

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0658.01 Rebecca Bayetti x4348

HOUSE BILL 26-1237

HOUSE SPONSORSHIP

Smith and Taggart,

SENATE SPONSORSHIP

Lindstedt,

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING MODIFICATIONS TO SELECT STATUTORY PROVISIONS TO
102 IMPROVE TRANSPORTATION SAFETY.

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 makes the following changes to statutes to improve transportation and traffic safety:

- Clarifies tire, chain, and alternate traction device requirements on a state highway by removing references to four-wheel and all-wheel drive (**section 1** of the bill);
- Prohibits an individual from stopping, standing, or parking

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

a vehicle in the portion of a roadway designated as a bike lane, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or an official traffic control device (**section 2**);

- Clarifies that specified officers and authorized employees may move an attended or unattended motor vehicle, vehicle, cargo, or debris that is on a highway right-of-way and that obstructs or impedes traffic or highway maintenance or operations (**section 3**); and
- Updates statutory references relating to vehicle or traffic collisions or collisions involving other transportation devices in titles 13, 16, 18, 24, 25, 30, 32, 33, 40, 41, 42, 43, and 44 to use the term "crash" or "incident" in addition to or in place of the term "accident" (**sections 4 through 95**).

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-106, **amend**
3 (5)(a)(I)(B) as follows:

4 **42-4-106. Who may restrict right to use highways - definitions**
5 **- rules.**

6 (5) (a) (I) (B) When icy or snow-packed conditions exist on the
7 highway, the department of transportation may restrict travel on or use of
8 any portion of a state highway by a motor vehicle unless the motor
9 vehicle is equipped with the following: Tire chains or an alternate traction
10 device; ~~four-wheel drive with~~ OR tires that have a tread depth of at least
11 three sixteenths of an inch and that are imprinted by a manufacturer with
12 a mountain-snowflake, "M&S", "M+S", or "M/S" symbol or that are
13 all-weather rated by the manufacturer. ~~or all-wheel drive with tires that~~
14 ~~have a tread depth of at least three sixteenths of an inch and that are~~
15 ~~imprinted by a manufacturer with a mountain-snowflake, "M&S", "M+S",~~
16 ~~or "M/S" symbol or that are all-weather rated by the manufacturer.~~

17 **SECTION 2.** In Colorado Revised Statutes, 42-4-1204, **add**

1 (1)(j.5) as follows:

2 **42-4-1204. Stopping, standing, or parking prohibited in**
3 **specified places - penalty.**

4 (1) Except as otherwise provided in subsection (4) of this section,
5 no person shall stop, stand, or park a vehicle, except when necessary to
6 avoid conflict with other traffic or in compliance with the directions of a
7 police officer or an official traffic control device, in any of the following
8 places:

9 (j.5) IN THE PORTION OF A ROADWAY DESIGNATED AS A BIKE LANE;

10 **SECTION 3.** In Colorado Revised Statutes, 42-4-1803, **amend**
11 (2) as follows:

12 **42-4-1803. Abandonment of motor vehicles - public property.**

13 (2) Whenever any sheriff, undersheriff, deputy sheriff, police
14 officer, marshal, Colorado state patrol officer, agent of the Colorado
15 bureau of investigation, or agency employee finds a motor vehicle,
16 vehicle, cargo, or debris, attended or unattended, standing upon any
17 portion of a highway right-of-way in such a manner as to constitute an
18 obstruction OR IMPEDIMENT to traffic or proper highway maintenance OR
19 OPERATIONS, such officer or agency employee is authorized to cause the
20 motor vehicle, vehicle, cargo, or debris to be moved to eliminate any such
21 obstruction OR IMPEDIMENT; and neither the officer, the agency employee,
22 nor anyone acting under the direction of such officer or employee ~~shall~~
23 ~~be~~ IS liable for any damage to such motor vehicle, vehicle, cargo, or
24 debris occasioned by such removal. The removal process is intended to
25 clear the obstruction OR IMPEDIMENT, but such activity should create as
26 little damage as possible to the vehicle, or cargo, or both. ~~No~~ AN agency
27 employee shall NOT cause any motor vehicle to be moved unless such

1 employee has obtained approval from a local law enforcement agency of
2 a municipality, county, or city and county, the Colorado bureau of
3 investigation, or the Colorado state patrol.

4 **SECTION 4.** In Colorado Revised Statutes, 13-21-113.7, **amend**
5 (2)(a)(I) as follows:

6 **13-21-113.7. Immunity of volunteer firefighters, volunteers,**
7 **incident management teams, and their employers or organizations -**
8 **definitions - legislative declaration.**

9 (2) As used in this section:

10 (a) "Emergency" means any incident to which a response by a fire
11 department or incident management team is appropriate or requested,
12 including, without limitation:

13 (I) A fire, fire alarm response, motor vehicle ~~accident~~ CRASH,
14 rescue call, or hazardous materials incident;

15 **SECTION 5.** In Colorado Revised Statutes, 13-21-115.5, **amend**
16 (5) as follows:

17 **13-21-115.5. Volunteer service act - immunity - exception for**
18 **operation of motor vehicles - exception for helicopter search and**
19 **rescue - short title - legislative declaration - definitions.**

20 (5) Notwithstanding the provisions of subsection (4) of this
21 section, a plaintiff may sue and recover civil damages from a volunteer
22 based upon a negligent act or omission involving the operation of a motor
23 vehicle during an activity; except that the amount recovered from such
24 volunteer ~~shall~~ MUST not exceed the limits of applicable insurance
25 coverage maintained by or on behalf of such volunteer with respect to the
26 negligent operation of a motor vehicle in such circumstances. However,
27 nothing in this section ~~shall be construed to limit~~ LIMITS the right of a

1 plaintiff to recover from a policy of uninsured or underinsured motorist
2 coverage available to the plaintiff as a result of a motor vehicle ~~accident~~
3 CRASH.

4 **SECTION 6.** In Colorado Revised Statutes, 13-80-102, **amend**
5 (2) as follows:

6 **13-80-102. General limitation of actions - two years.**

7 (2) A civil action for a wrongful death against a defendant who
8 committed vehicular homicide, as described in section 18-3-106, ~~C.R.S.~~,
9 and, as part of the same criminal episode, committed the offense of
10 leaving the scene of ~~an accident~~ A CRASH that resulted in the death of a
11 person, as described in section 42-4-1601 (2)(c), ~~C.R.S.~~, regardless of the
12 theory upon which suit is brought, or against whom suit is brought, must
13 be commenced within four years after the cause of action accrues, and not
14 thereafter.

15 **SECTION 7.** In Colorado Revised Statutes, 16-5-401, **amend**
16 (1)(a) and (1)(a.5) as follows:

17 **16-5-401. Limitation for commencing criminal proceedings,**
18 **civil infraction proceedings, and juvenile delinquency proceedings -**
19 **definitions.**

20 (1) (a) Except as otherwise provided by statute applicable to
21 specific offenses, delinquent acts, or circumstances, no adult person or
22 juvenile shall be prosecuted, tried, or punished for any offense or
23 delinquent act unless the indictment, information, complaint, or petition
24 in delinquency is filed in a court of competent jurisdiction or a summons
25 and complaint or penalty assessment notice is served upon the defendant
26 or juvenile within the period of time after the commission of the offense
27 or delinquent act as specified below:

1	Murder, kidnapping, treason, any sex offense	
2	against a child, and any forgery regardless of the	
3	penalty provided:	No limit
4	Attempt, conspiracy, or solicitation to commit	
5	murder; attempt, conspiracy, or solicitation to	
6	commit kidnapping; attempt, conspiracy, or	
7	solicitation to commit treason; attempt, conspiracy,	
8	or solicitation to commit any sex offense against a	
9	child; and attempt, conspiracy, or solicitation to	
10	commit any forgery regardless of the penalty	
11	provided:	No limit
12	Vehicular homicide, except as described in	
13	subsection (1)(a.5) of this section; leaving the	
14	scene of an accident A CRASH that resulted in the	
15	death of a person:	Five years
16	Other felonies:	Three years
17	Misdemeanors:	Eighteen months
18	Class 1 and 2 misdemeanor traffic offenses:	One year
19	Petty offenses:	Six months

20 (a.5) The period of time during which an adult person or juvenile
21 may be prosecuted for the offense of vehicular homicide, as described in
22 section 18-3-106, ~~C.R.S.~~, and leaving the scene of ~~an accident~~ A CRASH
23 that resulted in the death of a person, as described in section 42-4-1601
24 (2)(c), ~~C.R.S.~~, when both offenses are alleged to have occurred as part of
25 the same criminal episode in the same indictment, information, complaint,
26 or petition in delinquency filed in a court of competent jurisdiction is ten
27 years.

28 **SECTION 8.** In Colorado Revised Statutes, 18-3-106, **amend**

1 (4)(e) as follows:

2 **18-3-106. Vehicular homicide.**

3 (4) (e) Any person who is dead or unconscious ~~shall~~ MUST be
4 tested to determine the alcohol or drug content of ~~his~~ THE PERSON'S blood
5 or any drug content of ~~his~~ THE PERSON'S system as provided in this
6 subsection (4). If a test cannot be administered to a person who is
7 unconscious, hospitalized, or undergoing medical treatment because the
8 test would endanger the person's life or health, the law enforcement
9 agency ~~shall~~ MUST be allowed to test any blood, urine, or saliva which
10 was obtained and not utilized by a health-care provider and ~~shall~~ MUST
11 have access to that portion of the analysis and results of any tests
12 administered by such provider which shows the alcohol or drug content
13 of the person's blood or any drug content within ~~his~~ THE PERSON'S system.
14 Such test results ~~shall~~ ARE not ~~be~~ considered privileged communications
15 and the provisions of section 13-90-107 ~~C.R.S.~~, relating to the
16 physician-patient privilege ~~shall~~ DO not apply. Any person who is dead,
17 in addition to the tests prescribed, ~~shall~~ MUST also have ~~his~~ THE PERSON'S
18 blood checked for carbon monoxide content and for the presence of
19 drugs, as prescribed by the department of public health and environment.
20 Such information obtained ~~shall~~ MUST be made a part of the ~~accident~~
21 CRASH report.

22 **SECTION 9.** In Colorado Revised Statutes, 18-3-205, **amend**
23 (4)(e) as follows:

24 **18-3-205. Vehicular assault.**

25 (4) (e) Any person who is dead or unconscious ~~shall~~ MUST be
26 tested to determine the alcohol or drug content of ~~his~~ THE PERSON'S blood
27 or any drug content of ~~his~~ THE PERSON'S system as provided in this

1 subsection (4). If a test cannot be administered to a person who is
2 unconscious, hospitalized, or undergoing medical treatment because the
3 test would endanger the person's life or health, the law enforcement
4 agency ~~shall~~ MUST be allowed to test any blood, urine, or saliva which
5 was obtained and not utilized by a health-care provider and ~~shall~~ MUST
6 have access to that portion of the analysis and results of any tests
7 administered by such provider which shows the alcohol or drug content
8 of the person's blood or any drug content within ~~his~~ THE PERSON'S system.
9 Such test results ~~shall~~ ARE not be considered privileged communications,
10 and the provisions of section 13-90-107 ~~C.R.S.~~, relating to the
11 physician-patient privilege ~~shall~~ DO not apply. Any person who is dead,
12 in addition to the tests prescribed, ~~shall~~ MUST also have ~~his~~ THE PERSON'S
13 blood checked for carbon monoxide content and for the presence of
14 drugs, as prescribed by the department of public health and environment.
15 Such information obtained ~~shall~~ MUST be made a part of the ~~accident~~
16 CRASH report.

17 **SECTION 10.** In Colorado Revised Statutes, 18-3.5-108, **amend**
18 (5)(e) as follows:

19 **18-3.5-108. Aggravated vehicular unlawful termination of**
20 **pregnancy - definitions.**

21 (5) (e) Any person who is dead or unconscious ~~shall~~ MUST be
22 tested to determine the alcohol or drug content of ~~his or her~~ THE PERSON'S
23 blood or any drug content of ~~his or her~~ THE PERSON'S system as provided
24 in this subsection (5). If a test cannot be administered to a person who is
25 unconscious, hospitalized, or undergoing medical treatment because the
26 test would endanger the person's life or health, the law enforcement
27 agency ~~shall~~ MUST be allowed to test any blood, urine, or saliva that was

1 obtained and not utilized by a health-care provider and ~~shall~~ MUST have
2 access to that portion of the analysis and results of any tests administered
3 by the provider that show the alcohol or drug content of the person's
4 blood or any drug content within ~~his or her~~ THE PERSON'S system. Such
5 test results ~~shall~~ ARE not ~~be~~ considered privileged communications, and
6 the provisions of section 13-90-107 ~~C.R.S.~~, relating to the
7 physician-patient privilege ~~shall~~ DO not apply. Any person who is dead,
8 in addition to the tests prescribed, ~~shall~~ MUST also have ~~his or her~~ THE
9 PERSON'S blood checked for carbon monoxide content and for the
10 presence of drugs, as prescribed by the department of public health and
11 environment. Any information obtained ~~shall~~ MUST be made a part of the
12 law enforcement officer's ~~accident~~ CRASH report.

