

## CHAPTER 24

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**MOTOR VEHICLES AND TRAFFIC REGULATION**


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**HOUSE BILL 10-1014**

BY REPRESENTATIVE(S) McFadyen, Baumgardner, Fischer, Frangas, King S., Looper, Primavera, Tyler, Hullinghorst, Kerr A., Kerr J., Massey, Rice, Scanlan, Soper, Todd, Vigil;  
also SENATOR(S) Spence, Gibbs, Romer, Williams, Boyd, Brophy, Kester, Kopp, Steadman, Tapia, Whitehead.

**AN ACT**

**CONCERNING ANNUAL REPORTING TO THE GENERAL ASSEMBLY OF FATAL ACCIDENTS IN STATE HIGHWAY WORK AREAS.**

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

**SECTION 1.** Part 16 of article 4 of title 42, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**42-4-1612. Accidents in state highway work areas - annual reporting by department of transportation and Colorado state patrol.** (1) ON OR BEFORE FEBRUARY 15, 2011, AND ON OR BEFORE FEBRUARY 15 OF EACH SUCCEEDING YEAR, THE DEPARTMENT OF TRANSPORTATION AND THE COLORADO STATE PATROL SHALL PRESENT A JOINT REPORT TO THE TRANSPORTATION AND ENERGY COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE TRANSPORTATION COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEES, REGARDING FATAL ACCIDENTS IN STATE HIGHWAY WORK AREAS DURING THE PRECEDING YEAR. THE REPORT SHALL INCLUDE, AT A MINIMUM:

(a) A SUMMARY OF THE TOTAL NUMBER OF FATAL ACCIDENTS AND THE TOTAL NUMBER OF INDIVIDUALS KILLED;

(b) A CATEGORIZATION OF THE TOTAL NUMBER OF INDIVIDUALS KILLED THAT IDENTIFIES THE INDIVIDUALS AS EMPLOYEES OF THE DEPARTMENT OF TRANSPORTATION, EMPLOYEES OF CONTRACTORS OR SUBCONTRACTORS WORKING ON A PROJECT FOR THE DEPARTMENT, OR OTHER INDIVIDUALS;

(c) A COPY OF THE ACCIDENT REPORTING FORM FOR EACH FATAL ACCIDENT;

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(d) A DESCRIPTION OF BOTH ONGOING AND NEWLY IMPLEMENTED MEASURES TAKEN BY THE DEPARTMENT OF TRANSPORTATION TO PREVENT FATAL ACCIDENTS IN STATE HIGHWAY WORK AREAS.

(2) FOR PURPOSES OF THIS SECTION, "STATE HIGHWAY WORK AREA" INCLUDES ANY AREA WHERE AN EMPLOYEE OF THE DEPARTMENT OF TRANSPORTATION IS WORKING AT THE TIME A FATAL ACCIDENT OCCURS.

(3) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE THE DEPARTMENT OF TRANSPORTATION OR THE COLORADO STATE PATROL TO SPECIFICALLY IDENTIFY BY NAME ANY INDIVIDUAL KILLED, INJURED, OR OTHERWISE INVOLVED IN AN ACCIDENT.

**SECTION 2. Act subject to petition - effective date.** This act shall take 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 11, 2010, if adjournment sine die is on May 12, 2010); 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 shall not take effect unless approved by the people at the general election to be held in November 2010 and shall take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 18, 2010