

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

INTRODUCED

LLS NO. 25-0316.01 Jery Payne x2157

HOUSE BILL 25-1122

HOUSE SPONSORSHIP

Lieder,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

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

Bill Summary

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

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

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

each subsequent offense.

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

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

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

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

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

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

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

16 (b) MONITORS THE PERFORMANCE OF THE COMMERCIAL MOTOR
17 VEHICLE WHILE DRIVING ON A ROADWAY; AND

18 (c) INTERVENES, IF NECESSARY, TO AVOID ILLEGAL OR UNSAFE
19 DRIVING OF THE COMMERCIAL MOTOR VEHICLE.

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

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

25 **42-4-1701. Traffic offenses and infractions classified -**

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

17	Section Violated	Penalty	Surcharge
18	(A) Driver's license violations:		
19	42-2-101	\$ 35.00	\$ 10.00
20	42-2-101 (2), (3), or (5)	15.00	6.00
21	42-2-103	15.00	6.00
22	42-2-105	70.00	10.00
23	42-2-105.5 (4)	65.00	10.00
24	42-2-106	70.00	10.00
25	42-2-115	35.00	10.00
26	42-2-116 (6)(a)	30.00	6.00
27	42-2-119	15.00	6.00

1	42-2-134	35.00	10.00
2	42-2-136	35.00	10.00
3	42-2-138	100.00	15.00
4	42-2-139	35.00	10.00
5	42-2-140	35.00	10.00
6	42-2-141	35.00	10.00
7	42-2-204	70.00	10.00
8	42-2-404	100.00	15.00
9	42-2-410	1,000.00	150.00

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

14 **SECTION 4. Act subject to petition - effective date -**
15 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
16 the expiration of the ninety-day period after final adjournment of the
17 general assembly; except that, if a referendum petition is filed pursuant
18 to section 1 (3) of article V of the state constitution against this act or an
19 item, section, or part of this act within such period, then the act, item,
20 section, or part will not take effect unless approved by the people at the
21 general election to be held in November 2026 and, in such case, will take
22 effect on the date of the official declaration of the vote thereon by the
23 governor.

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