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SCHOOL LAWS

ENACTED BY

The Thirtieth
General Assembly

State of Colorado

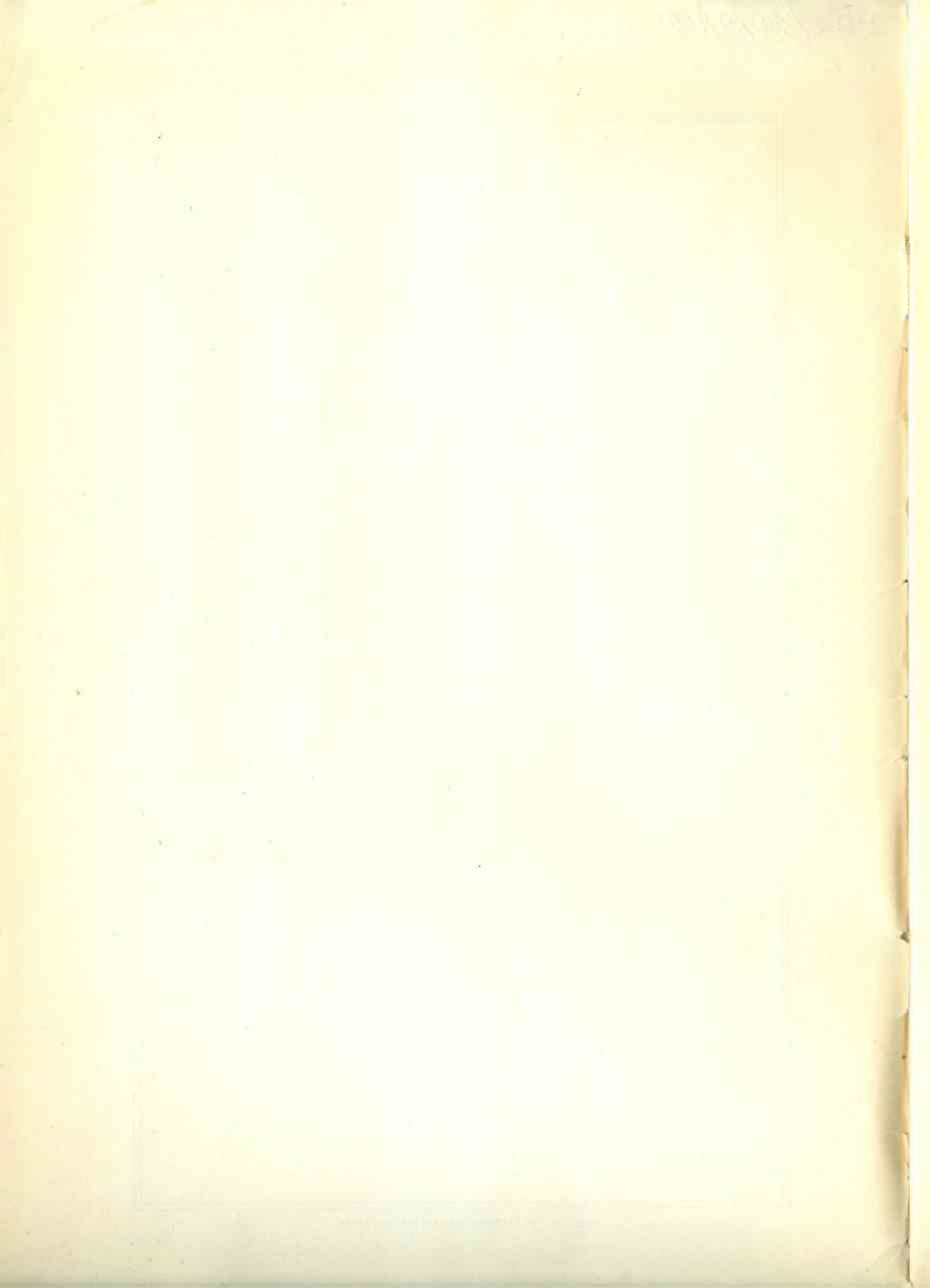


1935

INEZ JOHNSON LEWIS
State Superintendent of
Public Instruction



THE BRADFORD-ROBINSON PTG. CO., DENVER



AN ACT

HOUSE BILL NO. 256

RELATING TO UNION HIGH SCHOOL BUILDINGS AND TO
AMEND SECTIONS 8382 TO 8396, BOTH INCLUSIVE,
COMPILED LAWS OF COLORADO, 1921, AS AMENDED.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. Section 8392, Compiled Laws of Colorado, 1921, is hereby amended to read as follows:

Section 8392. It shall be the duty of the school district in which the Union High School or incorporated town is incorporated to provide, at its own expense, a suitable building for the use of such Union High School District. *Provided, However,* That Union High School Districts may purchase lots, buildings, or equipment, and build a building or buildings and maintain the same at the expense of the Union High School District, when directed by a vote of the qualified electors of the Union High School District so to do, and for this purpose may, when directed by a vote of the electors of the Union High School District who have paid a school tax in the year next preceding, create a bonded indebtedness against the Union High School District. The question of purchasing or constructing a building and maintaining the same may be submitted to the qualified electors of the Union High School District at a general or special election called for that purpose.

Section 2. Any election required under the provisions of this Act may be called by the Union High School Board, and it shall be their duty to call such election upon the filing with them of a petition signed by not less than 50 legal electors of said district; said election shall be called and held in the manner as near as may be, as now provided by Sections 8358 to 8365, both inclusive, Compiled Laws of Colorado, 1921, for the holding of elections in school districts. Notice of election shall specify the special question or questions to be voted upon at any election.

