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0381 Highway Legislation Review Committee



**Highway
Legislation
Review
Committee**

**Report to the
COLORADO
GENERAL ASSEMBLY**

**Colorado Legislative Council
Research Publication No. 381
December 1993**

RECOMMENDATIONS FOR 1994

**HIGHWAY LEGISLATION REVIEW
COMMITTEE**

**Report to the
Colorado General Assembly**

**Research Publication No. 381
December 1993**

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LEGISLATIVE COUNCIL

ROOM 029 STATE CAPITOL
DENVER, COLORADO 80203-1784
(303) 866-3521 FAX: 866-3855 TDD: 866-3472

December 17, 1993

To Members of the Fifty-Ninth Colorado General Assembly:

Submitted herewith is the final report for the Highway Legislative Review Committee. The committee was reconstituted pursuant to Section 43-2-145, C.R.S. (Senate Bill 36, 1986 Session). The purpose of the committee is "to give guidance and direction to the state Department of Highways [now the Department of Transportation] in the development of the state system of highways, and to provide legislative overview of and input into such development..."

At its meeting on November 15, the Legislative Council reviewed this report. A motion to forward the report and the recommendations of the Highway Legislative Review Committee was approved.

Respectfully submitted,

/s/ Representative Paul Schauer
Chair
Colorado Legislative Council

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HIGHWAY LEGISLATION REVIEW COMMITTEE

Members of the Committee

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Senator Dick Mutzebaugh, Vice
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Representative Lew Entz
Representative Vi June
Senator Elsie Lacy
Senator Bill Thiebaut

Ms. Marian Cushing
Mr. Burl Scherler
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Legislative Council Staff

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Principal Analyst II

Geffory Johnson
Research Associate

Office of Legislative Legal Services

Helen Baldwin
Staff Attorney

Michelle Brown
Staff Attorney

EXECUTIVE SUMMARY

Statutory Authority and Responsibilities

The Highway Legislation Review Committee (HLRC) was originally established in 1953 as part of the legislative reorganization of the state highway system which restructured the relationship between state highway, county road, and municipal street systems (Section 43-2-101, C.R.S.). The committee's original charge was to review the implementation and impact of these new highway systems. Currently, the committee is composed of six members of the General Assembly (three from the House and three from the Senate) and five citizen members appointed by the governor. The HLRC was reconstituted in 1986 "to give guidance and direction to the state Department of Highways in the development of the state system of highways and to provide legislative overview of and input into such development."

Committee Activities

The committee met for five days during the 1993 interim. The following items were considered: the 1992 performance audit of the Department of Transportation, DRCOG Transportation Finance Committee, traffic law recodification, E-470 Public Highway Authority, state highway access codes, RTD light rail transit project, Denver International Airport, RTD Bus/High Occupancy Vehicle lanes, RTD paratransit service, Intermodal Surface Transportation Efficiency Act, Clean Air Act Amendments, and the impact of Amendment #1 to the Colorado Constitution on transportation finance.

The HLRC also reviewed proposed legislation from the state's Department of Transportation, the Motor Vehicle Division of the Department of Revenue, and the Traffic Law Advisory Committee. The ten bills which are recommended by the committee are summarized below.

Committee Recommendations

Bill 1 - Recodification of Traffic Laws

Bill 1 recodifies and centralizes the traffic code in Title 42, C.R.S. The bill is the result of a recodification effort conducted by the HLRC pursuant to H.B. 91-1106, with assistance from the Advisory Committee on Traffic Law Recodification. The bill relocates relevant sections of law to Title 42, makes eight substantive changes in law, and makes three technical changes.

Bill 2 - Traffic Offense Penalty and Surcharge Schedule

Bill 2 revises the penalty and surcharge schedule applicable to traffic offenses. The bill changes the penalties for Class A and Class B traffic infractions from \$10 and

\$5 respectively, to \$15 for both. The surcharge for said offenses is set at \$2 for either class. The bill alters the fine and surcharge schedule for more than a dozen offenses. The new fine and fee schedule would take effect January 1, 1995.

Bill 3 - Unlawful Production of Identification Cards

Bill 3 prohibits the production of any identification card in such a manner that it could be mistaken for a valid Colorado identification card. The bill further prohibits the display or possession of such illegally produced cards. Under the bill, producing a counterfeit card would be a class 3 misdemeanor.

Bill 4 - Time Limitation for Renewal of Driver's License

Bill 4 is intended to eliminate the 90-day limitation on renewing a driver's license before it expires and the requirement that the applicant appear in person. The bill would make the license renewal process more convenient for the user by allowing renewal at any time prior to the expiration date.

Bill 5 - Removal of Material Obstructing a Highway Right-of-Way

Bill 5 permits employees of state and local government to remove any vehicle, cargo, or debris obstructing a highway right-of-way. The bill also eliminates the liability of state and local government employees who remove obstructions from highways.

Bill 6 - Right-of Way Fences

Bill 6 requires that the Department of Transportation make repairs, upon receiving notice, to existing right-of-way fences in agriculturally zoned areas adjacent to federal aid highways. The bill regulates the removal and replacement of such fences and the erection of new fences. The bill provides that neither landowners nor the department is liable for any damages caused by livestock if both agree to remove or not erect a fence, and if the landowner does not maintain livestock on land adjacent to the right-of-way.

Bill 7 - Highway Legislation Review Committee Name Change

Bill 7 changes the name of the Highway Legislation Review Committee to the Transportation Legislation Review Committee and makes conforming amendments.

Bill 8 - Interstate Cooperative Agreements - Oversize and Overweight Vehicles

Bill 8 authorizes the executive director of the Department of Transportation to enter into agreements with other western regional states concerning the regional operation or movement of nondivisible oversize or overweight vehicles. The bill allows for the establishment of a regional permit system which includes operation or movement of such vehicles from one state to another under a single-trip permit. The bill gives

other states the authority to issue such permits for operation on Colorado highways and provides for the enforcement of weight and size restrictions.

Bill 9 - Extension of Duties - Traffic Law Advisory Committee

Bill 9 requires that the Highway Legislation Review Committee review the driver's license point system to determine whether it is appropriate to eliminate, alter or replace the system.

Bill 10 - Repeal of Highway Maintenance of Local Effort Requirement

Bill 10 repeals the highway maintenance of local effort statute and makes a conforming amendment. In 1989 the General Assembly enacted legislation to increase gasoline and special fuels taxes (H.B. 89-1012). The bill included a section referred to as "maintenance of local effort (MOE)" (Section 43-2-132.5 (5)(c) CRS). The provisions of the MOE were to ensure that local road and bridge funds would not be reduced subsequent to assessment of new state taxes. Proponents of the bill argue that, since the 1992 enactment of "Amendment 1," local governments are exempt from the MOE provisions.

HIGHWAY LEGISLATION REVIEW COMMITTEE REPORT

Statutory Authority and Responsibilities

The Highway Legislation Review Committee (HLRC) was originally established in 1953 as part of the legislative reorganization of the state highway system which restructured the relationship between state highway, county road, and municipal street systems (Section 43-2-101, C.R.S.). The committee's original charge was to review the implementation and impact of these new highway systems. Committee members at that time were appointed by the governor every five years and included eight members of the General Assembly and seven non-legislative members "from such highway advisory groups as the governor shall select." Currently, the committee is composed of six members of the General Assembly (three from the House and three from the Senate) and five citizen members appointed by the governor.

The HLRC was reconstituted in 1986 "to give guidance and direction to the state Department of Highways in the development of the state system of highways and to provide legislative overview of and input into such development." This mandate included consultation with experts in highway construction and planning, review of the Department of Highway's (now the Department of Transportation's) operations and projects, review of department performance audits, and recommendations concerning the financing of roads and mass transit in the state. The committee's oversight responsibility has been expanded in recent years to include: the activities of public highway authorities (Section 43-4-501, C.R.S.); the privatization of bus routes by the Regional Transportation District (RTD) (Section 32-9-119.5(8), C.R.S.); and the review and recodification of state traffic laws as required by House Bill 91-1106 (Section 43-2-145.5, C.R.S.). The committee also has statutory responsibility to study such diverse topics as RTD's farebox recovery ratio; utilization of high-occupancy vehicle highway lanes; and the operation of state bicycle safety laws. In 1990, the General Assembly repealed the HLRC sunset provision and added the requirement that the committee meet at least once a year.

Committee Activities

The committee met for five days during the 1993 interim. The following items were considered.

- the performance audit of the state Department of Transportation conducted by the state auditor in May 1992;
- activities of the Denver Regional Council of Government's (DRCOG) Transportation Finance Committee;
- traffic law recodification and activities of the Advisory Committee on Traffic Law Recodification;

- the annual report of the E-470 Public Highway Authority;
- state highway access codes and the procedures for providing commercial and residential access;
- status of the RTD light rail transit project;
- status of construction of facilities and surface transportation linkages to the Denver International Airport;
- status of the RTD north I-25 Bus/High Occupancy Vehicle lanes;
- status of the RTD paratransit service;
- the federal Intermodal Surface Transportation Efficiency Act and its implications for Colorado;
- the federal Clean Air Act Amendments of 1990 and the effect of these requirements on transportation planning; and
- the impact on transportation finance of Amendment #1 to the Colorado Constitution (Article X, Sec. 20; 1992).

The HLRC also reviewed proposed legislation from the state's Department of Transportation, the Motor Vehicle Division of the Department of Revenue, and the Traffic Law Advisory Committee. The committee recommends ten bills for action during the 1994 legislative session.

Denver International Airport, On July 15, the HLRC toured the Denver International Airport. The committee visited facilities under construction and viewed transportation linkages to the metro area. The committee focused on state and local surface highway improvements to serve the new airport and mass transit links to downtown Denver.

Transportation Workshop, On September 28, the Highway Legislation Review Committee hosted a workshop on transportation issues at the Tivoli on the Auraria campus. Participants included members of the Colorado Transportation Commission, the Denver Regional Council of Governments, the Regional Air Quality Council, the Colorado Department of Transportation, and other transportation-related groups. A workshop format was utilized to encourage greater interaction between presenters and audience, and to emphasize a dialogue between committee members and participants. Topics considered at the workshop included:

- state responses to the federal Intermodal Surface Transportation Efficiency Act, and the emerging role of metropolitan planning organizations;

- a report from the DOT and the State Auditor's Office on the implementation of the May 1992 Department of Transportation Performance Audit;
- the federal Clean Air Act Amendments of 1990; and
- transportation finance in the 1990s.

Committee Recommendations

Bill 1 - Recodification of Traffic Laws

Bill 1 recodifies and centralizes the traffic code in Title 42, C.R.S. The bill is the result of a recodification effort conducted by the HLRC pursuant to H.B. 91-1106:

In addition to any other duties, the committee shall study any necessary revisions to the traffic law. The committee shall consider inconsistencies in the traffic law statutes, technical difficulties in the enforcement of the traffic law, the establishment of consistent and understandable procedures for traffic enforcement, and the formation of a traffic law structure which shall be easily understood and applied by the judiciary, the law enforcement community, and the public. It is the intent of the General Assembly that the committee review the Colorado traffic laws and make recommendations to the General Assembly concerning the recodification of such laws.

This effort was assisted by the Advisory Committee on Traffic Law Recodification. The committee includes volunteer representation from: the Division of Motor Vehicles of the Department of Revenue; the Colorado District Attorneys' Council; County Sheriffs of Colorado; the Colorado Insurance Coalition; the Colorado Municipal League; Colorado Counties, Inc.; the Colorado State Patrol; the Colorado Department of Transportation; the Office of Legislative Legal Services; and the judicial branch of Colorado state government. The activities of the advisory committee are coordinated by the Office of the State Court Administrator.

The bill relocates relevant sections of law to Title 42, makes eight substantive changes in law, and makes three technical changes. **Please note that due to its length, Bill 1 is not reprinted in its entirety. This report contains instead an October 7 memorandum from the Office of Legislative Legal Services which outlines and summarizes the sections of this bill.** Among its substantive changes the bill:

- clarifies that the issuance of a special plate for handicapped persons does not preclude the issuance of a removable windshield placard for handicapped persons;
- repeals the provision specifying that any violation of Article 4 of Title 42 which is not otherwise declared to be an offense is an unclassified misdemeanor;

- modifies the duty of care required when approaching, overtaking, or passing snowplows or snow removal equipment to conform with the duty of care required when approaching, overtaking, or passing authorized service vehicles;
- repeals the provisions prohibiting regrooving passenger tires, operating a passenger vehicle with regrooved tires, or selling or exchanging such tires;
- repeals the provision prohibiting the destruction, altering or defacing of any tire marking indicating whether such tire was intended for highway or nonhighway use;
- clarifies that vehicles shall yield the right-of-way to pedestrians lawfully within adjacent crosswalks at the time a circular green signal is displayed;
- modifies the duties of drivers approaching railroad crossings; and
- authorizes the Department of Transportation to designate high-occupancy vehicle lanes for the exclusive or preferential use of vehicles carrying a specified number of persons and authorizes local authorities to designate such lanes along streets and highways under their jurisdiction.

Among its technical changes the bill:

- renumbers all statutory provisions, eliminating statutes and smaller subparts that have decimal numbers;
- changes existing statutory language to gender neutral language; and
- changes references to handicapped persons to conform with the Americans with Disabilities Act.

Bill 2 - Traffic Offense Penalty and Surcharge Schedule

Bill 2 revises the penalty and surcharge schedule applicable to traffic offenses.

H.B. 91-1106 required that the HLRC make recommendations to the General Assembly regarding "the imposition of administrative and criminal penalties, including, but not limited to.....procedures for imposing penalties for multiple offenses...changes in the driver's license point system...the creation of new penalty classifications and penalty schedules which are designed for traffic offenses...the committee is not authorized to make recommendations to the General Assembly to raise fines or fees or lengthen sentences." Bill 2 is a partial representation of the Advisory Committee on Traffic Law Recodification's efforts to meet the requirements of H.B. 91-1106, and serves as a preliminary step in simplifying the traffic code and improving its

consistency. Although the bill raises some fines and fees and lowers others, the goal of the advisory committee has been to make the net effect of the bill as revenue neutral as possible.

The bill changes the penalties for Class A and Class B traffic infractions from \$10 and \$5 respectively, to \$15 for both. The surcharge for said offenses is set at \$2 for either class. The bill alters the fine and surcharge schedule for the following offenses:

- driver's license violations;
- registration and taxation violations;
- violations of traffic regulations;
- equipment violations;
- emissions inspection violations;
- size, weight, and load violations;
- signals, signs, and markings violations;
- right-of-way violations;
- pedestrian violations;
- turning and stopping violations;
- driving, overtaking, and passing violations;
- speeding violations;
- parking violations;
- motorcycle violations;
- offenses by persons controlling vehicles, and
- other offenses.

The new fine and fee schedule would take effect January 1, 1995.

Bill 3 - Unlawful Production of Identification Cards

Bill 3 prohibits the production of any identification card in such a manner that it could be mistaken for a valid Colorado identification card. The bill further prohibits the display or possession of such illegally produced cards. Currently, it is illegal to produce an identification card which is similar to a Colorado driver's license, however, it is not illegal to produce an identification card which is very similar to an official Colorado identification card issued by the Department of Revenue. According to department officials, with advances in desk-top publishing producing counterfeit cards is a relatively simple matter. Under the bill, producing a counterfeit card would be a class 3 misdemeanor.

Bill 4 - Time Limitation for Renewal of Driver's License

Bill 4 eliminates the 90-day limitation on renewing a driver's license before it expires and the requirement that the applicant appear in person. The bill would make the license renewal process more convenient for the user by allowing renewal at any

time prior to the expiration date. In the past, the 90-day limit was necessary for the processing of pre-printed and numbered applications for driver's licenses. Recent computer changes have rendered the time limitation unnecessary. Under the current system, if a person loses their driver's license one year from expiration, their replacement license would also expire in one year. Under the new system, this same person could renew their license for a new five-year period. Applications will no longer have to be pre-printed, and the applicant would not have to appear in person to renew his or her license. The Department of Revenue issues 130,000 duplicate licenses each year.

Bill 5 - Removal of Material Obstructing a Highway Right-of-Way

Bill 5 permits employees of state and local government to remove any vehicle, cargo, or debris obstructing a highway right-of-way. The bill defines "agency employees" of state and local governmental agencies responsible for highway safety and maintenance and specifies that they may remove any motor vehicle, cargo, or debris obstructing a highway right-of-way. However, agency employees are required to obtain approval from a law enforcement agency before moving any motor vehicle. The intent of the bill is to facilitate the removal of obstructions to traffic and to maintain traffic flow and safety. The bill originated as a recommendation of the Colorado Incident Management Coalition. The bill also eliminates the liability of state and local government employees who remove obstructions from highways.

Bill 6 - Right-of Way Fences

Bill 6 requires that the Department of Transportation make repairs to existing right-of-way fences in agriculturally zoned areas adjacent to federal aid highways. The bill limits the responsibility of the department to repairing fences after receiving reasonable notice. The bill regulates the removal and replacement of such fences and the erection of new fences. The bill provides that neither landowners nor the department is liable for any damages caused by livestock if both agree to remove or to not erect a fence, and if the landowner does not maintain livestock on land adjacent to the right-of-way. According to department officials, courts have found that the department has a duty to maintain right-of-way fences to keep livestock off of highways. The department is interested in reducing the amount of fencing that it is responsible for, thus lessening its potential liability. The department currently must maintain 12,000 miles of fences. The bill also permits the department to enter into an agreement with a landowner to remove a fence without either party being exposed to significant liability.

Bill 7 - Highway Legislation Review Committee Name Change

Bill 7 changes the name of the Highway Legislation Review Committee to the Transportation Legislation Review Committee and makes conforming amendments.

Under the new title the name of the committee would more closely correspond to the committee's responsibilities for oversight of the Department of Transportation (formerly the Department of Highways).