13 **SECTION 11.** In Colorado Revised Statutes, 18-8-104, **amend**
14 (1)(a) and (2.5)(a) as follows:

15 **18-8-104. Obstructing a peace officer, firefighter, emergency**
16 **medical service provider, rescue specialist, or volunteer.**

17 (1) (a) A person commits obstructing a peace officer, firefighter,
18 emergency medical service provider, rescue specialist, or volunteer when,
19 by using or threatening to use violence, force, physical interference, or an
20 obstacle, such person knowingly obstructs, impairs, or hinders the
21 enforcement of the penal law or the preservation of the peace by a peace
22 officer, acting under color of his or her official authority; knowingly
23 obstructs, impairs, or hinders the prevention, control, or abatement of fire
24 by a firefighter, acting under color of his or her official authority;
25 knowingly obstructs, impairs, or hinders the administration of medical
26 treatment or emergency assistance by an emergency medical service
27 provider or rescue specialist, acting under color of his or her official

1 authority; or knowingly obstructs, impairs, or hinders the administration
2 of emergency care or emergency assistance by a volunteer, acting in good
3 faith to render such care or assistance without compensation at the place
4 of an emergency or ~~accident~~ OR CRASH.

5 (2.5) If a person is alleged to have committed the offense
6 described in subsection (1)(a) or (1)(b) of this section by using or
7 threatening to use an unmanned aircraft system as an obstacle, the offense
8 does not apply if the person who operates the unmanned aircraft system:

9 (a) Obtains permission to operate the unmanned aircraft system
10 from a law enforcement agency or other entity that is coordinating the
11 response of peace officers, firefighters, emergency medical service
12 providers, rescue specialists, or volunteers to an emergency or ~~accident~~
13 CRASH;

14 **SECTION 12.** In Colorado Revised Statutes, 24-4.1-102, **amend**
15 (4)(a)(II) as follows:

16 **24-4.1-102. Definitions.**

17 As used in this part 1, unless the context otherwise requires:

18 (4) (a) "Compensable crime" means:

19 (II) An act in violation of section 42-4-1402 ~~C.R.S.~~, that results
20 in the death or bodily injury of another person or section 42-4-1601,
21 ~~C.R.S.~~, where the ~~accident~~ CRASH results in the death or bodily injury of
22 another person.

23 **SECTION 13.** In Colorado Revised Statutes, 24-4.1-302, **amend**
24 (1)(cc.6) as follows:

25 **24-4.1-302. Definitions.**

26 As used in this part 3, and for no other purpose, including the
27 expansion of the rights of any defendant:

1 (1) "Crime" means any of the following offenses, acts, and
2 violations as defined by the statutes of the state of Colorado, whether
3 committed by an adult or a juvenile:

4 (cc.6) Failure to stop at the scene of ~~an accident~~ A CRASH, in
5 violation of section 42-4-1601, where the ~~accident~~ CRASH results in the
6 death or serious bodily injury of another person;

7 **SECTION 14.** In Colorado Revised Statutes, 24-33.5-203,
8 **amend** (1)(b) as follows:

9 **24-33.5-203. Duties of executive director and patrol.**

10 (1) (b) Except as otherwise provided in section 40-10.1-108 (1),
11 ~~€:R:S.~~, the executive director has the duty to establish, for motor carriers
12 as defined in section 42-4-235, ~~€:R:S.~~, reasonable requirements to
13 promote safety of operation and, to that end, to prescribe qualifications
14 and maximum hours of service of employees and minimum standards of
15 equipment and for the operation of commercial vehicles as defined in
16 section 42-4-235. ~~€:R:S.~~ For the purpose of carrying out the provisions
17 of this section pertaining to safety, the executive director may enlist the
18 assistance of any agency of the United States or of this state having
19 special knowledge of any matter as may be necessary to promote the
20 safety of operation and equipment of motor vehicles as provided in this
21 section. In adopting such rules, the executive director shall use as general
22 guidelines the standards contained in the current rules of the United States
23 department of transportation relating to explosives and other dangerous
24 articles, safety regulations, qualifications of drivers, driving of motor
25 vehicles, parts and accessories, recording and reporting of ~~accidents~~
26 CRASHES, hours of service of drivers, and inspection and maintenance of
27 motor vehicles. The state patrol shall enforce or aid in enforcing all of

1 such rules.

2 **SECTION 15.** In Colorado Revised Statutes, 24-33.5-212,
3 **amend** (1)(e) as follows:

4 **24-33.5-212. Powers and duties of officers.**

5 (1) All officers of the Colorado state patrol have all the powers of
6 any peace officer to:

7 (e) Investigate traffic ~~accidents~~ CRASHES and make reports thereof
8 to the chief and make such reports to the department of transportation and
9 department of revenue as these departments may require, but the reports
10 required to be made to the chief in this ~~paragraph (e)~~ shall SUBSECTION
11 (1)(e) ARE not be public records and ~~shall be~~ ARE for the confidential use
12 of the Colorado state patrol;

13 **SECTION 16.** In Colorado Revised Statutes, 24-33.5-416.7,
14 **amend** (1)(a), (1)(b), (2)(b), (3)(a), (3)(b) introductory portion, (3)(b)(I),
15 (3)(c), (3)(e)(II), (4) introductory portion, and (4)(a) as follows:

16 **24-33.5-416.7. Medina alert program - legislative declaration**
17 **- definitions - rules.**

18 (1) The general assembly hereby finds that:

19 (a) A person who kills or inflicts a serious bodily injury upon a
20 person during a motor vehicle ~~accident~~ CRASH and flees the scene poses
21 a serious and imminent threat to the safety of the public;

22 (b) When a person kills or inflicts a serious bodily injury upon a
23 person during a motor vehicle ~~accident~~ CRASH and flees the scene, the
24 first few hours after the act are critically important to apprehending the
25 person; and

26 (2) As used in this section, unless the context otherwise requires:

27 (b) "Hit-and-run ~~accident~~ CRASH" means an incident when the

1 driver of a vehicle involved in ~~an accident~~ A CRASH fails to stop at the
2 scene of the ~~accident~~ CRASH as required by section 42-4-1601. ~~C.R.S.~~

3 (3) (a) To facilitate the immediate apprehension of persons who
4 kill or cause serious bodily injury to another person during a hit-and-run
5 ~~accident~~ CRASH, there is created the Medina alert program to be
6 implemented by the bureau on and after January 1, 2015. The program is
7 a coordinated effort among the bureau, law enforcement agencies, and the
8 state's public and commercial television and radio broadcasters.

9 (b) Using procedures established by rules ~~promulgated~~ ADOPTED
10 pursuant to subsection (4) of this section, a law enforcement agency may
11 notify the bureau after verifying that:

12 (I) A person has been killed or has suffered serious bodily injury
13 during a hit-and-run ~~accident~~ CRASH; and

14 (c) Upon receipt of a notice from a law enforcement agency that
15 a person has been killed or has suffered serious bodily injury during a
16 hit-and-run ~~accident~~ CRASH and there is additional information
17 concerning the suspect or the suspect's vehicle, the bureau, using
18 procedures established by rules ~~promulgated~~ ADOPTED pursuant to
19 subsection (4) of this section, shall confirm the accuracy of the
20 information and issue a Medina alert.

21 (e) A Medina alert must include:

22 (II) A statement instructing anyone with information related to the
23 hit-and-run ~~accident~~ CRASH to contact ~~his or her~~ THEIR local law
24 enforcement agency; and

25 (4) On or before January 1, 2015, the executive director of the
26 department of public safety shall ~~promulgate~~ ADOPT rules in accordance
27 with the "State Administrative Procedure Act", article 4 of this ~~title~~ TITLE

1 24, for the implementation of the program. The rules ~~shall~~ MUST include
2 but need not be limited to:

3 (a) Procedures for a law enforcement agency to use to notify the
4 bureau that a person has been killed or has suffered serious bodily injury
5 during a hit-and-run ~~accident~~ CRASH and there is additional information
6 concerning the suspect or the suspect's vehicle;

7 **SECTION 17.** In Colorado Revised Statutes, 24-33.5-516,
8 **amend** (2)(d) as follows:

9 **24-33.5-516. Study marijuana implementation.**

10 (2) To be included in the study, the division or contractor must
11 have data for each of the two-year periods described in subsection (1) of
12 this section. The study must include information concerning:

13 (d) Traffic ~~accidents~~ CRASHES, including fatalities and serious
14 injuries related to being under the influence of marijuana;

15 **SECTION 18.** In Colorado Revised Statutes, 24-72-113, **amend**
16 (2)(a) as follows:

17 **24-72-113. Limit on retention of passive surveillance records**
18 **- definition.**

19 (2) (a) The custodian, as defined in section 24-72-202, may only
20 access a passive surveillance record beyond the first anniversary after the
21 date of the creation of the passive surveillance record, and up to the third
22 anniversary after the date of the creation of the passive surveillance
23 record, if there has been a notice of claim filed, or an accident, A CRASH,
24 or other specific incident that may cause the passive surveillance record
25 to become evidence in any civil, labor, administrative, or felony criminal
26 proceeding, in which case the passive surveillance record may be
27 retained. The custodian shall preserve a record of the reason for which the

1 passive surveillance record was accessed and the person who accessed the
2 passive surveillance record beyond the first anniversary after its creation.
3 All passive surveillance records must be destroyed after the third
4 anniversary after the date of the creation of the passive surveillance
5 record unless retention is authorized by this section.

6 **SECTION 19.** In Colorado Revised Statutes, 24-33.5-1505,
7 **amend** (2)(b) as follows:

8 **24-33.5-1505. Immunity.**

9 (2) (b) Notwithstanding ~~paragraph (a) of this subsection (2)~~
10 SUBSECTION (2)(a) OF THIS SECTION, a plaintiff may sue and recover civil
11 damages from a person or entity specified in ~~said paragraph (a)~~
12 SUBSECTION (2)(a) OF THIS SECTION based upon a negligent act or
13 omission involving the operation of a motor vehicle; except that the
14 amount recovered from such person or entity ~~shall~~ MUST not exceed the
15 limits of applicable insurance coverage maintained by or on behalf of
16 such person or entity with respect to the negligent operation of a motor
17 vehicle in such circumstances. However, nothing in this section shall be
18 construed to limit the right of a plaintiff to recover from a policy of
19 uninsured or underinsured motorist coverage available to the plaintiff as
20 a result of a motor vehicle ~~accident~~ CRASH.

21 **SECTION 20.** In Colorado Revised Statutes, 25-15-203, **amend**
22 (1)(b)(III) as follows:

23 **25-15-203. Grounds for approval.**

24 (1) The board of county commissioners or the governing body of
25 the municipality, as the case may be, may approve an application for a
26 certificate of designation only upon a finding of all of the following
27 factors:

1 (b) The site would not pose a significant threat to the safety of the
2 public, taking into consideration:

3 (III) The risk of accidents OR CRASHES during the transportation
4 of waste to or at the site.

5 **SECTION 21.** In Colorado Revised Statutes, 25-15-505, **amend**
6 (1)(a)(III) as follows:

7 **25-15-505. Grounds for approval.**

8 (1) A governing body having jurisdiction shall approve or
9 disapprove an application for a hazardous waste incinerator or processor
10 site certificate of designation within one hundred eighty days after
11 receiving such application. Such governing body having jurisdiction may
12 approve an application for a certificate of designation upon a finding of
13 all of the following factors:

14 (a) That the proposed hazardous waste incinerator or processor
15 site would not pose a significant threat to the health or safety of the public
16 or the environment, taking into consideration:

17 (III) The risk of accidents OR CRASHES occurring during the
18 transportation of waste to or at the proposed site;

19 **SECTION 22.** In Colorado Revised Statutes, 30-10-606.5,
20 **amend** (1)(a) as follows:

21 **30-10-606.5. When autopsy performed - jurisdiction -**
22 **qualifications to perform - definition.**

23 (1) (a) The coroner shall perform a forensic autopsy or have a
24 forensic autopsy performed in accordance with the circumstances in the
25 most recent version of the "forensic autopsy performance standards"
26 adopted by the national association of medical examiners, when the death
27 is apparently nonnatural and occurs in a facility or during services

1 regulated by the department of human services, and when the death is the
2 result of an automobile ~~accident~~ CRASH and a hospital physician has not
3 documented the extent of the injuries.

