

42-1-223. Monitoring driving improvement schools - fund - rules.

(1) The defensive driving school fund, referred to in this section as the "fund", is hereby created in the state treasury. The fund shall consist of penalty surcharges collected pursuant to section [42-4-1717](#) (3). The moneys in the fund shall be used to implement a program to monitor and evaluate driver improvement schools pursuant to this section. The moneys in the fund at the end of each fiscal year shall not revert to the general fund.

(2) The department shall, in accordance with article [103](#) of title [24](#), C.R.S., contract with a private entity by July 1, 2010, to monitor and evaluate the curriculum and effectiveness of driver improvement classes required by section [42-4-1717](#). The private entity shall submit a report to the referring court within three months after a school has been evaluated summarizing the curriculum, location, security, quality, and effectiveness of the classes. The private entity shall also submit an abstract of such reports to the department annually.

(3) The department may promulgate rules setting standards for frequency and types of evaluations based upon the revenue received pursuant to section [42-4-1717](#) and the expected effectiveness of frequencies and types of evaluations.

Source: L. 2009: Entire section added, (HB 09-1246), ch. 346, p. 1811, § 1, effective August 5.

Editor's note: Section 4 of chapter 346, Session Laws of Colorado 2009, provides that the act adding this section applies to court orders requiring attendance of a driver improvement school issued on or after August 5, 2009. The act was passed without a safety clause and the act, or portions thereof, may not take effect if the people exercise their right to petition under article V, section 1 (3) of the state constitution. For an explanation concerning the effective date, see page ix of this volume.