

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 16-0568.01 Yelana Love x2295

HOUSE BILL 16-1122

HOUSE SPONSORSHIP

Everett, Humphrey, Joshi, Klingenschmitt, Neville P., Priola, Ransom, Saine, Van Winkle

SENATE SPONSORSHIP

Hill and Marble, Grantham

House Committees
Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE USE OF REMOTE STARTER SYSTEMS ON UNATTENDED**
102 **VEHICLES.**

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://www.leg.state.co.us/billsummaries>.)

Current law prohibits the idling of an unattended vehicle. The bill makes an exception for vehicles with a remote starter system when the driver takes adequate security measures.

1 *Be it enacted by the General Assembly of the State of 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.

1 **SECTION 1.** In Colorado Revised Statutes, **amend** 42-4-1206 as
2 follows:

3 **42-4-1206. Unattended motor vehicle - definitions.** (1) ~~No~~ A
4 person driving or in charge of ~~a~~ **AN UNLOCKED** motor vehicle shall NOT
5 permit it to stand unattended without first stopping the engine, locking the
6 ignition, removing the key from the ignition, and effectively setting the
7 brake thereon. ~~and~~, When THE VEHICLE IS standing upon any grade, ~~said~~
8 THE person shall turn the front wheels to the curb or side of the highway
9 in such a manner as to prevent the vehicle from rolling onto the traveled
10 way.

11 (2) Any person who violates any provision of this section commits
12 a class B traffic infraction.

13 (3) THE USE OR OPERATION OF A REMOTE STARTER SYSTEM AND
14 ADEQUATE SECURITY MEASURES IS SUFFICIENT TO COMPLY WITH
15 SUBSECTION (1) OF THIS SECTION.

16 (4) AS USED IN THIS SECTION:

17 (a) "ADEQUATE SECURITY MEASURES" INCLUDES, BUT IS NOT
18 LIMITED TO:

19 (I) USING A VEHICLE THAT REQUIRES A KEY TO PUT THE VEHICLE
20 INTO GEAR AND MOVE THE VEHICLE;

21 (II) KEEPING A KEYLESS START FOB OUT OF PROXIMITY OF THE
22 VEHICLE; **OR**

23 (III) EMPLOYING STEERING WHEEL SECURITY DEVICES.

24 (b) "REMOTE STARTER SYSTEM" MEANS A DEVICE INSTALLED IN A
25 MOTOR VEHICLE THAT ALLOWS THE ENGINE OF THE VEHICLE TO BE
26 STARTED BY REMOTE OR RADIO CONTROL.

27 **(5) NOTHING IN THIS SECTION PREEMPTS OR OTHERWISE IMPAIRS**

1 THE POWER OF LOCAL AUTHORITIES TO ENFORCE OR ENACT ORDINANCES
2 OR RESOLUTIONS CONCERNING TIME LIMITS ON THE IDLING OF MOTOR
3 VEHICLES WITHIN ONE YEAR AFTER THE EFFECTIVE DATE OF SUBSECTION
4 (3) OF THIS SECTION.

5 **SECTION 2. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly (August
8 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
9 referendum petition is filed pursuant to section 1 (3) of article V of the
10 state constitution against this act or an item, section, or part of this act
11 within such period, then the act, item, section, or part will not take effect
12 unless approved by the people at the general election to be held in
13 November 2016 and, in such case, will take effect on the date of the
14 official declaration of the vote thereon by the governor.