

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 17, 2024
Date

Committee on Transportation & Energy.

After consideration on the merits, the Committee recommends the following:

SB24-195 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 3, line 3, after the second "portion," insert
2 "(2)(g)(IV),".

3 Page 3, line 4, after "**repeal**" insert "(1.5),".

4 Page 3, line 14, strike "VEHICLE, THE OPERATOR OF THE VEHICLE," and
5 substitute "VEHICLE".

6 Page 4, strike lines 1 and 2 and substitute:

7 "(c) "STATE HIGHWAY" MEANS ANY HIGHWAY THAT IS OWNED BY
8 OR OVERSEEN BY THE STATE.

9 (1.5) ~~Except for the authorization contained in subsection (1.7) of~~
10 ~~this section, nothing in this section applies to a violation detected by an~~
11 ~~automated vehicle identification system for driving twenty-five miles per~~
12 ~~hour or more in excess of the reasonable and prudent speed or twenty-five~~
13 ~~miles per hour or more in excess of the maximum speed limit of~~
14 ~~seventy-five miles per hour detected by the use of an automated vehicle~~
15 ~~identification system."~~

16 Page 5, line 25, strike "BOTH BEFORE" and substitute "BEFORE".

17 Page 5, strike line 27.

18 Page 6, strike lines 1 through 3 and substitute "STATE HIGHWAY, THE
19 COUNTY, CITY AND COUNTY, OR MUNICIPALITY SHALL".

20 Page 6, lines 4 and 5, strike "TRANSPORTATION AND THE COLORADO

1 STATEPATROL. Before" and substitute "TRANSPORTATION. COORDINATION
2 MUST INCLUDE APPLYING FOR A SPECIAL USE PERMIT TO INSTALL ANY
3 DEVICES OR SIGNAGE ON DEPARTMENT OF TRANSPORTATION
4 RIGHT-OF-WAY IF THE SEGMENT OF HIGHWAY IN QUESTION IS MAINTAINED
5 BY THE STATE, DEMONSTRATING THAT THE REQUIREMENTS SET FORTH IN
6 SUBSECTION (2)(g)(I)(B) OF THIS SECTION HAVE BEEN MET, AND ALERTING
7 THE DEPARTMENT WHEN THE AUTOMATED VEHICLE IDENTIFICATION
8 CORRIDOR BEGINS OPERATIONS OR PERMANENTLY CEASES OPERATIONS. IF
9 A COUNTY, CITY AND COUNTY, OR MUNICIPALITY DESIGNATES AN
10 AUTOMATED VEHICLE IDENTIFICATION CORRIDOR ON A STATE HIGHWAY BY
11 ORDINANCE OR RESOLUTION BEFORE JANUARY 1, 2025, IT MAY SATISFY
12 THESE REQUIREMENTS AFTER THE DESIGNATION. THE DEPARTMENT OF
13 TRANSPORTATION SHALL NOTIFY THE COLORADO STATE PATROL WHEN A
14 COUNTY, CITY AND COUNTY, OR MUNICIPALITY COORDINATES WITH THE
15 DEPARTMENT OF TRANSPORTATION TO ESTABLISH AN AUTOMATED
16 VEHICLE IDENTIFICATION CORRIDOR ON A STATE HIGHWAY. BEFORE A
17 COUNTY, OR CITY AND COUNTY, OR MUNICIPALITY BEGINS THE OPERATION
18 OF AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM IN AN AUTOMATED
19 VEHICLE IDENTIFICATION CORRIDOR ON A COUNTY ROAD, THE COUNTY,
20 CITY AND COUNTY, OR MUNICIPALITY SHALL NOTIFY THE COLORADO
21 STATE PATROL BEFORE THE STATE DESIGNATES AN AUTOMATED VEHICLE
22 IDENTIFICATION CORRIDOR ON A STATE HIGHWAY LOCATED WITHIN THE
23 BOUNDARIES OF A COUNTY, A CITY AND COUNTY, OR A MUNICIPALITY, AND
24 BEFORE THE STATE BEGINS OPERATION OF AN AUTOMATED VEHICLE
25 IDENTIFICATION SYSTEM IN AN AUTOMATED VEHICLE IDENTIFICATION
26 CORRIDOR ON A STATE HIGHWAY, THE STATE SHALL COORDINATE WITH
27 THE RESPECTIVE COUNTY, CITY AND COUNTY, OR MUNICIPALITY. Before
28 THE STATE".

29 Page 6, line 7, strike "county" and substitute "STATE, county, CITY AND
30 COUNTY,".

31 Page 6, after line 10 insert:

32 "(IV) THE STATE, a county, A CITY AND COUNTY, or A municipality
33 implementing an automated vehicle identification corridor pursuant to
34 subsection (2)(g)(I) of this section shall publish a report on its website
35 disclosing the number of citations and revenue generated by the
36 automated vehicle identification corridor."

