

**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 26-1237

BY REPRESENTATIVE(S) Smith and Taggart, Bacon, Boesenecker, Brown, Carter, Duran, Froelich, Hamrick, Lindsay, Marshall, Nguyen, Paschal, Rutinel, Woodrow, McCluskie;  
also SENATOR(S) Lindstedt, Exum, Marchman, Roberts, Coleman.

CONCERNING MODIFICATIONS TO SELECT STATUTORY PROVISIONS TO  
IMPROVE TRANSPORTATION SAFETY.

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

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

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

(5) (a) (I) (B) When icy or snow-packed conditions exist on the highway, the department of transportation may restrict travel on or use of any portion of a state highway by a motor vehicle unless the motor vehicle is equipped with the following: Tire chains or an alternate traction device; ~~four-wheel drive with~~ OR tires that have a tread depth of at least three sixteenths of an inch and that are imprinted by a manufacturer with a

*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.*

mountain-snowflake, "M&S", "M+S", or "M/S" symbol or that are all-weather rated by the manufacturer. ~~or all-wheel drive with tires that have a tread depth of at least three sixteenths of an inch and that are imprinted by a manufacturer with a mountain-snowflake, "M&S", "M+S", or "M/S" symbol or that are all-weather rated by the manufacturer.~~

**SECTION 2.** In Colorado Revised Statutes, 42-4-1204, **add** (1)(j.5) as follows:

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

(1) Except as otherwise provided in subsection (4) of this section, no person shall stop, stand, or park a vehicle, 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, in any of the following places:

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

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

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

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

from a local law enforcement agency of a municipality, county, or city and county, the Colorado bureau of investigation, or the Colorado state patrol.

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

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

(2) As used in this section:

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

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

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

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

(5) Notwithstanding the provisions of subsection (4) of this section, a plaintiff may sue and recover civil damages from a volunteer based upon a negligent act or omission involving the operation of a motor vehicle during an activity; except that the amount recovered from such volunteer ~~shall~~ MUST not exceed the limits of applicable insurance coverage maintained by or on behalf of such volunteer with respect to the negligent operation of a motor vehicle in such circumstances. However, nothing in this section ~~shall be construed to limit~~ LIMITS the right of a plaintiff to recover from a policy of uninsured or underinsured motorist coverage available to the plaintiff as a result of a motor vehicle ~~accident~~ CRASH.

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

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

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

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

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

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

Murder, kidnapping, treason, any sex offense against a child, and any forgery regardless of the penalty provided:

No limit

Attempt, conspiracy, or solicitation to commit murder; attempt, conspiracy, or solicitation to commit kidnapping; attempt, conspiracy, or solicitation to commit treason; attempt, conspiracy, or solicitation to commit any sex offense against a child; and attempt, conspiracy, or solicitation to commit any forgery regardless of the penalty provided:

No limit

Vehicular homicide, except as described in subsection (1)(a.5) of this section; leaving the scene of <del>an accident</del> A CRASH that resulted in the death of a person:	Five years
Other felonies:	Three years
Misdemeanors:	Eighteen months
Class 1 and 2 misdemeanor traffic offenses:	One year
Petty offenses:	Six months

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

**SECTION 8.** In Colorado Revised Statutes, 18-3-106, **amend** (4)(e) as follows:

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

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

public health and environment. Such information obtained ~~shall~~ MUST be made a part of the ~~accident~~ CRASH report.

