

# LAWS

## Colorado Revised Statutes Regarding Motorcycles

### 42-1-102. Definitions.

(55) “Motorcycle” means every motor vehicle designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term “farm tractor” and except a motorized bicycle as defined in paragraph (b) of subsection (59) of this section.

(56) “Motor-driven cycle” means every motorcycle, including every motorscooter, with a motor which produces not to exceed six brake-horsepower and every bicycle with motor attached, but not trail bikes, minibikes, go-carts, golf carts, and similar vehicles which are not designed for or approved by the department for use on the public roads or highways and not motorized bicycles as defined in paragraph (b) of subsection (59) of this section.

### 42-2-106. Instruction permits and temporary licenses

- 1 (a), who holds a valid Colorado driver’s license, and who occupies the front seat in close proximity to the driver, or in the case of a motorcycle or motor-driven cycle, under the immediate proximate supervision of a licensed driver, who holds a valid Colorado driver’s license and is twenty-one years of age or older, authorized under this article to drive a motorcycle or motor-driven cycle. In addition, the parent, stepparent, grandparent with power of attorney, or guardian or foster parent, who is authorized pursuant to this section to supervise the minor driver while the minor is driving, may allow the minor, while having the permit in the applicant’s immediate possession, to drive with an individual who holds a valid driver’s license and is twenty-one years of age or older for additional driving experience, but such additional driving experience shall not count toward the requirement established in section [42-2-104](#). The permit shall expire three years after issuance. The department shall issue a permit entitling the applicant, who is eighteen years of age or older, while having the permit in the applicant’s immediate possession, to drive a motor vehicle, motorcycle, or motor-driven cycle upon the highways when accompanied by a driver, who holds a valid Colorado driver’s license and is twenty-one years of age or older, who occupies the front seat of the motor vehicle, or if the vehicle is a motorcycle or motor-driven cycle, under the immediate proximate supervision of a driver, who is authorized under this article to drive a motorcycle or motor-driven cycle. The permit shall expire three years after issuance.
- (b) (I) A minor who is fifteen years of age or older and enrolled, attending, and participating in a driver education course that includes a minimum of six hours of driving-behind-the-wheel instruction with a certified driver education instructor and is approved by the department may apply for a minor’s instruction permit, pursuant to sections [42-2-107](#) and [42-2-108](#). Upon presentation of a written or printed statement signed by the parent, stepparent, grandparent with power of attorney, or guardian or foster parent and the instructor of the driver education course that the minor is enrolled, attending, and participating in an approved driver education course that includes a minimum of six hours of driving-behind-the-wheel instruction with a certified driver education instructor, the department shall issue the permit entitling the applicant, while having the permit in the applicant’s immediate possession, to drive a motor vehicle, including a motorcycle or motor-driven cycle, under the supervision of the parent, stepparent, grandparent with power of attorney, or guardian or foster parent, who cosigned the application for the minor’s instruction permit, if the parent, stepparent, grandparent with power of attorney, or guardian or foster parent holds a valid Colorado driver’s license and occupies the front seat of the motor vehicle, or if the vehicle is a motorcycle or motor-driven cycle, is authorized under this article to drive a motorcycle

or motor-driven cycle and is in close proximity to the driver while the minor is driving. In addition, the parent, stepparent, grandparent with power of attorney, or guardian or foster parent, who is authorized pursuant to this section to supervise the minor driver while the minor is driving, may allow the minor, while having the permit in the applicant's immediate possession, to drive with an individual who holds a valid driver's license and is twenty-one years of age or older for additional driving experience, but such additional driving experience shall not count toward the requirement established in section [42-2-104](#). The permit shall also entitle the applicant to drive a motor vehicle, including a motorcycle or motor-driven cycle that is marked to indicate that it is a motor vehicle used for instruction and that is properly equipped for instruction upon the highways when accompanied by or under the supervision of an approved driver education instructor who holds a valid Colorado driver's license. Driver education instructors giving instruction in motorcycle safety shall have a valid motorcycle driver's license from Colorado and shall have successfully completed an instruction program in motorcycle safety approved by the department. The permit shall expire three years after issuance.

- (c) A person sixteen years of age or older who, except for his or her lack of instruction in operating a motorcycle or motor-driven cycle, would otherwise be qualified to obtain a driver's license under this article to drive a motorcycle or motor-driven cycle, may apply for a temporary instruction permit, pursuant to sections [42-2-107](#) and [42-2-108](#). The department shall issue the permit entitling the applicant, while having the permit in the applicant's immediate possession, to drive a motorcycle or motor-driven cycle upon the highways while under the immediate supervision of a licensed driver, who holds a valid Colorado driver's license and is twenty-one years of age or older, authorized under this article to drive a motorcycle or motor-driven cycle. The permit shall expire three years after issuance.

