

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0993.01 Richard Sweetman x4333

SENATE BILL 14-170

SENATE SPONSORSHIP

Todd and King,

HOUSE SPONSORSHIP

Kraft-Tharp and Coram,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 CONCERNING THE AUTHORITY OF A VEHICLE THAT IS BEING USED TO
102 ESCORT A FUNERAL.

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 expands the statutory definition of "authorized emergency vehicle" to include privately owned vehicles that are designated as such by the state motor vehicle licensing agency (agency) for the limited purpose of escorting funeral processions. If the agency designates a vehicle as an authorized emergency vehicle for the purpose of escorting a funeral procession, the vehicle is an authorized emergency vehicle only

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.

while the vehicle is being used for this purpose.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-1-102, **amend** (6)
3 as follows:

4 **42-1-102. Definitions.** As used in articles 1 to 4 of this title,
5 unless the context otherwise requires:

6 (6) "Authorized emergency vehicle" means ~~such~~ FIRE
7 DEPARTMENT vehicles, ~~of the fire department,~~ police vehicles,
8 ambulances, and other special-purpose vehicles ~~as~~ THAT are publicly
9 owned and operated by or for a governmental agency to protect and
10 preserve life and property in accordance with state laws regulating
11 emergency vehicles. ~~said term also means~~ The following VEHICLES ARE
12 ALSO AUTHORIZED EMERGENCY VEHICLES if THEY ARE equipped and
13 operated as emergency vehicles in the manner prescribed by state law:

14 (a) Privately owned vehicles ~~as~~ THAT are designated by the state
15 motor vehicle licensing agency necessary to the preservation of life and
16 property; ~~or~~

17 (b) Privately owned tow trucks THAT ARE approved by the public
18 utilities commission to respond to vehicle emergencies; AND

19 (c) PRIVATELY OWNED VEHICLES THAT ARE AUTHORIZED BY THE
20 STATE MOTOR VEHICLE LICENSING AGENCY PURSUANT TO SECTION
21 42-4-108 (5) TO BE USED FOR THE PURPOSE OF ESCORTING FUNERAL
22 PROCESSIONS; EXCEPT THAT SUCH A VEHICLE IS AN "AUTHORIZED
23 EMERGENCY VEHICLE" ONLY WHILE THE VEHICLE IS BEING USED FOR THIS
24 PURPOSE.

25 **SECTION 2.** In Colorado Revised Statutes, 42-4-108, **amend** (5)

1 as follows:

2 **42-4-108. Public officers to obey provisions - exceptions for**
3 **emergency vehicles.** (5) (a) The state motor vehicle licensing agency
4 shall designate any particular vehicle as an authorized emergency vehicle
5 upon a finding that the designation of that vehicle is necessary to the
6 preservation of life or property or to the execution of emergency
7 governmental functions. THE STATE MOTOR VEHICLE LICENSING AGENCY
8 SHALL ALSO DESIGNATE A VEHICLE AS AN AUTHORIZED EMERGENCY
9 VEHICLE IF THE VEHICLE WILL BE USED FOR THE PURPOSE OF ESCORTING A
10 FUNERAL PROCESSION; EXCEPT THAT SUCH A VEHICLE IS AN "AUTHORIZED
11 EMERGENCY VEHICLE" ONLY WHILE THE VEHICLE IS BEING USED FOR THIS
12 PURPOSE.

13 (b) ~~Such~~ THE STATE MOTOR VEHICLE LICENSING AGENCY SHALL
14 ISSUE A designation ~~shall be~~ DESCRIBED IN PARAGRAPH (a) OF THIS
15 SUBSECTION (5) in writing, and THE OPERATOR OF THE VEHICLE ~~shall be~~
16 ~~carried~~ CARRY THE WRITTEN DESIGNATION in the vehicle at all times, but
17 failure to carry the written designation ~~shall~~ DOES not affect the status of
18 the vehicle as an authorized emergency vehicle.

19 **SECTION 3. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act
25 within such period, then the act, item, section, or part will not take effect
26 unless approved by the people at the general election to be held in

- 1 November 2014 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.