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

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

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

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

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

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

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

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

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

(1) (a) A person commits obstructing a peace officer, firefighter, emergency medical service provider, rescue specialist, or volunteer when, by using or threatening to use violence, force, physical interference, or an obstacle, such person knowingly obstructs, impairs, or hinders the enforcement of the penal law or the preservation of the peace by a peace officer, acting under color of his or her official authority; knowingly obstructs, impairs, or hinders the prevention, control, or abatement of fire by a firefighter, acting under color of his or her official authority; knowingly obstructs, impairs, or hinders the administration of medical treatment or emergency assistance by an emergency medical service provider or rescue specialist, acting under color of his or her official authority; or knowingly obstructs, impairs, or hinders the administration of emergency care or emergency assistance by a volunteer, acting in good faith to render such care or assistance without compensation at the place of an emergency or ~~accident~~ OR CRASH.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) The general assembly hereby finds that:

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

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

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

(b) "Hit-and-run ~~accident~~ CRASH" means an incident when the driver of a vehicle involved in an ~~accident~~ A CRASH fails to stop at the scene of the ~~accident~~ CRASH as required by section 42-4-1601. ~~C.R.S.~~

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

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

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

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

(e) A Medina alert must include:

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

(4) On or before January 1, 2015, the executive director of the department of public safety shall ~~promulgate~~ ADOPT rules in accordance with the "State Administrative Procedure Act", article 4 of this ~~title~~ TITLE 24, for the implementation of the program. The rules ~~shall~~ MUST include but need not be limited to:

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

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

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

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

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

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

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

(2) (a) The custodian, as defined in section 24-72-202, may only access a passive surveillance record beyond the first anniversary after the date of the creation of the passive surveillance record, and up to the third anniversary after the date of the creation of the passive surveillance record, if there has been a notice of claim filed, or an accident, A CRASH, or other specific incident that may cause the passive surveillance record to become evidence in any civil, labor, administrative, or felony criminal proceeding,

in which case the passive surveillance record may be retained. The custodian shall preserve a record of the reason for which the passive surveillance record was accessed and the person who accessed the passive surveillance record beyond the first anniversary after its creation. All passive surveillance records must be destroyed after the third anniversary after the date of the creation of the passive surveillance record unless retention is authorized by this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) (a) The coroner shall perform a forensic autopsy or have a forensic autopsy performed in accordance with the circumstances in the most recent version of the "forensic autopsy performance standards" adopted by the national association of medical examiners, when the death is apparently nonnatural and occurs in a facility or during services regulated by the department of human services, and when the death is the result of an automobile ~~accident~~ CRASH and a hospital physician has not documented the extent of the injuries.

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

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

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

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

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

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

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

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

(5) (a) (II) Notwithstanding subsection (2)(a) or (2)(b) of this section, a plaintiff may sue and recover civil damages from a volunteer based upon a negligent act or omission involving the operation of a motor vehicle during a land stewardship activity; except that the amount recovered from the volunteer ~~shall~~ **MUST** not exceed the limits of applicable insurance coverage maintained by or on behalf of the volunteer with respect to the negligent operation of a motor vehicle in such circumstances. Nothing in this subsection (5)(a)(II) limits the right of a plaintiff to recover from a policy of uninsured or underinsured motorist coverage available to the plaintiff as a result of a motor vehicle ~~accident~~ CRASH.

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

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

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

(11) When a peace officer has reasonable grounds to believe that a person is operating a vessel while under the influence of alcohol or that the operator has been involved in a boating ~~accident~~ INCIDENT resulting in injury or death, the peace officer may request the operator to provide a sample of the operator's breath for a preliminary screening test. The test ~~shall~~ MUST be given using a device approved by the executive director of the department of public health and environment as being accurate to within ten percent of the actual reading obtained by the officer upon administering the test. The results of this preliminary screening test may be used for the purpose of deciding whether an arrest should be made and whether to administer a test pursuant to ~~paragraph (b) of subsection (4)~~ SUBSECTION (4)(b) of this section but ~~shall~~ MUST not be used in any court action except to prove that a test was properly authorized pursuant to this section. The results of the test ~~shall~~ MUST be made available to the operator or the operator's attorney upon request. The preliminary screening test ~~shall~~ DOES not constitute the test for the purposes of subsection (4) of this section.