Section 3. Whenever an election is required or shall be called as provided in Section 2 of this Act, in addition to the question of purchasing or constructing a building and maintaining the same, there may be submitted the question of creating a bond issue for the purpose of purchasing or constructing a building or buildings, and providing equipment for the same. If two-thirds or more of the votes cast at such general or special election be in favor of pro-

viding and maintaining a suitable building or buildings for high school purposes, then the school board of the Union High School District shall be authorized to provide a building or buildings and maintain the same for the use of such Union High School District. If a majority of the votes cast at such general or special election be in favor of creating the bond issue for the purpose of purchasing or constructing a building or buildings and furnishing the same, then the Union High School District shall be authorized to issue bonds for the purpose of purchasing or erecting a building or buildings and providing equipment for the same. Bonds issued under the provisions of this Act, and the levy made for the purpose of paying the principal and interest on the same shall be issued in compliance with the provisions of Sections 8356 to 8375, both inclusive, Compiled Laws of Colorado, 1921, as amended.

Section 4. Statutory limitations now provided by law, relating to the bonded indebtedness of school districts, shall not be applicable to Union High School Districts, but the total amount of bonded indebtedness of a Union High School District under the provisions of this Act shall not exceed three per cent of the assessed value of the property in such Union High School District, for the year next preceding the date of issue of said bonds.

Section 5. The General Assembly hereby finds, determines and declares this Act necessary for the immediate preservation of the public peace, health and safety.

Section 6. In the opinion of the General Assembly an emergency exists; therefore, this Act shall take effect and be in force from and after its passage.

APPROVED: March 13, 1935.

AN ACT

HOUSE BILL NO. 629

TO PROVIDE THAT AT LEAST FIFTY PER CENT OF THE MONEY ARISING FROM GRAZING FEES RECEIVED BY ANY COUNTY FROM THE UNITED STATES TREASURY SHALL BE APPORTIONED TO THE SCHOOL FUND OF THE COUNTY RECEIVING SUCH FUNDS.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. At least fifty per cent (50%) of all moneys that are received by the State of Colorado from the Secretary of the United States Treasury under the provisions of Public No. 482—73rd Congress, commonly known as the Taylor Grazing Act, shall be distributed annually by the State Treasurer on warrants drawn by the State Auditor to the counties entitled thereto, said moneys to be for the use and benefit of the public schools of such counties.

Section 2. Said warrants shall be made payable to the County Treasurer of each county for the amount of money to which such county is entitled under the provisions of this Act and the Taylor Grazing Act, and said moneys shall be placed to the credit of the general school fund of the county and distributed on a census basis to the various school districts situated in the county.

Section 3. Nothing in this Act shall prevent the county commissioners from placing a greater amount than fifty per cent (50%) of the fund in the General School Fund of the county.

Section 4. The General Assembly hereby finds, determines and declares that this Act is necessary for the immediate preservation of the public peace, health and safety.

Section 5. In the opinion of the General Assembly an emergency exists; therefore, this Act shall take effect and be in force from and after its passage.

APPROVED: April 10, 1935.

This Act repealed by the General Assembly, 1937.

AN ACT

SENATE BILL NO. 171—FROM STATE RECOVERY ACT

TO PROMOTE INDUSTRIAL RECOVERY, TO ENABLE THE STATE TO CO-OPERATE MORE EFFECTIVELY WITH THE FEDERAL GOVERNMENT IN ITS PROGRAM OF NATIONAL RECOVERY, TO PROVIDE FOR STATE CODES OR AGREEMENTS OF FAIR COMPETITION, AND FOR THE ENFORCEMENT THEREOF, FOR THE ADOPTION AND ENFORCEMENT BY THE STATE OF NATIONAL CODES OR AGREEMENTS OF FAIR COMPETITION, FOR REGULATING THE LETTING AND PERFORMANCE OF PUBLIC CONTRACTS, AND PROVIDING PENALTIES FOR VIOLATIONS OF THIS ACT.

Be It Enacted by the General Assembly of the State of Colorado:

Section 12. *Letting of Public Contracts.* In furtherance of the purposes of this Act, all invitations to bidders hereafter made by this State, any political sub-division thereof, or any municipal corporation or by any institution, agency, or department of any of them, shall contain a provision to the effect that no bid shall be considered unless it is accompanied by a certificate, duly executed by the bidder, stating that the bidder is complying with and will continue to comply with, each approved code of fair competition to which he is subject, or, if he is engaged in any trade or industry for which there is no such code, stating that as to such trade or industry he has become a party to and is complying with and will continue to comply with an agreement as hereinafter defined. All contracts and purchase orders authorized by this State, any political sub-division thereof, or any municipal corporation, or by any department, agency, or institution of any of them, shall contain a provision to the effect that the party awarded any such contract or purchase order shall comply with each approved code of fair competition to which he is subject, and if engaged in a trade or industry for which there is no such code, then as to such trade or industry, with an agreement, as aforesaid; and a provision to the effect that such party, in the fulfillment of such contracts or purchase orders, shall require certificates that all articles, materials and supplies used therein have been mined, produced, manufactured or supplied in full compliance with the applicable codes of fair competition, or with an agreement as aforesaid.

AN ACT

SENATE BILL NO. 440

RELATING TO LOCAL GOVERNMENT BUDGETS AND TO AMEND CHAPTER ONE HUNDRED TWENTY-FIVE OF THE REGULAR SESSION LAWS OF 1933 BY PROVIDING A PROCEDURE TO COMPEL LOCAL GOVERNMENTS TO FILE BUDGETS.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. Section 12 of Chapter 125 of the Session Laws of 1933 is hereby amended to read as follows:

Section 12. Filing Budgets: Procedure. The budget-making authority of cities, cities and counties, towns and counties shall, on the adoption of the budget, file a copy thereof with the State Tax Commission of the State of Colorado; and the budget-making authority of school districts, upon the adoption of the budget, shall file a copy thereof with the State Superintendent of Schools of the State of Colorado, and also with the County Superintendent of Schools in the county in which the school district is located.

