

## SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Energy.SB20-070 be amended as follows:

1 Amend printed bill, page 3, strike lines 12 through 27 and substitute:

2       **"SECTION 2.** In Colorado Revised Statutes, 42-1-217, **amend**  
3 (1) introductory portion, (2), and (4)(a); and **add** (1.5) and (5) as follows:

4       **42-1-217. Disposition of fines and surcharges.** (1) All judges,  
5 clerks of a court of record, or other officers imposing or receiving fines,  
6 penalties, or forfeitures, except ~~those moneys~~ MONEY received pursuant  
7 to sections 42-4-313 (3), 42-4-413, 42-4-1409, 42-4-1701 **(4)(a)(I),**  
8 **(4)(a)(IV),** **(4)(a)(V),** OR (5)(a), 42-8-105, and 42-8-106, collected  
9 pursuant to or as a result of a conviction of any persons for a violation of  
10 articles 1 to 4 (except part 3 of article 2) of this ~~title~~ TITLE 42, shall  
11 transmit, within ten days after the date of receipt of any such fine, penalty,  
12 or forfeiture, all such ~~moneys~~ MONEY so collected in the following  
13 manner:

14       (1.5) WHEN MONEY IS COLLECTED PURSUANT TO SECTION  
15 42-4-1701 (4)(a)(I), (4)(a)(IV), OR (4)(a)(V):

16       (a) A PERSON WHO COLLECTS THE FINE, PENALTY, OR FORFEITURE  
17 THAT IS THIRTY DOLLARS OR LESS SHALL TRANSMIT FIFTY PERCENT OF THE  
18 MONEY COLLECTED TO THE CHIEF FINANCIAL OFFICER OF THE COUNTY IN  
19 WHICH THE VIOLATION OCCURRED AND DISTRIBUTE THE REMAINDER  
20 PURSUANT TO SUBSECTION (1) OF THIS SECTION;

21       (b) A PERSON WHO COLLECTS THE FINE, PENALTY, OR FORFEITURE  
22 THAT IS MORE THAN THIRTY DOLLARS BUT LESS THAN ONE HUNDRED  
23 DOLLARS SHALL TRANSMIT TWENTY PERCENT OF THE MONEY COLLECTED  
24 TO THE CHIEF FINANCIAL OFFICER OF THE COUNTY IN WHICH THE  
25 VIOLATION OCCURRED AND DISTRIBUTE THE REMAINDER PURSUANT TO  
26 SUBSECTION (1) OF THIS SECTION; AND

27       (c) A PERSON WHO COLLECTS THE FINE, PENALTY, OR FORFEITURE  
28 THAT IS OVER ONE HUNDRED DOLLARS SHALL DISTRIBUTE THE MONEY  
29 PURSUANT TO SUBSECTION (1) OF THIS SECTION.

30       (2) (a) Except for the first fifty cents of any penalty for a traffic  
31 infraction, which ~~shall be retained by~~ the department ~~and used~~ SHALL  
32 RETAIN AND USE for administrative purposes, ~~moneys~~ THE DEPARTMENT  
33 SHALL TRANSMIT THE MONEY collected ~~by the department~~ pursuant to  
34 section 42-4-1701 (5)(a) ~~shall be transmitted~~ to the state treasurer, who  
35 shall credit the same to the highway users tax fund for allocation and  
36 expenditure as specified in section 43-4-205 (5.5)(a); ~~C.R.S.~~; except that:

37       (I) ~~moneys~~ MONEY collected pursuant to section 42-4-1701 (5)(a)  
38 for a violation of section 42-4-237 shall be allocated pursuant to  
39 paragraph (e) of subsection (1) SUBSECTION (1)(e) of this section; AND

1 (II) IF THE PENALTY IS SPECIFIED IN SECTION 42-4-1701 (4)(a)(I),  
2 (4)(a)(IV), OR (4)(a)(V) AND THE AMOUNT COLLECTED IS LESS THAN ONE  
3 HUNDRED DOLLARS, THE DEPARTMENT SHALL TRANSMIT THE MONEY  
4 COLLECTED PURSUANT TO SECTION 42-4-1701 (5)(a) AS FOLLOWS:

5 (A) FOR AN OFFENSE FOR WHICH THE PENALTY IS THIRTY DOLLARS  
6 OR LESS, FIFTY PERCENT OF THE MONEY COLLECTED TO THE CHIEF  
7 FINANCIAL OFFICER OF THE COUNTY IN WHICH THE VIOLATION OCCURRED  
8 AND THE REMAINING FIFTY PERCENT OF THE MONEY TO THE STATE  
9 TREASURER; AND

22 (4) (a) All ~~moneys~~ MONEY collected by the department as  
23 surcharges on penalty assessments issued for violations of a class A or a  
24 class B traffic infraction or a class 1 or a class 2 misdemeanor traffic  
25 offense, pursuant to section 42-4-1701, shall be transmitted to the court  
26 administrator of the judicial district in which the offense or infraction was  
27 committed and credited fifty percent to the victims and witnesses  
28 assistance and law enforcement fund established in that judicial district  
29 and fifty percent to the crime victim compensation fund established in  
30 that judicial district. THE DEPARTMENT SHALL REPORT TO THE COURT  
31 ADMINISTRATOR OF EACH JUDICIAL DISTRICT THE NUMBER OF OFFENSES  
32 AND INFRACTIONS COMMITTED FOR WHICH A SURCHARGE WAS COLLECTED  
33 AND CREDITED TO THE DISTRICT'S VICTIMS AND WITNESSES ASSISTANCE  
34 AND LAW ENFORCEMENT FUND.

