

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 5, 2013
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB13-1077 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 2, line 5, strike "A DRIVER" and substitute
2 "PURSUANT TO SECTION 42-1-228, A DRIVER".

3 Page 2, after line 9, insert:

4 "SECTION 2. In Colorado Revised Statutes, add 42-1-228 as
5 follows:

6 **42-1-228. Revocation hearings - right of driver to challenge**
7 **validity of initial traffic stop.** IN ANY ADMINISTRATIVE PROCEEDING FOR
8 A REVOCATION OF A DRIVER'S LICENSE PURSUANT TO ARTICLE 2 OF THIS
9 TITLE, THE DRIVER MAY CHALLENGE THE VALIDITY OF THE LAW
10 ENFORCEMENT OFFICER'S INITIAL CONTACT WITH THE DRIVER AND
11 SUBSEQUENT ARREST OF THE DRIVER. THE HEARING OFFICER SHALL
12 CONSIDER SUCH ISSUES WHEN A DRIVER RAISES THEM AS DEFENSES."

13 Renumber succeeding section accordingly.

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