4 **SECTION 23.** In Colorado Revised Statutes, 32-1-1002, **amend**
5 (1)(e)(I)(B) as follows:

6 **32-1-1002. Fire protection districts - additional powers and**
7 **duties - definitions - vegetative fuel removal - rules.**

8 (1) In addition to the powers specified in section 32-1-1001, the
9 board of any fire protection district has the following powers for and on
10 behalf of the district:

11 (e) In addition to all other fees and charges allowed by this article
12 1, to fix and from time to time increase or decrease fees and charges as
13 follows, and the board may pledge such revenue for the payment of any
14 indebtedness of the district:

15 (I) For ambulance or emergency medical services and extrication,
16 rescue, or safety services provided in furtherance of ambulance or
17 emergency medical services. "Extrication, rescue, or safety services"
18 includes but is not limited to any:

19 (B) Rescue or extrication of trapped or injured parties at the scene
20 of a motor vehicle ~~accident~~ CRASH; and

21 **SECTION 24.** In Colorado Revised Statutes, 33-11-113, **amend**
22 (5)(a)(II) as follows:

23 **33-11-113. Volunteer activities - qualified immunity - grant**
24 **agreements for land stewardship activities - terms - insurance**
25 **coverage - legislative declaration - scope of section.**

26 (5) (a) (II) Notwithstanding subsection (2)(a) or (2)(b) of this
27 section, a plaintiff may sue and recover civil damages from a volunteer

1 based upon a negligent act or omission involving the operation of a motor
2 vehicle during a land stewardship activity; except that the amount
3 recovered from the volunteer ~~shall~~ MUST not exceed the limits of
4 applicable insurance coverage maintained by or on behalf of the volunteer
5 with respect to the negligent operation of a motor vehicle in such
6 circumstances. Nothing in this subsection (5)(a)(II) limits the right of a
7 plaintiff to recover from a policy of uninsured or underinsured motorist
8 coverage available to the plaintiff as a result of a motor vehicle ~~accident~~
9 CRASH.

10 **SECTION 25.** In Colorado Revised Statutes, 33-13-108.1,
11 **amend** (7) and (11) as follows:

12 **33-13-108.1. Operating a vessel while under the influence -**
13 **definitions.**

14 (7) Any person who is dead or unconscious ~~shall~~ MUST be tested
15 to determine the alcoholic content of the person's blood as provided in
16 subsection (4) of this section. In addition to the tests prescribed, the blood
17 of a dead person ~~shall~~ MUST be checked for carbon monoxide content and
18 for the presence of drugs, as prescribed by the department of public health
19 and environment. All information obtained will be made a part of the
20 ~~accident~~ INCIDENT report.

21 (11) When a peace officer has reasonable grounds to believe that
22 a person is operating a vessel while under the influence of alcohol or that
23 the operator has been involved in a boating ~~accident~~ INCIDENT resulting
24 in injury or death, the peace officer may request the operator to provide
25 a sample of the operator's breath for a preliminary screening test. The test
26 ~~shall~~ MUST be given using a device approved by the executive director of
27 the department of public health and environment as being accurate to

1 within ten percent of the actual reading obtained by the officer upon
2 administering the test. The results of this preliminary screening test may
3 be used for the purpose of deciding whether an arrest should be made and
4 whether to administer a test pursuant to ~~paragraph (b) of subsection (4)~~
5 SUBSECTION (4)(b) of this section but ~~shall~~ MUST not be used in any court
6 action except to prove that a test was properly authorized pursuant to this
7 section. The results of the test ~~shall~~ MUST be made available to the
8 operator or the operator's attorney upon request. The preliminary
9 screening test ~~shall~~ DOES not constitute the test for the purposes of
10 subsection (4) of this section.

11 **SECTION 26.** In Colorado Revised Statutes, 33-14-115, **amend**
12 (1), (2), and (3) as follows:

13 **33-14-115. Notice of accident or crash.**

14 (1) The operator of a snowmobile involved in an accident OR
15 CRASH resulting in property damage of fifteen hundred dollars or more or
16 injuries resulting in hospitalization or death, or some person acting for the
17 operator, or the owner of the snowmobile having knowledge of the
18 accident OR CRASH shall immediately, by the quickest available means of
19 communication, notify an officer of the Colorado state patrol, the sheriff's
20 office of the county wherein the accident OR CRASH occurred, or the
21 office of the police department of the municipality wherein the accident
22 OR CRASH occurred.

23 (2) Any law enforcement agency receiving a report of accident OR
24 CRASH under this section shall forward a copy thereof to the division
25 which shall compile statistics annually based upon such reports.

26 (3) Within forty-eight hours after an accident OR CRASH involving
27 a snowmobile, the OWNER OF THE VEHICLE OR SOMEONE ACTING FOR THE

1 OWNER SHALL REPORT THE accident ~~shall be reported~~ OR CRASH to the
2 Denver office of the division. The report ~~shall~~ MUST be made on forms
3 furnished by the division. ~~and shall be made by the owner of the vehicle~~
4 ~~or someone acting for him.~~

5 **SECTION 27.** In Colorado Revised Statutes, 33-14.5-113,
6 **amend** (1), (2), and (3) as follows:

7 **33-14.5-113. Notice of accident or crash.**

8 (1) The operator of an off-highway vehicle involved in an
9 accident OR CRASH resulting in property damage of fifteen hundred
10 dollars or more or injuries resulting in hospitalization or death, or some
11 person acting for the operator, or the owner of the off-highway vehicle
12 having knowledge of the accident OR CRASH shall immediately, by the
13 quickest available means of communication, notify an officer of the
14 Colorado state patrol, the sheriff's office of the county wherein the
15 accident OR CRASH occurred, or the office of the police department of the
16 municipality wherein the accident OR CRASH occurred.

17 (2) Any law enforcement agency receiving a report of accident OR
18 CRASH under this section shall forward a copy thereof to the division,
19 which shall compile statistics annually based upon such reports.

20 (3) Within forty-eight hours after an accident OR CRASH involving
21 an off-highway vehicle, the OWNER OR OPERATOR OF THE VEHICLE OR
22 SOMEONE ACTING FOR THE OWNER OR OPERATOR SHALL REPORT THE
23 accident ~~shall be reported~~ OR CRASH to the Denver office of the division.
24 The report ~~shall~~ MUST be made on forms furnished by the division. ~~and~~
25 ~~shall be made by the owner or operator of the vehicle or someone acting~~
26 ~~for the owner or operator.~~

27 **SECTION 28.** In Colorado Revised Statutes, 40-10.1-108,

1 **amend** (2) as follows:

2 **40-10.1-108. Commission to make safety rules.**

3 (2) For the purpose of carrying out this section pertaining to
4 safety, the commission may obtain the assistance of any agency of the
5 United States or of this state having special knowledge of any matter
6 necessary to promote the safety of operation and equipment of motor
7 vehicles. In adopting such rules, the commission shall use as general
8 guidelines the standards contained in the current rules and regulations of
9 the United States department of transportation relating to safety
10 regulations, qualifications of drivers, driving of motor vehicles, parts and
11 accessories, recording and reporting of accidents AND CRASHES, hours of
12 service of drivers, and inspection and maintenance of motor vehicles.

13 **SECTION 29.** In Colorado Revised Statutes, 41-2-102, **amend**
14 (6)(c) as follows:

15 **41-2-102. Operating an aircraft under the influence -**
16 **operating an aircraft with excessive alcohol content - tests - penalties**
17 **- useful public service program - definition.**

18 (6) (c) Any person who is dead or unconscious ~~shall~~ MUST be
19 tested to determine the alcohol or drug content of ~~his~~ THE PERSON'S blood
20 or any drug content within ~~his~~ THE PERSON'S system as provided in this
21 subsection (6). If a test cannot be administered to a person who is
22 unconscious, hospitalized, or undergoing medical treatment because the
23 test would endanger such person's life or health, the law enforcement
24 agency ~~shall~~ MUST be allowed to test any blood, urine, or saliva which
25 was obtained and not utilized by a health-care provider and ~~shall~~ MUST
26 have access to that portion of the analysis and results of any tests
27 administered by such provider which shows the alcohol or drug content

1 of the person's blood, urine, or saliva or any drug content within ~~his~~ THE
2 PERSON'S system. Such test results ~~shall~~ ARE not ~~be considered~~ privileged
3 communications, and the provisions of section 13-90-107 ~~C.R.S.~~, relating
4 to the physician-patient privilege ~~shall~~ DO not apply. Any person who is
5 dead, in addition to the tests prescribed, ~~shall~~ MUST also have ~~his~~ THE
6 PERSON'S blood checked for carbon monoxide content and for the
7 presence of drugs, as prescribed by the department of public health and
8 environment. Such information obtained ~~shall~~ MUST be made a part of the
9 ~~accident~~ CRASH report.

10 **SECTION 30.** In Colorado Revised Statutes, 42-1-102, **add**
11 (20.5) as follows:

12 **42-1-102. Definitions.**

13 As used in articles 1 to 4 of this title 42, unless the context
14 otherwise requires:

15 (20.5) "CRASH" MEANS A TRAFFIC, TRANSPORTATION, OR VEHICLE
16 COLLISION OR INCIDENT OCCURRING ON PUBLIC OR PRIVATE PROPERTY IN
17 THE STATE, INCLUDING EVENTS INVOLVING MOTOR VEHICLES,
18 VULNERABLE ROAD USERS AS DEFINED IN SECTION 42-4-1402.5 (1), OR
19 OTHER TRANSPORTATION DEVICES.

20 **SECTION 31.** In Colorado Revised Statutes, 42-1-206, **amend**
21 (2)(a) as follows:

22 **42-1-206. Records open to inspection - furnishing of copies -**
23 **rules.**

24 (2) (a) Except as provided in subsection (6) of this section, upon
25 written application and the payment of a fee per copy, or a record search
26 for each copy requested, the department shall furnish to any person a
27 photostatic copy of any specified record or ~~accident~~ CRASH report

1 specifically made a public record by this title and shall, if requested,
2 certify the same. The department shall set the fee in accordance with
3 section 42-2-114.5. The department shall transfer the fee to the state
4 treasurer, who shall credit the fee to the Colorado DRIVES vehicle
5 services account created in section 42-1-211 (2).

6 **SECTION 32.** In Colorado Revised Statutes, **amend** 42-1-208 as
7 follows:

8 **42-1-208. Information on crashes - published.**

9 The department shall receive ~~accident~~ CRASH reports required to
10 be made by law and shall tabulate and analyze such reports and publish
11 annually, or at more frequent intervals, statistical information based
12 thereon as to the number, cause, and location of highway ~~accidents~~
13 CRASHES. The statistical information ~~shall~~ MUST be issued in accordance
14 with the provisions of section 24-1-136. ~~C.R.S.~~

15 **SECTION 33.** In Colorado Revised Statutes, **amend** 42-1-216 as
16 follows:

17 **42-1-216. Destruction of obsolete records.**

18 The department is empowered to destroy or otherwise dispose of
19 all obsolete motor and other vehicle records, number plates, and badges
20 after the same have been in its possession for twelve calendar months; but
21 all records of ~~accidents~~ CRASHES must be preserved by the department for
22 a period of six years.

23 **SECTION 34.** In Colorado Revised Statutes, 42-2-111, **amend**
24 (3)(b) as follows:

25 **42-2-111. Examination of applicants and drivers - when**
26 **required.**

27 (3) (b) If a fatal motor vehicle ~~accident~~ CRASH involving one or

1 more licensed drivers or minor drivers occurs, the department, if deemed
2 appropriate, shall mail a written notice to all such drivers involved in the
3 ~~accident~~ CRASH requiring such drivers to submit to examination. If the
4 department has not mailed a written notice to any driver involved in a
5 fatal ~~accident~~ CRASH within ninety days after the department receives
6 notice regarding such ~~accident~~ CRASH, the department shall not require an
7 examination of such driver based upon such ~~accident~~ CRASH.

8 **SECTION 35.** In Colorado Revised Statutes, 42-2-121, **amend**
9 (2)(a) and (2)(c)(I)(A) as follows:

10 **42-2-121. Records to be kept by department - admission of**
11 **records in court.**

12 (2) (a) The department shall also file all ~~accident~~ CRASH reports,
13 abstracts of court records of convictions received by it under the laws of
14 this state, departmental actions, suspensions, restrictions, revocations,
15 denials, cancellations, reinstatements, and other permanent records and,
16 in connection therewith, maintain a driver's history by making suitable
17 notations in order that an individual record of each licensee showing the
18 convictions of such licensee, the departmental actions, and the traffic
19 ~~accidents~~ CRASHES in which the licensee has been involved, except those
20 ~~accidents~~ CRASHES not resulting in a conviction and those traffic
21 violations which occur outside of the boundaries of this state, ~~shall~~ be
22 readily ascertainable and available for the consideration of the department
23 upon any application for renewal of license and at other suitable times.