35 (5) A COUNTY THAT RECEIVES FUNDS PURSUANT TO THIS SECTION  
36 SHALL USE THOSE FUNDS FOR TRAFFIC SAFETY IMPROVEMENTS, TRAFFIC  
37 ENFORCEMENT, PROSECUTION OF TRAFFIC VIOLATIONS, OR ANY OTHER USE  
38 CONSISTENT WITH SECTION 18 OF ARTICLE X OF THE STATE CONSTITUTION.

39                   **SECTION 3.** In Colorado Revised Statutes, 42-2-101, amend  
40 (10) as follows:

**42-2-101. Licenses for drivers required.** (10) Any person who violates any provision of subsection (1) or (4) of this section is guilty of a ~~class 2 misdemeanor traffic offense~~ CLASS A TRAFFIC INFRACTION. Any

1 person who violates any provision of subsection (2), (3), or (5) of this  
2 section commits a class B traffic infraction.

3 **SECTION 4.** In Colorado Revised Statutes, 42-2-138, **amend**  
4 (1)(a) and (3); **repeal** (1)(b); and **add** (1)(a.5) as follows:

5 **42-2-138. Driving under restraint - penalty.** (1) (a) Except as  
6 provided in subsection (1.5) of this section, any person who drives a  
7 motor vehicle or off-highway vehicle upon any highway of this state with  
8 knowledge that the person's license or privilege to drive, either as a  
9 resident or a nonresident, is under restraint for any reason other than  
10 conviction of DUI, DUI per se, DWAI, or UDD is, EXCEPT AS PROVIDED  
11 IN SUBSECTION (1)(a.5) OF THIS SECTION, guilty of a ~~misdemeanor~~. A  
12 court ~~may sentence a person convicted of this misdemeanor to~~  
13 ~~imprisonment in the county jail for a period of not more than six months~~  
14 ~~and may impose a fine of not more than five hundred dollars~~ CLASS A  
15 TRAFFIC INFRACTION.

16 (a.5) A SECOND OR SUBSEQUENT CONVICTION FOR A VIOLATION OF  
17 SUBSECTION (1)(a) OF THIS SECTION WITHIN FIVE YEARS OF A PRIOR  
18 CONVICTION IS A CLASS 2 MISDEMEANOR TRAFFIC OFFENSE.

19 (b) ~~Upon a second or subsequent conviction under paragraph (a)~~  
20 ~~of this subsection (1) within five years after the first conviction~~  
21 ~~thereunder, in addition to any penalty imposed pursuant to said paragraph~~  
22 ~~(a) of this subsection (1), except as may be permitted by section~~  
23 ~~42-2-132.5, the defendant shall not be eligible to be issued a driver's or~~  
24 ~~minor driver's license or extended any driving privilege in this state for~~  
25 ~~a period of three years after such second or subsequent conviction.~~

26 (3) The department, upon receiving a record of conviction or  
27 accident report of any person for an offense committed while operating  
28 a motor vehicle, shall immediately examine its files to determine if the  
29 license or operating privilege of such person has been restrained. If it  
30 appears that said offense was committed while the license or operating  
31 privilege of such person was restrained for a reason other than an  
32 outstanding judgment, except as permitted by section 42-2-132.5, the  
33 department ~~shall not issue a new license or grant any driving privileges~~  
34 ~~for an additional period of one year after the date such person would~~  
35 ~~otherwise have been entitled to apply for a new license or for~~  
36 ~~reinstatement of a suspended license and shall notify the district attorney~~  
37 ~~in the county where such violation occurred and request prosecution of~~  
38 ~~such person under subsection (1) of this section. IF IT APPEARS THAT SAID~~  
39 ~~OFFENSE WAS COMMITTED WHILE THE LICENSE OR OPERATING PRIVILEGE~~  
40 ~~OF SUCH PERSON WAS RESTRAINED SOLELY OR PARTIALLY BECAUSE OF A~~  
41 ~~CONVICTION OF DUI, DUI PER SE, DWAI, OR UDD, AS DESCRIBED IN~~  
42 ~~SUBSECTION (1)(d) OF THIS SECTION, OR IS RESTRAINED IN ANOTHER STATE~~  
43 ~~SOLELY OR PARTIALLY BECAUSE OF AN IMPAIRED DRIVING OFFENSE, THE~~

1 DEPARTMENT SHALL NOT ISSUE A NEW LICENSE OR GRANT ANY DRIVING  
2 PRIVILEGES FOR AN ADDITIONAL PERIOD OF ONE YEAR AFTER THE DATE  
3 SUCH PERSON WOULD OTHERWISE HAVE BEEN ENTITLED TO APPLY FOR A  
4 NEW LICENSE OR FOR REINSTATEMENT OF A SUSPENDED LICENSE.

5 **SECTION 5.** In Colorado Revised Statutes, **amend** 42-2-203 as  
6 follows:

7 **42-2-203. Authority to revoke license of habitual offender.**  
8 (1) The department shall immediately revoke the license of any person  
9 whose record brings such person within the definition of an habitual  
10 offender in section 42-2-202. The procedure specified in section 42-2-125  
11 (3) and (4) shall be employed for the revocation.

