

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 21-0169.01 Yelana Love x2295

HOUSE BILL 21-1014

HOUSE SPONSORSHIP

Michaelson Jenet and Baisley,

SENATE SPONSORSHIP

Danielson,

House Committees
Transportation & Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE ABILITY OF A PERSON TO VOLUNTARILY DISCLOSE

102 DISABILITY INFORMATION TO THE DEPARTMENT OF REVENUE.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill adds an option for a person with a disability to request that the department of revenue place a discreet disability identifier symbol on the person's driver's license or identification card. The symbol must represent all types of disabilities, such as cognitive, neurological, or physical disabilities.

The bill also requires the department to collect information that the

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

owner of a vehicle voluntarily discloses about the disability of a person who is either authorized to drive, or a regular passenger of, the registered vehicle. The department shall make this information immediately available to a peace officer who queries information about the registered vehicle.

The department is required to notify peace officers about the creation of the disability identifier symbol and the availability of information regarding the disability of a driver or passenger of a motor vehicle.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) People living with disabilities, including neurodiversity and
5 mental health disorders, are equal and valuable citizens of the state of
6 Colorado;

7 (b) According to a study published in 2016 by the Ruderman
8 Family Foundation, up to half of all people killed by police in the United
9 States have a disability, and almost all well-known cases of police
10 brutality involve a person with a disability;

11 (c) Colorado's law enforcement officers perform honorably,
12 courageously, and selflessly, and their safety remains of paramount
13 importance;

14 (d) Law enforcement officers routinely encounter people living
15 with disabilities such as neurodiversity or a mental health disorder while
16 performing their duties;

17 (e) In Colorado, there are multiple instances every year of people
18 living with disabilities such as neurodiversity or a mental health disorder
19 having force applied against them by police officers. At times it is found
20 that the use of force is excessive, unjustified, or could have been avoided.

(f) Law enforcement officers may not have adequate training or experience identifying or interacting with people living with disabilities such as neurodiversity or a mental health disorder;

(g) Increasing an officer's knowledge of, and comfort with, interactions with people with disabilities such as neurodiversity or a mental health disorder will better serve Colorado's marginalized populations, as well as protect law enforcement officers while performing their duties; and

12 **SECTION 2.** In Colorado Revised Statutes, 42-2-114, amend
13 (1)(b)(I); and **add** (12) as follows:

14 **42-2-114. License issued - disability identifier symbol - fees -**
15 **rules.** (1) (b) (I) ~~In the event~~ IF the department issues a driver's license
16 that contains stored information, ~~such license may include~~ THE
17 DEPARTMENT SHALL INCLUDE IN THE STORED INFORMATION only the
18 information that is specifically referenced in ~~paragraph (a) of this~~
19 ~~subsection (1) and~~ SUBSECTION (1)(a) OF THIS SECTION, that appears in
20 printed form on the face of the license issued by the department to the
21 licensee, ~~and~~ OR THAT IS any race or ethnicity information identified on
22 the application ~~pursuant to~~ UNDER section 42-2-107 (2)(a)(II); except that
23 ~~such stored information~~ THE DEPARTMENT shall not include IN THE
24 STORED INFORMATION:

25 (A) The licensee's social security number; OR

26 (B) THE LICENSEE'S DISABILITY IDENTIFIER SYMBOL PLACED ON
27 THE LICENSEE'S DRIVER'S LICENSE IN ACCORDANCE WITH SUBSECTION (12)

1 OF THIS SECTION.

2 (12)(a)(I) AT AN APPLICANT'S REQUEST, THE DEPARTMENT SHALL
3 ISSUE TO THE APPLICANT A DRIVER'S LICENSE BEARING A DISABILITY
4 IDENTIFIER SYMBOL IF THE APPLICANT HAS A DISABILITY.

5 (II) THE APPLICANT NEED NOT PROVIDE DOCUMENTATION THAT
6 THE APPLICANT IS A PERSON WITH A DISABILITY TO BE ISSUED, TO RENEW,
7 OR TO BE REISSUED A DRIVER'S LICENSE BEARING A DISABILITY IDENTIFIER
8 SYMBOL ISSUED UNDER THIS SUBSECTION (12).

9 (b) THE DISABILITY IDENTIFIER SYMBOL PLACED ON A DRIVER'S
10 LICENSE IN ACCORDANCE WITH THIS SUBSECTION (12) MUST:

11 (I) BE DISCREET; AND

12 (II) REPRESENT ALL TYPES OF DISABILITIES, INCLUDING COGNITIVE,
13 NEUROLOGICAL, OR PHYSICAL DISABILITIES.

14 (c) THE DEPARTMENT SHALL NOT CHARGE A FEE FOR PLACING A
15 DISABILITY IDENTIFIER SYMBOL ON A DRIVER'S LICENSE.

16 (d) THE DEPARTMENT SHALL NOTIFY PEACE OFFICERS IN
17 COLORADO ABOUT THE DISABILITY IDENTIFIER SYMBOL CREATED IN THIS
18 SUBSECTION (12).

