

1 Amend printed bill, page 5, line 24, strike "MISDEMEANOR TRAFFIC  
2 OFFENSE." and substitute "CLASS A TRAFFIC INFRACTION.".

3 Page 5, line 26, strike "UP TO".

4 Page 6, line 3, strike "UP TO".

5 Page 6, line 7, strike "UP TO".

6 Page 7, after line 1 insert:

7        "(6) THIS SECTION DOES NOT AUTHORIZE THE SEIZURE AND  
8 FORFEITURE OF A WIRELESS TELEPHONE, UNLESS OTHERWISE PROVIDED BY  
9 LAW. PRIOR TO REQUESTING CONSENT TO SEARCH A MOBILE ELECTRONIC  
10 DEVICE AS PART OF AN INVESTIGATION OF A VIOLATION OF THIS SECTION,  
11 A PEACE OFFICER SHALL COMPLY WITH THE REQUIREMENTS OF SECTION  
12 16-3-310.".

13 Page 7, after line 22 insert:

14        "**SECTION 4.** In Colorado Revised Statutes, 42-4-1701, amend  
15 (4)(a)(I)(P) as follows:

16        **42-4-1701. Traffic offenses and infractions classified -**  
17 **penalties - penalty and surcharge schedule - repeal.** (4) (a) (I) Except  
18 as provided in subsection (5)(c) of this section, every person who is  
19 convicted of, who admits liability for, or against whom a judgment is  
20 entered for a violation of this title 42 to which subsection (5)(a) or (5)(b)  
21 of this section applies shall be fined or penalized and have a surcharge  
22 levied in accordance with sections 24-4.1-119 (1)(f) and 24-4.2-104  
23 (1)(b)(I), in accordance with the penalty and surcharge schedule set forth  
24 in subsections (4)(a)(I)(A) to (4)(a)(I)(S) of this section; or, if no penalty  
25 or surcharge is specified in the schedule, the penalty for class A and class  
26 B traffic infractions is fifteen dollars, and the surcharge is four dollars.  
27 These penalties and surcharges apply whether the defendant  
28 acknowledges the defendant's guilt or liability in accordance with the  
29 procedure set forth by subsection (5)(a) of this section, is found guilty by  
30 a court of competent jurisdiction, or has judgment entered against the  
31 defendant by a county court magistrate. Penalties and surcharges for  
32 violating specific sections are as follows:

33 <b>Section Violated</b>	33 <b>Penalty</b>	33 <b>Surcharge</b>
34 <b>(P) Offenses by persons controlling vehicles:</b>		

1	42-4-239 (5)(a) FIRST OFFENSE		
2	WITHIN THE IMMEDIATELY PRECEDING		
3	TWENTY-FOUR MONTHS	\$ 50.00 <b>75.00</b>	\$ 6.00 <b>10.00</b>
4	42-4-239 (5)(b) SECOND OFFENSE		
5	WITHIN THE IMMEDIATELY PRECEDING		
6	TWENTY-FOUR MONTHS	100.00 <b>150.00</b>	6.00 <b>10.00</b>
7	42-4-239 (5.5) THIRD OFFENSE		
8	WITHIN THE IMMEDIATELY PRECEDING		
9	TWENTY-FOUR MONTHS	300.00 <b>250.00</b>	6.00 <b>10.00</b>
10	42-4-1704	15.00	6.00".

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