24 (c) (I) The following records and documents filed with,
25 maintained by, or prepared by the department are official records and
26 documents of the state of Colorado:

27 (A) ~~Accident~~ CRASH reports;

1 **SECTION 36.** In Colorado Revised Statutes, 42-2-121.5, **amend**
2 (3) as follows:

3 **42-2-121.5. Emergency contact information - website form -**
4 **license application - driver's license database.**

5 (3) An officer of a law enforcement or public safety agency who
6 is authorized to access the driver's license database may obtain a person's
7 emergency contact information from the database if the person is injured
8 or killed as a result of an accident, CRASH, criminal act, or other
9 emergency situation. The officer may contact the persons listed in the
10 emergency contact information and notify them of the emergency
11 situation and the condition and location of the person who has been
12 injured or killed.

13 **SECTION 37.** In Colorado Revised Statutes, 42-2-125, **amend**
14 (1)(l) as follows:

15 **42-2-125. Mandatory revocation of license and permit.**

16 (1) The department shall immediately revoke the license or permit
17 of any driver or minor driver upon receiving a record showing that the
18 driver has:

19 (l) Been found to have knowingly and willfully left the scene of
20 ~~an accident~~ A CRASH involving a commercial motor vehicle driven by the
21 person;

22 **SECTION 38.** In Colorado Revised Statutes, 42-2-127, **amend**
23 (1)(a) and (5)(a) as follows:

24 **42-2-127. Authority to suspend license - to deny license - type**
25 **of conviction - points.**

26 (1) (a) Except as provided in ~~paragraph (b) of subsection (8)~~
27 SUBSECTION (8)(b) of this section, the department has the authority to

1 suspend the license of any driver who, in accordance with the schedule
2 of points set forth in this section, has been convicted of traffic violations
3 resulting in the accumulation of twelve points or more within any twelve
4 consecutive months or eighteen points or more within any twenty-four
5 consecutive months, or, in the case of a minor driver eighteen years of age
6 or older, who has accumulated nine points or more within any twelve
7 consecutive months, or twelve points or more within any twenty-four
8 consecutive months, or fourteen points or more for violations occurring
9 after reaching the age of eighteen years, or, in the case of a minor driver
10 under the age of eighteen years, who has accumulated more than five
11 points within any twelve consecutive months or more than six points for
12 violations occurring prior to reaching the age of eighteen years; except
13 that the accumulation of points causing the subjection to suspension of
14 the license of a chauffeur who, in the course of employment, has as a
15 principal duty the operation of a motor vehicle shall be IS sixteen points
16 in one year, twenty-four points in two years, or twenty-eight points in four
17 years, if all the points are accumulated while said chauffeur is in the
18 course of employment. Any provision of this section to the contrary
19 notwithstanding, the license of a chauffeur who is convicted of DUI, DUI
20 per se, DWAI, UDD, or leaving the scene of an accident shall A CRASH
21 MUST be suspended in the same manner as if the offense occurred outside
22 the course of employment. Whenever a minor driver under the age of
23 eighteen years receives a summons for a traffic violation, the minor's
24 parent or legal guardian or, if the minor is without parents or guardian,
25 the person who signed the minor driver's application for a license shall
26 MUST immediately be notified by the court from which the summons was
27 issued.

1 (5) Point system schedule:

2	Type of conviction	Points
3	(a) Leaving scene of accident CRASH	12

4 **SECTION 39.** In Colorado Revised Statutes, 42-2-127.1, **amend**
5 (3) as follows:

6 **42-2-127.1. Driving improvement course - points waiver -**
7 **rules - definitions - notice to revisor of statutes - repeal.**

8 (3) To obtain approval of a driving improvement course, a
9 commercial driving school must apply to the department in the manner
10 specified in rules promulgated under subsection (2)(a) of this section and
11 must demonstrate that the driving improvement course provides education
12 in the traffic laws of this state, recognition of hazardous traffic situations,
13 and traffic ~~accident~~ CRASH prevention.

14 **SECTION 40.** In Colorado Revised Statutes, 42-2-127.9, **amend**
15 (1)(a) and (7)(c)(I) as follows:

16 **42-2-127.9. Authority to suspend driver's license - leaving the**
17 **scene of a crash.**

18 (1) (a) The department may suspend the driver's license of any
19 person upon the department's determination that there is proof by a
20 preponderance of the evidence that the person was the driver of a vehicle
21 directly involved in ~~an accident~~ A CRASH resulting in serious bodily injury
22 to or death of any person and failed to immediately stop the vehicle at the
23 scene of the ~~accident~~ CRASH, or as close to the scene as possible, or
24 immediately return to the scene of the ~~accident~~ CRASH, as required by
25 section 42-4-1601.

26 (7) (c) (I) When a license is suspended under subsection (1)(a) of
27 this section, the sole issue at the hearing ~~shall be~~ IS whether, based on a

1 preponderance of the evidence, the person was the driver of a vehicle
2 directly involved in ~~an accident~~ A CRASH resulting in serious bodily injury
3 to or death of any person and failed to immediately stop the vehicle at the
4 scene of the ~~accident~~ CRASH, or as close to the scene as possible, or
5 immediately return to the scene of the ~~accident~~ CRASH as required by
6 section 42-4-1601. If the presiding hearing officer finds in the affirmative
7 on that issue, the suspension order ~~shall~~ MUST be sustained and the
8 presiding hearing officer shall then consider whether or not to issue a
9 probationary license in accordance with subsection (9) of this section. If
10 the presiding hearing officer finds in the negative on that issue, the
11 suspension order ~~shall~~ MUST be rescinded.

12 **SECTION 41.** In Colorado Revised Statutes, 42-2-138, **amend**
13 (3) as follows:

14 **42-2-138. Driving under restraint - penalty - definitions.**

15 (3) The department, upon receiving a record of conviction or
16 ~~accident~~ CRASH report of any person for an offense committed while
17 operating a motor vehicle, shall immediately examine its files to
18 determine if the license or operating privilege of such person has been
19 restrained. If it appears that said offense was committed while the license
20 or operating privilege of such person was restrained for a reason other
21 than an outstanding judgment, except as permitted by section 42-2-132.5,
22 the department shall not issue a new license or grant any driving
23 privileges for an additional period of one year after the date such person
24 would otherwise have been entitled to apply for a new license or for
25 reinstatement of a suspended license and shall notify the district attorney
26 in the county where such violation occurred and request prosecution of
27 such person under subsection (1) of this section.

1 **SECTION 42.** In Colorado Revised Statutes, 42-2-202, **amend**
2 (2)(a)(VI) as follows:

3 **42-2-202. Habitual offenders - frequency and type of**
4 **violations.**

5 (2) (a) An habitual offender is a person having three or more
6 convictions of any of the following separate and distinct offenses arising
7 out of separate acts committed within a period of seven years:

8 (VI) Conviction of the driver of a motor vehicle involved in any
9 ~~accident~~ CRASH involving death or personal injuries for failure to perform
10 the duties required of such person under section 42-4-1601.

11 **SECTION 43.** In Colorado Revised Statutes, 42-2-206, **amend**
12 (1)(b)(I) introductory portion and (1)(b)(I)(E) as follows:

13 **42-2-206. Driving after revocation prohibited.**

14 (1) (b) (I) A person commits the crime of aggravated driving with
15 a revoked license if ~~he or she~~ THE PERSON is found to be an habitual
16 offender and thereafter operates a motor vehicle in this state while the
17 revocation of the department prohibiting such operation is in effect and,
18 as a part of the same criminal episode, also commits any of the following
19 offenses:

20 (E) Violation of any of the requirements specified for ~~accidents~~
21 CRASHES and ~~accident~~ CRASH reports in sections 42-4-1601 to 42-4-1606;
22 or

23 **SECTION 44.** In Colorado Revised Statutes, 42-4-110, **amend**
24 (1)(d)(I)(C) as follows:

25 **42-4-110. Provisions uniform throughout state - legislative**
26 **declaration.**

27 (1) This article 4 must be applicable and uniform throughout this

1 state and in all political subdivisions and municipalities. Cities and
2 counties, incorporated cities and towns, and counties shall regulate and
3 enforce all traffic and parking restrictions on streets that are state
4 highways as provided in section 43-2-135 (1)(g), and all local authorities
5 may enact and enforce traffic regulations on other roads and streets within
6 their respective jurisdictions. All such regulations are subject to the
7 following conditions and limitations:

8 (d) (I) Local authorities do not have the power to enact regulations
9 governing:

10 (C) The duties and obligations of persons involved in traffic
11 ~~accidents~~ CRASHES; and

12 **SECTION 45.** In Colorado Revised Statutes, 42-4-118, **amend**
13 (5)(a) and (5)(c) as follows:

14 **42-4-118. Establishment of wildlife crossing zones - speed limit**
15 **- definition.**

16 (5) In establishing a lower speed limit within a wildlife crossing
17 zone, the department of transportation shall give due consideration to
18 factors including, but not limited to, the following:

19 (a) The percentage of traffic ~~accidents~~ CRASHES that occur within
20 the area that involve the presence of wildlife on the public highway;

21 (c) The relative numbers of traffic ~~accidents~~ CRASHES that occur
22 within the area during the daytime and evening hours and involve the
23 presence of wildlife on the public highway.

24 **SECTION 46.** In Colorado Revised Statutes, 42-4-221, **amend**
25 (12)(b)(II)(A) as follows:

26 **42-4-221. Bicycle, electric scooter, and personal mobility**
27 **device equipment - penalty - sale of electrical assisted bicycle**

1 **equipment requirements - deceptive trade practice.**

2 (12) (b) A person shall not advertise, offer for sale, or sell, in a
3 store or online, a vehicle that is not an electrical assisted bicycle:

4 (II) (A) Using the words "electrical assisted bicycle", "electric
5 bike", or "e-bike" or other similar terms without providing the following
6 disclosure in clearly legible, written form: "This vehicle is not an
7 electrical assisted bicycle as defined in state law pursuant to section
8 42-1-102, Colorado Revised Statutes. It is instead a type of motor vehicle
9 and subject to applicable motor vehicle laws if used on public roads or
10 public lands. Your insurance policies may not provide coverage for
11 ~~accidents~~ CRASHES involving the use of this vehicle. To determine
12 coverage, you should contact your insurance company or agent."

13 **SECTION 47.** In Colorado Revised Statutes, 42-4-230, **amend**
14 (4) as follows:

15 **42-4-230. Emergency lighting equipment - who must carry.**

16 (4) ~~No~~ A motor vehicle operating as a tow truck, as defined in
17 section 40-10.1-101 (21), ~~C.R.S.~~, at the scene of ~~an accident~~ A CRASH
18 shall NOT move or attempt to move any wrecked vehicle without first
19 complying with those sections of the law concerning emergency lighting.

20 **SECTION 48.** In Colorado Revised Statutes, 42-4-235, **amend**
21 (4)(a)(I) as follows:

22 **42-4-235. Minimum standards for commercial vehicles - motor**
23 **carrier safety fund - created - definitions - rules - penalties.**

24 (4) (a) (I) Except as described in subsection (4)(a)(III) of this
25 section, the chief of the Colorado state patrol shall adopt rules for the
26 operation of all commercial vehicles and, as specified in subsection
27 (4)(a)(II) of this section, vehicles that would be commercial vehicles but

1 for the fact that they have a manufacturer's gross vehicle weight rating or
2 gross combination rating of ten thousand one pounds or more but not
3 more than sixteen thousand pounds. In adopting the rules, the chief shall
4 use as general guidelines the standards contained in the current rules and
5 regulations of the United States department of transportation relating to
6 safety regulations, qualifications of drivers, driving of motor vehicles,
7 parts and accessories, notification and reporting of ~~accidents~~ CRASHES,
8 hours of service of drivers, inspection, repair and maintenance of motor
9 vehicles, financial responsibility, insurance, and employee safety and
10 health standards; except that rules regarding financial responsibility and
11 insurance do not apply to a commercial vehicle as defined in subsection
12 (1) of this section that is also subject to regulation by the public utilities
13 commission under article 10.1 of title 40. On and after September 1,
14 2003, all commercial vehicle safety inspections conducted to determine
15 compliance with rules promulgated by the chief pursuant to this
16 subsection (4)(a) must be performed by an enforcement official, as
17 defined in section 42-20-103 (2), who has been certified by the
18 commercial vehicle safety alliance, or any successor organization thereto,
19 to perform level I inspections.

