

[Archive](#)**Colorado Statutes****Title 42. VEHICLES AND TRAFFIC****DRIVERS' LICENSES****Article 2. Drivers' Licenses****Part 4. COMMERCIAL DRIVERS' LICENSES**

Current through Chapter 75 of the 2012 Legislative Session

§ 42-2-402. Definitions

As used in this part 4, unless the context otherwise requires:

- (1) "Commercial driver's license" means a license issued to an individual in accordance with the requirements of the federal "Commercial Motor Vehicle Safety Act of 1986", 49 App. U.S.C. sec. 2701 et seq., and any rules or regulations promulgated thereunder, that authorizes such individual to drive a commercial motor vehicle.
- (2) "Commercial driver's license driving tester" or "driving tester" means an individual licensed by the department under the provisions of section [42-2-407](#) to perform commercial driver's license driving tests.
- (3) "Commercial driver's license testing unit" or "testing unit" means a business, association, or governmental entity licensed by the department under the provisions of section [42-2-407](#) to administer the performance of commercial driver's license driving tests.
- (4) **"Commercial motor vehicle" means a motor vehicle** designed or used to transport passengers or property, if the vehicle:
 - (I) Has a gross vehicle weight rating of 26,001 or more pounds or such lesser rating determined by federal regulation; or
 - (II) Is designed to transport sixteen or more passengers, including the driver; or
 - (III) Is transporting hazardous materials and is required to be placarded in accordance with 49 CFR part 172, subpart F.
- (b) **"Commercial motor vehicle" does not include:**
 - (I) **Recreational vehicles;**
 - (II) Military vehicles that are driven by military personnel;
 - (III) Any farm vehicles:
 - (A) Controlled and operated by a farmer;

- (B) Used to transport agriculture products, farm machinery, or farm supplies to or from a farm;
- (C) Not used in the operations of a common or contract motor carrier; or
- (D) Used within one hundred fifty miles of the person's farm;
- (IV) Firefighting equipment.
- (5) "Department" means the department of revenue.
- (6) "Gross vehicle weight rating" or "GVWR" means the value specified by the manufacturer as the maximum loaded weight of a single or a combination (articulated) vehicle, or registered gross weight, whichever is greater. The GVWR of a combination (articulated) vehicle, commonly referred to as the "gross combination weight rating" or "GCWR" is the GVWR of the power unit plus the GVWR of any towed unit.
- (7) "Hazardous materials" means materials as defined under section 103 of the federal "Hazardous Materials Transportation Act of 1987", 49 App. U.S.C. sec. 1801, as may be amended from time to time.
- (8) "Out-of-service order" means an "out-of-service order" as defined by [49 CFR 383.5](#).

History. L. 94: Entire title amended with relocations, p. 2163, § 1, effective January 1, 1995. L. 2006: (8) amended, p. 261, § 2, effective March 31.

Editor's Note:

This section is similar to former § 42-2-502 as it existed prior to 1994, and the former § 42-2-402 was relocated to § [42-2-302](#).

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