

STATE OF COLORADO

DEPARTMENT OF REVENUE
State Capitol Annex
1375 Sherman Street, Room 409
Denver, Colorado 80261
Phone (303) 866-5610
Fax (303) 866-2400



John W. Hickenlooper

Governor

Colorado Department of Revenue Motor Vehicles Division

Emergency Rules:

Revised Rule 6, 1 CCR 204-30 –Rules for Application for a Driver’s License, Instruction Permit or Identification Card for U.S. Citizens and Individuals Who Can Demonstrate Permanent Lawful Presence and Colorado Residency

Statement of Emergency Justification and Adoption

Pursuant to sections 24-4-103 and 42-1-204, C.R.S., I, Michael S. Hartman, Executive Director of the Department of Revenue (“Department”), hereby adopt the aforementioned revised Rule 6, 1 CCR 204-30, which is attached hereto.

Section 24-4-103(6), C.R.S., authorizes the Department to issue emergency rules if the Department finds that the immediate adoption of the rule is imperatively necessary to comply with a state law or for the preservation of public health, safety, or welfare and compliance with the requirements of section 24-4-103, C.R.S., would be contrary to the public interest.

I find that the immediate adoption of this revised rule is necessary to comply with an amendment to state law regarding the issuance of duplicate or replacement permits, minor driver’s licenses or identification cards issued under sections 42-2-117 and 42-2-501, C.R.S., which takes effect on January 1, 2019.

Statutory Authority

The statutory authority for this rule is found at sections 24-4-103, 24-72.1-103, 42-1-204, 42-2-107, 42-2-108, and 42-2-302, C.R.S.

Purpose

The purpose of adopting the revisions to Rule 6 on an emergency basis is to ensure that Rule 6 complies with the amendments to sections 42-2-117 and 42-2-509, C.R.S. that are effective January 1, 2019.

Rule 6 currently does not provide for the issuance of a duplicate or replacement driver’s license, identification card, or instruction permit. SB 18-108 amended section 42-2-117(1.5), C.R.S., to provide that upon furnishing satisfactory proof that a driver’s license has been lost, stolen, or destroyed, then the person to whom it was issued may apply for a duplicate or replacement of the license. SB 18-108 also amended section 42-2-509(2), C.R.S., to provide that if an instruction permit, minor driver’s license, or identification card issued under Part 5 (the “Colorado Road and Community Safety Act”) is lost, stolen, or destroyed, then the person to whom it was issued may obtain a duplicate or replacement.

It is imperative to correct the rule to comply with the amendments to sections 42-2-117 and 42-2-509, C.R.S., and with state law.

The Department will promptly notice Rule 6 for a permanent rulemaking hearing.

This emergency rule is effective on January 1, 2019.



Michael S. Hartman
Executive Director
Colorado Department of Revenue

12/27/18

Date