

**Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 20-0186.01 Jacob Baus x2173

**HOUSE BILL 20-1118**

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**HOUSE SPONSORSHIP**

**Larson and Titone,**

**SENATE SPONSORSHIP**

**Hisey,**

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**House Committees**

Judiciary  
Finance  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE PENALTIES IMPOSED ON THE DRIVER OF A MOTOR**  
102                    **VEHICLE WHO CAUSES SERIOUS BODILY INJURY TO ANOTHER**  
103                    **PERSON.**

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**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>.)*

Current law makes it a class 1 traffic misdemeanor when careless driving of a motor vehicle causes serious bodily injury to a vulnerable road user. The bill changes serious bodily injury to a vulnerable road user to serious bodily injury to anyone.

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

HOUSE  
2nd Reading Unamended  
March 10, 2020

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-2-127, **amend**  
3 (5)(e.7) as follows:

4 **42-2-127. Authority to suspend license - to deny license - type**  
5 **of conviction - points.** (5) Point system schedule:

Type of conviction	Points
(e.7) CARELESS DRIVING RESULTING IN serious bodily injury to a <del>vulnerable road user</del> . . . . .	12

9 **SECTION 2.** In Colorado Revised Statutes, **amend** 42-4-1402.5  
10 as follows:

11 **42-4-1402.5. Careless driving resulting in serious bodily injury**  
12 **- prohibition - violations and penalties.** ~~(1) Definition.~~ As used in this  
13 section, unless the context otherwise requires, "~~vulnerable road user~~"  
14 means:

- 15 (a) ~~A pedestrian;~~
- 16 (b) ~~A person engaged in work upon a roadway or upon utility~~  
17 ~~facilities along a roadway;~~
- 18 (c) ~~A person providing emergency services within a right-of-way;~~
- 19 (d) ~~A peace officer who is outside a motor vehicle and performing~~  
20 ~~the peace officer's duties in a right-of-way;~~
- 21 (e) ~~A person riding or leading an animal; or~~
- 22 (f) ~~A person lawfully using any of the following on a public~~  
23 ~~right-of-way, crosswalk, or shoulder of the roadway:~~
  - 24 (I) ~~A bicycle, electrical assisted bicycle, tricycle, or other~~  
25 ~~pedal-powered vehicle;~~
  - 26 (II) ~~A farm tractor or similar vehicle designed primarily for farm~~

1 use;

2 ~~(III) A skateboard;~~

3 ~~(IV) Roller skates;~~

4 ~~(V) In-line skates;~~

5 ~~(VI) A scooter;~~

6 ~~(VII) A moped;~~

7 ~~(VIII) A motorcycle;~~

8 ~~(IX) An off-highway vehicle;~~

9 ~~(X) An animal-drawn, wheeled vehicle;~~

10 ~~(XI) Farm equipment;~~

11 ~~(XII) A sled;~~

12 ~~(XIII) An electric personal assistive mobility device;~~

13 ~~(XIV) A wheelchair;~~

14 ~~(XV) A baby stroller; or~~

15 ~~(XVI) A nonmotorized pull wagon.~~

16 ~~(2) (1) **Prohibition.** A person who drives a motor vehicle in~~  
17 ~~violation of section 42-4-1402 and whose actions are the proximate cause~~  
18 ~~of serious bodily injury, as defined in section 42-4-1601 (4)(b), to a~~  
19 ~~vulnerable road user ANOTHER PERSON commits infliction of CARELESS~~  
20 ~~DRIVING RESULTING IN serious bodily injury. to a vulnerable road user.~~

21 ~~(3) (2) **Violations and penalties.** (a) Infliction of CARELESS~~  
22 ~~DRIVING RESULTING IN serious bodily injury to a vulnerable road user is~~  
23 ~~a class 1 traffic misdemeanor.~~

24 (b) In addition to the penalties imposed in subsections ~~(3)(a) and~~  
25 ~~(3)(c)~~ SUBSECTIONS (2)(a) AND (2)(c) of this section, the court may order  
26 the violator to:

27 (I) Attend a driver improvement course in accordance with section

1 42-4-1717; and

2 (II) Perform useful public service for a number of hours, which  
3 must not exceed three hundred twenty hours, to be determined by the  
4 court in accordance with section 18-1.3-507.

5 (c) In addition to the penalties imposed in ~~subsections (3)(a) and~~  
6 ~~(3)(b)~~ SUBSECTIONS (2)(a) AND (2)(b) of this section, a person who is  
7 convicted of violating this section is subject to:

8 (I) License suspension in accordance with section 42-2-127; and

9 (II) An order of restitution under part 6 of article 1.3 of title 18.

10 **SECTION 3. Act subject to petition - effective date -**  
11 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
12 the expiration of the ninety-day period after final adjournment of the  
13 general assembly (August 5, 2020, if adjournment sine die is on May 6,  
14 2020); except that, if a referendum petition is filed pursuant to section 1  
15 (3) of article V of the state constitution against this act or an item, section,  
16 or part of this act within such period, then the act, item, section, or part  
17 will not take effect unless approved by the people at the general election  
18 to be held in November 2020 and, in such case, will take effect on the  
19 date of the official declaration of the vote thereon by the governor.

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