

Convictions, judgments, and charges recorded--public inspection

C.R.S. § 42-4-1715

Effective: May 28, 2013

(1)(a) Every judge of a court not of record and every clerk of a court of record shall keep a full record of every case in which a person is charged with any violation of this article or any other law regulating the operation of vehicles on highways.

(b)(I) Upon application by a person, the court shall expunge all records concerning a conviction of the person for UDD with a BAC of at least 0.02 but not more than 0.05 if:

(A) Such person presents a request for expungement to the court and provides all information required by the court to process such request;

(B) Such person is over twenty-one years of age and the court action regarding the offense has been concluded;

(C) The person has not been convicted for any other offense under [section 42-4-1301](#) that was committed while such person was under twenty-one years of age;

(D) Such person pays the fine and surcharge for such conviction and completes any other requirements of the court with regard to such conviction, including, but not limited to, any order to pay restitution to any party;

(E) Such person has never held a commercial driver's license as defined in [section 42-2-402](#); and

(F) Such person was not operating a commercial motor vehicle as defined in [section 42-2-402](#).

(II) Upon receiving a request for expungement, the court may delay consideration of such request until sufficient time has elapsed to ensure that the person is not convicted for any additional offense of DUI, DUI per se, DWAI, or UDD committed while the person was under twenty-one years of age.

(2)(a) Subject to paragraph (b) of this subsection (2), within ten days after the entry of a judgment, conviction, or forfeiture of bail of a person upon a charge of violating this article or other law regulating the operation of vehicles on highways, the judge or clerk of the court in which the entry of a judgment was made, the conviction was had, or bail was forfeited shall prepare and forward to the department an abstract of the record of the court covering every case in which the person had a judgment entered against him or her, was convicted, or forfeited bail, which abstract shall be certified by the preparer to be true and correct.

(b) For the holder of a commercial driver's license as defined in [section 42-2-402](#) or an offense committed by a person operating a commercial motor vehicle as defined in [section 42-2-402](#), within five days after conviction of a person upon a charge of violating this article or other law regulating the operation of vehicles on highways, the judge or clerk of the court in which the person was convicted shall prepare and forward to the department an abstract of the record of the court covering every case in which the person was convicted, which abstract shall be certified by the preparer to be true and correct.

(3) Said abstract must be made upon a form furnished by the department and shall include the name, address, and driver's license number of the party charged, the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgment or whether bail forfeited, and the amount of the fine or forfeiture.

(4)(a) Every court of record shall also forward a like report to the department:

(I) Upon the conviction of any person of vehicular homicide or any other felony in the commission of which a vehicle was used; and

(II) Upon the dismissal of a charge for DUI, DUI per se, DWAI, or UDD or if the original charge was for DUI, DUI per se, DWAI, or UDD and the conviction was for a nonalcohol- or nondrug-related traffic offense.

(b) Deleted by Laws 2008, Ch. 148, § 6, eff. July 1, 2008.

(5) The department shall keep all abstracts received under this section, as well as a record of penalty assessments received, at the main office, and the same shall be public records and subject to the provisions of [section 42-1-206](#).

Section Edit History

Added by Laws 1994, S.B.94-1, § 1, eff. Jan. 1, 1995.

Amended by Laws 1997, H.B.97-1301, § 15, eff. July 1, 1997; Laws 1998, Ch. 69, § 7, eff. April 6, 1998; Laws 2008, Ch. 79, § 23, eff. July 1, 2008; Laws 2008, Ch. 148, §§ 5, 6, eff. July 1, 2008; Laws 2013, Ch. 331, § 18, eff. May 28, 2013.