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

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

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

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

(3) Within forty-eight hours after an accident OR CRASH involving a snowmobile, the OWNER OF THE VEHICLE OR SOMEONE ACTING FOR THE OWNER SHALL REPORT THE accident ~~shall be reported~~ OR CRASH to the Denver office of the division. The report ~~shall~~ MUST be made on forms furnished by the division. ~~and shall be made by the owner of the vehicle or someone acting for him.~~

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

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

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

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

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

**SECTION 28.** In Colorado Revised Statutes, 40-10.1-108, **amend** (2) as follows:

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

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

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

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

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

**SECTION 30.** In Colorado Revised Statutes, 42-1-102, **add** (20.5)

as follows:

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

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

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

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

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

(2) (a) Except as provided in subsection (6) of this section, upon written application and the payment of a fee per copy, or a record search for each copy requested, the department shall furnish to any person a photostatic copy of any specified record or ~~accident~~ CRASH report specifically made a public record by this title and shall, if requested, certify the same. The department shall set the fee in accordance with section 42-2-114.5. The department shall transfer the fee to the state treasurer, who shall credit the fee to the Colorado DRIVES vehicle services account created in section 42-1-211 (2).

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

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

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

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

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

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

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

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

(3) (b) If a fatal motor vehicle ~~accident~~ CRASH involving one or more licensed drivers or minor drivers occurs, the department, if deemed appropriate, shall mail a written notice to all such drivers involved in the ~~accident~~ CRASH requiring such drivers to submit to examination. If the department has not mailed a written notice to any driver involved in a fatal ~~accident~~ CRASH within ninety days after the department receives notice regarding such ~~accident~~ CRASH, the department shall not require an examination of such driver based upon such ~~accident~~ CRASH.

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

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

(2) (a) The department shall also file all ~~accident~~ CRASH reports, abstracts of court records of convictions received by it under the laws of this state, departmental actions, suspensions, restrictions, revocations, denials, cancellations, reinstatements, and other permanent records and, in connection therewith, maintain a driver's history by making suitable notations in order that an individual record of each licensee showing the convictions of such licensee, the departmental actions, and the traffic ~~accidents~~ CRASHES in which the licensee has been involved, except those

~~accidents~~ CRASHES not resulting in a conviction and those traffic violations which occur outside of the boundaries of this state, ~~shall~~ be readily ascertainable and available for the consideration of the department upon any application for renewal of license and at other suitable times.

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

(A) ~~Accident~~ CRASH reports;

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

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

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

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

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

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

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

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

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

(1) (a) Except as provided in ~~paragraph (b) of subsection (8)~~ SUBSECTION (8)(b) of this section, the department has the authority to suspend the license of any driver who, in accordance with the schedule of points set forth in this section, has been convicted of traffic violations resulting in the accumulation of twelve points or more within any twelve consecutive months or eighteen points or more within any twenty-four consecutive months, or, in the case of a minor driver eighteen years of age or older, who has accumulated nine points or more within any twelve consecutive months, or twelve points or more within any twenty-four consecutive months, or fourteen points or more for violations occurring after reaching the age of eighteen years, or, in the case of a minor driver under the age of eighteen years, who has accumulated more than five points within any twelve consecutive months or more than six points for violations occurring prior to reaching the age of eighteen years; except that the accumulation of points causing the subjection to suspension of the license of a chauffeur who, in the course of employment, has as a principal duty the operation of a motor vehicle ~~shall be~~ IS sixteen points in one year, twenty-four points in two years, or twenty-eight points in four years, if all the points are accumulated while said chauffeur is in the course of employment. Any provision of this section to the contrary notwithstanding, the license of a chauffeur who is convicted of DUI, DUI per se, DWAI, UDD, or leaving the scene of ~~an accident shall~~ A CRASH MUST be suspended in the same manner as if the offense occurred outside the course of employment. Whenever a minor driver under the age of eighteen years receives a summons for a traffic violation, the minor's parent or legal guardian or, if the minor is without parents or guardian, the person who signed the minor driver's application for a license ~~shall~~ MUST immediately be notified by the court from which the summons was issued.