37 Page 6, strike lines 11 through 27.

38 Page 7, strike lines 1 through 4 and substitute:

1 "(2.5)(a) THE STATE MAY USE AN AUTOMATED VEHICLE
2 IDENTIFICATION SYSTEM ON ANY PORTION OF A STATE HIGHWAY. THE
3 DEPARTMENT OF TRANSPORTATION MAY PROMULGATE RULES TO
4 IMPLEMENT THE PROVISIONS OF THIS SECTION RELATING TO THE USE OF
5 AUTOMATED VEHICLE IDENTIFICATION SYSTEMS BY THE DEPARTMENT OF
6 TRANSPORTATION ON STATE HIGHWAYS, INCLUDING BUT NOT LIMITED TO
7 RULES THAT:

8 (I) SPECIFY PRIORITIZATION CRITERIA THAT THE DEPARTMENT OF
9 TRANSPORTATION WILL USE TO DETERMINE WHICH ENTITY IS AUTHORIZED
10 TO USE AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM IF MULTIPLE
11 ENTITIES SEEK AUTHORIZATION TO USE AN AUTOMATED VEHICLE
12 IDENTIFICATION SYSTEM ON THE SAME PORTION OF A STATE HIGHWAY.
13 THE CRITERIA MUST SPECIFY THAT THE DEPARTMENT OF TRANSPORTATION
14 MUST GIVE PREFERENCE TO AN ENTITY THAT HAS THE PRIMARY
15 RESPONSIBILITY FOR REGULATION AND ENFORCEMENT OF TRAFFIC
16 RESTRICTIONS ON THE PORTION OF A STATE HIGHWAY ON WHICH AN
17 AUTOMATED VEHICLE IDENTIFICATION SYSTEM IS TO BE USED."

18 Renumber succeeding subparagraphs accordingly.

19 Page 7, line 18, strike "AND".

20 Page 7, after line 18 insert:

21 "(IV) ESTABLISH AN ADMINISTRATIVE HEARING PROCESS THAT
22 COMPLIES WITH SUBSECTIONS (2)(a)(IV) THROUGH (2)(a)(VIII) OF THIS
23 SECTION, INCLUDING THE ABILITY TO RETAIN AND CONTRACT WITH
24 IMPARTIAL HEARING OFFICERS AND THE ABILITY FOR IMPARTIAL HEARING
25 OFFICERS TO ISSUE FINAL ORDERS REQUIRED BY SUBSECTION 2(a)(VII) OF
26 THIS SECTION; AND".

27 Renumber succeeding subparagraph accordingly.

28 Page 8, strikes lines 2 and 3 and substitute "MUNICIPALITY ON ANY
29 PORTION OF A STATE HIGHWAY. IT IS ALSO THE INTENT OF THE GENERAL
30 ASSEMBLY THAT THE DEPARTMENT OF TRANSPORTATION CONSULT WITH
31 COUNTIES, CITY AND COUNTIES, AND MUNICIPALITIES WHEN
32 PROMULGATING RULES RELATING TO THE USE OF AUTOMATED VEHICLE
33 IDENTIFICATION SYSTEMS.

34 (c) THE PROVISIONS OF THIS SUBSECTION (2.5) DO NOT APPLY TO
35 AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM ON A STATE HIGHWAY
36 THAT A COUNTY, CITY AND COUNTY, OR MUNICIPALITY HAS IMPLEMENTED
37 OR DESIGNATED BY ORDINANCE OR RESOLUTION BEFORE JANUARY 1, 2025,

1 OR BEFORE THE DEPARTMENT OF TRANSPORTATION ADOPTS RULES
2 PURSUANT TO SUBSECTION (2.5)(a) OF THIS SECTION, WHICHEVER OCCURS
3 LATER. THIS SUBSECTION (2.5) DOES NOT REQUIRE A COUNTY, CITY AND
4 COUNTY, OR MUNICIPALITY TO REMOVE OR STOP THE IMPLEMENTATION OF
5 AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM THAT WAS PLACED ON
6 ANY PORTION OF A STATE HIGHWAY OR DESIGNATED BY ORDINANCE OR
7 RESOLUTION BEFORE JANUARY 1, 2025, OR BEFORE THE DEPARTMENT OF
8 TRANSPORTATION ADOPTS RULES PURSUANT TO SUBSECTION (2.5)(a) OF
9 THIS SECTION, WHICHEVER OCCURS LATER."

10 Page 10, line 1, strike "credited" and substitute "~~credited~~ ALLOCATED".

11 Page 10, lines 2 and 3, strike "section 43-4-205 (6.3)" and substitute
12 "~~section~~ SECTIONS 43-4-205 (6.3) AND 43-4-205 (6)(b)(I)".

13 Page 10 line 12, strike "highway" and substitute "highway, CROSSING
14 IMPROVEMENTS,".

15 Page 10, line 16, strike "EXPEND," and substitute "ALLOCATE,".

16 Page 10, line 27, strike "EXPENDITURE" and substitute "ALLOCATION".

17 Page 11, line 24, after "WALKWAYS" insert "CROSSING IMPROVEMENTS,".

18 Page 12, line 3, after "PEDESTRIAN," insert "A CONSTRUCTION WORKER,".

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