

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0154.03 Jessica Herrera x4218

SENATE BILL 24-100

SENATE SPONSORSHIP

Roberts and Will, Rich, Fenberg, Ginal, Hansen, Jaquez Lewis, Marchman, Priola

HOUSE SPONSORSHIP

Velasco and Taggart, Lukens, McCluskie, McLachlan, Soper, Story, Titone

Senate Committees

Transportation & Energy
Appropriations

House Committees

Transportation, Housing & Local Government
Appropriations

A BILL FOR AN ACT

101 **CONCERNING COMMERCIAL VEHICLE SAFETY MEASURES ON**
102 **COLORADO HIGHWAYS, AND, IN CONNECTION THEREWITH,**
103 **MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law allows the department of transportation (department) to issue closures or require certain equipment on interstate 70 (I-70) from September 1 through May 31 each year between milepost 133 in Dotsero and milepost 259 in Morrison.

Section 1 of the bill changes the geographic location where the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
3rd Reading Unamended
March 22, 2024

SENATE
Amended 2nd Reading
March 21, 2024

department has authority to require certain equipment to interstate 25 (I-25) and any interstate, U.S. highway, and state highway west of I-25.

Section 2 allows the department to establish heightened speed limit enforcement zones (zone) within public highways in Glenwood Canyon on I-70 eastbound from milepost 116.0 to milepost 131.0 and westbound from milepost 118.5 to milepost 131.0 where there are safety concerns related to commercial motor vehicle drivers exceeding the posted speed limits. If the department establishes a zone, the department must erect signs identifying the zone and notifying commercial motor vehicle drivers that increased fines are assessed for speeding in the zone.

Section 3 makes it a traffic offense for any commercial vehicle to be driving in the farthest left lane on I-70 between milepost 116 in Glenwood Springs and milepost 259 in Morrison during all conditions on that highway except to safely pass a vehicle driving under the posted speed limit.

Section 4 subjects a commercial motor vehicle driver who commits a speeding violation in a zone to double fines and surcharges.

Section 5 ensures that a port of entry officer has all the powers of a peace officer when enforcing highway closures and the state's winter traction device law.

Section 6 requires the freight mobility and safety branch of the department to study the feasibility of funding additional locations of chain-up stations utilizing the money from the increased penalties in zones within public highways in Glenwood Canyon.

Section 7 allows the study on feasibility of new chain-up stations to also be funded by the fuels impact reduction grant program.

1 *Be it enacted by the General Assembly of the State of Colorado:*
2 **SECTION 1.** In Colorado Revised Statutes, 42-4-106, **amend**
3 (5)(a)(I)(C); and add (5)(a)(I)(C.5) and (5)(a)(I)(G) as follows:
4 **42-4-106. Who may restrict right to use highways - definitions**
5 **- rules.** (5) (a) (I) (C) A closure or restriction under this subsection (5)
6 is effective when signs, including temporary or electronic signs, that
7 notify the public of the closure or restriction are erected upon the
8 highway, and the restriction in subsection (5)(a)(I)(B) of this section is
9 effective on ANY PORTION OF THE FOLLOWING CORRIDORS LOCATED ON
10 THE WESTERN SLOPE FROM SEPTEMBER 1 THROUGH MAY 31 OF EACH YEAR

1 DURING ANY CONDITIONS THAT EXIST ON THE HIGHWAY FOR ANY
2 COMMERCIAL VEHICLE WITH A DECLARED GROSS VEHICLE WEIGHT RATING
3 OF SIXTEEN THOUSAND ONE POUNDS OR MORE: Interstate 70 between
4 milepost 133 (Dotsero) and west of milepost 259 (Morrison), from
5 September 1 through May 31 of each year COLORADO STATE HIGHWAY 9
6 FROM MILEPOST 63 TO MILEPOST 97 (FRISCO TO FAIRPLAY), U.S. ROUTE 40
7 WEST OF MILEPOST 256 (EMPIRE), U.S. ROUTE 50 WEST OF MILEPOST 225
8 (SALIDA), U.S. ROUTE 160 WEST OF MILEPOST 304 (WALSENBURG), U.S.
9 ROUTE 285 WEST OF MILEPOST 250 (MORRISON), AND ALL OF U.S. ROUTE
10 550 FROM MILEPOST 0 TO 130. ___ It is unlawful to proceed when a state
11 highway is closed or to proceed when a restriction is in effect without the
12 equipment required by this subsection (5).

13 (C.5) A CLOSURE OR RESTRICTION UNDER THIS SUBSECTION (5) IS
14 EFFECTIVE ON ANY MOTOR VEHICLE WHEN SIGNS, INCLUDING TEMPORARY
15 OR ELECTRONIC SIGNS, THAT NOTIFY THE PUBLIC OF THE CLOSURE OR
16 RESTRICTION ARE ERECTED UPON THE HIGHWAY, AND THE RESTRICTION IN
17 SUBSECTION (5)(a)(I)(B) OF THIS SECTION IS EFFECTIVE ON INTERSTATE 70
18 BETWEEN MILEPOST 133 (DOTSERO) AND MILEPOST 259 (MORRISON) FROM
19 SEPTEMBER 1 THROUGH MAY 31 OF EACH YEAR. IT IS UNLAWFUL TO
20 PROCEED WHEN A STATE HIGHWAY IS CLOSED OR TO PROCEED WHEN A
21 RESTRICTION IS IN EFFECT WITHOUT THE EQUIPMENT REQUIRED BY THIS
22 SUBSECTION (5).

