals also has been over emphasized and has jeopardized the lives of not only ambulance personnel, but patients and the general public. For this reason, the committee believes that there is a need to de-emphasize high speed transportation of accident victims and other patients.

The establishment of standards for ambulance personnel and equipment in certain parts of the state may discourage mortuaries and other businesses from providing part-time ambulance services. In these situations, ambulance duties may only be incidental to the normal activities of the business, suggesting that some services may be discontinued rather than up-graded to meet the proposed state law and regulations. The committee believes that local communities, hospitals, volunteer fire departments, etc., should cooperate in planning adequate services or supporting private industry in making ambulance services available to accident victims in the less densely populated areas of the state. In any event, accident victims may be no worse off because an ambulance service is not available than under existing conditions.

Colorado State Patrol

The maximum level of personnel of the Colorado State Patrol was established by the General Assembly in 1959 and includes 275 patrolmen, 60 commissioned and noncommissioned officers, plus needed civilian personnel. With increases in tourism, population, vehicle registrations, and accident rates, the committee recommends an increase of 50 men in the patrol staff. The proposed increase assumes continuation of the 48-hour work week. The committee also suggests removal of the statutory limitation on patrol manpower. Future requests for adjustment in personnel should be justified through normal budgetary processes. In addition to manpower increases, the committee believes that aircraft could be utilized for enforcement purposes and suggest that the State Patrol's request for two additional planes be considered by the General Assembly.

Accident Investigation and Research

Recent studies of highway accidents have revealed that current police investigations of the causes of accidents are cursory for the most part. A thorough analysis of serious accidents in this region is needed to provide better guidelines for highway experts to plan safety programs. The committee recommends that the General Assembly consider the formation of a multiple-discipline accident investigation team to work in conjunction with applicable research programs of the colleges and universities.

Penalties

Driving While License is Suspended

The accident records of the Colorado State Patrol indicate that a substantial number of drivers involved in serious accidents have poor driving records, and in some instances these drivers actually were driving while under license suspension. The license suspension program has not been entirely successful in removing chronic problem drivers from Colorado highways. Evidence indicates that roughly 20 per cent of the suspended drivers continue to operate vehicles in Colorado. For this reason, the committee suggests a mandatory jail sentence of not less than ten days nor more than six months for persons convicted of driving while under license suspension. In addition, the committee recommends a three-year revocation of the driver license of a person convicted twice within a five-year period of driving under license suspension.

Eluding a Police Officer

The committee proposes an addition to the list of violations under the point system of a specific item assessing 12 points to the driver who eludes or attempts to elude a police officer. This action presently is allocated three points as a violation of the "catch-all" provision for offenses which are not specifically enumerated.

Speeding

Three recommendations are made by the committee:

(1) In order to bring Colorado into conformity with the Uniform Vehicle Code (UVC), the committee recommends the adoption of the absolute speed limit concept suggested by the UVC. Colorado currently provides for reasonable and prudent speeds, permitting rebuttal by violators that the designated speeds were not reasonable or prudent during the time of the violation. The committee recommends that no change be made regarding speeds listed under section 13-5-33 because of the unusual conditions presented by Colorado mountain driving. In this respect the recommendations of the UVC appear inadequate.

(2) The committee also recommends that the allocation of points under the point system for speeding violations be increased as follows:

(a) speeding up to 9 miles per hour over the speed limit -- raise from 3 to 4 points;

(b) speeding 10 to 19 miles per hour over the speed limit -- raise from 4 to 6 points; and

(c) speeding 20 miles per hour and over the speed limit -- raise from 6 to 8 points.

(3) The committee suggests that the penalty assessment ticket for speeding be raised from \$25 to \$50. The committee also suggests that minimum fines under the penalty assessment program be raised from \$3.00 to \$5.00.

Judicial Administration

The committee recommends a four-step approach to assist the judiciary in dealing with problem drivers:

- 1) work release sentencing;
- 2) permissive authority to sentence individuals to driver improvement schools;
- 3) discretion to suspend the driver's license immediately;
- 4) broad discretion with respect to fines.

The committee makes these recommendations to provide judges with more latitude in dealing with individual cases.

Work Release Sentencing

The work release sentencing of motor vehicle violators has worked well in other states, and the experimental program in Denver is reported to be meeting with some success. In the past, judges have been reluctant to impose jail sentences for serious traffic violations because of the hardships imposed upon the family of the defendant. Often a jail sentence may require the family of the defendant to go on the welfare rolls, imposing an added burden on society. Work release sentencing enables the individual to continue in his employment and meet family needs, while spending "leisure" hours serving his sentence. The committee believes that legislation should be enacted extending this concept to all counties in the state.

Driver Improvement Schools

The committee heartily supports the development of driver improvement schools. Courts in a number of states are following the lead established in Denver by Judge Finesilver's driver improvement school. Sentencing to driver improvement schools has been voluntary for the most part and usually applied as a condition of probation or as a condition for suspension of a fine. The judicial driver improvement schools in Colorado are conducted without specific legislative authorization. Three states -- California,

Michigan, and Wisconsin -- have enacted permissive legislation to permit judges to sentence individuals to driver improvement schools. The committee recommends the adoption of similar legislation in Colorado. The committee makes this recommendation not only to clarify the legality of the current programs but as a step toward encouraging the development of driver improvement schools throughout the state.

Fines

Section 13-5-130, C.R.S. 1963, provides for the sentencing of persons convicted of motor vehicle violations: a first conviction is punished by a fine of not less than \$10 nor more than \$100, or by imprisonment for not more than ten days; a second conviction may result in a fine of not less than \$25, nor more than \$200, or in imprisonment for not more than 20 days, or in both fine and imprisonment; a third conviction is punished by a fine of not less than \$50, nor more than \$500, or by imprisonment for not more than six months, or by both fine and imprisonment. The committee contends that judges should be given complete discretion of sentencing regardless of whether the violation is for a first, second, or third offense. The committee recommends that a minimum fine of \$10 and a maximum of \$500, plus a maximum jail sentence of six months, or both fine and imprisonment be established. In this manner, the judges may impose a stiff fine immediately for an aggravated offense. Also, since judges tend to impose the minimum sentence depending on whether the offense is a first, second, or third offense, and the judge may be confused as to the accuracy of the driver's record, the committee believes that greater latitude will encourage judges to levy fines according to individual cases.

License Suspension

The suspension of licenses under the point system is handled by the Department of Revenue; however, the record of the driver is available to the courts. Judges are disturbed when an aggravated case is brought before them and the driver has amassed sufficient points for suspension but the judge lacks authority to call for immediate suspension. Under existing law, an operator may continue to drive a vehicle for a substantial period after the accumulation of sufficient points for suspension simply because the department may not have an opportunity to conduct a hearing. The committee recommends that legislation be enacted permitting judges to exercise discretion as to whether a license should be suspended immediately subject, of course, to appeal. This discretion would be limited to those drivers amassing sufficient points under the point system, and the suspension would be in effect for 30 days or until the hearing on the case.

Municipal Courts

Under the provisions of section 139-33-1, C.R.S. 1963, municipal judges may impose a fine not exceeding \$300 or may imprison not to exceed 90 days. Municipal judges do not have the option of imposing a fine and imprisonment. The committee believes that this option should be given to municipal judges. This recommendation also is in line with the committee's concept of revising the assessment of fines under section 13-5-130, C.R.S. 1963.

Distribution of Fines

The committee believes that a problem exists in enforcing serious motor vehicle violations committed in a municipality. Prior to Merris decision (1958), 137 Colo. 169, 323 P 2d 614, driving under the influence cases were tried in municipal courts; however, the Merris decision held that driving under the influence was a matter of state-wide concern and must be tried in county court. This poses a problem for municipal police officials since the fines and court costs no longer are returned to city government. Safety officials are concerned that municipalities tend to prosecute individuals for violation of municipal ordinances rather than for more serious charges in order to retain fine monies in the city or town. The committee believes that a reduction of charges tends to break down the intent of highway safety programs, and for this reason recommends that 50 per cent of fine monies collected in county courts from violations of state law committed within municipal jurisdictions be returned to the municipality in which the violation occurred. The remaining 50 per cent of fine monies is to be allocated to the state. Counties, of course, would continue to be reimbursed for court costs.

Warning Devices

Two aspects of highway markings or warning devices disturb the committee. The first involves instances where tracks from a railroad's main line intersect with a county road and the second item is in regard to temporary warning signs indicating road repairs and highway construction projects. Surveys by the Department of Highways reveal that there are instances where county roads and mainline rail crossings intersect that are unmarked or marked with a crossbuck only. The committee believes that these rail crossings should be marked with stop signs. The committee makes this recommendation because the average motorist pays little attention to the standard crossbuck. The committee also recommends that the State Department of Highways re-evaluate current practices in regard to highway signs giving warning notice of road repairs and construction projects. The committee believes that all too often road repair signs on high speed highways do not provide sufficient advance warning to motorists. This appears to be especially critical for Colorado's mountain highways. Construction projects of long duration also pose a problem to motorists. Many times the projects

are carefully marked, but as the motorist proceeds through the construction area there often is little activity to impede traffic flow. In the event a motorist is using the highway on a daily or periodic basis, the driver may be lulled into a false sense of security and continue driving at normal speeds, only to suddenly come upon construction activity. For this reason, the committee believes that action needs to be taken to keep construction warning signs up to date.

Continuation of Study

The Committee on Highway Safety recognizes that its suggestions and recommendations are only a step toward an effective accident prevention program for Colorado, and not the final answer. The committee urges thought, participation, and suggestions from members of the General Assembly and the community as a whole in working toward greater safety on the highways of the state. As population, technology, and traffic conditions change, constant reappraisal of all facets of our safety programs is needed. During the course of its study, the committee had neither the time nor the resources to review Colorado's needs for expanded driver education programs; for a critical analysis of highway engineering problems; for the evaluation of possible means of improving the examination of operators and chauffeurs; or the need for facilities to handle the problem of the alcoholic driver. Therefore the committee recommends continuation of a study of highway safety in Colorado.

COMMITTEE ON HIGHWAY SAFETY

Historically, highway safety legislation has been a matter of state concern rather than an area of Congressional action. However, with the adoption by Congress of the "National Traffic and Motor Vehicle Safety Act of 1966" (PL 89-563), and the "Highway Safety Act of 1966" (PL 89-564), the federal government will play a major role in shaping highway safety and, in particular, state highway safety programs. The National Traffic and Motor Vehicle Safety Act is designed to provide minimum standards of safety for all vehicles manufactured in the United States, as well as similar requirements for foreign imports. These standards will be applicable for new vehicles; however, Congress intends that by September of 1968, used vehicles also will be required to comply with certain minimum requirements. Perhaps a fundamental reason for federal action concerning the establishment of national standards for the manufacture of automobiles is based on the realization that independent action by the states to require safety standards could result in chaos and confusion for the manufacturers.

The second phase of Congressional action is in the area of state highway safety programs. Congress is encouraging the states to establish highway safety programs in conformance with minimum requirements to be established by the Secretary of Transportation. Congress hopes to improve driver performance through a program of standards for driver education, driver testing (mental and physical), and driver licensing. Federal requirements also will be provided for accident record systems; accident investigations to determine cause of deaths and injuries; vehicle registration, operation, and inspection; highway design and maintenance; traffic control; vehicle codes and laws; and detection and correction of high or potentially high accident locations.¹

Congress has appropriated a total of \$381,800,000 over a three-year period to implement the provisions of the two 1966 acts. Of this amount, \$325,000,000 is to be devoted to highway safety research and state and local safety programs; \$51,000,000 is to be used for setting safety standards for the manufacture of automobiles; and \$5,800,000 for tire safety standards. Monies available to state and local governments will be distributed 75 per cent according to population and 25 per cent at the discretion of the secretary. State and local governments are eligible for \$67,000,000 the first year and \$100,000,000 for each of the next two years.²

1. Section 402, "Highway Safety Act of 1966."
2. Report by Congressman James MacKay of Georgia, and Section 104 of the "Highway Safety Act of 1966."

Fundamentally, action by Congress involves a two-fold approach to reducing the economic and social loss posed by highway accidents. First of all, highway safety critics such as Horace Campbell and Ralph Nader have urged that deaths and injuries resulting from highway accidents may be reduced by providing, in part, safer compartments within a vehicle to reduce the impact of the so-called "second collision" in which the occupants are thrown against the inside of a vehicle. Adoption of vehicle safety standards may minimize the impact of accidents in the years ahead, even without a reduction in accident rates. The second phase of Congressional action simply is designed to strengthen existing safety programs within the states. This latter phase has been the primary concern of the Committee on Highway Safety.

Impact of Traffic Accidents

In the spring of 1966, the Colorado Legislative Council appointed a Committee on Highway Safety to review the need for legislation to assist in combating the sharp increase in deaths resulting from motor vehicle accidents. For example, as of May 2, 1966, 177 persons had died on Colorado highways since the first of the year, an increase of 52.6 per cent over the corresponding period for 1965. At the time of preparation of this report, the increase in motor vehicle deaths is approximately 15.6 per cent over the same corresponding period for 1965.³

Nationally, in the past fiscal year (July 1, 1965, to June 30, 1966) more than 50,000 persons were killed on the nation's highways despite a decline in the death rate based on miles traveled. The increase in deaths on the nation's highways may be attributed in part to the continued growth in population, since the population death rate for motor vehicle accidents has remained fairly constant over the years. For example, in 1947 there were 22.8 deaths per 100,000 population due to motor vehicle accidents, while the 1963 rate was 23.1. During this 16-year period a high rate of 24.1 deaths occurred in 1951 and a low rate of 20.8 was reached in 1961. Mileage death rates, on the other hand, have dropped fairly steadily from 8.8 in 1947 to 5.7 in 1964. There was a continual decrease in the mileage death rate from 1947 until 1961. Subsequently, the mileage death rate, nationally, rose from 5.2 in 1961 to 5.7 in 1964.⁴

The National Safety Council reports that seven out of ten highway deaths occur in places classified as rural, and for the most part the victims were occupants of motor vehicles. Based on the 1960 Census figures, those states with high population densities had relatively

3. Source: Colorado Highway Safety Council.

4. Review of Accident Facts, 1946-1965 editions.

low death rates while those with low densities had relatively high death rates. States with a density of more than 100 persons per square mile had an average mileage death rate of 4.5 in 1964 and an average population death rate of 18.5 whereas the national averages were 5.7 and 24.9 respectively. On the other hand, those states having densities of fewer than 20 people per square mile had significantly higher death rates with an average mileage death rate of 6.6 and an average population death rate of 31.9.⁵

The National Safety Council also estimates that, for 1964, the economic impact of motor vehicle accidents totaled \$8,100,000,000. Wage losses alone amounted to \$2,200,000,000, medical expenses \$500,000,000, and the overhead cost of insurance \$2,600,000,000. Although vehicle deaths per miles driven is dropping, the impact of 96,000,000 drivers (1964) on the nation's highways necessitates further reduction in social and economic loss due to highway accidents.

Driver Licensing Administration

Responsibility for administration of the licensing of motor vehicle operators and chauffeurs in Colorado is vested with the Motor Vehicle Division of the State Department of Revenue. The Motor Vehicle Division is one of five divisions of the State Department of Revenue and is responsible for the following functions: motor vehicle titling; vehicle registration; driver licensing, testing, and improvement; financial responsibility of motorists; accident records; vehicle inspection; and reciprocal agreements with other states. Although the Department of Revenue is vested with over-all authority for administration of licensing of motorists, counties are permitted to perform licensing functions (section 13-2-10, C.R.S. 1963). The counties may exercise this authority only in the event the county is authorized by the Director of Revenue. The 26 counties responsible for local driver licensing administration are listed as follows:

COUNTIES WHICH RETAIN RESPONSIBILITY FOR DRIVER LICENSING ADMINISTRATION

Adams	Douglas	Larimer	Rio Blanco
Arapahoe	Elbert	Lincoln	Sedgwick
Baca	Fremont	Mesa	Washington
Cheyenne	Gilpin	Montezuma	Weld
Custer	Hinsdale	Park	Yuma
Delta	Jefferson	Phillips	
Dolores	Kit Carson	Prowers	

5. Memorandum No. 5, Committee on Highway Safety, Colorado Legislative Council.

There are roughly 1,200,000 motorists in Colorado licensed by the Motor Vehicle Division. All operator and chauffeur licenses are issued every three years, with the exception of the minor operator's license which is issued for a two-year period. In 1965, county-operated driver licensing offices issued 173,104 operators' licenses or 48.2 per cent of the 358,509 operator licenses issued, and 17,679 chauffeurs' licenses or 47.6 per cent of the chauffeur licenses authorized (See Table I).

In the state-operated offices there were 139,668 written tests given in 1965, and 20.5 per cent or 28,650 applicants failed to pass the written test. In the county-operated offices there were 21,036 written test failures out of the 107,802 given; 19.5 per cent of the applicants in the county-administered offices failed to pass the written test. In the state-operated offices there were 9,910 driving test failures, or 14.1 per cent failures out of the 70,350 that were given. This compares with a 9.5 per cent driving test failure in the county-operated offices, where there were 5,701 test failures out of the 59,951 that were given. In the county-operated offices there were 678 vision test failures, or 40.2 per cent of the state total of 1,686 failures, and 1,423 physical test failures, or 41.3 per cent of the state total of 3,447 physical test failures (See Table II). In relation to the state-administered programs, the proportion of test failures for written tests, driving tests, and physical tests in the county-administered programs is lower than for the state-administered programs.

Administrative Staff

The State of Colorado employs 70 driver licensing examiners, while the counties employ a total of 96 driver examiners. Relating these figures to examinations given, the state-operated offices conducted 1,005 road tests for each examiner, while the counties administer 624 road tests per examiner. The relative number of written tests given per state examiner numbers 1,995, while county examiners gave 1,123 written tests for each examiner. The state also has five supervisory examiners and one principal examiner who is the chief of the driver licensing section of the Motor Vehicle Division. Salaries of state examiners are reported to range from \$386 per month to \$492 (after five years) and increases to \$517 after ten years.

Administration in Other States

Colorado is one of only four states which permit local administration of the driver licensing or driver testing programs. Hawaii delegates authority for licensing to county police departments and in two states (Idaho and Michigan) examinations are given by the county sheriff or other authorized agent. In the remaining 46 states, examination of driver license applicants is conducted by agents or appointees of state-administered offices. In 32 states, the examiners are agents of the motor vehicle department or the

Table I
MOTOR VEHICLE OPERATOR AND CHAUFFEUR
LICENSES ISSUED IN 1965

<u>TYPE OF LICENSE ISSUED</u>	<u>Number of Licenses</u>		<u>TOTALS</u>
	<u>STATE OPERATED OFFICES</u>	<u>COUNTY OPERATED OFFICES</u>	
MOTORSCOOTER LICENSES	968	2,086	3,054
MINORS LICENSES	3,661	7,624	11,285
INSTRUCTION PERMITS	23,630	18,135	41,765
OPERATOR LICENSES	157,146	145,259	302,405
TOTAL OPERATOR TYPE LICENSES	185,405	173,104	358,509
CHAUFFEURS LICENSES	19,452	17,679	37,131
REISSUES DUPLICATE LICENSES	15,942	11,200	27,142

Table II

DRIVER LICENSE EXAMINATIONS -- TEST RESULTS BY
STATE AND COUNTY OPERATED OFFICES FOR 1965

<u>TYPE OF EXAMINATION</u>		<u>STATE OPERATED OFFICES</u>	<u>COUNTY OPERATED OFFICES</u>	<u>STATE TOTAL</u>
WRITTEN TESTS GIVEN FOR	OPER.	124,946	96,523	221,469
WRITTEN TESTS GIVEN FOR	CHAUF.	14,722	11,279	26,001
WRITTEN TEST FAILURES	OP. LAWS	6,517	5,098	11,615
WRITTEN TEST FAILURES	OP. R.S.	17,973	13,237	31,210
WRITTEN TEST FAILURES	CH. LAWS	1,313	807	2,120
WRITTEN TEST FAILURES	CH. R.S.	2,847	1,894	4,741
DRIVING TESTS GIVEN		70,360	59,951	130,311
DRIVING TEST FAILURES		9,910	5,701	15,611
VISION TEST FAILURES		1,008	678	1,686
PHYSICAL TEST FAILURES		2,024	1,423	3,447
ORAL EXAMINATIONS		1,770	1,072	2,842
NAME AND/OR ADDRESS CHANGES BY EXAMINING OFFICES ONLY		55,686	52,843	108,529
PRE-DRIVING TEST VEHICLE INSPECTION FAILURES		1,780	445	2,225

motor vehicle division within a larger department. In nine states, the testing of applicants is conducted by the highway patrol or state police, while examinations are conducted by agents of the departments of public safety in Alaska, Georgia, Tennessee, Utah, and West Virginia. See Appendix A for a summary of state administration of driver licensing programs.

Administrative Expenses -- Driver Licensing Program

Operator and chauffeur license fees are supposed to finance the cost of licensing drivers in Colorado. Article X, Section 18, of the Colorado Constitution states:

On and after July 1, 1935, the proceeds from the imposition of any license, registration fee or other charge with respect to the operation of any motor vehicle upon any highway in this state and the proceeds from the imposition of any excise tax on gasoline or other liquid motor fuel shall, except costs of administration, be used exclusively for the construction, maintenance, and supervision of the public highways of this state.

The constitution would appear to prohibit the use of license fees for revenue raising purposes to finance programs other than construction, maintenance, and supervision of the highways. The counties which perform licensing functions retain \$1.50 of the \$2.25 fee collected for each operator's license issued, and \$2.00 of the \$5.25 fee for each chauffeur's license. The remaining monies are deposited in the state treasury and credited to the Highway Users Tax Fund. The entire costs of administration of the Motor Vehicle Division are, of course, financed from the Highway Users Tax Fund.

For 1965 the total operator and chauffeur license fees collected in Colorado amounted to \$929,815. In the 28 counties which administered their own programs, the revenue total was \$442,923, while fees collected in the state operated offices amounted to \$486,892 (See Table III). The Department of Revenue estimates that the current cost of administration in the 38 state-administered offices is \$627,971. Thus administrative costs in state-operated offices far exceeded license fees collected. Since three additional counties have been added to the state-administered offices in 1966 -- Logan, San Juan, and Yuma -- fees collected in these offices should be added to the total fees collected in the state-administered offices before a comparison of fees collected to current administrative costs is made. An additional \$14,417 in fees for the aforementioned counties must be added to the state-operated total, providing a total collection of \$501,309 in license fees. On this basis, the administrative costs of the state-operated offices exceeded license fee collections for 1965 by roughly \$126,662. In other words, administrative costs are 125 per cent of license fees collected in state-administered offices.

Table III

DATA COMPILED FROM STATE OPERATED OFFICES SHOWING NUMBER
OF PERSONNEL EMPLOYED, AND THE AMOUNT AND DISPOSITION
OF FEES COLLECTED AS OF DECEMBER 31, 1965

<u>County</u>	<u>Examiners</u>	<u>Clerks</u>	<u>Fees Collected and Deposited State Fund</u>	<u>Combination of Counties for State Operation</u>
Bent	1	2	\$ 3,977	Bent and Kiowa
Boulder	5		49,598	
Chaffee	1		5,142	
Clear Creek	1		1,883	
Denver	25	5	190,513	
Eagle	1		2,364	
El Paso	9	2	83,223	El Paso and Teller
Garfield	1		8,173	
Grand	1		3,615	Grand and Jackson
Gunnison	1		3,743	
Lake	1		5,762	Lake and Summit
La Plata	2		10,776	La Plata, San Juan, and Archuleta
Las Animas	1		6,310	
Moffat	1		3,764	
Montrose	1		7,670	
Morgan	2		10,558	
Otero	2	1	13,325	Otero and Crowley
Pitkin	1		2,897	
Pueblo	7	1	50,427	Pueblo and Huerfano
Rio Grande	4		16,459	
Routt	1		3,344	
San Miguel	1		3,369	
	<u>70</u>	<u>II</u>	<u>\$ 486,892</u>	

License fee collections for 1965 in the present county-administered offices amounted to \$428,506 (excluding Logan, San Juan, and Yuma). The Department of Revenue estimates that the cost of state administration of these county offices would be \$354,244. The projected cost of administering the county-administered offices would be less than fees collected by about \$74,262, or 80 per cent of fees collected. This latter figure is substantially less (45 per cent) than the current state administrative costs for the state-operated offices.