At the time of filing the budget with the officer or officers hereinabove specified, the local government shall prepare and file with the County Treasurer of the country wherein such local government is situated, an affidavit, duly executed by its president or vice-president or other chief executive officer, substantially in the following form:

....., being first duly sworn, on oath, deposes and says: That he is the..... of.....; that said local government did, on the.....day of....., A. D., file with the proper officials its budget for the period fromto....., in due manner and form, as required by law.

It shall be unlawful for any County Treasurer to pay out any money or draw any warrant for an expenditure of any local government until such affidavit evidencing the filing of its budget by said local government shall have been first received by him.

APPROVED: April 10, 1935.

AN ACT

SENATE BILL NO. 635

CONCERNING THE DUTIES OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, AND TO AMEND SECTION 8269, COMPILED LAWS OF COLORADO, 1921.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. Section 8269, Compiled Laws of Colorado, 1921, is hereby amended to read as follows: 8269. Sec. 15. He shall have a general supervision of all county superintendents and of the public schools of the State. He shall prepare, have printed and furnished to teachers and all officers charged with the administration of the laws relating to public schools, such blank forms, registers, books, *courses of study, and pamphlets* as may be necessary to the discharge of their duties, such supplies to be furnished only upon order of the County Superintendent of Schools, but he shall not copyright such forms, nor be directly nor indirectly compensated by reason of the sale thereof. All such supplies so furnished for the use of teachers and school officers shall be charged to the respective counties at cost, and the county superintendent of schools shall receipt for and distribute the same among the districts of his county as they may require; and the amount so charged against each county shall be deducted from the amount apportioned to such county at the semi-annual apportionment of the State school fund; and the superintendent of public instruction shall certify to the State Treasurer the aggregate amount of such deductions. The superintendent of public instruction shall have the laws relating to public schools printed and annexed thereto forms for making reports and conducting school business, and shall supply school officers, school libraries and State libraries, and *other interested individuals with a copy. Said printing to be paid for out of the Public School Income Fund on warrant of the State Auditor, on bills approved by the state superintendent of public instruction and the Executive Council of the State.*

Section 2. The General Assembly hereby declares that this Act is necessary for the immediate preservation of the public peace, health and safety.

Section 3. In the opinion of the General Assembly an emergency exists; therefore, this Act shall take effect and be in force immediately after its passage.

APPROVED: April 11, 1935.

AN ACT

SENATE BILL NO. 84

RELATING TO THE CLASSIFICATION OF CONEJOS COUNTY FOR THE PURPOSE OF REGULATING THE COMPENSATION OF COUNTY AND OTHER OFFICERS, AND TO AMEND SECTION 7920, COMPILED LAWS OF COLORADO, 1921.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. That in providing for and regulating the fees and salaries of Clerks of the District Courts, County Sheriffs, County Clerks, County Treasurers and County Assessors, and their Deputies and Assistants, the County of Conejos shall be a County of the fourth class, Division "B."

Section 2. That in providing for and regulating the fees and salaries of County Superintendents of Schools, the County of Conejos shall be a county of the fourth class.

Section 3. That in providing for and regulating the salaries of County Commissioners, the County of Conejos shall be a County of the seventh class.

Section 4. That in providing for and regulating the fees and salaries of County Judges, Clerks of the County Court and their Deputies and Assistants, the County of Conejos shall be a County of the fourth class, Division "B."

Section 5. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 6. The General Assembly hereby finds, determines and declares that this Act is necessary for the immediate preservation of the public peace, health and safety.

Section 7. In the opinion of the General Assembly an emergency exists; therefore, this Act shall take effect and be in force from and after its passage.

APPROVED: March 7, 1935.

AN ACT

HOUSE BILL NO. 961

TO FIX THE CLASSIFICATIONS OF TELLER COUNTY FOR THE PURPOSE OF PROVIDING AND REGULATING THE FEES AND SALARIES OF COUNTY OFFICERS, AND TO REPEAL ALL ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. That for the purpose of fixing fees chargeable and to be collected by County, precinct, and other officers, and for the purpose of providing for and regulating the compensation of all County, precinct and other officers, the County of Teller shall be a County of the fourth class, Division B.

Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 3. The General Assembly hereby finds, determines and declares this Act necessary for the immediate preservation of the public peace, health and safety.

Section 4. In the opinion of the General Assembly an emergency exists; therefore, this Act shall take effect and be in force from and after its passage.

APPROVED: April 10, 1935.

AN ACT

SENATE BILL NO. 312

IN RELATION TO CLASSIFICATION OF COUNTIES FOR THE PAYMENT OF SALARIES; TO PROVIDE FOR THE RECLASSIFICATION OF YUMA COUNTY, AND TO AMEND CHAPTER 158, COMPILED LAWS OF COLORADO, 1921, AS AMENDED.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. That in providing for, and regulating the fees and salaries of Assessors, County Sheriffs, County Clerks, and their Deputies and Assistants, the County of Yuma, shall be a County of the fourth class, Division B.

Section 2. That in providing for, and regulating the fees and salaries of County Superintendents of Schools, the County of Yuma, shall be a county of the third class, Division A.

Section 3. That in providing for, and regulating the salary of County Commissioners, the County of Yuma, shall be a County of the fourth class.

Section 4. That in providing for, and regulating the salary of County Judge, the County of Yuma, shall be a County of the fourth class, Division A.

Section 5. That in providing for, and regulating the salary of County Treasurer, the County of Yuma, shall be a County of the fourth class, Division B.

Section 6. All Acts or parts of Acts in conflict herewith are hereby repealed.

APPROVED: May 6, 1935.

AN ACT

SENATE BILL NO. 131

TO DESIGNATE THE STATE AGRICULTURAL COLLEGE OF COLORADO ALSO AS THE COLORADO STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. That the State Agricultural College at Fort Collins, designated as the "Agricultural College of Colorado" in the Act establishing the institution, and as the "Agricultural College at Fort Collins," in Article VIII, Section 5, of the Constitution of the State, and "The State Agricultural College" in the Act establishing the State Board of Agriculture, shall also be designated and known as the Colorado State College of Agriculture and Mechanic Arts.

Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

APPROVED: February 16, 1935.

AN ACT

SENATE BILL NO. 305

TO CHANGE THE NAME OF THE "STATE NORMAL SCHOOL AT GREELEY," TO THE "COLORADO STATE COLLEGE OF EDUCATION, AT GREELEY."

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. That the name of the "State Normal School at Greeley," be and the same is hereby changed to the "Colorado State College of Education, at Greeley."

Section 2. The General Assembly hereby finds, determines and declares this Act necessary for the immediate preservation of the public peace, health and safety.

Section 3. In the opinion of the General Assembly an emergency exists; therefore, this Act shall take effect and be in force from and after its passage.

APPROVED: February 16, 1935.

AN ACT

SENATE BILL NO. 633

RELATING TO THE CERTIFICATION OF TEACHERS FOR
THE PUBLIC SCHOOLS, AND TO AMEND SECTION 3,
CHAPTER 165, SESSION LAWS OF COLORADO, 1923.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. Section 3. COUNTY CERTIFICATES. (a) For the elementary schools. Beginning with the school year, September, 1925, all applicants for examination for certificates to teach must have completed a senior high school course requiring four years of work or its equivalent beyond that required for graduation from the elementary schools, and must have in addition completed one quarter of not less than ten weeks, completing three college quarter hours, of professional work in a normal school or institution of higher learning offering a course approved by the State Superintendent of Public Instruction; provided, that the applicant may offer in lieu of the professional work above specified, two (2) units of professional work done in an accredited high school offering a normal training course approved by the State Superintendent of Public Instruction. Beginning with the school year September, 1927, all applicants for examination for certificates to teach must have attended an institution of higher learning and must have successfully pursued a course approved by the State Superintendent of Public Instruction, completing credit in twenty-five college quarter hours, five of which shall be in professional work. Beginning with the school year September, 1931, all applicants for examination for certificates to teach must have attended an institution of higher learning and must have successfully pursued a course approved by the State Superintendent of Public Instruction, completing credit in ninety college quarter hours, thirty of which shall be in professional work. Beginning with July 1, 1923, the following shall be the requirements for certificates issued by the county superintendents: (a) Third grade certificates for the elementary schools of Colorado may be issued by any county superintendent to any applicants who possess the necessary qualifications and have passed the regular examinations in spelling, reading, writing, arithmetic,

grammar and composition, geography, history and constitution of the United States and the constitution of the State of Colorado of the United States, civics, sanitation and hygiene, elementary science and agriculture, school law of Colorado, school management and the state reading circle course. Third grade certificates shall be valid for one year in any elementary school of Colorado. They may be renewed once by the county superintendent for one year without further examination if the holder has, during the life of the certificate, attended an institution of higher learning for *at least five weeks* and pursued a course approved by the State Superintendent of Public Instruction, and has received credit amounting to five college quarter hours in professional courses. Not more than two elementary third grade certificates including renewals shall be issued to one person, except upon permission of the State Superintendent of Public Instruction. After the supply of teachers otherwise legally qualified shall have been exhausted, when so authorized by the State Superintendent of Public Instruction, the county superintendent may issue third grade certificates for the third time to as many persons having passed the regular examinations as may be needed to fill existing vacancies. (b) Second grade certificates for the elementary schools of Colorado may be issued by any county superintendent to such applicants as have passed an examination in physical and commercial geography, especially of Colorado, American literature, history of Colorado, current events, and all the subjects prescribed for examination of applicants for the third grade certificates. Second grade certificates issued by the county superintendent shall be valid for two years in any elementary school in the state. They may be renewed once by the county superintendent without further examination upon presentation of evidence that the holder, during the life of the certificate, has taught successfully for a term of not less than eight months and has attended an institution of higher learning for *at least five weeks*, has successfully pursued a course approved by the Superintendent of Public Instruction, completing credit in at least eight (8) college quarter hours of professional work. (c) First grade certificates for the elementary schools of Colorado may be issued by any county superintendent to such applicants as have taught successfully for eight months and have passed the examination in English literature, algebra or geometry, physics or chemistry, general history, educational psychology, and all the subjects prescribed for examination from applicants for second and third grade certificates. First grade certificates issued by a county superintendent shall be valid for

three years in any elementary school in the state. They may be renewed once by the county superintendent without further examination, upon presentation of evidence that the applicant has, during the life of the certificate, taught successfully for eight months and has attended an institution of higher learning for *at least five weeks* and has successfully pursued a course approved by the Superintendent of Public Instruction, completing credit in at least eight (8) college quarter hours of professional work.

Section 2. The General Assembly hereby declares this Act necessary for the immediate preservation of the public peace, health and safety.

Section 3. In the opinion of the General Assembly an emergency exists; therefore, this Act shall take effect and be in force from and after its passage.

APPROVED: April 1, 1935.

AN ACT

SENATE BILL NO. 634

CONCERNING THE CERTIFICATION OF TEACHERS FOR THE PUBLIC SCHOOLS, AND TO AMEND CHAPTER 165 OF THE SESSION LAWS OF COLORADO, 1923, AS AMENDED BY SECTION 2 OF CHAPTER 152, SESSION LAWS OF COLORADO, 1925.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. Section 1 of Chapter 165 of the Session Laws of Colorado, 1923, as amended by Section 2 of Chapter 152, Session Laws of Colorado, 1925, is hereby amended to read as follows:

Section 1. *Certificates required of all teachers.* No warrant for expenditure of public funds shall be drawn in favor of any person for services as teacher, principal, supervisor, or superintendent in any of the public schools of the State unless such person shall hold a legal certificate, appertaining to the schools or classes under his charge granted as provided in this act, duly registered in the office of the county superintendent of schools of the county wherein the services are to be rendered; said certificate to be in force during the full period of employment. Any teacher, principal or superintendent who shall serve in any school without possessing a legal certificate, duly registered as aforesaid, shall forfeit all claim to compensation out of the school fund for the time he serves without such certificate.

