

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 17-0707.04 Jery Payne x2157

SENATE BILL 17-213

SENATE SPONSORSHIP

Hill and Moreno,

HOUSE SPONSORSHIP

Winter and Bridges, Lundeen

Senate Committees
Transportation

House Committees

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZATION FOR AUTOMATED DRIVING SYSTEMS TO**
102 **CONTROL MOTOR VEHICLES THROUGHOUT COLORADO.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill declares that the regulation of automated driving systems is a matter of statewide concern, and, therefore, local authorities are prohibited from regulating these systems. The use of automated driving systems is authorized if the system is capable of conforming to every state and federal law applying to driving. If not, a person testing a system is required to coordinate with the Colorado state patrol and the Colorado

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
March 22, 2017

SENATE
Amended 2nd Reading
March 21, 2017

department of transportation.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) Innovative technology in the form of automated driving
5 systems can save lives and improve mobility;

6 (b) In 2016, more than 600 people died on Colorado roads and
7 highways, but because human error contributes to most crashes, the use
8 of automated driving systems could reduce traffic fatalities by up to 90
9 percent;

10 (c) Nationwide, 2016 saw more than 2 million crashes, which has
11 significant financial consequences;

12 (d) Automated driving systems could provide mobility options for
13 people who are young, elderly, disabled, poor, or impaired;

14 (e) Automated driving systems offer a solution for cost-efficient
15 last-mile connections with existing public transit;

16 (f) The testing and deployment of these technologies in Colorado
17 will build on Colorado's reputation as a hub for advanced technologies;
18 and

19 (g) As automated vehicles are tested and deployed in Colorado,
20 the public safety will continue to be a top consideration and priority for
21 the General Assembly for all vehicles and pedestrians.

22 (h) Automated driving systems will affect those employed in the
23 transit industry and the executive branch and the general assembly are
24 encouraged to study those affects; and

25 **SECTION 2.** In Colorado Revised Statutes, 42-1-102, **amend the**

1 introductory portion; and add (7.7), (27.8), and (43.3) as follows:

2 **42-1-102. Definitions.** As used in articles 1 to 4 of this title TITLE
3 42, unless the context otherwise requires:

4 (7.7) "AUTOMATED DRIVING SYSTEM" MEANS HARDWARE AND
5 SOFTWARE THAT ARE COLLECTIVELY CAPABLE, WITHOUT ANY
6 INTERVENTION OR SUPERVISION BY A HUMAN OPERATOR, OF PERFORMING
7 ALL ASPECTS OF THE DYNAMIC DRIVING TASK FOR A VEHICLE ON A
8 PART-TIME OR FULL-TIME BASIS.

9 (27.8) (a) "DYNAMIC DRIVING TASK" MEANS ALL OF THE
10 FOLLOWING ASPECTS OF DRIVING:

11 (I) OPERATIONAL ASPECTS, INCLUDING STEERING, BRAKING,
12 ACCELERATING, AND MONITORING THE VEHICLE AND THE ROADWAY; AND

13 (II) TACTICAL ASPECTS, INCLUDING RESPONDING TO EVENTS,
14 DETERMINING WHEN TO CHANGE LANES, TURNING, USING SIGNALS, AND
15 OTHER RELATED ACTIONS.

16 (b) "DYNAMIC DRIVING TASK" DOES NOT INCLUDE STRATEGIC
17 ASPECTS, INCLUDING DETERMINING DESTINATIONS OR WAY POINTS, OF
18 DRIVING.

19 (43.3) "HUMAN OPERATOR" MEANS A NATURAL PERSON IN THE
20 VEHICLE WITH IMMEDIATE ACCESS TO CONTROLS FOR STEERING, BRAKING,
21 AND ACCELERATION.

22 **SECTION 3.** In Colorado Revised Statutes, 42-4-110, **add** (6) as
23 follows:

24 **42-4-110. Provisions uniform throughout state.** (6) (a) THE
25 GENERAL ASSEMBLY HEREBY FINDS THAT THE USE OF AUTOMATED
26 DRIVING SYSTEMS WILL HELP PEOPLE WHO MAY HAVE DIFFICULTY
27 DRIVING, INCLUDING PEOPLE WHO ARE ELDERLY AND PEOPLE WITH

1 DISABILITIES, GAIN ACCESS TO GOODS AND SERVICES ESSENTIAL TO DAILY
2 LIFE. THIS ACCESS REQUIRES TRAVELING ACROSS AND IN MULTIPLE
3 JURISDICTIONS. THEREFORE, THE REGULATION OF AUTOMATED DRIVING
4 SYSTEMS IS A MATTER OF STATEWIDE CONCERN.

5 (b) A STATE AGENCY OR A POLITICAL SUBDIVISION OF THE STATE
6 SHALL NOT ADOPT OR ENFORCE A POLICY, RULE, OR ORDINANCE THAT SETS
7 STANDARDS FOR AN AUTOMATED DRIVING SYSTEM THAT ARE DIFFERENT
8 FROM THE STANDARDS SET FOR A HUMAN DRIVER.

9 **SECTION 4.** In Colorado Revised Statutes, **add** 42-4-242 as
10 follows:

11 **42-4-242. Automated driving systems - safe harbor.** (1) A
12 PERSON MAY USE AN AUTOMATED DRIVING SYSTEM TO DRIVE A MOTOR
13 VEHICLE OR TO CONTROL A FUNCTION OF A MOTOR VEHICLE IF THE SYSTEM
14 IS CAPABLE OF COMPLYING WITH EVERY STATE AND FEDERAL LAW THAT
15 APPLIES TO THE FUNCTION THAT THE SYSTEM IS OPERATING.

16 (2) ANY PROVISION IN ARTICLES 1 TO 3 OF THIS TITLE 42 AND THIS
17 ARTICLE 4 THAT BY ITS NATURE REGULATES A HUMAN DRIVER, INCLUDING
18 SECTION 42-2-101, WHICH REQUIRES THAT A HUMAN DRIVER BE LICENSED,
19 BUT NOT THE SAFE DRIVING OF A MOTOR VEHICLE, DOES NOT APPLY TO AN
20 AUTOMATED DRIVING SYSTEM.

21 (3) IF AN AUTOMATED DRIVING SYSTEM IS NOT CAPABLE OF
22 COMPLYING WITH EVERY STATE AND FEDERAL LAW THAT APPLIES TO THE
23 FUNCTION THE SYSTEM IS OPERATING, A PERSON SHALL NOT TEST THE
24 SYSTEM UNLESS APPROVED BY THE COLORADO STATE PATROL AND THE
25 COLORADO DEPARTMENT OF TRANSPORTATION.

26 **SECTION 5. Act subject to petition - effective date.** This act
27 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly (August
2 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
3 referendum petition is filed pursuant to section 1 (3) of article V of the
4 state constitution against this act or an item, section, or part of this act
5 within such period, then the act, item, section, or part will not take effect
6 unless approved by the people at the general election to be held in
7 November 2018 and, in such case, will take effect on the date of the
8 official declaration of the vote thereon by the governor.