

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

**PREAMENDED**

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

LLS NO. 25-1020.02 Renee Leone x2695

**SENATE BILL 25-281**

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**SENATE SPONSORSHIP**

**Carson and Snyder,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**

Judiciary  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING CARELESS DRIVING RESULTING IN SERIOUS BODILY**  
102     **INJURY.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Current law states that a person who commits careless driving and thereby causes bodily injury to another commits a class 1 misdemeanor. The bill adds that, in addition to the class 1 misdemeanor, a person who commits careless driving and thereby causes serious bodily injury to another may also be subject to driver's license suspension for up to one year.

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

The bill increases the penalty for a person who commits careless driving and thereby causes the death of another by:

- Increasing the penalty from a class 1 misdemeanor traffic offense to a class 6 felony; and
- Adding the possibility of driver's license suspension for up to one year.

Additionally, if a person commits careless driving and thereby causes the death of more than one other person, each person killed is a separate offense.

The bill requires that, if a person commits careless driving and thereby causes the death of another, a law enforcement agent shall administer testing to determine the drug or alcohol content within the person's system. A refusal to submit to the test is evidence of a violation.

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

2 **SECTION 1. In Colorado Revised Statutes, 42-4-1402, amend**  
3 **(2) as follows:**

4 **42-4-1402. Careless driving - penalty. (2) (a) Except as**  
5 **otherwise provided in paragraphs (b) and (c) of this subsection (2), any**  
6 **SUBSECTIONS (2)(b) AND (2)(c) OF THIS SECTION, A person who violates**  
7 **any provision of this section commits a class 2 misdemeanor traffic**  
8 **offense.**

9 **(b) If the person's actions are the proximate cause of bodily injury**  
10 **to another, such AN INDIVIDUAL, THE person commits a class 1**  
11 **misdemeanor traffic offense.**

12 **(c) (I) If the person's actions are the proximate cause of SERIOUS**  
13 **BODILY INJURY, AS DEFINED IN SECTION 18-1-901, OR death to another,**  
14 **such AN INDIVIDUAL, THE person commits a class 1 misdemeanor traffic**  
15 **offense.**

16 **(II) IF THE PERSON'S ACTIONS ARE THE PROXIMATE CAUSE OF**  
17 **SERIOUS BODILY INJURY, AS DEFINED IN SECTION 18-1-901, TO OR DEATH**  
18 **TO MORE THAN ONE INDIVIDUAL, EACH INDIVIDUAL INJURED OR KILLED IS**

1     A SEPARATE VIOLATION OF THIS SECTION.

2             **SECTION 2.** In Colorado Revised Statutes, 24-4.1-302, **amend**  
3     (1)(cc.5) as follows:

4             **24-4.1-302. Definitions.** As used in this part 3, and for no other  
5     purpose, including the expansion of the rights of any defendant:

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

9             (cc.5) Careless driving, in violation of section 42-4-1402 (2)(c),  
10    C.R.S., that results in the SERIOUS BODILY INJURY OR death of another  
11    person;

12            **SECTION 3. Applicability.** This act applies to offenses  
13    committed on or after the effective date of this act.

14            **SECTION 4. Safety clause.** The general assembly finds,  
15    determines, and declares that this act is necessary for the immediate  
16    preservation of the public peace, health, or safety or for appropriations for  
17    the support and maintenance of the departments of the state and state  
18    institutions.