Section 2. The General Assembly hereby finds, determines and declares this Act necessary for the immediate preservation of the public peace, health and safety.

APPROVED: March 12, 1935.

AN ACT

HOUSE BILL NO. 745

TO PROVIDE FOR AN INTERIM COMMITTEE TO STUDY
THE PROBLEMS CONCERNING PUBLIC EDUCATION
OF THE STATE.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. There is hereby created an Interim Committee to study the problems of the Public School system of Colorado. Said Committee shall be appointed by the Governor not later than ninety days after the final adjournment of the regular session of the Thirtieth General Assembly. The Committee shall consist of a total of eleven citizens of the State, two of whom shall be members of the Senate and three members of the House of Representatives of the Thirtieth General Assembly.

Section 2. The Interim Committee provided in Section 1 shall study the problems of the Public School system of the State and shall report its findings and recommendations to the Thirty-first General Assembly on or before the tenth day of January, 1937.

Section 3. The legislative reference bureau, state institutions, boards and bureaus and such other institutions, and organizations as may aid the Committee provided herein are hereby requested to grant assistance to the Committee in its work when called upon by the Chairman or by action of the Committee.

APPROVED: April 10, 1935.

AN ACT

SENATE BILL NO. 343

RELATING TO TEACHERS' RETIREMENT FUND AND TO AMEND SECTION 8459, COMPILED LAWS OF COLORADO, 1921, BEING SECTION 4, CHAPTER 178, SESSION LAWS OF COLORADO, 1919, AS AMENDED BY CHAPTER 163 OF THE SESSION LAWS OF 1929.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. That Section 8459, Compiled Laws of Colorado of 1921 and being Section 4 of Chapter 178, Session Laws of Colorado of 1919, as amended by Chapter 163 of the Session Laws of 1929 be amended to read as follows:

8459. The money for the use of the public school teachers' Retirement Fund shall be secured by a special levy not to exceed one mill upon the said school district and from any gifts or bequests which may be made to said fund.

Section 2. All Acts or parts of Acts in conflict herewith are hereby expressly repealed.

APPROVED: April 10, 1935.

AN ACT

SENATE BILL NO. 401

TO DEFINE "TEACHERS OF SPECIAL SUBJECTS" AS USED IN SECTION 8451, COMPILED LAWS OF COLORADO, 1921.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. Teachers of Special Subjects as used in Section 8451, Compiled Laws of Colorado, 1921, are hereby defined as teachers who are employed to teach subjects in the public schools which are not accepted for entrance credits in any of the state supported institutions of higher learning in the State of Colorado.

Section 2. All Acts and parts of Acts in conflict with the provision of Section 1 of this Act are hereby repealed.

Section 3. The General Assembly hereby finds, determines and declares that this Act is necessary for the immediate preservation of the public peace, health and safety.

Section 4. In the opinion of the General Assembly an emergency exists; therefore, this Act shall take effect and be in force from and after its passage.

APPROVED: February 28, 1935.

AN ACT

SENATE BILL NO. 678

AUTHORIZING CITIES, TOWNS, COUNTIES AND SCHOOL DISTRICTS TO OPERATE SYSTEMS OF PUBLIC RECREATION AND PLAYGROUNDS.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. Any city, town, village or county may operate a system of public recreation and playgrounds; acquire, equip and maintain land, buildings or other recreational facilities; expend funds for the operation of such system.

Section 2. Any school district may operate a system of public recreation and playgrounds, and may exercise all other powers enumerated in Section 1.

Section 3. Any city, town, village, county, or school district may operate such a system independently or they may cooperate in its conduct in any manner in which they may mutually agree; or they may delegate the operation of the system to a recreation board created by any or all of them, and appropriate money, voted for this purpose, to such board.

Section 4. Any municipal corporation or board given charge of the recreation system is authorized to conduct its activities on (1) property under its custody and management; (2) other public property, under the custody of other municipal corporations or boards, with the consent of such corporations or boards; (3) private property, with the consent of the owners. It shall have authority to accept gifts and bequests for the benefit of the recreational service, and employ supervisors and directors of recreational work.

Section 5. The General Assembly hereby finds, determines and declares this Act necessary for the immediate preservation of the public peace, health and safety.

Section 6. In the opinion of the General Assembly an emergency exists; therefore, this Act shall take effect and be in force from and after its passage.

APPROVED: April 10, 1935.

AN ACT

HOUSE BILL NO. 746

CONCERNING THE SUPPORT OF THE PUBLIC SCHOOLS, PROVIDING FOR THE DISTRIBUTION OF STATE FUNDS TO THE RESPECTIVE SCHOOL DISTRICTS OF THE STATE AND PROVIDING THAT SUCH CONTRIBUTIONS BY THE STATE SHALL OPERATE TO REDUCE THE BURDEN OF LOCAL TAXATION FOR PUBLIC SCHOOL PURPOSES.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. There is hereby appropriated the sum of Five Hundred Dollars (\$500.00) from the general funds of the State, not otherwise appropriated, for the support of the Public Schools of the State. Said sum shall be apportioned to the school districts of the State in proportion to the pupils in average daily attendance for the school year ending June 30, 1935.

The appropriation hereby made shall be subordinate to all first and second class appropriation bills heretofore passed by the General Assembly, and no expenditures shall be made from the appropriation contained in this Act except out of revenues available after satisfying the requirements of all of said first and second class appropriation bills.

