

HB24-1051

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Mabrey

1 Amend the Finance Committee Report, dated March 25, 2024, page 7,
2 after line 5 insert:

3 "SECTION 8. In Colorado Revised Statutes, 40-10.1-116, amend
4 (3) as follows:

5 **40-10.1-116. Commission to notify local authorities -**
6 **procedure.** (3) (a) A person injured by the noncompliance of a motor
7 carrier with this ~~article~~ ARTICLE 10.1 or any other provision of law or an
8 order, decision, rule, direction, or requirement of the commission may
9 apply to a court of competent jurisdiction for the enforcement thereof, and
10 the court has jurisdiction to enforce obedience thereto by injunction or
11 other proper process, mandatory or otherwise, and to restrain the motor
12 carrier and its officers, agents, employees, or representatives from further
13 disobedience thereof, or to enjoin upon them obedience to the same, and
14 any person so injured has cause of action in damages and is privileged to
15 pursue the usual and proper remedies as in any other case.

16 (b) SUBSECTION (3)(a) OF THIS SECTION CREATES AN INDEPENDENT
17 CAUSE OF ACTION, WHICH IS NOT SUBJECT TO ADMINISTRATIVE
18 EXHAUSTION, AGAINST A TOWING CARRIER THAT VIOLATED THIS ARTICLE
19 10.1 OR ANY OTHER PROVISION OF LAW OR AN ORDER, DECISION, RULE,
20 DIRECTION, OR REQUIREMENT OF THE COMMISSION."

21 Renumber succeeding section accordingly.

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