Bill 8 - Interstate Cooperative Agreements - Oversize and Overweight Vehicles

Bill 8 authorizes the executive director of the Department of Transportation to enter into agreements with other western regional states concerning the regional operation or movement of nondivisible oversize and overweight vehicles. The bill allows for the establishment of a regional permit system which includes operation or movement of such vehicles from one state to another under a single-trip permit. The bill gives other states the authority to issue such permits for operation on Colorado highways and provides for the enforcement of weight and size restrictions. The bill requires that the transportation commission ratify interstate cooperative agreements. The intent of the bill is to reduce administrative costs to the department and to truckers by providing uniformity of regulations concerning nondivisible oversize and overweight vehicles among the western regional states. Bill 8 permits the department to enter into agreements for the conduct of research and examination of new technologies in this area. Examples of nondivisible loads include modular housing, cranes, and large pre-cast concrete pieces. Examples of divisible loads include produce, fuel, gravel boxes, etc. Also, the bill modifies the state "bridge weight formula" to conform with the federal bridge weight formula.

Bill 9 - Extension of Duties - Traffic Law Advisory Committee

Bill 9 requires that the Highway Legislation Review Committee review the driver's license point system to determine whether it is appropriate to eliminate, alter or replace the system. The bill expands the committee's charge to include: simplification of the fine, fee, cost, and surcharge schedules; the creation of a uniform document to be used for traffic citations; and the development of a simplified record-keeping system. The bill extends the deadline for the presentation of the committee's final report on recommendations for legislation concerning traffic law from January 1, 1994 to January 1, 1996.

Bill 10 - Repeal of Highway Maintenance of Local Effort Requirement

Bill 10 repeals the highway maintenance of local effort statute. In 1989, the General Assembly enacted legislation to increase gasoline and special fuels taxes (House Bill 1012, First Extraordinary Session). The bill contained language designed to ensure that local road and bridge funds would not be reduced subsequent to assessment of new state taxes (Section 43-2-132.5(5)(c), C.R.S.).

Action outside of the authority of the governing body of the municipality or county resulted in a reduction in local expenditures for streets and roads. This

action includes, but is not limited to, a reduction of federal or state assistance to the municipality or county, new tax or expenditure limitations imposed by the state or local residents or failure of the citizens to approve continuation of a local revenue source, or reduction in revenues generated from a fixed rate of property taxes or sales or use taxes earmarked for streets and roads. (This is referred to as "maintenance of local effort".)

Proponents of Bill 10 argued that, since the adoption of Section 20 of Article X to the state constitution, local governments are exempt from the maintenance of local effort provisions.

MATERIALS AVAILABLE

The materials listed below are available upon request from the Legislative Council staff.

Staff Meeting Summaries

- Summaries of 1993 interim HLRC meetings held on July 15, August 19, September 28, October 7, and October 26.

Reports and Memoranda

- Legislative Council staff memorandum, *The Highway Legislation Review Committee*, June 1993
- 1992 *Department of Transportation Performance Audit*.
- August 1993 Response of the Department of Transportation concerning the implementation of the DOT Performance Audit.
- Materials produced by the Denver Regional Council of Governments (DRCOG) concerning: requirements of the federal Intermodal Surface Transportation Efficiency Act; the 1993-95 DRCOG Transportation Improvement Program; transportation planning and finance in the Denver Region.
- DOT materials on transportation finance.
- 1993 *Regional Transportation District Budget*.
- *Performance Audit of the Colorado Oxygenated Fuels Program*, Colorado State Auditor's Office, December 1992 .
- *Colorado Automobile Inspection and Readjustment Program Audit*, June 1992
- *E-470 Public Highway Authority 1993 Annual Report to the Highway Legislation Review Committee*.

October 7, 1993

To: Highway Legislation Review Committee

From: Office of Legislative Legal Services

Re: Traffic Law Advisory Committee Recommendation:
Proposed Bill: "CONCERNING THE RECODIFICATION
OF TITLE 42, COLORADO REVISED STATUTES,
AND, IN CONNECTION THEREWITH, AMENDING
CERTAIN LAWS PERTAINING TO VEHICLES AND
TRAFFIC. (LLS No. 94-0034.01 - the "Recodification
Bill")

Comments Concerning the Bill Draft

Pursuant to the Drafting Note which prefaces the bill summary, this bill has been drafted differently than other bills of this type. In order to assist legislators and the public determine which parts of the law are being changed, the bill is not structured as a standard repeal and reenactment, in which all of the bill would be in capital letters. Rather, the bill contains strike type indicating deletions and capital letters indicating new language in each section. In addition, each section that has been moved or renumbered has a notation indicating the previous section number for comparison purposes.

Relocation and Substantive Changes Made in the Recodification Bill

The following provisions have been relocated in the recodification bill:

- Provisions regarding **perjury on a motor vehicle application** have been moved from the Colorado criminal code to title 42. § 42-3-140 [formerly 18-8-503.5].

- The provisions governing the **diesel emissions program** have been moved from title 25 to title 42 to directly follow the emissions inspection program provisions. § 42-4-401, *et seq.*, [formerly 25-6-601, *et seq.*].

- Sections regarding **alcohol and drug offenses** have been moved to part 13 of article 4 of title 42. [Formerly §§ 42-4-1202, 42-2-1202.1, 42-4-1202.2, and 42-4-1211.]

- Provisions regarding **impounded vehicles** have been moved to title 42 from title 24. §§ 42-13-105 and 42-13-106 [formerly 24-33.5-213 and 24-33.5-213].

- Sections regarding **school bus requirements** have been moved to part 19 of article 4 of title 42. [Formerly §§ 42-4-238, 42-4-239, 42-4-612, and 42-4-613.]

- Provisions concerning **antifreeze and brake fluid** have been moved from title 42 to title 8. § 8-20-801, *et seq.* and § 8-20-901, *et seq.* [formerly 42-10-101, *et seq.* and 42-10-201, *et seq.*].

- The provisions regarding **motorcycle operator safety training** have been moved from title 42 to title 43. § 43-5-501, *et seq.* [formerly 42-4-1701, *et seq.*].

- The provisions regarding **transportation of hazardous waste and nuclear materials** have been moved from titles 43 and 40 to article 20 of title 42.

- The following provisions have also been relocated within title 42:

- ▶ **Special plates for handicapped persons.** § 42-3-121 [formerly 42-4-1109 (1), (2), and (2.5)].

- ▶ **Motorized bicycle registration.** § 42-3-144 [Formerly § 42-4-107.5].

- ▶ **Adoption of traffic control manual.** § 42-4-104 [formerly 42-4-501].

- ▶ **Local traffic control devices.** § 42-4-105 [formerly 42-4-503].

▶ **Who may restrict right to use highways.** § 42-4-106 [formerly 42-4-410].

▶ **Unsafe vehicles and spot inspections.** § 42-4-203 [formerly 42-4-306.1].

▶ **Tampering with air pollution control systems.** § 42-4-314 [formerly 42-4-1210].

▶ **Use of earphones while driving.** § 42-4-1411 [formerly 42-4-327].

▶ **Operation of bicycles and other human-powered vehicles.** § 42-4-1412 [formerly 42-4-106.5].

The following **substantive changes** are made in the Recodification bill:

- Clarifies that the issuance of a **special plate for handicapped persons** does not preclude the issuance of a removable windshield placard for handicapped persons. § 42-3-121 [formerly 42-4-1109 (1), (2), and (2.5)].

- Repeals the provision which provides that **any violation of article 4 of title 42** which is not otherwise declared to be an offense is an unclassified misdemeanor. § 42-4-104 [repealed].

- Modifies the **duty of care required when approaching, overtaking, or passing snowplows or snow removal equipment** to conform with the duty of care required when approaching, overtaking, or passing authorized service vehicles. § 42-4-224 [formerly 42-4-221].

- Repeals the provisions **prohibiting regrooving passenger tires, operating a passenger vehicle with regrooved tires, or selling or exchanging such tires.** § 42-4-225 (5) [repealed].

- Repeals the provision **prohibiting the destroying, altering, or defacing of any tire marking** indicating whether such tire was intended for highway or nonhighway use. § 42-4-225 (8) [repealed].

- Clarifies that **vehicles shall yield the right of way to pedestrians lawfully within adjacent crosswalks** at the time a circular green signal is displayed. § 42-4-604 [formerly 42-4-505].

- Modifies the **duties of drivers approaching railroad crossings**, repealing one existing section. 42-4-706 [formerly 42-4-606]; § 42-4-606 [repealed].

- Authorizes the department of transportation to designate **high occupancy vehicle lanes** for the exclusive or preferential use of vehicles carrying a specified number of persons. Authorizes local authorities to designate such lanes along streets and highways under their respective jurisdictions. Provides that the number of occupants required for vehicles using such lanes and the time of day when usage is restricted to high occupancy vehicles shall be designated by official traffic control devices. Provides that any person who violates provisions governing the use of high occupancy vehicle lanes commits a class A infraction. Establishes a specified monetary penalty for such violations. § 42-4-1012.

Technical Changes Made in the Recodification Bill

The Recodification bill will make the following technical changes to the statutes (which are not completed in the current bill draft):

- All statutory provisions have been renumbered, eliminating statutes and smaller subparts that have decimal numbers.

- Statutory language is made gender neutral.

- Modifies references to "handicapped" persons to conform with the Americans with Disabilities Act.

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BILL 1

A BILL FOR AN ACT

101 CONCERNING THE RECODIFICATION OF TITLE 42, COLORADO REVISED
102 STATUTES, AND, IN CONNECTION THEREWITH, AMENDING CERTAIN
103 LAWS PERTAINING TO VEHICLES AND TRAFFIC.

Bill Summary

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

(Drafting Note: This bill includes some statutory sections that have been relocated and renumbered, either without change or with amendments. Existing material that has been relocated is printed in lower-case type, with any amendments indicated by capital letters and cancelled letter type. Former section numbers are supplied in brackets for comparison purposes.)

Reorganizes, amends, and modifies or repeals obsolete language in laws governing vehicles and traffic, most of which are currently located in title 42, C.R.S. as follows: Section 1 reorganizes and amends title 42; section 2 relocates the "Colorado Antifreeze Law" and provisions governing brake fluid from title 42 to title 8 (with amendments); as explained more fully below, section 3 amends certain dates pertaining to the recommendations of the highway legislation review committee concerning traffic laws; section 4 relocates provisions governing motorcycle operator safety training from title 42 to title 43 (with amendments); section 5 repeals provisions currently located in titles other than title 42 that have been relocated to title 42; and sections 6 through 99 contain conforming amendments.

Clarifies that the issuance of special license plates to persons with disabilities does not preclude the issuance of removable windshield placards to such persons. Clarifies that vehicles are required to yield the right-of-way to pedestrians who are lawfully within adjacent crosswalks at the time a circular green signal is displayed. Modifies the duty of care required when

approaching, overtaking, or passing snowplows or snow removal equipment to conform with the duty of care required when approaching, overtaking, or passing authorized service vehicles. Modifies the duties of drivers approaching railroad crossings.

Authorizes the department of transportation to designate high occupancy vehicle lanes for the exclusive or preferential use of vehicles carrying a specified number of persons. Authorizes local authorities to designate such lanes along streets and highways under their jurisdiction. Provides that the number of occupants required for vehicles using such lanes and the time of day when usage is restricted to high occupancy vehicles shall be designated by official traffic control devices. Provides that any person who violates provisions governing the use of high occupancy vehicle lanes commits a class A traffic infraction. Establishes a specified monetary penalty for such violations.

Extends the deadline for the presentation of the final report of the highway legislation review committee on its recommendations for legislation concerning the traffic law from January 1, 1994, to January 1, 1995. Changes the repeal date for the highway legislation review committee's study of revisions to the traffic law from July 1, 1994, to July 1, 1995. ~~Repeals~~ provisions prohibiting the regrooving of passenger tires, operating a passenger vehicle with regrooved tires, or selling or exchanging such tires. Repeals provisions prohibiting destroying, altering, or defacing any tire marking which indicates whether such tire was intended for highway or nonhighway use. Repeals provisions which provide that any violation of article 4 of title 42 which is not otherwise declared to be an offense is an unclassified misdemeanor.

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

2

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
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TITLE 42
VEHICLES AND TRAFFIC
ARTICLE 1
General and Administrative

RECODIFICATION SUMMARY

(LLS NO. 94-0034.01)

Prepared by Office of Legislative Legal Services
(Version dated October 7, 1993)

42-1-101.	<i>same</i>	Short title.	No changes
42-1-102.	<i>same</i>	Definitions.	Language made gender neutral; Subsections or smaller subparts renumbered; Cross-references amended; Obsolete language deleted; New definition added; Minor modifications in language

PART 2
ADMINISTRATION

42-1-201.	<i>same</i>	Administration - supervisor.	No changes
42-1-202.	<i>same</i>	Have charge of all divisions.	No changes
42-1-203.	<i>same</i>	Executive director to	Language made gender neutral

- Sections that have been moved from elsewhere in the statutes are indicated in shaded type.
- Sections that have already been repealed are indicated in striketype.
- New section numbers follow the current section numbers.

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
		cooperate with others - local compliance required.	
42-1-204.	<i>same</i>	Uniform rules and regulations.	No changes
42-1-205.	<i>same</i>	Record of official acts - seal.	Language made gender neutral; Minor modifications in language
42-1-206.	<i>same</i>	Records open to inspection - furnishing of copies.	Cross-references amended; Minor modifications in language
42-1-207.	<i>same</i>	No supplies for private purposes - penalty.	Language made gender neutral
42-1-208.	<i>same</i>	Information on accidents - published.	No changes
42-1-209.	<i>same</i>	Copies of law published.	Cross-references amended
42-1-210.	<i>same</i>	County clerk and recorders and manager of revenue as agents.	Cross-references amended; Minor modifications in language
42-1-210.1.	<i>42-1-211</i>	Distributive data processing system.	Cross-references amended; Subsections or smaller subparts renumbered
42-1-210.2.	<i>42-1-212</i>	Consolidated data processing system - voter registration.	Cross-references amended

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-1-211.	<i>42-1-213</i>	Commission of county clerk and recorders and manager of revenue.	No changes
42-1-212.	<i>42-1-214</i>	Duties of county clerk and recorders.	Language made gender neutral; Cross-references amended; Minor modifications in language
42-1-213.	<i>42-1-215</i>	Oaths.	No changes
42-1-214.	<i>42-1-216</i>	Destruction of obsolete records.	No changes
42-1-215.	<i>42-1-217</i>	Disposition of fines and surcharges.	Cross-references amended
42-1-216.		Officers may seize automobiles. (Repealed)	
42-1-217.	<i>42-1-218</i>	Revocations and suspensions of licenses published.	No changes
42-1-218.	<i>42-1-219</i>	Appropriations for administration of title.	No changes

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
		ARTICLE 2		42-2-109.	42-2-110	Revocation upon death of signer for minor.	No changes
		Drivers' Licenses		42-2-110.	42-2-111	Examination of applicants and drivers - when required.	Subsections or smaller subparts renumbered; Language made gender neutral;
		PART 1					Cross-references amended
		DRIVERS' LICENSES					
42-2-101.	same	Licenses for drivers required.	Cross-references amended; Language made gender neutral	42-2-110.5.	42-2-112	Medical advice - use by department - physician immunity.	Language made gender neutral
42-2-102.	same	Persons exempt from license.	Language made gender neutral	42-2-111.	42-2-113	License examiners appointed.	Cross-references amended
42-2-102.5.	42-2-103	Motorized bicycles - driver's license required for operators.	No changes	42-2-112.	42-2-114	License issued - fees.	Subsections or smaller subparts renumbered; Cross-references amended; Minor modifications in language
42-2-103.	42-2-104	Licenses issued - denied.	Language made gender neutral; Cross-references amended	42-2-113.	42-2-115	License, permit, or identification card to be exhibited on demand.	Cross-references amended
42-2-104.	42-2-105	Special restrictions on certain drivers.	Language made gender neutral; Cross-references amended	42-2-114.	42-2-116	Restricted license.	Language made gender neutral
42-2-105.	42-2-106	Instruction permits and temporary licenses.	Language made gender neutral; Cross-references amended	42-2-115.	42-2-117	Duplicate permits and licenses.	No changes
42-2-106.	42-2-107	Application for license or instruction permit.	Subsections or smaller subparts renumbered; Language made gender neutral; Minor modifications in language				
42-2-107.	42-2-108	Application of minors.	Language made gender neutral				
42-2-108.	42-2-109	Release from liability.	Cross-references amended				

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-2-116.	42-2-118	Renewal of license.	Cross-references amended; Language made gender neutral; Minor modifications in language
42-2-117.	42-2-119	Notices - change of address or name.	Language made gender neutral
42-2-117.5.	42-2-120	Methods of service.	Cross-references amended
42-2-118.	42-2-121	Records to be kept by the department - admission of records in court.	Cross-references amended; Language made gender neutral
42-2-119.	42-2-122	Department may cancel license.	Language made gender neutral; Cross-references amended; Minor modifications in language
42-2-120.	42-2-123	Suspending privileges of nonresidents and reporting convictions.	No changes
42-2-121.	42-2-124	When court to report convictions.	Language made gender neutral; Cross-references amended; Minor modifications in language
42-2-122.	42-2-125	Mandatory revocation of license and permit.	Subsections or smaller subparts renumbered; Minor modifications in language;

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-2-122.1.	42-2-126	Revocation of license based on administrative determination.	Subsections or smaller subparts renumbered; Language made gender neutral; Cross-references amended; Minor modifications in language
42-2-123.	42-2-127	Authority to suspend license - to deny license - type of conviction - points.	Subsections or smaller subparts renumbered; Language made gender neutral; Minor modifications in language; Cross-references amended; Minor modifications in punctuation
42-2-120.	42-2-128	vehicular homicide - revocation of license	No changes
42-2-123.3.	42-2-129	Mandatory surrender of license or permit for driving under the influence or with excessive alcoholic content.	Cross-references amended; Language made gender neutral

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-2-202.	<i>same</i>	Habitual offenders - frequency and type of violations.	Language made gender neutral; Cross-references amended
42-2-203.	<i>same</i>	Authority to revoke license of habitual offender.	Cross-references amended; Language made gender neutral
42-2-204.	<i>same</i>	Appeals.	Cross-references amended
42-2-205.	<i>same</i>	Prohibition.	No changes
42-2-206.	<i>same</i>	Driving after revocation prohibited.	Language made gender neutral; Minor modifications in language
42-2-207.	<i>same</i>	No existing law modified.	Minor modifications in language
42-2-208.	<i>same</i>	Computation of number of convictions.	No changes

