

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 26-1127

BY REPRESENTATIVE(S) Rutinel and Joseph, Bacon, Boesenecker, Camacho, English, Froelich, Garcia, Lieder, Lindsay, Marshall, Nguyen, Duran, Valdez;
also SENATOR(S) Roberts, Ball, Benavidez, Cutter, Exum, Gonzales J., Hinrichsen, Jodeh, Kipp, Kirkmeyer, Kolker, Lindstedt, Liston, Marchman, Mullica, Pelton B., Snyder, Wallace, Weissman, Coleman.

CONCERNING A REPORT AFTER MOTOR VEHICLE CRASHES RESULTING IN DEATH.

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

SECTION 1. In Colorado Revised Statutes, **amend** 42-4-1609 as follows:

42-4-1609. Coroners to report.

~~Every coroner or other official performing like functions shall on or before the tenth day of each month report in writing to the department the death of any person within such official's jurisdiction during the preceding calendar month as the result of an accident involving a motor vehicle and the circumstances of such accident~~ UPON REQUEST BY THE DEPARTMENT OF

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

TRANSPORTATION, EVERY CORONER OR OTHER OFFICIAL PERFORMING LIKE FUNCTIONS SHALL ELECTRONICALLY REPORT ALL AVAILABLE TOXICOLOGY RESULTS TO THE DEPARTMENT OF TRANSPORTATION BY THE FINAL BUSINESS DAY OF EACH QUARTER OF THE CALENDAR YEAR FOR EACH DECEASED PARTY WHO DIED DURING THE QUARTER AS THE RESULT OF A CRASH INVOLVING A MOTOR VEHICLE WITHIN THE OFFICIAL'S JURISDICTION. IF A CORONER DOES NOT HAVE ACCESS TO NECESSARY TOXICOLOGY RESULTS ON THE FINAL BUSINESS DAY OF THE QUARTER, THE REPORT MUST BE SUBMITTED IN THE NEXT QUARTER OF THE CALENDAR YEAR WHEN COMPLETE RESULTS ARE AVAILABLE. THE REPORT MUST INCLUDE ALL AVAILABLE TOXICOLOGY RESULTS FOR ALL DECEASED PARTIES INVOLVED IN A CRASH, INCLUDING, BUT NOT LIMITED TO, THE BLOOD ALCOHOL CONCENTRATIONS; DRUG SCREENING PANELS; AND THE DATE, TIME, AND SOURCE OF THE SAMPLE COLLECTIONS. THE DEPARTMENT OF TRANSPORTATION MAY ONLY REQUEST PERSONAL IDENTIFYING INFORMATION ABOUT A DECEASED PERSON PURSUANT TO THIS SECTION THAT IS NECESSARY TO MEET FEDERAL REPORTING REQUIREMENTS.

SECTION 2. In Colorado Revised Statutes, 42-4-1606, **amend** (4)(a)(I) as follows:

42-4-1606. Duty to report accidents.

(4) (a) (I) It is the duty of all law enforcement officers who receive notification of traffic ~~accidents~~ CRASHES within their respective jurisdictions or who investigate ~~such accidents~~ TRAFFIC CRASHES either at the time of or at the scene of the ~~accident~~ CRASH or thereafter by interviewing participants or witnesses to submit reports of all ~~such accidents~~ CRASHES to the department on the form provided, including insurance information received from any driver, within five days ~~of~~ AFTER the time they receive ~~such~~ THE information or complete their investigation. IF A PARTICIPANT IN A CRASH DIES WITHIN THIRTY DAYS AFTER THE CRASH AS A RESULT OF AN INJURY SUSTAINED IN THE CRASH, THE LAW ENFORCEMENT OFFICER WHO WAS NOTIFIED OF OR INVESTIGATED THE CRASH SHALL SUBMIT AN AMENDED REPORT TO THE DEPARTMENT WITHIN FIVE DAYS AFTER RECEIVING NOTIFICATION OF THE DEATH. The law enforcement officer shall indicate in ~~such~~ THE report whether the inflatable restraint system in the vehicle, if any, inflated and deployed in the ~~accident~~ CRASH. For the purposes of this section, "inflatable restraint system" has the ~~same~~ meaning as set forth in ~~49 CFR sec. 507.208 S4.1.5.1 (b)~~ 49 CFR SEC. 571.208 S4.1.5.1 (b).

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO