






Colorado Revised Statutes

-  **Colorado Revised Statutes**
-  **TITLE 42 VEHICLES AND TRAFFIC**
-  **REGULATION OF VEHICLES AND TRAFFIC**
-  **ARTICLE 4 Regulation of Vehicles and Traffic**
-  **PART 17 PENALTIES AND PROCEDURE**

42-4-1717. Conviction – attendance at driver improvement school – rules.

(1) Except as otherwise provided in subsection (2) of this section, if a person has been convicted of violating this article or any other law regulating the operation of motor vehicles other than a violation of section [42-4-1301](#), the court may require the defendant, or, if the defendant has not been convicted of a violation of this article or any other law regulating the operation of motor vehicles within the last eighteen months, the court shall offer the defendant an opportunity, at the defendant's expense, to attend and satisfactorily complete a course of instruction at any designated driver improvement school providing instruction in the traffic laws of this state, instruction in recognition of hazardous traffic situations, and instruction in traffic accident prevention. Upon completion of the course, the court may suspend all or a portion of the fine or sentence of imprisonment. Unless otherwise provided by law, such school shall be approved by the court.

(2) Whenever a minor under eighteen years of age has been convicted of violating any provision of this article or other law regulating the operation of vehicles on highways, other than a traffic infraction, the court shall require the minor to attend and satisfactorily complete a course of instruction at any designated driver improvement school providing instruction in the traffic laws of this state, instruction in recognition of hazardous traffic situations, and instruction in traffic accident prevention. The court shall impose the driver improvement school requirement in addition to the penalty provided for the violation or as a condition of either the probation or the suspension of all or any portion of any fine or sentence of imprisonment for the violation. The minor, or the minor's parent or parents who appear in court with the minor in accordance with section [42-4-1716](#)(4), shall pay the cost of attending the designated driver improvement school. The courts shall make available information on scholarships and other financial assistance available to help minors or their parents offset the costs of driver improvement school. Unless otherwise provided by law, such school shall be approved by the court.

(3)(a) Effective January 1, 2010, a person who is required to attend a course of instruction pursuant to subsection (1) or (2) of this section shall pay, in addition to any other penalties, a penalty surcharge as determined by rules promulgated by the department. The driver improvement school shall collect the penalty surcharge and remit it to the department at least monthly in accordance with rules promulgated by the department. The department shall set the penalty surcharge in an amount to offset the direct and indirect cost of implementing section [42-1-223](#). The penalty surcharge shall be transferred to the state treasurer and credited to the defensive driving school fund created in section [42-1-223](#).

(b) The court shall include on the referral form information concerning the amount and purpose of the penalty surcharge. If the court determines that a person is unable to pay the cost of the penalty surcharge, the court may waive the surcharge and the driver improvement school shall not collect nor remit the penalty surcharge to the department.

(c) A person who is required to attend a course of instruction pursuant to subsection (1) or (2) of this section shall register with the entity that monitors the driver improvement school pursuant to section [42-1-223](#). If the person satisfactorily completes the course, the driver improvement school shall electronically notify the entity.

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