PART 3

MEDICAL ADVISORY BOARD

~~42-2-301 and 42-2-302. (Repealed)~~

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
PART 4 3			
IDENTIFICATION CARDS			
42-2-401.	42-2-301	Definitions.	Cross-references amended
42-2-402.	42-2-302	Department may issue - limitations.	Cross-references amended
42-2-403.	42-2-303	Contents of identification card.	Cross-references amended; Language made gender neutral; Minor modifications in language
42-2-404.	42-2-304	Validity of identification card.	Subsections or smaller subparts renumbered; Cross-references amended; Language made gender neutral
42-2-405.	42-2-305	Duplicates.	No changes
42-2-406.	42-2-306	Fees - disposition.	Minor modifications in language
42-2-407.	42-2-307	Change of address.	Language made gender neutral
42-2-408.	42-2-308	No liability on public entity.	Cross-references amended
42-2-409.	42-2-309	Unlawful acts.	Language made gender neutral; Cross-references amended
42-2-410.	42-2-310	Violation.	Cross-references amended; Minor modifications in language

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
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Minor modifications in language

PART § 4

COMMERCIAL DRIVERS' LICENSES

42-2-501.	42-2-401	Short title.	Cross-references amended	42-3-101.	same	Legislative declaration.	No changes
42-2-502.	42-2-402	Definitions.	Subsections or smaller subparts renumbered; Cross-references amended	42-3-101.1.	42-3-102	Periodic registration.	No changes
42-2-503.	42-2-403	Department authority - rules and regulations - federal requirements.	Cross-references amended	42-3-102.	42-3-103	Registration required - exemptions.	Cross-references amended
42-2-504.	42-2-404	License for drivers - limitations.	Cross-references amended; Minor modifications in language	42-3-103.	42-3-104	Exemptions - specific ownership tax - registration.	Language made gender neutral; Minor modifications in language; Cross-references amended
42-2-505.	42-2-405	Driver's license disciplinary actions - cancellations - denials.	Cross-references amended; Language made gender neutral	42-3-104.	42-3-105	Application for registration - tax.	Language made gender neutral; Subsections or smaller subparts renumbered; Cross-references amended
42-2-506.	42-2-406	Fees.	Subsections or smaller subparts renumbered; Cross-references amended	42-3-105.	42-3-106	Classification - taxable value - imposition of tax.	Subsections or smaller subparts renumbered; Language made gender neutral; Cross-references amended
42-2-507.	42-2-407	Licensing of testing units and driving testers - hearings - regulations.	Minor modifications in language				
42-2-508.	42-2-408	Unlawful acts - penalty.	Cross-references amended;				

ARTICLE 3

Registration and Taxation

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-3-106.	42-3-107	Taxable value of classes of property - rate of tax - when and where payable - department duties - apportionment of tax collections.	Subsections or smaller subparts renumbered; Language made gender neutral; Cross-references amended	42-3-112.3.	42-3-116	Special plates - recipients of purple heart.	Cross-references amended
42-3-107.	42-3-108	Determination of year model - tax lists.	Subsections or smaller subparts renumbered	42-3-112.4.	42-3-117	Special plates - members of the Colorado national guard.	Cross-references amended
42-3-108.	42-3-109	Tax for registration period.	No changes	42-3-112.5.	42-3-118	Special plates - former prisoners of war.	Cross-references amended
42-3-109.	42-3-110	Tax year - disposition.	No changes	42-3-112.6.	42-3-119	Special plates - disabled veterans - veterans of armed forces of the United States.	Cross-references amended
42-3-110.	42-3-111	Failure to pay tax - penalty.	No changes	42-3-112.7.	42-3-120	Special plates - survivors of the attack on Pearl Harbor.	Cross-references amended;
42-3-111.	42-3-112	Records of application and registration.	Subsections or smaller subparts renumbered; Cross-references amended; Language made gender neutral	42-4-1109	42-3-121	Parking privileges for persons with disabilities.	Subsections (1), (2), and (2.5) of § 42-4-1109 are moved here to form a new section;
42-3-112.	42-3-113	Number plates furnished - style.	Subsections or smaller subparts renumbered	(1), (2), and (2.5)		Minor modifications in language; Cross-references amended; Subsections or smaller subparts renumbered	
42-3-112.1.	42-3-114	Issuance of personalized plates authorized.	Subsections or smaller subparts renumbered; Cross-references amended; Language made gender neutral; Minor modifications in language	42-3-112.8.	42-3-122	Special plates - rules and regulations.	No changes
42-3-112.2.	42-3-115	Issuance of optional plates authorized.	Cross-references amended	42-3-112.9.		Authorization for issuance of special plates. (Repeated)	

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-3-114.	42-3-124	Expiration - temporary, new, and old plates - reflectorized plates.	Cross-references amended; Language made gender neutral	42-3-123.	42-3-134	Registration fees - passenger and passenger-mile taxes.	Language made gender neutral; Cross-references amended; Subsections or smaller subparts
42-3-114.5.	42-3-125	Access to records of license plate holders.	Language made gender neutral				renumbered; Minor modifications in language;
42-3-115.	42-3-126	Registration upon transfer.	Language made gender neutral				Minor modifications in punctuation
42-3-116.	42-3-127	Manufacturers or dealers.	Subsections or smaller subparts renumbered; Language made gender neutral	42-3-124.	42-3-135	Enforcement powers of department.	Cross-references amended; Language made gender neutral
42-3-117.	42-3-128	Nonresidents.	No changes	42-3-125.	42-3-136	Taxpayer statements - payment of tax - estimates - penalties - deposits - delinquency proceedings.	Language made gender neutral; Minor modifications in language; Subsections or smaller subparts renumbered;
42-3-118.	42-3-129	Substitute number plates issued.	No changes				Cross-references amended
42-3-119.	42-3-130	Registration suspended upon theft - recovery.	No changes	42-3-126.	42-3-137	Permit to be secured - records kept - penalties.	Cross-references amended; Language made gender neutral;
42-3-120.	42-3-131	No application for registration granted - when.	Cross-references amended				Subsections or smaller subparts renumbered
42-3-121.	42-3-132	Department may rescind and cancel registration.	No changes	42-3-127.		Highway construction vehicles exempt from tax. (Repealed)	
42-3-122.	42-3-133	Violation of registration provisions - penalty.	Minor modifications in punctuation	42-3-128.	42-3-138	Special registration of collectors' items.	No changes
42-3-122.5.		Electric powered motor vehicles exemption. (Repealed)		42-3-129.	42-3-139	Additional registration fees -	Language made gender neutral;

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
		apportionment of fees.	Cross-references amended
18-8-503.5	42-3-140	Perjury on a motor vehicle registration application.	Language made gender neutral; Minor modifications in language
42-3-130.	42-3-141	Payment by bad check - recovery of plates.	Minor modifications in language; Language made gender neutral; Cross-references amended
42-3-131.	42-3-142	Violation - penalty.	Cross-references amended
42-3-132.		Additional registration fees - apportionment of fees. (Repealed)	
42-3-133.		Reports to county assessor. (Repealed)	
42-3-134.	42-3-143	Fleet owners.	Cross-references amended; Minor modifications in language
42-4-107.5	42-3-144	Motorized bicycle registration fee.	No changes

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
ARTICLE 4			
Regulation of Vehicles and Traffic			
PART 1			
TRAFFIC REGULATION - GENERALLY			
42-4-101.	same	Short title.	Cross-references amended
42-4-102.	same	Legislative declaration.	No changes
42-4-103.	same	Scope and effect of article - exceptions to provisions.	Cross-references amended
42-4-501.	42-4-104	Adoption of traffic control manual.	No changes
42-4-503.	42-4-105	Local traffic control devices. [Note: Subsection (f) moved here, with remainder becoming § 42-4-602.]	Cross-references amended
42-4-410.	42-4-106	Who may restrict right to use highways.	Minor modifications in language
42-4-104.		Required obedience to traffic laws.	Section repealed
42-4-105.	42-4-107	Obedience to police officers.	No changes
42-4-106.	42-4-108	Public officers to obey provisions - exceptions for emergency vehicles.	Cross-references amended; Language made gender neutral

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-106.5.			<i>[Moved to 42-4-1412]</i>			PART 2	
42-4-107.	42-4-109	Motorized bicycles, animals, skis, skates, toy vehicles, and all-terrain recreational vehicles on highways.	Cross-references amended; Subsections or smaller subparts renumbered; Language made gender neutral			EQUIPMENT	
42-4-107.5.			<i>[Moved to 42-3-144]</i>	42-4-201.	same	Obstruction of view or driving mechanism - hazardous situation.	Language made gender neutral
42-4-108.	42-4-110	Provisions uniform throughout state.	Cross-references amended	42-4-202.	same	Unsafe vehicles - penalty - identification plates.	Cross-references amended; Language made gender neutral
42-4-109.	42-4-111	Powers of local authorities.	Cross-references amended	42-4-206.1.	42-4-203	Unsafe vehicles - spot inspections.	Language made gender neutral
42-4-110.	42-4-112	Noninterference with the rights of owners of realty.	No changes	42-4-203.	42-4-204	When lighted lamps are required.	No changes
42-4-111.	42-4-113	Appropriations for administration of article.	No changes	42-4-204.	42-4-205	Head lamps on motor vehicles.	Cross-references amended
42-4-112.			<i>[Moved to 42-4-1211]</i>	42-4-205.	42-4-206	Tail lamps and reflectors.	Cross-references amended;
42-4-113.			<i>[Moved to 42-4-1405]</i>				Modifications in obsolete language
42-4-114	same	Removal of traffic hazards.	No changes	42-4-206.	42-4-207	Clearance and identification.	Cross-references amended; Modifications in obsolete language
42-4-115.		Regulation of driveways. (Repealed)		42-4-207.	42-4-208	Stop lamps and turn signals.	Cross-references amended; Modifications in obsolete language

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-208.	42-4-209	Lamp or flag on projecting load.	Cross-references amended
42-4-209.	42-4-210	Lamps on parked vehicles.	Minor modifications in language
42-4-210.	42-4-211	Lamps on farm equipment and other vehicles and equipment.	Cross-references amended; Minor modifications in punctuation
42-4-211.	42-4-212	Spot lamps and auxiliary lamps.	Cross-references amended; Minor modifications in language
42-4-212.	42-4-213	Audible and visual signals on emergency vehicles.	Cross-references amended; Subsections or smaller subparts renumbered
42-4-212.5.	42-4-214	Visual signals on service vehicles.	Cross-references amended; Language made gender neutral
42-4-213.	42-4-215	Signal lamps and devices - additional lighting equipment.	Modifications in obsolete language
42-4-214.	42-4-216	Multiple-beam road lights.	No changes
42-4-215.	42-4-217	Use of multiple-beam lights.	Cross-references amended
42-4-216.	42-4-218	Single-beam road-lighting equipment.	Cross-references amended
42-4-217.	42-4-219	Number of lamps permitted.	No changes

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-218.	42-4-220	Motorized bicycles - motor-driven cycles - lighting equipment - department control - use and operation.	Cross-references amended; Subsections or smaller subparts renumbered; Language made gender neutral; Minor modifications in punctuation
42-4-218.5.	42-4-221	Bicycle equipment.	Cross-references amended
42-4-219.	42-4-222	Volunteer firefighters - volunteer ambulance attendants - special lights and alarm systems.	Language made gender neutral; Minor modifications in language
42-4-220.	42-4-223	Brakes.	Modifications in obsolete language
42-4-221.	42-4-224	Horns or warning devices.	Duties of drivers upon approaching snowplow or snow-removal equipment modified; Cross-references amended; Subsections or smaller subparts renumbered; Language made gender neutral
42-4-222.	42-4-225	Mufflers - prevention of noise.	No changes
42-4-223.	42-4-226	Mirrors - exterior placements.	No changes

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-224.	42-4-227	Windows unobstructed - certain materials prohibited - windshield wiper requirements.	No changes	42-4-229.	42-4-231	Parking lights.	Cross-references amended
				42-4-230.		Control systems required.	Section repealed
				42-4-231.	42-4-232	Minimum safety standards for motorcycles and motor-driven cycles.	Subsections or smaller subparts renumbered
42-4-225.	42-4-228	Restrictions on tire equipment.	Provisions regarding regrooving passenger tires, operating a vehicle with such tires, or selling such tires are repealed; Provision regarding removal of tire markings is repealed; Subsections or smaller subparts renumbered; Modifications in obsolete language; Language made gender neutral; Cross-references amended	42-4-232.	42-4-233	Alteration of suspension system.	No changes
				42-4-233.	42-4-234	Slow-moving vehicles - display of emblem.	No changes
				42-4-234.	42-4-235	Minimum standards for commercial vehicles.	Modifications in obsolete language; Cross-references amended; Subsections or smaller subparts renumbered
				42-4-235.	42-4-236	Child restraint systems required - definitions - exemptions.	Subsections or smaller subparts renumbered; Cross-references amended; Minor modifications in language
42-4-226.	42-4-229	Safety glazing material in motor vehicles.	Cross-references amended	42-4-236.	42-4-237	Safety belt systems - mandatory use - exemptions - penalty.	Cross-references amended; Language made gender neutral; Modifications in obsolete language
42-4-227.	42-4-230	Emergency lighting equipment - who must carry.	Modifications in obsolete language; Subsections or smaller subparts renumbered				
42-4-228.		Vehicles transporting explosives or hazardous materials.		42-4-237.			<i>[Moved to 42-4-1412]</i>
				42-4-238.			<i>[Moved to 42-4-1901]</i>
				42-4-239.			<i>[Moved to 42-4-1902]</i>

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-240.		Regulations for school buses penalty.	Section repealed	42-4-306.5.	42-4-301	Legislative declarations - enactment of enhanced emissions program not waiver of state right to challenge authority to require specific loaded mode transient dynamometer technology in automobile emissions testing.	Cross-references amended
PART 3 EMISSIONS INSPECTION							
42-4-301.		Official safety inspection stations. (Repealed)					
42-4-302.		Periodic inspections required. (Repealed)		42-4-306.6	42-4-302	Commencement of basic emissions program - authority of commission.	Cross-references amended
42-4-303.		Operation of official inspection station fees. (Repealed)		42-4-306.7	42-4-303	Sunrise review of registration of repair facilities - repeal.	Cross-references amended
42-4-304.		Improper representation of official station. (Repealed)		42-4-307.	42-4-304	Definitions relating to automobile inspection and readjustment program - repeal.	Cross-references amended; Subsections or smaller subparts renumbered
42-4-305.		False certificates penalties. (Repealed)					
42-4-306.		Spot inspections by Colorado state patrol. (Repealed)					
42-4-306.1.			[Moved to 42-4-203]				

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-308.	42-4-305	Powers and duties of executive director - automobile inspection and readjustment program - basic emissions program - enhanced emissions program	Cross-references amended; Subsections or smaller subparts renumbered	42-4-310.	42-4-308	Inspection and readjustment stations - inspection-only facilities - fleet inspection stations - motor vehicle dealer test facilities - contractor - emissions inspectors - emissions mechanics - requirements.	Cross-references amended
42-4-309.	42-4-306	Powers and duties of commission - automobile inspection and readjustment program - basic emissions program - enhanced emissions program.	Cross-references amended	42-4-311.	42-4-309	Vehicle fleet owners - motor vehicle dealers - authority to conduct inspections - fleet inspection stations - motor vehicle dealer test facilities - contracts with licensed inspection-only entities.	Cross-references amended
42-4-309.5.	42-4-307	Powers and duties of the executive director of the department of health - division of administration - automobile inspection and readjustment program - basic emissions program - enhanced emissions program.	Cross-references amended; Subsections or smaller subparts renumbered	42-4-312.	42-4-310	Periodic emissions control inspection required - repealed.	Subsections or smaller subparts renumbered; Cross-references amended; Language made gender neutral

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-313.	42-4-311	Operation of inspection and readjustment stations - inspection-only facilities - fleet inspection stations - motor vehicle dealer test facilities - enhanced inspection centers.	Minor modifications in language; Cross-references amended	42-4-317.		School district plans - reports - implementation - (Repeated)	
				42-4-318.		Rules and regulations - (Repeated)	
				42-4-319.			[Moved to 42-4-413]
42-4-314.	42-4-312	Improper representation as emissions inspection and readjustment station - inspection-only facility - fleet inspection station - motor vehicle dealer test facility - enhanced inspection center.	No changes	42-4-320.			[Moved to 42-4-414]
				42-4-321.	42-4-317	Purchase or lease of new motor vehicles by state agencies - clean-burning alternative fuels - definitions - repeal.	Cross-references amended
42-4-315.	42-4-313	Penalties.	Cross-references amended;			PART 4	
			Subsections or smaller subparts renumbered			DIESEL EMISSIONS PROGRAM	
42-4-320.	42-4-314	Automobile air pollution control systems - tampering - operation of vehicle - penalty.		25-7-601.	42-4-401	Definitions.	Cross-references amended;
				25-7-601.5	42-4-402	Administration of inspection program.	Language made gender neutral
42-4-315.5.	42-4-315	Warranties.	Cross-references amended	25-7-602.	42-4-403	Powers and duties of the commission.	Cross-references amended
42-4-316.	same	AIR program - termination.	Cross-references amended; Language made gender neutral				Minor modifications in punctuation

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
25-7-602.5	42-4-404	Powers and duties of the executive director of the department of health.	Cross-references amended	25-7-609	42-4-411	Applicability of this part to heavy duty diesel fleets of nine or more.	Cross-references amended
25-7-603	42-4-405	Powers and duties of executive director.	Cross-references amended	18-13-110	42-4-412	Air pollution violations.	Cross-references amended; Language made gender neutral;
25-7-604	42-4-406	Requirement of certification of emissions control for registration - testing for diesel smoke opacity compliance.	Cross-references amended	42-4-319	42-4-413	Visible emissions from diesel-powered motor vehicles unlawful - penalty.	Minor modifications in punctuation Cross-references amended; Subsections or smaller subparts renumbered; Language made gender neutral; Minor modifications in punctuation
25-7-605	42-4-407	Requirements for a diesel emission-opacity inspection - licensure as diesel emissions inspection station - licensure as emissions inspector.	Cross-references amended; Language made gender neutral; Minor modifications in punctuation	42-4-320	42-4-414	Heavy duty diesel fleet inspection and maintenance program - penalty.	Subsections or smaller subparts renumbered; Cross-references amended
25-7-606	42-4-408	Operation of diesel inspection station.	Minor modifications in punctuation				
25-7-607	42-4-409	Improper representation of a diesel inspection station.	No changes				
25-7-608	42-4-410	Inclusion in the diesel inspection program.	Cross-references amended	42-4-401	42-4-501	Size and weight violations - penalty.	Cross-references amended; Minor modifications in language