12 (2) SUBSECTION (1) OF THIS SECTION DOES NOT APPLY TO A  
13 PERSON WHO IS AN HABITUAL OFFENDER SOLELY BECAUSE THE PERSON  
14 HAS THREE OR MORE CONVICTIONS WITHIN A PERIOD OF SEVEN YEARS FOR  
15 VIOLATING SECTION 42-2-138 (1)(a), DRIVING A MOTOR VEHICLE UPON A  
16 HIGHWAY WHILE SUCH PERSON'S LICENSE OR PRIVILEGE TO DRIVE IS UNDER  
17 RESTRAINT FOR ANY REASON OTHER THAN AN OUTSTANDING JUDGMENT  
18 OR CONVICTION OF DUI, DUI PER SE, DWAI, OR UDD.

19 **SECTION 6.** In Colorado Revised Statutes, 42-2-205, **add** (2) as  
20 follows:

21 **42-2-205. Prohibition.** (2) SUBSECTION (1) OF THIS SECTION DOES  
22 NOT APPLY TO A PERSON WHO IS AN HABITUAL OFFENDER SOLELY BECAUSE  
23 THE PERSON HAS THREE OR MORE CONVICTIONS WITHIN A PERIOD OF SEVEN  
24 YEARS FOR VIOLATING SECTION 42-2-138 (1)(a), DRIVING A MOTOR  
25 VEHICLE UPON A HIGHWAY WHILE SUCH PERSON'S LICENSE OR PRIVILEGE  
26 TO DRIVE IS UNDER RESTRAINT FOR ANY REASON OTHER THAN AN  
27 OUTSTANDING JUDGMENT OR CONVICTION OF DUI, DUI PER SE, DWAI, OR  
28 UDD.

29 **SECTION 7.** In Colorado Revised Statutes, 42-4-1409, **amend**  
30 (4)(a) and (4)(b) as follows:

31 **42-4-1409. Compulsory insurance - penalty - legislative intent.**  
32 (4) (a) Any person who violates the provisions of subsection (1), (2), or  
33 (3) of this section commits a CLASS A TRAFFIC INFRACTION; EXCEPT THAT  
34 A SECOND OR SUBSEQUENT VIOLATION WITHIN A PERIOD OF FIVE YEARS  
35 FOLLOWING A PRIOR CONVICTION PURSUANT TO THIS SECTION IS A class 1  
36 misdemeanor traffic offense. ~~The minimum fine imposed by section~~  
37 ~~42-4-1701(3)(a)(H)(A) shall be mandatory, and the defendant shall be~~  
38 ~~punished by a minimum mandatory fine of not less than~~ UPON A FIRST  
39 CONVICTION PURSUANT TO THIS SECTION, THE COURT SHALL IMPOSE A FINE  
40 OF five hundred dollars; EXCEPT THAT the court may suspend ~~up to one~~  
41 ~~half of the fine upon a showing that appropriate insurance as required~~  
42 ~~pursuant to section 10-4-619 or 10-4-624 C.R.S., has been obtained.~~  
43 ~~Nothing in this paragraph (a) shall be construed to prevent the court from~~

1 imposing a fine greater than the minimum mandatory fine.  
2 ADDITIONALLY, THE COURT MAY SUSPEND THE FINE, OR A PORTION OF THE  
3 FINE, IF THE DEFENDANT IS INDIGENT AND THE COURT FINDS THAT THERE  
4 IS NO REASONABLE LIKELIHOOD THAT THE DEFENDANT WILL BE ABLE TO  
5 PAY THE FINE WITHIN ONE HUNDRED EIGHTY DAYS.

6 (b) Upon a second or subsequent conviction ~~under~~ PURSUANT TO  
7 this section, within a period of five years following a prior conviction  
8 ~~under~~ PURSUANT TO this section, in addition to any imprisonment imposed  
9 pursuant to section 42-4-1701 (3)(a)(II)(A), the ~~defendant shall be~~  
10 ~~punished by~~ COURT SHALL IMPOSE a minimum mandatory fine of not less  
11 than one thousand dollars. ~~and the court shall not suspend such minimum~~  
12 ~~fine.~~ The court or the court collections' investigator may establish a  
13 payment schedule for a person convicted of the provisions of subsection  
14 (1), (2), or (3) of this section, and the provisions of section 16-11-101.6  
15 C.R.S., shall apply. The court may suspend up to one half of the fine upon  
16 a showing that appropriate insurance as required pursuant to section  
17 10-4-619 or 10-4-624 C.R.S., has been obtained. ADDITIONALLY, THE  
18 COURT MAY SUSPEND THE FINE, OR A PORTION OF THE FINE, IF THE  
19 DEFENDANT IS INDIGENT AND THE COURT FINDS THAT THERE IS NO  
20 REASONABLE LIKELIHOOD THAT THE DEFENDANT WILL BE ABLE TO PAY  
21 THE FINE WITHIN ONE HUNDRED EIGHTY DAYS.