(5) Point system schedule:

Type of conviction	Points
(a) Leaving scene of <del>accident</del> CRASH .....	12

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

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

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

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

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

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

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

**SECTION 41.** In Colorado Revised Statutes, 42-2-138, **amend** (3)

as follows:

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

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

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

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

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

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

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

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

(1) (b) (I) A person commits the crime of aggravated driving with a revoked license if ~~he or she~~ THE PERSON is found to be an habitual offender and thereafter operates a motor vehicle in this state while the revocation of the department prohibiting such operation is in effect and, as

a part of the same criminal episode, also commits any of the following offenses:

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

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

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

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

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

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

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

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

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

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

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

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

**42-4-221. Bicycle, electric scooter, and personal mobility device equipment - penalty - sale of electrical assisted bicycle equipment requirements - deceptive trade practice.**

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

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

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

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

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

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

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

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

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

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

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

(a.5) "Child restraint system" means a specially designed seating system that is designed to protect, hold, or restrain a child in a motor vehicle in such a way as to prevent or minimize injury to the child in the event of a motor vehicle ~~accident~~ CRASH that is either permanently affixed to a motor vehicle or is affixed to such vehicle by a safety belt or a universal attachment system, and that meets the federal motor vehicle safety standards set forth in section 49 CFR 571.213, as amended.

**SECTION 50.** In Colorado Revised Statutes, 42-4-237, **amend** (7)

as follows:

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

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

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

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

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

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

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

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

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

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

(I) Each such application ~~shall~~ MUST be for a single trip, a special permit, an annual permit, or, subject to the requirements of ~~paragraph (a)~~ of

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

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

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

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

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

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

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

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

**42-4-1301.1. Expressed consent for the taking of blood, breath,**

**urine, or saliva sample - testing - rules - definition.**

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

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

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

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

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

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

(3) (a) When ~~an accident~~ A CRASH occurs, or when requested to do

so following any lawful traffic contact or during any traffic investigation by a peace officer, an owner or operator of a motor vehicle or low-power scooter shall present to the requesting officer immediate evidence of a complying policy or certificate of self-insurance in full force and effect as required by law.

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

**42-4-1412. Operation of bicycles, electric scooters, and other human-powered vehicles.**

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

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

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

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

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

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

(a) A class 1 misdemeanor traffic offense if the ~~accident~~ CRASH

resulted in injury to any person;

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

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

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

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

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

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

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

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

(1) The driver of any vehicle involved in ~~an accident~~ A CRASH resulting in injury to, serious bodily injury to, or death of any person or damage to any vehicle which is driven or attended by any person shall give the driver's name, the driver's address, and the registration number of the

vehicle ~~he or she~~ THE DRIVER is driving and shall upon request exhibit his or her THEIR driver's license to the person struck or the driver or occupant of or person attending any vehicle collided with and where practical shall render to any person injured in such ~~accident~~ CRASH reasonable assistance, including the carrying, or the making of arrangements for the carrying, of such person to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if the carrying is requested by the injured person.

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

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

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

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

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

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

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

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

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

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

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

(4) (a) ~~(f)~~ 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~~ 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 the time they receive such information or complete their investigation. The law enforcement officer shall indicate in such report whether the inflatable restraint system in the vehicle, if any, inflated and deployed in the accident. 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).

~~(H) Repealed:~~

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

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

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

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

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

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

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

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

(1) The department shall prepare and upon request supply to police departments, coroners, sheriffs, and other suitable agencies or individuals forms for ~~accident~~ CRASH reports required under this ~~article~~ ARTICLE 4, which reports ~~shall~~ MUST call for sufficiently detailed information to disclose, with reference to a traffic ~~accident~~ CRASH, the contributing circumstances, the conditions then existing, and the persons and vehicles involved.

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

**SECTION 67.** 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~~ A CRASH involving a motor vehicle and the circumstances of such ~~accident~~ CRASH.

