

Senate Judiciary

04/16/2025 01:30 PM

SB25-281 Increase Penalties Careless Driving

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Lori Thorson For themselves	<p>The call to our family that my 31yr. old niece had been killed walking out of a gas station was beyond devastating. She was run over in the abdomen by the driver side front tire as he was pulling in to park. Kali and her unborn child both died within minutes. Included in her family are her 4 & 5yr old little boys that will now grow up without their mother.</p> <p>As if this wasn't enough, our 2nd gut punch came when we learned that the driver was charged with a misdemeanor of careless resulting in death. The current penalties are mere slap on the fingers for the loss & pain we've endured.</p> <p>Various state departments & other organizations have held numerous campaigns to increase awareness for responsible driving. I believe it's past time to join forces and increase the penalties to hold these negligent drivers accountable.</p> <p>Lori Thorson</p>
Jay Tiftickjian Against Colorado Criminal Defense Bar	<p>The Colorado Criminal Defense Bar opposes SB25-281 - Increase Penalties Careless Driving.</p> <p>Currently, and to the best of my knowledge, there is and has never been any felony offense where the mens rea is carelessness. No driver is perfect, and many of us have caused an accident at some point. While being impaired by alcohol or a substance, driving recklessly, texting, or being negligent can rise and often does rise to a felony level for many crimes, SB25-281 opens the door to anyone being exposed to a felony conviction regardless of their best behaviors.</p> <p>Currently, a careless driving with death causes a one-year driver's license suspension due to the points it assesses (12). Any felony involving a motor vehicle also causes a</p>

	<p>one-year driver's license revocation, so the driving consequence is the same regardless of whether a misdemeanor or felony.</p> <p>In addition, none of my clients convicted of careless driving resulting in death have received incarceration. Judges understand that this is a tragic situation for all involved. Sentences consist of public service, a fine, and a traffic safety class.</p> <p>For these reasons, the Colorado Criminal Defense Bar opposes SB25-281.</p> <p>Respectfully, Jay Tiftickjian</p>
--	---



LCS Committees <committees.lcs.ga@coleg.gov>

Support for Senate Bill 25-281

1 message

Dougherty, Michael <mdougherty@bouldercounty.gov>
To: "committees.lcs.ga@coleg.gov" <committees.lcs.ga@coleg.gov>

Wed, Apr 16, 2025 at 2:34 PM

I strongly support Senate Bill 25-281. I have been asked to testify by the family of Magnus White, as well as the advocates who worked with the sponsors on this bill. I appreciate all their efforts to improve our laws around vehicular fatalities. I had planned to testify virtually, but Zoom is down. So, the following are some very quick points in support.

The current misdemeanor charge for Careless Driving Resulting in Death does not reflect the loss to a victim's family and loved ones. It, also, diminishes the cause of the loss and does little to prevent or deter careless driving. It excuses the poor choices drivers make. A misdemeanor falls far short of acknowledging the impact of those choices: the loss of life.

Those who drive carelessly will still be able to receive non-prison sentences, including probation, community service, fines or jail.

A person who causes the death of more than one person should face a sentence for each death. This would make the statute more similar to other statutes and make it clear that the penalty applies to each victim.

Thank you. Best –

Michael

Michael Dougherty

District Attorney

Every Colorado law treats the death of a person due to another's actions as a felony, except one: killing a person with a vehicle. That's what I am here to support today and try to change. Please support SB25-281.

My name is Rebeca (Robye) Nothnagel and I am the victim of a distracted driving crash. The 18-year-old girl that hit me had no consequences from the crash, even though she told the police she was looking at her phone and didn't see me in the road until I hit her windshield. While the policeman told my friend at the crash site, situations like mine, the victim often dies (lucky for me I didn't) but the girl didn't even get a ticket for her actions. The policeman told my husband that the girl was very remorseful, so she didn't give her a ticket. Meanwhile, 8 years later I still have health issues from my crash.

This bill is about consequences and taking responsibility for their actions while driving a car. Lucky for me and my family I wasn't killed in this crash but for the people who kill someone with their actions in a car - there should be more consequences than the current misdemeanor charge and potentially one year in jail. When someone dies because of the actions of someone else, it means they were driving and not paying attention to the road and other people. They may have only lost focus for a few seconds, but this is not acceptable. We must do better.

I'm still horrified that the girl who hit me didn't get a ticket. I can't imagine what it would be like if I was dead and the person who hit me only got a misdemeanor fine and no jail time.

Consider if it was your family member, would you want the person to get a slap on the hand or have consequences that made them not do it again.

Please vote to support SB25-281 to increase the penalty to a felony.

Thank you!

Members of the Senate Judiciary Committee,

On behalf of Coloradans Organized for Responsible Driving (CORD), we would like to request your support of SB-281, Increase Penalties for Careless Driving.

This legislation is about choices. And the consequences of those choices.

In Colorado, a DUI resulting in a death is classified as vehicular homicide and is a Class 3 Felony. Conviction could lead to imprisonment for 4 - 12 years in the Colorado Department of Corrections, along with a possible fine of \$3,000 - \$750,000, with a mandatory 5-year parole period and a minimum one-year license revocation. Drinking and driving is a choice.

People need to be held accountable for their actions and the consequences of those actions. The current penalties associated with careless driving resulting in death are not equitable to the irreparable damage that is caused by these crashes. SB-281 increases careless driving resulting in death from a Class 1 misdemeanor to a Class 6 Felony.

Safe driving has three elements: Cognitive, visual and physical attention. If you are driving carelessly, it is likely that your concentration is not on your surroundings, your eyes are not on the road and your hands are not on the steering wheel. It is a choice to be distracted while you are driving.

The goal of legislation like this is to encourage a change of behavior, not to write more tickets.

If your child or spouse was killed by a careless driver, would you feel that a Class 1 misdemeanor with up to one year of jail time was a sufficient penalty?

We ask for your support of SB-281. Thank you.

Susan Dane
Coloradans Organized for Responsible Driving (CORD)

Every Colorado law treats the death of a person due to another's actions as a felony, except one: killing a person with a vehicle. That's what I am here to support today and try to change. Please support SB25-281.

My name is Rebeca (Robye) Nothnagel and I am the victim of a distracted driving crash. The 18-year-old girl that hit me had no consequences from the crash, even though she told the police she was looking at her phone and didn't see me in the road until I hit her windshield. While the policeman told my friend at the crash site, situations like mine, the victim often dies (lucky for me I didn't) but the girl didn't even get a ticket for her actions. The policeman told my husband that the girl was very remorseful, so she didn't give her a ticket. Meanwhile, 8 years later I still have health issues from my crash.

This bill is about consequences and taking responsibility for their actions while driving a car. Lucky for me and my family I wasn't killed in this crash but for the people who kill someone with their actions in a car - there should be more consequences than the current misdemeanor charge and potentially one year in jail. When someone dies because of the actions of someone else, it means they were driving and not paying attention to the road and other people. They may have only lost focus for a few seconds, but this is not acceptable. We must do better.

I'm still horrified that the girl who hit me didn't get a ticket. I can't imagine what it would be like if I was dead and the person who hit me only got a misdemeanor fine and no jail time.

Consider if it was your family member, would you want the person to get a slap on the hand or have consequences that made them not do it again.

Please vote to support SB25-281 to increase the penalty to a felony.

Thank you!