

An Act

HOUSE BILL 25-1122

BY REPRESENTATIVE(S) Lieder and Richardson, Bacon, Boesenecker, Brown, Hamrick, Joseph, Story, Titone, Zokaie;
also SENATOR(S) Sullivan and Liston, Ball, Exum, Jodeh, Kipp, Marchman, Wallace, Weissman.

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

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

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

42-4-242. Automated driving systems - safe harbor. (1) SUBJECT TO SECTION 42-2-410, a person may use an automated driving system to drive a motor vehicle or to control a function of a motor vehicle if the system is capable of complying with every state and federal law that applies to the function that the system is operating.

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

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.

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

- (a) IS PHYSICALLY PRESENT IN THE COMMERCIAL MOTOR VEHICLE;
- (b) IS SEATED IN THE DRIVER'S SEAT OF THE COMMERCIAL MOTOR VEHICLE WHILE HAZARDOUS MATERIALS ARE BEING TRANSPORTED;
- (c) MONITORS THE PERFORMANCE OF THE COMMERCIAL MOTOR VEHICLE WHILE DRIVING ON THE ROADWAY; AND
- (d) INTERVENES, IF NECESSARY, TO AVOID ILLEGAL OR UNSAFE DRIVING OF THE COMMERCIAL MOTOR VEHICLE.

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

(3) A PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS A TRAFFIC INFRACTION AND IS SUBJECT TO THE PENALTIES SET FORTH IN SECTION 42-4-1701 (4)(a)(I)(A) AND (4)(g).

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

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

42-4-1701. Traffic offenses and infractions classified - penalties - penalty and surcharge schedule - repeal. (4) (a) (I) Except as provided in subsection (5)(c) of this section, every person who is convicted of, who admits liability for, or against whom a judgment is entered for a violation of this title 42 to which subsection (5)(a) or (5)(b) of this section applies shall be fined or penalized and have a surcharge levied in accordance with sections 24-4.1-119 (1)(f) and 24-4.2-104 (1)(b)(I), in accordance with the penalty and surcharge schedule set forth in subsections (4)(a)(I)(A) to (4)(a)(I)(S) of this section; or, if no penalty or surcharge is specified in the schedule, the penalty for class A and class B traffic infractions is fifteen dollars, and the surcharge is four dollars. These penalties and surcharges

apply whether the defendant acknowledges the defendant's guilt or liability in accordance with the procedure set forth by subsection (5)(a) of this section, is found guilty by a court of competent jurisdiction, or has judgment entered against the defendant by a county court magistrate. Penalties and surcharges for violating specific sections are as follows:

Section Violated	Penalty	Surcharge
(A) Driver's license violations:		
42-2-101	\$ 35.00	\$ 10.00
42-2-101 (2), (3), or (5)	15.00	6.00
42-2-103	15.00	6.00
42-2-105	70.00	10.00
42-2-105.5 (4)	65.00	10.00
42-2-106	70.00	10.00
42-2-115	35.00	10.00
42-2-116 (6)(a)	30.00	6.00
42-2-119	15.00	6.00
42-2-134	35.00	10.00
42-2-136	35.00	10.00
42-2-138	100.00	15.00
42-2-139	35.00	10.00
42-2-140	35.00	10.00
42-2-141	35.00	10.00
42-2-204	70.00	10.00
42-2-404	100.00	15.00
42-2-410	1,000.00	150.00

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

SECTION 4. Act subject to petition - effective date - applicability. (1) This act takes effect July 1, 2027; 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 the ninety-day period after final adjournment of the general assembly, 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 July 1, 2027, or on the date of the official declaration of the vote thereon by the governor, whichever is later.

(2) This act applies to offenses committed on or after 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