22 **SECTION 8.** In Colorado Revised Statutes, 42-4-1701, amend  
23 (3)(a)(I), (4)(a)(I), (4)(a)(IV)(A), and (4)(a)(V) as follows:

24 **42-4-1701. Traffic offenses and infractions classified -**  
25 **penalties - penalty and surcharge schedule - repeal.** (3) (a) (I) Except  
26 as provided in subsections (4) and (5) of this section or the section  
27 creating the infraction, traffic infractions are divided into two classes  
28 ~~which shall be~~ THAT ARE subject to the following penalties ~~which~~ THAT  
29 are authorized upon entry of judgment against the defendant:

30	Class	Minimum	Maximum
31		Penalty	Penalty
32	A	\$15 penalty	\$100 <del>\$200</del> penalty
33	B	\$15 penalty	\$100 <del>\$200</del> penalty

34 (4) (a) (I) Except as provided in subsection (5)(c) of this section,  
35 every person who is convicted of, who admits liability for, or against  
36 whom a judgment is entered for a violation of this title 42 to which  
37 subsection (5)(a) or (5)(b) of this section applies shall be fined or  
38 penalized and have a surcharge levied in accordance with sections  
39 24-4.1-119(1)(f) and 24-4.2-104(1)(b)(I), in accordance with the penalty  
40 and surcharge schedule set forth in subsections (4)(a)(I)(A) to (4)(a)(I)(P)  
41 of this section; or, if no penalty or surcharge is specified in the schedule,  
42 the penalty for class A and class B traffic infractions is ~~fifteen~~ THIRTY  
43 dollars, and the surcharge is ~~four~~ EIGHT dollars. These penalties and

1 surcharges apply whether the defendant acknowledges the defendant's  
 2 guilt or liability in accordance with the procedure set forth by subsection  
 3 (5)(a) of this section, is found guilty by a court of competent jurisdiction,  
 4 or has judgment entered against the defendant by a county court  
 5 magistrate. Penalties and surcharges for violating specific sections are as  
 6 follows:

	<b>Section Violated</b>	<b>Penalty</b>	<b>Surcharge</b>
<b>(A) Drivers' license violations:</b>			
9	42-2-101 (1) or (4)	\$ 35.00 <b>45.50</b>	\$ 10.00 <b>14.00</b>
10	42-2-101 (2), (3), or (5)	15.00 <b>30.00</b>	6.00 <b>10.00</b>
11	42-2-103	15.00 <b>30.00</b>	6.00 <b>10.00</b>
12	42-2-105	70.00 <b>91.00</b>	10.00 <b>14.00</b>
13	42-2-105.5 (4)	65.00 <b>84.50</b>	10.00 <b>14.00</b>
14	42-2-106	70.00 <b>91.00</b>	10.00 <b>14.00</b>
15	42-2-116 (6)(a)	30.00 <b>39.00</b>	6.00 <b>10.00</b>
16	42-2-119	15.00 <b>30.00</b>	6.00 <b>10.00</b>
17	42-2-134	35.00 <b>45.50</b>	10.00 <b>14.00</b>
18	42-2-136	35.00 <b>45.50</b>	10.00 <b>14.00</b>
19	42-2-139	35.00 <b>45.50</b>	10.00 <b>14.00</b>
20	42-2-140	35.00 <b>45.50</b>	10.00 <b>14.00</b>
21	42-2-141	35.00 <b>45.50</b>	10.00 <b>14.00</b>
<b>(B) Registration and taxation violations:</b>			
23	42-3-103	\$ 50.00 <b>65.00</b>	\$ 16.00 <b>20.00</b>
24	42-3-113	15.00 <b>30.00</b>	6.00 <b>10.00</b>
25	42-3-202	15.00 <b>30.00</b>	6.00 <b>10.00</b>
26	42-3-116	50.00 <b>65.00</b>	16.00 <b>20.00</b>
27	42-3-121 (1)(a)	75.00 <b>97.50</b>	24.00 <b>30.00</b>
28	42-3-121 (1)(c)	35.00 <b>45.50</b>	10.00 <b>14.00</b>
29	42-3-121 (1)(f), (1)(g), 30 and (1)(h)	75.00 <b>97.50</b>	24.00 <b>30.00</b>
31	42-3-304 to 42-3-306	50.00 <b>65.00</b>	16.00 <b>20.00</b>
<b>(C) Traffic regulation generally:</b>			
33	42-4-1412	\$ 15.00 <b>30.00</b>	\$ 6.00 <b>10.00</b>
34	42-4-109 (13)(a)	15.00 <b>30.00</b>	6.00 <b>10.00</b>
35	42-4-109 (13)(b)	100.00	15.00 <b>19.00</b>
36	42-4-1211	30.00 <b>39.00</b>	6.00 <b>10.00</b>
37	42-4-1405	15.00 <b>30.00</b>	6.00 <b>10.00</b>
<b>(D) Equipment violations:</b>			
39	42-4-201	\$ 35.00 <b>45.50</b>	\$ 10.00 <b>14.00</b>
40	42-4-202	35.00 <b>45.50</b>	10.00 <b>14.00</b>
41	42-4-204	15.00 <b>30.00</b>	6.00 <b>10.00</b>
42	42-4-205	15.00 <b>30.00</b>	6.00 <b>10.00</b>
43	42-4-206	15.00 <b>30.00</b>	6.00 <b>10.00</b>

1	42-4-207	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
2	42-4-208	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
3	42-4-209	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
4	42-4-210	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
5	42-4-211	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
6	42-4-212	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
7	42-4-213	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
8	42-4-214	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
9	42-4-215	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
10	42-4-216	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
11	42-4-217	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
12	42-4-218	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
13	42-4-219	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
14	42-4-220	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
15	42-4-221	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
16	42-4-222 (1)	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
17	42-4-223	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
18	42-4-224	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
19	42-4-225 (1)	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
20	42-4-226	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
21	42-4-227 (1)	<del>50.00</del> <b>65.00</b>	<del>6.00</del> <b>20.00</b>
22	42-4-227 (2)	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
23	42-4-228 (1), (2), (3),		
24	(5), or (6)	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
25	42-4-229	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
26	42-4-230	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
27	42-4-231	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
28	42-4-232	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
29	42-4-233	<del>75.00</del> <b>97.50</b>	24.00 <b>30.00</b>
30	42-4-234	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
31	42-4-235	<del>50.00</del> <b>65.00</b>	<del>6.00</del> <b>20.00</b>
32	42-4-236	<del>65.00</del> <b>84.50</b>	<del>6.00</del> <b>20.00</b>
33	42-4-237	<del>65.00</del> <b>84.50</b>	6.00 <b>10.00</b>
34	42-4-1411	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
35	42-4-1412	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
36	42-4-1901	<del>35.00</del> <b>45.50</b>	<del>6.00</del> <b>14.00</b>
37	<b>(E) Emissions inspections:</b>		
38	42-4-313 (3)(c)	\$ <del>50.00</del> <b>65.00</b>	\$ <del>6.00</del> <b>20.00</b>
39	42-4-313 (3)(d)	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
40	<b>(F) Size, weight, and load violations:</b>		
41	42-4-502	\$ <del>75.00</del> <b>97.50</b>	\$ <del>24.00</del> <b>30.00</b>
42	42-4-503	<del>15.00</del> <b>30.00</b>	6.00 <b>10.00</b>
43	42-4-504	<del>75.00</del> <b>97.50</b>	<del>24.00</del> <b>30.00</b>

1	42-4-505	75.00	<b>97.50</b>	24.00	<b>30.00</b>
2	42-4-506	15.00	<b>30.00</b>	6.00	<b>10.00</b>
3	42-4-509	50.00	<b>65.00</b>	16.00	<b>20.00</b>
4	42-4-510 (12)(a)	35.00	<b>45.50</b>	10.00	<b>14.00</b>
5	42-4-106 (1), (3), (4), (6), or (7)	35.00	<b>45.50</b>	10.00	<b>14.00</b>
7	42-4-106 (4.5)(b)(I)	1,000.00		156.00	<b>162.00</b>
8	42-4-106 (4.5)(b)(II)	1,500.00		156.00	<b>162.00</b>
9	42-4-106 (5)(a)(I)	100.00		32.00	<b>38.00</b>
10	42-4-106 (5)(a)(II)	500.00		156.00	<b>162.00</b>
11	42-4-106 (5)(a)(III)	500.00		78.00	<b>84.00</b>
12	42-4-106 (5)(a)(IV)	1,000.00		156.00	<b>162.00</b>
13	42-4-512	75.00	<b>97.50</b>	24.00	<b>30.00</b>
14	42-8-105 (1) to (5)	50.00	<b>65.00</b>	16.00	<b>20.00</b>
15	42-8-106	50.00	<b>65.00</b>	16.00	<b>20.00</b>
16	<b>(G) Signals, signs, and markings violations:</b>				
17	42-4-603	\$ 100.00		\$ 10.00	<b>14.00</b>
18	42-4-604	100.00		10.00	<b>14.00</b>
19	42-4-605	70.00	<b>91.00</b>	10.00	<b>14.00</b>
20	42-4-606	15.00	<b>30.00</b>	6.00	<b>10.00</b>
21	42-4-607 (1)	50.00	<b>65.00</b>	16.00	<b>20.00</b>
22	42-4-607 (2)(a)	100.00		32.00	<b>38.00</b>
23	42-4-608 (1)	70.00	<b>91.00</b>	6.00	<b>10.00</b>
24	42-4-608 (2)	15.00	<b>30.00</b>	6.00	<b>10.00</b>
25	42-4-609	15.00	<b>30.00</b>	6.00	<b>10.00</b>
26	42-4-610	15.00	<b>30.00</b>	6.00	<b>10.00</b>
27	42-4-612	70.00	<b>91.00</b>	10.00	<b>14.00</b>
28	42-4-613	35.00	<b>45.50</b>	10.00	<b>14.00</b>
29	<b>(H) Rights-of-way violations:</b>				
30	42-4-701	\$ 70.00	<b>91.00</b>	\$ 10.00	<b>14.00</b>
31	42-4-702	70.00	<b>91.00</b>	10.00	<b>14.00</b>
32	42-4-703	70.00	<b>91.00</b>	10.00	<b>14.00</b>
33	42-4-704	70.00	<b>91.00</b>	10.00	<b>14.00</b>
34	42-4-705	70.00	<b>91.00</b>	10.00	<b>14.00</b>
35	42-4-706	70.00	<b>91.00</b>	10.00	<b>14.00</b>
36	42-4-707	70.00	<b>91.00</b>	10.00	<b>14.00</b>
37	42-4-708	70.00	<b>91.00</b>	10.00	<b>14.00</b>
38	42-4-709	70.00	<b>91.00</b>	10.00	<b>14.00</b>
39	42-4-710	70.00	<b>91.00</b>	10.00	<b>14.00</b>
40	42-4-711	100.00		10.00	<b>14.00</b>
41	42-4-712	70.00	<b>91.00</b>	10.00	<b>14.00</b>
42	<b>(I) Pedestrian violations:</b>				
43	42-4-801	\$ 15.00	<b>30.00</b>	\$ 6.00	<b>10.00</b>