County Administrative Costs. At the request of the committee, letters were sent to the counties asking for figures on the actual cost of operating driver testing programs. These figures are contained in Table IV. Twenty counties returned the questionnaire giving information on the actual costs of operating driver licensing programs. In general, the administrative expenses in the larger counties exceeded the amount of the license fees retained by the counties. In only one instance, Yuma County (now state-administered), did the administrative costs exceed total license fees. For example, administrative costs for operating the driver testing program in Adams County amounted to \$61,060, while license fees retained by the county amounted to only \$55,494; Arapahoe County costs were \$64,128 compared to fees retained of \$57,873; Logan County costs were \$8,344 compared to fees retained of \$6,332; and in Weld County administrative expenses amounted to \$32,710, while fees retained amounted to \$21,855. Generally, fees retained for motor vehicle driver testing were sufficient to cover administrative costs in most of the smaller counties. The total administrative expenses of the counties exceed the county's share of license fees by \$26,383; county fees retained amounted to \$292,720 and administrative expenses were \$319,103.

Although the total reported costs of county administration exceeded the counties' share of license fees, the reported administrative costs of the counties were far less than the total license fees levied. License fees in county-administered offices amounted to \$442,923, while administrative costs were only \$319,103. (See Table IV.) Estimated county administrative costs were 72 per cent of fees collected, compared to 125 per cent for administrative costs in the state-operated offices. Staff estimates for total county administrative costs are based on a comparison of license fees collected and population ratios of the respective counties.

If the state assumed administrative responsibility for the county licensing program, the department estimates that about \$38,500 would be needed for a one-time capital outlay in order to acquire equipment necessary for an efficient operation. This would include such items as desks, tables, typewriters, automobiles, uniforms, etc. No estimate has been made for the major costs of acquiring rental space and related services. The projected cost of staffing the remaining locally-controlled offices is \$354,244. Thus the total cost of a program of state administration of the driver licensing program in Colorado is \$982,215. In comparison, the

Table IV

REPORTED COST TO COUNTIES WHICH OPERATE
THEIR OWN DRIVER LICENSE PROGRAMS

<u>County</u>	<u>Total Operator and Chauffeur License Fees</u>	<u>Total License Fees Retained by County</u>	<u>No. of Examiners and Clerks</u>	<u>Reported Administrative Cost</u>
Adams	\$ 84,735	\$ 55,490	13	\$ 61,060
Arapahoe	84,892	57,873	15	64,128
Custer	699	454	2	---
Delta	8,776	5,747	2	4,760
Douglas	3,325	2,130	1	2,250
Elbert	1,830	1,102	2	1,480
Fremont	8,549	5,703	1	4,461
Gilpin	649	405	2	752
Hinsdale	118	73	1	80
Kit Carson	4,588	2,804	3	NA
Lincoln	2,834	1,765	1	2,220
Logan*	10,195	6,332	2	8,345
Mesa	27,264	17,640	5	16,652
Park	1,044	645	0	900
Phillips	2,349	1,567	3	507
San Juan*	204	131	1	131
Sedgwick	1,902	1,305	3	1,082
Washington	3,096	1,961	2	50
Weld	33,363	21,855	9	32,710
Yuma*	4,014	2,630	1	4,304
Subtotal for counties report- ing administra- tive costs.	\$ 284,426	\$ 187,612	69	\$ 205,873

Table IV
(continued)

ESTIMATED ADMINISTRATIVE COSTS TO COUNTIES NOT REPORTING
INFORMATION ON OPERATION OF DRIVER LICENSE PROGRAM

<u>County</u>	<u>Total Operator and Chauffeur License Fees</u>	<u>Total License Fees Retained by County</u>	<u>No. of Examiners and Clerks</u>	<u>Reported Administrative Cost</u>
Baca	\$ 3,566	\$ 2,276	3	\$ NR
Cheyenne	1,541	1,003	2	NR
Dolores	1,168	753	3	NR
Jefferson	99,747	67,098	16	NR
Larimer	34,751	22,824	8	NR
Montezuma	7,589	4,734	2	NR
Prowers	6,960	4,423	1	NR
Rio Blanco	<u>3,175</u>	<u>1,997</u>	<u>4</u>	<u>NR</u>
Subtotals for counties not reporting admin- istrative costs.	\$ 158,497	\$ 105,108	39	Estimated Total \$ 113,230**
Total for all 28 counties	\$ 442,923	\$ 292,720	108	\$ 319,103

*State operated in 1966

NP Information not reported

**The estimated administrative costs of the eight counties not reporting their actual administrative costs is calculated on two bases. First-of-all, the administrative costs are projected on the basis of population ratios. Total population of the counties reporting figures on actual costs is 533,550, while the population of the counties not reporting is 287,525, or 53.8 per cent of the population of the 20 counties reporting. Secondly, a percentage of the fees retained by the counties for both groups is calculated in a similar manner at 56 per cent. Averaging the two percentages, the estimated administrative costs of the counties not reporting is 54.9 per cent of costs in counties reporting or \$113,230.

average annual income from license fee collections over the past three years, for both the state and counties, is \$1,003,838. Based on the department's estimates, revenue from present license fees appears to be sufficient to cover the cost of state administration despite the fact that costs in the state-operated offices exceed current license fee collections.

Driver Licensing Procedures

An applicant for a license to operate a motor vehicle in Colorado must provide proof of identity and age (when required). A check is then made by the department to determine whether the applicant is under suspension, revocation, or denial either in this state or any other state. The first examination is the written test, which is designed to measure a person's understanding of traffic laws, driving regulations, safe driving procedures, and road signs. The second phase of the complete examination is the visual test. The visual test is required of all persons renewing their driver license as well as new applicants. The visual test measures acuity, color differentiation, and depth perception. Prior to the third and final test phase, the road test, an applicant is fingerprinted, photographed, and pays his license fee.⁶

The driving skill test is designed to measure the applicant's natural abilities, strength, muscular coordination, etc., which have a bearing on his ability to operate and control a vehicle. The driving test also affords the examiner an opportunity to observe and evaluate the applicant's ability to execute and solve road problems, based on traffic laws and driving regulations. The road test measures the ability of an individual to place and maneuver his vehicle into the proper position on a street or highway; his ability to observe properly and comply with any traffic control, sign, signal, or other device; and gives the examiner an opportunity to observe and evaluate the applicant's ability to meet and solve traffic problems in coordination with the presence of pedestrians, obstacles, and other moving traffic.

Outlined below are the reasons for denying an individual a driver's license:⁷

1. failure to meet minimum age requirements;
2. any person adjudicated as being mentally incompetent and who, at the time of application, has not been legally restored to competency;

6. Colorado Drivers' Examiner Manual, compiled by the Motor Vehicle Division.

7. Section 13-4-13, C.R.S. 1963, as amended.

3. any person whose license or driving privilege has been suspended, revoked, or denied; until such suspension, revocation, or denial has been lifted by proper authority;

4. any person not able to operate a motor vehicle without endangering the safety of other users of the streets and highways;

5. any person failing to prove financial responsibility as required by the Colorado Safety Responsibility Law;

6. any person who fails the road sign knowledge test and/or the traffic law and driving regulation test;

7. any person failing to meet the established standards of the vision test; and

8. any person adjudged an habitual drunkard or addicted to the use of narcotics.

Re-examination of Drivers. The examination for renewal applies only to any Colorado operator or chauffeur whose license is due to expire within a 90-day period. If the operator's license has expired, the examiner must conduct a complete examination as outlined for a new license. When an applicant for renewal states that he was convicted of any one or more moving traffic violations having a point-system value of three or more points during the license period, then the applicant is required to pass the written part of the driver license examination.

Renewal of a license that has not expired does not require that a driving test be given in all cases. The examiner, if he feels that there is need, may require the applicant to demonstrate his driving ability before the license can be renewed. In determining need for a driving test the examiner must take into consideration the following: (1) the applicant's physical condition which includes his vision; (2) the applicant's past driving record such as may indicate incompetence; and (3) the applicant's literacy or language problem which would indicate that the applicant may have difficulty in observing and complying with traffic regulation signs or signals. The driving test that is given for renewal is designed for and required when there is a bona fide need for further investigation of a driver's ability to drive safely according to law.⁸

8. Section 13-4-10, C.R.S. 1963, as amended.

The Department of Revenue may require a licensed driver to be re-examined upon evidence indicating that he is incompetent or otherwise unqualified to be licensed. Upon the conclusion of such examination the department must take such action as may be appropriate and may deny, cancel, suspend, or revoke the license of such person, or permit him to retain such license subject to restrictions. Refusal or failure of the licensee to submit to such examination is grounds for suspension or revocation of the license issued to that person.⁹

Re-examination of Motorists in Other States

The Uniform Vehicle Code suggests that state laws authorize respective driver licensing agencies to conduct re-examinations of persons applying for renewal of their driver licenses. Mandatory testing of any or all aspects of the driver examination is not recommended by the code. Colorado law goes one step further than the Uniform Vehicle Code in that an eye test is mandatory. Colorado law is similar to the code in that an applicant for renewal of a license must submit to further testing in the event the applicant has acquired any physical limitations or a poor driving record. Thirteen other states also provide for some type of mandatory re-examination of persons renewing their driver licenses (see Table V). Two states -- Indiana and North Carolina -- provide that all applicants for renewal of a license must complete a mandatory re-examination every four years. Both states, however, permit renewal of chauffeur licenses without examination. The states of Alaska, Illinois, Maine, and New Hampshire limit mandatory testing to older drivers, that is, persons ranging in age from 69 to 75 years or older are re-examined in these states.¹⁰

Estimated Costs of Mandatory Re-examination of Colorado Drivers

The Revenue Department estimates that the expense of maintaining an individual examining officer may be computed on the basis of seven cents per minute. Applying this time period to a written examination, the department believes that a written test may be administered at a cost of roughly 35 cents. A road test, on the other hand, averages about 15 minutes, resulting in an estimated cost of about \$1.05. Total cost for administering both tests is roughly \$1.40 per examination. (These figures do not include overhead costs and other miscellaneous clerical costs.)

9. Section 13-4-10, C.R.S. 1963, as amended.

10. Traffic Laws Commentary, July 6, 1966, National Committee on Uniform Traffic Laws and Ordinances.

Table V

STATE LAWS PERTAINING TO RE-EXAMINATION PROVISIONS FOR MOTORISTS*
Discretionary (D) or Mandatory (M)

State	Comprehensive Test	Individually For Cause	On Specific Items	Post Re-vocation	Post Suspension	General Provision	Specific Grounds
UVC	D	-	-	M	-	D	-
Alabama	D	-	-	M	-	D	-
Alaska	D, M-age 70	-	-	M	-	D	-
Arizona	D	-	-	M	-	D	-
Arkansas	D-chauffeurs	D-operators	-	-	-	D	-
California	D	-	-	-	-	D	D
Colorado	-	D	M-vision	M	-	D	-
Connecticut	-	-	-	-	-	-	-
Delaware	D	-	-	-	-	-	M
Florida	-	D	-	-	M	D	D
Georgia	-	-	-	-	-	-	-
Hawaii	-	-	-	-	-	-	-
Idaho	-	-	-	-	-	-	-
D-chauffeurs ¹	-	-	-	-	-	-	-
D-operators	-	-	-	-	-	-	-
M-chauffeurs	-	-	-	-	-	-	-
D, M-age 69	-	-	-	M	-	D	-
Illinois	M ²	D ²	M-vision ²	-	-	D	-
Indiana	-	M	M-vision	-	-	D	-
Iowa	-	M	-	M	-	D	-
Kansas	-	-	-	M	-	D	-
Kentucky	-	-	-	M	M	-	-
Louisiana	D	-	-	-	-	-	-

*Traffic Laws Commentary.

- Operators do not have to renew licenses.
- Examination, including eye test, is required every four years, for operators only. Examination of chauffeurs is authorized "for cause."

Table V
(continued)

State	Comprehensive Test	Individually For Cause	On Specific Items	Post Re-vocation	Post Suspension	General Provision	Specific Grounds
Maine	D, M-age 75	-	-	M	M	-	-
Maryland	-	-	-	-	-	-	-
Massachusetts	-	-	-	M	M	-	-
Michigan	D	M	-	-	-	D	D
Minnesota	D-chauffeurs	D-operators	-	-	-	D	-
Mississippi	-	-	-	-	-	-	-
Missouri	-	M	M-vision	-	-	D	-
Montana	D3	-	M-vision	M	M	D	-
Nebraska	-	-	-	M	M	D	D
Nevada	-	D	M-vision	-	-	D	-
New Hampshire	M-age 75	D	-	D	M5	D	-
New Jersey	-	-	-	-	-	-	-
New Mexico	D	-	-	M	-	D	-
New York	-	-	M-vision ⁴	-	-	D	D
North Carolina	M-operators D-chauffeurs	-	-	-	-	D	-
North Dakota	D	-	-	M	-	D	-
Ohio	D	-	-	-	-	D	-
Oklahoma	-	D	-	M	M	-	-
Oregon	D	M	-	-	D	D	-
Pennsylvania	D	-	-	-	-	D	-

3. But examination may not be required if applicant has successfully completed such an examination within the preceding five years.
4. Required every nine years rather than at each license renewal.
5. See discussion in text under "Post-suspension Re-examination."

Table V
(continued)

<u>State</u>	<u>Comprehensive Test</u>	<u>Individually For Cause</u>	<u>On Specific Items</u>	<u>Post Re-vocation</u>	<u>Post Suspension</u>	<u>General Provision</u>	<u>Specific Grounds</u>
Rhode Island	-	D	-	-	-	D	-
South Carolina	-	D	-	M	M, D ⁵	-	D
South Dakota	-	M	M-vision	M	-	D	-
Tennessee	-	D	-	M	D	D	-
Texas	D-chauffeurs	D-operators	-	-	-	D	D
Utah	D	-	M-vision	M	-	D	-
Vermont	-	-	-	-	M	D	-
Virginia	D	M	-	-	-	D	M
Washington	D	M	-	M	-	D	-
West Virginia	D	-	-	M	-	D	-
Wisconsin	-	D	-	-	-	D	-
Wyoming	D	-	-	-	-	D	-

5. See discussion in text under "Post-suspension Re-examination."

It would appear that if the driver examination is required for each person renewing his driver license, clerical costs would not increase to any significant degree; however, the examiner's time in the administration of the driver license program would increase substantially. For example, in 1965 the department reports that a total of 395,640 licenses was issued. For this period, 130,311 road tests were given or three road tests for every ten persons applying for or renewing an operator's or chauffeur's license. Mandatory testing would require an examination for each license issued, plus additional examinations for persons failing the tests.

In attempting to relate the number of examinations given to the number of licenses issued, consideration needs to be given to the number of persons failing the examinations. Approximately 12 per cent of the persons taking the road test in 1965 failed the examination. Undoubtedly, if all persons were required to take the test, the percentage of failures would be lower. If the persons who were not obliged to take the road test actually were required to pass a road test, perhaps only three per cent of these persons would have failed the exam. In this event, if all the applicants for a driver license or for a renewal of their driver license were required to complete a road test, approximately 420,000 road tests would have been given in 1965. In other words an additional 290,000 applicants would have been required to complete a road test. The additional cost of administering these tests in 1965 would have amounted to about \$304,500.

There were substantially more written tests given than road tests in 1965; total written tests administered amounted to 247,470. Roughly 20 per cent of the persons taking the written examination failed to pass the test. If all persons applying for or renewing their licenses were required to take a written test, and approximately ten per cent of these persons failed the written test, the department would have had to administer a total of 465,000 written tests in 1965. With this in mind, an additional 218,000 written examinations would have been given by the department in 1965 at a cost of roughly \$76,300.

The estimated cost of administration of the state and county operated driver licensing offices in 1965 is \$947,000. The additional cost of a written examination and road test for all persons applying for a license or renewing their driver licenses would be about \$380,800; total cost of a driver licensing program involving re-examination of all drivers every three years, based on 1965 figures, is \$1,327,800. Excluding additional overhead costs for space, clerical assistance, etc., the cost of mandatory re-examination involving present programs could be covered by an additional fee of \$1.00 per license.

Licensing of Motorcycle Operators

Testimony at public hearings held by the committee urged consideration for the special licensing of individuals to operate a motorcycle or motor scooter. Most persons agree that, in order to qualify for the operation of an automobile or truck, a person should be required to demonstrate competence. This is not the case with respect to motorcycles, however. Any person holding a valid operator's or chauffeur's license is authorized to drive a motorcycle on Colorado highways. Only eight states require specific licensing of motorcycle and motor scooter operators: New York, New Jersey, Michigan, Massachusetts, Rhode Island, Delaware, Oregon, and Vermont. Two of these states -- New York and New Jersey -- also issue learners' permits for motor scooter and motorcycle operators.

The New Jersey law simply provides that a separate license is required to operate a motorcycle. An individual must be 17 years of age to obtain a license and successfully complete a written examination as well as demonstrate competency in the operation of a motorcycle. Licenses are issued for a period of 36 months, and the license fee is \$2.50. Learners' permits are issued for a 60-day period for a fee of \$2.00.¹¹

The 1965 session of the New York Legislature adopted a measure requiring operators of motorcycles to pass "a driving examination to be conducted on a motorcycle." The applicable section of the statute reads as follows:¹²

On and after October first, nineteen hundred sixty-five, the commissioner shall cause to be issued a special license for persons to operate motorcycles. Applicants for such a license shall furnish such proof of his fitness to operate a motorcycle as the commissioner shall in his discretion determine, which shall include such applicants passing a driving examination conducted on a motorcycle. Nothing herein contained shall affect or impair any license issued prior to...

11. Section 39:3-10, New Jersey Statutes Annotated.

12. Part 62A, Art. 19, Sec. 503, McKinney's Consolidated Laws of New York.

Motor Vehicle Condition And Equipment

State Inspection

Nineteen states have adopted inspection of motor vehicles in an attempt to remove unsafe vehicles from the highways. Fifteen of these states provide for periodic inspection by statute, and, of this group, six states -- Colorado, Maine, Massachusetts, New Mexico, Pennsylvania, and Vermont -- require motor vehicles to be inspected at least twice each year. (The Motor Vehicle Commissioner in New Mexico may require as many as three inspections per year.) The remaining nine states provide for annual inspection of vehicles: Delaware, Georgia, Louisiana, Mississippi, North Carolina, Rhode Island, Texas, Utah, and West Virginia. Of the aforementioned states with annual inspections, Louisiana, Mississippi, Rhode Island, and Utah permit bi-annual inspections at the discretion of the responsible administrative agency.¹³

For the most part, the period for the inspection is selected by the administrative agency; however, Colorado, Delaware, North Carolina, and Vermont statutes establish periods in which the inspections are to take place. Delaware and North Carolina provide inspections on a 12-month basis commonly referred to as "staggered inspections." In Delaware, the inspections must be made prior to the time the vehicle is registered. Registration in Delaware may be obtained for a six-month or 12-month period, and vehicles must be inspected prior to renewal of the registration. North Carolina's program establishes inspection periods based on the last digit of the license plate.¹⁴ The date of inspection is recorded on the inspection certificate and is valid for one year from that date. Owners of vehicles purchased following an inspection period are required to obtain an inspection certificate within ten days of purchase.

Inspection Stations. Only two states (New Jersey and Delaware) own and operate their own inspection stations. Sixteen states, including Colorado, license and supervise privately-owned stations to conduct official inspections, while the statute in Massachusetts permits the registrar to establish provisions for inspections rather than simply specifying the licensing of inspection stations.

13. Survey of state laws.

14. Section 20-183.2, General Statutes of North Carolina, 1965 Replacement.

Motorcycle Equipment and Inspection

Motorscooters and motorcycles are subject to Colorado safety inspection requirements as provided by Section 13-5-113, C.R.S. 1963. According to Mr. William Cassell of the Motor Vehicle Division, inspection station operators are not required to have any special knowledge of motorcycle mechanics in order to obtain an inspection license. Most inspection stations are licensed to inspect both motor vehicles and motorcycles; however, a small number of inspection stations are licensed only for the inspection of motorcycles. Motorcycle dealers and sellers are licensed to inspect motorcycles upon application for a license. The inspection must include an inspection of the lights, tail light, stop lamp, rear view mirror, horn, brakes, steering assembly, exhaust system and mufflers, and any other equipment, the proper functioning of which is found to be necessary for the safe operation of the cycle.

Pursuant to provisions of the "New York Vehicle and Traffic Law," the operator of every motorcycle shall permit any policeman, police officer, or other person exercising police powers to inspect the equipment of such motorcycle and make such test as may be necessary to determine whether the provisions of the statute are being complied with. Section 390 of the "New York Vehicle and Traffic Law" provides for the inspection of motor vehicles and motorcycles to detect inadequacy of equipment, overloading, and other violations of law governing the use of motorcycles.

"Staggered Inspection Program" for Colorado

Colorado law provides that motor vehicle inspections be conducted for 60-day periods in April and May as well as October and November. A "staggered inspection program," on the other hand, would provide for continuous inspections throughout the year, with approximately one-sixth of the motor vehicles in the state being inspected each month. In other words, all vehicles would continue to be inspected twice per year, but on a rotating basis. Based on testimony presented to the committee, a "staggered inspection program" would provide a number of advantages:

- 1) Heavy seasonal workloads for inspection stations would be eliminated.
- 2) The terrific volume of vehicles inspected prior to current deadlines would be reduced.
- 3) Rush periods also would be of shorter duration, permitting more time for inspection of safety and smog control devices.
- 4) The department would have more opportunity to enforce proper inspection procedures, since the program would be in continuous operation.

On the other hand, the "staggered inspection program" would not provide any more inspections than the number currently being made, with the result that deficient vehicles would continue to operate on the highways between inspection periods. The present system of enforcement, in which patrolmen may easily spot vehicles without a sticker or the proper sticker could be jeopardized by monthly inspections. A variety of colors or numbers would have to be employed which could be confusing and reduce the ease of checking moving vehicles.

Other arguments opposing a "staggered program" include:

- 1) Accounting and processing problems would increase, because personnel are now shifted from other sections to handle peak-loads during the inspection periods.
- 2) Phasing in of a staggered inspection program would be difficult.
- 3) Since stickers would need to be issued each month, the problem of controlling the issuance of stickers would be magnified.
- 4) Many dealers now inspect their own vehicles, and with the "twelve-month system," they might have to reinspect the same car several times before it is sold in order to keep the inspection sticker current.
- 5) Small operators now hire temporary help to cover inspection periods. Many of these operators could not afford to hire additional help on the full-time basis needed to meet the demands of the proposed program.

At the July 15 meeting of the committee, John Heckers, director of the Department of Revenue, reported that the primary problem of the current program, the rush periods, may be alleviated by a campaign to encourage motorists to obtain stickers at an earlier date.

Implementing a "Staggered Inspection System." Implementing a "staggered inspection system" poses a problem for the revenue department. Several methods have been suggested and are outlined below. If legislation were enacted in the 1967 session, implementation of a program probably would begin during the fall inspection period of 1967. Some type of arbitrary determination would need to be made to notify owners of the month in 1968 in which the "staggered program" would be applicable to them. This could be accomplished in two ways: 1) the owner would be assigned a period by the inspection operators, or 2) the department simply could announce the date of 1968 inspections according to some system. For example, the date of purchase of vehicles is recorded on the registration card; inspection of the vehicle could be based on the month of purchase of the vehicle.

Perhaps a dual number system could be employed. This suggestion involves the use of two large numbers on the inspection sticker. The first number would indicate one of the six months following January 1, 1968, in which the owner or operator must have the vehicle inspected, and the second number would indicate one of the latter six months for inspection purposes. For example, the first number on the left side of the sticker might be a "2," indicating that the current sticker expires and must be renewed during the month of February. The second number, on the right side of the sticker, would then be an "8," indicating the month of expiration of the current sticker and that the vehicle must be inspected again during the month of August.

Another suggestion, which is similar in nature to the number system, involves the use of different colored inspection certificates. The color would indicate one of the first six months of the year in which the vehicle must be inspected. A new sticker would be issued at this time indicating the period in the latter six months of the calendar year in which inspection must take place.

Initial Determination of Expiration Period. Inspection stickers are purchased in advance by the inspection station operators, based on the estimated number of vehicles to be inspected. Since the operators are not permitted to refund unused stickers, this procedure may need to be reviewed if the General Assembly adopts a "staggered inspection program." Regardless of the means employed for selecting initial inspection periods in 1968, estimating the number of inspection stickers to be used each month could be difficult for the inspection station operators. To alleviate this problem, perhaps some type of credit system could be employed in which an operator would not be required to sustain a loss for unused stickers.