#### **[42-2-114. License issued - fees - repeal.](#)**

On and after July 1, 2006, there shall be a surcharge of two dollars added for issuance of a driver's or provisional driver's license for which a motorcycle endorsement is requested which shall be credited to the motorcycle operator safety training fund created in section [43-5-504](#), C.R.S.

#### **[42-4-1501. Traffic laws apply to persons operating motorcycles - special permits.](#)**

1. Every person operating a motorcycle shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of any other vehicle under this article, except as to special regulations in this article and except as to those provisions of this article which by their nature can have no application.
- <!--[if !supportLists]-->2. <!--[endif]-->For the purposes of a prearranged organized special event and upon a showing that safety will be reasonably maintained, the department of transportation may grant a special permit exempting the operation of a motorcycle from any requirement of this part 15.

#### **[42-4-1502. Riding on motorcycles.](#)**

(1) A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent seat if designed for two persons or upon another seat firmly attached to the motorcycle at the rear or side of the operator.

- (2) A person shall ride upon a motorcycle only while sitting astride the seat, facing forward, with one leg on either side of the motorcycle.
- (3) No person shall operate a motorcycle while carrying packages, bundles, or other articles which prevent the person from keeping both hands on the handlebars.
- (4) No operator shall carry any person nor shall any person ride in a position that will interfere with the operation or control of the motorcycle or the view of the operator.
- (5) Any person who violates any provision of this section commits a class A traffic infraction.

#### **42-4-1503. Operating motorcycles on roadways laned for traffic.**

- (1) All motorcycles are entitled to full use of a traffic lane, and no motor vehicle shall be driven in such a manner as to deprive any motorcycle of the full use of a traffic lane. This subsection (1) shall not apply to motorcycles operated two abreast in a single lane.
- (2) The operator of a motorcycle shall not overtake or pass in the same lane occupied by the vehicle being overtaken.
- (3) No person shall operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles.
- (4) Motorcycles shall not be operated more than two abreast in a single lane.
- (5) Subsections (2) and (3) of this section shall not apply to police officers in the performance of their official duties.
- (6) Any person who violates any provision of this section commits a class A traffic infraction

#### **42-4-1012. High occupancy vehicle (HOV) and high occupancy toll (HOT) lanes.**

<!--[if !supportLists]-->(1) <!--[endif]-->A motorcycle may be operated upon high occupancy vehicle lanes pursuant to section 163 of Public Law 97-424 or upon high occupancy toll lanes, unless prohibited by official traffic control devices.

#### **42-4-205. Head lamps on motor vehicles.**

- (2) Every motorcycle and every motor-driven cycle shall be equipped with at least one and not more than two head lamps which shall comply with the requirements and limitations of sections [42-4-202](#) and 42-4-204 to 42-4-231 and part 3 of this article where applicable thereto.
- (3) Every head lamp upon every motor vehicle, including every motorcycle and motor-driven cycle, shall be located at a height measured from the center of the head lamp of not more than fifty-four inches nor less than twenty-four inches, to be measured as set forth in section [42-4-204](#) (3).

#### **42-4-206. Tail lamps and reflectors.**

Every tail lamp upon every vehicle shall be located at a height of not more than seventy-two inches nor less than twenty inches, to be measured as set forth in section [42-4-204](#) (3).

(3) Either a tail lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of fifty feet to the rear. Any tail lamp or tail lamps, together with any separate lamp for illuminating the rear registration plate, shall be so wired as to be lighted whenever the head lamps or auxiliary driving lamps are lighted. This subsection (3) shall not apply to neighborhood electric vehicles.

Every new motor vehicle sold and operated on and after January 1, 1958, upon a highway shall carry on the rear, whether as a part of the tail lamps or separately, two red reflectors; except that every motorcycle and every motor-driven cycle shall carry at least one reflector meeting the requirements of this section, and vehicles of the type mentioned in section [42-4-207](#) shall be equipped with reflectors as required in those sections applicable thereto.

#### [42-4-208. Stop lamps and turn signals.](#)

(1) Every motor vehicle or motor-drawn vehicle shall be equipped with a stop light in good working order at all times and shall meet the requirements of section [42-4-215](#) (1).

(2) No person shall sell or offer for sale or operate on the highways any motor vehicle registered in this state and manufactured or assembled after January 1, 1958, unless it is equipped with at least two stop lamps meeting the requirements of section [42-4-215](#) (1); except that a motorcycle or motor-driven cycle manufactured or assembled after said date shall be equipped with at least one stop lamp meeting the requirements of section [42-4-215](#) (1).

