

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

PREAMENDED

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

LLS NO. 25-0316.01 Jery Payne x2157

HOUSE BILL 25-1122

HOUSE SPONSORSHIP

Lieder,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT A COMMERCIAL MOTOR VEHICLE**
102 **HAVE A HUMAN PRESENT WHEN THE COMMERCIAL MOTOR**
103 **VEHICLE IS BEING DRIVEN BY AN AUTOMATED DRIVING SYSTEM.**

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 prohibits using an automated driving system to drive a commercial motor vehicle unless an individual who holds a commercial driver's license is in the vehicle, monitors the vehicle's driving, and intervenes, if necessary, to avoid illegal or unsafe driving. The penalty is \$1,000 for a first offense; is \$2,000 for a second offense; and doubles for

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.*

each subsequent offense.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-242, **amend** (1)
3 as follows:

4 **42-4-242. Automated driving systems - safe harbor.**

5 (1) SUBJECT TO SECTION 42-2-410, a person may use an automated
6 driving system to drive a motor vehicle or to control a function of a motor
7 vehicle if the system is capable of complying with every state and federal
8 law that applies to the function that the system is operating.

9 **SECTION 2.** In Colorado Revised Statutes, **add** 42-2-410 as
10 follows:

11 **42-2-410. Automated driving systems for commercial motor**
12 **vehicles.** (1) A PERSON SHALL NOT USE AN AUTOMATED DRIVING SYSTEM
13 ON A ROADWAY TO DRIVE A COMMERCIAL MOTOR VEHICLE UNLESS AN
14 INDIVIDUAL WHO HOLDS A COMMERCIAL DRIVER'S LICENSE:

15 (a) IS PHYSICALLY PRESENT IN THE COMMERCIAL MOTOR VEHICLE;

16 (b) IS SEATED IN THE DRIVER'S SEAT OF THE COMMERCIAL MOTOR
17 VEHICLE WHILE HAZARDOUS MATERIALS ARE BEING TRANSPORTED;

18 (c) MONITORS THE PERFORMANCE OF THE COMMERCIAL MOTOR
19 VEHICLE WHILE DRIVING ON THE ROADWAY; AND

20 (d) INTERVENES, IF NECESSARY, TO AVOID ILLEGAL OR UNSAFE
21 DRIVING OF THE COMMERCIAL MOTOR VEHICLE.

22 (2) THIS SECTION DOES NOT AFFECT THE DUTY OF A PERSON TO
23 COMPLY WITH PART 3 OF ARTICLE 20 OF THIS TITLE 42.

24 (3) A PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS A
25 TRAFFIC INFRACTION AND IS SUBJECT TO THE PENALTIES SET FORTH IN

1 SECTION 42-4-1701 (4)(a)(I)(A) AND (4)(g).

2 (4) THIS SECTION DOES NOT APPLY TO LIGHT DUTY VEHICLES.

3 SECTION 3. In Colorado Revised Statutes, 42-4-1701, **amend**
4 (4)(a)(I)(A); and **add** (4)(g) as follows:

5 **42-4-1701. Traffic offenses and infractions classified -**
6 **penalties - penalty and surcharge schedule - repeal.** (4) (a) (I) Except
7 as provided in subsection (5)(c) of this section, every person who is
8 convicted of, who admits liability for, or against whom a judgment is
9 entered for a violation of this title 42 to which subsection (5)(a) or (5)(b)
10 of this section applies shall be fined or penalized and have a surcharge
11 levied in accordance with sections 24-4.1-119 (1)(f) and 24-4.2-104
12 (1)(b)(I), in accordance with the penalty and surcharge schedule set forth
13 in subsections (4)(a)(I)(A) to (4)(a)(I)(S) of this section; or, if no penalty
14 or surcharge is specified in the schedule, the penalty for class A and class
15 B traffic infractions is fifteen dollars, and the surcharge is four dollars.
16 These penalties and surcharges apply whether the defendant
17 acknowledges the defendant's guilt or liability in accordance with the
18 procedure set forth by subsection (5)(a) of this section, is found guilty by
19 a court of competent jurisdiction, or has judgment entered against the
20 defendant by a county court magistrate. Penalties and surcharges for
21 violating specific sections are as follows:

22	Section Violated	Penalty	Surcharge
23	(A) Driver's license violations:		
24	42-2-101	\$ 35.00	\$ 10.00
25	42-2-101 (2), (3), or (5)	15.00	6.00
26	42-2-103	15.00	6.00
27	42-2-105	70.00	10.00

1	42-2-105.5 (4)	65.00	10.00
2	42-2-106	70.00	10.00
3	42-2-115	35.00	10.00
4	42-2-116 (6)(a)	30.00	6.00
5	42-2-119	15.00	6.00
6	42-2-134	35.00	10.00
7	42-2-136	35.00	10.00
8	42-2-138	100.00	15.00
9	42-2-139	35.00	10.00
10	42-2-140	35.00	10.00
11	42-2-141	35.00	10.00
12	42-2-204	70.00	10.00
13	42-2-404	100.00	15.00
14	42-2-410	1,000.00	150.00

15 (g) THE PENALTY FOR A SECOND CONVICTION FOR VIOLATING
16 SECTION 42-2-410 IS TWO THOUSAND DOLLARS, AND THE PENALTY FOR
17 VIOLATING SECTION 42-2-410 DOUBLES FOR EACH SUBSEQUENT
18 CONVICTION.

19 **SECTION 4. Act subject to petition - effective date -**
20 **applicability.** (1) This act takes effect July 1, 2027; except that, if a
21 referendum petition is filed pursuant to section 1 (3) of article V of the
22 state constitution against this act or an item, section, or part of this act
23 within the ninety-day period after final adjournment of the general
24 assembly, then the act, item, section, or part will not take effect unless
25 approved by the people at the general election to be held in November
26 2026 and, in such case, will take effect July 1, 2027, or on the date of the
27 official declaration of the vote thereon by the governor, whichever is

1 later.

2 (2) This act applies to offenses committed on or after the
3 applicable effective date of this act.