1	42-4-802 (1)	30.00	<b>39.00</b>	6.00	<b>10.00</b>
2	42-4-802 (3)	15.00	<b>30.00</b>	6.00	<b>10.00</b>
3	42-4-802 (4)	30.00	<b>39.00</b>	6.00	<b>10.00</b>
4	42-4-802 (5)	30.00	<b>39.00</b>	6.00	<b>10.00</b>
5	42-4-803	15.00	<b>30.00</b>	6.00	<b>10.00</b>
6	42-4-805	15.00	<b>30.00</b>	6.00	<b>10.00</b>
7	42-4-806	70.00	<b>91.00</b>	10.00	<b>14.00</b>
8	42-4-807	70.00	<b>91.00</b>	10.00	<b>14.00</b>
9	42-4-808	70.00	<b>91.00</b>	10.00	<b>14.00</b>
10	<b>(J) Turning and stopping violations:</b>				
11	42-4-901	\$ 70.00	<b>91.00</b>	\$ 10.00	<b>14.00</b>
12	42-4-902	70.00	<b>91.00</b>	10.00	<b>14.00</b>
13	42-4-903	70.00	<b>91.00</b>	10.00	<b>14.00</b>
14	<b>(K) Driving, overtaking, and passing violations:</b>				
15	42-4-1001	\$ 70.00	<b>91.00</b>	\$ 10.00	<b>14.00</b>
16	42-4-1002	100.00		10.00	<b>14.00</b>
17	42-4-1003	100.00		10.00	<b>14.00</b>
18	42-4-1004	100.00		10.00	<b>14.00</b>
19	42-4-1005	100.00		10.00	<b>14.00</b>
20	42-4-1006	70.00	<b>91.00</b>	10.00	<b>14.00</b>
21	42-4-1007	100.00		10.00	<b>14.00</b>
22	42-4-1008	100.00		10.00	<b>14.00</b>
23	42-4-1009	70.00	<b>91.00</b>	10.00	<b>14.00</b>
24	42-4-1010	70.00	<b>91.00</b>	10.00	<b>14.00</b>
25	42-4-1011	200.00		32.00	<b>38.00</b>
26	42-4-1012 (3)(a)	65.00	<b>84.50</b>	(NONE)	
27	42-4-1012 (3)(b)	125.00		(NONE)	
28	42-4-1013	100.00		(NONE)	
29	<b>(L) Speeding violations:</b>				
30	42-4-1101 (1) or (8)(b) (1 to 4 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)	\$ 30.00	<b>39.00</b>	\$ 6.00	<b>10.00</b>
35	42-4-1101 (1) or (8)(b) (5 to 9 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)	70.00	<b>91.00</b>	10.00	<b>14.00</b>
40	42-4-1101 (1) or (8)(b) (10 to 19 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles				

1	per hour)	135.00	<del>16.00</del> <b>20.00</b>
2	42-4-1101 (1) or (8)(b) (20 to 24 miles		
3	per hour over the reasonable and		
4	prudent speed or over the maximum		
5	lawful speed limit of 75 miles		
6	per hour)	200.00	<del>32.00</del> <b>38.00</b>
7	42-4-1101 (8)(g) (1 to 4 miles per		
8	hour over the maximum lawful		
9	speed limit of 40 miles per hour		
10	driving a low-power scooter)	<del>50.00</del> <b>65.00</b>	<del>6.00</del> <b>10.00</b>
11	42-4-1101 (8)(g) (5 to 9 miles per		
12	hour over the maximum lawful		
13	speed limit of 40 miles per hour		
14	driving a low-power scooter)	<del>75.00</del> <b>97.50</b>	<del>10.00</del> <b>14.00</b>
15	42-4-1101 (8)(g) (greater than 9		
16	miles per hour over the maximum		
17	lawful speed limit of 40 miles per		
18	hour driving a low-power scooter)	100.00	<del>16.00</del> <b>20.00</b>
19	42-4-1101 (3)	100.00	<del>10.00</del> <b>14.00</b>
20	42-4-1103	<del>50.00</del> <b>65.00</b>	<del>6.00</del> <b>10.00</b>
21	42-4-1104	<del>30.00</del> <b>39.00</b>	<del>6.00</del> <b>10.00</b>
22	<b>(M) Parking violations:</b>		
23	42-4-1201	\$ <del>30.00</del> <b>39.00</b>	\$ <del>6.00</del> <b>10.00</b>
24	42-4-1202	<del>30.00</del> <b>39.00</b>	<del>6.00</del> <b>10.00</b>
25	42-4-1204	<del>15.00</del> <b>30.00</b>	<del>6.00</del> <b>10.00</b>
26	42-4-1205	<del>15.00</del> <b>30.00</b>	<del>6.00</del> <b>10.00</b>
27	42-4-1206	<del>15.00</del> <b>30.00</b>	<del>6.00</del> <b>10.00</b>
28	42-4-1207	<del>15.00</del> <b>30.00</b>	<del>6.00</del> <b>10.00</b>
29	42-4-1208 (3)(b), (3)(c),		
30	and (3)(d)	150.00	<del>32.00</del> <b>38.00</b>
31	42-4-1213	150.00	<del>32.00</del> <b>38.00</b>
32	<b>(N) Other offenses:</b>		
33	42-4-1301 (2)(d)	\$ 100.00	<del>16.00</del> <b>20.00</b>
34	42-4-1305	<del>50.00</del> <b>65.00</b>	<del>16.00</del> <b>20.00</b>
35	42-4-1305.5 (2)	<del>50.00</del> <b>65.00</b>	<del>7.80</del> <b>11.80</b>
36	42-4-1402	150.00	<del>16.00</del> <b>20.00</b>
37	42-4-1403	<del>30.00</del> <b>39.00</b>	<del>6.00</del> <b>10.00</b>
38	42-4-1404	<del>15.00</del> <b>30.00</b>	<del>6.00</del> <b>10.00</b>
39	42-4-1406	<del>35.00</del> <b>45.50</b>	<del>10.00</del> <b>14.00</b>
40	42-4-1407 (3)(a)	<del>35.00</del> <b>45.50</b>	<del>10.00</del> <b>14.00</b>
41	42-4-1407 (3)(b)	100.00	<del>30.00</del> <b>36.00</b>
42	42-4-1407 (3)(c)	500.00	<del>200.00</del> <b>206.00</b>
43	42-4-314 (1) and (2)	<del>35.00</del> <b>45.50</b>	<del>10.00</del> <b>14.00</b>