Section 2. On or before October 1, 1935, the State Superintendent of Public Instruction shall certify to the Auditor of State the number of pupils in average daily attendance in the public schools, in each county, city and county of the State, and the total of such pupils, on receipt of this certificate the Auditor of the State shall draw his warrant in favor of each county or City and County Treasurer of the State for the amount due said county, city and county under the provisions of this act. On receipt of this warrant the County Treasurer shall credit to the special fund of each school district in his county the amount due each of said districts proportionately to the average daily attendance in said districts for the school year ending June 30, 1935, and as certified to the County Treasurer by the County Superintendent of Schools. Such certificate from the County Superintendent of Schools shall be filed in writing with the County Treasurer on or before October 1, 1935.

Section 3. The distribution of funds to the respective school districts, for so much as hereinabove provided for, shall operate

not as an addition to but pro tanto in replacement of property taxes heretofore levied in the respective districts for the support of schools therein, and all school districts, within the purview of this section, shall continue to be subject to the requirements and restrictions of the statutes of this State concerning the limitation of levies for public school purposes, and in determining the amount of such levies from year to year, the amounts receivable by each district under this Act shall be taken and considered for the purpose of such limitations in like manner as local taxes levied for such purpose.

Section 4. The General Assembly hereby finds, determines and declares that this Act is necessary for the immediate preservation of the public peace, health and safety.

APPROVED: May 4, 1935.

AN ACT

SENATE BILL NO. 637

AUTHORIZING SCHOOL DISTRICT BOARDS IN DISTRICTS OPERATING AND MAINTAINING TRANSPORTATION ROUTE OR ROUTES TO PROCURE LIABILITY AND PROPERTY DAMAGE INSURANCE COVERING SCHOOL BUSES.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. That the district board of any school district in the State of Colorado operating and maintaining transportation route or routes under the Statutes of this State is hereby authorized to procure Liability and Property Damage Insurance covering busses used on such routes for the transportation of school children; the premiums thereon are to be paid out of the funds of such district, but only in cases where the school district itself owns or rents such busses, otherwise to be paid by the contracting operator of such busses; provided, that there shall be no right of contribution on the part of the school district to the insurance carrier; provided, however, that nothing contained in this Act shall be construed as creating or intending to create a liability against the school district so insuring said busses except in such amount as is covered by an existing and valid policy of insurance; provided, further, that failure to procure such insurance shall not be construed as creating any liability against the school district by reason of any injury or damage to the property of others, occurring in the operation of any such bus or busses.

Section 2. The General Assembly hereby declares this Act necessary for the immediate preservation of the public peace, health and safety.

Section 3. In the opinion of the General Assembly an emergency exists; therefore, this Act shall take effect and be in force from and after its passage.

APPROVED: April 10, 1935.

AN ACT

SENATE BILL NO. 653

RELATING TO MOTOR AND OTHER VEHICLES, AMENDING CHAPTER 122 OF THE SESSION LAWS OF COLORADO FOR THE YEAR 1931 AND REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT THEREWITH.

Only the parts of the Act which apply to school districts are herewith quoted.

Be It Enacted by the General Assembly of the State of Colorado:

Section 10. Special Restrictions on Drivers of School Busses, Explosives and Commercial, Private and Common Carrier Motor Vehicles.

(a) No person who is under the age of 17 years shall drive any motor vehicle while in use to transport explosives or inflammable material or as a school bus for the transportation of pupils to or from school nor shall any person who is under the age of 17 years drive a motor vehicle while in use as a commercial, private or common carrier of persons or property nor in either event until he has had experience in operating motor vehicles and has been examined on his qualifications in operating such vehicles; such examination to include safety regulation of commodity hauling; and licensed as a chauffeur and received a special chauffeur's license.

(b) No person shall be granted a special chauffeur's license unless he has had at least one year of driving experience prior to the issuance thereof nor until he demonstrates a satisfactory knowledge of those rules and regulations governing the safe transportation of his cargo or passengers, and files with the department a certificate showing his employment as such chauffeur and one or more certificates signed by a total of at least three responsible people to whom he is well known certifying as to his good character and habits.

(c) No such license shall be granted until the department is fully satisfied as to the applicant's competency and fitness to be so employed, nor shall any person be so licensed who is an habitual criminal or who has any appreciable record of motor vehicle accidents or violations of the motor vehicle laws.

(d) The department may, in its discretion, impose such rules and regulations for the exercise of such special chauffeurs' licenses as it may deem necessary for the safety and welfare of the traveling public or their property.

Section 19. License to be Carried and Exhibited on Demand.

Every licensee shall have his operator's or chauffeur's license in his immediate possession at all times when operating a motor vehicle and shall display the same, upon demand of a justice of the peace, a peace officer or a Highway Patrolman or inspector of the Department. However, no person charged with violating this section shall be convicted if he produces in court an operator's or chauffeur's license theretofore issued to him and valid at the time of his arrest.

Section 22. Expiration of License.

(a) Every operator's license shall expire July 1st in the third year following the issuance of such license. Every such license shall be renewable on or before its expiration upon application and examination unless the Supervisor has reason to believe that the licensee is no longer qualified to receive a license.

(b) Every chauffeur's license shall expire December 31st each year and shall be renewable on or before its expiration date upon application, examination and payment of the required fee.

(c) Every valid operator's and chauffeur's license in effect upon the day this Act becomes effective shall be considered valid and in full force until such time as the licensee is ordered to appear for examination and relicensing by the Motor Vehicle Department or its duly authorized agents, and it is provided further that all such licensed operators and chauffeurs shall be examined and relicensed hereunder before January 15, 1937, except that nothing herein shall be construed to conflict with the provisions of Section 16, subsection (b) of this Act.

ARTICLE IV.

VIOLATION OF LICENSE PROVISIONS

Section 35. Unlawful Use of License.

