



Legislative Council Staff

Research Note

Version: Final

Date: 2/25/2016

Bill Number

House Bill 16-1008

Sponsors

*Representatives Winter &
Becker J.
Senators Cooke & Heath*

Short Title

*Roadway Shoulder Access For
Buses*

Research Analyst

Matt Kiszka (x6275)

Status

This research note reflects the final version of the bill and becomes effective upon signature of the Governor.

Summary

Under the bill, the Colorado Department of Transportation (CDOT) may open up an area of a roadway that is not a traffic lane (i.e. the shoulder) for use by certain commercial vehicles (i.e. public buses).

To permit the use of a designated area, CDOT must:

- consult with the Colorado State Patrol in the Department of Public Safety;
- establish conditions of use for the area; and
- enter into a written agreement with authorized users.

Subject to the conditions of use, the bus driver has sole discretion in determining whether or not to drive on a shoulder based on his or her safety assessment. CDOT must also work with local government agencies when implementing the use of a shoulder.

Background

Under current law, an operator of a motor vehicle must drive as nearly as practicable within a single traffic lane when on a roadway with clearly marked traffic lanes, and may only move to

This research note was prepared by Legislative Council Staff, the nonpartisan research staff for the Colorado General Assembly. The research note is provided for informational purposes only and should not be relied upon as an official record of action by the General Assembly. Legislative Council Staff are not attorneys, and the research note is not a legal opinion. If you have legal questions about the bill, including questions about the meaning of the bill language or amendments, please contact the drafter.

another lane when this can be done in a safe manner. Violators of this law commit a class A traffic infraction, which is punishable with a fine of up to \$100 and a \$10 surcharge.

House Action

House Transportation Committee (January 27, 2016). At the hearing, representatives from the Regional Transportation District (RTD), CDOT, City of Westminster, Denver Metro Chamber of Commerce, and Colorado Association of Transit Agencies testified in support of the bill. The committee adopted amendment L.001, and referred the bill, as amended, to the House Committee of the Whole. Amendment L.001 allows the driver of an authorized vehicle on a highway shoulder sole discretion in determining the safety of driving on the shoulder at any authorized time.

House second reading (February 1, 2016). The House adopted the House Transportation committee report and Amendment No. 2. Amendment No. 2 requires CDOT to work with local government agencies when implementing the use of a highway shoulder by public buses.

House third reading (February 2, 2016). The House passed the bill on third reading with no amendments.

Senate Action

Senate Transportation Committee (February 18, 2016). At the hearing, representatives from RTD, Denver Regional Council of Governments, US 36 Mayors and Commissioners Coalition, City of Westminster, CDOT, Denver Metro Chamber of Commerce, and Colorado Association of Transit Agencies testified in support of the bill. The committee referred the bill to the Senate Committee of the Whole.

Senate second reading (February 23, 2016). The Senate passed the bill on second reading with no amendments.

Senate third reading (February 24, 2016). The Senate passed the bill on third reading with no amendments.