Tire Standards

Organizations and people interested in highway safety have recently expressed concern over the condition of tires which are being used on automobiles. In the "National Traffic and Motor Vehicle Safety Act of 1966," Congress provides for the establishment of minimum federal standards for tire performance and, by 1968, a uniform grading system for tires. The Vehicle Equipment Safety Commission¹⁵ has promulgated minimum performance requirements and

15. The Commission was established pursuant to a joint resolution of the Congress relating to highway traffic safety, approved August 20, 1958 (72-635).

uniform test procedures for new tires for passenger cars and station wagons. Maryland, Florida, and New Jersey have recently adopted measures which comply with the standards provided by the Vehicle Safety Equipment Commission. The tire manufacturers also have agreed to comply with the adopted standards in these states.

In view of the federal legislation with respect to new tires, the problem facing most states is in respect to worn tires. In other words, if the tread design depth in a major tread groove does not meet a certain specified measurement; if the tire is badly bruised; if the tire has bumps, bulges or is cut, cracked, and has a fabric break, then the tire is defective, and the owner of the automobile should be required to have it replaced or repaired.

Although there is no specific criteria in Colorado law for the inspection of pneumatic tires (see subsection 13-5-113 (2), C.R.S. 1963, 1965 Permanent Cumulative Supp.), department regulations provide a minimum standard which must be met in order to pass inspection:

"Tires shall not have any fabric breaks, boots or other inserts; shall not be so worn as to show any fabric."

Another method of handling the problem of used or worn tires is to provide the highway patrol with the authority to notify drivers of the unsafe condition of the car tires as determined by visual inspection, and to require the driver, upon such notification, to adjust, replace or repair the tire or tires within a specified time. A Pennsylvania statute provides that it "...shall be unlawful for any person to operate any vehicle...with tires or a tire showing breaker strips, cushion gum or fabric." The owner or operator of a vehicle, upon notification by a police officer that the tires or tire "... does not conform to the requirements of this act, or are unsafe or unfit, or in need of correction, adjustment or repairs, shall be allowed 48 hours within which to adjust, repair or replace such tires or tire to conform with the requirements of this act" (Purdon's Penna. Sta. Anno., 75-841). Connecticut and Massachusetts have similar provisions.

The state of Pennsylvania has recently (1965) provided that no tire shall be deemed to be in safe operating condition if such tire has:¹⁶

"...(1) Been repaired by use of a blow-out patch or boot.

(2) Tread cuts or snags in excess of one (1) inch in any direction as measured on the outside of the tire and deep enough that

16. Purdon's Penna. Stat. Anno., 75-841, as amended, 1965, by H.B. No. 1963.

the body cords are visible when the tire is inflated to the operating pressure recommended by the manufacturer.

(3) Sidewall scuff cuts or snags to the extent that body or cords are damaged.

(4) Any bump, bulge or knot apparently related to tread or sidewall separation or failure or partial failure of the tire.

(5) When measured in a major tread groove, at, or near the center of the tire, at two points of the circumference where the tread is thinnest, but not closer than fifteen (15) inches, by a tread depth gauge calibrated in thirty-seconds of an inch, the tread design depth is less than two-thirty-seconds ($2/32$) of an inch at both locations. Such measurements shall not be made on a "tie-bar." If the tread depth measures not less than two-thirty-seconds ($2/32$) of an inch at either of the locations measured, the tire shall be considered as meeting the depth requirements.

(6) Been rejected by the manufacturer or by the secretary.

(7) Been regrooved and is being used on a passenger type automobile, suburban motor vehicle or motorcycle, excepting however, such special service tires which are designed and manufactured for use on such vehicles as taxi-cabs and originally intended to be regrooved for safety purposes, or otherwise has been reworked in a manner making the tire unsafe for the conditions under which it is used."

The same statute provides that no tires will pass the inspection process if they are of a smaller size than that listed by the manufacturer as standard or optional equipment.

The Rubber Manufacturer's Association (RMA) has recommended visual inspection procedures applicable to tires in use on the highway. The procedure may be used to inspect mounted tires, rims and wheels at any location, service garage, tire dealer, state highway inspection station, or by policing authorities. Causes for tire rejection include the following: 1) any tire worn to the point where less than $1/32$ of an inch of tread design depth remains in a major tread groove, or where any part of the ply or cord is exposed; 2) any tire which has a fabric break or which has been repaired temporarily by the use of blowout patches or boots; 3) tread cracks, cuts or snags in excess of one inch and deep enough to expose the body cords; 4) sidewall cracks, scuffs, cuts or snags to the extent that body cords are damaged; 5) any tire which has any bump, bulge or knot apparently related to tread or sidewall separation, or partial failure of the tire structure; and 6) any tire which has been regrooved or re-cut below the original tread design depth (see Appendix C).

All tire valves should be in good condition and equipped with valve caps. Any loose, bent, cracked, or otherwise damaged wheel or

rim should be rejected for inspection. Similarly, any loose, missing or otherwise defective bolt, nut, or lug should be rejected for inspection.

Seat Belts

Perhaps the best testimony for the effectiveness of strapping persons into their seats is that presented by persons who race automobiles and test cars professionally. A dramatic illustration of the advantage of seat belts is that presented by an accident involving Sir Donald Campbell. While speeding at better than 300 miles an hour on the Bonneville Salt Flats, his Bluebird II was hit by crosswinds. The machine hurtled through the air for about 300 yards, rolled over three times and slid for another 80 yards. Yet Campbell, held in place by his belt and shoulder harness, suffered only a hairline fracture as his head struck the cockpit. Following this crash, he is reported to have said: "that if man can survive a 300 mph crash, broken bodies on the highways are quite unnecessary."¹⁷

Twenty-three states currently require the installation of seat belts on new passenger automobiles being sold or registered within their jurisdiction. All of these states require the installation of two belts in the front seats, and New York has gone further in requiring belts in both the front and rear seats on 1967 and later models. Further, New York law provides that rental cars of a 1963 or later model must have seat belts installed in both the front and rear.

The statutes in all 23 states except Minnesota provide that the cars cannot be sold or registered in the state unless belts are installed. However, Minnesota provides that all new private passenger vehicles must be equipped to permit the installation of two seat belts in the front seat. Then the belts must be installed within 30 days of registration of the vehicle. Thus, in Minnesota, the responsibility for installation of the belts is left to the buyer.

One state, Illinois, requires installation of belts in new vehicles with the provision that all 1961 or later models must be equipped with seat belts by March 1, 1966. New cars were not required to be equipped with belts until 1964 in Illinois. No other state requires installation of seat belts in older vehicles.

17. Mahoney, Tom, "A Seat Belt Could Save Your Life," Traffic Safety, March 1961, National Safety Council.

Use of Belts. At least four states (Iowa, Minnesota, Tennessee, and Virginia) have provisions regarding failure to use the belts once they were installed. The laws in these states specifically provide that failure to use the belts may not be used as evidence of negligence in property damage and personal injury suits. Iowa's law specifically states that failure to use seat belts can not be considered a crime or public offense. In addition to these provisions, Montana and Wisconsin took measures to insure that the buyer would not remove the seat belts after he bought the car. Thus, two states require by statute that the belts must remain in the vehicle.

Standards. Besides requiring the installation of seat belts, states require that the belts must meet certain minimum standards. Most commonly, the standards must conform to the specifications of the Society of Automotive Engineers (S.A.E.) as a minimum requirement. A few states do detail the specifications in the statutes, but such specifications have been generally adapted from the S.A.E. standards. California's requirement is that the belts conform to the standards set up by the Civil Aeronautics Administration (now the Federal Aviation Agency). Generally, the statutes authorize a department to adopt standards within the limits cited above. The department may be the Motor Vehicle Department, Highway Patrol, Highway Department, or Department of Safety, depending on the state.

Five states (Arkansas, New Hampshire, Ohio, Oregon, and Utah), which do not require that seat belts be installed, do regulate the sale of seat belts by setting up standards which must be met by any seat belt sold in the state. Such standards are similar to those of the states requiring installation.

Although not requiring the installation of seat belts, Kentucky and Ohio require that suitable anchorages must be provided in new automobiles so that seat belts can easily be installed.

Reflectorized License Plates

Twenty-two states plus the District of Columbia now use reflectorized plates on registered vehicles. (See Table VI for a list of the states.) Maine was the first state to adopt reflectorized plates (1949) followed by Delaware (1950), Louisiana (1953), and Minnesota (1956). There has been a significant increase in the past few years, with 14 states adopting reflectorized plates since 1960. Studies have been conducted regarding the effectiveness of reflectorized materials for license plates. The reports are favorable for the most part, particularly with respect to assisting law enforcement.

Benefits For Law Enforcement. Reflectorized license plates may benefit law enforcement in the following ways:

- 1) Reflectorized materials illuminate license plates at night to a degree that the numerals may be identified easily. This

Table VI

STATES WHICH USE REFLECTORIZED LICENSE PLATES

<u>State</u>	<u>Year in Which Reflectorized Plates Were Adopted</u>
Alabama	1963
Arizona	1966
Arkansas	
Delaware	1950
District of Columbia	1962
Florida	1965
Hawaii	1957
Illinois	1965
Indiana	1964
Iowa	1963
Kansas	1964
Louisiana	1953
Maine	1949
Minnesota	1956
Nebraska	
New Mexico	1961
North Carolina	
North Dakota	1958
South Dakota	1957
Utah	1963
Vermont	1967
West Virginia	1960
Wyoming	1957

is particularly important when traveling at high speeds on interstate highways, etc.

2) It is possible to read the numbers on reflectorized plates of approaching vehicles.

3) A patrolman may note the license number of a parked car without leaving his own vehicle -- a quicker and safer practice.

Value in Accident Prevention.¹⁸ First of all, reflectorized plates reflect light as much as 150 times brighter than conventional painted plates. This better reflection makes the plates visible up to 2,000 feet away or nearly four times the distance of an ordinarily painted license plate. The distance at which the plates can be seen and read depends on the reflective material used and the color combinations of numerals and background.

Reflectorized plates can make a significant contribution to highway safety under the following conditions:

- (a) when a vehicle is parked or stalled on or adjacent to the highway at night;
- (b) when a vehicle has faulty taillights;
- (c) when approaching a "one-eyed" vehicle at night;
- (d) when conventional plastic or glass taillight-reflector assemblies are damaged;
- (e) when such assemblies are inoperative because of dirt and dust accumulation; and
- (f) generally as an aid in judging speed and distance of other vehicles moving on the highway.

Costs for Colorado. The Budget Office of the State of Colorado has prepared some estimates as to the cost of adopting reflectorized plates in Colorado for the year 1967. The cost of new equipment would be approximately \$3,000 if the plastic sheeting method were used in which the whole plate is covered with a reflective plastic material. To use the liquid reflective material, the cost of equipment would run approximately \$5,500.

Aside from the cost of the new equipment, the use of plastic sheeting would cost about \$0.25 per set of plates and, for 1967, the estimated number of registrations is 1,565,330; thus, the total cost would be \$391,333 over the usual cost of the plates. The

18. Brown, Edward G., Report to Washington State Legislature.

liquid reflective material would add \$0.06 to the cost of a set of plates if only the numerals were reflectorized and \$0.09 if both the numerals and mountains were reflectorized. Using the estimate of 1,565,330 registrations for 1967, the total cost for these two methods would be \$93,920 and \$140,880 respectively.

Driver Education

High School Driver Education

Minimum standards for instruction in driver education in public schools have been developed in every state. Generally, basic programs include 30 hours of classroom instruction and six hours of in-car practice. The State Department of Education is the accrediting agency in Colorado for public school driver education programs. The department requires 32 hours of classroom training and six hours of vehicle practice. Simulators may be used for a portion of the driving practice time.

The inclusion of driver and traffic safety education in the secondary school curriculum rests on this basic principle: Instruction by a qualified teacher in the theory, content and practice of an approved program prepares the student to perform the function in conformance to the most advanced concepts of society and the regulations expressed in the laws of the state. It follows that the student who has successfully completed the course is better qualified for the regular driver's license than a youth of the same age who has not had the benefit of the course. The successful completion of this course of instruction is often reflected in the legally established minimum age of eligibility for the regular license.

Relation of Driver Education to the Issuance of a Regular Driver's License. In 18 states the completion of the approved course is recognized in setting the minimum age of eligibility for the regular driver's license. For example, in Connecticut the minimum age at which a regular license can be issued is 18, but persons between the ages of 16 and 18 can obtain a license upon completion of a certified driver training course. Similar provisions in the following 12 states also give the student who has completed the course a two-year advantage: California, Connecticut, Florida, Idaho, Maine, Maryland, Michigan, Minnesota, New Hampshire, North Carolina, Rhode Island, and Texas. In the following four states, the advantage is one year: Montana, New York, Pennsylvania, and Utah. In Indiana the advantage is five months. In Iowa the advantage is one year after August 1, 1966, and will be two years after August 1, 1967. Of these 18 states, 14 provide special financial support for driver education and 12 were above the national average (45 per cent) in the per cent of eligible students completing the approved program in 1964-65. Such provisions are the only mandatory approaches used.

State Participation in Cost of High School Driver Education. The State of Colorado participates in the financing of driver

education in the public schools through the "Public School Foundation Act." In this manner, 24.6 per cent of the total cost of driver education in the public schools in Colorado is paid from state monies compared to a national average of 39.1 (see Table VII). Nineteen other states assist driver education programs through some type of foundation program. Under a foundation program, the state's share in the instructional costs of driver education is in the same proportion as in the other fields of instruction. Driver education is considered to be an integral part of the secondary school curriculum with the instructional costs not identified separately. Thus it can be said that all the people -- of the district and of the state -- pay for driver education in the states with foundation programs.

In 30 states, state aid for high school driver education is financed independently of other school programs. Four basic methods are employed: 1) appropriation from the state's general fund; 2) vehicle registration fees and driver license fees; 3) learner's permit fees; and 4) fines collected from traffic violators. Ten states appropriate general fund monies for driver education programs; 14 states earmark owner's and operator's fees for driver training; learner's permit fees are used for driver education in four states; and fines are a source of monies for driver education in six states (see Table VIII).

The Manner in Which Special State Funds Are Distributed to the Local Districts in Each State. Among the 30 states and the District of Columbia, 11 patterns are identifiable by which these states have provided for the distribution of special funds among the local school districts. These 11 patterns are: (1) a prescribed per-pupil allocation (Connecticut, Iowa, Maine, Nevada, New Hampshire, South Carolina); (2) allocation to a ceiling figure, but with provisions for a prorated distribution if the fund is inadequate to meet the ceiling figure (California, Idaho, Illinois, Kansas, Maryland, Michigan, Mississippi, Montana, Nebraska, New Mexico, Utah, Vermont, Washington, Wisconsin); (3) an allocation on a matching basis with a set ceiling (Louisiana); (4) a percentage of actual or excess costs up to a ceiling figure (Oregon); (5) an apportionment based on cost estimates of a "teaching unit" for salary and equipment (Florida); (6) a formula based on ADA (average daily attendance) applied to an equalization factor, but with a floor (Pennsylvania); (7) an allocation based on enrollment but which is sufficient to support the program (Delaware, North Carolina); (8) a ceiling figure, but with provision for a prorated distribution plus the option of the local school districts charging a fee (up to \$25 per pupil) for practice driving instruction (Virginia); (9) the state teacher allotment schedule (Alabama); (10) Congressional approval of school board appropriation (District of Columbia); and (11) no prorating (Rhode Island). No method of distribution was reported from Tennessee. In many cases, the allocation pattern follows procedures developed earlier within a specific state for the distribution of other educational funds.

Table VII

ESTIMATED STATE SHARE OF REVENUE FOR PUBLIC
ELEMENTARY AND SECONDARY SCHOOLS

1.	Delaware	75.5%	25.	California	38.5%
2.	Louisiana	69.2	26.	Idaho	38.5
3.	North Carolina	65.9	27.	Minnesota	38.0
4.	New Mexico	65.5	28.	Indiana	37.1
5.	Hawaii	61.5	29.	Arizona	36.3
6.	Georgia	61.4	30.	Connecticut	32.8
7.	Alabama	60.8	31.	Maryland	32.0
8.	South Carolina	59.7	32.	Missouri	31.8
9.	Washington	58.3	33.	Rhode Island	31.6
10.	West Virginia	52.1	34.	Oklahoma	29.4
11.	Kentucky	52.0	35.	Maine	29.0
12.	Texas	52.0	36.	Montana	27.4
13.	Nevada	51.9	37.	Ohio	26.5
14.	Alaska	51.4	38.	Oregon	26.5
15.	Mississippi	51.0	39.	Vermont	26.2
16.	Tennessee	49.5	40.	North Dakota	26.1
17.	Utah	49.0	41.	<u>Colorado</u>	<u>24.6</u>
18.	Florida	48.8	42.	<u>Wisconsin</u>	<u>23.8</u>
19.	New York	44.2	43.	Illinois	22.9
20.	Michigan	43.9	44.	Massachusetts	22.1
21.	Arkansas	43.4	45.	Kansas	21.8
22.	Wyoming	42.0	46.	New Jersey	21.2
23.	Pennsylvania	41.7	47.	Iowa	13.5
24.	Virginia	39.4	48.	South Dakota	11.9
	UNITED STATES	39.1	49.	New Hampshire	10.7
	Average		50.	Nebraska	5.9

Source: National Education Association, Research
Division, Rankings of the States, 1966.

Table VIII

SUMMARY OF METHODS OF STATE FINANCIAL SUPPORT FOR
DRIVER AND TRAFFIC SAFETY EDUCATION

<u>Vehicle Registrations and Operators' License Fees</u>	<u>Appropriation from General Funds</u>	<u>Fines and Traffic Law Violations</u>	<u>Learners' Permit Fees</u>	<u>State Foundation Programs</u>
Florida	Connecticut	Alabama	District of Columbia	Alaska
Idaho ¹	Delaware	California		Arizona
Illinois	Iowa	Mississippi		Arkansas ³
Kansas ⁴	Louisiana	Montana ²	Idaho ²	Colorado
Michigan	Maine	Tennessee	Maryland	Georgia ⁶
Montana ⁵	Nevada	Washington	Nebraska ²	Hawaii
Nebraska ¹	New Mexico		Pennsylvania ²	Indiana ⁷
New Hampshire	Rhode Island			Kentucky
North Carolina	South Carolina			Massachusetts
Oregon	Vermont			Minnesota
Pennsylvania ¹				Missouri
Utah				New Jersey
Virginia				New York
Wisconsin				North Dakota
				Ohio
				Oklahoma ⁸
				South Dakota
				Texas
				West Virginia
				Wyoming

1. Also listed in Column 4.
2. Also listed in Column 1.
3. Learners' permit fund appropriated for purchase of equipment (simulators).
4. Also fees for licensing commercial driving schools
5. Also listed in Column 3.
6. An appropriation of \$200,000 provides for the preparation of 415 teachers in summer of 1966.
7. Legislative appropriation to administer the Division of School Traffic and Safety Education in the State Department of Public Instruction.
8. The 1963 Legislation was declared unconstitutional.

Source: National Commission on Safety Education, N.E.A., State Financial Support for Driver and Traffic Safety Education, 1966.

Extent of High School Driver Education in Colorado. According to national figures in a recent publication by the National Commission on Safety Education, National Education Association, entitled "State Financial Support for Driver and Traffic Education," approximately 45 per cent of the normally eligible high school students actually completed driver education courses in 1964-65. In the states not providing special funds to support driver education, 33.7 per cent completed the course whereas in the states providing special funds as many as 52.3 per cent completed the course. In Colorado, 32 per cent of the eligible high school students attended driver education courses during the 1964-65 school year. Information as to the number of eligible students and the number of eligible students completing the course used in computing this percentage figure was not available in the publication.

During the 1965-66 school year in Colorado, there were 127 schools which offered driver education courses out of the total number of 234 schools qualifying to give the course, or 54.2 per cent of the Colorado schools offering the program. According to figures compiled by the Colorado State Department of Education there were a total of 129,490 students in grades 9 through 12 during the 1965-66 school year with the breakdown as follows: 9th grade -- 35,448; 10th grade -- 33,108; 11th grade -- 31,646; and 12th grade -- 29,288. The number of students completing both the classroom instruction and in-car practice parts of the course totaled 15,308, while 6,758 students completed only the classroom instruction part of the course.

The cost to the local districts of financing driver education courses, both classroom and in-car practice, varies from \$18 to \$71 per pupil, with an average cost per pupil of \$45. It should be recognized that the average cost of \$45 is not applicable to all schools because there are other factors that need to be considered in establishing the actual cost per pupil in various schools. For instance, the difference in salary schedules, the philosophy of the school as it relates to teacher-pupil ratio, and the amounts and kinds of equipment used as teacher aids all influence the basis upon which an average cost per pupil is made.

For purposes of computing the estimated cost to the state and local districts if the state should embark on a state-aid program, the total number of students in the 10th grade in 1965-66 (33,108) is used for the number of eligible students. It is assumed that the majority of students in the 9th grade are not old enough to qualify for the program or an instruction permit, and that the majority of students in the 11th and 12th grades will already have their minors' operator license or operators' license. For these reasons, it is considered that the majority of students in the 10th grade will be eligible for the program and willing to participate in it.

The present cost to local districts based on the number of students completing both the classroom instruction and in-car practice parts of the course in 1965 (15,308) and the \$45 average cost per pupil is \$686,860. If 100 per cent student participation could

be anticipated (33,108), the estimated cost to the local districts of a complete program would be \$1,489,860. The estimated costs of the program to local districts anticipating 50 per cent student participation would be \$744,930.

State Aid -- Cost Estimates for Colorado. If the State of Colorado embarked on a program of state aid to local school districts for driver education programs, the total cost to the state would depend on two factors: 1) the level of state participation; and 2) the number of students in the program. Assuming that a proposed driver education program on a statewide basis would attract 100 per cent of eligible high school students, Table IX reflects the cost estimates of a program of state aid for driver education for various levels of state contribution. Table X provides cost estimates based on 65 per cent student participation. In the latter case state aid at \$10 per student would cost about \$215,200; at \$25 per student -- \$538,000; and \$45 per student -- \$968,400.

Commercial Driver Training Schools

Commercial driver training schools include both schools operated for a profit (e.g., May D & F Driver Training School) and nonprofit schools (e.g., AAA Driver Training School). Course content of the schools varies. Usually each school offers several courses with different prices set for a particular program. For example, an applicant may choose to enroll in a four-hour course, an eight-hour course, or a 15-hour course. Some schools offer only in-car practice training whereas other schools offer both in-car practice and classroom instruction.

The cost of a commercial driving course depends on the content of the course. For illustrative purposes, program charges for the May D & F Drive Safe System are as follows: four-hour course, \$24.95; eight-hour course, \$44.95; and 15-hour course, \$79.95. These courses include a small amount of classroom instruction. These figures compare with the following costs of the courses in the AAA Driving School: an eight-hour course starting at school, \$36; 7 1/2-hour course and home pick-up, \$45; and eight-hour course with home pick up, \$54. These instruction fees include an additional six hours of classroom lectures. Charles Ozias, American Automobile Association, reported that the cost of taking the certified course of the AAA Driving School (the course which is certified by the Colorado Department of Education and which includes 32 clock hours of classroom instruction and eight hours of in-car instruction) is \$50. In comparison, the average cost per pupil in the public secondary schools for 30 hours of classroom instruction and 6 hours of in-car instruction is estimated to be \$45.

Minimum Requirements for Approval. Many insurance companies will give a premium price reduction for minor drivers who furnish proof of successful completion of a course which meets the minimum requirements set by the insurance companies. According to the rules of the National Bureau of Casualty Underwriters, a reduced premium

Table IX

ESTIMATED COST OF STATE AID FOR DRIVER EDUCATION,
BASED ON 100 PER CENT STUDENT PARTICIPATION*

<u>Level of State Participation</u>	<u>Estimated Maximum State Aid</u>
\$ 10 per pupil	\$ 331,080
15 per pupil	496,624
20 per pupil	662,160
25 per pupil	827,700
30 per pupil	993,240
35 per pupil	1,158,780
40 per pupil	1,324,320
45 per pupil (Average cost per pupil)	1,489,860

*Based on average cost per pupil of \$45 and considering those students in the 10th grade as eligible students.

