

## Colorado Revised Statutes

- 📁 **Colorado Revised Statutes**
- 📁 **TITLE 42 VEHICLES AND TRAFFIC**
- 📁 **DRIVERS' LICENSES**
- 📁 **ARTICLE 2 Drivers' Licenses**
- 📁 **PART 4 COMMERCIAL DRIVERS' LICENSES**

### **42-2-405. Driver's license disciplinary actions – grounds for denial – suspension – revocation – disqualification.**

(1) A person who holds a commercial driver's license or who drives a commercial motor vehicle, as defined under this part 4, shall be subject, in addition to this part 4, to disciplinary actions, penalties, and the general provisions under parts 1, 2, and 3 of this article and article 7 of this title.

(2) In addition to applicable penalties imposed under the sections listed in subsection (1) of this section:

(a) A person who drives, operates, or is in physical control of a commercial motor vehicle while having any alcohol in his or her system, or who refuses to submit to a test to determine the alcoholic content of the driver's blood or breath while driving a commercial motor vehicle, shall be placed out of service as defined in section [42-2-402](#)(8).

(b) (I) If any person possesses or knowingly transports a schedule I drug or other substance identified in 49 CFR chapter III, subchapter B, appendix D, an amphetamine, a narcotic drug, a formulation of an amphetamine, or a derivative of a narcotic drug while operating a commercial vehicle during on-duty time, the department shall cancel such person's commercial driver's license for a period of six months or, if such person does not have a commercial driver's license, the department shall not issue a commercial driver's license to such person until at least six months have elapsed since the date of the latest such occurrence.

(II) If any person makes unlawful use of a schedule I drug or other substance identified in 49 CFR chapter III, subchapter B, appendix D, an amphetamine, a narcotic drug, a formulation of an amphetamine, or a derivative of a narcotic drug while operating a commercial vehicle during on-duty time, the department shall cancel such person's commercial driver's license for a period of one year or, if such person does not have a commercial driver's license, the department shall not issue a commercial driver's license to such person until at least one year has elapsed since the date of the latest such occurrence.

(3) For purposes of the imposition of restraints and sanctions against commercial driving privileges:

(a) A conviction for DUI, DUI per se, DWAI, or habitual user, or a substantially similar law of any other state pertaining to drinking and driving, or an administrative determination of a violation of section [42-2-126](#)(3)(a) or (3)(b) shall be deemed driving under the influence; and

(b) A conviction for violating section [42-4-706](#), [42-4-707](#), [42-4-708](#), or a

substantially similar law of any other state pertaining to conduct at or near railroad crossings, shall be deemed a railroad crossing offense.

(4) A commercial driver whose privilege to drive a commercial motor vehicle has been cancelled or denied pursuant to this section may, following any applicable revocation period, apply for another type or class of driver's license in accordance with section [42-2-104](#), as long as there is no other statutory reason to deny such person such a license.

Source: L. 94: Entire title amended with relocations, p. 2165, § 1, effective January 1, 1995. L. 96: (2) amended, p. 272, § 2, effective April 8. L. 97: (3)(b)(II) amended, p. 1466, § 11, effective July 1. L. 2004: (1) and (3) amended, p. 892, § 4, effective July 1, 2005. L. 2006: (3) amended, p. 261, § 3, effective March 31. L. 2008: (3)(a) amended, p. 252, § 18, effective July 1.