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

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

All ~~accident~~ CRASH reports and supplemental reports required by law to be made by any driver, owner, or person involved in any ~~accident~~ ~~shall~~ ~~be~~ CRASH ARE without prejudice to the individual so reporting and ~~shall be~~ ARE for the confidential use of the department; except that the department may disclose the identity of a person involved in ~~an accident~~ A CRASH when such identity is not otherwise known or when such person denies ~~his or her~~ THE PERSON'S presence at such ~~accident~~ CRASH. Except as provided in section 42-7-504 (2), no such report ~~shall~~ MAY be used as evidence in any trial, civil or criminal, arising out of ~~an accident~~ A CRASH; except that the department shall furnish, upon demand of any person who has, or claims to have, made such a report or upon demand of any court, a certificate

showing that a specified ~~accident~~ CRASH report has or has not been made to the department solely to prove a compliance or failure to comply with the requirement that such a report be made to the department. This section shall not be construed to mean that reports of investigation or other reports made by sheriffs, police officers, coroners, or other peace officers ~~shall be~~ ARE confidential, but the same ~~shall be~~ ARE public records and ~~shall be~~ ARE subject to the provisions of section 42-1-206.

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

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

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

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

**42-4-1612. Crashes 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~~ CRASH 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~~ A CRASH.

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

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

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

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

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

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

(1) Whenever a person is arrested for any violation of this article 4 punishable as a misdemeanor, the arrested person must be taken without unnecessary delay before a county judge who has jurisdiction of such offense as provided by law, in any of the following cases:

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

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

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

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

(1) Except as otherwise provided in subsection (2) of this section, if a person has been convicted of violating this ~~article~~ ARTICLE 4 or any

other law regulating the operation of motor vehicles other than a violation of section 42-4-1301, the court may require the defendant, at the defendant's expense, to attend and satisfactorily complete a course of instruction at any designated driver improvement school providing instruction in: The traffic laws of this state, recognition of hazardous traffic situations, and traffic ~~accident~~ CRASH prevention. Upon completion of the course, the court may suspend all or a portion of the fine or sentence of imprisonment. Unless otherwise provided by law, the school must be approved by the court.

(2) Whenever a minor under eighteen years of age has been convicted of violating any provision of this ~~article~~ ARTICLE 4 or other law regulating the operation of vehicles on highways, other than a traffic infraction, the court shall require the minor to attend and satisfactorily complete a course of instruction at any designated driver improvement school providing instruction in the traffic laws of this state, instruction in recognition of hazardous traffic situations, and instruction in traffic ~~accident~~ CRASH prevention. The court shall impose the driver improvement school requirement in addition to the penalty provided for the violation or as a condition of either the probation or the suspension of all or any portion of any fine or sentence of imprisonment for the violation. The minor, or the minor's parent or parents who appear in court with the minor in accordance with section 42-4-1716 (4), shall pay the cost of attending the designated driver improvement school. The courts shall make available information on scholarships and other financial assistance available to help minors or their parents offset the costs of driver improvement school. Unless otherwise provided by law, such school ~~shall~~ MUST be approved by the court.

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

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

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

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

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

(3) (b) A person authorized to download or retrieve data from an event data recorder may release the data in the following circumstances:

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

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

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

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

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

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

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

**accident CRASH.**

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

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

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

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

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

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

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

(14) (a) "Proof of financial responsibility for the future", also referred to in this ~~article~~ ARTICLE 7 as proof of financial responsibility, means proof of ability to respond in damages for liability, on account of ~~accidents~~ CRASHES occurring after the effective date of said proof, arising out of the ownership, maintenance, or use of a motor vehicle, in the amount

of twenty-five thousand dollars because of bodily injury to or death of one person in any one ~~accident~~ CRASH, and, subject to said limit for one person, in the amount of fifty thousand dollars because of bodily injury to or death of two or more persons in any one ~~accident~~ CRASH, and in the amount of fifteen thousand dollars because of injury to or destruction of property of others in any one ~~accident~~ CRASH.