Table X

ESTIMATED COST OF STATE AID FOR DRIVER EDUCATION,
BASED ON 65 PER CENT STUDENT PARTICIPATION**

<u>Amount of State Aid Per Pupil</u>	<u>Est. Cost to State</u>	<u>Est. Cost to School District</u>	<u>Estimated Cost of Program</u>
\$ 10 per pupil	\$ 215,200	\$ 753,200	\$ 968,400
15 per pupil	322,800	645,600	968,400
20 per pupil	430,400	538,000	968,400
25 per pupil	538,000	430,400	968,400
30 per pupil	645,600	322,800	968,400
35 per pupil	753,200	215,200	968,400
40 per pupil	860,800	107,600	968,400
45 per pupil	968,400	---	968,400

**Based on 65 per cent of eligible students participating in program and \$45 average cost per pupil, considering those students in the 10th grade as eligible students.

may apply "...where satisfactory evidence (certificate signed by a school official) is presented showing that the applicant, if an operator of the automobile under 21 years of age,...has successfully completed a driver education course meeting the following standards:

1. The course was sponsored by a recognized secondary school, college or university and conducted by certified instructors.
2. The course had the official approval of the State Department of Education or other responsible educational agency.
3. The course was composed of a minimum of 30 clock hours for classroom instruction plus a minimum of 6 clock hours per student in the practice driving phase. The practice driving requirement may be met in either of the following ways:
 - a. A minimum of 6 clock hours per student for actual driving experience exclusive of observation time in the car. In this case, time spent in an approved simulated practice driving trainer, the use of which is authorized by the State Department of Education or other responsible educational agency, may be counted as part of the required 30 clock hours of classroom instruction.
 - b. A minimum of 3 clock hours per student for actual driving experience exclusive of observation time in the car, and a minimum of 12 clock hours per student in an approved device which simulates practice driving the use of which is authorized by the State Department of Education or other responsible educational agency. In this case, only the time spent in excess of 12 clock hours may be counted as part of the required 30 clock hours of classroom instruction."¹⁹

Upon application to the Colorado Department of Education, the commercial schools may receive the official approval of the Department if the course consists of a minimum of 30 hours of classroom instruction plus a minimum of six hours of in-car practice. When official approval has been given, students under 21 years of age who successfully complete the course may be eligible for a reduced premium from those insurance companies which grant such a reduction. It must be kept in mind that not all insurance companies grant a reduction in premiums.

¹⁹. Automobile Casualty Manual, National Bureau of Casualty Underwriters, 1965, pages 32, 33.

Another requirement which must be met before the Department of Education gives its official approval is that the instructor of the commercial driver training school must be certified by the Division of Teacher Education and Certification of the department. As often is the case, instructors of driver education classes in the public schools teach the courses in the commercial schools during their off hours or during the weekend. In this case, there is little difficulty in obtaining certification. At the present time, only two commercial schools meet these requirements (AAA and U.S. Auto).

Health and Highway Safety

Alcohol

Not only is driving while under the influence of alcohol illegal in every state, but habitual drunkards are not permitted to obtain driver licenses. Although there are differences from state to state with respect to standards for determining whether a person is driving while under the influence of alcohol, most states have adopted a blood-alcohol level or ratio of 0.15 per cent at which a person is presumed to be under the influence. Prior to 1962, the Uniform Vehicle Code used 0.15 per cent as the critical level; however, the code now recommends 0.10 per cent. Three states -- North Carolina, North Dakota, and New York -- have adopted 0.10 per cent as the blood-alcohol level at which a person is presumed to be under the influence.

In most states, the results of chemical tests generally lead to the following presumptions (this is the wording of Arizona Law -- Arizona Revised Statutes 28-692):

1. If there was at the time of the test 0.05 per cent or less by weight of alcohol in the defendant's blood, the defendant was presumed not to be under the influence of intoxicating liquor.
2. If there was...in excess of 0.05 per cent but less than 0.15 per cent...such fact shall not give rise to any presumption that the defendant was or was not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining the guilt or innocence of the defendant.
3. If...0.15 per cent or more...it shall be presumed that the defendant was under the influence of intoxicating liquor.

Except for the three exceptions mentioned above, all states follow these presumptions with slight variations. Kansas makes reference only to the 0.15 per cent level and anyone with a blood alcohol level under that level is presumed not to be under the influence and anyone over is presumed to be under the influence. Nebraska provides that a level of 0.15 per cent leads to a presumption of being under the influence, but is not conclusive evidence of such. And Oregon provides that less than 0.05 per cent supports a disputable presumption that the person was not under the influence and a level between 0.05 per cent and 0.15 per cent is indirect evidence that may be used to determine whether or not the person was under the influence. Not less than 0.15 per cent supports a disputable presumption that the person was under the influence in Oregon. As an example of the three states which consider 0.10 per cent as the legal level of intoxication, North Carolina provides simply that anyone with a blood alcohol level of 0.10 per cent or more is presumed to be under the influence of intoxicating liquor.

For the protection of the defendant, the statutes also specify the qualifications for persons taking the sample for chemical tests. In some instances, it is specified that the person be a physician, but generally the person must be either a doctor, nurse, or medical technician who is capable of taking a blood sample or other sample as needed. The defendant is also permitted to have another test run by a qualified person of his own choosing.

The types of tests may be either blood, breath, urine, or saliva. Some states specify only one of these tests -- usually blood or breath -- while others allow all of them to be used and some permit the use of any two or three of the four. Usually, the defendant is given the option of the type of test when there is a choice. Of course, equipment available may also limit the choice.

Effects of Alcohol on Driving. The fact that alcohol does affect a person's driving ability has been established by various studies and reports. The greater the consumption of alcohol, the greater the effect on driving. One study concludes the following regarding the probability of causing an accident after the consumption of alcohol:

"The relative probability of causing an accident necessarily starts at 'one' for the 0.00% alcohol level class. As the alcohol level increases, the curve falls until a minimum of about 0.6 is reached at the 0.03% alcohol level. Based on the data collected and the method of analysis used, subjects with blood alcohol levels of 0.03% are about one-third less likely to cause an accident than completely sober drivers. As the blood alcohol level continues to increase beyond 0.03%, the relative probability of causing an accident starts to increase, very slowly at first, and then with increasing rapidity. Subjects with blood alcohol levels just under 0.04% are about as likely to cause accidents as completely sober drivers. When an alcohol level of 0.06% is reached, the estimated probability of causing an accident is double that of a driver from the 0.00% alcohol level group. Drivers with a 0.10% blood alcohol level are

from six to seven times as likely to cause an accident as one with 0.00% alcohol level. When the 0.15% alcohol level is reached, the probability of causing an accident is estimated at more than 25 times the probability for that of a sober driver. Beyond the 0.15% level, the data are too scarce to provide satisfactory estimates. However, the fact that 16 accident-involved drivers out of a sample of 4,985 were found to have blood alcohol levels of 0.26% and higher, while no drivers in a control sample of 7,590 were found in this range, indicates that the absolute probability of causing an accident in this range is high."

Further:

"Drivers with positive alcohol levels caused more than one-fifth of all the accidents observed in this study, while constituting about 11% of the driving population. Drivers with alcohol levels 0.05% and higher caused 15% of the accidents, while accounting for just over 3% of the driving population. Drivers with blood alcohol levels of 0.10%, representing less than 1% of the driving population, accounted for almost 10% of the accidents. Drivers over 0.15% blood alcohol level account for almost 6% of the accidents. They amount to less than 0.15% of the driving population."²⁰

(Tables XI, XII, and XIII illustrate the aforementioned quotations.)

While drivers with blood alcohol levels of 0.15 per cent or greater represent only six per cent of the drivers involved in accidents, it may be more significant that they represent less than 0.15 per cent of the driving population in the Indiana study. When the 0.15 per cent level is reached, the estimated probability of causing an accident is more than 25 times the probability for that of a sober driver. A driver under the influence of alcohol is a hazard to other drivers on the road in a much greater proportion than he is represented in the whole population. As can be seen by the above quotations, the level of alcohol had a definite relation to causing an accident in the situation studied by Indiana University's Department of Police Administration. The study was conducted on the streets of Grand Rapids, Michigan, over a one-year period. The control group was made up of cars stopped at random and the accident group was made up of those accidents occurring during the same time periods on the same days of the week as were used for taking the control group sample. Every attempt was made to insure that the control sample was not biased.

20. The Role of the Drinking Driver in Traffic Accidents, Department of Police Administration, Indiana University, 1964.

Table XI

RELATIVE PROBABILITY OF CAUSING AN ACCIDENT

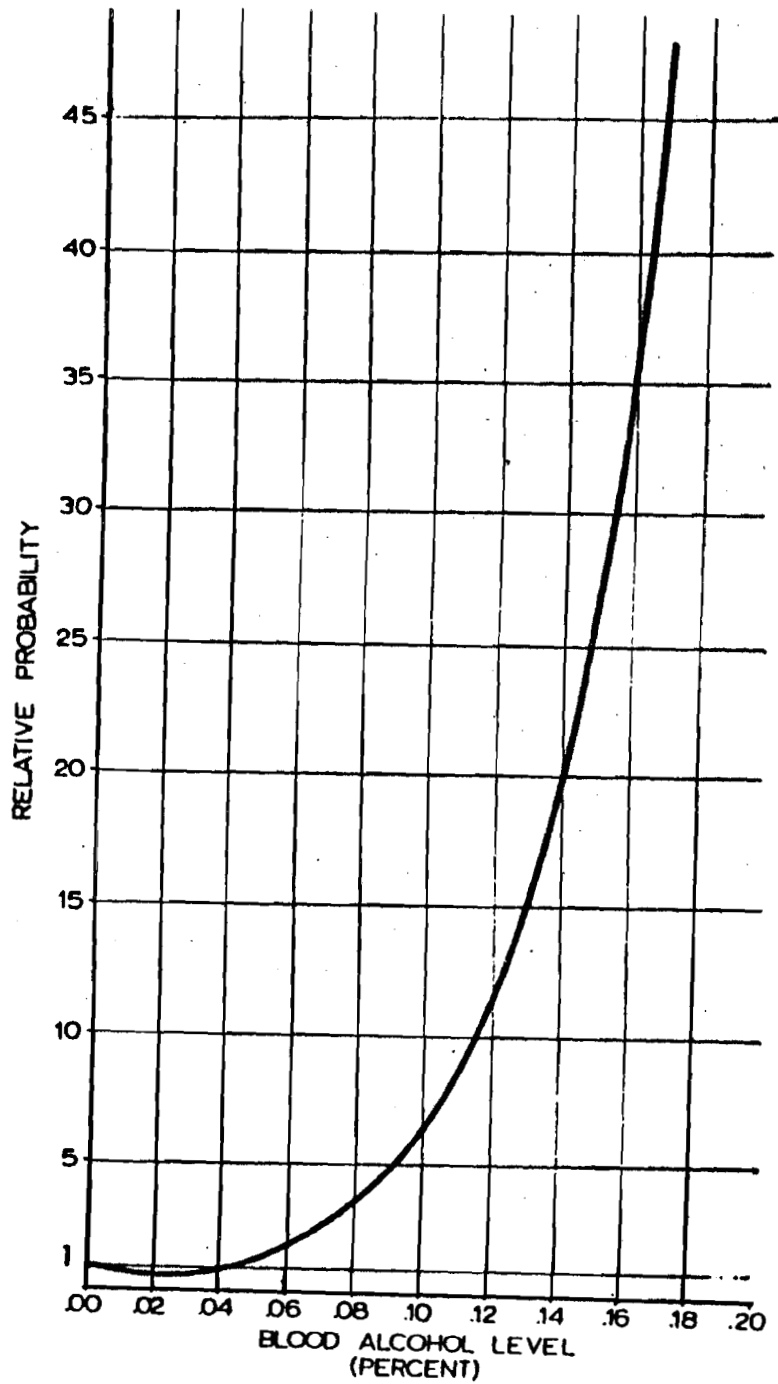


Table XII

PER CENT REDUCTION IN TOTAL ACCIDENTS IF DRIVERS ABOVE
GIVEN ALCOHOL LEVEL WERE PREVENTED FROM DRIVING

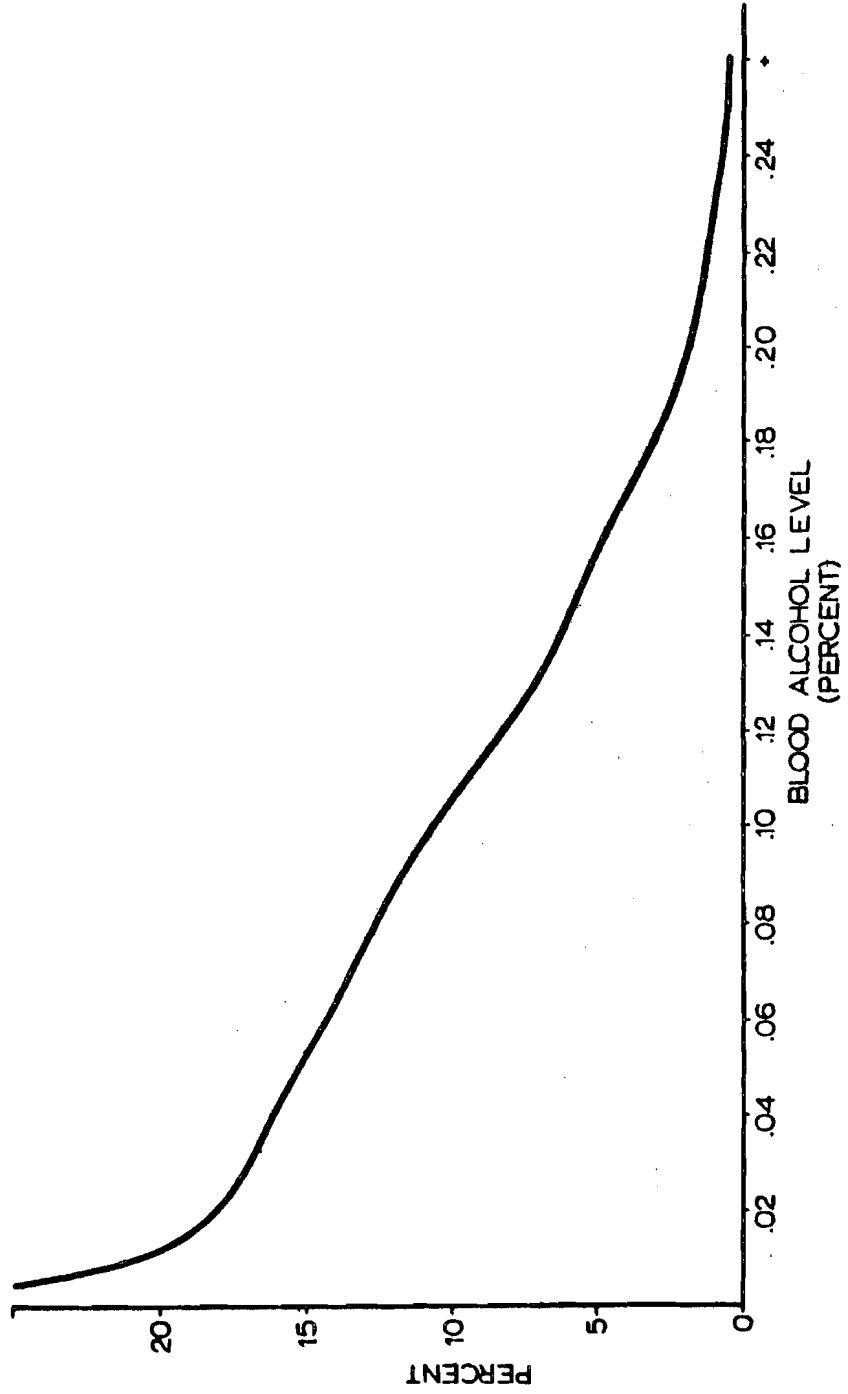
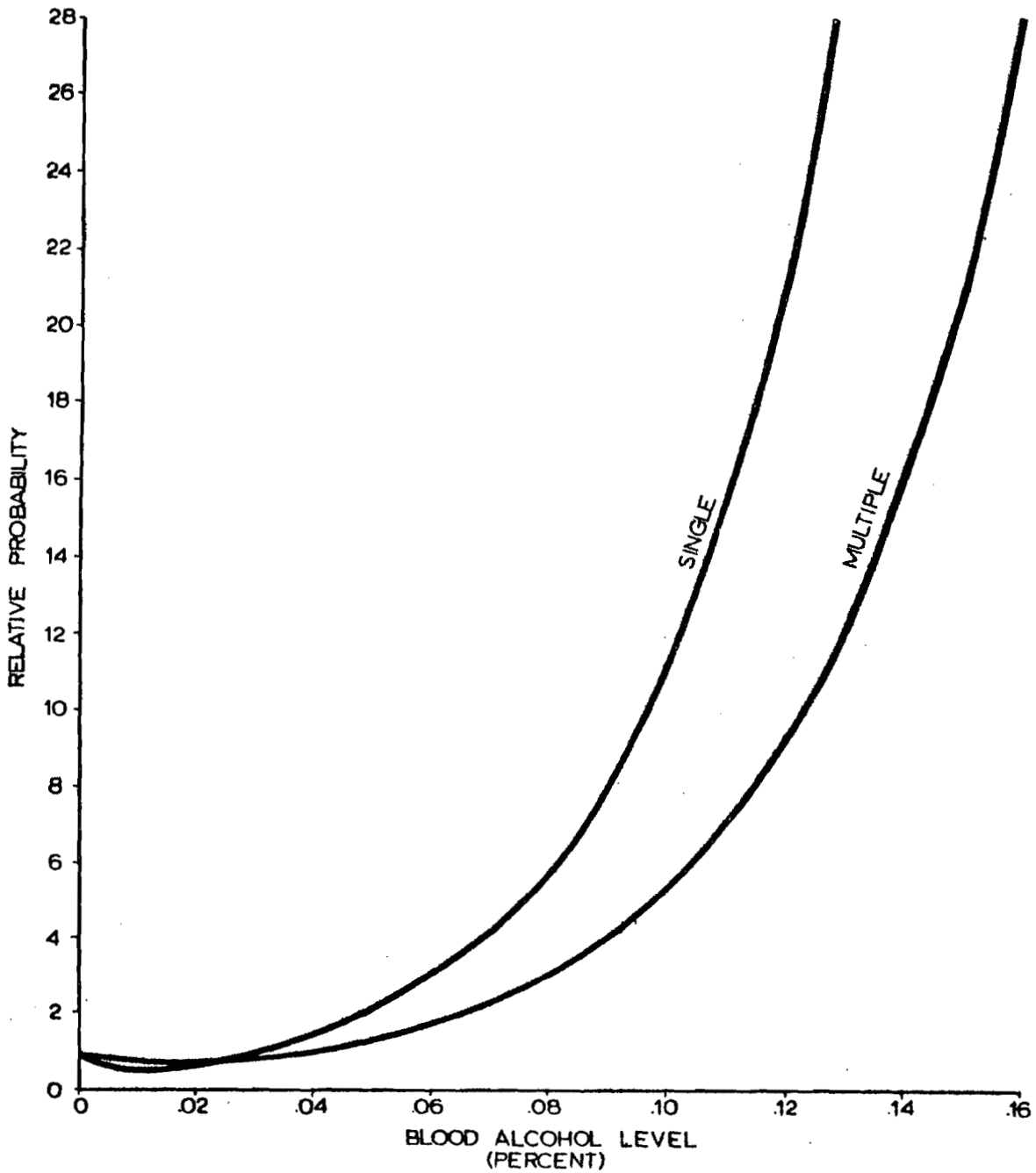


Table XIII

RELATIVE PROBABILITY OF INVOLVEMENT IN
SINGLE OR MULTIPLE VEHICLE ACCIDENTS



"Implied Consent." In addition to general legislation regarding driving while under the influence of alcohol or drugs, 16 states now have "implied consent" laws (see Table XIV). Under "implied consent," the driver, by virtue of driving on the highways of the state, is deemed to have given his consent to a chemical test to determine his blood alcohol content. The laws have been framed so that the implied consent provision applies only after the driver has been arrested under reasonable grounds for suspicion of driving while under the influence. If the driver refuses to submit to the test, the test is not given, but the driving privilege is suspended or revoked. Most implied consent laws comply with the Uniform Vehicle Code (U.V.C. 6-205.1).

Advocates of implied consent argue that a much greater conviction rate could be obtained against persons charged with driving while under the influence than at present through adoption of implied consent legislation. When people do not have to submit to the test, they are reluctant to do so. Yet, when a test is given and charges are filed on the basis of a 0.15 per cent or greater blood alcohol level, conviction rates seem to increase. The Colorado State Patrol supplied the following statistics on conviction rates for 1965 compiled from a review of the results of chemical tests administered to drivers:

<u>No. of Drivers</u>	<u>Blood Alcohol Level</u>
13	Under .10%
45	.10% to .149%
545	.15% or more

Of the above drivers, 531 were charged with driving while under the influence, and 469 convictions were obtained. Conviction rate - 88%. Of 2,017 DWI charges adjudicated, 1,546 drivers were convicted. Included in these figures are the drivers who were given chemical tests. Conviction rate -- 77%.

The aforementioned statistics do not include Denver Police Department cases. Charges of driving under the influence were not filed in Denver unless the chemical test indicated a blood alcohol level of 0.15 per cent or more.

Opponents of implied consent often argue that it is a violation of a person's protection from self-incrimination. Although challenged in most states where it exists, implied consent has been consistently upheld. (See Colorado Legislative Council Research Publication No. 91, December 1964, for a review of these cases.) The United States Supreme Court in Armando Schmerber v. State of California (34 LW 4586), on June 20, 1966, made it very clear that chemical tests do not infringe on self-incrimination protection

Table XIV

IMPLIED CONSENT LAWS

<u>State</u>	<u>Year of Adoption</u>	<u>Period of Suspension or Revoc.</u>
Connecticut	1963	1 yr. min. first offense 5 yrs. min. second offense
Idaho	1965	90 days
Iowa	1965	120 days - 1 year
Kansas	1955	up to 90 days
Minnesota	1961	6 months
Missouri	1965	1 year
Nebraska	1963 (effective date)	1 year
New Hampshire	1965	90 days
New York	1953	
North Carolina	1963	1 yr. max. only if convicted
North Dakota	1959	6 months
Oregon	1965	90 days
South Dakota	1959	1 year
Utah	1953	1 year
Vermont	1959	6 months
Virginia	1964 (effective date)	90 days

among other arguments. It is significant that California has neither a chemical test law nor an implied consent law. At any rate, implied consent legislation has met the test of constitutionality in a number of jurisdictions.

Alternative Proposals for Dealing with the Alcoholic Driver. Two suggestions have been made to the Committee on Highway Safety dealing with the alcoholic driver or persons drinking and driving. These proposals are: 1) develop an intermediate sentence to meet problems posed by drivers who are impaired by alcohol; and 2) provide "hold and treat" powers for county courts which are faced with problems of alcoholic drivers.

Intermediate Sentencing. At the May 19 meeting of the committee, Judge William Burnett, City and County of Denver, proposed an intermediate sentence for persons convicted of a new charge of "drinking and driving." In other words, for persons with a blood alcohol content of less than 0.15 per cent and more than 0.05 or 0.10 per cent, a charge of "drinking and driving" could be made. Judge Burnett reported that the Scandinavian countries have adopted similar legislation as a deterrent to highway driving by the so-called "social drinker." The intermediate sentence also would help to meet problems posed by judges and prosecutors who are reluctant to impose the severe penalties of driving while under the influence on persons who are occasional drinkers.

"Hold and Treat" Provisions. As previously mentioned, a large percentage of death accidents are one-car accidents, and based on the findings of a Michigan study, there is need for diagnosis and treatment of individuals with an alcohol problem. As pointed out by Judge Burnett, the problem of treatment of the alcoholic raises a serious question since the jurisdiction of the county court does not extend to mental health. Nevertheless, the problems posed by mental health are dealt with in the county courts. "We have the problem," he said, "but we do not have the jurisdiction." Judge Burnett urged consideration of including treatment as part of the penalty for dealing with the alcoholic driver. Recent decisions of the United States Supreme Court also have indicated that alcoholics may not be treated as criminals but must be handled as mental patients. The corrective value of putting sick people in jail is practically nil according to Judge Burnett, and, in many instances, the individual may even be more damaged, which accounts for the futility that some judges feel in dealing with the alcoholic driver.

The Sixty First General Assembly of Iowa adopted "hold and treat" legislation in 1965:²¹

21. Session Laws of Iowa 1965, Chapter 278.

In lieu of or prior to imposition of, the punishment above described for second offense, third offense, and each offense thereafter, the court upon hearing may commit the defendant for treatment of alcoholism to any hospital or institution in Iowa providing such treatment. The court may prescribe the length of time for such treatment or it may be left to the discretion of the hospital to which the person is committed. A person committed under this act shall be considered a state patient.