PART 4 5
SIZE - WEIGHT - LOAD

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-402.	42-4-502	Width of vehicles.	Minor modifications in language	42-4-409.1.	42-4-511	Permit standards - state and local.	Cross-references amended; Subsections or smaller subparts renumbered
42-4-403.	42-4-503	Projecting loads on passenger vehicles.	No changes	42-4-410.			<i>[Moved to 42-4-106]</i>
42-4-404.	42-4-504	Height and length of vehicles.	Cross-references amended	42-4-411.	42-4-512	Liability for damage to highway.	Cross-references amended
42-4-404.5.	42-4-505	Longer vehicle combinations.	Cross-references amended; Minor modifications in language				
42-4-405.	42-4-506	Trailers and towed vehicles.	Modifications in obsolete language				
42-4-406.	42-4-507	Wheel and axle loads.	Subsections or smaller subparts renumbered; Cross-references amended	42-4-501.			<i>[Moved to 42-4-104.]</i>
42-4-407.	42-4-508	Gross weight of vehicles and loads.	Cross-references amended	42-4-502.	42-4-601	Department to sign highways, where.	No changes
42-4-408.	42-4-509	Vehicles weighed - excess removed.	Cross-references amended; Language made gender neutral	42-4-503.	42-4-602	Local traffic control devices.	Subsection (1) moved to become 42-4-105.
42-4-409.	42-4-510	Permits for excess size and weight and for manufactured homes.	Cross-references amended; Language made gender neutral; Subsections or smaller subparts renumbered; Minor modifications in language	42-4-504.	42-4-603	Obedience to official traffic control devices.	Subsections or smaller subparts renumbered

PART 5

SIGNALS - SIGNS - MARKINGS

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-505.	42-4-604	Traffic control signal legend.	Clarification regarding yielding right of way to pedestrians; Subsections or smaller subparts renumbered; Cross-references amended			PART 6 RIGHTS-OF-WAY	
42-4-506.	42-4-605	Flashing signals.	Cross-references amended	42-4-601.	42-4-701	Vehicles approaching or entering intersection.	Subsections or smaller subparts renumbered; Cross-references amended
42-4-507.	42-4-606	Display of unauthorized signs or devices.	No changes	42-4-602.	42-4-702	Vehicle turning left.	No changes
42-4-508.	42-4-607	Interference with official devices.	No changes	42-4-603.	42-4-703	Entering through highway - stop or yield intersection.	Language made gender neutral
42-4-509.	42-4-608	Signals by hand or signal device.	Cross-references amended	42-4-604.	42-4-704	Vehicle entering roadway.	No changes
42-4-510.	42-4-609	Method of giving hand and arm signals.	No changes	42-4-605.	42-4-705	Operation on approach of emergency vehicles.	Cross-references amended
42-4-511.		Vehicles must stop or yield at through highways. (Repealed)		42-4-606.	42-4-706	Obedience to railroad signal.	Amendment concerning required action of a driver approaching a railroad crossbuck
42-4-512.	42-4-610	Unauthorized insignia.	Language made gender neutral	42-4-607.		Vehicles stop at certain grade crossings.	Section repealed because of duplication with 42-6-606
42-4-513.	42-4-611	Paraplegic persons or persons with disabilities - distress flag.	No changes	42-4-608.	42-4-707	Certain vehicles must stop at railroad grade crossings.	Modifications in obsolete language; Language made gender neutral; Subsections or smaller subparts renumbered; Cross-references amended
42-4-514.	42-4-612	When signals are inoperative or malfunctioning.	Cross-references amended; Language made gender neutral				

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-609.	42-4-708	Moving heavy equipment at railroad grade crossing.	Language made gender neutral
42-4-609.5.	42-4-709	Stop when traffic obstructed.	Language made gender neutral
42-4-610.	42-4-710	Emerging from or entering alley, driveway, or building.	Cross-references amended
42-4-611.	42-4-711	Driving on mountain highways.	Minor modifications in language
42-4-612.			<i>[Moved to 42-4-1903]</i>
42-4-613.			<i>[Moved to 42-4-1904]</i>
42-4-614.	42-4-712	Driving in highway work area.	Cross-references amended

PART 7 §
PEDESTRIANS

42-4-701.	42-4-801	Pedestrian obedience to traffic control devices and traffic regulations.	Language made gender neutral; Cross-references amended
42-4-702.	42-4-802	Pedestrians' right-of-way in crosswalks.	Subsections or smaller subparts renumbered; Language made gender neutral; Cross-references amended

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-703.	42-4-803	Crossing at other than crosswalks.	No changes
42-4-704.	42-4-804	Pedestrian to use right half of crosswalk.	No changes
42-4-705.	42-4-805	Pedestrians on highways.	Subsections or smaller subparts renumbered; Cross-references amended
42-4-706.	42-4-806	Driving through safety zone prohibited.	No changes
42-4-707.	42-4-807	Drivers to exercise due care.	No changes
42-4-708.		Pedestrians to yield to emergency vehicles. (Repealed)	
42-4-709.	42-4-808	Drivers and pedestrians to yield to persons with disabilities.	Cross-references amended

PART 8 §
TURNING - STOPPING

42-4-801.	42-4-901	Required position and method of turning.	No changes
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<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-802.	42-4-902	Limitations on turning around.	No changes
42-4-803.	42-4-903	Turning movements and required signals.	Cross-references amended

PART 9 10

DRIVING - OVERTAKING - PASSING

42-4-901.	42-4-1001	Drive on right side - exceptions.	No changes
42-4-902.	42-4-1002	Passing oncoming vehicles.	No changes
42-4-903.	42-4-1003	Overtaking a vehicle on the left.	Cross-references amended; Language made gender neutral
42-4-904.	42-4-1004	When overtaking on the right is permitted.	No changes
42-4-905.	42-4-1005	Limitations on overtaking on the left.	Subsections or smaller subparts renumbered; Cross-references amended; Minor modifications in language
42-4-906.	42-4-1006	One-way roadways and rotary traffic islands.	No changes
42-4-907.	42-4-1007	Driving on roadways laned for traffic.	No changes

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-908.	42-4-1008	Following too closely.	No changes
42-4-909.	42-4-1009	Coasting prohibited.	No changes
42-4-910.	42-4-1010	Driving on divided or controlled-access highways.	Cross-references amended; Minor modifications in language
42-4-911.	42-4-1011	Use of runaway vehicle ramps.	Language made gender neutral
	42-4-1012	High occupancy vehicle lanes.	New language

PART 40 11

SPEED REGULATIONS

42-4-1001.	42-4-1101	Speed limits.	Cross-references amended; Subsections or smaller subparts renumbered
42-4-1002.	42-4-1102	Altering of speed limits.	Cross-references amended
42-4-1003.	42-4-1103	Minimum speed regulation.	Cross-references amended
42-4-1004.	42-4-1104	Speed limits on elevated structures.	Cross-references amended
42-4-1005.	42-4-1105	Speed contests.	No changes

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
		PART 41 42					
		PARKING					
42-4-1101.	42-4-1201	Starting parked vehicle.	No changes	42-4-1109.	42-4-1208	Parking privileges for persons with disabilities.	Cross-references amended; Subsections or smaller subparts renumbered; Minor modifications in language;
42-4-1102.	42-4-1202	Parking or abandonment of vehicles.	Cross-references amended; Subsections or smaller subparts renumbered				Subsections (1), (2), and (2.5) moved to § 42-3-121 to form a new section
42-4-1103.		Removal and disposal of abandoned vehicles.		42-4-1110.	42-4-1209	Owner liability for parking violations.	Language made gender neutral; Cross-references amended
		(Repealed)		42-4-1111.	42-4-1210	Designated areas on private property for authorized vehicles.	Cross-references amended
42-4-1103.1.	42-4-1203	Ski areas to install signs.	Cross-references amended				
42-4-1104.	42-4-1204	Stopping, standing, or parking prohibited in specified places.	Cross-references amended; Subsections or smaller subparts renumbered; Language made gender neutral	42-4-112.	42-4-1211	Limitations on backing.	No changes
42-4-1105.	42-4-1205	Parking at curb or edge of roadway.	No changes				
42-4-1106.	42-4-1206	Unattended motor vehicle.	No changes				
42-4-1107.	42-4-1207	Opening and closing vehicle doors.	No changes				
42-4-1108.		Transfer and purge of titles--					
		a b a n d o n e d					
		vehicles. (Repealed)					

CURRENT NEW SECTION CHANGES
NUMBER NUMBER TITLE MADE

PART 13

ALCOHOL AND DRUG OFFENSES

42-4-1202	42-4-1301	Driving under the influence	Subsections or smaller subparts
		driving while impaired	renumbered; Language made
		driving with excessive	g e n d e r n e u t r a l ;
		alcoholic content - tests	Cross-references amended
		penalties - useful public	
		service program - alcohol	
		and drug driving safety	
		program.	
42-4-1202.1	42-4-1302	Stopping of suspect.	Cross-references amended;
			Language made gender neutral
42-4-1202.2	42-4-1303	Records - prima facie proof.	Language made gender neutral
42-4-1211	42-4-1304	Samples of blood or other	No changes
		body substance - duties of	
		department of public health	
		and environment.	

CURRENT NEW SECTION CHANGES
NUMBER NUMBER TITLE MADE

PART ~~13~~ ¹⁴

OTHER OFFENSES

42-4-1201			<i>[Moved to 42-2-127]</i>
42-4-1202			<i>[Moved to 42-4-1301]</i>
42-4-1202.1			<i>[Moved to 42-4-1302]</i>
42-4-1202.2			<i>[Moved to 42-4-1303]</i>
42-4-1203.	42-4-1401	Reckless driving - penalty.	Cross-references amended
42-4-1204.	42-4-1402	Careless driving - penalty.	Cross-references amended
42-4-1205.	42-4-1403	Following fire apparatus	No changes
		prohibited.	
42-4-1206.	42-4-1404	Crossing fire hose.	No changes
42-4-113.	42-4-1405	Riding in trailers.	No changes
42-4-1207.	42-4-1406	Foreign matter on highway	No changes
		prohibited.	
42-4-1208.	42-4-1407	Spilling loads on highways	No changes
		prohibited.	
42-4-1209.		vehicular homicide	
		vehicular assault. (Repealed)	
42-4-1210			<i>[Moved to 42-4-312]</i>
42-4-1211			<i>[Moved to 42-4-1304]</i>

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-1212.	42-4-1408	Operation of motor vehicles on property under control of or owned by parks and recreation districts.	No changes
42-4-1213.	42-4-1409	Compulsory insurance - penalty.	Cross-references amended; Language made gender neutral
42-4-1214.	42-4-1410	Proof of financial responsibility required - suspension of license.	Cross-references amended; Language made gender neutral
42-4-237.	42-4-1411	Use of earphones while driving.	No changes
42-4-106.5	42-4-1412	Operation of bicycles and other human-powered vehicles.	Cross-references amended; Language made gender neutral
42-4-1512	42-4-1413	Eluding or attempting to elude a police officer.	Language made gender neutral
PART 43 15			
MOTORCYCLES			
42-4-1301.	42-4-1501	Traffic laws apply to persons operating motorcycles - special permits.	Cross-references amended

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-1302.	42-4-1502	Riding on motorcycles.	Language made gender neutral
42-4-1303.	42-4-1503	Operating motorcycles on roadways laned for traffic.	No changes
42-4-1304.	42-4-1504	Clinging to other vehicles.	Language made gender neutral
PART 44 16			
ACCIDENTS AND ACCIDENT REPORTS			
42-4-1401.	42-4-1601	Accidents involving death or personal injuries - duties.	Cross-references amended; Minor modifications in language; Language made gender neutral
42-4-1402.	42-4-1602	Accident involving damage - duty.	Cross-references amended
42-4-1403.	42-4-1603	Duty to give notice, information, and aid.	Language made gender neutral; Cross-references amended; Minor modifications in language
42-4-1404.	42-4-1604	Duty upon striking unattended vehicle or other property.	Language made gender neutral; Cross-references amended; Minor modifications in language

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-1405.	42-4-1605	Duty upon striking highway fixtures or traffic control devices.	Language made gender neutral; Cross-references amended;	42-4-1703.			[Moved to 43-5-503]
			Minor modifications in language	42-4-1704.			[Moved to 43-5-504]
42-4-1406.	42-4-1606	Duty to report accidents.	Cross-references amended;	42-4-1705.			[Moved to 43-5-504]
			Minor modifications in language; Modifications in obsolete language				
42-4-1407.	42-4-1607	When driver unable to give notice or make written report.	Cross-references amended	42-4-1501.	42-4-1701	Traffic offenses and infractions classified - penalties - penalty and surcharge schedule.	Subsections or smaller subparts renumbered; Cross-references amended; Language made gender neutral; Addition of penalty and surcharge
42-4-1408.	42-4-1608	Accident report forms.	No changes				
42-4-1409.	42-4-1609	Coroners to report.	Language made gender neutral				
42-4-1410.	42-4-1610	Reports by interested parties confidential.	Language made gender neutral	42-4-1501.5.	42-4-1702	Alcohol- or drug-related traffic offenses - collateral attack.	Cross-references amended
42-4-1411.	42-4-1611	Tabulation and analysis of reports.	No changes	42-4-1502.	42-4-1703	Parties to a crime.	No changes
				42-4-1503.	42-4-1704	Offenses by persons controlling vehicles.	No changes
				42-4-1504.	42-4-1705	Person arrested to be taken before the proper court.	Cross-references amended
				42-4-1504.5.	42-4-1706	Juveniles - convicted - arrested and incarcerated - provisions for confinement.	No changes

PART 45 17

PENALTIES AND PROCEDURE

PART 17

MOTORCYCLE-OPERATOR SAFETY TRAINING

[Moved to 43-5-501]

[Moved to 43-5-502]

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-1505.	42-4-1707	Summons and complaint or penalty assessment notice for misdemeanors, petty offenses, and misdemeanor traffic offenses - release - registration.	Cross-references amended; Subsections or smaller subparts renumbered	42-4-1509.	42-4-1714	Traffic violation not to affect credibility of witness.	No changes
42-4-1505.3.	42-4-1708	Traffic infractions - proper court for hearing, burden of proof - appeal - collateral attack.	Cross-references amended; Language made gender neutral	42-4-1510.	42-4-1715	Convictions, judgments, and charges recorded - public inspection.	Language made gender neutral; Cross-references amended; Minor modifications in language
42-4-1505.5.	42-4-1709	Penalty assessment notice for traffic infractions - violations of provisions by officer - driver's license.	Cross-references amended; Language made gender neutral;	42-4-1511.	42-4-1716	Notice to appear or pay fine - failure to appear - penalty.	Cross-references amended
				42-4-1512.			[Moved to 42-4-1413]
				42-4-1513.	42-4-1717	Conviction - attendance at driver improvement school.	Language made gender neutral
PART 16							
TOWING AND STORAGE							
42-4-1505.7.	42-4-1710	Failure to pay penalty for traffic infractions - procedures.	Cross-references amended; Language made gender neutral	42-4-1601.	42-4-1801	Legislative declaration.	Cross-references amended
42-4-1506.	42-4-1711	Compliance with promise to appear.	No changes	42-4-1602.	42-4-1802	Definitions.	Cross-references amended;
42-4-1507.	42-4-1712	Procedure prescribed not exclusive.	No changes	42-4-1603.	42-4-1803	Abandonment of motor vehicles - public tow.	Language made gender neutral
42-4-1508.	42-4-1713	Conviction record inadmissible in civil action.	No changes				Language made gender neutral

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-4-1604.	42-4-1804	Report of abandoned motor vehicles - owner's opportunity to request hearing - public tow.	Cross-references amended; Language made gender neutral
42-4-1605.	42-4-1805	Abandonment of motor vehicles - private tow.	Cross-references amended; Language made gender neutral
42-4-1606.	42-4-1806	Appraisal of abandoned motor vehicles - sale.	Cross-references amended; Minor modifications in language
42-4-1607.	42-4-1807	Liens upon towed motor vehicles.	Cross-references amended; Language made gender neutral
42-4-1608.	42-4-1808	Perfection of lien.	Cross-references amended
42-4-1609.	42-4-1809	Foreclosure of lien.	Cross-references amended
42-4-1610.	42-4-1810	Proceeds of sale.	Cross-references amended; Language made gender neutral
42-4-1611.	42-4-1811	Transfer and purge of certificates of title.	Cross-references amended
42-4-1612.	42-4-1812	Penalty.	Cross-references amended
42-4-1613.	42-4-1813	Exemptions.	Cross-references amended
42-4-1614.	42-4-1814	Local regulations.	Cross-references amended
42-4-1615.	42-4-1815	Violation of motor vehicle registration or inspection laws - separate statutory provision.	Cross-references amended

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
		PART 19	
		SCHOOL BUS REQUIREMENTS	
42-4-238	42-4-1901	School buses - equipped with supplementary brake retarders.	Cross-references amended
42-4-239	42-4-1902	School bus drivers - special training required.	Cross-references amended
42-4-612	42-4-1903	School buses - stops - signs - passing.	Language made gender neutral; Subsections or smaller subparts renumbered; Cross-references amended
42-4-613	42-4-1904	Regulations for school buses - regulations on discharge of passengers - penalty - exception.	No changes
		ARTICLE 5	
		Automobile Theft Law - Inspection of Vehicle Identification Numbers	

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
PART 1			
AUTOMOBILE THEFT			
42-5-101.	<i>same</i>	Definitions.	Subsections or smaller subparts renumbered
42-5-102.	<i>same</i>	Stolen motor vehicle parts - buying, selling - removed or altered motor vehicle parts - possession.	No changes
42-5-103.	<i>same</i>	Tampering with a motor vehicle.	No changes
42-5-104.	<i>same</i>	Theft of motor vehicle parts.	No changes
42-5-105.	<i>same</i>	Daily record.	Language made gender neutral
42-5-106.	<i>same</i>	Duties of dealers - assembled motor vehicles.	Language made gender neutral
42-5-107.	<i>same</i>	Seizure of motor vehicles or component parts by peace officers.	Subsections or smaller subparts renumbered
42-5-108.	<i>same</i>	Penalty.	No changes
42-5-109.	<i>same</i>	Report of stored or parked motor vehicles - when.	No changes

