

Second Regular Session  
Sixty-sixth General Assembly  
STATE OF COLORADO

**PREAMENDED**

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

LLS NO. 08-0737.01 Kate Meyer

**HOUSE BILL 08-1104**

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**HOUSE SPONSORSHIP**

**Marostica,**

**SENATE SPONSORSHIP**

**Brophy,**

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**House Committees**  
Judiciary

**Senate Committees**  
Judiciary

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**A BILL FOR AN ACT**

101 **CONCERNING VIOLATIONS OF TRAFFIC RIGHTS-OF-WAY RESULTING IN**  
102 **BODILY INJURY OR DEATH.**

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**Bill Summary**

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

Creates a new misdemeanor traffic offense, the "aggravated right-of-way offense", to apply when bodily injury or death has been proximately caused by a violation of traffic rights-of-way. Establishes a penalty for committing an aggravated right-of-way offense.

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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.*

HOUSE  
3rd Reading Unamended  
February 27, 2008

HOUSE  
Amended 2nd Reading  
February 25, 2008

1           **SECTION 1.** Part 7 of article 4 of title 42, Colorado Revised  
2 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
3 read:

4           **42-4-713. Aggravated right-of-way offense - violation resulting**  
5 **in death - penalty - repeal.** (1) IF THE VIOLATION OF A RIGHT-OF-WAY  
6 PROVISION OF THIS PART 7 IS THE PROXIMATE CAUSE OF BODILY INJURY OR  
7 DEATH TO ANOTHER PERSON, THE VIOLATOR COMMITS AN AGGRAVATED  
8 RIGHT-OF-WAY OFFENSE.

9           (2) ANY PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS  
10 1 MISDEMEANOR TRAFFIC OFFENSE AND SHALL BE PUNISHED AS PROVIDED  
11 IN SECTION 42-4-1701.

12           (3) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2011.

13           **SECTION 2. Safety clause.** The general assembly hereby finds,  
14 determines, and declares that this act is necessary for the immediate  
15 preservation of the public peace, health, and safety.