Such a law is, of course, aimed at the repeater who is an habitual drinker.

Drugs

All states have some reference in their statutes to the illegality of driving while under the influence of narcotic drugs, and many states also provide that it is illegal to drive while under the influence of any drug to the extent that driving ability is impaired. Usually, the provisions are part of the act prohibiting driving while under the influence of alcohol similar to section 11-101 (1) of the Uniform Vehicle Code. For instance, Colorado law, section 13-5-30 (4), C.R.S. 1963, provides:

(4) It is a misdemeanor for any person who is an habitual user of or under the influence of any narcotic drug, or who is under the influence of any other drug to a degree which renders him incapable of safely operating a motor vehicle, to drive a motor vehicle within this state. The fact that any person charged with a violation of this subsection is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this subsection.

Effects of Drugs on Driving. The effects of drugs on driving have not been brought to the attention of the public to the same extent as the effects of alcohol. Dr. Donald Langsley, University of Colorado Medical School, reported to the committee that in the last 15 years there has been a rash of new drugs on the market. There are large numbers of people taking various types of tranquilizers, energizers, etc. These drugs contain very potent substances; however, for the most part, the drugs are used under strict supervision and are not available to the general public to the same extent as alcohol. For this reason, the drugs are not as extensive a problem for the safe operation of motor vehicles as that posed by alcohol usage. The tolerance of individuals to each drug varies widely, and when used in conjunction with alcohol often accentuates the effects of alcohol. In addition to the aforementioned prescription drugs, the so-called "over-the-counter" drugs may pose a

serious problem for safe driving. Specifically, bromines and co-deine are potent substances that may reduce a driver's ability.

According to reliable authorities, between ten and 20 per cent of the U. S. driving population are taking prescription drugs, and another 15 to 30 per cent are under self medication. A sizeable market also exists for illegal "pep" and sedative pills. This is especially critical when these pills are used in conjunction with even small amounts of alcohol.

Nevertheless very little information is available on the role of drugs as a factor in highway accidents. This is especially critical when the relationship with alcohol is considered. There is need for a major study to be conducted in this area. Perhaps development of information on drug usage could be integrated with the Colorado accident report form. Dr. Langsley also pointed out to the committee that the interpretation of information reported on the accident forms is critical, and he suggested that the study could be conducted by the Colorado Medical School and Denver General Hospital.

Standards for Ambulances and Other Authorized Emergency Vehicles

Emergency medical services have recently become a matter of public concern, primarily because of the sudden increase in the patient load in hospital emergency departments. Interest in the subject has led to a number of symposia, lectures, and meetings among the medical profession, hospital staffs, and ambulance personnel. Improvement in the initial care of the sick and injured, including their transportation to a hospital emergency department, has become a major health objective. Handling and transportation of the injured are important factors in reducing deaths and other effects of injuries.

The Colorado Committee on Trauma of the American College of Surgeons in 1962 began a survey of emergency medical services in Colorado. The first phase of the survey was to determine the type and extent of emergency care in all of the state's 72 general hospital emergency units, comprising 56 communities. This survey was completed in 1964. Excerpts from information collected in a Survey of Ambulance Services in Colorado, Initial Report, by Dr. J. Cuthbert Owens, University of Colorado Medical Center, and Mr. William D. Shaw, U. S. Public Health Service, are included in the following discussion.

According to the survey, in 39 of the 56 communities surveyed, there were 59 mortuaries with ambulance services. Of these services, 35 were private ambulance services; seven were connected directly or indirectly with a community hospital; three were operated by the county; two were under the direction of the local fire department; and 11 were air ambulance services. The largest group of services was in the Denver Metro area which included 21 companies, of which three were air ambulance services.

Only three of the 56 communities (Denver, Colorado Springs, and Pueblo) had ordinances regulating the operation of ambulance services. Boulder has recently enacted an ordinance of this type. Hospitals do not have any regulations governing ambulances servicing their respective institutions, with the exception of four or five hospitals where the ambulances are either stored at the institution or directly connected with the hospital.

Available Equipment.²² Of 52 ambulances surveyed in Colorado, 12 did not have any external markings other than red lights. Only ten of the 22 ambulance services reporting utilized safety tires, but all reported that snow tires and chains were employed. All services acknowledged carrying spare tires in their ambulances. Thirteen ambulances were equipped with heavy duty shock absorbers and power brakes, and all the ambulances were equipped with sirens. Protective equipment for patients contained in the ambulances surveyed ranged from zero to excellent. Eighteen of the ambulance services surveyed provided safety belts for the driver; five provided seat belts for the attendant; and only three provided some means of protection to the patient. Sanitation usually consisted of soap and water in most instances, and 19 of the services made no mention of using a disinfectant.

The survey also reported that the ambulances generally travelled faster than the speed limit in taking an individual to a hospital. The speeds ranged from ten to 15 miles per hour over the speed limit to as fast as the vehicle would go. None of the ambulance personnel could cite an instance in which speed was essential to saving the life of a patient, although three deaths have occurred due to the ambulances being involved in a collision with another vehicle.

The Uniform Ordinance for Ambulances requires that equipment in each ambulance include materials for dressing wounds, splinting fractures, controlling hemorrhage, and providing oxygen. The health officer is authorized and directed to certify standards for ambulance equipment and to implement the standards provided as to required equipment in ambulances. Prior to the issuance of any ambulance license, the vehicle, equipment, and premises are to be inspected by the licensing agency and are to be inspected periodically subsequent to issuance of the license.

Title 13 of the California Administrative Code contains regulations relating to authorized emergency vehicles and ambulances. The minimum safety requirements are as follows: a) every ambulance shall be equipped with approved safety belts; b) shall be maintained

22. Survey of Ambulance Services in Colorado, Initial Report,
Owens, Dr. J. C., and Shaw, W. D.

in good mechanical repair and in a clean and sanitary condition; and c) shall carry a fire extinguisher, battery-operated portable light, spare tire, jack and tire tools, and flares. In addition, every ambulance shall carry the following minimum emergency equipment: a) one ambulance cot and a collapsible stretcher, or two stretchers, one of which is collapsible; b) adequate straps to secure the patient safely to the stretcher, and adequate means of securing the stretcher within the vehicle; c) adequate wrist and ankle restraints; d) adequate sanitary sheets, pillowcases, blankets, and towels for each stretcher, and two pillows; e) three mouth-to-mouth resuscitation airways, one of each of adult, child, and infant sizes; f) six splints; g) oxygen and oxygen breathing apparatus; h) clean, fresh bandages and bandaging equipment; i) emesis basin; and j) aspiration equipment.²³

Driver and Attendant Standards. The survey by Owens and Shaw reveals a marked lack of training and knowledge for ambulance drivers and attendants in Colorado. With the exception of ambulance services operating under city ordinances, drivers are not examined for a basic knowledge of first-aid. First-aid training of ambulance drivers in the state also varies from none at all to advanced courses. Two services reported no first-aid instruction for drivers in 18 years. Training in two other services is limited to periodic showing of instructional films. In 1964, the University of Colorado Medical School conducted the first school for ambulance personnel in the history of the state.

The State Patrol requires that the driver and attendant be 21 years of age and of good moral character. The driver and attendant must have standard first-aid cards, although advanced first-aid cards are preferred. By ordinance, the City of Denver requires that the driver and attendant must obtain licenses from the Department of Safety. Applicants must be at least 18 years old, of sound physique, have good eyesight and not subject to any infirmity of body and mind, speak, read and write the English language, not be addicted to the use of liquor or narcotics, and have a knowledge of basic first-aid (see City of Denver Ordinance, 971.3-9, 1966). Ambulance operators are not required to obtain a license or permit before being called into service by the State Patrol.

Under the provisions of the Uniform Ordinance for Ambulances, the driver, attendant, or attendant-driver must apply for a license to the appropriate state agency or department. A license would then be issued to the applicant when it is found that he is not addicted to the use of intoxicating liquors or narcotics, and is morally fit

23. California Administrative Code, Title 13, Subchapter 5, Art. 1, Sec. 1103.

for the position; able to speak, read and write the English language; has been found to be of sound physique, possess good eyesight, and be free of physical defects or diseases which might impair the ability to drive or attend an ambulance; and must have a certificate evidencing successful completion of a course of training equivalent to the advanced course in first-aid given by the American Red Cross or the United States Bureau of Mines.

Relationship to Highway Safety. At the committee meeting of August 18, J. Cuthbert Owens, M. D., University of Colorado School of Medicine, commented that, statistically, it has been shown that the number of lives saved can be significantly increased if good care is available immediately. Unfortunately ambulance services used to be included in the health field and have drifted out of it. "...generally, they operate as they wish with no control from anyone. Ambulance operators also are hampered in their work by people refusing to let attendants administer first-aid. Part of this reluctance of people to let attendants administer aid is due to the fact that many of the personnel of these services have no training in first-aid. Most of the ambulance services are nothing more than lie-down taxi services. In many of the cases where personnel were asked if they had training in first-aid, or if they thought that they should have it, the personnel didn't wish to have the training. They were afraid that they might make a mistake if they did have to administer first-aid."²³

23. Committee on Highway Safety, "Minutes of Meeting," August 18, 1966.

Penalties For Motor Vehicle Violations

Driving While License Suspended

It was brought to the attention of the committee that drivers with chronic violation records are posing an enforcement problem for the courts and police officers. It is estimated that approximately 20 per cent of persons who have their licenses suspended continue to drive while under suspension.

Section 13-4-30, C.R.S. 1963, provides that any person driving while his license is suspended is guilty of a misdemeanor and upon conviction shall be punished by imprisonment for not less than one day or more than six months, by a fine of not less than fifty dollars or more than five hundred dollars, or by both the fine and imprisonment. In addition, the Department of Revenue may suspend the license for an additional one-year period. In general, the deterrents to driving while under suspension may be classed into five categories: 1) mandatory fine and imprisonment; 2) mandatory imprisonment; 3) mandatory fine; 4) permissive fine or imprisonment or both; and 5) extension of the period of suspension.

Mandatory Fine and Imprisonment. In five states -- Arizona, Idaho, Washington, West Virginia, and Wyoming -- both a fine and imprisonment are mandatory. Arizona and Idaho require a minimum of \$100 and a maximum of a \$300 fine; West Virginia, \$50 and \$500; and Wyoming \$25 and \$100 respectively. Washington provides for no minimum but permits a fine of up to \$500. Second offenses require increased fines in Arizona, West Virginia, and Wyoming.

Imprisonment ranges from a minimum of two days in Wyoming and West Virginia to ten days in Arizona, Idaho, and Washington. West Virginia has an unusual requirement of a two-day minimum and maximum sentence. The other maximum sentences then are six months in all states except Washington which has a maximum sentence of one year. Second offenses in Arizona, Idaho, West Virginia, and Wyoming call for longer sentences.

Mandatory Imprisonment. Eighteen states including Colorado provide for mandatory imprisonment as a penalty for driving with a suspended license. Most commonly, two days is the minimum sentence and six months is the maximum. A fine may also be imposed in 14 of these states with \$500 being the most common maximum fine permitted in addition to the required imprisonment.

Mandatory Fine. There are three states (Alabama, Oklahoma, and Texas) which provide for mandatory fines as a penalty for driving with a suspended license. These states also permit imprisonment, and for second and subsequent offenses, Oklahoma requires imprisonment in addition to a fine. Texas and Alabama require a fine of at least \$25 and no more than \$500; while Oklahoma imposes a fine of from \$50 to \$200 on the first offense and \$100 to \$500 on a second offense. In addition, Alabama permits imprisonment for a maximum of 30 days and Texas permits a maximum sentence of six months.

Permissive Fine or Imprisonment or Both. Twenty-three states provide that a person driving while his license is suspended may be fined or imprisoned or both. The fines range from no minimum to a \$1000 maximum, with \$100 being the most common minimum and \$500 the most common maximum. The jail sentences also commonly have no minimum and one year is the maximum possible, with a few states not setting any maximum. Six months is the most common maximum sentence provided in cases where a fine or imprisonment or both are permitted.

In addition, only eight states provide different penalties under the provision for fine or imprisonment for second or subsequent offenses -- California, Connecticut, Maine, Maryland, Minnesota, Massachusetts, New York, and Vermont. Such provisions usually permit a larger fine and longer sentence than for the first offense.

Extension of the Period of Suspension. In addition to fines and imprisonment, 15 states require extension of the period of suspension, usually for one year or a period equivalent to the original period of suspension. In Louisiana, extension of the period of suspension for one year is the only penalty for driving with a suspended license. On second offenses, Nebraska and North Carolina require suspension for an additional period of two years, and North Carolina provides for permanent suspension on the third conviction. Alabama and Colorado provide that the period of suspension may be extended, but they do not provide for mandatory extension.

In terms of severity of penalty, Nebraska has a strong penalty provision for driving under suspension. Although Nebraska does not provide for any fine, it has a very strict imprisonment requirement with a mandatory 30-day sentence for the first offense and a mandatory six-month sentence on a second and subsequent offense. In addition, the suspension period is extended upon conviction.

Driver License Point System

Mandatory suspension of a driver's license as a result of commission of a serious motor vehicle offense has been a standard practice in most states. A driver's license may be suspended for manslaughter, negligent homicide, driving under the influence of alcohol or drugs, "hit and run," perjury involving application for a

driver license, utilization of a vehicle while committing a felony, etc. In 16 states in addition to Colorado the operator's license also may be suspended for a series of minor violations, based on a so-called "point system." Under this system, points are assessed for various violations according to the relative seriousness of the offense. For instance, a driver, 21 years of age or over, in Colorado may have his license suspended for being convicted of violations resulting in the accumulation of 12 points within a 12-month period, or 18 points within a 24-month period.²⁴

The point system in Colorado ranges from one point for improper or dangerous parking to 12 points for leaving the scene of an accident, driving while intoxicated or under the influence of drugs, and speed contests. Reckless driving is an eight-point violation in Colorado and failure to stop for school signals or exceeding the speed limit by 20 miles or more over the posted speed are six-point violations.

Generally, Colorado assesses as many or more points for comparable offenses than any other state. In comparing the number of points assessed from state to state, consideration is given to the total number of points needed for suspension of the driver's license. Thus, in California where suspension is authorized if the driver accumulates four points in a period of twelve months, four points is considered as comparable to 12 points in Colorado. Similarly, two points in California is comparable to six in Colorado, etc. New Jersey has a provision that three points are added to the accumulated points of a driver if he has three convictions within 18 months.

The number of points assessed in Colorado for eluding a police officer often has been criticized as being too few. No other state with a point system singles this offense out; thus, it would be included in a clause covering all other offenses not specifically mentioned in the statute. Only a small number of points are assessed for such offenses. Delaware, New York, and Oregon specifically provide for mandatory suspension for eluding a police officer. In view of the danger involved in eluding a police officer, an increase in points assessed for this offense in Colorado seems to be warranted.

Another offense which poses great danger to highway users is reckless driving. Colorado assesses more points than most states for this offense. However, in some states (including Indiana and Virginia) which do not utilize a point system, suspension is authorized for reckless driving. Indiana defines the offenses which constitute reckless driving as follows:

24. Section 13-4-23, C.R.S. 1963, as amended.

1. unreasonable high or low speed endangering persons or property or blocking flow of traffic;
2. passing vehicle on slope or curve where visibility is less than 50 feet;
3. unlawfully driving in and out of traffic lanes;
4. interfering with overtaking vehicle;
5. failing to dim headlights upon approach of vehicle or pedestrian; and
6. driving recklessly so as to endanger persons or property.²⁵

Penalty Assessments

A penalty assessment program was adopted in Colorado in 1939 (Chapter 74, Session Laws of Colorado 1939). Penalty assessments permit an individual operating a motor vehicle and charged with a certain type of traffic violation to acknowledge guilt at the time the citation is issued, and by acceptance of a so-called "penalty assessment," the person agrees to pay the fine scheduled for the violation, rather than become involved in a court appearance. The penalty assessment ticket also is a summons to appear in court in the event the person fails to pay the scheduled fine. Basically, the penalty assessment program is designed to expedite the processing of minor traffic violations.

The value of the penalty assessment program has been questioned at meetings held by the committee. At the May 19 meeting of the committee, Judge Daniel Shannon, Jefferson County, pointed out "...the penalty assessment system needs revision. A court appearance is a valuable tool and weapon that can be used to develop respect for the law. The lesson gained in listening to a number of cases and the education received with respect to one's rights in court are worth much more than what can be gained from mailing in a check for a penalty assessment. ..." Chief Gib Carrel, Colorado State Patrol, also agreed that if more individuals were required to appear in court, the seriousness of traffic offenses probably would be better emphasized.

25. Suspension and Revocation of Drivers' Licenses, Automotive Safety Foundation, page 25.

Arguments Supporting Use of Penalty Assessments. As previously mentioned, the penalty assessment program reduces the workload of the county courts for processing traffic cases. A crowded court docket permits less time for traffic cases which, in turn, reduces the benefit of a court appearance. The combination of payment of a fine in conjunction with the arresting officer's bringing to the attention of the driver the violation committed is a sufficient deterrent and corrective measure for most motorists. For persons who continue to commit minor violations, the hearing procedures of the Motor Vehicle Division with respect to suspension under the point system, focus on the problem driver, minimizing the need for a court appearance. Preliminary hearings also are held by the Motor Vehicle Division prior to the accumulation of 12 points in an attempt to correct faulty driving practices. In conclusion, requirement of a court appearance for minor violations is an unwarranted intrusion on an individual's time.

Arguments Opposing the Use of Penalty Assessments. Traffic laws provide the means for orderly movement of a tremendous volume of vehicles on our nation's highways. Violations of traffic laws not only break down the smooth flow of our traffic system, but introduce an element of danger or threat of death, injury, and property damage. For this reason, persons disrupting our modern traffic system must be given every chance to understand the consequences of their acts. The penalty assessment system, however, tends to negate the opportunity for the judiciary to educate drivers as to the dangers posed by persons violating motor vehicle laws. Too many individuals regard the penalty assessment system only as a revenue raising measure, giving little thought to possible consequences of the violations involved. Our penalty system needs to be designed to provide persons with the motivation to function within the laws of the state. Appearance in a court of law is a necessary mechanism whereby violators may develop respect for the law and a better understanding of our transportation system. In summary, although the judiciary cannot guarantee that an individual brought before the court subsequently will be a better driver, the courts do provide an opportunity to educate violators as to the consequences of their acts.

Penalty Assessment Statute. Section 13-5-130, C.R.S. 1963, lists the various sections of the statutes pertaining to the operation of motor vehicles which are subject to the penalty assessment system. These penalty assessments range from muffler noise to speeding. For example, section 13-5-46, relates to turning on a curve or crest of a hill; a U-turn in either instance would appear to be extremely hazardous under certain circumstances, suggesting the need for education of the violator. Other moving violations subject to the penalty assessment provision include: following too close (13-5-44), weaving on a multi-lane highway (13-5-43), failure to yield to a vehicle overtaking on the left (13-5-39), driving on the wrong side of the road (13-5-43), making illegal turns from the wrong lane (13-5-45), improper passing of a vehicle (13-5-39) (13-5-40), failure to stop upon entering a highway (13-5-53) (13-5-69), etc.

Work Release Sentencing

Perhaps judges are reluctant to impose stiffer sentences for persons convicted of major traffic violations because jail sentences also punish the family of an individual by cutting off family income. In other words, when the wage earner of a family is imprisoned, the family may be forced on to the welfare rolls, adding to the burden of society and punishing innocent victims. To meet this problem, some states permit judges to impose work-release sentences whereby a prisoner may work at his regular job, while spending his leisure time in prison serving his sentence.

In 1965, the Colorado General Assembly granted authority to class I counties (City and County of Denver) to experiment with work-release sentencing. Section 105-7-28, C.R.S. 1963, 1965 Permanent Cumulative Supplement, provides, in part, that: "Any person sentenced to a county jail for a crime, nonpayment of a fine or forfeiture, or contempt of court, may be granted the privilege of leaving the jail during necessary and reasonable hours for any of the following purposes:

- (b) Seeking employment;
- (c) Working at his employment;
- (d) Conducting his own business or other self-employed occupation including, in the case of a woman, housekeeping and attending to the needs of her family;
- (e) Attendance at an educational institution;
or
- (f) Medical treatment....

The court also is granted full discretion with respect to work release sentencing, and the court may withdraw the privilege at any time. Every prisoner gainfully employed is liable for the cost of his board, and default of payment of board results in forfeiture of his work-release privilege. The sheriff also by order of the court may disburse the wages of the prisoner as follows: board of the prisoner, travel expenses, support of dependants, pay prisoner's obligations, and the balance to the prisoner on his discharge.

Testimony to the committee by Judge William Burnett of the City and County of Denver and Judge Daniel Shannon, Jefferson County, supported expansion of the work-release program to all counties in the state. A summary of Judge Shannon's remarks to the committee follows:

"Also, the work-release program should be broadened to enable counties outside of Denver to use such sentencing. The counties now

use it in cases where the sheriffs are willing to go along with the program, but such arrangements are usually very unstable. Fines will not convince some people that they cannot drive with suspended licenses, and perhaps a work-release sentence would help. Such a system is especially applicable to people with families. Thus, the family will be deprived of the company of the offender and the offender would in turn be deprived of the company of his family; while, at the same time, the income of the family would be retained. In response to Representative Friedman, Judge Shannon said that arrangements can be worked out so that the prisoner can get to work without driving himself. Also, if he violates his privileges he will become a full-time prisoner. Many judges would be more inclined to give jail sentences under the work-release sentencing than is now true."²⁶

Applicability to Traffic Violators. According to a Minnesota study, work-release sentencing is more applicable to traffic law violators than any other class of offenders. Perhaps this is due because a more representative or stable cross section of the community is involved in traffic violations than other types of crime. The traffic violator usually has family ties, steady employment, better-than-average education, and longer periods of residence in the community than other types of prisoners. Minnesota records also show that persons convicted for driving offenses such as driving while under the influence, careless driving, driving under license suspension, and driving after license revocation, have served work-release sentences in a satisfactory manner. On the other hand, the work-release system has not proved beneficial in dealing with the needs of the alcoholic, "skid row" characters, prostitutes, persons with no permanent place to live, and persons convicted of larceny, burglary, robbery, or violence.²⁷

Enforcement

State Patrol

Unlike most state agencies, the maximum level of state patrolmen is set by statute in Colorado rather than determined through the normal budgetary processes. In other words, most state agencies justify their personnel needs through annual budget review, while the state patrol must have specific legislation to increase the number of patrolmen over and above the present statutory maximum. For instance, the last increase of the state patrol was in 1959 when the

26. Committee on Highway Safety, "Minutes of Meeting," July 28, 1966.
27. Anderson, Elmer R., Work Release Sentencing.

maximum number of patrolmen was raised from 200 to 275. The staffing pattern of the state patrol as determined by statute follows: one chief, one deputy, 60 commissioned and noncommissioned officers, 275 patrolmen, plus necessary civilian personnel to maintain efficient patrol administration.

The Colorado State Patrol was organized in 1935 with a total of 44 men. The patrol force has increased steadily since that time, and, in particular, the increases since 1949 as well as the department's request for an increase in the statutory maximum follows:

PERSONNEL OF COLORADO STATE PATROL

<u>Year</u>	<u>Patrolmen</u>	<u>Commissioned and Noncommissioned Officers</u>
1949	140	35
1955	200	35
1959	275	60
Request for 1967*	382*	71*

*Figures include additional patrolmen requested by the Colorado State Patrol; to date (November 4, 1966), this request has not been approved by the State Patrol Board. These projections are based on a 48-hour week.

In the past, the Colorado State Patrol has attempted to justify the need for additional patrolmen upon the standards or criteria developed by the International Association of Police Chiefs, the Traffic Institute of Northwestern University, etc. The criteria used include: fatal accident records on rural highways; vehicle registrations by county and the state total; as well as the increased population of the state. The State Patrol now believes that an additional factor needs to be added to the aforementioned standards, i.e., the volume of vehicles utilizing a highway during a 24-hour period. The department feels that this is a very important factor in view of the growth of tourism in Colorado.

In testimony to the Committee on Highway Safety, Chief G. R. Carrel reported:

"The number of vehicles on Colorado's highways is increasing by about 50,000 each year, suggesting the need for additional manpower for the Colorado State Patrol. Since the last increase of the State Patrol in 1959, the total number of vehicles registered in Colorado has increased by 319,000. Policing is expensive, however, a distinctively marked patrol car is still the best method of encouraging safe traffic flow."