20 **SECTION 49.** In Colorado Revised Statutes, 42-4-236, **amend**
21 (1)(a.5) as follows:

22 **42-4-236. Child restraint systems required - definitions -**
23 **exemptions - penalty.**

24 (1) As used in this section, unless the context otherwise requires:

25 (a.5) "Child restraint system" means a specially designed seating
26 system that is designed to protect, hold, or restrain a child in a motor
27 vehicle in such a way as to prevent or minimize injury to the child in the

1 event of a motor vehicle ~~accident~~ CRASH that is either permanently affixed
2 to a motor vehicle or is affixed to such vehicle by a safety belt or a
3 universal attachment system, and that meets the federal motor vehicle
4 safety standards set forth in section 49 CFR 571.213, as amended.

5 **SECTION 50.** In Colorado Revised Statutes, 42-4-237, **amend**
6 (7) as follows:

7 **42-4-237. Safety belt systems - mandatory use - exemptions -**
8 **penalty - definitions.**

9 (7) Evidence of failure to comply with the requirement of
10 subsection (2) of this section ~~shall be~~ IS admissible to mitigate damages
11 with respect to any person who was involved in a motor vehicle accident
12 OR CRASH and who seeks in any subsequent litigation to recover damages
13 for injuries resulting from the ~~accident~~ CRASH. Such mitigation ~~shall be~~
14 IS limited to awards for pain and suffering and ~~shall~~ MUST not be used for
15 limiting recovery of economic loss and medical payments.

16 **SECTION 51.** In Colorado Revised Statutes, 42-4-239, **amend**
17 (1)(a)(II) as follows:

18 **42-4-239. Use of a mobile electronic device - definitions -**
19 **penalty.**

20 (1) As used in this section, unless the context otherwise requires:

21 (a) "Emergency" means a circumstance in which an individual:

22 (II) Reports a fire, a traffic ~~accident~~ CRASH in which one or more
23 injuries are apparent, a serious road hazard, a medical or hazardous
24 materials emergency, or an individual who is driving in a reckless,
25 careless, or unsafe manner.

26 **SECTION 52.** In Colorado Revised Statutes, 42-4-510, **amend**
27 (2)(b) introductory portion and (2)(b)(I) as follows:

1 **42-4-510. Permits for excess size and weight and for**
2 **manufactured homes - penalty - rules - definitions.**

3 (2) (b) All applications for permits to move manufactured homes
4 over state highways ~~shall~~ MUST comply with the following special
5 provisions:

6 (I) Each such application ~~shall~~ MUST be for a single trip, a special
7 permit, an annual permit, or, subject to the requirements of ~~paragraph (a)~~
8 ~~of subsection (1.5)~~ SUBSECTION (1.5)(a) of this section, an annual fleet
9 permit. The application ~~shall~~ MUST be accompanied by a certificate or
10 other proof of public liability insurance in amounts of not less than one
11 hundred thousand dollars per person and three hundred thousand dollars
12 per accident OR CRASH for all manufactured homes moved within this
13 state by the permit holder during the effective term of the permit. Each
14 application for a single trip permit ~~shall~~ MUST be accompanied by an
15 authentication of paid ad valorem taxes on the used manufactured home.

16 **SECTION 53.** In Colorado Revised Statutes, 42-4-808, **amend**
17 (1) as follows:

18 **42-4-808. Drivers and pedestrians, other than persons in**
19 **wheelchairs, to yield to individuals with disabilities.**

20 (1) Any pedestrian, other than a person in a wheelchair, or any
21 driver of a vehicle who approaches an individual who has an obviously
22 apparent disability shall immediately come to a full stop and take such
23 precautions before proceeding as are necessary to avoid an accident,
24 CRASH, or injury to said individual. A disability ~~shall be~~ IS deemed to be
25 obviously apparent if, by way of example and without limitation, the
26 individual is using a mobility device, is assisted by a service animal, as
27 defined in section 24-34-301, ~~C.R.S.~~, is being assisted by another person,

1 or is walking with an obvious physical impairment. Any person who
2 violates any provision of this section commits a class A traffic offense.

3 **SECTION 54.** In Colorado Revised Statutes, 42-4-1101, **amend**
4 (6) as follows:

5 **42-4-1101. Speed limits.**

6 (6) The provisions of this section shall not be construed to relieve
7 the party alleging negligence under this section in any civil action for
8 damages from the burden of proving that such negligence was the
9 proximate cause of ~~an accident~~ A CRASH.

10 **SECTION 55.** In Colorado Revised Statutes, 42-4-1301.1,
11 **amend** (8) as follows:

12 **42-4-1301.1. Expressed consent for the taking of blood, breath,**
13 **urine, or saliva sample - testing - rules - definition.**

14 (8) Any person who is dead or unconscious ~~shall~~ MUST be tested
15 to determine the alcohol or drug content of the person's blood or any drug
16 content within such person's system as provided in this section. If a test
17 cannot be administered to a person who is unconscious, hospitalized, or
18 undergoing medical treatment because the test would endanger the
19 person's life or health, the law enforcement agency ~~shall~~ MUST be allowed
20 to test any blood, urine, or saliva that was obtained and not utilized by a
21 health-care provider and ~~shall~~ MUST have access to that portion of the
22 analysis and results of any tests administered by such provider that shows
23 the alcohol or drug content of the person's blood, urine, or saliva or any
24 drug content within the person's system. Such test results ~~shall~~ ARE not be
25 considered privileged communications, and the provisions of section
26 13-90-107 ~~C.R.S.~~, relating to the physician-patient privilege ~~shall~~ DO not
27 apply. Any person who is dead, in addition to the tests prescribed, ~~shall~~

1 MUST also have the person's blood checked for carbon monoxide content
2 and for the presence of drugs, as prescribed by the department of public
3 health and environment. Such information obtained ~~shall~~ MUST be made
4 a part of the ~~accident~~ CRASH report.

5 **SECTION 56.** In Colorado Revised Statutes, 42-4-1304, **amend**
6 (7) as follows:

7 **42-4-1304. Samples of blood or other bodily substance - duties**
8 **of department of public health and environment - rules.**

9 (7) The office of the highway safety coordinator, the department,
10 the Colorado state patrol, and the division of criminal justice within the
11 department of public safety have access to the results of the tests of
12 samples taken as a result of a traffic crash for statistical analysis. The
13 division of parks and wildlife has access to the results of the tests of
14 samples taken as a result of a boating ~~accident~~ INCIDENT for statistical
15 analysis.

16 **SECTION 57.** In Colorado Revised Statutes, 42-4-1409, **amend**
17 (3)(a) as follows:

18 **42-4-1409. Compulsory insurance - penalty - legislative intent.**

19 (3) (a) When ~~an accident~~ A CRASH occurs, or when requested to do
20 so following any lawful traffic contact or during any traffic investigation
21 by a peace officer, an owner or operator of a motor vehicle or low-power
22 scooter shall present to the requesting officer immediate evidence of a
23 complying policy or certificate of self-insurance in full force and effect
24 as required by law.

25 **SECTION 58.** In Colorado Revised Statutes, 42-4-1412, **amend**
26 (13) as follows:

27 **42-4-1412. Operation of bicycles, electric scooters, and other**

1 **human-powered vehicles.**

2 (13) Upon request, the law enforcement agency having
3 jurisdiction shall complete a report concerning an injury or death incident
4 that involves a bicycle, electrical assisted bicycle, or electric scooter on
5 the roadways of the state, even if the ~~accident~~ CRASH does not involve a
6 motor vehicle.

7 **SECTION 59.** In Colorado Revised Statutes, 42-4-1601, **amend**
8 (1), (1.5), and (2) as follows:

9 **42-4-1601. Crashes involving death or personal injuries -**
10 **duties.**

11 (1) The driver of any vehicle directly involved in ~~an accident~~ A
12 CRASH resulting in injury to, serious bodily injury to, or death of any
13 person shall immediately stop such vehicle at the scene of such ~~accident~~
14 CRASH or as close to the scene as possible or shall immediately return to
15 the scene of the ~~accident~~ CRASH. The driver shall then remain at the scene
16 of the ~~accident~~ CRASH until the driver has fulfilled the requirements of
17 section 42-4-1603 (1). Every such stop ~~shall~~ MUST be made without
18 obstructing traffic more than is necessary.

19 (1.5) It ~~shall~~ IS not ~~be~~ an offense under this section if a driver,
20 after fulfilling the requirements of subsection (1) of this section and of
21 section 42-4-1603 (1), leaves the scene of the ~~accident~~ CRASH for the
22 purpose of reporting the ~~accident~~ CRASH in accordance with the
23 provisions of sections 42-4-1603 (2) and 42-4-1606.

24 (2) Any person who violates any provision of this section
25 commits:

26 (a) A class 1 misdemeanor traffic offense if the ~~accident~~ CRASH
27 resulted in injury to any person;

1 (b) A class 4 felony if the ~~accident~~ CRASH resulted in serious
2 bodily injury to any person; OR

3 (c) A class 3 felony if the ~~accident~~ CRASH resulted in the death of
4 any person.

5 **SECTION 60.** In Colorado Revised Statutes, **amend** 42-4-1602
6 as follows:

7 **42-4-1602. Crash involving damage - duty.**

8 (1) The driver of any vehicle directly involved in ~~an accident~~ A
9 CRASH resulting only in damage to a vehicle which is driven or attended
10 by any person shall immediately stop such vehicle at the scene of such
11 ~~accident~~ CRASH or as close thereto as possible but shall immediately
12 return to and in every event shall remain at the scene of such ~~accident~~
13 CRASH, except in the circumstances provided in subsection (2) of this
14 section, until the driver has fulfilled the requirements of section
15 42-4-1603. Every such stop ~~shall~~ MUST be made without obstructing
16 traffic more than is necessary. Any person who violates any provision of
17 this subsection (1) commits a class 2 misdemeanor traffic offense.

18 (2) When ~~an accident~~ A CRASH occurs on the traveled portion,
19 median, or ramp of a divided highway and each vehicle involved can be
20 safely driven, each driver shall move such driver's vehicle as soon as
21 practicable off the traveled portion, median, or ramp to a frontage road,
22 the nearest suitable cross street, or other suitable location to fulfill the
23 requirements of section 42-4-1603.

24 **SECTION 61.** In Colorado Revised Statutes, **amend** 42-4-1603
25 as follows:

26 **42-4-1603. Duty to give notice, information, and aid.**

27 (1) The driver of any vehicle involved in ~~an accident~~ A CRASH

1 resulting in injury to, serious bodily injury to, or death of any person or
2 damage to any vehicle which is driven or attended by any person shall
3 give the driver's name, the driver's address, and the registration number
4 of the vehicle ~~he or she~~ THE DRIVER is driving and shall upon request
5 exhibit ~~his or her~~ THEIR driver's license to the person struck or the driver
6 or occupant of or person attending any vehicle collided with and where
7 practical shall render to any person injured in such ~~accident~~ CRASH
8 reasonable assistance, including the carrying, or the making of
9 arrangements for the carrying, of such person to a physician, surgeon, or
10 hospital for medical or surgical treatment if it is apparent that such
11 treatment is necessary or if the carrying is requested by the injured person.

12 (2) In the event that none of the persons specified are in condition
13 to receive the information to which they otherwise would be entitled
14 under subsection (1) of this section and no police officer is present, the
15 driver of any vehicle involved in such ~~accident~~ CRASH, after fulfilling all
16 other requirements of subsection (1) of this section, insofar as possible on
17 the driver's part to be performed, shall immediately report such ~~accident~~
18 CRASH to the nearest office of a duly authorized police authority as
19 required in section 42-4-1606 and submit thereto the information
20 specified in subsection (1) of this section.

21 **SECTION 62.** In Colorado Revised Statutes, **amend** 42-4-1604
22 as follows:

23 **42-4-1604. Duty upon striking unattended vehicle or other**
24 **property.**

25 The driver of any vehicle which collides with or is involved in ~~an~~
26 ~~accident~~ A CRASH with any vehicle or other property which is unattended
27 resulting in any damage to such vehicle or other property shall

1 immediately stop and either locate and notify the operator or owner of
2 such vehicle or other property of such fact, the driver's name and address,
3 and the registration number of the vehicle ~~he or she~~ THE DRIVER is driving
4 or attach securely in a conspicuous place in or on such vehicle or other
5 property a written notice giving the driver's name and address and the
6 registration number of the vehicle ~~he or she~~ THE DRIVER is driving. The
7 driver shall also make report of such ~~accident~~ CRASH when and as
8 required in section 42-4-1606. Every stop ~~shall~~ MUST be made without
9 obstructing traffic more than is necessary. This section ~~shall~~ DOES not
10 apply to the striking of highway fixtures or traffic control devices which
11 ~~shall be~~ IS governed by the provisions of section 42-4-1605. Any person
12 who violates any provision of this section commits a class 2 misdemeanor
13 traffic offense.