<!--[if !supportLists]-->(2) <!--[endif]-->No person shall sell or offer for sale or operate on the highways any motor vehicle, trailer, or semitrailer registered in this state and manufactured or assembled after January 1, 1958, and no person shall operate any motor vehicle, trailer, or semitrailer on the highways when the distance from the center of the top of the steering post to the left outside limit of the body, cab, or load of such motor vehicle exceeds twenty-four inches, unless it is equipped with electrical turn signals meeting the requirements of section [42-4-215](#) (2). This subsection (3) shall not apply to any motorcycle or motor-driven cycle

#### [42-4-232. Minimum safety standards for motorcycles and motor-driven cycles.](#)

(1) No person shall operate any motorcycle or motor-driven cycle on any public highway in this state unless such person and any passenger thereon is wearing goggles or eyeglasses with lenses made of safety glass or plastic.

(2) The department shall adopt standards and specifications for the design of goggles and eyeglasses.

(3) Any motorcycle carrying a passenger, other than in a sidecar or enclosed cab, shall be equipped with footrests for such passengers.

Any person who violates any provision of this section commits a class A traffic infraction.

#### [42-4-503. Projecting loads on passenger vehicles.](#)

No passenger-type vehicle, except a motorcycle or a bicycle, shall be operated on any highway with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle nor extending

more than six inches beyond the line of the fenders on the right side thereof. Any person who violates any provision of this section commits a class B traffic infraction

## **MOTORCYCLE OPERATORS SAFETY PROGRAM**

### **43-5-501. Definitions.**

As used in this part 5, unless the context otherwise requires:

- (1) "Director" means the director of the office.
- (2) "Fund" means the motorcycle operator safety training fund created in section [43-5-504](#).
- (3) "Instructor training specialist" means a licensed motorcycle operator who meets the standards promulgated by the office to train and oversee instructors for the program.
- (4) "Office" means the office of transportation safety in the department of transportation.
- (5) "Program" means the motorcycle operator safety training program established pursuant to section [43-5-502](#).

### **43-5-502. Motorcycle operator safety training program.**

- (1) (a) (I) The office shall establish a motorcycle operator safety training program which shall include courses to develop the knowledge, attitudes, habits, and skills necessary for the safe operation of a motorcycle. Such program shall include instruction relating to the effects of alcohol and drugs on the operation of motorcycles, and it shall include a course to train instructors. The office shall set standards for the certification of courses in the program. The office shall contract with vendors for the purpose of providing the program.
  - (II) Any resident of the state who holds a current valid Colorado driver's license, a minor driver's license, or an instruction permit authorized by section [42-2-106](#), C.R.S., may enroll in a certified motorcycle operator safety training course.
  - (b) The director may certify any person meeting the applicable standards as an instructor training specialist to assist in establishing motorcycle operator safety training courses throughout the state, in implementing the program, and in training and monitoring instructors.
  - (c) The director shall designate a program coordinator to implement and administer the program. In no event shall the office expend more than fifteen percent of the total cost of the program for administrative costs.
  - (d) The office shall adopt such rules and regulations as are necessary to carry out the provisions of the program pursuant to article [4](#) of title [24](#), C.R.S.
- (2) The office shall begin implementation of this part 5 on November 1, 1990, or when the moneys in the fund are sufficient to pay for the costs of implementing the program, whichever is later. However, operation of courses in the program shall commence no later than July 1, 1991.

### **43-5-503. Instructor requirements and training**

- (1) The office shall establish standards for an approved instructor training course. Successful completion of the course shall require the participant to demonstrate knowledge of course material, knowledge of safe motorcycle operating practices, and the necessary aptitude for instructing students.
- (2) Each applicant for an instructor certificate shall be at least twenty-one years of age and hold a valid Colorado driver's license endorsed for motorcycles, which license has not been revoked or suspended within the three years preceding the date on which the application for certification is made.
- (3) No applicant shall be certified as an instructor if, within the three years preceding the date on which the application for certification is made:
  - (a) The applicant was convicted for an offense which is assigned eight or more points in the point system schedule, as specified in section [42-2-127](#) (5), C.R.S., or its equivalent in another state; or
  - (b) The applicant's driver's license from any other state was revoked or suspended.
- (4) The office shall prescribe the form for an approved instructor certificate and shall provide for verification that a certified instructor is currently active in the program. No instructor shall participate in the program without a current certificate

#### **[43-5-504. Motorcycle operator safety training fund](#)**

There is hereby created in the state treasury a motorcycle operator safety training fund which shall consist of moneys collected pursuant to sections [42-2-114](#) (2) (b) and (4) (b), [42-2-118](#) (1) (b) (II), and [42-3-304](#) (4), C.R.S. The moneys in the fund shall be available immediately, without further appropriation, for allocation by the transportation commission to the office of transportation safety to be used for the implementation and administration of the program. Moneys credited to the fund shall remain therein at the end of each fiscal year and shall not be transferred to any other fund.