1	42-4-314 (6)(a)	100.00	10.00	14.00	
2	42-4-1408	15.00	30.00	6.00	10.00
3	42-4-1414 (2)(a)	500.00	156.00	162.00	
4	42-4-1414 (2)(b)	1,000.00	312.00	318.00	
5	42-4-1414 (2)(c)	5,000.00	1,560.00	1,566.00	
6	42-4-1416 (3)	75.00	97.50	4.00	8.00
7	42-20-109 (2)	250.00	66.00	72.00	

8 (O) **Motorcycle violations:**

9	42-4-1502 (1), (2), (3),		
10	or (4)	\$ 30.00 <b>39.00</b>	\$ 6.00 <b>10.00</b>
11	42-4-1502 (4.5)	100.00	15.00 <b>19.00</b>
12	42-4-1503	30.00 <b>39.00</b>	6.00 <b>10.00</b>
13	42-4-1504	30.00 <b>39.00</b>	6.00 <b>10.00</b>

14 (P) Offenses by persons controlling vehicles:

15	42-4-239 (5)(a)	\$ 50.00 <b>65.00</b>	\$ 6.00 <b>10.00</b>
16	42-4-239 (5)(b)	100.00	6.00 <b>10.00</b>
17	42-4-239 (5.5)	300.00	6.00 <b>10.00</b>
18	42-4-1704	15.00 <b>30.00</b>	6.00 <b>10.00</b>

19 (IV) (A) Any person convicted of violating section 42-3-114 who  
20 has not been convicted of a violation of section 42-3-114 in the twelve  
21 months preceding such conviction shall be fined as follows, whether the  
22 defendant acknowledges the defendant's guilt pursuant to the procedure  
23 set forth in ~~paragraph (a) of subsection (5)~~ SUBSECTION (5)(a) of this  
24 section or is found guilty by a court of competent jurisdiction:

## 25 Number of days beyond renewal

26 period that registration has

27	been expired	Penalty	Surcharge
28	1 - 29	\$ 35.00 <b>45.50</b>	\$ 8.00 <b>12.00</b>
29	30 - 59	50.00 <b>65.00</b>	12.00 <b>16.00</b>
30	60 and over	75.00 <b>97.50</b>	18.00 <b>22.00</b>

31 (V) Any person convicted of violating section 42-20-204 (2) shall  
32 be fined ~~twenty-five dollars~~ THIRTY-TWO DOLLARS AND FIFTY CENTS,  
33 whether the violator acknowledges guilt pursuant to the procedure set  
34 forth in paragraph (a) of subsection (5) SUBSECTION (5)(a) of this section  
35 or is found guilty by a court of competent jurisdiction.

**SECTION 9.** In Colorado Revised Statutes, 42-4-239, **amend** (5) and (5.5)(a) as follows:

**42-4-239. Misuse of a wireless telephone - definitions - penalty**

39 - **preemption.** (5) (a) A person who operates a motor vehicle in violation  
40 of subsection (2) of this section commits a class A traffic infraction as  
41 defined in section 42-4-1701 (3), and the court or the department of  
42 revenue shall assess a fine ~~of fifty dollars~~ IN THE AMOUNT SET FORTH IN  
43 SECTION 42-4-1701 (4)(a)(I)(P).

(5.5) (a) Except as provided in subsections (5.5)(b) and (5.5)(c) of this section, a person who operates a motor vehicle in violation of subsection (3) of this section commits a class 2 misdemeanor traffic offense, and the court or the department shall assess a fine of three hundred dollars IN THE AMOUNT SET FORTH IN SECTION 42-4-1701 (4)(a)(I)(P).