14 **SECTION 63.** In Colorado Revised Statutes, **amend** 42-4-1605
15 as follows:

16 **42-4-1605. Duty upon striking highway fixtures or traffic**
17 **control devices.**

18 The driver of any vehicle involved in ~~an accident~~ A CRASH
19 resulting only in damage to fixtures or traffic control devices upon or
20 adjacent to a highway shall notify the road authority in charge of such
21 property of that fact and of the driver's name and address and of the
22 registration number of the vehicle ~~he or she~~ THE DRIVER is driving and
23 shall make report of such ~~accident~~ CRASH when and as required in section
24 42-4-1606. Any person who violates any provision of this section
25 commits a class 2 misdemeanor traffic offense.

26 **SECTION 64.** In Colorado Revised Statutes, 42-4-1606, **amend**
27 (1), (3), and (4) as follows:

1 **42-4-1606. Duty to report crashes.**

2 (1) The driver of a vehicle involved in a traffic ~~accident~~ CRASH
3 resulting in injury to, serious bodily injury to, or death of any person or
4 any property damage shall, after fulfilling the requirements of sections
5 42-4-1602 and 42-4-1603 (1), give immediate notice of the location of
6 such ~~accident~~ CRASH and such other information as is specified in section
7 42-4-1603 (2) to the nearest office of the duly authorized police authority
8 and, if so directed by the police authority, shall immediately return to and
9 remain at the scene of the ~~accident~~ CRASH until said police have arrived
10 at the scene and completed their investigation thereat.

11 (3) The department may require any driver of a vehicle involved
12 in ~~an accident~~ A CRASH of which report must be made as provided in this
13 section to file supplemental reports whenever the original report is
14 insufficient in the opinion of the department and may require witnesses
15 of ~~accidents~~ CRASHES to render reports to the department.

16 (4) (a) ~~(f)~~ It is the duty of all law enforcement officers who
17 receive notification of traffic ~~accidents~~ CRASHES within their respective
18 jurisdictions or who investigate such ~~accidents~~ CRASHES either at the time
19 of or at the scene of the ~~accident~~ CRASH or thereafter by interviewing
20 participants or witnesses to submit reports of all such ~~accidents~~ CRASHES
21 to the department on the form provided, including insurance information
22 received from any driver, within five days of the time they receive such
23 information or complete their investigation. The law enforcement officer
24 shall indicate in such report whether the inflatable restraint system in the
25 vehicle, if any, inflated and deployed in the accident. For the purposes of
26 this section, "inflatable restraint system" has the same meaning as set
27 forth in 49 CFR sec. 507.208 S4.1.5.1 (b).

1 (H) ~~Repealed.~~

2 (b) The law enforcement officer ~~shall~~ IS not ~~be~~ required to
3 complete an investigation or file ~~an accident~~ A CRASH report:

4 (I) In the case of a traffic ~~accident~~ CRASH involving a motor
5 vehicle, if the law enforcement officer has a reasonable basis to believe
6 that damage to the property of any one person does not exceed one
7 thousand dollars and if the traffic ~~accident~~ CRASH does not involve injury
8 to or death of any person; except that the officer shall complete an
9 investigation and file a report if specifically requested to do so by one of
10 the participants or if one of the participants cannot show proof of
11 insurance; or

12 (II) In the case of a traffic accident OR CRASH not involving a
13 motor vehicle, if the traffic accident OR CRASH does not involve serious
14 bodily injury to or death of any person.

15 **SECTION 65.** In Colorado Revised Statutes, 42-4-1607, **amend**
16 (1) as follows:

17 **42-4-1607. When driver unable to give notice or make written**
18 **report.**

19 (1) Whenever the driver of a vehicle is physically incapable of
20 giving an immediate notice of ~~an accident~~ A CRASH as required in section
21 42-4-1606 (1) and there was another occupant in the vehicle at the time
22 of the ~~accident~~ CRASH capable of doing so, such occupant shall give or
23 cause to be given the notice not given by the driver.

24 **SECTION 66.** In Colorado Revised Statutes, **amend** 42-4-1608
25 as follows:

26 **42-4-1608. Crash report forms.**

27 (1) The department shall prepare and upon request supply to

1 police departments, coroners, sheriffs, and other suitable agencies or
2 individuals forms for ~~accident~~ CRASH reports required under this ~~article~~
3 ARTICLE 4, which reports ~~shall~~ MUST call for sufficiently detailed
4 information to disclose, with reference to a traffic ~~accident~~ CRASH, the
5 contributing circumstances, the conditions then existing, and the persons
6 and vehicles involved.

7 (2) Every required ~~accident~~ CRASH report ~~shall~~ MUST be made on
8 a form approved by the department, where such form is available.

9 **SECTION 67.** In Colorado Revised Statutes, **amend** 42-4-1609
10 as follows:

11 **42-4-1609. Coroners to report.**

12 Every coroner or other official performing like functions shall on
13 or before the tenth day of each month report in writing to the department
14 the death of any person within such official's jurisdiction during the
15 preceding calendar month as the result of ~~an accident~~ A CRASH involving
16 a motor vehicle and the circumstances of such ~~accident~~ CRASH.

17 **SECTION 68.** In Colorado Revised Statutes, **amend** 42-4-1610
18 as follows:

19 **42-4-1610. Reports by interested parties confidential.**

20 All ~~accident~~ CRASH reports and supplemental reports required by
21 law to be made by any driver, owner, or person involved in any ~~accident~~
22 ~~shall be~~ CRASH ARE without prejudice to the individual so reporting and
23 ~~shall be~~ ARE for the confidential use of the department; except that the
24 department may disclose the identity of a person involved in ~~an accident~~
25 A CRASH when such identity is not otherwise known or when such person
26 denies ~~his or her~~ THE PERSON'S presence at such ~~accident~~ CRASH. Except
27 as provided in section 42-7-504 (2), no such report ~~shall~~ MAY be used as

1 evidence in any trial, civil or criminal, arising out of ~~an accident~~ A CRASH;
2 except that the department shall furnish, upon demand of any person who
3 has, or claims to have, made such a report or upon demand of any court,
4 a certificate showing that a specified ~~accident~~ CRASH report has or has not
5 been made to the department solely to prove a compliance or failure to
6 comply with the requirement that such a report be made to the
7 department. This section shall not be construed to mean that reports of
8 investigation or other reports made by sheriffs, police officers, coroners,
9 or other peace officers ~~shall be~~ ARE confidential, but the same ~~shall be~~
10 ARE public records and ~~shall be~~ ARE subject to the provisions of section
11 42-1-206.

12 **SECTION 69.** In Colorado Revised Statutes, **amend** 42-4-1611
13 as follows:

14 **42-4-1611. Tabulation and analysis of reports.**

15 The department shall tabulate and may analyze all ~~accident~~ CRASH
16 reports and shall publish annually or at more frequent intervals statistical
17 information based thereon as to the number and circumstances of traffic
18 ~~accidents~~ CRASHES and in such a way that the information may be of
19 value to the department of transportation in eliminating roadway hazards.
20 The statistical information ~~shall~~ MUST be issued in accordance with the
21 provisions of section 24-1-136. ~~C.R.S.~~

22 **SECTION 70.** In Colorado Revised Statutes, 42-4-1612, **amend**
23 (2) and (3) as follows:

24 **42-4-1612. Crashes in state highway work areas.**

25 (2) For purposes of this section, "state highway work area"
26 includes any area where an employee of the department of transportation
27 is working at the time a fatal ~~accident~~ CRASH occurs.

1 (3) Nothing in this section shall be construed to require the
2 department of transportation or the Colorado state patrol to specifically
3 identify by name any individual killed, injured, or otherwise involved in
4 ~~an accident~~ A CRASH.

5 **SECTION 71.** In Colorado Revised Statutes, 42-4-1701, **amend**
6 (5)(c)(I) introductory portion and (5)(c)(I)(C) as follows:

7 **42-4-1701. Traffic offenses and infractions classified -**
8 **penalties - penalty and surcharge schedule - repeal.**

9 (5) (c) (I) The penalty and surcharge schedules of subsection (4)
10 of this section and the penalty assessment notice provisions of ~~paragraphs~~
11 ~~(a) and (b) of this subsection (5) shall~~ SUBSECTIONS (5)(a) AND (5)(b) OF
12 THIS SECTION DO not apply to violations constituting misdemeanors, petty
13 offenses, or misdemeanor traffic offenses not specified in ~~said~~ subsection
14 (4) of this section ~~nor shall they~~ AND DO NOT apply to the violations
15 constituting misdemeanors, petty offenses, misdemeanor traffic offenses,
16 or traffic infractions specified in ~~said~~ subsection (4) of this section when
17 it appears that:

18 (C) The alleged violation has caused, or contributed to the cause
19 of, ~~an accident~~ A CRASH resulting in appreciable damage to property of
20 another or in injury or death to any person;

21 **SECTION 72.** In Colorado Revised Statutes, 42-4-1705, **amend**
22 (1)(b) and (1)(d) as follows:

23 **42-4-1705. Person arrested to be taken before the proper**
24 **court.**

25 (1) Whenever a person is arrested for any violation of this article
26 4 punishable as a misdemeanor, the arrested person must be taken without
27 unnecessary delay before a county judge who has jurisdiction of such

1 offense as provided by law, in any of the following cases:

2 (b) When the person is arrested and charged with an offense under
3 this ~~article~~ ARTICLE 4 causing or contributing to ~~an accident~~ A CRASH
4 resulting in injury or death to any person;

5 (d) When the person is arrested upon a charge of failure to stop in
6 the event of ~~an accident~~ A CRASH causing death, personal injuries, or
7 damage to property;

8 **SECTION 73.** In Colorado Revised Statutes, 42-4-1717, **amend**
9 (1) and (2) as follows:

10 **42-4-1717. Conviction - attendance at driver improvement**
11 **school - rules.**

12 (1) Except as otherwise provided in subsection (2) of this section,
13 if a person has been convicted of violating this ~~article~~ ARTICLE 4 or any
14 other law regulating the operation of motor vehicles other than a violation
15 of section 42-4-1301, the court may require the defendant, at the
16 defendant's expense, to attend and satisfactorily complete a course of
17 instruction at any designated driver improvement school providing
18 instruction in: The traffic laws of this state, recognition of hazardous
19 traffic situations, and traffic ~~accident~~ CRASH prevention. Upon completion
20 of the course, the court may suspend all or a portion of the fine or
21 sentence of imprisonment. Unless otherwise provided by law, the school
22 must be approved by the court.

23 (2) Whenever a minor under eighteen years of age has been
24 convicted of violating any provision of this ~~article~~ ARTICLE 4 or other law
25 regulating the operation of vehicles on highways, other than a traffic
26 infraction, the court shall require the minor to attend and satisfactorily
27 complete a course of instruction at any designated driver improvement

1 school providing instruction in the traffic laws of this state, instruction in
2 recognition of hazardous traffic situations, and instruction in traffic
3 ~~accident~~ CRASH prevention. The court shall impose the driver
4 improvement school requirement in addition to the penalty provided for
5 the violation or as a condition of either the probation or the suspension of
6 all or any portion of any fine or sentence of imprisonment for the
7 violation. The minor, or the minor's parent or parents who appear in court
8 with the minor in accordance with section 42-4-1716 (4), shall pay the
9 cost of attending the designated driver improvement school. The courts
10 shall make available information on scholarships and other financial
11 assistance available to help minors or their parents offset the costs of
12 driver improvement school. Unless otherwise provided by law, such
13 school ~~shall~~ MUST be approved by the court.

14 **SECTION 74.** In Colorado Revised Statutes, 42-4-2402, **amend**
15 (2)(c), (2)(f), (3)(b)(II), and (3)(b)(III) as follows:

16 **42-4-2402. Event data recorders.**

17 (2) Event data that is recorded on an event data recorder is the
18 personal information of the motor vehicle's owner, and therefore the
19 information shall not be retrieved by a person who is not the owner of the
20 motor vehicle, except in the following circumstances:

21 (c) The data is subject to discovery pursuant to the rules of civil
22 procedure in a claim arising out of a motor vehicle ~~accident~~ CRASH;

23 (f) A peace officer retrieves the data pursuant to a court order as
24 part of an investigation of a suspected violation of a law that has caused,
25 or contributed to the cause of, ~~an accident~~ A CRASH resulting in damage
26 of property or injury to a person.

