

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-0707.04 Jery Payne x2157

**SENATE BILL 17-213**

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**SENATE SPONSORSHIP**

**Hill and Moreno,**

**HOUSE SPONSORSHIP**

**Winter and Bridges, Lundeen**

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**Senate Committees**  
Transportation

**House Committees**

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**A BILL FOR AN ACT**

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

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**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.*

department of transportation.

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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 **SECTION 2.** In Colorado Revised Statutes, 42-1-102, **amend** the  
23 introductory portion; and **add** (7.7) as follows:

24 **42-1-102. Definitions.** As used in articles 1 to 4 of this ~~title~~ TITLE  
25 42, unless the context otherwise requires:

1 (7.7) "AUTOMATED DRIVING SYSTEM" MEANS TECHNOLOGY  
2 INSTALLED ON A MOTOR VEHICLE THAT HAS THE CAPABILITY TO DRIVE A  
3 MOTOR VEHICLE WITHOUT THE NEED FOR SUPERVISION OR CONTROL BY A  
4 HUMAN DRIVER ON A PART-TIME OR FULL-TIME BASIS.

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

7 **42-4-110. Provisions uniform throughout state.** (6) (a) THE  
8 GENERAL ASSEMBLY HEREBY FINDS THAT THE USE OF AUTOMATED  
9 DRIVING SYSTEMS WILL HELP PEOPLE WHO MAY HAVE DIFFICULTY  
10 DRIVING, INCLUDING PEOPLE WHO ARE ELDERLY AND PEOPLE WITH  
11 DISABILITIES, GAIN ACCESS TO GOODS AND SERVICES ESSENTIAL TO DAILY  
12 LIFE. THIS ACCESS REQUIRES TRAVELING ACROSS AND IN MULTIPLE  
13 JURISDICTIONS. THEREFORE, THE REGULATION OF AUTOMATED DRIVING  
14 SYSTEMS IS A MATTER OF STATEWIDE CONCERN.

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

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

21 **42-4-242. Automated driving systems - safe harbor.** (1) A  
22 PERSON MAY USE AN AUTOMATED DRIVING SYSTEM TO DRIVE A MOTOR  
23 VEHICLE OR TO CONTROL A FUNCTION OF A MOTOR VEHICLE IF THE SYSTEM  
24 IS CAPABLE OF COMPLYING WITH EVERY STATE AND FEDERAL LAW THAT  
25 APPLIES TO THE FUNCTION THAT THE SYSTEM IS OPERATING.

26 (2) ANY PROVISION IN ARTICLES 1 TO 3 OF THIS TITLE 42 AND THIS  
27 ARTICLE 4 THAT BY ITS NATURE REGULATES A HUMAN DRIVER, INCLUDING

1 SECTION 42-2-101, WHICH REQUIRES THAT A HUMAN DRIVER BE LICENSED,  
2 BUT NOT THE SAFE DRIVING OF A MOTOR VEHICLE, DOES NOT APPLY TO AN  
3 AUTOMATED DRIVING SYSTEM.

4 (3) A PERSON WHO IS TESTING AN AUTOMATED DRIVING SYSTEM  
5 THAT IS NOT CAPABLE OF COMPLYING WITH EVERY STATE AND FEDERAL  
6 LAW THAT APPLIES TO THE FUNCTION THE SYSTEM IS OPERATING SHALL  
7 COORDINATE THE TESTING WITH THE COLORADO STATE PATROL AND THE  
8 COLORADO DEPARTMENT OF TRANSPORTATION.

9 **SECTION 5. Act subject to petition - effective date.** This act  
10 takes effect at 12:01 a.m. on the day following the expiration of the  
11 ninety-day period after final adjournment of the general assembly (August  
12 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
13 referendum petition is filed pursuant to section 1 (3) of article V of the  
14 state constitution against this act or an item, section, or part of this act  
15 within such period, then the act, item, section, or part will not take effect  
16 unless approved by the people at the general election to be held in  
17 November 2018 and, in such case, will take effect on the date of the  
18 official declaration of the vote thereon by the governor.