Citing the aforementioned criteria, Chief Carrel also pointed out that an average increase in the number of patrolmen of 5.6 per cent per year is needed to keep the patrol at the 1959 level. In other words, since the statutory maximum has remained the same since 1959, an increase of 39.2 per cent of the patrol force is needed to bring the staffing of patrolmen up to the 1959 level, based on the aforementioned criteria.

The Appraisal of Highway Safety Programs 1966, prepared by the National Safety Council for Colorado, summarizes the relative strength of state highway patrols based on rural vehicle miles traveled. Of the 26 states with state highway patrols, Colorado ranks fifth in number of patrolmen per billion miles of total rural vehicle miles traveled.

EQUIVALENT TRAFFIC MEN PER BILLION
RURAL VEHICLE MILES TRAVELED*

<u>State</u>	<u>Equivalent Number of Patrolmen</u>
California	69.4
Mississippi	69.0
Tennessee	68.3
Alabama	53.6
COLORADO	52.8
Florida	51.3
Arizona	50.2
Utah	48.0
Nebraska	46.7
Texas	41.2
Montana	39.8
Georgia	39.5
North Carolina	39.2
Wyoming	37.9
South Carolina	36.7
Kansas	36.1
Missouri	34.5
Oklahoma	33.9
Iowa	32.7
Washington	31.7

*Figures do not include state police forces.

<u>State</u>	<u>Equivalent Number of Patrolmen</u>
Minnesota	27.6
Nevada	27.4
North Dakota	26.0
Ohio	21.6
Wisconsin	19.8
South Dakota	19.0

APPENDIX A

STATE MOTOR-VEHICLE OPERATORS AND CHAUFFEURS LICENSES

1/ STATES AS OF JANUARY 1, 1966

STATE	CLASS OF LICENSE	STATE AGENCY ADMINISTERING LAW	APPLICATION MADE TO:	EXAMINATION CONDUCTED BY:	LICENSE ISSUED BY:	EXTRUCTION OR LEASERS PENALTY	LICENSES			SERVICE CHARGE BY LOCAL OR COUNTY AGENCIES		TERM FOR WHICH ISSUED	
							FEES	RENEWAL	EXPIRES	AMOUNT	DEDUCTED FROM REGULAR FEES		ADDED TO REGULAR FEES
Alabama	Operator	Department of Public Safety, Drivers License Division	County Probate Judge	Highway Patrol	Drivers License Division	\$.35	\$4.25	\$.25	\$.10	Yes	-	2	Birthday
Alaska	Operator School Bus Operator	Department of Public Safety	Department of Public Safety	Department of Public Safety	Department of Public Safety	1.00	5.00	1.00	-	-	-	3	Birthday
Arizona	Operator Chauffeur	Highway Department, Motor Vehicle Division	Motor Vehicle Division	Motor Vehicle Division	Motor Vehicle Division	2.00	2.50	1.00	-	-	-	1	September 2
Arkansas	Operator Chauffeur	Revenue Department, Motor Vehicle Division	Motor Vehicle Division	State Police	Motor Vehicle Division	2.00	2.00	2.00	-	-	-	2	Birthday
California	Operator	Department of Motor Vehicles, Division of Drivers License	Division of Field Office Operation	Division of Field Office Operation	Division of Drivers License	3.00	3.00	1.00	-	-	-	3 & 4	Birthday
Colorado	Operator Chauffeur	Department of Revenue, Motor Vehicle Division	County Clerk or Representative of Motor Vehicle Division	County Clerk or Representative of Motor Vehicle Division	Motor Vehicle Division	2.25	2.25	1.25	1.50	Yes	-	3	Birthday
Connecticut	Operator Public Service Operator	Department of Motor Vehicles, Division of Registry	Department of Motor Vehicles	Division of Inspection	Division of Registry	(5/)	6.00	1.00	-	-	-	2	Birth Month
Delaware	Operator Chauffeur	Highway Commission, Motor Vehicle Department	Motor Vehicle Department	Motor Vehicle Department	Motor Vehicle Department	3.00	3.00	1.00	-	-	-	1	May 1
Florida	Operator Chauffeur	Department of Public Safety, Drivers License Division	Drivers License Division	Highway Patrol	County Judges	3.00	3.00	1.00	25	Yes	-	2	Birth Month
Georgia	Operator Chauffeur	Department of Public Safety, Drivers License Division	Drivers License Division	Drivers License Division	Drivers License Division	1.00	2/ 1.00 or 3.00	1.00	2/ 1.50 or 2.00 or 3.00	Yes	-	2	Birth Month
Iowa	Operator Chauffeur	Department of Law Enforcement, Motor Vehicle Division	County Police Departments	Commissioner of Chauffeurs	County Police Departments	1.00	3.00	1.00	.50	-	-	1 or 3	Birthday
Illinois	Operator Chauffeur	Secretary of State, Drivers License Division	Secretary of State, Drivers License Division	Secretary of State, Drivers License Division	Department of Law Enforcement, Motor Vehicle Division	3.00	3.00	1.00	6.00	-	-	3	Birthday
Indiana	Operator Registered Chauffeur Public Passenger Chauffeur	Bureau of Motor Vehicles	Branch Office	Bureau of Motor Vehicles	Bureau of Motor Vehicles	1.00	1.50	1.50	.50	Yes	-	2	Birth Month
Iowa	Operator Chauffeur	Department of Public Safety, Drivers License Division	Drivers License Division	Drivers License Division or Highway Patrol	Drivers License Division	3.00	5.00	2.00	10.00	-	-	2	Birthday
Kansas	Operator Chauffeur	Highway Commission, Motor Vehicle Department, Drivers License Division	Motor Vehicle Department, Drivers License Division	Highway Commission, Motor Vehicle Department	Motor Vehicle Department, Drivers License Division	.50	2.00	.50	2.00	-	-	2	Birthday
Kentucky	Operator Chauffeur	Department of Public Safety, Division of Driver Licensing	County Circuit Court Clerks	State Police	County Circuit Court Clerks	1.00	2.00	1.00	.75	Yes	-	2	Birth Month
Louisiana	Operator Chauffeur	Department of Public Safety, Drivers License Division	Drivers License Division	Drivers License Division	Drivers License Division	2.50	2.50	1.50	.25	Yes	-	1	January 1
Maine	Operator	Department of State, Motor Vehicle Division	Motor Vehicle Division	Motor Vehicle Division	Motor Vehicle Division	3.00	5.00	.50	-	-	-	2	Birthday
Maryland	Operator Chauffeur	Department of Motor Vehicles	Department of Motor Vehicles	Department of Motor Vehicles	Department of Motor Vehicles	5.00	7.00	2.00	.25	-	-	2	Birth Month
Massachusetts	Operator School Bus Operator	Registry of Motor Vehicles, Department of Public Utilities	Registry of Motor Vehicles, Department of Public Utilities	Registry of Motor Vehicles, Department of Public Utilities	Registry of Motor Vehicles, Department of Public Utilities	2.00	5.00	1.50	1.50	-	-	2	Birthday

APPENDIX A
(Continued)

STATE MOTOR—VEHICLE OPERATORS AND CHAUFFEURS LICENSES 1

1/ STATES AS OF JANUARY 1, 1956

STATE	CLASS OF LICENSE	STATE AGENCY ADMINISTERING LAW	APPLICATION MADE TO:	EXAMINATION CONDUCTED BY:	LICENSE ISSUED BY:	FEE	SERVICES CHARGES BY LOCAL OR COUNTY AGENCIES			FORM FOR VEHICLE ISSUED			
							RENEWAL	EXPIRE-DATE	AMOUNT	ADDED TO REGULAR FEE	NUMBER OF YEARS	RENEWAL DATE	
Michigan	Operator Chauffeur	Secretary of State, Division of Driver and Vehicle Services	County Sheriffs and City Police	County Sheriffs and City Police	Division of Driver and Vehicle Services	\$4.50	3.00	1.00	(12/)	Yes	-	3	Birthday
Minnesota	Operator Chauffeur	Department of Highway, Drivers License Division	Drivers License Division	Drivers License Division	Minnesota Highway Department	4.50	3.25	1.00	(12/)	Yes	-	1	Issuance
Mississippi	Operator Chauffeur	Secretary of State, Chauffeurs License Division, or Agents for new Licenses	Chauffeurs License Division	Chauffeurs License Division	Secretary of State, Chauffeurs License Division	3.00	3.00	.50	(12/)	Yes	-	1	Birthday
Missouri	Operator Chauffeur	Department of Public Safety, Drivers License Division	Drivers License Division of the Highway Patrol	Highway Patrol	Drivers License Division of the Highway Patrol	3.00	2.00	1.00	(12/)	Yes	-	1	Birthday
Montana	Operator Chauffeur	Department of Revenue, Drivers License Unit	State Public or Agent, or Branch of Motor Vehicle Unit	Highway Patrol	Drivers License Unit	2.00	2.00	.25	-	-	-	3	Issuance
Nebraska	Operator Chauffeur	Highway Patrol	County Treasurer	Highway Patrol	Highway Patrol	4.00	4.00	.50	-	-	-	2	Birthday
Nevada	Operator Chauffeur	Department of Motor Vehicles	Department of Motor Vehicles	Department of Motor Vehicles	County Treasurer	3.00	3.00	.50	.10	Yes	-	2	September 1 of Year
New Hampshire	Operator Commercial	Department of Motor Vehicles	Department of Motor Vehicles	Drivers License Division	Drivers License Division	15/ 5.00	15/ 5.00	1.00	-	-	-	5	Birthday
New Jersey	Operator Bus	Department of Law and Public Safety, Division of Motor Vehicles	Division of Motor Vehicles	Division of Motor Vehicles	Division of Motor Vehicles	10.00	5.00	1.00	-	-	-	2	Birthday
New Mexico	Operator Chauffeur	Department of Motor Vehicles, Drivers Service Section	Department of Motor Vehicles	Law Enforcement Officers, and Department of Motor Vehicle Examiners	Drivers Service Division	3.25	3.25	.75	-	-	-	2	Birth Month
New York	Operator Chauffeur	Department of Motor Vehicles	Department of Motor Vehicles	Department of Motor Vehicles	Department of Motor Vehicles or County Clerk	5.00	3.00	3.00	.20	Yes	Yes	3	Issuance
North Carolina	Operator Chauffeur	Department of Motor Vehicles, Driver License Division	Department of Motor Vehicles	Department of Motor Vehicles	Department of Motor Vehicles	2.50	2.50	.50	-	-	-	4	Birthday
North Dakota	Operator	State Highway Department, Safety Responsibility Division	State Highway Department	Highway Patrol	State Highway Department, Safety Responsibility Division	3.00	3.00	1.00	-	-	-	2	Birth Month
Ohio	Operator Chauffeur	Department of Highway Safety	Bureau of Motor Vehicles	Highway Patrol	Bureau of Motor Vehicles	1.75	1.75	.25	.25	-	-	3	Birthday
Oklahoma	Operator Chauffeur Commercial Chauffeur	The Commission, Department of Public Safety	Tax Commission	License Examiners of the Department of Public Safety	Department of Public Safety	4.00	4.00	1.00	.20	Yes	Yes	2	Birth Month
Oregon	Operator Chauffeur	Department of Motor Vehicles, Drivers License Division	Department of Motor Vehicles	Drivers License Division	Drivers License Division	10.00	10.00	1.00	.20	Yes	-	2	Birth Month
Pennsylvania	Operator	Department of Revenue, Bureau of Motor Vehicles	Bureau of Motor Vehicles	State Police	Bureau of Motor Vehicles	4.00	4.00	.50	-	-	-	2	Birth Month
Rhode Island	Operator Chauffeur	Registry of Motor Vehicles, License Division	Registry of Motor Vehicles	License Examining Division	Registry of Motor Vehicles	11.00	8.00	1.00	-	-	-	2	October 1 - October 1
South Carolina	Operator Common Carrier Operator	Highway Department, Motor Vehicle Division	Motor Vehicle Division	Motor Vehicle Division	Motor Vehicle Division	2.00	2.00	2.00	-	-	-	4	Birthday
Texas	Operator Chauffeur	Public Service Commission	Public Service Commission	Public Service Commission	Public Service Commission	2.00	2.00	2.00	-	-	-	1	January 1

BILL A

A BILL FOR AN ACT

1 CONCERNING LICENSES TO DRIVE MOTOR VEHICLES.

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

3 SECTION 1. 13-4-12 (1), Colorado Revised Statutes 1963
4 (1965 Supp.), is amended to read:

5 13-4-12. License issued - fees. (1) The department, upon
6 payment of the required fee, shall issue to every applicant
7 qualifying therefor an operator's, minor operator's, provisional
8 operator's, provisional chauffeur's, or chauffeur's license as
9 applied for, which license shall bear thereon the photograph of
10 the licensee, a distinguishing number PERMANENTLY assigned to
11 the licensee, the full name, date of birth, residence address,
12 and a brief description of the licensee, and a space upon which
13 the licensee shall write his usual signature with pen and ink
14 immediately upon receipt of the license. No license shall be
15 valid until it has been signed by the licensee. EFFECTIVE JULY
16 1, 1967, THE DISTINGUISHING NUMBER ASSIGNED TO A LICENSEE ON OR
17 AFTER SUCH DATE SHALL BE PLACED UPON ALL LICENSES SUBSEQUENTLY
18 ISSUED TO HIM PURSUANT TO THIS ARTICLE.

19 SECTION 2. Effective date. This act shall take effect
20 July 1, 1967.

21 SECTION 3. Safety clause. The general assembly hereby finds,

1 determines, and declares that this act is necessary for the
2 immediate preservation of the public peace, health, and safety.

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BILL B

A BILL FOR AN ACT

1 CONCERNING THE DRIVING RECORDS OF MOTOR VEHICLE DRIVERS AND
2 PROVIDING FOR THE USE OF SUCH RECORDS AS EVIDENCE IN
3 COURTS OF RECORD OF THIS STATE.

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

5 SECTION 1. 13-4-18, Colorado Revised Statutes 1963, is
6 amended BY THE ADDITION OF A NEW SUBSECTION (3) to read:

7 13-4-18. Records to be kept by the department - driving
8 records - when prima facie evidence. (3) In any proceeding in
9 any court of record in this state pursuant to the provisions of
10 this chapter, concerning the driving or operation of any motor
11 vehicle by any person, a copy of such person's driving record
12 maintained by the department pursuant to subsection (2) of this
13 section, certified to the court by the department as a true and
14 correct copy of the information contained in such record, shall
15 be prima facie evidence of such record and shall be admissible
16 in evidence in such proceeding without further verification or
17 identification.

18 SECTION 2. Safety clause. The general assembly hereby
19 finds, determines, and declares that this act is necessary for
20 the immediate preservation of the public peace, health, and
21 safety.

BILL C

A BILL FOR AN ACT

1 CONCERNING LICENSES TO DRIVE MOTOR VEHICLES, AND PROVIDING FOR
2 THE RENEWAL THEREOF AND FOR LICENSE FEES.

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

4 SECTION 1. 13-4-16 (1), Colorado Revised Statutes 1963, is
5 amended to read:

6 13-4-16. Expiration of license. (1) Every operator's
7 and chauffeur's license hereafter issued shall expire on the
8 birth anniversary of the operator or chauffeur occurring within
9 the third year after the year in which such license was issued.
10 Every such license shall be renewable within ninety days prior
11 to its expiration, upon application in person, payment of the
12 required fee, ~~the-passing-of-an-eye-test,-and-the-passing-of~~
13 ~~such-other-and-further-examination-as-the-applicant's-apparent~~
14 ~~physical-limitations-or-driver's-record-indicate-to-be-desirable~~
15 AND THE PASSING OF ALL PHASES OF THE DRIVER'S EXAMINATION, AS
16 PROVIDED IN SECTION 13-4-10 (1), AS AMENDED.

17 SECTION 2. 13-4-12, Colorado Revised Statutes 1963 (1965
18 Supp.), is amended BY THE ADDITION OF A NEW SUBSECTION (6) to
19 read:

20 13-4-12. License issued - fees. (6) The fees required by
21 subsections (2) and (3) of this section shall be increased by an

1 additional dollar on or after the effective date of this sub-
2 section, which amount shall be deposited in the state treasury
3 to the credit of the highway users tax fund.

4 SECTION 3. Effective date. This act shall take effect
5 July 1, 1967.

6 SECTION 4. Safety clause. The general assembly hereby
7 finds, determines, and declares that this act is necessary for
8 the immediate preservation of the public peace, health, and
9 safety.

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BILL D

A BILL FOR AN ACT

1 CONCERNING MOTOR VEHICLES, AND PROVIDING FOR INSTRUCTION PER-
2 MITS, INSTRUCTION PERMIT FEES, AND FOR THE LICENSING OF
3 DRIVERS OF MOTORCYCLES AND MOTOR-DRIVEN CYCLES.

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

5 SECTION 1. 13-4-5 (1) (a), Colorado Revised Statutes 1963
6 (1965 Supp.), and 13-4-5 (1) (b), Colorado Revised Statutes
7 1963, are amended to read:

8 13-4-5. Instruction permits and temporary licenses. (1)

9 (a) Any person or any minor of the age of fifteen years or more
10 within three months prior to his sixteenth birthday, who except
11 for his lack of instruction in operating a motor vehicle, OTHER
12 THAN A MOTORCYCLE OR MOTOR-DRIVEN CYCLE, would otherwise be
13 qualified to obtain a license under this article, may apply
14 for a temporary instruction permit, in accordance with sections
15 13-4-6 and 13-4-7, and the department shall issue such permit
16 entitling the applicant, while having such permit in his imme-
17 diate possession, to drive a motor vehicle, OTHER THAN A MOTOR-
18 CYCLE OR MOTOR-DRIVEN CYCLE, upon the highways for a period of
19 one hundred twenty days when accompanied by a licensed operator
20 or chauffeur, twenty-one years of age or over, who is actually
21 occupying the seat beside the driver. ~~except-when-operating-a~~

1 ~~motorcycle-or-any-motor-driven-cycle.~~ Any such instruction per-
2 mit may be extended for an additional period of sixty days.

3 (b) Any minor of the age of fifteen years or more within
4 six months prior to his sixteenth birthday who is enrolled in
5 a driver education course, accredited by the state department of
6 education, may apply for a minor's instruction permit, in accord-
7 ance with the provisions of sections 13-4-6 and 13-4-7, which
8 pertain to instruction permits; and upon the presentation of
9 a written or printed statement signed by the parent or guardian
10 and the instructor of the driver education course that said
11 minor is enrolled in an accredited driver education course, the
12 department shall issue such permit entitling the applicant, while
13 having such permit in his immediate possession, to drive any
14 motor vehicle, OTHER THAN A MOTORCYCLE OR MOTOR-DRIVEN CYCLE,
15 which is so marked as to indicate that it is the motor vehicle
16 used for instruction and which is properly equipped for such
17 instruction upon the highways when accompanied by a driver edu-
18 cation course instructor, who holds a valid operator's or
19 chauffeur's license.

20 SECTION 2. 13-4-5 (1), Colorado Revised Statutes 1963, as
21 amended by section 1 of this act, is amended BY THE ADDITION OF
22 A NEW PARAGRAPH (c) to read:

23 13-4-5. Instruction permits and temporary licenses. (1) (c)
24 Any person of the age of sixteen years or more, who except for
25 his lack of instruction in operating a motorcycle or motor-
26 driven cycle, would otherwise be qualified to obtain a special
27 license or an authorization under this article to drive a
28 motorcycle or motor-driven cycle, may apply for a temporary

1 instruction permit, in accordance with sections 13-4-6 and
2 13-4-7, and the department shall issue such permit entitling
3 the applicant, while having such permit in his immediate
4 possession, to drive a motorcycle or motor-driven cycle upon
5 the highways for a period of thirty days while under the direct
6 supervision of a licensed operator or chauffeur, twenty-one
7 years of age or over, and who has been authorized under this
8 article to drive a motorcycle or motor-driven cycle, accompanying
9 the applicant on the same or in another vehicle.

10 SECTION 3. 13-4-6 (1), Colorado Revised Statutes 1963
11 (1965 Supp.), is amended to read:

12 13-4-6. Application for license or instruction permit. (1)
13 Every application for an instruction permit or for an operator's,
14 minor operator's, provisional operator's, provisional chauffeur's,
15 or chauffeur's license shall be made upon a form furnished by
16 the department and shall be verified by the applicant before a
17 person selected and authorized by the department to administer
18 oaths without charge and every said application shall be accom-
19 panied by the required fee. THE FEE FOR AN APPLICATION FOR ANY
20 INSTRUCTION PERMIT SHALL BE THE SAME AS REQUIRED FOR AN OPERATOR'S
21 LICENSE.

22 SECTION 4. 13-4-14, Colorado Revised Statutes 1963, is amended
23 by THE ADDITION OF A NEW SUBSECTION (6) to read:

24 13-4-14. Restricted license. (6) No person, except those
25 persons expressly exempted in section 13-4-2, shall drive a
26 motorcycle or motor-driven cycle, as defined in section 13-1-1
27 (3) or (73), upon a highway in this state, unless said person
28 has a valid license prepared and issued by the department pursuant

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1 to this article, which license specifically authorizes said per-
2 son to drive a motorcycle or motor-driven cycle. Such authority
3 may be evidenced by a special license limited to the operation of
4 only motorcycles or motor-driven cycles, or by an endorsement on
5 any operator's, provisional operator's, chauffeur's, provisional
6 chauffeur's, or minor operator's license. No person shall be
7 granted such authority until he has passed an examination of his
8 ability to operate such a vehicle and paid a fee equal to that
9 required for an operator's license. Such examination shall in-
10 clude an actual demonstration of driving ability conducted on a
11 motorcycle or motor-driven cycle, and such further physical and
12 mental examination as the department finds necessary to determine
13 the fitness of the applicant to drive such a vehicle.

14 SECTION 5. Effective date. This act shall take effect
15 July 1, 1967.

16 SECTION 6. Safety clause. The general assembly hereby
17 finds, determines, and declares that this act is necessary for
18 the immediate preservation of the public peace, health, and
19 safety.

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BILL E

A BILL FOR AN ACT

1 CONCERNING MOTOR VEHICLES, AND PROVIDING FOR THE INSPECTION
2 THEREOF NOT LESS THAN TWICE EACH CALENDAR YEAR PURSUANT
3 TO A TWELVE MONTH SAFETY INSPECTION PROGRAM.

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

5 SECTION 1. 13-5-113 (1), Colorado Revised Statutes 1963,
6 is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

7 13-5-113. Periodical inspections required. (1) (a)

8 Every motor vehicle registered in this state shall be inspected
9 at least twice each year at six month intervals, and an offi-
10 cial certificate of inspection shall be obtained for each such
11 vehicle.

12 (b) Prior to January 1, 1968, inspection periods, during
13 which such inspections shall be made, shall, as nearly as possi-
14 ble, be for a period of sixty days, and shall be made in the
15 months of October and November, and April and May. All inspec-
16 tion stickers issued in 1967 and prior to October 1 of such
17 year shall expire May 31 and November 30 of such year. Inspec-
18 tion stickers issued on or after October 1, 1967, and prior to
19 January 1, 1968, shall, according to rules promulgated by the
20 department, expire in approximately equal numbers during each
21 of the first six calendar months of 1968.

1 (c) Commencing January 1, 1968, inspection periods, dur-
2 ing which inspections shall be made, shall be for a period of
3 one calendar month each, January through June, and again, July
4 through December, of each year. The department shall, by rule,
5 establish a twelve month safety inspection program to be so
6 conducted that every motor vehicle registered in this state
7 shall be inspected during one inspection period in the first
8 six months of each calendar year, and during one such period
9 in the last six months of each calendar year.

10 (d) Nothing in this section shall prevent the inspection
11 and approval of motor vehicles during other months of the year
12 when the director determines that circumstances necessitate
13 such inspection.

14 SECTION 2. Safety clause. The general assembly hereby
15 finds, determines, and declares that this act is necessary for
16 the immediate preservation of the public peace, health, and
17 safety.

