



# TECHNICAL UPDATE

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## CDL REGULATIONS

In the 2023 regular session, Gov. Jared Polis took action on two bills that impact the CDL regulations within our counties. The Commercial Driver's License (CDL) is a special license required to operate commercial motor vehicles (CMVs) such as buses, trucks, and tractor-trailers.

On May 12, Gov. Polis signed SB23-012 about commercial motor carrier enforcement safety laws which strengthens the enforcement of safety requirements for intrastate motor vehicle carriers.

Effective June 6, SB23-028 is in reference to the penalty for commercial vehicle offenses which concerns the penalty for committing certain offenses involving the operation of a commercial vehicle.

### SB23-012 COMMERCIAL MOTOR CARRIER ENFORCEMENT SAFETY LAWS

[Senate Bill 23-012](#) changes the amount of civil penalties that may be levied on commercial motor carriers for failure to comply with rules for the safe operation of commercial vehicles by tying the amount of civil penalties to the amount of federal civil penalties for interstate commercial motor carriers.

If a motor carrier fails to pay civil penalties within 30 days or to cooperate with the completion of a safety compliance review within 30 days, the act authorizes the department of revenue to both enter the noncompliant motor carrier and its vehicles as out-of-service in the federal motor carrier safety administration system of record and cancel or deny registration to the noncompliant motor carrier.

For the 2023-24 state fiscal year, the act appropriates \$61,110 to the department of revenue from the DRIVES vehicle services account in the highway users tax fund to implement this act, of which \$8,910 is reappropriated to the office of the governor for use by the office of information technology to provide services to the department of revenue.

Parts of the law took effect in August 2023 and the rest take effect in April 2024.

### SB23-028 PENALTY FOR COMMERCIAL VEHICLE OFFENSES

In 2021, Senate Bill 21-271 adjusted misdemeanor penalties for a variety of offenses described in the Colorado Revised Statutes, including the penalty for certain offenses involving the operation of a commercial motor vehicle. This penalty was changed from a misdemeanor to a class A traffic infraction. However, despite making this change, Senate Bill 21-271 retained certain language that describes the punishment for the former misdemeanor offense.

[Senate Bill 23-028](#) clarifies that the penalty for the described offenses involving a commercial motor vehicle, including operating a commercial motor vehicle without a commercial driver's license, is \$100, to be accompanied by a \$15 surcharge.



### WHAT THIS MEANS FOR COUNTIES

These two bills could affect counties' abilities to operate. For instance, if a county public works department carrier fails to pay a civil penalty within 30 days of notice or fails to cooperate with the completion of a compliance review, they will see the cancellation of the carrier's registration and both motor carrier and vehicle entered as out-of-service in the Federal Motor Carrier Safety Administration System of Record.

CTSI recommends having complete Driver's Qualification files, a good fleet program, and well-maintained vehicles in order to reduce fines and exposure to further reviews and penalties.