

CHAPTER 156

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 18-1191

BY REPRESENTATIVE(S) Winter, Becker K., Coleman, Esgar, Ginal, Hamner, Hansen, Herod, McLachlan, Melton, Michaelson Jenet, Roberts, Valdez, Young, Duran, Arndt, Jackson, Kraft-Tharp, Pabon, Pettersen, Rosenthal; also SENATOR(S) Martinez Humenik and Kefalas.

AN ACT**CONCERNING A LOCAL AUTHORITY'S ABILITY TO ALTER SPEED LIMITS WITHIN THE LOCAL AUTHORITY'S JURISDICTION.**

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

SECTION 1. In Colorado Revised Statutes, 42-4-1102, **amend** (2); and **add** (9) as follows:

42-4-1102. Altering of speed limits. (2) Whenever county or municipal authorities, within their respective jurisdictions, determine upon the basis of a traffic investigation or survey **AND, FOR RESIDENTIAL NEIGHBORHOODS, AFTER ADDITIONAL OPTIONAL CONSIDERATION OF ROAD CHARACTERISTICS, CURRENT AND FUTURE DEVELOPMENT, ENVIRONMENTAL FACTORS, PARKING PRACTICES, PEDESTRIAN AND BICYCLE ACTIVITY IN THE VICINITY, AND CRASH STATISTICS FROM THE MOST RECENT YEAR, or upon the basis of appropriate design standards and projected traffic volumes in the case of newly constructed highways or segments thereof, that any speed specified or established as authorized under sections 42-4-1101 to 42-4-1104 is greater or less than is reasonable or safe under the road and traffic conditions at** ~~any~~ **AN** intersection or other place or upon any part of a street or highway in its jurisdiction, ~~said~~ **THE** local authority shall determine and declare a reasonable and safe speed limit ~~thereat which shall be~~ **THAT** is effective when appropriate signs giving notice thereof are erected at ~~such~~ **THE** intersection or other place or upon the approaches thereto. ~~No such~~ **A** local authority shall ~~have the power to~~ **NOT** alter the basic rules set forth in section 42-4-1101 (1) or ~~in any event to~~ authorize by resolution or ordinance a speed in excess of seventy-five miles per hour.

(9) FOR PURPOSES OF THIS SECTION, "RESIDENTIAL NEIGHBORHOOD" HAS THE SAME MEANING AS SET FORTH IN SECTION 42-4-110.5 (2)(g)(II).

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 23, 2018