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-5-110.	<i>same</i>	Possession of removed, defaced, altered, or destroyed motor vehicle identification numbers.	Language made gender neutral
42-5-111.	<i>same</i>	Proof of authorized possession.	No changes
PART 2			
VEHICLE IDENTIFICATION NUMBER INSPECTION			
42-5-201.	<i>same</i>	Definitions.	Cross-references amended
42-5-202.	<i>same</i>	Vehicle identification number inspection required.	No changes
42-5-203.	<i>same</i>	Inspections - street rod vehicles.	Language made gender neutral
42-5-204.	<i>same</i>	Inspection fees - vehicle number inspection funds.	No changes
42-5-205.	<i>same</i>	Assignment of a special vehicle identification number by the division.	Cross-references amended
42-5-206.	<i>same</i>	Certification of inspectors.	Language made gender neutral
42-5-207.	<i>same</i>	Rules and regulations.	No changes

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
ARTICLE 6			
Certificates of Title - Used Motor Vehicle Sales			
PART 1			
CERTIFICATES OF TITLE			
42-6-101.	<i>same</i>	Short title.	No changes
42-6-102.	<i>same</i>	Definitions.	Subsections or smaller subparts renumbered; Cross-references amended; Minor modifications in language
42-6-103.	<i>same</i>	Application.	No changes
42-6-104.	<i>same</i>	Administration.	Language made gender neutral
42-6-105.	<i>same</i>	Authorized agents.	No changes
42-6-106.	<i>same</i>	Certificates of registration - plates.	Language made gender neutral; Cross-references amended
42-6-107.	<i>same</i>	Certificates of title - contents.	Subsections or smaller subparts renumbered; Minor modifications in language; Cross-references amended; Language made gender neutral
42-6-107.5.	42-6-108	Identification number - title - street rod vehicles.	Modifications in obsolete language

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-6-108.	42-6-109	Sale or transfer of vehicle.	Cross-references amended; Language made gender neutral; Minor modifications on language
42-6-109.	42-6-110	Certificate of title - transfer.	Minor modifications in language; Language made gender neutral;
42-6-110.	42-6-111	Sale to dealers - certificate need not issue.	Language made gender neutral; Minor modifications in language; Cross-references amended
42-6-110.5.	42-6-112	Initial registration of a motor vehicle - dealer responsibility to timely forward certificate of title to purchaser or holder of a chattel mortgage.	Cross-references amended
42-6-111.	42-6-113	New vehicles - bill of sale - certificate of title.	Language made gender neutral
42-6-112.	42-6-114	Transfers by bequest, descent, law.	Cross-references amended; Minor modifications in language

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-6-113.	42-6-115	Furnishing bond for certificates.	Language made gender neutral; Cross-references amended
42-6-114.	42-6-116	Applications for certificates of title.	Cross-references amended
42-6-115.	42-6-117	Issuance of certificate.	Language made gender neutral
42-6-116.	42-6-118	Amended certificate to issue, when.	Language made gender neutral
42-6-117.		Distinguishing number affixed to vehicle, when. (Repealed)	
42-6-118.	42-6-119	Certificates for vehicles registered in other states.	Language made gender neutral; Cross-references amended
42-6-119.	42-6-120	Security interests upon motor vehicles.	Cross-references amended; Language made gender neutral
42-6-120.	42-6-121	Filing of mortgage.	Language made gender neutral
42-6-121.	42-6-122	Disposition of mortgages by agent.	Language made gender neutral
42-6-122.	42-6-123	Disposition after mortgaging.	Language made gender neutral; Minor modifications in language; Cross-references amended
42-6-123.	42-6-124	Disposition of certificates of title.	Language made gender neutral
42-6-124.	42-6-125	Release of mortgages.	Cross-references amended;

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-6-125.	42-6-126	New certificate upon release of mortgage.	Cross-references amended; Minor modifications in language; Language made gender neutral
42-6-126.	42-6-127	Duration of lien of mortgage - extensions.	Cross-references amended; Language made gender neutral;
42-6-127.	42-6-128	Validity of mortgage between parties.	Minor modifications in language; Minor modifications in punctuation No changes
42-6-127.5.	42-6-129	Second or other junior mortgages.	Language made gender neutral; Minor modifications in language
42-6-128.	42-6-130	Priority of mortgages.	Cross-references amended
42-6-129.	42-6-131	Mechanics', warehouse, and other liens.	Cross-references amended
42-6-130.	42-6-132	Existing mortgages not affected.	No changes

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-6-210.	42-6-206	Disclosure requirements upon transfer of ownership of a salvage vehicle.	Minor modifications in language; Cross-references amended			PART 3 SECURITY AND PROOF OF FINANCIAL RESPONSIBILITY IN CONNECTION WITH ACCIDENTS	
ARTICLE 7							
Motor Vehicle Financial Responsibility Law							
PART 1							
GENERAL PROVISIONS							
42-7-101.	<i>same</i>	Short title.	No changes	42-7-301.	<i>same</i>	Security and proof of financial responsibility for the future required under certain circumstances.	Language made gender neutral;
42-7-102.	<i>same</i>	Legislative declaration.	No changes	42-7-302.	<i>same</i>	Exemptions from requirement of filing security and proof of financial responsibility for the future.	Cross-references amended
42-7-103.	<i>same</i>	Definitions.	Cross-references amended; Language made gender neutral	42-7-303.	<i>same</i>	Duration of suspension.	Language made gender neutral
				42-7-304.	<i>same</i>	Custody and disposition of security.	Language made gender neutral;
						Minor modifications in language	
PART 2							
ADMINISTRATION							
42-7-201.	<i>same</i>	Director to administer article.	No changes	42-7-401.	<i>same</i>	Proof required on judgments.	No changes
42-7-202.	<i>same</i>	Report of accident required.	Language made gender neutral; Cite added				
PART 4							
PROOF OF FINANCIAL RESPONSIBILITY -							
JUDGMENTS AND CONVICTIONS							

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-7-402.	<i>same</i>	Suspension, duration, bankruptcy.	No changes	42-7-414.	<i>same</i>	Requirements to be complied with.	No changes
42-7-403.	<i>same</i>	Sufficiency of payments.	No changes	42-7-415.	<i>same</i>	When insurance carrier to issue certificate.	No changes
42-7-404.	<i>same</i>	Payment of judgment in installments.	Minor modifications in language	42-7-416.	<i>same</i>	Notice required before cancellation.	No changes
42-7-405.	<i>same</i>	Suspension upon second judgment.	Language made gender neutral	42-7-417.	<i>same</i>	Article not to affect other policies.	Language made gender neutral; Minor modifications in language
42-7-406.	<i>same</i>	Proof required under certain conditions.	Language made gender neutral; Cross-references amended	42-7-418.	<i>same</i>	Money - securities for financial responsibility.	No changes
42-7-407.	<i>same</i>	Duty of courts to report.	No changes	42-7-419.	<i>same</i>	Substitution of proof.	No changes
42-7-408.	<i>same</i>	Proof of financial responsibility - methods of giving proof.	No changes	42-7-420.	<i>same</i>	Failure of proof - other proof.	No changes
42-7-409.	<i>same</i>	Proof for member of family or chauffeur.	No changes	42-7-421.	<i>same</i>	When director may release proof.	Language made gender neutral
42-7-410.	<i>same</i>	Certificate for insurance policy.	No changes	42-7-422.	<i>same</i>	No proof when proof required.	Language made gender neutral
42-7-411.	<i>same</i>	Restrictions in certain type of policy.	Language made gender neutral				
42-7-412.	<i>same</i>	Certificate furnished by nonresident.	Minor modifications in language				
42-7-413.	<i>same</i>	Motor vehicle liability policy.	Language made gender neutral; Minor modifications in language				
						PART 5	
						GENERAL	
				42-7-501.	<i>same</i>	Self-insurers.	Language made gender neutral

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-7-502.	same	Action against nonresident - reciprocity with other states.	Language made gender neutral	42-8-103.	same	Ports of entry division.	Language made gender neutral
42-7-503.	same	Director to furnish operating record.	No changes	42-8-104.	same	Powers and duties.	Language made gender neutral; Cross-references amended; Minor modifications in language
42-7-504.	same	Matters not to be evidence in litigation.	No changes	42-8-105.	same	Clearance of motor vehicles at port of entry weigh stations.	Cross-references amended; Language made gender neutral
42-7-505.	same	Forging ability to respond in damages.	No changes	42-8-106.	same	Issuance of clearance certificates.	Subsections or smaller subparts renumbered
42-7-506.	same	Surrender of license.	No changes	42-8-107.	same	Construction and rights-of-way.	Minor modifications in language
42-7-507.	same	Penalty.	No changes	42-8-108.	same	Cooperation among departments.	No changes
42-7-508.	same	No repeal of motor vehicle laws.	No changes	42-8-109.	same	Fines and penalties.	Minor modifications in language
42-7-509.	same	Article does not prevent other process.	No changes	42-8-110.	same	Expenses of administration appropriated from the highway users tax fund.	No changes
42-7-510.	same	Insurance or bond required.	Cross-references amended; Subsections or smaller subparts renumbered	42-8-111.	same	Cooperative agreements with contiguous states for operations of ports of entry - regulations.	No changes
ARTICLE 8							
Port of Entry Weigh Stations							
42-8-101.	same	Legislative declaration.	No changes				
42-8-102.	same	Definitions.	No changes				

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
		ARTICLE 9		42-10-112.			<i>[Moved to 8-20-812]</i>
		Guest Statute					
42-9-101.		Guest has no cause of action				PART 2	
		—when. (Repealed)				BRAKE FLUID	
		ARTICLE 10		42-10-201.			<i>[Moved to 8-20-901]</i>
		Product Standards		42-10-202.			<i>[Moved to 8-20-902]</i>
				42-10-203.			<i>[Moved to 8-20-903]</i>
				42-10-204.			<i>[Moved to 8-20-904]</i>
		PART 1					
		ANTIFREEZE					
						ARTICLE 11 9	
						Motor Vehicle Repair Act	
42-10-101.			<i>[Moved to 8-20-801]</i>				
42-10-102.			<i>[Moved to 8-20-802]</i>				
42-10-103.			<i>[Moved to 8-20-803]</i>	42-11-101.	42-9-101	Short title.	No changes
42-10-104.			<i>[Moved to 8-20-804]</i>	42-11-102.	42-9-102	Definitions.	Subsections or smaller subparts renumbered
42-10-105.			<i>[Moved to 8-20-805]</i>				
42-10-106.			<i>[Moved to 8-20-806]</i>	42-11-102.5.	42-9-103	Applicability.	Cross-references amended
42-10-107.			<i>[Moved to 8-20-807]</i>	42-11-103.	42-9-104	When consent and estimate	Cross-references amended;
42-10-108.			<i>[Moved to 8-20-808]</i>			required - original	Language made gender neutral
42-10-109.			<i>[Moved to 8-20-809]</i>			transaction - disassembly.	
42-10-110.			<i>[Moved to 8-20-810]</i>				
42-10-111.			<i>[Moved to 8-20-811]</i>				

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-11-103.1.	42-9-105	When consent and estimate required - additional repairs - changed completion date.	Cross-references amended
42-11-103.5.	42-9-106	Amounts over estimate - storage charges - cancellation of authorized repairs.	Cross-references amended
42-11-104.	42-9-107	Used, reconditioned, or rebuilt parts.	No changes
42-11-105.	42-9-108	Invoice.	Language made gender neutral
42-11-106.	42-9-109	Return of replaced parts.	Language made gender neutral
42-11-107.	42-9-110	Exemption - antique motor vehicles.	Cross-references amended
42-11-108.	42-9-111	Prohibited acts.	Cross-references amended
42-11-109.	42-9-112	Penalties - civil action.	Cross-references amended; Language made gender neutral; Minor modifications in language
ARTICLE 13 10			
Motor Vehicle Warranties			
42-12-101.	42-10-101	Definitions.	Cross-references amended

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-12-102.	42-10-102	Repairs to conform vehicle to warranty.	No changes
42-12-103.	42-10-103	Failure to conform vehicle to warranty - replacement or return of vehicle.	Language made gender neutral
42-12-104.	42-10-104	Affirmative defenses.	No changes
42-12-105.	42-10-105	Limitations on other rights and remedies.	No changes
42-12-106.	42-10-106	Applicability of federal procedures.	Cross-references amended
42-12-107.	42-10-107	Statute of limitations.	Cross-references amended
ARTICLE 13 11			
Motor Vehicle Service			
Contract Insurance			
42-13-101.	42-11-101	Definitions.	Cross-references amended
42-13-102.	42-11-102	Reimbursement policy required for sale of service contract.	No changes
42-13-103.	42-11-103	Reimbursement policy - required provisions.	No changes

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-13-104.	42-11-104	Service contract - required statements.	No changes
42-13-105.	42-11-105	Manufacturers' express warranties and service contracts excluded.	Cross-references amended
42-13-106.	42-11-106	Deceptive trade practices prohibited.	No changes
42-13-107.	42-11-107	Enforcement.	Minor modifications in language
42-13-108.	42-11-108	Remedies.	No changes
42-13-109.		Effective date - applicability.	Section repealed

ARTICLE 15 12

Motor Vehicles as Collectors' Items

42-15-101.	42-12-101	Definitions.	Language made gender neutral; Cross-references amended
42-15-102.	42-12-102	Registration of collectors' items.	Cross-references amended; Language made gender neutral
42-15-103.	42-12-103	Storage provisions.	Cross-references amended; Language made gender neutral
42-15-104.	42-12-104	Special equipment or modification.	No changes

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
ARTICLE 16 13			
Disposition of Personal Property			
42-16-101.	42-13-101	Scope and effect of article - exception to provisions.	No changes
42-16-102.	42-13-102	Return of property.	Cross-references amended; Language made gender neutral; Minor modifications in language
42-16-103.	42-13-103	Sale of unclaimed property.	Cross-references amended; Language made gender neutral; Minor modifications in punctuation
42-16-104.	42-13-104	Deposit of proceeds.	No changes
24-33.5-213.	42-13-105	Release of impounded vehicles - penalty.	No changes
24-33.5-213.	42-13-106	Impounded vehicles notice hearing.	Subsections or smaller subparts renumbered; Cross-references amended
42-16-105.	42-13-107	Recovery of property - limitation.	Cross-references amended
42-16-106.	42-13-108	Damages.	No changes
42-16-107.	42-13-109	Local regulations.	No changes

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
43-6-202	42-20-202	Transportation permit application fee.	Subsections or smaller subparts renumbered; Cross-references amended; Language made gender neutral	43-6-305	42-20-305	Deviation from authorized route - penalty.	Cross-references amended
43-6-203	42-20-203	Carrying of permit and shipping papers.	No changes	PART 4			
NUCLEAR MATERIALS - GENERAL PROVISIONS							
43-6-204	42-20-204	Permit violations - penalties.	Cross-references amended	43-6-401	42-20-401	Legislative declaration.	No changes
43-6-205	42-20-205	Permit suspension or revocation.	Cross-references amended	43-6-402	42-20-402	Definitions.	No changes
43-6-206	42-20-206	Local government presumption.	No changes	43-6-403	42-20-403	Chief to promulgate rules and regulations motor vehicles.	No changes
PART 3							
ROUTE DESIGNATION FOR HAZARDOUS MATERIALS							
43-6-301	42-20-301	Route designation.	Cross-references amended	43-6-404	42-20-404	Inspections.	Cross-references amended
43-6-302	42-20-302	Application for route designation - procedure - approval.	Cross-references amended	43-6-405	42-20-405	Violations - criminal penalties.	No changes
43-6-303	42-20-303	Road signs required - uniform standards.	Cross-references amended	43-6-406	42-20-406	Violations - civil penalties - motor vehicles.	Cross-references amended
43-6-304	42-20-304	Emergency closure of public roads.	No changes	43-6-407	42-20-407	Repeat violations - civil penalties.	Cross-references amended
				43-6-408	42-20-408	Compliance orders - penalty.	Cross-references amended

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
		PART 5				TITLE 8	
		NUCLEAR MATERIALS PERMIT SYSTEM				LABOR AND INDUSTRY	
43-6-501	42-20-501	Nuclear materials transportation permit required - application	No changes	42-10-101	8-20-801	Short title	Moved to title 8;
43-6-502	42-20-502	Permits - fees	Cross-references amended	42-10-102	8-20-802	Definitions	Cross-references amended
43-6-503	42-20-503	Carrying of shipping papers	No changes	42-10-103	8-20-803	Annual inspection of sample - permit authorizing sale -	Moved to title 8;
43-6-504	42-20-504	Rules and regulations	No changes			reinspection;	Language modifications in language;
43-6-505	42-20-505	Penalties - permit system	Cross-references amended			Cross-references amended	Cross-references amended
43-6-506	42-20-506	Permit suspension and revocation	Cross-references amended	42-10-104	8-20-804	When deemed adulterated	Moved to title 8; No changes
43-6-507	42-20-507	Local government prescription	No changes	42-10-105	8-20-805	When deemed misbranded	Moved to title 8; No changes
43-6-508	42-20-508	Route designation - motor vehicles	No changes	42-10-106	8-20-806	State inspector of oils to enforce	Moved to title 8; Language made gender neutral;
43-6-509	42-20-509	Strict liability for nuclear incidents	No changes				Minor modifications in language;
43-6-510	42-20-510	Statute of limitations	No changes				Cross-references amended
43-6-511	42-20-511	Nuclear materials transportation fund	No changes	42-10-107	8-20-807	Rules and regulations	Moved to title 8;
							Cross-references amended

<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>	<u>CURRENT NUMBER</u>	<u>NEW NUMBER</u>	<u>SECTION TITLE</u>	<u>CHANGES MADE</u>
42-10-108	8-20-808	List of brands may be furnished.	Moved to title 8; Language made gender neutral; Cross-references amended	42-10-204	8-20-904	Penalty.	Moved to title 8; Cross-references amended
42-10-109	8-20-809	False advertising prohibited.	Moved to title 8; Language made gender neutral; Cross-references amended	TITLE 43			
42-10-110	8-20-810	District attorney to bring actions.	Moved to title 8; Language made gender neutral; Cross-references amended	HIGHWAYS AND ROADS			
42-10-111	8-20-811	Disposition of fees.	Moved to title 8; Cross-references amended	ARTICLE 5			
42-10-112	8-20-812	Penalty.	Moved to title 8; Cross-references amended	Highway Safety			
PART 9				PART 5			
BRAKE FLUID				MOTORCYCLE OPERATOR SAFETY TRAINING			
42-10-201	8-20-901	Sale of approved brake fluid.	Moved to title 8; No changes	42-4-1701	43-5-501	Definitions.	Moved to title 43; Subsections or smaller subparts renumbered; Cross-references amended
42-10-202	8-20-902	Brake fluid specifications list of approved brands.	Moved to title 8; Language made gender neutral	42-4-1702	43-5-502	Motorcycle operator safety training program.	Moved to title 43; Cross-references amended
42-10-203	8-20-903	District attorney to bring actions.	Moved to title 8; Language made gender neutral; Cross-references amended	42-4-1703	43-5-503	Instructor requirements and training.	Moved to title 43; Cross-references amended
				42-4-1704	43-5-504	Motorcycle operator safety training fund.	Moved to title 43; Cross-references amended
				42-4-1705	43-5-505	Advisory committee - repeal.	Moved to title 43; No changes

BILL 2

A BILL FOR AN ACT

101 CONCERNING REVISIONS TO THE PENALTY AND SURCHARGE SCHEDULE
102 APPLICABLE TO TRAFFIC OFFENSES.

Bill Summary

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

Revises the penalty and surcharge schedule applicable to traffic offenses.