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BILL F

A BILL FOR AN ACT

1 CONCERNING THE TREATMENT OF MOTOR VEHICLE LICENSE PLATES

2 WITH A REFLECTIVE MATERIAL, AND PROVIDING A FEE THEREFOR.

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

4 SECTION 1.13-3-12 (2), Colorado Revised Statutes 1963, is
5 amended to read:

6 13-3-12. Number plates furnished - style. (2) (a) Every
7 number plate shall have displayed upon it the registration
8 number assigned to the vehicle and to the owner thereof, also
9 the name of this state which may be abbreviated, and the year
10 number for which it is issued and any other appropriate symbol,
11 word or words designated by the department. Such plate and the
12 required letters and numerals thereon, except the year number
13 for which issued, shall be of sufficient size to be plainly
14 readable from a distance of one hundred feet during daylight.

15 (b) THE ENTIRE FACE OF ALL NUMBER PLATES ISSUED PURSUANT
16 TO THIS CHAPTER FOR THE YEAR 1969, AND THEREAFTER, SHALL BE
17 COATED WITH A REFLECTIVE MATERIAL. IN ADDITION TO ANY OTHER
18 REGISTRATION FEE REQUIRED BY THIS CHAPTER, A FEE OF TWENTY-FIVE
19 CENTS SHALL BE PAID TO THE DEPARTMENT OF REVENUE FOR EACH VEHICLE
20 REGISTERED PURSUANT TO THIS ARTICLE AND FOR WHICH SUCH REFLECTIVE
21 NUMBER PLATES SHALL BE ISSUED.

1 SECTION 2. Safety clause. The general assembly hereby
2 finds, determines, and declares that this act is necessary
3 for the immediate preservation of the public peace, health,
4 and safety.

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BILL G

A BILL FOR AN ACT

1 CONCERNING EQUIPMENT ON MOTORCYCLES AND MOTOR-DRIVEN CYCLES.

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

3 SECTION 1. Article 5 of chapter 13, Colorado Revised Stat-
4 utes 1963, as amended, is amended BY THE ADDITION OF A NEW SEC-
5 TION to read:

6 13-5-158. Motorcycles and motor-driven cycles - equipment.

7 A person operating a motorcycle or motor-driven cycle, as defined
8 in section 13-1-1 (3) or (73), shall ride only upon the permanent
9 and regular seat attached thereto. It shall be unlawful for such
10 operator to carry any other person on a motorcycle or motor-
11 driven cycle, unless it is originally designed to carry more than
12 one person, in which event, a passenger may ride upon the perma-
13 nent and regular seat, if it is designed for two persons, or upon
14 another seat securely fastened behind the driver. A passenger
15 may also be carried in a sidecar attached to the side of the
16 motorcycle or motor-driven cycle. Every motorcycle or motor-
17 driven cycle designed to carry more than one person shall be
18 equipped with handgrips and footrests for the passenger.

19 SECTION 2. Effective date. This act shall take effect
20 July 1, 1967.

21 SECTION 3. Safety clause. The general assembly hereby

1 finds, determines, and declares that this act is necessary for
2 the immediate preservation of the public peace, health, and
3 safety.

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BILL H

A BILL FOR AN ACT

1 CONCERNING THE OPERATION OF VEHICLES, AND RELATING TO DRIVING
2 WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUORS OR
3 DRUGS, OR WHILE ANY PERSON'S ABILITY TO OPERATE A VEHICLE
4 IS IMPAIRED BY ALCOHOL.

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

6 SECTION 1. 13-5-30, Colorado Revised Statutes 1963, is
7 REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

8 13-5-30. Driving under the influence - driving while
9 ability is impaired by the consumption of alcohol - penalties.

10 (1) (a) It is a misdemeanor for any person who is under the in-
11 fluence of intoxicating liquor to drive any vehicle in this state.

12 (b) It is a misdemeanor for any person to drive any vehicle
13 in this state while such person's ability to operate a vehicle is
14 impaired by the consumption of alcohol.

15 (c) It is a misdemeanor for any person who is an habitual
16 user of or under the influence of any narcotic drug, or who is
17 under the influence of any other drug to a degree which renders
18 him incapable of safely operating a vehicle, to drive a vehicle
19 in this state. The fact that any person charged with a viola-
20 tion of this paragraph is or has been entitled to use such drug
21 under the laws of this state shall not constitute a defense

1 against any charge of violating this paragraph.

2 (2) (a) In any prosecution for a violation of subsection
3 (1) (a) or (1) (b) of this section, the amount of alcohol in the
4 defendant's blood at the time of the commission of the alleged
5 offense, or within a reasonable time thereafter, as shown by
6 chemical analysis of the defendant's blood, urine, or breath
7 shall give rise to the following presumptions:

8 (b) If there was at such time 0.05 per cent or less by
9 weight of alcohol in the defendant's blood, it shall be presumed
10 that the defendant was not under the influence of intoxicating
11 liquor and that his ability to operate a vehicle was not impaired
12 by the consumption of alcohol.

13 (c) If there was at such time in excess of 0.05 per cent
14 but less than 0.10 per cent by weight of alcohol in the defend-
15 ant's blood such fact shall not give rise to any presumption that
16 the defendant was or was not under the influence of intoxicating
17 liquor or that his ability to drive a vehicle was or was not im-
18 paired by the consumption of alcohol, but such fact may be con-
19 sidered with other competent evidence in determining if the
20 defendant was under the influence of intoxicating liquor or if
21 his ability to operate a vehicle was impaired by the consumption
22 of alcohol.

23 (d) If there was at such time 0.10 per cent but less than
24 0.15 per cent by weight of alcohol in the defendant's blood,
25 such fact shall give rise to the presumption that the defendant's
26 ability to operate a vehicle was impaired by the consumption of
27 alcohol, and such fact may also be considered with other compe-
28 tent evidence in determining whether or not the defendant was
29

1 under the influence of alcohol.

2 (e) If there was at such time 0.15 per cent or more by
3 weight of alcohol in the defendant's blood, it shall be pre-
4 sumed that the defendant was under the influence of alcohol.

5 (f) The limitations of this subsection shall not be con-
6 strued as limiting the introduction, reception, or considera-
7 tion of any other competent evidence bearing upon the question
8 of whether or not the defendant was under the influence of in-
9 toxicating liquor or whether or not his ability to operate a
10 vehicle was impaired by the consumption of alcohol.

11 (3) No person shall be required to take a blood alcohol
12 test without his consent; and failure to take a blood alcohol
13 test shall not be presumed as guilt on the part of the person
14 so refusing to take the said blood alcohol test.

15 (4) (a) Every person who is convicted of a violation of
16 subsection (1) (a) or (1) (c) of this section shall be punished
17 upon a first conviction by imprisonment in the county jail for
18 not less than one day or more than one year, or by a fine of
19 not less than one hundred dollars or more than one thousand
20 dollars, or by both such fine and imprisonment, and on a second
21 or subsequent conviction within five years shall be punished by
22 imprisonment in the county jail for not less than ninety days or
23 more than one year, and in the discretion of the court, by a
24 fine of not less than one hundred dollars or more than one thou-
25 sand dollars, or by both such fine and imprisonment. The mini-
26 mum period of imprisonment as provided upon second or subsequent
27 conviction for a violation of subsection (1) (a) or (1) (b) of
28 this section shall be mandatory, and the court shall have no

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1 discretion to grant probation or to suspend the sentence there-
2 for.

3 (b) Every person who is convicted of a violation of sub-
4 section (1) (b) of this section shall be punished by a fine of
5 not less than ten dollars nor more than five hundred dollars,
6 or by imprisonment in the county jail for not more than ten days,
7 or by both such fine and imprisonment.

8 SECTION 2. 13-4-23 (5) (b), Colorado Revised Statutes 1963,
9 is amended to read:

10 13-4-23. Authority to suspend license. (5)

<u>Type of conviction</u>	<u>Points</u>
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(b) (i) Driving while intoxicated or under the influence of drugs.....	12
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(ii) DRIVING WHILE ABILITY IS IMPAIRED BY THE CONSUMPTION OF ALCOHOL.....	8
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16 SECTION 3. Effective date. This act shall take effect
17 July 1, 1967.

18 SECTION 4. Applicability. This act shall apply to crimes
19 affected thereby on or after the effective date of this act.

20 SECTION 5. Safety clause. The general assembly hereby
21 finds, determines, and declares that this act is necessary for
22 the immediate preservation of the public peace, health, and
23 safety.

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BILL I

A BILL FOR AN ACT

1 RELATING TO PERSONS DRIVING VEHICLES WITHIN THIS STATE WHILE
2 UNDER THE INFLUENCE OF INTOXICATING LIQUOR, AND PROVIDING
3 FOR THE DETERMINATION OF THE ALCOHOLIC CONTENT OF THE BLOOD
4 OF SUCH PERSONS.

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

6 SECTION 1. 13-5-30 (2), Colorado Revised Statutes 1963,
7 is amended BY THE ADDITION OF A NEW PARAGRAPH (e) to read:

8 13-5-30. Driving under the influence - implied consent to
9 chemical tests - penalties. (2) (e) The limitations of this sub-
10 section shall not be construed as limiting the introduction, re-
11 ception, or consideration of any other competent evidence bear-
12 ing upon the question of whether or not the defendant was under
13 the influence of intoxicating liquor.

14 SECTION 2. 13-5-30 (3), Colorado Revised Statutes 1963,
15 is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

16 13-5-30. Driving under the influence - implied consent to
17 chemical tests - penalties. (3) (a) Any person who drives any
18 motor vehicle upon a public highway in this state shall be deemed
19 to have given his consent to a chemical test of his blood, breath,
20 or urine for the purpose of determining the alcoholic content of
21 his blood, if arrested for any offense arising out of acts alleged

1 to have been committed while the person was driving a motor
2 vehicle while under the influence of intoxicating liquor.

3 (b) The test shall be administered at the direction of the
4 arresting officer if he has reasonable grounds to believe such
5 person was driving a motor vehicle while under the influence of
6 intoxicating liquor, and in accordance with rules and regulations
7 prescribed by the state board of public health. At the time of
8 making the request for such a test, the officer shall inform the
9 person arrested of the possible consequences of a refusal to
10 submit to such a test.

11 (c) If any person who has been so arrested refuses to sub-
12 mit to a chemical test as requested by the arresting officer,
13 and as provided in this subsection, the test shall not be given;
14 but, the arresting officer shall file with the department a writ-
15 ten report, signed by him under oath, of such refusal, stating
16 therein that prior to the arrest he had reasonable grounds to
17 believe that the said person was driving a motor vehicle while
18 under the influence of intoxicating liquor.

19 (d) Upon receipt of such report, the department shall serve
20 notice upon said person, in the manner provided in section 13-4-17,
21 to appear before the department and show cause why his license to
22 operate a motor vehicle, or, if said person is a nonresident, his
23 privilege to operate a motor vehicle within this state, should
24 not be revoked. If, at the hearing held in accordance with the
25 order to show cause, said person is unable to submit evidence
26 that his physical condition was such that, according to competent
27 medical advice, such test would have been inadvisable, or if said
28 person shall fail to attend without good cause shown, the depart-
29 ment shall revoke said person's license to operate a motor vehicle,

1 or, if said person is a nonresident, his privilege to operate
2 a motor vehicle within this state, for a period of six months;
3 or if the person is a resident without such a license, the de-
4 partment shall deny to such person the issuance of a license for
5 a period of six months after the date of the alleged violation.
6 The revocation action provided for in this subsection shall be
7 in addition to any and all other suspensions, revocations, can-
8 cellations, or denials which may be provided by law, and any
9 revocation taken hereunder shall not preclude other actions which
10 the department is required to take in the administration of the
11 provisions of this chapter.

12 (e) Upon request of any person submitting to a chemical
13 test pursuant to this subsection (3), or his attorney, the re-
14 sult of such test shall be made available to him forthwith.

15 (f) Without limiting or affecting any of the provisions
16 of this subsection, any person submitting to a chemical test
17 under this subsection shall have a reasonable opportunity to
18 have an additional test by a physician or laboratory of his own
19 choice. If the arresting officer refuses to permit such an addi-
20 tional test to be made, after a request therefor has been made
21 within a reasonable time, the original test made at the request
22 of the arresting officer shall not be competent evidence against
23 such person, nor shall the report specified in paragraph (c) of
24 this subsection be made by any person.

25 (g) For the purpose of a criminal prosecution for a viola-
26 tion of subsection (1) of this section, the refusal of a person
27 to submit to a chemical test pursuant to this subsection (3)
28 shall not be presumed as guilt on the part of the person so
29 refusing.

1 (h) Judicial review of any decision or ruling of the de-
2 partment revoking any person's license or privilege to operate
3 a motor vehicle within this state may be obtained under section
4 13-4-27.

5 SECTION 3. 13-4-22 (1), Colorado Revised Statutes 1963,
6 is amended BY THE ADDITION OF A NEW PARAGRAPH (k) to read:

7 13-4-22. Mandatory revocation of license. (1) (k) Re-
8 fused to submit to a chemical test to determine the alcoholic
9 content of his blood pursuant to the provisions of section
10 13-5-30 (3).

11 SECTION 4. Effective date. This act shall take effect
12 July 1, 1967.

13 SECTION 5. Safety clause. The general assembly hereby
14 finds, determines, and declares that this act is necessary for
15 the immediate preservation of the public peace, health, and
16 safety.

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BILL J

A BILL FOR AN ACT

1 CONCERNING CERTAIN PERSONNEL OF THE COLORADO STATE PATROL.

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

3 SECTION 1. 120-10-8, Colorado Revised Statutes 1963, is
4 amended to read:

5 120-10-8. Personnel - appointment. With the approval of
6 the Colorado state patrol board, and in keeping with the consti-
7 tution and civil service laws of the state, the chief shall ap-
8 point: One deputy chief; ~~not-to-exceed-sixty-ether~~ THE NECESSARY
9 commissioned and noncommissioned officers in staff and command
10 or supervisory positions; ~~not-to-exceed-two-hundred-seventy-five~~
11 AND patrolmen TO PERMIT THE PATROL TO ADEQUATELY AND EFFICIENTLY
12 PERFORM ITS DUTIES AND FUNCTIONS; and the necessary civilian
13 personnel such as office and radio technicians as are essential
14 to conduct an efficient patrol administration twenty-four hours
15 daily. Any and all members of the Colorado state patrol shall
16 be under the immediate direction and control of the chief and
17 shall perform such duties as are specifically assigned by the
18 chief under the job specifications and regulations of the state
19 civil service commission, and shall receive such compensation as
20 commensurate with the specified grade assigned to the individual
21 position by the state civil service commission.

1 SECTION 2. Safety clause. The general assembly hereby
2 finds, determines, and declares that this act is necessary for
3 the immediate preservation of the public peace, health, and
4 safety.

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BILL K
A BILL FOR AN ACT

1 CONCERNING THE DRIVING OF A MOTOR VEHICLE BY ANY PERSON WHILE
2 HIS OPERATOR'S OR CHAUFFEUR'S LICENSE OR DRIVING PRIVILEGE
3 IS DENIED, SUSPENDED, CANCELLED, OR REVOKED.

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

5 SECTION 1. 13-4-30 (1), Colorado Revised Statutes 1963, is
6 amended to read:

7 13-4-30. Driving while license suspended or revoked - penalty.

8 (1) (a) Any person who shall drive any motor vehicle upon any
9 highway of this state at a time when his operator's, minor
10 operator's, or chauffeur's license, or driving privilege, either
11 as a resident or nonresident, is denied, suspended, cancelled,
12 or revoked, shall be guilty of a misdemeanor and upon conviction
13 shall be punished by imprisonment IN THE COUNTY JAIL for not less
14 than ~~one-day-or~~ TEN DAYS NOR more than six months, ~~or~~ AND, IN THE
15 DISCRETION OF THE COURT, by a fine of not less than fifty dollars
16 ~~or~~ NOR more than five hundred dollars. ~~or-by-both-such-fine-and~~
17 ~~imprisonment.~~ THE MINIMUM SENTENCE IMPOSED BY THIS PARAGRAPH
18 SHALL BE MANDATORY, AND THE COURT SHALL NOT GRANT PROBATION OR A
19 SUSPENDED SENTENCE, IN WHOLE OR IN PART, UNDER THIS PARAGRAPH,
20 EXCEPT IN A CASE WHERE THE DEFENDANT ESTABLISHES THAT HE HAD TO
21 DRIVE THE MOTOR VEHICLE IN VIOLATION OF THIS PARAGRAPH BECAUSE

1 OF AN EMERGENCY.

2 (b) UPON A SECOND OR SUBSEQUENT CONVICTION UNDER PARAGRAPH
3 (a) OF THIS SUBSECTION WITHIN FIVE YEARS AFTER THE FIRST CONVICTION
4 THEREUNDER, THE DEFENDANT SHALL NOT BE ELIGIBLE TO BE ISSUED AN
5 OPERATOR'S, MINOR OPERATOR'S, OR CHAUFFEUR'S LICENSE OR EXTENDED
6 ANY DRIVING PRIVILEGE IN THIS STATE FOR A PERIOD OF THREE YEARS
7 AFTER SUCH SECOND OR SUBSEQUENT CONVICTION.

8 SECTION 2. Application of act. This act shall apply only
9 to violations committed on or after the effective date of this
10 act.

11 SECTION 3. Effective date. This act shall take effect
12 July 1, 1967.

13 SECTION 4. Safety clause. The general assembly hereby finds,
14 determines, and declares that this act is necessary for the
15 immediate preservation of the public peace, health, and
16 safety.

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BILL L

A BILL FOR AN ACT

1 AMENDING 13-4-23 (5), COLORADO REVISED STATUTES 1963, CONCERNING
2 THE POINT SYSTEM SCHEDULE FOR SUSPENSION OF LICENSES TO
3 DRIVE MOTOR VEHICLES.

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

5 SECTION 1. 13-4-23 (5) (f), Colorado Revised Statutes 1963,
6 is amended to read:

7 13-4-23. Authority to suspend license.

8 <u>Type of conviction</u>	<u>Points</u>
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9 (5) (f) Speeding:

10 (i) One to nine miles per hour over	
11 the posted speed limit.....	3 4

12 (ii) Ten to nineteen miles per hour	
13 over the posted speed limit.....	4 6

14 (iii) Twenty miles or more per hour	
15 over the posted speed limit....	6 8

16 SECTION 2. 13-4-23 (5) (r), Colorado Revised Statutes 1963,
17 is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

18 13-4-23. Authority to suspend license.

19 <u>Type of conviction</u>	<u>Points</u>
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20 (5) (r) Conviction of violations not	
21 otherwise listed in this	

1 subsection (5), while driving a
2 motor vehicle, which are violations
3 of article 4 or 5 of this chapter,
4 excluding sections 13-5-118 through
5 13-5-121 and sections 13-5-124
6 through 13-5-129 and violations of
7 municipal ordinances..... 3

8 SECTION 3. 13-4-23 (5), Colorado Revised Statutes 1963,
9 is amended BY THE ADDITION OF A NEW PARAGRAPH (x) to read:

10 13-4-23. Authority to suspend license.

<u>Type of conviction</u>	<u>Points</u>
12 (5) (x) Eluding or attempting to elude a 13 police officer.....	12

14 SECTION 4. Effective date - applicability. This act shall
15 take effect May 1, 1967, and shall apply only to violations com-
16 mitted on or after such date.

17 SECTION 5. Safety clause. The general assembly hereby
18 finds, determines, and declares that this act is necessary for
19 the immediate preservation of the public peace, health, and
20 safety.

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BILL M.

A BILL FOR AN ACT

1 AMENDING 13-5-33 (2) (a), COLORADO REVISED STATUTES 1963, CON-
2 CERNING SPEED LIMITS OF VEHICLES IN THIS STATE.

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

4 SECTION 1. 13-5-33 (2) (a), Colorado Revised Statutes 1963,
5 is amended to read:

6 13-5-33. Speed limits. (2) (a) ~~Where no special hazard~~
7 ~~exists the following speeds shall be lawful but any speed in~~
8 ~~excess of said limits shall be prima facie evidence that the~~
9 ~~speed is not reasonable or prudent and that it is unlawful~~

10 EXCEPT WHEN A SPECIAL HAZARD EXISTS THAT REQUIRES LOWER SPEED
11 FOR COMPLIANCE WITH SUBSECTION (1) OF THIS SECTION, THE FOLLOW-
12 ING LIMITS OR THOSE ESTABLISHED PURSUANT TO THIS ARTICLE SHALL
13 BE MAXIMUM LAWFUL SPEEDS, AND NO PERSON SHALL DRIVE A VEHICLE ON
14 A HIGHWAY AT A SPEED IN EXCESS OF SUCH MAXIMUM LIMITS:

15 SECTION 2. Effective date. This act shall take effect
16 June 1, 1967.

17 SECTION 3. Application of act. The provisions of this act
18 shall not apply to the operation of vehicles, or to any proceed-
19 ing or prosecution concerning any violation alleged to have been
20 committed, prior to the effective date of this act.

21 SECTION 4. Safety clause. The general assembly hereby

1 finds, determines, and declares that this act is necessary for
2 the immediate preservation of the public peace, health, and
3 safety.

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BILL N

A BILL FOR AN ACT

1 CONCERNING THE EMPLOYMENT OF COUNTY JAIL PRISONERS.

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

3 SECTION 1. 105-7-28 (1) (a), Colorado Revised Statutes 1963
4 (1965 Supp.), is amended to read:

5 105-7-28. Employment of county jail prisoners. (1) (a)
6 THE BOARD OF COUNTY COMMISSIONERS MAY, BY RESOLUTION, PROVIDE A
7 PROGRAM WHEREBY any person sentenced to ~~a~~ THE county jail upon
8 conviction for a crime, nonpayment of any fine or forfeiture, or
9 contempt of court, may be granted the privilege of leaving the
10 jail during necessary and reasonable hours for any of the fol-
11 lowing purposes:

12 SECTION 2. Repeal. 105-7-29 (1) (b), Colorado Revised
13 Statutes 1963 (1965 Supp.), is repealed.

14 SECTION 3. Effective date. This act shall take effect
15 May 1, 1967.

16 SECTION 4. Safety clause. The general assembly hereby
17 finds, determines, and declares that this act is necessary for
18 the immediate preservation of the public peace, health, and
19 safety.

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BILL O

A BILL FOR AN ACT

1 CONCERNING PERSONS CONVICTED OF VIOLATIONS OF CERTAIN PROVISIONS
2 OF "THE UNIFORM SAFETY CODE OF 1935", AND REQUIRING SUCH
3 PERSONS TO ATTEND DRIVER IMPROVEMENT SCHOOL.

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

5 SECTION 1. Article 5 of chapter 13, Colorado Revised Stat-
6 utes 1963, is amended BY THE ADDITION OF A NEW SECTION 13-5-158
7 to read:

8 13-5-158. Conviction - attendance at driver improvement
9 school. Whenever a person has been convicted of violating any
10 provision of this article or other law regulating the operation
11 of vehicles on highways, the court, in addition to the penalty
12 provided for the violation, or as a condition of either probation
13 or the suspension of all or any portion of any fine or sentence
14 of imprisonment, may require the defendant to attend a course of
15 instruction at any designated driver improvement school located
16 in the county of the defendant's residence and providing instruc-
17 tion in the traffic laws of this state, instruction in recogni-
18 tion of hazardous traffic situations, and instruction in traffic
19 accident prevention. Such school shall be approved by the court.

20 SECTION 2. Effective date. This act shall take effect
21 July 1, 1967.

1 SECTION 3. Safety clause. The general assembly hereby
2 finds, determines, and declares that this act is necessary for
3 the immediate preservation of the public peace, health, and
4 safety.

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BILL P

A BILL FOR AN ACT

1 CONCERNING PENALTY ASSESSMENTS FOR VIOLATIONS OF CERTAIN PRO-
2 VISIONS OF CHAPTER 13, COLORADO REVISED STATUTES 1963,
3 RELATING TO THE OPERATION OF MOTOR VEHICLES.