12                   **SECTION 10.** In Colorado Revised Statutes, 42-4-313, amend  
13 (3)(c) and (3)(d) as follows:

14                   **42-4-313. Penalties.** (3) (c) Any vehicle owner who violates any  
15 provision of this section is guilty of a misdemeanor traffic offense and,  
16 upon conviction thereof, shall be punished by a fine of fifty dollars AS SET  
17 FORTH IN SECTION 42-4-1701 (4)(a)(I)(E), payable within thirty days after  
18 conviction.

24                   **SECTION 11.** In Colorado Revised Statutes, 42-4-314, amend  
25 (3) as follows:

42-4-314. **Automobile emissions control systems - tampering**  
**- operation of vehicle.** (3) (a) A person who violates subsection (1) or  
(2) of this section commits a class A traffic infraction and shall be fined  
~~thirty-five dollars~~ pursuant to section 42-4-1701 (4)(a)(I)(N). The  
department shall not assess any points under section 42-2-127 for a  
conviction pursuant to subsection (1) or (2) of this section.

37                   **SECTION 12.** In Colorado Revised Statutes, 42-4-1305, amend  
38 (2)(c) as follows:

39                   **42-4-1305. Open alcoholic beverage container - motor vehicle**  
40   **- prohibited.** (2) (c) A person who violates the provisions of this  
41 subsection (2) commits a class A traffic infraction and shall be punished  
42 by a fine of ~~fifty dollars and a surcharge of sixteen dollars as provided AS~~  
43 SET FORTH in section 42-4-1701 (4)(a)(I)(N).

1                   **SECTION 13.** In Colorado Revised Statutes, 42-4-1305.5,  
2 **amend** (2)(c) as follows:

3                   **42-4-1305.5. Open marijuana container - motor vehicle -**  
4 **prohibited.** (2) (c) A person who violates the provisions of this  
5 subsection (2) commits a class A traffic infraction and shall be punished  
6 by a fine of fifty dollars and a surcharge of seven dollars and eighty cents  
7 as provided in this section and AS SET FORTH IN section 42-4-1701  
8 (4)(a)(I)(N).

9                   **SECTION 14.** In Colorado Revised Statutes, 42-4-1416, **amend**  
10 (3) as follows:

11                   **42-4-1416. Failure to present a valid transit pass or coupon -**  
12 **fare inspector authorization - definitions.** (3) A violation of this  
13 section is a class B traffic infraction and is punishable by a fine of  
14 ~~seventy-five dollars~~ AS SET FORTH IN SECTION 42-4-1701 (4)(a)(I)(N).  
15 Notwithstanding any other provision of law, fines for a violation of  
16 subsection (1) of this section shall be retained by the clerk of the court in  
17 the city and county of Denver upon receipt by the clerk for a violation  
18 occurring within that jurisdiction, or transmitted to the state judicial  
19 department if the fine is received by the clerk of the court of any other  
20 county.

21                   **SECTION 15.** In Colorado Revised Statutes, 42-20-204, **amend**  
22 (2) as follows:

23                   **42-20-204. Permit violations - penalties.** (2) Any person who  
24 has obtained an annual or a single trip hazardous materials transportation  
25 permit but fails to have a copy of said permit in the cab of the motor  
26 vehicle while transporting hazardous materials in, to, from, or through  
27 this state commits a class B traffic infraction and shall be assessed a  
28 penalty of ~~twenty-five dollars~~ IN THE AMOUNT SET FORTH IN, AND in  
29 accordance with the procedure set forth in, section 42-4-1701 (4)(a)(V);  
30 except that, if a peace officer, as described in section 16-2.5-101, C.R.S.,  
31 or any other enforcement official may determine that the permit can be  
32 electronically verified at the time of contact, a copy of the permit need not  
33 be in the cab of the motor vehicle.

34                   **SECTION 16.** In Colorado Revised Statutes, 24-4.2-105, **amend**  
35 (1) as follows:

36                   **24-4.2-105. Allocation of money from fund - application for**  
37 **grants - disbursements.** (1) (a) Thirteen percent of the aggregate  
38 amount of the ~~moneys~~ MONEY in the fund, after payment of the expenses  
39 specified in section 24-4.2-103 (4), shall be deposited with the state  
40 treasurer to the credit of the fund created pursuant to section 24-33.5-506.

41                   (b) THE COURT ADMINISTRATOR OF THE JUDICIAL DISTRICT SHALL  
42 DISTRIBUTE TWO DOLLARS OF EACH SURCHARGE DEPOSITED INTO THE  
43 FUND TO ORGANIZATIONS DESCRIBED IN SECTION 13-90-107 (1)(k)(II)

1 THAT PROVIDE VICTIM'S ADVOCATE SERVICES WITHIN THE JUDICIAL  
2 DISTRICT. THE BOARD SHALL IDENTIFY ORGANIZATIONS ELIGIBLE TO  
3 RECEIVE MONEY PURSUANT TO THIS SUBSECTION (1)(b). IF THE BOARD  
4 IDENTIFIES MORE THAN ONE ELIGIBLE ORGANIZATION, THE COURT  
5 ADMINISTRATOR SHALL DISTRIBUTE THE MONEY IN AN EQUAL AMOUNT TO  
6 EACH ELIGIBLE ORGANIZATION.".

7 Strike pages 4 through 16.

8 Page 17, strike lines 1 through 10.

9 Rerumber succeeding section accordingly.

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