19 **SECTION 3.** In Colorado Revised Statutes, 42-2-303, **amend**
20 (1)(b)(I); and **add** (6) as follows:

21 **42-2-303. Contents of identification card - disability identifier**
22 **symbol.** (1) (b) (I) ~~In the event~~ IF the department issues an identification
23 card that contains stored information, ~~such card may include~~ THE
24 DEPARTMENT SHALL INCLUDE IN THE STORED INFORMATION only the
25 information that is specifically referenced in ~~paragraph (a) of this~~
26 ~~subsection (1), and~~ SUBSECTION (1)(a) OF THIS SECTION, that appears in
27 printed form on the face of the card issued by the department to the

1 registrant, and OR THAT IS any race or ethnicity information identified on
2 an application pursuant to UNDER section 42-2-302 (1)(a)(VI); except that
3 such stored information THE DEPARTMENT shall not include IN THE
4 STORED INFORMATION:

5 (A) The registrant's social security number; OR
6 (B) THE REGISTRANT'S DISABILITY IDENTIFIER SYMBOL PLACED ON
7 THE REGISTRANT'S IDENTIFICATION CARD IN ACCORDANCE WITH
8 SUBSECTION (6) OF THIS SECTION.

9 (6) (a) (I) AT AN APPLICANT'S REQUEST, THE DEPARTMENT SHALL
10 ISSUE TO THE APPLICANT AN IDENTIFICATION CARD BEARING A DISABILITY
11 IDENTIFIER SYMBOL IF THE APPLICANT HAS A DISABILITY.

12 (II) THE APPLICANT NEED NOT PROVIDE DOCUMENTATION THAT
13 THE APPLICANT IS A PERSON WITH A DISABILITY TO BE ISSUED, TO RENEW,
14 OR TO BE REISSUED AN IDENTIFICATION CARD BEARING A DISABILITY
15 IDENTIFIER SYMBOL ISSUED UNDER THIS SUBSECTION (6).

16 (b) THE DISABILITY IDENTIFIER SYMBOL PLACED ON AN
17 IDENTIFICATION CARD IN ACCORDANCE WITH THIS SUBSECTION (6) MUST:

18 (I) BE DISCREET; AND
19 (II) REPRESENT ALL TYPES OF DISABILITIES, INCLUDING COGNITIVE,
20 NEUROLOGICAL, OR PHYSICAL DISABILITIES.

21 (c) THE DEPARTMENT SHALL NOT CHARGE A FEE FOR PLACING A
22 DISABILITY IDENTIFIER SYMBOL ON AN IDENTIFICATION CARD.

23 (d) THE DEPARTMENT SHALL NOTIFY PEACE OFFICERS IN
24 COLORADO ABOUT THE DISABILITY IDENTIFIER SYMBOL CREATED IN THIS
25 SUBSECTION (6).

26 **SECTION 4.** In Colorado Revised Statutes, 42-3-113, **amend** (9)
27 as follows:

1 **42-3-113. Records of application and registration - disability**
2 **of a driver - definitions.** (9) (a) Except for vehicles owned by a trust
3 created for the benefit of a person with a disability, for purposes of
4 enforcing disabled parking privileges granted pursuant to section
5 42-4-1208, the department, when issuing a registration card under this
6 section, shall clearly indicate on the card if an owner of a vehicle is a
7 person with a disability as defined in section 42-3-204. If the vehicle is
8 owned by more than one person and the registration reflects that joint
9 ownership, the department shall clearly indicate on the registration card
10 which of the owners are persons with disabilities and which of the owners
11 are not.

12 (b) THE DEPARTMENT SHALL COLLECT INFORMATION THAT THE
13 OWNER OF A VEHICLE VOLUNTARILY DISCLOSES ABOUT THE DISABILITY OF
14 A PERSON WHO IS EITHER AUTHORIZED TO DRIVE, OR A REGULAR
15 PASSENGER OF, THE REGISTERED VEHICLE. THE DEPARTMENT SHALL MAKE
16 THIS INFORMATION IMMEDIATELY AVAILABLE TO A PEACE OFFICER WHO
17 QUERIES INFORMATION ABOUT THE REGISTERED VEHICLE.

18 (c) THE DEPARTMENT SHALL NOT CHARGE A FEE FOR COLLECTING
19 OR MAKING THIS INFORMATION AVAILABLE TO PEACE OFFICERS.

20 (d) THE DEPARTMENT SHALL NOTIFY PEACE OFFICERS ABOUT THE
21 INFORMATION RELATED TO AN AUTHORIZED DRIVER'S OR PASSENGER'S
22 DISABILITY WHEN INQUIRING INTO A VEHICLE'S REGISTRATION IN
23 ACCORDANCE WITH THIS SUBSECTION (9).

24 **SECTION 5. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly; except
27 that, if a referendum petition is filed pursuant to section 1 (3) of article V

1 of the state constitution against this act or an item, section, or part of this
2 act within such period, then the act, item, section, or part will not take
3 effect unless approved by the people at the general election to be held in
4 November 2022 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.