

**Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 10-0196.01 Jason Gelender

HOUSE BILL 10-1014

HOUSE SPONSORSHIP

McFadyen, Baumgardner, Fischer, Frangas, King S., Looper, Primavera, Tyler

SENATE SPONSORSHIP

Spence, Gibbs, Romer, Williams

House Committees

Transportation & Energy

Senate Committees

Transportation

A BILL FOR AN ACT

101 **CONCERNING ANNUAL REPORTING TO THE GENERAL ASSEMBLY OF**
102 **FATAL ACCIDENTS IN STATE HIGHWAY WORK AREAS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Transportation Legislation Review Committee. The bill requires the department of transportation and the Colorado state patrol to annually present a joint report to the transportation and energy committee of the house of representatives and the transportation committee of the senate regarding fatal accidents occurring in state highway work areas.

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.*

SENATE
2nd Reading Unam ended
February 24, 2010

HOUSE
3rd Reading Unam ended
February 4, 2010

HOUSE
Am ended 2nd Reading
February 3, 2010

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

2 **SECTION 1.** Part 16 of article 4 of title 42, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
4 read:

5 **42-4-1612. Accidents in state highway work areas - annual**
6 **reporting by department of transportation and Colorado state patrol.**

7 (1) ON OR BEFORE FEBRUARY 15, 2011, AND ON OR BEFORE FEBRUARY 15
8 OF EACH SUCCEEDING YEAR, THE DEPARTMENT OF TRANSPORTATION AND
9 THE COLORADO STATE PATROL SHALL PRESENT A JOINT REPORT TO THE
10 TRANSPORTATION AND ENERGY COMMITTEE OF THE HOUSE OF
11 REPRESENTATIVES AND THE TRANSPORTATION COMMITTEE OF THE
12 SENATE, OR ANY SUCCESSOR COMMITTEES, REGARDING FATAL ACCIDENTS
13 IN STATE HIGHWAY WORK AREAS DURING THE PRECEDING YEAR. THE
14 REPORT SHALL INCLUDE, AT A MINIMUM:

15 (a) A SUMMARY OF THE TOTAL NUMBER OF FATAL ACCIDENTS AND
16 THE TOTAL NUMBER OF INDIVIDUALS KILLED;

17 (b) A CATEGORIZATION OF THE TOTAL NUMBER OF INDIVIDUALS
18 KILLED THAT IDENTIFIES THE INDIVIDUALS AS EMPLOYEES OF THE
19 DEPARTMENT OF TRANSPORTATION, EMPLOYEES OF CONTRACTORS OR
20 SUBCONTRACTORS WORKING ON A PROJECT FOR THE DEPARTMENT, OR
21 OTHER INDIVIDUALS;

22 (c) A COPY OF THE ACCIDENT REPORTING FORM FOR EACH FATAL
23 ACCIDENT;

24 (d) A DESCRIPTION OF BOTH ONGOING AND NEWLY IMPLEMENTED
25 MEASURES TAKEN BY THE DEPARTMENT OF TRANSPORTATION TO PREVENT
26 FATAL ACCIDENTS IN STATE HIGHWAY WORK AREAS.

27 (2) FOR PURPOSES OF THIS SECTION, "STATE HIGHWAY WORK

1 AREA" INCLUDES ANY AREA WHERE AN EMPLOYEE OF THE DEPARTMENT OF
2 TRANSPORTATION IS WORKING AT THE TIME A FATAL ACCIDENT OCCURS.

3 (3) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE
4 THE DEPARTMENT OF TRANSPORTATION OR THE COLORADO STATE PATROL
5 TO SPECIFICALLY IDENTIFY BY NAME ANY INDIVIDUAL KILLED, INJURED, OR
6 OTHERWISE INVOLVED IN AN ACCIDENT.

7 **SECTION 2. Act subject to petition - effective date.** This act
8 shall take effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly (August
10 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
11 referendum petition is filed pursuant to section 1 (3) of article V of the
12 state constitution against this act or an item, section, or part of this act
13 within such period, then the act, item, section, or part shall not take effect
14 unless approved by the people at the general election to be held in
15 November 2010 and shall take effect on the date of the official
16 declaration of the vote thereon by the governor.