27 (3) (b) A person authorized to download or retrieve data from an

1 event data recorder may release the data in the following circumstances:

2 (II) The data is subject to discovery pursuant to the rules of civil
3 procedure in a claim arising out of a motor vehicle ~~accident~~ CRASH;

4 (III) The data is released pursuant to a court order as part of an
5 investigation of a suspected violation of a law that has caused, or
6 contributed to the cause of, ~~an accident~~ A CRASH resulting in appreciable
7 damage of property or injury to a person;

8 **SECTION 75.** In Colorado Revised Statutes, 42-7-102, **amend**
9 (1), (2)(a) introductory portion, (2)(a)(I), and (2)(a)(III) as follows:

10 **42-7-102. Legislative declaration.**

11 (1) The general assembly is acutely aware of the toll in human
12 suffering and loss of life, limb, and property caused by negligence in the
13 operation of motor vehicles in our state. Although it recognizes that this
14 basic problem can be and is being dealt with by direct measures designed
15 to protect our people from the ravages of irresponsible drivers, the
16 general assembly is also very much concerned with the financial loss
17 visited upon innocent traffic ~~accident~~ CRASH victims by negligent
18 motorists who are financially irresponsible. In prescribing the sanctions
19 and requirements of this ~~article~~ ARTICLE 7, it is the policy of this state to
20 induce and encourage all motorists to provide for their financial
21 responsibility for the protection of others, and to assure the widespread
22 availability to the insuring public of insurance protection against financial
23 loss caused by negligent financially irresponsible motorists.

24 (2) (a) The general assembly hereby finds that motor vehicle
25 ~~accidents~~ CRASHES cause a substantial economic impact in lost wages,
26 medical bills, and property destruction exacerbated by the following:

27 (I) Some negligent motorists are uninsured or flee the scene of an

1 ~~accident~~ CRASH.

2 (III) When innocent traffic ~~accident~~ CRASH victims cannot access
3 either the negligent driver's automobile liability policy or their own
4 uninsured motorist coverage, the burden of the uncompensated losses are
5 borne by the taxpayer in the form of taxes for medicaid, by trauma
6 facilities in the form of uncompensated hospital-related costs, and by the
7 innocent victim.

8 **SECTION 76.** In Colorado Revised Statutes, 42-7-103, **amend**
9 (2) and (14)(a); **repeal** (1); and **add** (3.5) as follows:

10 **42-7-103. Definitions.**

11 As used in this article 7, unless the context otherwise requires:

12 (1) ~~"Accident" means a motor vehicle accident occurring on~~
13 ~~public or private property within this state.~~

14 (2) "Automobile liability policy" or "bond" means a liability
15 policy or bond subject, if the ~~accident~~ CRASH has resulted in bodily injury
16 or death, to a limit, exclusive of interest and costs, of not less than
17 twenty-five thousand dollars because of bodily injury to or death of one
18 person in any one ~~accident~~ CRASH and, subject to said limit for one
19 person, to a limit of not less than fifty thousand dollars because of bodily
20 injury to or death of two or more persons in any one ~~accident~~ CRASH, and,
21 if the ~~accident~~ CRASH has resulted in injury to or destruction of property,
22 to a limit of not less than fifteen thousand dollars because of injury to or
23 destruction of property of others in any one ~~accident~~ CRASH.

24 (3.5) "CRASH" MEANS A MOTOR VEHICLE COLLISION OR INCIDENT
25 OCCURRING ON PUBLIC OR PRIVATE PROPERTY WITHIN THE STATE,
26 INCLUDING EVENTS INVOLVING MOTOR VEHICLES, VULNERABLE ROAD
27 USERS AS DEFINED IN SECTION 42-4-1402.5 (1), OR OTHER

1 TRANSPORTATION DEVICES.

2 (14) (a) "Proof of financial responsibility for the future", also
3 referred to in this ~~article~~ ARTICLE 7 as proof of financial responsibility,
4 means proof of ability to respond in damages for liability, on account of
5 ~~accidents~~ CRASHES occurring after the effective date of said proof, arising
6 out of the ownership, maintenance, or use of a motor vehicle, in the
7 amount of twenty-five thousand dollars because of bodily injury to or
8 death of one person in any one ~~accident~~ CRASH, and, subject to said limit
9 for one person, in the amount of fifty thousand dollars because of bodily
10 injury to or death of two or more persons in any one ~~accident~~ CRASH, and
11 in the amount of fifteen thousand dollars because of injury to or
12 destruction of property of others in any one ~~accident~~ CRASH.

13 **SECTION 77.** In Colorado Revised Statutes, 42-7-301, **amend**
14 (1) introductory portion, (1)(a), (2), (5), and (6) as follows:

15 **42-7-301. Security and proof of financial responsibility for the**
16 **future required under certain circumstances.**

17 (1) Unless exempt under section 42-7-302, an operator or owner
18 named in ~~an accident~~ A CRASH report required to be filed pursuant to
19 section 42-4-1606 shall file with the director, according to the procedure
20 provided by this section, both:

21 (a) Security, in an amount specified after consideration of the
22 ~~accident~~ CRASH report and written substantiation of such report as
23 provided in ~~paragraph (b) of subsection (3)~~ SUBSECTION (3)(b) of this
24 section, which is sufficient to satisfy any judgments for damages or
25 injuries resulting from the ~~accident~~ CRASH as may be recovered against
26 such operator or owner but which in no event ~~shall~~ MAY exceed the sum
27 of thirty-five thousand dollars; and

1 (2) Based upon a report filed pursuant to section 42-4-1606, the
2 director shall determine whether an operator or owner is required to
3 comply with the provisions of this ~~article~~ ARTICLE 7 and, if so, shall:

4 (a) Within fifteen days after receipt of the ~~accident~~ CRASH report,
5 inform each such operator and each such owner of such requirement and
6 that the operator or owner's license or nonresident's operating privilege
7 will be suspended if the operator or owner fails to comply with the
8 provisions of this ~~article~~ ARTICLE 7;

9 (b) Within sixty days after receipt of the ~~accident~~ CRASH report,
10 send written notice of the requirement of filing security and proof of
11 financial responsibility for the future to each such owner and each such
12 operator at his or her last-known address, by first-class mail pursuant to
13 section 42-2-119 (2).

14 (5) When no ~~accident~~ CRASH report is filed or when erroneous or
15 incomplete information is given, the director, with regard to the matters
16 set forth in this ~~article~~ ARTICLE 7, shall, after receipt of correct
17 information with respect to said matters, take whatever appropriate action
18 is indicated, consistent with the provisions of this ~~article~~ ARTICLE 7.

19 (6) No policy or bond ~~shall be~~ IS effective under this section
20 unless issued by an insurance company or surety company authorized to
21 do business in this state, but the surety requirements of this section may
22 be satisfied by evidence of a savings account, deposit, or certificate of
23 deposit meeting the requirements of section 11-35-101. ~~C.R.S.~~ However,
24 if a motor vehicle was not registered in this state, or if a motor vehicle
25 was registered elsewhere than in this state at the effective date of the
26 policy or bond, or the most recent renewal thereof, such policy or bond
27 ~~shall~~ WILL not be effective under this section unless the insurance

1 company or surety company, if not authorized to do business in this state,
2 executes a power of attorney authorizing the director to accept, on its
3 behalf, service of notice or process in any action upon such policy or
4 bond arising out of such ~~accident~~ CRASH.

5 **SECTION 78.** In Colorado Revised Statutes, 42-7-302, **amend**
6 (1) introductory portion, (1)(f), (1)(g), (1)(h), (1)(i), and (2) as follows:

7 **42-7-302. Exemptions from requirement of filing security and**
8 **proof of financial responsibility for the future.**

9 (1) The requirement of filing security and proof of financial
10 responsibility for the future pursuant to section 42-7-301 ~~shall~~ DOES not
11 apply:

12 (f) To the operator or owner if such owner had in effect at the time
13 of such ~~accident~~ CRASH an automobile liability policy with respect to the
14 motor vehicle involved in such ~~accident~~ CRASH;

15 (g) To the operator, if not the owner of such motor vehicle, if
16 there was in effect at the time of such ~~accident~~ CRASH an automobile
17 liability policy or bond with respect to the operation of motor vehicles not
18 owned by that person;

19 (h) To the operator or owner if the liability of such operator or
20 owner for damages resulting from such ~~accident~~ CRASH is, in the
21 judgment of the director, covered by any other form of liability insurance
22 policy or bond or deposit as provided in section 42-7-418;

23 (i) To the owner of a motor vehicle if at the time of the ~~accident~~
24 CRASH the vehicle was being operated without the owner's express or
25 implied permission, or was parked by a person who had been operating
26 such motor vehicle without such permission.

27 (2) In determining whether any person is exempt from the

1 requirements of section 42-7-301, the director shall rely upon reports or
2 other information submitted and, when requested by any person affected
3 by ~~an accident~~ A CRASH to make a finding of fact, shall consider the report
4 of the investigating officer, if any, the ~~accident~~ CRASH reports, and any
5 affidavits of persons having knowledge of the facts.

6 **SECTION 79.** In Colorado Revised Statutes, 42-7-303, **amend**
7 (1)(b) and (2) introductory portion as follows:

8 **42-7-303. Duration of suspension.**

9 (1) The license or nonresident's operating privilege suspended
10 under section 42-7-301 shall remain so suspended and not be renewed,
11 nor shall any such license be issued to such person, unless there is filed
12 with the director evidence satisfactory to the director that such person has
13 been released from liability, has entered into a contract used as security
14 pursuant to section 42-7-301 (7), or has been finally adjudicated not
15 liable, or until:

16 (b) Three years have elapsed following the date of such ~~accident~~
17 CRASH and evidence satisfactory to the director has been filed with the
18 director that during such period no action for damages arising out of such
19 ~~accident~~ CRASH has been instituted, and such person has filed or then files
20 and maintains proof of financial responsibility for the future as provided
21 in section 42-7-408; except that a contract used as security pursuant to
22 section 42-7-301 (7) may provide for a different period of time; or

23 (2) If the director determines that the driver is not responsible for
24 any damages to any other party as a result of the ~~accident~~ CRASH, the
25 driver may:

26 **SECTION 80.** In Colorado Revised Statutes, 42-7-304, **amend**
27 (1), (2), and (3)(a) as follows:

1 **42-7-304. Custody and disposition of security.**

2 (1) Security deposited in compliance with the requirements of
3 section 42-7-301 ~~shall~~ MUST be placed by the director in the custody of
4 the state treasurer and ~~shall~~ MUST be applied only to the payment of a
5 judgment rendered against the person on whose behalf the deposit was
6 made, for damages arising out of the ~~accident~~ CRASH in question in an
7 action at law begun not later than one year after the date of such ~~accident~~
8 CRASH. Such deposit or any balance thereof ~~shall~~ MUST be returned to the
9 depositor or the depositor's personal representative, or the person
10 designated by either of them, when evidence satisfactory to the director
11 has been filed with the director that there has been a release from liability,
12 or a final adjudication of nonliability, or a warrant for confession of
13 judgment, or a duly acknowledged agreement, or whenever, after the
14 expiration of one year from the date of the ~~accident~~ CRASH, or within one
15 year after the date of deposit of any security, the director shall be given
16 reasonable evidence that there is no such action pending and no judgment
17 rendered in such action left unpaid.

18 (2) The director may reduce the amount of security ordered in any
19 case within six months after the date of the ~~accident~~ CRASH if, in the
20 director's judgment, the amount originally ordered is excessive. In case
21 the security originally ordered has been deposited, the excess deposit over
22 the reduced amount ordered ~~shall~~ MUST be returned immediately to the
23 depositor or the depositor's personal representative, regardless of any
24 other provisions of this ~~article~~ ARTICLE 7.

25 (3) (a) It is the duty of any person having a claim against the
26 security deposited under the provisions of section 42-7-301, on or before
27 the expiration of one year from the date of the ~~accident~~ CRASH, to notify

1 the director in writing under oath that there has been a release of liability,
2 or a final adjudication of nonliability, or a warrant for confession of
3 judgment, or a duly acknowledged agreement or that there is no action
4 pending and no judgment rendered in any such action left unpaid or of
5 any action taken on said claim which has not been finally determined.

6 **SECTION 81.** In Colorado Revised Statutes, 42-7-403, **amend**
7 (1) introductory portion, (1)(a), (1)(b), (1)(c), and (3) as follows:

8 **42-7-403. Sufficiency of payments.**

9 (1) Every judgment referred to in this ~~article~~ ARTICLE 7 and for the
10 purposes of this ~~article shall be~~ ARTICLE 7 IS deemed satisfied:

11 (a) When twenty-five thousand dollars has been credited upon any
12 judgment rendered in excess of that amount for or on account of bodily
13 injury to or the death of one person as the result of any one ~~accident or~~
14 CRASH;

15 (b) When, subject to said limit of twenty-five thousand dollars as
16 to one person, the sum of fifty thousand dollars has been credited upon
17 any judgment rendered in excess of that amount for or on account of
18 bodily injury to or the death of more than one person as the result of any
19 one ~~accident or~~ CRASH;

20 (c) When fifteen thousand dollars has been credited upon any
21 judgment rendered in excess of that amount for damage to property of
22 others in excess of one hundred dollars as a result of any one ~~accident or~~
23 CRASH;

24 (3) Whenever payment has been made in settlement of any claims
25 for bodily injury, death, or property damage arising from a motor vehicle
26 ~~accident~~ CRASH resulting in injury, death, or property damage to two or
27 more persons in such ~~accident~~ CRASH, any such payment ~~shall~~ MUST be

1 credited in reduction of the amounts provided for in this section.