It shall be unlawful for any person :

(1) To display or cause or permit to be displayed or have in his possession any cancelled, revoked, suspended, fictitious or fraudulently altered operator's or chauffeur's license;

(2) To lend his operator's or chauffeur's license to any other person or knowingly permit the use thereof by another;

(3) To display or represent as one's own any operator's or chauffeur's license not issued to him;

(4) To fail or refuse to surrender to the Department upon its lawful demand any operator's or chauffeur's license which has been suspended, revoked or cancelled;

(5) To use a false or fictitious name in any application for an operator's or chauffeur's license or to knowingly make a false statement or to knowingly conceal a material fact or otherwise commit a fraud in any such application;

(6) To permit any unlawful use of an operator's or chauffeur's license issued to him; or

(7) To do any act forbidden or fail to perform any act required by this Act.

ARTICLE XIV.

MISCELLANEOUS RULES

Section 117. Unattended Motor Vehicle.

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the key, or when standing upon any perceptible grade without effectively setting the brake thereon and turning the front wheels to the curb or side of the highway.

Section 118. Obstruction to driver's view or driving mechanism.

(a) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

(b) No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle.

(c) No vehicle shall be operated upon any highway unless the driver's vision through any required glass equipment is normal or not complying with the provisions of Section 148.

(d) No owner shall display upon any part of his vehicle any official designation, sign, or insignia, of any public or quasi-public corporation, municipal, state or National Department or Governmental Subdivision without authority of such agency; or any insignia, badge, sign or emblem or distinctive mark of any organization, or society of which he is not a bona fide member or otherwise authorized to display such sign or insignia.

Section 119. Driving on Mountain Highways.

The driver of a motor vehicle traveling through defiles or canyons or on mountain highways shall hold such motor vehicle under control and as near the right hand edge of the highway as reasonably possible and, upon approaching any curve where the view is obstructed within a distance of 200 feet along the highway shall give audible warning with the horn of such motor vehicle.

(a) On narrow mountain highways with turnouts having a grade of six percent or more, ascending vehicles shall have the right-of-way over descending vehicles, except where it is more practicable for the ascending vehicle to return to a turnout.

Section 120. Coasting Prohibited.

(a) The driver of any motor vehicle when traveling upon a down grade shall not coast with the gears of such vehicle in neutral.

(b) The driver of a commercial motor vehicle when traveling upon a down grade shall not coast with the clutch disengaged.

Section 124. Overtaking and Passing School Bus.

(a) The driver of a vehicle upon a highway outside of a business or residence district upon meeting or overtaking any school bus which has stopped on the highway for the purpose of receiving or discharging any school children shall drive at a speed which is reasonable and prudent and with due caution for the safety of any such children and in no event in excess of 10 miles per hour in passing such school bus.

Every school bus shall bear upon the front and rear thereon a plainly visible sign containing the words "school bus" in letters not less than 8 inches in height which can be removed or covered when the vehicle is not in use as a school bus.

(b) Every school bus shall stop as far to the right off the roadway as possible before discharging or loading passengers and, when possible, shall not stop where the visibility is obscured for a distance of 200 feet either way from the bus.

Section 125. Regulations relative to School Busses.

The State Board of Education by and with the advice of the Motor Vehicle Commissioner shall adopt and enforce regulations not inconsistent with this Act to govern the operation of all school busses used for the transportation of school children when owned and operated by any school district or privately owned and operated under contract with any school district in this State and such regulations shall by reference be made a part of any such contract with a school district. Every school district, its officers and employees,

and every person employed under contract by a school district shall be subject to said regulations.

(b) Any person operating a school bus under contract with a school district who fails to comply with any said regulations shall be guilty of breach of contract and such contract shall be canceled after notice and hearing by the responsible officers of such school district.

ARTICLE XV.

EQUIPMENT

Section 126. Scope and Effect of Regulations.

(a) It is a misdemeanor for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this article, or which is equipped in any manner in violation of this article, or for any person to do any act forbidden or fail to perform any act required under this article.

(b) The provisions of this article with respect to equipment on vehicles shall not apply to implements of husbandry, road machinery, road rollers, or farm tractors except as herein made applicable.

Section 127. When Lighted Lamps are Required.

(a) Every vehicle upon a highway within this State at any time from a half hour after sunset to a half hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead shall display lighted lamps and illuminating devices as hereinafter respectively required for different classes of vehicles, subject to exception with respect to parked vehicles as hereinafter stated.

(b) Whenever requirement is hereinafter declared as to the distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, said provisions shall apply during the times stated in subdivision (a) of this section upon a straight level unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.

Section 128. Head Lamps on Motor Vehicles.

(a) Every motor vehicle other than a motorcycle shall be equipped with at least two head lamps with at least one on each side

of the front of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in this article.

(b) Every motorcycle shall be equipped with at least one and not more than two head lamps which shall comply with the requirements and limitations of this article.

Section 129. Rear Lamps and Reflectors.

(a) Every motor vehicle and every vehicle which is being drawn at the end of a train of vehicles shall be equipped with a lighted rear lamp, exhibiting a red light plainly visible from a distance of 500 feet to the rear.

(b) Either such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of 50 feet to the rear. When the rear license plate is illuminated by an electric lamp other than the required rear lamp, said two lamps shall be turned on or off only by the same control switch at all times whenever head lamps are lighted.

(c) Every new motor vehicle, trailer, or semi-trailer hereafter sold and every commercial vehicle hereafter operated on a highway shall also carry at the rear, either as a part of the rear lamp or separately, a red reflector meeting the requirements of this section.

(d) A red reflector is required to be used in addition to tail lamp upon a vehicle under any of the provisions of this Act, such reflector shall be mounted upon the vehicle at a height not to exceed 42 inches nor less than 24 inches above the ground upon which the vehicle stands, and every such reflector shall be so designed and maintained as to be visible at night from all distances within 500 feet to 50 feet from such vehicle when directly in front of a motor vehicle displaying lawfully lighted head lamps as provided in Section 138 (a) hereof and shall be sealed against the influx of moisture and dust and shall be of a type approved by the State Highway Department.

