

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0013.01 Gregg Fraser

HOUSE BILL 11-1059

HOUSE SPONSORSHIP

Swalm,

SENATE SPONSORSHIP

(None),

House Committees
Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A RESTRICTION ON FEES CHARGED BY LOCAL
102 GOVERNMENTS FOR COSTS INCURRED IN CONNECTION WITH
103 RESPONDING TO MOTOR VEHICLE ACCIDENTS.

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>.)

The bill prohibits local governments from imposing a fee or seeking reimbursement for costs incurred by police officers, firefighters, and other first responders in connection with responding to a motor vehicle accident, with exceptions for certain costs for cleaning up

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.

hazardous materials and costs incurred in connection with providing ambulance service.

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

2 **SECTION 1.** Part 10 of article 1 of title 29, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
4 read:

5 **29-1-1003. Prohibition of fees for first-responder services -**
6 **exceptions.** ON AND AFTER DECEMBER 31, 2011, NOTWITHSTANDING ANY
7 LAW TO THE CONTRARY, A LOCAL GOVERNMENT SHALL NOT IMPOSE A FEE
8 OR SEEK REIMBURSEMENT FOR ANY COSTS OR EXPENSES THAT MAY BE
9 INCURRED FOR SERVICES PROVIDED BY A LAW ENFORCEMENT OFFICER,
10 FIREFIGHTER, EMERGENCY MEDICAL TECHNICIAN, PARAMEDIC, OR OTHER
11 FIRST RESPONDER WHO IS EMPLOYED BY A PUBLIC ENTITY, INCLUDING
12 COSTS OR EXPENSES RELATED TO PERSONNEL, SUPPLIES, MOTOR VEHICLES,
13 OR EQUIPMENT IN RESPONSE TO A MOTOR VEHICLE ACCIDENT, EXCEPT FOR
14 COSTS TO CONTAIN OR CLEAN UP HAZARDOUS MATERIALS WHERE
15 SPECIFICALLY PROVIDED FOR BY LAW OR FOR TRANSPORTATION AND
16 TREATMENT PROVIDED IN CONNECTION WITH THE PROVISION OF
17 AMBULANCE SERVICE. FOR PURPOSES OF THIS SECTION, "LOCAL
18 GOVERNMENT" SHALL HAVE THE SAME MEANING AS SET FORTH IN SECTION
19 29-1-602.

20 **SECTION 2.** 32-1-1002 (1) (e) (I), Colorado Revised Statutes, is
21 amended to read:

22 **32-1-1002. Fire protection districts - additional powers and**
23 **duties.** (1) In addition to the powers specified in section 32-1-1001, the
24 board of any fire protection district has the following powers for and on
25 behalf of such district:

1 (e) To fix and from time to time increase or decrease fees and
2 charges as follows, and the board may pledge such revenue for the
3 payment of any indebtedness of the district:

4 (I) For ambulance or emergency medical services, ~~and extrication,~~
5 ~~rescue, or safety services provided in furtherance of ambulance or~~
6 ~~emergency medical services. "Extrication, rescue, or safety services"~~
7 ~~includes but is not limited to any:~~

8 (A) ~~Services provided prior to the arrival of an ambulance;~~

9 (B) ~~Rescue or extrication of trapped or injured parties at the scene~~
10 ~~of a motor vehicle accident; and~~

11 (C) ~~Lane safety or blocking provided by district equipment.~~

12 **SECTION 3. Act subject to petition - effective date.** This act
13 shall take effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly (August
15 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
16 referendum petition is filed pursuant to section 1 (3) of article V of the
17 state constitution against this act or an item, section, or part of this act
18 within such period, then the act, item, section, or part shall not take effect
19 unless approved by the people at the general election to be held in
20 November 2012 and shall take effect on the date of the official
21 declaration of the vote thereon by the governor.