2 **SECTION 82.** In Colorado Revised Statutes, **amend** 42-7-405 as
3 follows:

4 **42-7-405. Suspension upon second judgment.**

5 After one judgment is satisfied and proof of financial
6 responsibility is given as required in this ~~article~~ ARTICLE 7 and another
7 such judgment is rendered against the judgment debtor for any ~~accident~~
8 CRASH occurring prior to the date of the giving of said proof and such
9 person fails to satisfy the latter judgment within the amounts specified in
10 this ~~article~~ ARTICLE 7 within thirty days after the same becomes final, the
11 director shall again suspend the license of such judgment debtor and shall
12 not renew the same nor issue to the judgment debtor any license while
13 such latter judgment remains in effect and unsatisfied within the amounts
14 specified in this ~~article~~ ARTICLE 7.

15 **SECTION 83.** In Colorado Revised Statutes, 42-7-408, **amend**
16 (1)(c) introductory portion and (1)(c)(I) as follows:

17 **42-7-408. Proof of financial responsibility - methods of giving**
18 **proof - duration - exception.**

19 (1) (c) Notwithstanding the three-year requirement in ~~paragraph~~
20 ~~(b) of this subsection (1)~~ SUBSECTION (1)(b) OF THIS SECTION:

21 (I) If an insured has been found guilty of DUI, DUI per se, or
22 DWAI or if the insured's license has been revoked pursuant to section
23 42-2-126, other than a revocation under section 42-2-126 (3)(b) or (3)(e),
24 only one time and no ~~accident~~ CRASH was involved in such offense, proof
25 of financial responsibility for the future ~~shall be~~ IS required to be
26 maintained only for as long as the insured's driving privilege is ordered
27 to be under restraint, up to a maximum of three years. The time period for

1 maintaining the future proof of liability insurance ~~shall begin~~ BEGINS at
2 the time the driver reinstates ~~his or her~~ THE DRIVER'S driving privilege.

3 **SECTION 84.** In Colorado Revised Statutes, 42-7-412, **amend**
4 (1) introductory portion, (1)(a), and (1)(c) as follows:

5 **42-7-412. Certificate furnished by nonresident.**

6 (1) The nonresident owner of a foreign vehicle may give proof of
7 financial responsibility by filing with the director a written certificate of
8 an insurance carrier authorized to transact business in the state in which
9 the motor vehicle described in such certificate is registered or if such
10 nonresident does not own a motor vehicle then in the state in which the
11 insured resides and otherwise conforming to the provisions of this ~~article~~
12 ARTICLE 7, and the director shall accept the same upon condition that said
13 insurance carrier complies with the following provisions of this section:

14 (a) Said insurance carrier shall execute a power of attorney
15 authorizing the director to accept service on its behalf of notice or process
16 in any action arising out of a motor vehicle ~~accident~~ CRASH in this state.

17 (c) Said insurance carrier shall also agree to accept as final and
18 binding any final judgment of any court of competent jurisdiction in this
19 state duly rendered in any action arising out of a motor vehicle ~~accident~~
20 CRASH.

21 **SECTION 85.** In Colorado Revised Statutes, 42-7-421, **amend**
22 (1) introductory portion and (1)(c) as follows:

23 **42-7-421. When director may release proof of financial**
24 **responsibility.**

25 (1) The director, upon request, shall cancel any bond or return any
26 certificate of insurance, or the director shall direct and the state treasurer
27 shall return to the person entitled thereto any money or securities

1 deposited pursuant to this ~~article~~ ARTICLE 7 as proof of financial
2 responsibility, or waive the requirement of filing proof of financial
3 responsibility in any of the following events:

4 (c) In the event the person who has given proof of financial
5 responsibility surrenders the person's license to the director, but the
6 director shall not release such proof in the event any action for damages
7 upon a liability referred to in this ~~article~~ ARTICLE 7 is then pending or any
8 judgment upon any such liability is then outstanding and unsatisfied or in
9 the event the director has received notice that such person has within the
10 period of three months immediately preceding been involved as a driver
11 in any motor vehicle ~~accident~~ CRASH. An affidavit of the applicant of the
12 nonexistence of such facts ~~shall be~~ IS sufficient evidence thereof in the
13 absence of evidence to the contrary in the records of the department.

14 **SECTION 86.** In Colorado Revised Statutes, 42-7-502, **amend**
15 (4) as follows:

16 **42-7-502. Action against nonresident - reciprocity with other**
17 **states.**

18 (4) Upon receipt of certification that the operating privilege of a
19 resident of this state has been suspended or revoked in any such other
20 state pursuant to a law providing for its suspension or revocation for
21 failure to deposit security for the payment of judgments arising out of a
22 motor vehicle ~~accident~~ CRASH or for failure to deposit security and furnish
23 a statement evidencing that the resident is insured under an automobile
24 liability insurance policy or bond or for failure to file and maintain proof
25 of financial responsibility, under circumstances which would require the
26 director to suspend a nonresident's operating privilege had the ~~accident~~
27 CRASH occurred in this state, the director shall suspend the license of such

1 resident. Such suspension shall continue until such resident furnishes
2 evidence of compliance with the law of such other state relating to the
3 deposit of such security and until such resident furnishes the statement
4 evidencing automobile liability insurance or a bond, or, as the case may
5 be, files proof of financial responsibility, if required by such law.

6 **SECTION 87.** In Colorado Revised Statutes, **amend** 42-7-504 as
7 follows:

8 **42-7-504. Matters not to be evidence in litigation.**

9 (1) Except as provided in subsection (2) of this section, neither
10 action taken by the director pursuant to this ~~article~~ ARTICLE 7, any
11 judgment or court decision on appeal therefrom, the findings of the
12 director in such action, nor the security deposited, statement evidencing
13 automobile liability insurance or bond, or proof of financial responsibility
14 filed as provided in this ~~article~~ ARTICLE 7 shall be referred to nor be
15 evidence of the negligence or due care of either party of an action at law
16 to recover damages or in a criminal proceeding arising out of a motor
17 vehicle ~~accident~~ CRASH. This section shall not apply to an action brought
18 by the director to enforce the provisions of this ~~article~~ ARTICLE 7.

19 (2) For the purposes of any civil trial, civil hearing, or arbitration
20 held in relation to uninsured or underinsured motorist insurance coverage
21 where the question of the existence of automobile liability insurance is an
22 issue or when the amount of such insurance is an issue, the director shall
23 issue, upon request, a certificate under seal. The certificate ~~shall~~ MUST
24 contain the motor vehicle operator's name, address, date of birth, and
25 driver's license number; the date of the ~~accident~~ CRASH; and a statement
26 indicating whether or not the records indicate that the owner or operator
27 had in effect at the time of the ~~accident~~ CRASH an effective automobile

1 liability policy and, if such a policy was in effect, the amount of coverage,
2 the name of the insurer, and the number of the policy. Such certificate
3 ~~shall be~~ IS prima facie evidence of the facts contained therein. The
4 director shall collect for each such certificate an amount sufficient to
5 defray the costs of administration of this section. Such amount ~~shall~~ MUST
6 be included as a cost of the action.

7 **SECTION 88.** In Colorado Revised Statutes, 42-7-510, **amend**
8 (1) and (2)(a) as follows:

9 **42-7-510. Insurance or bond required.**

10 (1) An owner of a truck that is subject to the registration fee
11 imposed pursuant to section 42-3-306 (5)(b) or (7) and that is not subject
12 to article 10.1 of title 40, ~~C.R.S.~~, before operating or permitting the
13 operation of the vehicle upon a public highway in this state, shall have in
14 each vehicle a motor vehicle liability policy or a certificate evidencing the
15 policy issued by an insurance carrier or insurer authorized to do business
16 in Colorado, or a copy of a valid certificate of self-insurance issued
17 pursuant to section 10-4-624, ~~C.R.S.~~, or a surety bond issued by a
18 company authorized to do a surety business in Colorado in the sum of
19 fifty thousand dollars for damages to property of others; the sum of one
20 hundred thousand dollars for damages for or on account of bodily injury
21 or death of one person as a result of any one ~~accident~~ CRASH; and, subject
22 to such limit as to one person, the sum of three hundred thousand dollars
23 for or on account of bodily injury to or death of all persons as a result of
24 any one ~~accident~~ CRASH.

25 (2) (a) Every owner of a motor vehicle designed and used for the
26 nonemergency transportation of individuals with disabilities as defined
27 in ~~paragraph (b) of this subsection (2)~~ SUBSECTION (2)(b) OF THIS

1 SECTION, before operating or permitting the operation of such vehicle
2 upon any public highway in this state, shall file with the department a
3 certificate evidencing a motor vehicle liability insurance policy issued by
4 an insurance carrier or insurer authorized to do business in the state of
5 Colorado or a surety bond issued by a company authorized to do a surety
6 business in the state of Colorado with a minimum sum of fifty thousand
7 dollars for damages to property of others; a minimum sum of one hundred
8 thousand dollars for damages for or on account of bodily injury or death
9 of one person as a result of any one ~~accident~~ CRASH; and, subject to such
10 limit as to one person, a minimum sum of three hundred thousand dollars
11 for or on account of bodily injury to or death of all persons as a result of
12 any one ~~accident~~ CRASH.

13 **SECTION 89.** In Colorado Revised Statutes, 42-7-606, **amend**
14 (1)(b)(VI) as follows:

15 **42-7-606. Disclosure of insurance information - penalty.**

16 (1) Information provided by insurers and the department for
17 inclusion in the database established pursuant to section 42-7-604 is the
18 property of the insurer or the department, as the case may be, and may not
19 be disclosed except as follows:

20 (b) The department shall disclose whether a motor vehicle has the
21 required insurance coverage upon request by the following individuals
22 and agencies only:

23 (VI) Any person suffering loss or injury in a motor vehicle
24 ~~accident~~ CRASH, but only as part of an ~~accident~~ A CRASH report authorized
25 in part 16 of article 4 of this ~~title~~ TITLE 42; or

26 **SECTION 90.** In Colorado Revised Statutes, **amend** 42-13-101
27 as follows:

1 unsafe for travel by motor vehicles transporting hazardous materials.

2 **SECTION 93.** In Colorado Revised Statutes, 43-5-502, **amend**
3 (1)(b) as follows:

4 **43-5-502. Motorcycle operator safety training program - rules.**

5 (1) (b) The office shall ~~promulgate~~ ADOPT rules establishing
6 standards for MOST vendors to provide training services. The office shall
7 ~~promulgate~~ ADOPT rules establishing a system to record program
8 performance data, including information on motorcycle ~~accidents~~
9 CRASHES, injuries, and fatalities among persons who have completed the
10 program.

11 **SECTION 94.** In Colorado Revised Statutes, **amend** 43-5-506 as
12 follows:

13 **43-5-506. Report.**

14 Notwithstanding section 24-1-136 (11)(a)(I), no later than
15 September 1 of each year, the department of public safety shall report to
16 the legislative audit committee and the house and senate transportation
17 committees, or their successor committees. The report must comment on
18 the effectiveness of the program, annual motorcycle ~~accidents~~ CRASHES
19 or fatalities, availability of training throughout the state, historic and
20 current training costs, and other performance measures.

21 **SECTION 95.** In Colorado Revised Statutes, 44-30-1301, **amend**
22 (1)(b)(IV)(H) as follows:

23 **44-30-1301. Definitions - local government limited gaming**
24 **impact fund - rules - report - legislative declaration.**

25 (1) (b) As used in this part 13, unless the context otherwise
26 requires:

27 (IV) "Negative impacts" means impacts that harm, damage, hurt,

1 interfere with, or undermine the eligible local governmental entity, and
2 include, but are not limited to:

3 (H) Increased traffic and traffic ~~accidents~~ CRASHES;

4 **SECTION 96. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly (August
7 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
8 referendum petition is filed pursuant to section 1 (3) of article V of the
9 state constitution against this act or an item, section, or part of this act
10 within such period, then the act, item, section, or part will not take effect
11 unless approved by the people at the general election to be held in
12 November 2026 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.