Section 136. Signal Lamps and Signal Devices.

(a) Every motor vehicle after July 1, 1936, shall be equipped with a stop light in good working order at all times, such stop lights to be automatically controlled by brake equipment.

Section 142. Number of Driving Lamps Required or Permitted.

(a) At all times specified in Section 127, at least two lighted lamps shall be displayed, one on each side at the front of every motor vehicle except when such vehicle is parked subject to the regulations governing lights on parked vehicles.

(b) Whenever a motor vehicle equipped with head lamps as herein required is also equipped with any auxiliary lamps or a spot

lamp or any other lamp on the front thereof projecting a beam of an intensity greater than 300 candlepower, not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

Section 144. Brakes.

(a) Brake equipment required.

1. Every motor vehicle, other than a motorcycle, when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels.

2. Every motorcycle, and bicycle with motor attached, when operated upon a highway shall be equipped with at least one brake, which may be operated by hand or foot.

3. Every trailer or semi-trailer of a gross weight of 3,000 pounds or more when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and so designed as to be applied by the driver of the towing motor vehicle from its cab, and said brakes shall be so designed and connected that in case of an accidental break-away of the towed vehicle the brakes shall be automatically applied.

4. Every new motor vehicle, trailer, or semi-trailer hereafter constructed or sold in this State and operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle, except any motorcycle, and except that any trailer or semi-trailer of less than 1,500 pounds gross weight need not be equipped with brakes.

(b) Performance ability of brakes.

1. The service brakes upon any motor vehicle or combination of vehicles shall be adequate to stop such vehicle or vehicles when traveling 20 miles per hour within a distance of 40 feet when upon dry asphalt or concrete pavement surface free from loose material where the grade does not exceed 1 per cent.

2. Under the above conditions the hand brake shall be adequate to stop such vehicle or vehicles within a distance of 55 feet and said hand brake shall be adequate to hold such vehicle or vehicles stationary on any grade upon which operated.

3. Under the above conditions the service brakes upon a motor vehicle equipped with two-wheel brakes only, and when permitted hereunder, shall be adequate to stop the vehicle within a distance of 55 feet.

4. All braking distances specified in this section shall apply to all vehicles mentioned, whether such vehicles are not loaded or are loaded to the maximum capacity permitted under this Act.

5. All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle.

Section 145. Horns are Warning Devices.

(a) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with his horn but shall not otherwise use such horn when upon a highway.

(b) No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle, or bell, except as otherwise permitted in this subdivision. It is permissible but not required that any commercial vehicle be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal. Any authorized emergency vehicle may be equipped with a siren, whistle, or bell, capable of emitting sound audible under normal conditions from a distance of not less than 500 feet but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which said latter events the driver of such vehicle shall sound said siren when necessary to warn pedestrians and other drivers of the approach thereof.

Section 146. Mufflers, Prevention of Noise.

Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cutout, bypass or similar device upon a motor vehicle on a highway.

Section 147. Mirrors.

Every motor vehicle which is so constructed or loaded as to obstruct the driver's view to the rear thereof from the driver's position shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of such vehicle.

Section 148. Windshield Must Be Unobstructed and Equipped With Wipers.

(a) No person shall drive any motor vehicle with any sign, poster or other non-transparent material upon the front windshield, sidewings, side or rear windows of such vehicle that would obstruct

the driver's view other than a certificate or other paper required to be so displayed by law.

(b) The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle.

Section 150. Safety Glass in Motor Vehicles.

(a) On or after the date of passage of this Act, no person shall sell any new motor vehicle nor shall any new motor vehicle be registered thereafter which is designed or used for the purpose of transporting passengers for compensation or as a school bus, unless such vehicle is equipped with safety glass wherever glass is used in doors, windows, or windshield, and no person shall replace any safety glass with other than safety glass.

(b) On and after January 1st, 1937, no person shall sell any new motor vehicle nor shall any new motor vehicle be registered thereafter unless such vehicle is equipped with safety glass wherever glass is used in the windshield, and no person shall replace any such windshield with other than safety glass.

(c) The term "safety glass" shall mean any product composed of glass, so manufactured, fabricated or treated as substantially to prevent shattering and flying of the glass when struck or broken or such other or similar product.

(d) The State Highway Department shall compile and publish a list of types of glass by name approved by them as meeting the requirements of this section.

Section 157. Owners and Drivers to Comply With Inspection Laws.

(a) In the event repair or adjustment of the equipment of any vehicle is found necessary upon inspection, the owner of said vehicle may obtain such repair or adjustment at any place he may choose, but in any event a certificate of inspection and approval must be obtained from an official inspection station whenever required under the provisions of this Act; otherwise any such vehicle shall not be operated upon the highways of this State.

(b) No person shall display or cause or permit to be displayed upon any vehicle any certificate of inspection and approval knowing the same to be fictitious or issued for another vehicle or issued without an inspection having been made.

Section 158. Enforcement by Police Officers.

(a) The Supervisor and such officials and employees of the Department and such other police officers as the Supervisor may authorize in writing may, upon reasonable cause, require the driver of a vehicle to stop and submit such vehicle and its equipment to an

inspection and such test with reference thereto as may be appropriate. In the event such vehicle is found to be in an unsafe condition or the required equipment is not present or is not in proper repair and adjustment the officer shall give a written notice to the driver and shall send a copy thereof to the Department. Said notice shall require that such vehicle be placed in safe condition and its equipment in proper repair and adjustment and a certificate of inspection and approval for such vehicle be obtained within 5 days.

Every owner or driver upon receiving any such notice shall comply therewith and shall within said five (5) days secure an endorsement upon such notice by an official inspection station that such vehicle is in safe condition and its equipment has been placed in proper repair and adjustment and otherwise made to conform to the requirements of this Act.