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

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

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

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

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

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

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

42-2-119 (2).

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

(6) No policy or bond ~~shall be~~ IS effective under this section unless issued by an insurance company or surety company authorized to do business in this state, but the surety requirements of this section may be satisfied by evidence of a savings account, deposit, or certificate of deposit meeting the requirements of section 11-35-101. ~~C.R.S.~~ However, if a motor vehicle was not registered in this state, or if a motor vehicle was registered elsewhere than in this state at the effective date of the policy or bond, or the most recent renewal thereof, such policy or bond ~~shall~~ WILL not be effective under this section unless the insurance company or surety company, if not authorized to do business in this state, executes a power of attorney authorizing the director to accept, on its behalf, service of notice or process in any action upon such policy or bond arising out of such ~~accident~~ CRASH.

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

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

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

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

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

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

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

(2) In determining whether any person is exempt from the requirements of section 42-7-301, the director shall rely upon reports or other information submitted and, when requested by any person affected by ~~an accident~~ A CRASH to make a finding of fact, shall consider the report of the investigating officer, if any, the ~~accident~~ CRASH reports, and any affidavits of persons having knowledge of the facts.

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

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

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

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

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

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

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

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

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

(3)(a) It is the duty of any person having a claim against the security deposited under the provisions of section 42-7-301, on or before the expiration of one year from the date of the ~~accident~~ **CRASH**, to notify the director in writing under oath that there has been a release of liability, or a final adjudication of nonliability, or a warrant for confession of judgment, or a duly acknowledged agreement or that there is no action pending and no judgment rendered in any such action left unpaid or of any action taken on said claim which has not been finally determined.

**SECTION 81.** In Colorado Revised Statutes, 42-7-403, **amend** (1)

introductory portion, (1)(a), (1)(b), (1)(c), and (3) as follows:

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

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

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

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

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

(3) Whenever payment has been made in settlement of any claims for bodily injury, death, or property damage arising from a motor vehicle ~~accident~~ CRASH resulting in injury, death, or property damage to two or more persons in such ~~accident~~ CRASH, any such payment ~~shall~~ MUST be credited in reduction of the amounts provided for in this section.

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

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

After one judgment is satisfied and proof of financial responsibility is given as required in this ~~article~~ ARTICLE 7 and another such judgment is rendered against the judgment debtor for any ~~accident~~ CRASH occurring prior to the date of the giving of said proof and such person fails to satisfy the latter judgment within the amounts specified in this ~~article~~ ARTICLE 7 within thirty days after the same becomes final, the director shall again

suspend the license of such judgment debtor and shall not renew the same nor issue to the judgment debtor any license while such latter judgment remains in effect and unsatisfied within the amounts specified in this ~~article~~ ARTICLE 7.

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

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

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

(I) If an insured has been found guilty of DUI, DUI per se, or DWAI or if the insured's license has been revoked pursuant to section 42-2-126, other than a revocation under section 42-2-126 (3)(b) or (3)(e), only one time and no ~~accident~~ CRASH was involved in such offense, proof of financial responsibility for the future ~~shall be~~ IS required to be maintained only for as long as the insured's driving privilege is ordered to be under restraint, up to a maximum of three years. The time period for maintaining the future proof of liability insurance ~~shall begin~~ BEGINS at the time the driver reinstates ~~his or her~~ THE DRIVER'S driving privilege.

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

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

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

(a) Said insurance carrier shall execute a power of attorney authorizing the director to accept service on its behalf of notice or process

in any action arising out of a motor vehicle ~~accident~~ CRASH in this state.