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

5 SECTION 1. 13-5-130 (3) (a), Colorado Revised Statutes
6 1963, is amended to read:

7 13-5-130. Penalties for a misdemeanor. (3) (a) Every
8 person who is convicted of a violation of any provision of this
9 chapter to which the provisions of subsections (4) (a) or (4) (b)
10 of this section apply shall be fined in accordance with the fol-
11 lowing schedule, whether the violator acknowledges his guilt in
12 accordance with the procedure set forth by subsection (4) (a),
13 or is found guilty by a court of competent jurisdiction:

14 Section

15 Violated

Penalty

16 13-5-33	\$25.00 \$50.00
17 13-5-37	10.00
18 13-5-43	10.00
19 13-5-67	10.00
20 13-3-22	10.00
21 13-5-46	8.00

1	13-5-45		8.00
2	13-5-39		8.00
3	13-5-40		8.00
4	13-5-41		8.00
5	13-5-51		8.00
6	13-5-53		8.00
7	13-5-54		8.00
8	13-5-57		8.00
9	13-5-69		8.00
10	13-5-120		8.00
11	13-5-121		8.00
12	13-5-124		8.00
13	13-5-125		8.00
14	13-5-82		8.00
15	13-5-129		8.00
16	13-5-119		8.00
17	13-5-47		5.00
18	13-5-122		5.00
19	13-5-110		5.00
20	13-5-144		5.00
21	13-5-13	3.00	5.00
22	13-5-14	3.00	5.00
23	13-5-65	3.00	5.00
24	13-5-66	3.00	5.00
25	13-5-48	3.00	5.00
26	13-5-44	3.00	5.00
27	13-5-52	3.00	5.00
28	13-5-98	3.00	5.00
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1	13-5-90	3.00	5.00
2	13-5-91	3.00	5.00
3	13-5-92	3.00	5.00
4	13-5-93	3.00	5.00
5	13-5-94	3.00	5.00
6	13-5-95	3.00	5.00
7	13-5-96	3.00	5.00
8	13-5-97	3.00	5.00
9	13-5-99	3.00	5.00
10	13-5-100	3.00	5.00
11	13-5-101	3.00	5.00
12	13-4-1 (1)	3.00	5.00
13	13-5-113	3.00	5.00
14	13-5-117	3.00	5.00
15	13-5-73	3.00	5.00
16	13-5-74	3.00	5.00
17	13-5-75	3.00	5.00
18	13-5-76	3.00	5.00
19	13-5-123	3.00	5.00
20	13-5-103	3.00	5.00
21	13-5-104	3.00	5.00
22	13-5-105	3.00	5.00
23	13-5-106	3.00	5.00
24	13-5-107	3.00	5.00
25	13-5-88	3.00	5.00

26 SECTION 2. Applicability of act. This act shall apply
27 only to violations committed on or after the effective date of
28 this act.

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1 SECTION 3. Effective date. This act shall take effect
2 July 1, 1967.

3 SECTION 4. Safety clause. The general assembly hereby
4 finds, determines, and declares that this act is necessary for
5 the immediate preservation of the public peace, health, and
6 safety.

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BILL Q

A BILL FOR AN ACT

1 CONCERNING LICENSES TO DRIVE MOTOR VEHICLES, AND PROVIDING
2 FOR THEIR TEMPORARY SUSPENSION BY COURTS OF RECORD.

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

4 SECTION 1. Article 4 of chapter 13, Colorado Revised
5 Statutes 1963, as amended, is amended BY THE ADDITION OF A NEW
6 SECTION 13-4-38 to read:

7 13-4-38. Temporary suspension of licenses by courts of
8 record. (1) Any court of record of this state may temporarily
9 suspend the license of any person to drive a motor vehicle in
10 this state following the conviction of such person in that court
11 of any offense or offenses for which points may be assessed
12 pursuant to section 13-4-23, but only if it appears to the court
13 that such conviction or convictions will result in the accumula-
14 tion of sufficient points to warrant the suspension of such
15 license by the department pursuant to said section 13-4-23. In
16 making such determination, the court may rely on a copy of such
17 person's license record furnished to the court by the department.
18 Immediately following any such temporary suspension, the court
19 shall send the department a copy of its order of suspension,
20 stating therein the reasons therefor, the date and nature of
21 each offense, and the date of each conviction, and unless the

1 licensee or his attorney gives immediate notice of appeal of such
2 conviction, the court shall confiscate said license and attach
3 it to the copy of its order of suspension to be sent to the
4 department.

5 (2) Any such temporary suspension shall remain in effect
6 until the department, after receipt of the suspension order of
7 the court and the license suspended, shall have afforded an
8 opportunity for a hearing to the person whose license has been
9 suspended and determined if suspension is warranted in the case,
10 and if so, the total period of suspension. Such hearing shall
11 be conducted by the department not later than thirty days after
12 the licensee's conviction, and if the hearing is not conducted
13 within such period, then the department shall, upon the request
14 of the licensee, return the license to him. If the license is
15 returned to the licensee, the department shall not thereafter
16 be prevented from conducting a hearing to determine if his
17 license should be suspended or revoked. Except as otherwise
18 provided in this section, the procedure for hearings, notices,
19 and determinations of suspensions shall be as otherwise provided
20 in this article.

21 (3) If immediate notice of appeal is given the court by the
22 licensee or his attorney, the court may require bail, bond, or
23 deposit, as permitted by law. Where a trial de novo is had on
24 appeal, the court before which such trial de novo is held may
25 temporarily suspend any license in the same manner as the origi-
26 nal trial court. In all other cases of appeal, the provisions of
27 this article pertaining to reports of convictions and suspensions
28 of licenses by the department shall apply.

1 (4) In any proceeding where a person's license to drive a
2 motor vehicle in this state may be suspended pursuant to this
3 section, a copy of such person's driving record maintained by
4 the department, certified to the court as a true and correct
5 copy thereof by the department, shall be prima facie evidence
6 of such record and shall be admissible as evidence in such pro-
7 ceeding without further verification or identification.

8 SECTION 2. 13-4-15, Colorado Revised Statutes 1963, is
9 amended to read:

10 13-4-15. Duplicate certificates, permits, licenses. In
11 the event that an instruction permit or an operator's or chauf-
12 feur's license or certificate issued under the provisions of
13 this article is lost, stolen, or destroyed, the person to whom
14 the same was issued, upon request and the payment of the fee of
15 one dollar and twenty-five cents to the department of revenue,
16 may obtain a duplicate or substitute therefor upon furnishing
17 satisfactory proof to the department that such permit, license,
18 or certificate had been lost, stolen, or destroyed and that
19 the applicant is qualified to have such a license, AND, UNDER
20 OATH, STATES THAT THE SAME HAS NOT BEEN SUSPENDED OR REVOKED IN
21 ANY MANNER.

22 SECTION 3. Safety clause. The general assembly hereby
23 finds, determines, and declares that this act is necessary for
24 the immediate preservation of the public peace, health, and
25 safety.

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BILL R

A BILL FOR AN ACT

1 CONCERNING PENALTIES FOR CERTAIN VIOLATIONS OF CHAPTER 13, COLO-
2 RADO REVISED STATUTES 1963.

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

4 SECTION 1. 13-5-130 (2), Colorado Revised Statutes 1963, is
5 REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

6 13-5-130. Penalties for a misdemeanor. (2) Every person
7 convicted of a misdemeanor for the violation of any of the pro-
8 visions of this chapter for which another penalty is not provided
9 by subsection (3) of this section, or by any other section of this
10 chapter, shall be punished by a fine of not less than ten nor
11 more than five hundred dollars or by imprisonment in the county
12 jail for not less than ten days nor more than six months, or by
13 both such fine and imprisonment.

14 SECTION 2. Applicability of act. This act shall apply only
15 to convictions for violations committed on or after the effective
16 date of this act.

17 SECTION 3. Effective date. This act shall take effect on
18 July 1, 1967.

19 SECTION 4. Safety clause. The general assembly hereby finds,
20 determines, and declares that this act is necessary for the imme-
21 diate preservation of the public peace, health, and safety.

BILL S

A BILL FOR AN ACT

1 CONCERNING THE PUNISHMENT FOR VIOLATIONS OF ORDINANCES OF
2 MUNICIPAL CORPORATIONS.

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

4 SECTION 1. 139-33-1, Colorado Revised Statutes 1963, is
5 amended to read:

6 139-33-1. Power to make and publish ordinances. Municipal
7 corporations shall have power to make and publish, from time to
8 time, ordinances not inconsistent with the laws of the state,
9 for carrying into effect or discharging the powers and duties
10 conferred by this chapter, and such as shall seem necessary and
11 proper to provide for the safety, preserve the health, promote
12 the prosperity, improve the morals, order, comfort, and conven-
13 ience of such corporation and the inhabitants thereof, and to
14 enforce obedience to such ordinances by fine not exceeding three
15 hundred dollars, or by imprisonment not exceeding ninety days,
16 OR BY BOTH SUCH FINE AND IMPRISONMENT.

17 SECTION 2. Effective date - applicability. This act shall
18 take effect July 1, 1967, and shall apply to violations of ordin-
19 ances of municipal corporations occurring on or after such date.

20 SECTION 3. Safety clause. The general assembly hereby finds,
21 determines, and declares that this act is necessary for the imme-
22 diate preservation of the public peace, health, and safety.

BILL T

A BILL FOR AN ACT

1 CONCERNING THE ALLOCATION OF FINES ASSESSED FOR VIOLATIONS
2 OF 13-5-30, COLORADO REVISED STATUTES 1963.

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

4 SECTION 1. 13-2-15 (1) (b), Colorado Revised Statutes 1963,
5 is amended, and 13-2-15 (1), Colorado Revised Statutes 1963, as
6 amended, is amended BY THE ADDITION OF A NEW PARAGRAPH (d) to
7 read:

8 13-2-15. Disposition of fines. (1) (b) EXCEPT AS PRO-
9 VIDED IN PARAGRAPH (d) OF THIS SECTION, fifty per cent of such
10 fine, penalty, or forfeiture shall be transmitted to the treas-
11 urer of the county wherein the violation occurred, and shall be
12 credited to the general fund of such county;

13 (d) Fifty per cent of the fines assessed for violations of
14 section 13-5-30 occurring within the corporate limits of a town
15 or city shall be transmitted to the treasurer or other chief
16 financial officer of the town or city wherein the violation
17 occurred.

18 SECTION 2. Effective date - applicability. This act shall
19 take effect July 1, 1967, and shall apply to fines assessed after
20 such date for violations of section 13-5-30, C.R.S. 1963, occur-
21 ring within the corporate limits of towns or cities.

1 SECTION 3. Safety clause. The general assembly hereby
2 finds, determines, and declares that this act is necessary for
3 the immediate preservation of the public peace, health, and
4 safety.

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BILL U

A BILL FOR AN ACT

1 CONCERNING STOP SIGNS AT CERTAIN GRADE CROSSINGS OF RAILROADS.

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

3 SECTION 1. 13-5-66, Colorado Revised Statutes 1963, is
4 amended to read:

5 13-5-66. Vehicles stop at certain grade crossings. The
6 state department of highways AND EVERY LOCAL AUTHORITY ~~is hereby~~
7 ~~authorized to designate particularly dangerous highway-grade~~
8 ~~crossings of railroads and to~~ SHALL erect stop signs thereat AT
9 ALL HIGHWAY, ROAD, AND STREET GRADE CROSSINGS OF MAIN LINES OF
10 RAILROADS THAT ARE NOT OTHERWISE CONTROLLED BY AUTOMATIC OR
11 MECHANICAL DEVICES. When such stop signs are erected the driver
12 of any vehicle shall stop within fifty feet but not less than
13 ten feet from the nearest track of such grade crossing and shall
14 proceed only upon exercising due care.

15 SECTION 2. Effective date. This act shall take effect on
16 January 1, 1968.

17 SECTION 3. Safety clause. The general assembly hereby
18 finds, determines, and declares that this act is necessary for
19 the immediate preservation of the public peace, health, and
20 safety.

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1 Bill V

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3 A BILL FOR AN ACT

4 CONCERNING AMBULANCE SERVICE, AND PROVIDING FOR THE LICENSING
5 AND REGULATION OF AMBULANCES AND THE OPERATION THEREOF.

6 Be It Enacted by the General Assembly of the State of Colorado:

7 SECTION 1. Definitions. (1) As used in this act, unless
8 the context requires otherwise:

9 (2) "Ambulance" means any privately or publicly owned motor
10 vehicle that is specially designed or constructed, and equipped,
11 and intended to be used for, and is maintained or operated for,
12 the transportation of patients, including dual purpose police
13 patrol cars and funeral coaches or hearses which otherwise comply
14 with the provisions of this act.

15 (3) "Furnish ambulance service" means to furnish, operate,
16 conduct, maintain, advertise, or otherwise be engaged in or pro-
17 fess to be engaged in the business or service of the transporta-
18 tion of patients upon the streets, roads, and highways of this
19 state.

20 (4) "Attendant" means a trained or qualified individual
21 responsible for the operation of an ambulance and the care of any
22 patient, whether or not the attendant also serves as driver.

23 (5) "Attendant-driver" means an individual who is qualified
24 as an attendant and a driver.

25 (6) "Driver" means an individual who drives an ambulance.

26 (7) "Dual purpose police patrol car" means a vehicle, oper-
27 ated by the state, a county, or a police department which is
28 equipped as an ambulance, even though it is also used for patrol
29 or other police purposes.

1 (8) "Department" means the state department of public
2 health.

3 (9) "Patient" means an individual who is sick, injured,
4 wounded, or otherwise incapacitated or helpless.

5 (10) "Person" means any individual, firm, partnership,
6 association, corporation, company, or group of individuals acting
7 together for a common purpose, or any organization of any kind,
8 including the state or any political subdivision thereof.

9 SECTION 2. License required. (1) No person shall engage
10 in the business of furnishing ambulance service unless such person
11 has been issued a currently valid license to engage in such busi-
12 ness pursuant to this act; except, that no agency of the United
13 States shall be required to be licensed under this act.

14 (2) No ambulance shall be operated for ambulance purposes
15 nor shall any individual drive or act as an attendant for any
16 such ambulance in this state or permit the same unless such ambu-
17 lance is under the immediate supervision and direction of an
18 individual who has been issued a currently valid license as an
19 attendant-driver or as an attendant; except, that no individual
20 shall be required to be licensed as an attendant-driver or as an
21 attendant for any ambulance operated by any agency of the United
22 States.

23 (3) (a) No license shall be required under either subsection
24 (1) or (2) of this section with respect to any ambulance which:

25 (b) Is rendering assistance to licensed ambulances in the
26 case of any catastrophe or emergency for which licensed ambulances
27 of this state are insufficient or with which such licensed ambu-
28 lances are unable to cope; or

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1 (c) Is operated from a location or load quarters located in
2 any county of this state with a population of less than fifty
3 thousand, as determined by the latest federal census.

4 (d) Is operated from a location or headquarters outside of
5 this state and transporting patients from outside this state to
6 locations within this state, or from within this state to loca-
7 tions outside this state, but no such ambulance shall be used to
8 pick up any patient within this state for transportation to
9 another location within this state;

10 (e) Is operated by any agency of the United States, under
11 the supervision of and driven by employees of such agency.

12 SECTION 3. License to provide ambulance service - ambulance

13 permit - fees. (1) (a) An application for a license to provide
14 ambulance services shall be made upon forms furnished by the de-
15 partment, which shall contain the following information:

16 (b) The name and address of the applicant and the name under
17 which each ambulance to be operated under such license is regis-
18 tered;

19 (c) The trade name or assumed name, if any, under which the
20 applicant proposes to furnish ambulance services;

21 (d) A description of each ambulance to be used by the appli-
22 cant to furnish ambulance services; including the make, model,
23 year of manufacture, motor and chasis serial numbers, current
24 registration number plate, the length of time the ambulance has
25 been in use by said applicant, and any color scheme, insignia,
26 name, monogram, or other distinguishing characteristics to be
27 used to designate the applicant's ambulances;

28 (e) The location of each place of business of the applicant,
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1 including each place from which any ambulance of the applicant
2 will be operated;

3 (f) Such other information which the department deems neces-
4 sary for a fair determination of compliance with this act.

5 (2) Each license application shall be accompanied by a
6 license application fee of twenty-five dollars, together with an
7 additional permit fee of five dollars for each ambulance to be
8 operated by the applicant.

9 (3) (a) After receipt of an application for a license to
10 provide ambulance service, the department shall investigate the
11 applicant and his proposed operations. The department shall
12 issue to the applicant a license to provide ambulance service,
13 valid for a period of twelve months after its date of issue, upon
14 a finding that:

15 (b) Each ambulance, its required equipment, and the premises
16 designated in the application comply with the provisions of this
17 act;

18 (c) Only licensed drivers, attendants, and attendant-drivers
19 are employed in such capacities; and

20 (d) All the requirements of this act and other applicable
21 laws of this state are complied with.

22 (4) Upon the issuance of any license to furnish ambulance
23 service, the department shall also issue to the applicant an
24 ambulance permit for each ambulance listed in the application.
25 Each such permit shall be serially numbered, shall contain the
26 name of the applicant, and shall sufficiently identify the ambu-
27 lance for which issued.

28 (5) After the issuance of any license or permit under this
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1 act, the department shall inspect each ambulance of a licensee,
2 its equipment, and the premises where maintained or from which
3 operated, not less than twice each year and at any other time
4 which the department deems necessary. Any such inspection under
5 the provisions of this subsection shall be in addition to any
6 other inspection required pursuant to article 5 of chapter 13,
7 C.R.S. 1963, or any municipal ordinance, but shall not excuse
8 compliance either with any requirement to display a certificate
9 of inspection or with any other applicable law or ordinance.

10 (6) After any inspection pursuant to subsection (3) or (5)
11 of this section, the department shall make a report thereon, shall
12 retain the original thereof as a public record, and shall send a
13 copy thereof to the applicant or licensee, as the case may be.

14 (7) Applications for transfer of any ambulance permit to
15 another or substitute vehicle shall require compliance with all
16 the requirements of this act as upon original licensing and issu-
17 ance of permits. No license to furnish ambulance service or
18 ambulance permit may be sold, assigned, mortgaged, or otherwise
19 transferred without the written approval of the department and a
20 finding by it of compliance by the licensee with all the require-
21 ments of this act as upon original licensing and issuance of
22 permits.

23 (8) Each ambulance of a licensee, its equipment, and the
24 premises where maintained or from which operated, as designated
25 in the application, or any amendment thereto, and all records of
26 the applicant or licensee relating to its maintenance and opera-
27 tion as an ambulance, shall be open to inspection by the depart-
28 ment during usual office hours.

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1 (9) No official entry made upon a license to furnish ambu-
2 lance service or an ambulance permit shall be altered, defaced,
3 removed, or obliterated.

4 (10) Any such license and permit may be renewed by filing an
5 application and paying a license application fee and permit fee
6 as in the original application for such license and permit.

7 SECTION 4. Liability insurance required. (1) No license
8 to furnish ambulance service and no ambulance permit shall be
9 issued pursuant to this act, nor shall any ambulance subject to
10 the provisions of this act be operated in this state, unless there
11 is at all times in force and effect an automobile or a motor
12 vehicle liability policy, as defined in section 13-7-3 (11) or
13 (12), C.R.S. 1963, as amended, and issued by an insurance company
14 licensed to do business as such in this state, covering each
15 ambulance owned or operated by or for any person engaged in the
16 business of furnishing ambulance service.

17 (2) Every insurance policy required in this section shall
18 extend at least for the period to be covered by the license to
19 furnish ambulance service. No such policy shall be cancelled or
20 the liability thereunder be limited in any amount unless thirty
21 days' prior written notice thereof shall be filed with the depart-
22 ment and to the policyholder. The cancellation of any such
23 policy or limitation of liability thereon shall automatically
24 revoke any license to furnish ambulance service and any ambulance
25 permit issued to the policyholder thereof, unless another such
26 policy which meets the requirements of this section shall be pro-
27 vided and in effect at the time of such cancellation or limitation.

28 SECTION 5. Licenses for drivers, attendants, and attendant-
29 drivers - applications - fees. (1) (a) No person shall be

1 licensed as an ambulance driver, attendant, or attendant-driver
2 unless he meets all the following requirements:

3 (b) Has attained the age of twenty-one years or more;

4 (c) Holds a current valid Colorado chauffeur's license;

5 (d) Possesses an advanced American red cross first aid
6 certificate or an advanced first aid certificate issued by the
7 United States bureau of mines; and

8 (e) Is able to speak, read, and write the English language.

9 (2) An application for an ambulance driver's, attendant's,
10 or attendant-driver's license shall be made on forms furnished by
11 the department, stating the applicant's full name, residence
12 address and telephone number, age, marital status, height, weight,
13 color of hair and eyes, Colorado chauffeur's license number and
14 date of issue, advanced first aid certificate's date of issue and
15 the issuer thereof, training and experience as an ambulance
16 driver, attendant, or attendant-driver and whether or not he has
17 been previously licensed in this state or any other jurisdiction
18 in any such category, and whether or not any such license has
19 ever been suspended or revoked, and whether or not any license to
20 drive any motor vehicle in this or any other jurisdiction has
21 ever been denied, suspended, or revoked, and if so, the date and
22 reason or reasons therefor, the name and address of his present
23 or proposed employer as such a licensee, and such other informa-
24 tion as the department shall deem necessary.

25 (3) A license application fee of five dollars shall accom-
26 pany each such application, four dollars of which shall be re-
27 funded to the applicant if such license shall be denied.

28 (4) Upon a determination that any such applicant meets the
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1 requirements of this act, the department shall issue the appro-
2 priate license, which shall be valid for twenty-four months after
3 its date of issue.

4 (5) The department may require any applicant to submit to a
5 medical examination attested to by a licensed physician on a form
6 furnished by the department, to determine if the applicant is free
7 from any defect or disease which might impair his ability to drive
8 or attend an ambulance.

9 (6) No person shall be licensed under this subsection who
10 is either a habitual user of intoxicating liquor or addicted to
11 any narcotic drug.

12 (7) No license issued pursuant to this section shall be sold,
13 assigned, or otherwise transferred.

14 (8) No official entry upon any such license shall be defaced,
15 altered, removed, or obliterated.

16 (9) Any such license may be renewed by filing an application
17 and paying a license fee as in the case of original application
18 for such license.

19 SECTION 6. Standards for ambulance equipment. (1) No
20 ambulance in this state subject to the provisions of this act
21 shall be operated as such unless it shall contain at least the
22 following equipment:

23 (2) One ambulance cot and a collapsible stretcher, or two
24 stretchers, one of which is collapsible.

25 (3) Adequate straps to secure the patient safely to the
26 stretcher or ambulance cot, and adequate means of securing the
27 stretcher or ambulance cot within the vehicle.

28 (4) Adequate wrist and ankle restraints.

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1 (5) Adequate sanitary sheets, pillowcases, blankets and
2 towels for each stretcher or ambulance cot, and two pillows for
3 each ambulance.

4 (6) Such additional equipment and medical supplies as ap-
5 proved by the committee on trauma, American college of surgeons,
6 January 14, 1961, a copy of which shall be retained on file by the
7 department for public inspection.

8 SECTION 7. Suspension or revocation of licenses or permits.

9 (1) The department may suspend any license or permit issued pur-
10 suant to this act if the department, after written notice and
11 affording an opportunity for a hearing, determines that any per-
12 son has violated or failed to comply with any provision of this
13 act, or has made any false or misleading statement to the depart-
14 ment.

15 (2) Upon a third or subsequent violation of or failure to
16 comply with any provision of this act by any licensee, the depart-
17 ment may, in lieu of suspending such license or permit, revoke
18 such license or permit for a period of twelve months. At the
19 expiration of such period, the person whose license or permit was
20 revoked may apply for a new license or permit as in the case of
21 original application.

22 SECTION 8. Records. Each person engaged in the business of
23 furnishing ambulance service and subject to the provisions of
24 this act shall maintain a set of records concerning the transpor-
25 tation of patients, containing information on each such trip, the
26 date thereof, the name or other identification of each patient,
27 the apparent injuries, if known, the care, if any, given any such
28 patient, and the name of any driver, attendant, and attendant-

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1 driver driving or attending the ambulance. Such records shall be
2 kept and maintained for not less than three years at the principal
3 office of such person within this state, for inspection by the
4 department during usual office hours.

5 SECTION 9. Other laws apply. Nothing in this act shall
6 alter the application or excuse the violation of any other law
7 of this state. The provisions of article 5 of chapter 13, C.R.S.
8 1963, as amended, concerning the equipping and operation of emer-
9 gency vehicles shall continue to apply to each person subject to
10 the provisions of this act.

11 SECTION 10. Violations - penalties. Any person who violates
12 any provision of this act is guilty of a misdemeanor and upon
13 conviction shall be punished by a fine of not less than fifty
14 dollars nor more than five hundred dollars, or by imprisonment in
15 the county jail for not less than five nor more than thirty days,
16 or by both such fine and imprisonment.

17 SECTION 11. Effective date. This act shall take effect
18 July 1, 1967.

19 SECTION 12. Safety clause. The general assembly hereby
20 finds, determines, and declares that this act is necessary for the
21 immediate preservation of the public peace, health, and safety.

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