

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 20-061

BY SENATOR(S) Foote, Bridges, Danielson, Ginal, Gonzales, Hansen, Lee, Priola, Story, Todd, Williams A., Winter;
also REPRESENTATIVE(S) Becker, Arndt, Bird, Buckner, Buentello, Cutter, Duran, Esgar, Exum, Froelich, Gonzales-Gutierrez, Gray, Herod, Hooton, Jackson, Jaquez Lewis, Kipp, Lontine, McCluskie, McLachlan, Michaelson Jenet, Singer, Sirota, Titone, Valdez A., Woodrow, Young.

CONCERNING A REQUIREMENT TO YIELD TO A BICYCLE IN A BICYCLE LANE.

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

SECTION 1. In Colorado Revised Statutes, 42-1-102, **add** (10.3) as follows:

42-1-102. Definitions. As used in articles 1 to 4 of this title 42, unless the context otherwise requires:

(10.3) "BICYCLE LANE" MEANS A PORTION OF THE ROADWAY THAT HAS BEEN DESIGNATED BY STRIPING, SIGNAGE, OR PAVEMENT MARKINGS FOR THE EXCLUSIVE USE OF BICYCLISTS AND OTHER AUTHORIZED USERS OF BICYCLE LANES. "BICYCLE LANE" INCLUDES AN INTERSECTION IF THE BICYCLE LANE IS MARKED ON OPPOSITE SIDES OF THE INTERSECTION.

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

SECTION 2. In Colorado Revised Statutes, **add** 42-4-714 as follows:

42-4-714. Bicyclist or other authorized user in bicycle lane.

(1) THE DRIVER OF A VEHICLE SHALL YIELD THE RIGHT-OF-WAY TO A BICYCLIST OR OTHER AUTHORIZED USER OF A BICYCLE LANE IN A BICYCLE LANE.

(2)(a) EXCEPT AS PROVIDED IN SUBSECTION (2)(b) OF THIS SECTION, ANY PERSON WHO VIOLATES SUBSECTION (1) OF THIS SECTION COMMITS A CLASS A TRAFFIC INFRACTION.

(b) (I) IF A PERSON VIOLATES SUBSECTION (1) OF THIS SECTION AND THE PERSON'S ACTIONS ARE THE PROXIMATE CAUSE OF A CRASH, THE PERSON COMMITS CARELESS DRIVING AND SHALL BE PUNISHED AS DESCRIBED IN SECTION 42-4-1402 (2)(a).

(II) IF A PERSON VIOLATES SUBSECTION (1) OF THIS SECTION AND THE PERSON'S ACTIONS ARE THE PROXIMATE CAUSE OF BODILY INJURY TO ANOTHER PERSON, THE PERSON COMMITS CARELESS DRIVING AND SHALL BE PUNISHED AS DESCRIBED IN SECTION 42-4-1402 (2)(b).

SECTION 3. In Colorado Revised Statutes, 42-2-127, **amend** (5)(n); and **add** (5)(bb.5) as follows:

42-2-127. Authority to suspend license - to deny license - type of conviction - points. (5) Point system schedule:

Type of conviction	Points
(n) Failure to yield right-of-way, except as provided in paragraphs (y) to (bb) of this subsection (5) SUBSECTIONS (5)(y) TO (5)(bb.5) OF THIS SECTION	3
(bb.5) FAILURE TO YIELD RIGHT-OF-WAY TO A BICYCLIST OR OTHER AUTHORIZED USER IN A BICYCLE LANE THAT IS THE PROXIMATE CAUSE OF A BODILY INJURY	4

SECTION 4. In Colorado Revised Statutes, 42-4-1701, **amend**

(4)(a)(I)(H) as follows:

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

Section Violated	Penalty	Surcharge
(H) Rights-of-way violations:		
42-4-701	\$ 70.00	\$ 10.00
42-4-702	70.00	10.00
42-4-703	70.00	10.00
42-4-704	70.00	10.00
42-4-705	70.00	16.00
42-4-706	70.00	10.00
42-4-707	70.00	10.00
42-4-708	35.00	10.00
42-4-709	70.00	10.00
42-4-710	70.00	10.00
42-4-711	100.00	10.00
42-4-712	70.00	10.00
42-4-714	70.00	10.00

SECTION 5. Effective date - applicability. This act takes effect July 1, 2020, and applies to offenses committed on or after said date.

SECTION 6. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Leroy M. Garcia
PRESIDENT OF
THE SENATE

KC Becker
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO