

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

INTRODUCED

LLS NO. 17-0707.04 Jery Payne x2157

SENATE BILL 17-213

SENATE SPONSORSHIP

Hill and Moreno,

HOUSE SPONSORSHIP

Winter and Bridges, Lundeen

Senate Committees

Transportation

House Committees

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZATION FOR AUTOMATED DRIVING SYSTEMS TO**
102 **CONTROL MOTOR VEHICLES THROUGHOUT COLORADO.**

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 declares that the regulation of automated driving systems is a matter of statewide concern, and, therefore, local authorities are prohibited from regulating these systems. The use of automated driving systems is authorized if the system is capable of conforming to every state and federal law applying to driving. If not, a person testing a system is required to coordinate with the Colorado state patrol and the Colorado

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

department of transportation.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) Innovative technology in the form of automated driving
5 systems can save lives, improve mobility, and foster growth in the
6 economic vitality of our state;

7 (b) In 2016, more than 600 people died on Colorado roads and
8 highways, but because human error contributes to most crashes, the use
9 of automated driving systems could reduce traffic fatalities by up to 90
10 percent;

11 (c) Nationwide, 2016 saw more than 2 million crashes, which has
12 significant financial consequences;

13 (d) Automated driving systems provide mobility options for
14 people who are young, elderly, disabled, poor, or impaired;

15 (e) Automated driving systems offer a solution for cost-efficient
16 last-mile connections with existing public transit;

17 (f) Automated driving systems should create new jobs, job sectors,
18 and economic models, and the testing and deployment of these
19 technologies in Colorado will build on Colorado's reputation as a hub for
20 advanced technologies;

21 (g) The services being developed on platforms connected to the
22 this industry will generate investment, jobs, and income across many
23 sectors of the economy; and

24 (h) Colorado's best interest is served by expressly authorizing the
25 use of automated driving systems.

1 **SECTION 2.** In Colorado Revised Statutes, 42-1-102, **amend** the
2 introductory portion; and **add** (7.7) as follows:

3 **42-1-102. Definitions.** As used in articles 1 to 4 of this ~~title~~ TITLE
4 42, unless the context otherwise requires:

5 (7.7) "AUTOMATED DRIVING SYSTEM" MEANS TECHNOLOGY
6 INSTALLED ON A MOTOR VEHICLE THAT HAS THE CAPABILITY TO DRIVE A
7 MOTOR VEHICLE WITHOUT THE NEED FOR SUPERVISION OR CONTROL BY A
8 HUMAN DRIVER ON A PART-TIME OR FULL-TIME BASIS.

9 **SECTION 3.** In Colorado Revised Statutes, 42-4-110, **add** (6) as
10 follows:

11 **42-4-110. Provisions uniform throughout state.** (6) (a) THE
12 GENERAL ASSEMBLY HEREBY FINDS THAT THE USE OF AUTOMATED
13 DRIVING SYSTEMS WILL HELP PEOPLE WHO MAY HAVE DIFFICULTY
14 DRIVING, INCLUDING PEOPLE WHO ARE ELDERLY AND PEOPLE WITH
15 DISABILITIES, GAIN ACCESS TO GOODS AND SERVICES ESSENTIAL TO DAILY
16 LIFE. THIS ACCESS REQUIRES TRAVELING ACROSS AND IN MULTIPLE
17 JURISDICTIONS. THEREFORE, THE REGULATION OF AUTOMATED DRIVING
18 SYSTEMS IS A MATTER OF STATEWIDE CONCERN.

19 (b) LOCAL AUTHORITIES SHALL NOT BURDEN, REGULATE, OR
20 PROHIBIT THE USE OF ANY AUTOMATED DRIVING SYSTEM OR ANY MOTOR
21 VEHICLE EQUIPPED WITH AN AUTOMATED DRIVING SYSTEM. THIS
22 SUBSECTION (6) SUPERCEDES ANY AUTHORITY GRANTED TO LOCAL
23 AUTHORITIES UNDER SECTION 42-4-111.

24 **SECTION 4.** In Colorado Revised Statutes, **add** 42-4-242 as
25 follows:

26 **42-4-242. Automated driving systems - safe harbor.** (1) A
27 PERSON MAY USE AN AUTOMATED DRIVING SYSTEM TO DRIVE A MOTOR

1 VEHICLE OR TO CONTROL A FUNCTION OF A MOTOR VEHICLE IF THE SYSTEM
2 IS CAPABLE OF COMPLYING WITH EVERY STATE AND FEDERAL LAW THAT
3 APPLIES TO THE FUNCTION THAT THE SYSTEM IS OPERATING.

4 (2) ANY PROVISION IN ARTICLES 1 TO 3 OF THIS TITLE 42 AND THIS
5 ARTICLE 4 THAT BY ITS NATURE REGULATES A HUMAN DRIVER, INCLUDING
6 SECTION 42-2-101, WHICH REQUIRES THAT A HUMAN DRIVER BE LICENSED,
7 BUT NOT THE SAFE DRIVING OF A MOTOR VEHICLE, DOES NOT APPLY TO AN
8 AUTOMATED DRIVING SYSTEM.

9 (3) A PERSON WHO IS TESTING AN AUTOMATED DRIVING SYSTEM
10 THAT IS NOT CAPABLE OF COMPLYING WITH EVERY STATE AND FEDERAL
11 LAW THAT APPLIES TO THE FUNCTION THE SYSTEM IS OPERATING SHALL
12 COORDINATE THE TESTING WITH THE COLORADO STATE PATROL AND THE
13 COLORADO DEPARTMENT OF TRANSPORTATION.

14 **SECTION 5. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part will not take effect
21 unless approved by the people at the general election to be held in
22 November 2018 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.