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

2 **SECTION 1.** 42-4-1501 (2) (a) (I), (3) (a) (I.1), and (3) (a) (IV)
3 (A), Colorado Revised Statutes, 1993 Repl. Vol., are amended to read:

4 **42-4-1501. Traffic offenses and infractions classified - penalties**
5 **- penalty and surcharge schedule.** (2) (a) (I) Except as provided in
6 subsections (3) and (4) of this section, traffic infractions are divided into two
7 classes which shall be subject to the following penalties which are authorized
8 upon entry of judgment against the defendant:

9	Class	Minimum	Maximum
10		Penalty	Penalty

1 A \$10 15 penalty. \$100 penalty.

2 B \$ 5 15 penalty. \$100 penalty.

3 (3) (a) (I.1) Except as provided in paragraph (c) of subsection (4)
4 of this section, every person who is convicted of, who admits liability for,
5 or against whom a judgment is entered for a violation of any provision of
6 this title to which the provisions of paragraph (a) or (b) of subsection (4) of
7 this section apply shall be fined or penalized, and have a surcharge levied
8 thereon pursuant to section 24-4.2-104 (1) (b) (I), C.R.S., in accordance
9 with the penalty and surcharge schedule set forth in sub-subparagraphs (A)
10 to (P) of this subparagraph (I.1); or, if no penalty or surcharge is specified
11 in the schedule, the penalty for a class A ~~traffic infraction shall be ten~~
12 ~~dollars, the penalty for a class B traffic infraction~~ AND CLASS B TRAFFIC
13 INFRACTIONS shall be ~~five~~ FIFTEEN dollars, and the surcharge shall be
14 ~~calculated pursuant to section 24-4.2-104 (1) (b) (I), C.R.S.~~ TWO DOLLARS.
15 These penalties and surcharges shall apply whether the defendant
16 acknowledges his guilt or liability in accordance with the procedure set forth
17 by paragraph (a) of subsection (4) of this section or is found guilty by a
18 court of competent jurisdiction or has judgment entered against him by a
19 county court magistrate. Penalties and surcharges for violating specific
20 sections shall be as follows:

21 **Section Violated** **Penalty Surcharge**

22 (A) **Drivers' license violations:**

1	42-2-101 (1), (3), or (4)			
2	42-2-101 (1) OR (4)	\$ 35.00	\$ 5.00 4.00	
3	42-2-101 (2), (3), or (5)	15.00	5.00 2.00	
4	42-2-102.5	15.00	2.00	
5	42-2-104	35.00	1.00 4.00	
6	42-2-105	35.00	1.00 4.00	
7	42-2-114	25.00 15.00	3.00 2.00	
8	42-2-117	20.00 15.00	3.00 2.00	
9	42-2-126	35.00	1.00 4.00	
10	42-2-128	35.00	12.00 4.00	
11	42-2-131	35.00	1.00 4.00	
12	42-2-132	35.00	3.00 4.00	
13	42-2-133	35.00	3.00 4.00	
14	(B) Registration and taxation violations:			
15	42-3-102	\$ 40.00 50.00	\$ 3.00 6.00	
16	42-3-111	15.00	2.00	
17	42-3-113	10.00 15.00	3.00 2.00	
18	42-3-116	50.00	3.00 6.00	
19	42-3-122 (1)(a)	150.00 75.00	56.00 9.00	
20	42-3-122 (1)(c)	25.00 35.00	3.00 4.00	
21	42-3-122 (1)(f)	75.00	3.00 9.00	
22	42-3-123	20.00 50.00	3.00 6.00	

1	(C) Traffic regulation generally:			
2	42-4-106.5	\$ 15.00	\$ 1.00 2.00	
3	42-4-107	15.00	1.00 2.00	
4	42-4-112	15.00	3.00 2.00	
5	42-4-113	15.00	3.00 2.00	
6	(D) Equipment violations:			
7	42-4-201	\$ 35.00	\$ 1.00 4.00	
8	42-4-202	40.00 35.00	1.00 4.00	
9	42-4-203	15.00	3.00 2.00	
10	42-4-204	15.00	1.00 2.00	
11	42-4-205	15.00	1.00 2.00	
12	42-4-206	10.00 15.00	1.00 2.00	
13	42-4-207	15.00	1.00 2.00	
14	42-4-208	15.00	1.00 2.00	
15	42-4-209	15.00	1.00 2.00	
16	42-4-210	15.00	1.00 2.00	
17	42-4-211	10.00 15.00	1.00 2.00	
18	42-4-212	15.00	1.00 2.00	
19	42-4-212.5	15.00	1.00 2.00	
20	42-4-213	15.00	1.00 2.00	
21	42-4-214	10.00 15.00	1.00 2.00	
22	42-4-215	15.00	1.00 2.00	

1	42-4-216	10.00 15.00	1.00 2.00
2	42-4-217	10.00 15.00	1.00 2.00
3	42-4-218	15.00	1.00 2.00
4	42-4-218.5	15.00	1.00 2.00
5	42-4-219 (1) or (2)	15.00	1.00 2.00
6	42-4-220	15.00	1.00 2.00
7	42-4-221	15.00	1.00 2.00
8	42-4-222	15.00	1.00 2.00
9	42-4-223	10.00 15.00	1.00 2.00
10	42-4-224	50.00	1.00 6.00
11	42-4-225 (1), (2), (3),		
12	(6), or (7)	15.00	1.00 2.00
13	42-4-226	15.00	1.00 2.00
14	42-4-227	15.00	1.00 2.00
15	42-4-228	50.00	18.00
16	42-4-229	15.00	1.00 2.00
17	42-4-231	15.00	3.00 2.00
18	42-4-232	100.00 75.00	37.00 9.00
19	42-4-233	15.00	3.00 2.00
20	42-4-234	50.00	18.00 6.00
21	42-4-235	50.00	9.00 6.00
22	42-4-236	10.00 15.00	1.00 2.00

1	42-4-237	15.00	3.00 2.00
2	42-4-238	35.00	3.00 4.00
3	(E) Emissions inspections:		
4	42-4-315 (2)(b)	100.00	37.00
5	42-4-315 (3)(c)	\$ 50.00	\$ 6.00
6	42-4-315 (3)(d)	15.00	2.00
7	(F) Size, weight, and load violations:		
8	42-4-402	\$ 75.00	\$ 2.00 9.00
9	42-4-403	20.00 15.00	2.00
10	42-4-404	75.00	2.00 9.00
11	42-4-404.5	75.00	2.00 9.00
12	42-4-405	15.00	1.00 2.00
13	42-4-408	50.00	7.00 6.00
14	42-4-409 (12)(a)	35.00	3.00 4.00
15	42-4-410	20.00 35.00	3.00 4.00
16	42-4-411	85.00 75.00	2.00 9.00
17	(G) Signals, signs, and markings violations:		
18	42-4-504	\$ 20.00 35.00	\$ 3.00 4.00
19	42-4-505	20.00 35.00	1.00 4.00
20	42-4-506	20.00 35.00	1.00 4.00
21	42-4-507	15.00	3.00 2.00
22	42-4-508	50.00	3.00 6.00

1	42-4-509	15.00	3.00	2.00	1	42-4-704	10.00	15.00	1.00	2.00
2	42-4-510	15.00	3.00	2.00	2	42-4-705	10.00	15.00	1.00	2.00
3	42-4-512	5.00	1.00	2.00	3	42-4-706	20.00	35.00	3.00	4.00
4	42-4-514	20.00	3.00	4.00	4	42-4-707	20.00	35.00	3.00	4.00
5	(H) Rights-of-way violations:				5	42-4-709	35.00		3.00	4.00
6	42-4-601	\$ 20.00	\$ 2.00	4.00	6	(J) Turning and stopping violations:				
7	42-4-602	20.00	1.00	4.00	7	42-4-801	\$ 20.00	35.00	\$ 2.00	4.00
8	42-4-603	35.00	2.00	4.00	8	42-4-802	20.00	35.00	2.00	4.00
9	42-4-604	35.00	2.00	4.00	9	42-4-803	20.00	35.00	1.00	4.00
10	42-4-605	50.00	2.00	6.00	10	(K) Driving, overtaking, and passing violations:				
11	42-4-606	35.00	1.00	4.00	11	42-4-901	\$ 20.00	35.00	\$ 3.00	4.00
12	42-4-607	35.00	1.00	4.00	12	42-4-902	20.00	35.00	3.00	4.00
13	42-4-608	35.00	3.00	4.00	13	42-4-903	20.00	35.00	2.00	4.00
14	42-4-609	35.00	3.00	4.00	14	42-4-904	20.00	35.00	2.00	4.00
15	42-4-609.5	35.00	3.00	4.00	15	42-4-905	20.00	35.00	2.00	4.00
16	42-4-610	20.00	3.00	4.00	16	42-4-906	20.00	35.00	3.00	4.00
17	42-4-611	20.00	3.00	4.00	17	42-4-907	20.00	35.00	3.00	4.00
18	42-4-614	35.00	3.00	4.00	18	42-4-908	20.00	35.00	1.00	4.00
19	(I) Pedestrian violations:				19	42-4-909	15.00	35.00	3.00	4.00
20	42-4-701	\$ 20.00	\$ 1.00	2.00	20	42-4-910	20.00	35.00	3.00	4.00
21	42-4-702	20.00	2.00		21	42-4-911	100.00		37.00	12.00
22	42-4-703	10.00	1.00	2.00	22	(L) Speeding violations:				

1 42-4-1001 (1), (7)(a), or
 2 (7)(b) (1 to 4 miles per
 3 hour over the reasonable
 4 and prudent speed or over
 5 the maximum lawful speed
 6 limit of 55 or 65 miles
 7 per hour) \$ ~~40.00~~ 15.00\$ ~~3.00~~ 2.00

8 42-4-1001 (1), (7)(a), or
 9 (7)(b) (5 to 9 miles per
 10 hour over the reasonable
 11 and prudent speed or over
 12 the maximum lawful speed
 13 limit of 55 or 65 miles
 14 per hour) ~~25.00~~ 35.00 ~~9.00~~ 4.00

15 42-4-1001 (1) or (7)(b) (10
 16 to 19 miles per hour over
 17 the reasonable and prudent
 18 speed or over the maximum
 19 lawful speed limit of 55
 20 miles per hour) ~~55.00~~ 50.00 ~~9.00~~ 6.00

21 42-4-1001 (7)(a) (10 to 14
 22 miles per hour over

1 maximum lawful speed limit
 2 of ~~55.00~~ 50.00 ~~9.00~~ 6.00
 3 42-4-1001 (7)(a) (15 to 19
 4 miles per hour over
 5 maximum lawful speed limit
 6 of ~~60.00~~ 75.00 9.00

7 42-4-1001 (1) or (7)(b) (20
 8 to 24 miles per hour over
 9 the reasonable and prudent
 10 speed or over the maximum
 11 lawful speed limit of 55

12 miles per hour) 100.00 ~~9.00~~ 12.00
 13 42-4-1001 (3) ~~40.00~~ 35.00 ~~9.00~~ 4.00
 14 42-4-1003 15.00 ~~3.00~~ 2.00
 15 42-4-1004 15.00 ~~3.00~~ 2.00

16 (M) Parking violations:

17 42-4-1101 \$ 15.00\$ ~~1.00~~ 2.00
 18 42-4-1102 15.00 ~~1.00~~ 2.00
 19 42-4-1104 ~~10.00~~ 15.00 ~~1.00~~ 2.00
 20 42-4-1105 ~~10.00~~ 15.00 ~~1.00~~ 2.00
 21 42-4-1106 ~~10.00~~ 15.00 ~~1.00~~ 2.00
 22 42-4-1107 15.00 ~~3.00~~ 2.00

1	42-4-1109 (4) or (5)	50.00	0.00	6.00	
2	(N) Other offenses:				
3	42-4-1204	\$ 50.00	\$ 7.00	6.00	
4	42-4-1205	15.00	3.00	2.00	
5	42-4-1206	15.00	3.00	2.00	
6	42-4-1207	40.00	35.00	2.00	4.00
7	42-4-1208	40.00	35.00	1.00	4.00
8	42-4-1210	35.00	3.00	4.00	
9	42-4-1212	15.00	3.00	2.00	
10	(O) Motorcycle violations:				
11	42-4-1302	\$ 20.00	15.00	\$ 3.00	2.00
12	42-4-1303	20.00	15.00	3.00	2.00
13	42-4-1304	20.00	15.00	3.00	2.00
14	(P) Offenses by persons controlling vehicles:				
15	42-4-1503	\$ 20.00	15.00	\$ 3.00	2.00
16	(IV) (A) any person convicted of violating section 42-3-114 who has				
17	not been convicted of a violation of section 42-3-114 in the twelve months				
18	preceding such conviction shall be fined as follows, whether the defendant				
19	acknowledges his guilt pursuant to the procedure set forth in paragraph (a)				
20	of subsection (4) of this section or is found guilty by a court of competent				
21	jurisdiction:				
22	Number of days beyond renewal				

1	period that registration		
2	has been expired	Penalty	Surcharge
3	1-29	\$25.00 35.00	\$3.00 4.00
4	30-59	50.00	3.00 6.00
5	60 and over	75.00	3.00 9.00

6 **SECTION 2. Effective date - applicability.** This act shall take effect
7 January 1, 1995, and shall apply to traffic infractions committed on or after
8 said date.

9 **SECTION 3. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety.

BILL 3

A BILL FOR AN ACT

101 CONCERNING THE UNLAWFUL PRODUCTION OF IDENTIFICATION CARDS, AND,
102 IN CONNECTION THEREWITH, PROHIBITING THE DISPLAY OR
103 POSSESSION OF UNLAWFULLY PRODUCED CARDS.

Bill Summary

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

Prohibits the production of any identification card in such a manner that it could be mistaken for a valid identification card. Further prohibits the display or possession of such illegally produced card.

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

2 **SECTION 1.** 42-2-409 (1), Colorado Revised Statutes, 1993 Repl.

3 Vol., is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

4 **42-2-409. Unlawful acts.** (1) It is unlawful for any person:

5 (g) TO PHOTOGRAPH, PHOTOSTAT, DUPLICATE, OR IN ANY WAY

6 PRODUCE ANY IDENTIFICATION CARD AS DEFINED IN SECTION 42-2-401 (2),

7 OR FACSIMILE THEREOF, UNLESS AUTHORIZED BY LAW, IN SUCH A MANNER

8 THAT IT COULD BE MISTAKEN FOR A VALID IDENTIFICATION CARD OR TO

1 DISPLAY OR POSSESS ANY SUCH PHOTOGRAPH, PHOTOSTAT, DUPLICATE,
2 PRODUCTION, OR FACSIMILE.

3 **SECTION 2. Effective date.** This act shall take effect July 1, 1994.

4 **SECTION 3. Safety clause.** The general assembly hereby finds,
5 determines, and declares that this act is necessary for the immediate
6 preservation of the public peace, health, and safety.

BILL 4

A BILL FOR AN ACT

101 CONCERNING THE TIME LIMITATION FOR RENEWAL OF A DRIVER'S LICENSE
102 PRIOR TO ITS EXPIRATION.

Bill Summary

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

Eliminates both the 90-day limitation on renewing a driver's license before it expires and the requirement that an applicant appear in person in order to renew a driver's license.

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

2 **SECTION 1.** 42-2-116 (1) (a), Colorado Revised Statutes, 1993
3 Repl. Vol., is amended to read:

4 **42-2-116. Renewal of license.** (1) (a) Every license issued under
5 section 42-2-112 shall be renewable ~~within ninety days~~ prior to its expiration,
6 upon application, ~~in person~~, payment of the required fee, passing of an eye
7 test, passing of such other examinations as the applicant's physical
8 limitations or driver's record indicates to be desirable, and payment of any
9 penalty assessment, fine, cost, or forfeiture as prescribed by subsection (3)
10 of this section.

1 **SECTION 2. Effective date.** This act shall take effect July 1, 1994.

2 **SECTION 3. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, and safety.

BILL 5

A BILL FOR AN ACT

101 CONCERNING THE REMOVAL OF MATERIAL OBSTRUCTING A HIGHWAY
102 RIGHT-OF-WAY.

Bill Summary

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

Extends the authority of law enforcement officers to include the removal of any vehicle, cargo, or debris obstructing a highway right-of-way. Authorizes employees of state and local governmental agencies responsible for highway safety and maintenance to remove any motor vehicle, vehicle, cargo, or debris obstructing a highway right-of-way; except that agency employees are required to obtain approval from a law enforcement agency before moving any motor vehicle.