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

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

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

(1) The director, upon request, shall cancel any bond or return any certificate of insurance, or the director shall direct and the state treasurer shall return to the person entitled thereto any money or securities deposited pursuant to this ~~article~~ ARTICLE 7 as proof of financial responsibility, or waive the requirement of filing proof of financial responsibility in any of the following events:

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

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

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

(4) Upon receipt of certification that the operating privilege of a resident of this state has been suspended or revoked in any such other state pursuant to a law providing for its suspension or revocation for failure to

deposit security for the payment of judgments arising out of a motor vehicle ~~accident~~ CRASH or for failure to deposit security and furnish a statement evidencing that the resident is insured under an automobile liability insurance policy or bond or for failure to file and maintain proof of financial responsibility, under circumstances which would require the director to suspend a nonresident's operating privilege had the ~~accident~~ CRASH occurred in this state, the director shall suspend the license of such resident. Such suspension shall continue until such resident furnishes evidence of compliance with the law of such other state relating to the deposit of such security and until such resident furnishes the statement evidencing automobile liability insurance or a bond, or, as the case may be, files proof of financial responsibility, if required by such law.

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

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

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

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

prima facie evidence of the facts contained therein. The director shall collect for each such certificate an amount sufficient to defray the costs of administration of this section. Such amount ~~shall~~ MUST be included as a cost of the action.

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

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

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

(2) (a) Every owner of a motor vehicle designed and used for the nonemergency transportation of individuals with disabilities as defined in ~~paragraph (b) of this subsection~~ (2) SUBSECTION (2)(b) OF THIS SECTION, before operating or permitting the operation of such vehicle upon any public highway in this state, shall file with the department a certificate evidencing a motor vehicle liability insurance policy issued by an insurance carrier or insurer authorized to do business in the state of Colorado or a surety bond issued by a company authorized to do a surety business in the state of Colorado with a minimum sum of fifty thousand dollars for damages to property of others; a minimum sum of one hundred thousand dollars for damages for or on account of bodily injury or death of one person as a result of any one ~~accident~~ CRASH; and, subject to such limit as to one person, a minimum sum of three hundred thousand dollars for or on account of bodily injury to or death of all persons as a result of any one ~~accident~~ CRASH.

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

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

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

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

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

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

**42-13-101. Scope and effect of article - exception to provisions.**

~~This article shall apply~~ ARTICLE 13 APPLIES to all personal property acquired or held by a law enforcement agency in the course of motor vehicle law enforcement or related highway duties and under circumstances supporting a reasonable belief that such property was abandoned, lost, stolen, or otherwise illegally possessed, including property left in abandoned vehicles or at vehicle ~~accident~~ CRASH locations, unclaimed property obtained by a search and seizure, and unclaimed property used as evidence in any criminal trial, except for such other personal property ~~as shall be~~ disposed of in a different manner in accordance with other Colorado statutes.

**SECTION 91.** In Colorado Revised Statutes, 42-20-203, **amend** (2) as follows:

**42-20-203. Carrying of permit and shipping papers.**

(2) In the event of an accident OR CRASH involving hazardous

materials, the operator of the motor vehicle shall provide the shipping papers to the emergency response authorities designated in or pursuant to article 22 of title 29 C.R.S., and immediately bring to their attention the fact that the motor vehicle is carrying hazardous materials.

**SECTION 92.** In Colorado Revised Statutes, **amend** 42-20-304 as follows:

**42-20-304. Emergency closure of public roads.**

Nothing in part 1, 2, or 3 of this ~~article shall limit~~ ARTICLE 20 LIMITS the authority of state and local authorities to close public roads temporarily if necessary because of any road construction or maintenance, an accident OR CRASH, a natural disaster, the weather conditions, or any other emergency circumstances resulting in making road conditions unsafe for travel by motor vehicles transporting hazardous materials.

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

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

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

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

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

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

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

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

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

(IV) "Negative impacts" means impacts that harm, damage, hurt, interfere with, or undermine the eligible local governmental entity, and include, but are not limited to:

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

**SECTION 96. Act subject to petition - effective date.**

(1) Except as otherwise provided in this section, 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.

(2) Section 67 of this act takes effect only if House Bill 26-1127 does not become law, in which case section 67 takes effect on the applicable effective date of this act.

---

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