



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 26-1286: AUTOMATED DRIVING SYSTEM COMMERCIAL VEHICLES

Prime Sponsors:

Rep. Lieder; Richardson
Sen. Kolker; Liston

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Fiscal note status: The revised fiscal note reflects the reengrossed bill.

Summary Information

Overview. The bill creates a penalty for an individual that uses an automated driving system to drive a commercial vehicle without meeting certain conditions.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Revenue
- State Expenditures
- Local Government

Appropriations. For FY 2026-27, the bill requires and includes an appropriation of \$14,357 to the Department of Revenue.

Table 1
State Fiscal Impacts

| Type of Impact | Budget Year FY 2026-27 | Out Year FY 2027-28 |
|---------------------------------|---------------------------|------------------------|
| State Revenue | \$0 | \$0 |
| State Expenditures (Cash Funds) | \$14,357 | \$0 |
| Transferred Funds | \$0 | \$0 |
| Change in TABOR Refunds | \$0 | \$0 |
| Change in State FTE | 0.0 FTE | 0.0 FTE |

Summary of Legislation

The bill prevents a person from using an automated driving system to drive a commercial vehicle with a gross vehicle weight rating of 26,001 pounds or more on a highway unless an individual who holds a commercial driver license is:

- in the cab of the vehicle and prepared to intervene, if necessary, to avoid illegal or unsafe driving;
- seated in the driver's seat if hazardous materials are being transported; and,
- monitors the performance of the vehicle.

A violation of the bill is a class A traffic infraction, for which the penalty is—along with a \$150 surcharge—\$1,000 for a first offense, \$2,000 for a second offense, and double for each subsequent offense. The bill does not apply to a light-duty vehicle or a truck-mounted attenuator.

The Colorado State Patrol is also required to analyze the measure's effects on commercial vehicle safety on highways and, by November 1, 2030, report its recommendations to the General Assembly. These provisions are repealed September 1, 2031.

Comparable Crime Analysis

Legislative Council Staff is required to include certain analysis in the fiscal note for any bill that creates a new crime, or that either reclassifies or creates a new factual basis for an existing crime. This section identifies comparable crimes and discusses assumptions on future conviction rates resulting from the bill.

Prior Conviction Data

This bill creates the new offense of using an automated driving system to drive a commercial vehicle without a licensed driver present in the vehicle, or using an automated driving system to drive a commercial vehicle transporting hazardous materials without a licensed driver in the driver's seat, a class A traffic infraction. To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing class B traffic infraction of failing to have a copy of a hazardous materials transportation permit in the cab of a vehicle transporting hazardous materials as a comparable crime. From FY 2022-23 to FY 2024-25, 4 have been convicted and sentenced for this existing offense. Of the persons convicted, all 4 were male. Demographically, 3 were White and 1 was Hispanic. Based on this, the fiscal note assumes that there will be minimal or no additional case filings or convictions for the new offense under the bill. Visit the [Fiscal Notes website](#) for more information about criminal justice costs in fiscal notes.

State Revenue

The bill may increase revenue from any fines and surcharges issued for the new traffic offense. Fine revenue is credited to the Highway Users Tax Fund, and revenue from surcharges is credited to Judicial Department cash funds. The fiscal note assumes the new offense will result in few additional case filings or convictions, and that any revenue impacts will be minimal. Fine revenue is subject to TABOR.

State Expenditures

The bill increases state expenditures in the Department of Revenue by about \$14,000 in FY 2026-27 only from the DRIVES Cash Fund, and minimally affects workload in the Department of Public Safety and the Judicial Department.

Department of Revenue

In FY 2026-27 only, the bill increases state expenditures from the DRIVES Cash Fund in the DOR by \$14,357 to conduct DRIVES programming to create common codes for the new traffic offense. Programming costs assume 40 hours at a rate of \$260 per hour for a total cost of \$10,400. Testing and development support is estimated to require 39 hours at between \$41 and \$112 per hour for a total cost of \$2,337. Office of Information Technology (OIT) support requirements are estimated at 15 hours at a rate of \$108 per hour for a total cost of \$1,620, which will be allocated to DOR and paid to OIT via real time billing.

Department of Public Safety—Colorado State Patrol

The bill increases workload for the Colorado State Patrol (CSP) in the Department of Public Safety to train state troopers on the new law and program the new offense into CSP software. Troopers may need more time on certain traffic stops to ensure commercial drivers are compliant with the bill. The CSP will also be required to analyze the bill's impacts on commercial vehicle safety on highways, and issue a report to the General Assembly by November 1, 2030. These workload impacts are absorbable with existing resources and no appropriation is required.

Judicial Department

The bill may increase workload in the trial courts and financial services division of the Judicial Department to address any new traffic cases brought to the courts. The fiscal note assumes a high level of compliance and that any impact to the department will be minimal and absorbable with existing resources. There bill also minimally increases programming workload for the department to perform law table updates and auto-apply updates for new traffic offenses.

Local Government

Similar to the state, any increase in revenue and workload from additional municipal court filings and traffic fines is expected to be minimal.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature. It applies to offenses committed on or after this date.

State Appropriations

For FY 2026-27, the bill requires and includes an appropriation of \$14,357 from the DRIVES Cash Fund to the Department of Revenue.

State and Local Government Contacts

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|----------------|----------------|
| Counties | Public Safety |
| Judicial | Revenue |
| Municipalities | Transportation |