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

2 SECTION 1. 42-4-1602, Colorado Revised Statutes, 1993 Repl.
3 Vol., is amended BY THE ADDITION OF A NEW SUBSECTION to read:

4 42-4-1602. Definitions. As used in this part 16, unless the context
5 otherwise requires:

6 (1.5) "AGENCY EMPLOYEE" MEANS ANY EMPLOYEE OF THE
7 DEPARTMENT OF TRANSPORTATION OR OTHER MUNICIPAL, COUNTY, OR CITY

1 AND COUNTY AGENCY RESPONSIBLE FOR HIGHWAY SAFETY AND
2 MAINTENANCE.

3 SECTION 2. 42-4-1603 (2), Colorado Revised Statutes, 1993 Repl.
4 Vol., is amended to read:

5 42-4-1603. Abandonment of motor vehicles, vehicles, cargo, and
6 debris - public tow. (2) Whenever any sheriff, undersheriff, deputy sheriff,
7 police officer, marshal, Colorado state patrol officer, ~~or an~~ agent of the
8 Colorado bureau of investigation, OR AGENCY EMPLOYEE finds a motor
9 vehicle, VEHICLE, CARGO, OR DEBRIS, attended or unattended, standing upon
10 any portion of a highway right-of-way in such a manner as to constitute an
11 obstruction to traffic or proper highway maintenance, such officer OR
12 AGENCY EMPLOYEE is authorized to cause the motor vehicle, VEHICLE,
13 CARGO, OR DEBRIS to be moved to eliminate any such obstruction; and
14 neither the officer, THE AGENCY EMPLOYEE, nor anyone acting under his
15 THE direction OF SUCH OFFICER OR EMPLOYEE shall be liable for any damage
16 to such motor vehicle, VEHICLE, CARGO, OR DEBRIS occasioned by such
17 removal. NO AGENCY EMPLOYEE SHALL CAUSE ANY MOTOR VEHICLE TO BE
18 MOVED UNLESS SUCH EMPLOYEE HAS OBTAINED APPROVAL FROM A LOCAL
19 LAW ENFORCEMENT AGENCY OF A MUNICIPALITY, COUNTY, OR CITY AND
20 COUNTY, THE COLORADO BUREAU OF INVESTIGATION, OR THE COLORADO
21 STATE PATROL.

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BILL 5

1 **SECTION 3. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, and safety.

BILL 6

A BILL FOR AN ACT

101 CONCERNING RIGHT-OF-WAY FENCES.

Bill Summary

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

Requires the department of transportation to maintain right-of-way fences existing as of June 1, 1994, in agriculturally zoned areas adjacent to federal aid highways constructed and maintained by the department. Stipulates that the department must make necessary repairs to such fences only upon actual notice to the department. Specifies that the department must replace a fence removed during a construction project unless an agreement is reached between the department and the landowner.

Allows the department to erect a fence in an area other than an agriculturally zoned area if the highway is a designated freeway or if the landowner and the department agree to the erection of the fence.

Allows the department to remove a fence at its expense if the landowner agrees. Makes the landowner liable for any damages caused by the landowner's removal of a fence without proper authorization.

Enables a landowner to erect a fence at the landowner's expense if a fence is removed or not replaced pursuant to an agreement with the department. Requires the landowner to erect the fence in accordance with standards applicable to the department, to repair the fence after notification, and to be liable for any damages caused by failing to adequately construct, maintain, and repair the fence.

Provides that neither the landowner nor the department is liable for any damages caused by livestock if both agree to remove or not replace a fence and if the landowner does not own livestock.

1 SECTION 1. 35-46-111, Colorado Revised Statutes, 1984 Repl.
2 Vol., as amended, is amended to read:

3 35-46-111. Right-of-way fences. (1) (a) Except as otherwise
4 provided in PARAGRAPHS (b) AND (c) OF this ~~section~~ SUBSECTION (1), it is
5 the duty of the ~~highway operations and maintenance division~~ DEPARTMENT
6 OF TRANSPORTATION to maintain right-of-way fences CONSTRUCTED AS OF
7 JUNE 1, 1994, BY THE DEPARTMENT AT OR NEAR THE BOUNDARY OF THE
8 DEPARTMENT'S HIGHWAY PROPERTY IN AGRICULTURALLY ZONED AREAS
9 along and adjacent to all federal aid highways, ~~constructed by the division,~~
10 where such highways are maintained by the ~~division~~ DEPARTMENT. THE
11 DEPARTMENT SHALL MAKE REPAIRS TO SUCH RIGHT-OF-WAY FENCES WHEN
12 NECESSARY ONLY UPON ACTUAL NOTICE TO THE DEPARTMENT. ~~On all state~~
13 ~~or federal aid highway road construction projects where the highway~~
14 ~~operations and maintenance division constructs a right of way fence along~~
15 ~~and adjacent to such construction project, in whole or in part, it is the duty~~
16 ~~of the division to maintain the same. In the event that the highway~~
17 ~~operations and maintenance division removes a right of way fence during the~~
18 ~~completion of a road construction project, except for road construction~~
19 ~~projects along an interstate or other highway segment where the property~~
20 ~~owner has no rights of direct access to the highway, the right of way fence~~
21 ~~shall be replaced by the highway operations and maintenance division unless~~
22 ~~the landowner adjacent to the right of way fence requests that the~~

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BILL 6

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

~~1 right of way fence not be replaced. Except for road construction projects
2 along an interstate highway or other highway segment where the property
3 owner has no rights of direct access to the highway, no right of way fence
4 shall be erected unless the landowner adjacent to the right of way fence
5 requests that the right of way fence be erected. The highway operations and
6 maintenance division shall continue to maintain the right of way fence.~~

7 (b) IF THE DEPARTMENT REMOVES A RIGHT-OF-WAY FENCE IN AN
8 AGRICULTURALLY ZONED AREA DURING A CONSTRUCTION PROJECT, THE
9 DEPARTMENT SHALL REPLACE AND MAINTAIN SAID FENCE UNLESS THE
10 LANDOWNER AND THE DEPARTMENT AGREE THAT SAID FENCE SHALL NOT
11 BE REPLACED.

12 (2) IN NONAGRICULTURALLY ZONED AREAS, THE DEPARTMENT MAY
13 ERECT A RIGHT-OF-WAY FENCE WHERE THE HIGHWAY HAS BEEN DECLARED
14 A FREEWAY PURSUANT TO SECTION 43-3-101, C.R.S., OR IN AREAS THAT
15 THE LANDOWNER AND THE DEPARTMENT AGREE THAT SAID FENCE BE
16 ERECTED. IF THE DEPARTMENT ERECTS A RIGHT-OF-WAY FENCE, THE
17 DEPARTMENT SHALL MAINTAIN AND REPAIR SAID FENCE WHEN NECESSARY
18 UPON ACTUAL NOTICE TO THE DEPARTMENT.

19 (3) IF, IN BOTH AGRICULTURALLY AND NONAGRICULTURALLY ZONES
20 AREAS, THE LANDOWNER ADJACENT TO AN EXISTING RIGHT-OF-WAY FENCE
21 AND THE DEPARTMENT AGREE THAT SAID FENCE SHALL BE REMOVED, THE
22 RIGHT-OF-WAY FENCE SHALL BE REMOVED BY THE DEPARTMENT AT ITS

1 EXPENSE. IF THE LANDOWNER REMOVES OR CAUSES THE REMOVAL OF THE
2 RIGHT-OF-WAY FENCE WITHOUT AGREEMENT BY THE DEPARTMENT, THE
3 DEPARTMENT SHALL NOT BE REQUIRED TO REIMBURSE THE LANDOWNER FOR
4 SUCH REMOVAL AND THE LANDOWNER SHALL BE LIABLE FOR ANY AND ALL
5 DAMAGES CAUSED BY THE UNAUTHORIZED REMOVAL OF THE FENCE.

6 (4) IF A RIGHT-OF-WAY FENCE IS EITHER REMOVED OR NOT
7 REPLACED PURSUANT TO SUBSECTION (1) OR (3) OF THIS SECTION AND THE
8 LANDOWNER WHO AGREED THAT THE FENCE BE REMOVED OR NOT
9 REPLACED OR ANY SUBSEQUENT LANDOWNER OF PROPERTY ADJACENT TO
10 THE RIGHT-OF-WAY LATER DESIRES TO ERECT A RIGHT-OF-WAY FENCE, SAID
11 FENCE MAY BE ERECTED BY THE LANDOWNER AT THE LANDOWNER'S
12 EXPENSE, BUT ONLY UPON PRIOR AGREEMENT BY THE DEPARTMENT. SUCH
13 RIGHT-OF-WAY FENCE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE
14 STANDARDS APPLICABLE TO THE DEPARTMENT AT THE TIME SUCH FENCE IS
15 ERECTED, AND THE LANDOWNER IS REQUIRED TO MAKE REPAIRS TO SUCH
16 RIGHT-OF-WAY FENCE WHEN THE LANDOWNER DETERMINES REPAIRS ARE
17 NECESSARY UPON ACTUAL NOTICE TO THE LANDOWNER. LIABILITY FOR
18 ANY DAMAGES CAUSED BY FAILURE TO ADEQUATELY CONSTRUCT,
19 MAINTAIN, OR REPAIR THE RIGHT-OF-WAY FENCE SHALL BE BORNE BY THE
20 LANDOWNER AT THE TIME THE DAMAGES ARE INCURRED.

21 (5) ALL AGREEMENTS REQUIRED PURSUANT TO SUBSECTIONS (1) TO
22 (4) OF THIS SECTION SHALL BE IN WRITING, BE RECORDED BY THE

1 DEPARTMENT IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF
2 EACH COUNTY WHERE THE REAL PROPERTY ADJACENT TO THE
3 RIGHT-OF-WAY IS LOCATED, AND BE BINDING UPON AND NOTICE TO ALL
4 PERSONS OR CLASSES OF PERSONS CLAIMING ANY INTEREST IN SAID
5 PROPERTY.

6 (6) IF A LANDOWNER AND THE DEPARTMENT AGREE TO EITHER
7 REMOVE OR NOT REPLACE A RIGHT-OF-WAY FENCE PURSUANT TO
8 SUBSECTIONS (1) TO (4) OF THIS SECTION AND THE LANDOWNER AT THE
9 TIME OF THE AGREEMENT OR ANY SUBSEQUENT LANDOWNER DOES NOT
10 MAINTAIN LIVESTOCK, AS DEFINED IN SECTION 35-46-101 (2), ON THE LAND
11 ADJACENT TO A HIGHWAY RIGHT-OF-WAY, ANY LIVESTOCK THAT ENTERS
12 THE HIGHWAY RIGHT-OF-WAY THROUGH THAT LAND SHALL NOT BE A
13 DANGEROUS CONDITION PURSUANT TO SECTION 24-10-106 (d), C.R.S.
14 NEITHER THE LANDOWNER NOR THE DEPARTMENT SHALL BE LIABLE FOR
15 ANY DAMAGES CAUSED BY SUCH LIVESTOCK BECAUSE OF THE ABSENCE OF
16 SUCH RIGHT-OF-WAY FENCE.

17 (7) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE
18 DEPARTMENT MAY ERECT AND MAINTAIN A RIGHT-OF-WAY FENCE IN ANY
19 AREA AT THE DEPARTMENT'S EXPENSE, IN ITS SOLE DISCRETION, BUT THE
20 DEPARTMENT HAS NO DUTY TO ERECT AND MAINTAIN ANY FENCE AT ITS
21 EXPENSE.

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

BILL 7

A BILL FOR AN ACT

101 CONCERNING THE HIGHWAY LEGISLATION REVIEW COMMITTEE, AND, IN
102 CONNECTION THEREWITH, CHANGING THE NAME OF THE COMMITTEE
103 TO THE TRANSPORTATION LEGISLATION REVIEW COMMITTEE.

Bill Summary

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

Changes the name of the highway legislation review committee to the transportation legislation review committee and makes conforming amendments.

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

2 SECTION 1. 43-2-145 (1), Colorado Revised Statutes, 1993 Repl.
3 Vol., is amended to read:

4 43-2-145. **Transportation legislation review - committee.** (1) In
5 order to give guidance and direction to the department of transportation in
6 the development of the state TRANSPORTATION system of ~~highways~~ and to
7 provide legislative overview of and input into such development, there is
8 hereby created the ~~highway~~-TRANSPORTATION legislation review committee.
9 The committee shall meet at least once each year to review all ~~highway~~

1 TRANSPORTATION legislation and may consult with experts in the field of
2 highway construction and planning or with personnel of the department of
3 transportation as may be necessary. All personnel of the department of
4 transportation shall cooperate with the committee and with any persons
5 assisting the committee in carrying out its duties pursuant to this section.
6 The committee may review any phase of department of transportation
7 operations, including planning and construction of highway projects, prior
8 to and during the completion of such projects. The committee may also
9 conduct a postoperation review of such projects to determine whether the
10 project was completed in the most cost-effective and efficient manner. The
11 committee may require the department of transportation to prepare and adopt
12 five-, ten-, and fifteen-year plans for the development of the state ~~highway~~
13 TRANSPORTATION system, and the committee shall monitor the progress of
14 such plans. The committee may also require financial or performance audits
15 to be conducted. Upon completion of its review of the ~~highway~~
16 TRANSPORTATION laws, the committee shall make recommendations to the
17 governor and to the general assembly for such additional legislation as it
18 deems necessary. The committee shall also develop and make
19 recommendations concerning the financing of ~~streets, roads, and mass transit~~
20 THE STATE TRANSPORTATION SYSTEM. Legislation recommended by the
21 committee shall be treated as legislation recommended by an interim

1 legislative committee for purposes of any introduction deadlines or bill
2 limitations imposed by the joint rules of the general assembly.

3 **SECTION 2.** 32-9-119.5 (8) (a), Colorado Revised Statutes, as
4 amended, is amended to read:

5 **32-9-119.5. Competition to provide bus service within the regional**
6 **transportation district.** (8) (a) For purposes of providing legislative
7 oversight of the operation of this section, the ~~highway~~ TRANSPORTATION
8 legislation review committee shall review the district's implementation of this
9 section and recommend any necessary changes to the general assembly.

10 **SECTION 3.** 32-9-119.7 (4) and (7), Colorado Revised Statutes, as
11 amended, are amended to read:

12 **32-9-119.7. Farebox recovery ratios - plans - reports.** (4) The
13 district shall prepare annual budgets based on the percentages required by
14 subsection (3) of this section. The district shall submit copies of its annual
15 budget to the ~~highway~~ TRANSPORTATION legislation review committee created
16 in section 43-2-145, C.R.S.

17 (7) The district shall submit to the ~~highway~~ TRANSPORTATION
18 legislation review committee any information, data, reports, testimony,
19 audits, or other information the committee may request.

20 **SECTION 4.** 43-2-145.5 (1) (a), Colorado Revised Statutes, 1993
21 Repl. Vol., is amended to read:

1 **43-2-145.5. Transportation legislation review committee - study**
2 **of revisions to the traffic law - compulsory insurance - repeal.** (1) For
3 the purposes of this section, unless the context otherwise requires:

4 (a) "Committee" means the ~~highway~~ TRANSPORTATION legislation
5 review committee created by section 43-2-145.

6 **SECTION 5.** 43-4-514 (1) (a) and (4), Colorado Revised Statutes,
7 1993 Repl. Vol., are amended to read:

8 **43-4-514. Notice - coordination of information - reports.**
9 (1) (a) At least forty-five days prior to the creation of any authority or value
10 capture area pursuant to this part 5, a notice containing the proposed
11 boundaries of the authority or value capture area and the methods proposed
12 for financing public highways in the authority or a copy of the value capture
13 plan shall be sent to the division, to the department of revenue, and to the
14 chairman of the ~~highway~~ TRANSPORTATION legislation review committee.

15 (4) The authority shall report annually in the month of August to the
16 ~~highway~~ TRANSPORTATION legislation review committee on its activities
17 during the preceding twelve months and on its proposed activities during the
18 succeeding twelve months. The board and staff of the authority shall
19 cooperate with the ~~highway~~ TRANSPORTATION legislation review committee
20 in carrying out its duties pursuant to section 43-2-145 (1.5).

1 **SECTION 6. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, and safety.

BILL 8

A BILL FOR AN ACT

101 CONCERNING COOPERATIVE AGREEMENTS WITH OTHER STATES RELATING TO
102 THE REGULATION OF OVERSIZE AND OVERWEIGHT VEHICLES.

Bill Summary

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

Authorizes the executive director of the department of transportation to enter into agreements with other western regional states concerning the regional operation or movement of nondivisible oversize or overweight vehicles. Allows for the establishment of a regional permit system which includes operation or movement of such vehicles from one regional state to another under a single-trip permit in said agreements.

Delegates to other states the authority to issue permits for such vehicles to operate on Colorado state highways and to accept such delegation of authority from other states for the operation of such vehicles on the highways of those states when certain requirements are met.

Enables the Colorado state patrol, ports of entry, and local law enforcement authorities to enforce such permits on Colorado state highways and to enforce in Colorado the applicable requirements of the permitting state or states.

Authorizes the executive director of the department of transportation to appoint employees and officials of other states to act as agents of the department for the limited purpose of enforcing the laws of Colorado under the terms of such agreements. Allows the director to promulgate regulations necessary to implement such agreements. Requires that regional cooperative agreements contain provisions exempting employees and officials of other states, who act under the terms of such agreements, from compensation and benefits from the state of Colorado.

Allows such agreements to provide for uniformity with respect to other vehicle size or weight-related matters. Requires the transportation commission to ratify any cooperative agreement and to cooperate or contract

with other states in transportation studies or issues of new transportation technology with the proper authorization by each party and approval from its legislative body.

Changes the definition of symbols used in the formula used to determine the maximum gross weight of a vehicle.

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

2 **SECTION 1.** Part 4 of article 4 of title 42, Colorado Revised
3 Statutes, 1993 Repl. Vol., is amended BY THE ADDITION OF A NEW
4 SECTION to read:

5 **42-4-409.2. Authority for cooperative agreements with regional**
6 **states on excess size or weight vehicles - regulations.** (1) **Purpose.** THE
7 PURPOSE OF THIS SECTION IS TO AUTHORIZE THE NEGOTIATION AND
8 EXECUTION OF AGREEMENTS IN COOPERATION WITH OTHER STATES TO:

9 (a) ESTABLISH A REGIONAL PERMIT SYSTEM TO ALLOW NONDIVISIBLE
10 OVERSIZE OR OVERWEIGHT VEHICLES TO OPERATE BETWEEN AND AMONG
11 TWO OR MORE STATES UNDER ONE SINGLE-TRIP PERMIT, INSTEAD OF
12 REQUIRING SUCH VEHICLES TO STOP AND OBTAIN A SEPARATE PERMIT
13 BEFORE ENTERING EACH STATE;

14 (b) PROMOTE UNIFORMITY CONCERNING ADMINISTRATIVE AND
15 ENFORCEMENT PROCEDURES FOR APPLICABLE VEHICLE SIZE AND WEIGHT
16 STANDARDS TO FACILITATE REGIONAL MOVEMENT OF SUCH VEHICLES, TO
17 ELIMINATE UNNECESSARY BUREAUCRATIC BARRIERS, AND TO IMPROVE THE

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BILL 8

1 HIGHWAY OPERATING ENVIRONMENT AND VEHICLE SAFETY UNDER THE
2 APPLICABLE LAWS OF THE RESPECTIVE STATES; AND

3 (c) ENCOURAGE AND UTILIZE RESEARCH THAT WILL FACILITATE THE
4 ACHIEVEMENT OF THE PURPOSES DESCRIBED IN THIS SUBSECTION (2).

5 (2) **Authority.** (a) IN ADDITION TO ANY OTHER POWERS GRANTED
6 BY LAW, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
7 TRANSPORTATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE, IS HEREBY
8 AUTHORIZED TO NEGOTIATE AND ENTER INTO APPROPRIATE AGREEMENTS
9 WITH OTHER STATES CONCERNING THE REGIONAL OPERATION OR MOVEMENT
10 OF NONDIVISIBLE OVERSIZE OR OVERWEIGHT VEHICLES AND TO FACILITATE
11 THE UNIFORM APPLICATION, ADMINISTRATION, AND ENFORCEMENT OF
12 APPLICABLE LAWS CONCERNING SUCH VEHICLES.

13 (b) A COOPERATIVE AGREEMENT UNDER THIS SECTION MAY INCLUDE,
14 BUT SHALL NOT BE LIMITED TO, THE ESTABLISHMENT OF A REGIONAL
15 PERMIT SYSTEM AUTHORIZING THE OPERATION OR MOVEMENT OF
16 NONDIVISIBLE OVERSIZE OR OVERWEIGHT VEHICLES FROM ONE STATE IN THE
17 REGION TO OR THROUGH ANOTHER STATE OR STATES IN THE REGION UNDER
18 A SINGLE-TRIP PERMIT IN ACCORDANCE WITH THE APPLICABLE
19 REQUIREMENTS OF EACH OF THE STATES.

20 (c) FOR THE PURPOSES OF A REGIONAL PERMIT AGREEMENT, THE
21 DEPARTMENT OF TRANSPORTATION IS AUTHORIZED TO:

1 (I) DELEGATE TO OTHER STATES ITS AUTHORITY UNDER SECTION
2 42-4-409 (1) TO ISSUE PERMITS FOR NONDIVISIBLE OVERSIZE OR
3 OVERWEIGHT VEHICLES TO OPERATE ON COLORADO STATE HIGHWAYS;
4 EXCEPT THAT ANY SUCH ISSUANCE BY ANOTHER STATE SHALL CONFORM, AT
5 A MINIMUM, TO THE APPLICABLE COLORADO PERMIT STANDARDS AND
6 LEGAL REQUIREMENTS AS DESCRIBED IN THIS PART 4 AND TO THE
7 REGULATIONS IMPLEMENTING THIS PART 4. THE DEPARTMENT OF
8 TRANSPORTATION MAY ALSO IMPOSE ADDITIONAL STANDARDS CONCERNING
9 SUCH REGIONAL PERMITS AS IT DEEMS APPROPRIATE.

10 (II) ACCEPT A DELEGATION OF AUTHORITY FROM OTHER STATES TO
11 ISSUE PERMITS FOR THE OPERATION OF VEHICLES ON THE HIGHWAYS OF
12 SUCH STATES IN ACCORDANCE WITH THE APPLICABLE STANDARDS AND
13 REQUIREMENTS OF SUCH STATES, PURSUANT TO THE TERMS OF THE
14 REGIONAL PERMIT AGREEMENT; AND

15 (III) COLLECT ANY FEES, TAXES, AND PENALTIES ON BEHALF OF
16 OTHER STATES THAT ARE PARTIES TO THE REGIONAL PERMIT AGREEMENT
17 AND TO REMIT SUCH FEES, TAXES, AND PENALTIES TO SUCH STATES. SUCH
18 FEES, TAXES, AND PENALTIES SHALL NOT BE CONSIDERED TAXES OR FUNDS
19 OF THE STATE OF COLORADO FOR ANY PURPOSE.

20 (d) FOR THE PURPOSES OF A REGIONAL PERMIT AGREEMENT, THE
21 COLORADO STATE PATROL, PORTS OF ENTRY, AND LOCAL LAW
22 ENFORCEMENT AUTHORITIES ARE AUTHORIZED TO ENFORCE THE TERMS OF

1 ANY REGIONAL PERMIT CONCERNING THE OPERATION OF THE PERMITTED
2 VEHICLE ON STATE HIGHWAYS IN COLORADO. THE COLORADO STATE
3 PATROL, PORTS OF ENTRY, AND LOCAL LAW ENFORCEMENT AUTHORITIES
4 ARE ALSO PERMITTED TO TAKE NECESSARY ACTIONS IN COLORADO TO
5 ENFORCE THE APPLICABLE REQUIREMENTS OF THE PERMITTING STATE OR
6 STATES WHICH SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO,
7 MONITORING LICENSES AND OTHER CREDENTIAL USAGE; ENFORCING TAX
8 RESTRAINT, DISTRAINT, OR LEVY ORDERS; ISSUING CIVIL CITATIONS; AND
9 CONDUCTING NECESSARY SAFETY AND EQUIPMENT INSPECTIONS.

10 (e) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
11 TRANSPORTATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE, IS HEREBY
12 AUTHORIZED TO APPOINT EMPLOYEES AND OFFICIALS OF OTHER STATES AS
13 AGENTS OF THE DEPARTMENT FOR THE LIMITED PURPOSE OF ENFORCING THE
14 LAWS OF COLORADO UNDER THE TERMS OF THE COOPERATIVE AGREEMENTS
15 ENTERED INTO UNDER THE PROVISIONS OF THIS SECTION. THE EXECUTIVE
16 DIRECTOR OR THE DESIGNEE MAY PROMULGATE SUCH REGULATIONS AS ARE
17 NECESSARY FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS
18 SECTION.

19 (f) ANY AGREEMENT ENTERED INTO UNDER THE PROVISIONS OF THIS
20 SECTION SHALL CONTAIN PROVISIONS THAT EXPRESS THE UNDERSTANDING
21 THAT ANY EMPLOYEES AND OFFICIALS OF ANY OTHER STATE WHO ENFORCE
22 THE LAWS OF COLORADO UNDER THE TERMS OF SUCH AGREEMENT, OR WHO

1 OTHERWISE ACT UNDER THE TERMS OF SUCH AGREEMENT, SHALL NOT BE
2 ELIGIBLE FOR COMPENSATION, EMPLOYEE RIGHTS, OR BENEFITS FROM THE
3 STATE OF COLORADO AND SHALL NOT BE CONSIDERED TO BE EMPLOYEES OR
4 OFFICIALS OF THE STATE OF COLORADO.

5 (g) A COOPERATIVE AGREEMENT UNDER THIS SECTION MAY ALSO
6 PROVIDE FOR UNIFORMITY CONCERNING OTHER VEHICLE SIZE AND
7 WEIGHT-RELATED MATTERS INCLUDING, BUT NOT LIMITED TO,
8 ENFORCEMENT PROCEDURES, SAFETY INSPECTION STANDARDS, OPERATIONAL
9 STANDARDS, PERMIT AND APPLICATION FORM PROCEDURES, DRIVER
10 QUALIFICATIONS, AND SUCH OTHER MATTERS THAT MAY BE PERTINENT TO
11 SAID MATTERS.

12 (h) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
13 CONTRARY, ALL EXISTING STATUTES AND RULES AND REGULATIONS
14 PRESCRIBING SIZE OR WEIGHT VEHICLE REQUIREMENTS, OR RELATING TO
15 PERMITS FOR SUCH VEHICLES, SHALL CONTINUE TO BE IN FULL FORCE AND
16 EFFECT UNTIL AMENDED OR REPEALED BY LAW, AND ANY COOPERATIVE
17 AGREEMENT MUST COMPLY WITH SUCH STATUTES AND RULES AND
18 REGULATIONS. THE TRANSPORTATION COMMISSION SHALL RATIFY ANY
19 COOPERATIVE AGREEMENT ENTERED INTO UNDER THE PROVISIONS OF THIS
20 SECTION.

21 **SECTION 2.** 43-1-106 (8), Colorado Revised Statutes, 1993 Repl.
22 Vol., is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

1 **43-1-106. Transportation commission - powers and duties.** (8) In
2 addition to all other powers and duties imposed upon it by law, the
3 commission has the following powers and duties:

4 (q) (I) TO COOPERATE OR CONTRACT WITH THE DEPARTMENT OF
5 TRANSPORTATION OF ONE OR MORE STATES, REGIONAL OR NATIONAL
6 ASSOCIATIONS, OR NOT-FOR-PROFIT ORGANIZATIONS TO PROVIDE ANY
7 FUNCTION, SERVICE, OR FACILITY LAWFULLY AUTHORIZED TO EACH,
8 INCLUDING THE SHARING OF COSTS, CONCERNING THE RESEARCH,
9 DEVELOPMENT, IMPLEMENTATION, OR UTILIZATION OF TRANSPORTATION
10 STUDIES, ISSUES, AND NEW TRANSPORTATION TECHNOLOGY. SAID STUDIES,
11 ISSUES, AND TECHNOLOGY SHALL INCLUDE INTELLIGENT VEHICLE HIGHWAY
12 SYSTEMS ONLY IF SUCH COOPERATION OR CONTRACTS ARE AUTHORIZED BY
13 EACH PARTY WITH THE APPROVAL OF ITS LEGISLATIVE BODY OR OTHER
14 AUTHORITY.

15 (II) ANY SUCH CONTRACT SHALL SET FORTH FULLY THE PURPOSES,
16 POWERS, RIGHTS, OBLIGATIONS, AND RESPONSIBILITIES, FINANCIAL AND
17 OTHERWISE, OF THE CONTRACTING PARTIES.

18 (III) WHERE OTHER PROVISIONS OF LAW PROVIDE REQUIREMENTS FOR
19 SPECIAL TYPES OF INTERGOVERNMENTAL CONTRACTING OR COOPERATION,
20 THOSE SPECIAL PROVISIONS SHALL CONTROL.

21 (IV) ANY SUCH CONTRACT MAY PROVIDE FOR THE JOINT EXERCISE
22 OF ANY FUNCTION, SERVICE, OR FACILITY, AS SPECIFIED IN SUBPARAGRAPH

1 (I) OF THIS PARAGRAPH (q) INCLUDING THE ESTABLISHMENT OF A SEPARATE
2 LEGAL ENTITY TO DO SO.

3 **SECTION 3.** 42-4-407 (1) (c) (III) (B), Colorado Revised Statutes,
4 1993 Repl. Vol., is amended to read:

5 **42-4-407. Gross weight of vehicles and loads.**

6 (1) (c) Notwithstanding any other provisions of this section, except as may
7 be authorized under section 42-4-409, no vehicle or combination of vehicles
8 shall be moved or operated on any highway or bridge which is part of the
9 national system of interstate and defense highways, also known as the
10 interstate system, when the gross weight of such vehicle or combination of
11 vehicles exceeds the following specified limits:

12 (III) (B) In using the formula in sub-subparagraph (A) of this
13 subparagraph (III), W equals overall gross weight on any group of two or
14 more consecutive axles to the nearest 500 pounds, L equals distance in feet
15 ~~between first and last axles of such vehicle or combination of vehicles~~ THE
16 EXTREME OF ANY GROUP OF TWO OR MORE CONSECUTIVE AXLES, and N
17 equals number of axles IN THE GROUP UNDER CONSIDERATION; but, in
18 computations of this formula, no gross vehicle weight shall exceed eighty
19 thousand pounds, except as may be authorized under section 42-4-409.

20 **SECTION 4. No appropriation.** The general assembly has
21 determined that this act can be implemented within existing appropriations,

1 and therefore no separate appropriation of state moneys is necessary to carry
2 out the purposes of this act.

3 **SECTION 5. Safety clause.** The general assembly hereby finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, and safety.

BILL 9

A BILL FOR AN ACT

CONCERNING THE STUDY OF REVISIONS TO THE TRAFFIC LAW BY THE HIGHWAY

102 LEGISLATION REVIEW COMMITTEE, AND, IN CONNECTION THEREWITH,
103 EXTENDING THE DEADLINE FOR THE PRESENTATION OF THE
104 COMMITTEE'S FINAL REPORT ON ITS RECOMMENDATIONS FOR
105 LEGISLATION CONCERNING THE TRAFFIC LAW.

Bill Summary

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

Requires the highway legislation review committee to review the driver's license point system to determine whether it is appropriate to retain such system. Requires the committee to make recommendations regarding either appropriate changes in such system, if retained, or appropriate alternatives to such system.

Expands the issues to be addressed by the committee to include the following: Simplification of the fine, fee, cost, and surcharge schedules; the creation of a uniform document to be used for traffic citations; and the development of a simplified record-keeping system. Specifies that such record-keeping system shall use appropriate technology to facilitate the exchange of information.

Extends the deadline for the presentation of the committee's final report on its recommendations for legislation concerning revisions to the traffic law from January 1, 1994, to January 1, 1996.

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

1 SECTION 1. 43-2-145.5 (3) (a), (4), and (6), Colorado Revised
2 Statutes, 1993 Repl. Vol., are amended, and the said 43-2-145.5 (3) is
3 further amended BY THE ADDITION OF THE FOLLOWING NEW
4 PARAGRAPHS, to read:

5 **43-2-145.5. Highway legislation review committee - study of**
6 **revisions to the traffic law - compulsory insurance - repeal.** (3) The
7 issues to be addressed by the committee during the course of its work shall
8 include, but shall not be limited to, the following:

9 (a) The imposition of administrative and criminal penalties, including,
10 but not limited to:

11 (I) Procedures for imposing penalties for multiple offenses;

12 (II) ~~Changes in the driver's license point system.~~ A REVIEW OF THE

13 DRIVER'S LICENSE POINT SYSTEM TO DETERMINE WHETHER IT IS
14 APPROPRIATE TO RETAIN SUCH SYSTEM. IN THE EVENT THE COMMITTEE
15 CONCLUDES THAT IT IS NOT APPROPRIATE TO RETAIN THE POINT SYSTEM,

16 THE COMMITTEE SHALL MAKE RECOMMENDATIONS REGARDING APPROPRIATE
17 ALTERNATIVES TO SUCH SYSTEM. IN THE EVENT THE COMMITTEE

18 CONCLUDES THAT IT IS APPROPRIATE TO RETAIN THE EXISTING POINT
19 SYSTEM, THE COMMITTEE SHALL MAKE RECOMMENDATIONS REGARDING

20 APPROPRIATE CHANGES TO SUCH SYSTEM. IN ARRIVING AT SUCH
21 RECOMMENDATIONS, THE COMMITTEE SHALL:

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BILL 9

1 (A) ENSURE THAT THE NUMBER OF POINTS ASSESSED FOR EACH
2 OFFENSE IS COMMENSURATE WITH THE SERIOUSNESS OF EACH SUCH
3 OFFENSE;

4 (B) CONSIDER ELIMINATING POINTS FOR LESS SERIOUS OFFENSES;
5 AND

6 (C) CONSIDER ANY OTHER CHANGES WHICH WOULD SIMPLIFY OR
7 IMPROVE THE POINT SYSTEM.

8 (III) SIMPLIFICATION OF THE FINE, FEE, COST, AND SURCHARGE
9 SCHEDULES.

10 (e) THE CREATION OF A UNIFORM DOCUMENT TO BE USED FOR
11 TRAFFIC CITATIONS IN A FORMAT TO BE PRESCRIBED BY STATUTE;

12 (f) THE DEVELOPMENT OF A SIMPLIFIED RECORD-KEEPING SYSTEM
13 FOR USE BY LAW ENFORCEMENT AGENCIES, THE COURTS, THE DEPARTMENT
14 OF REVENUE, AND THE MOTOR VEHICLE DIVISION. SUCH SYSTEM SHALL USE
15 APPROPRIATE DATA PROCESSING TECHNOLOGY TO FACILITATE THE
16 EXCHANGE OF INFORMATION.

17 (4) The committee shall present its final report to the general
18 assembly on its recommendations for legislation concerning the traffic law
19 on or before ~~January 1, 1994~~ JANUARY 1, 1996.

20 (6) This section is repealed, effective ~~July 1, 1994~~ JULY 1, 1996.

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

BILL 10

A BILL FOR AN ACT

101 CONCERNING THE REPEAL OF THE HIGHWAY MAINTENANCE OF LOCAL
102 EFFORT REQUIREMENT.

Bill Summary

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

Repeals the highway maintenance of local effort statute. Makes a conforming amendment.

1 the reason for withholding, the state treasurer shall pay the withheld funds
2 to the county in which the city or incorporated town from which the funds
3 are withheld is located, which funds shall be spent on the streets of said city
4 or incorporated town. ~~The provisions of this section shall not apply to the~~
5 ~~funds withheld pursuant to section 43-2-132.5.~~

6 **SECTION 3. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, and safety.

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

2 **SECTION 1. Repeal.** 43-2-132.5, Colorado Revised Statutes, 1993
3 Repl. Vol., is repealed.

4 **SECTION 2.** 43-4-209, Colorado Revised Statutes, 1993 Repl. Vol.,
5 is amended to read:

6 **43-4-209. Withholding municipal allocations.** Any highway users
7 tax fund money withheld by the state treasurer from allocation to any city or
8 incorporated town, for any reason, shall in no case be withheld for a period
9 to exceed six months from the date that the payment is to be made. After
10 the six-month period has expired and the municipality has failed to correct