23 (G) ON THE EFFECTIVE DATE OF THIS SUBSECTION, THE FREIGHT
24 MOBILITY AND SAFETY BRANCH CREATED IN SECTION 43-1-117 (4) SHALL
25 LAUNCH AN AWARENESS CAMPAIGN ON ANY LAWS ENACTED THAT MODIFY
26 SUBSECTION (5)(a)(I)(C) OF THIS SECTION.

27 **SECTION 2.** In Colorado Revised Statutes, **add** 42-4-618 as

1 follows:

2 **42-4-618. Glenwood Canyon - increase in penalties and**

3 **surcharges for speeding violations - definitions.** (1) THE DEPARTMENT

4 MAY DETERMINE THAT THERE ARE SAFETY CONCERNS IN GLENWOOD

5 CANYON ON INTERSTATE 70 EASTBOUND BETWEEN MILEPOST 116.0 AND

6 MILEPOST 131.0 AND WESTBOUND BETWEEN MILEPOST 118.5 AND

7 MILEPOST 131.0 RELATED TO COMMERCIAL MOTOR VEHICLES EXCEEDING

8 THE POSTED SPEED LIMITS.

9 (2) THE DEPARTMENT SHALL ERECT, WHERE APPLICABLE, SIGNS

10 NOTIFYING DRIVERS OF EACH AREA OF THE STATE HIGHWAYS THAT THE

11 DEPARTMENT HAS DESIGNATED AS A HEIGHTENED SPEED LIMIT

12 ENFORCEMENT ZONE.

13 (3) A DRIVER OF A COMMERCIAL MOTOR VEHICLE WHO COMMITS

14 A SPEEDING VIOLATION IN A HEIGHTENED SPEED LIMIT ENFORCEMENT

15 ZONE IS SUBJECT TO THE INCREASED PENALTIES AND SURCHARGES

16 IMPOSED UNDER SECTION 42-4-1701 (4)(d.9); EXCEPT THAT THE

17 INCREASED PENALTIES AND SURCHARGES DO NOT APPLY WHEN THE DRIVER

18 COMMITS THE VIOLATION WITHIN A HIGHWAY MAINTENANCE, REPAIR, OR

19 CONSTRUCTION ZONE AND IS ALREADY SUBJECT TO AN INCREASED

20 PENALTY AND SURCHARGE FOR THE VIOLATION PURSUANT TO SECTION

21 42-4-614.

22 (4) AS USED IN THIS SECTION UNLESS THE CONTEXT OTHERWISE

23 REQUIRES:

24 (a) "COMMERCIAL MOTOR VEHICLE" HAS THE SAME MEANING AS

25 SET FORTH IN SECTION 42-2-402 (4).

26 (b) "DEPARTMENT" MEANS THE DEPARTMENT OF TRANSPORTATION

27 CREATED IN SECTION 43-1-103.

1 (c) "HEIGHTENED SPEED LIMIT ENFORCEMENT ZONE" MEANS AN
2 AREA OF A STATE HIGHWAY THAT:

3 (I) BEGINS AND ENDS AT A SIGN THAT:

4 (A) CONFORMS TO THE STATE TRAFFIC CONTROL MANUAL;

5 (B) INDICATES THAT A DRIVER IS ABOUT TO ENTER OR IS AT THE
6 END OF A HEIGHTENED SPEED LIMIT ENFORCEMENT ZONE; AND

7 (C) NOTIFIES COMMERCIAL MOTOR VEHICLE DRIVERS THAT
8 INCREASED PENALTIES AND SURCHARGES ARE IN EFFECT AND ASSESSED
9 FOR SPEEDING IN THE ZONE; AND

10 (II) IS DESIGNATED AS A HEIGHTENED SPEED LIMIT ENFORCEMENT
11 ZONE BY THE DEPARTMENT OF TRANSPORTATION PURSUANT TO
12 SUBSECTION (2) OF THIS SECTION.

13 **SECTION 3. In Colorado Revised Statutes, add 42-4-1014 as**
14 **follows:**

15 **42-4-1014. No commercial vehicles in the left lane - penalty.**

16 **(1) A DRIVER OF A COMMERCIAL VEHICLE MAY NOT ENTER THE FURTHEST**
17 **LEFT LANE WHEN DRIVING IN THE FOLLOWING AREAS UNLESS SPECIFICALLY**
18 **REQUIRED OR AUTHORIZED TO PASS BY LAW:**

19 **(a) BETWEEN MILEPOST 115.5 AND MILEPOST 131.0 (GLENWOOD**
20 **CANYON);**

21 **(b) BETWEEN MILEPOST 169.5 AND MILEPOST 173.0 (DOWD**
22 **JUNCTION);**

23 **(c) BETWEEN MILEPOST 180.0 AND MILEPOST 190.5 (VAIL PASS);**

24 **(d) BETWEEN MILEPOST 205.5 AND 221.0 (EISENHOWER-JOHNSON**
25 **TUNNEL);**

26 **(e) BETWEEN MILEPOST 224.0 AND MILEPOST 228.5 (GEORGETOWN**
27 **HILL); AND**

1 (f) BETWEEN MILEPOST 243.0 AND MILEPOST 247.0 (FLOYD HILL).

2 (2) ANY PERSON WHO VIOLATES SUBSECTION (1) OF THIS SECTION
3 COMMITTS A CLASS A TRAFFIC INFRACTION.

4 **SECTION 4.** In Colorado Revised Statutes, 42-4-1701, **add**
5 (4)(d.9) as follows:

6 **42-4-1701. Traffic offenses and infractions classified -**
7 **penalties - penalty and surcharge schedule - repeal.** (4) (d.9) (I) THE
8 PENALTY AND SURCHARGE IMPOSED FOR A VIOLATION UNDER SUBSECTION
9 (4)(a)(I)(L) OF THIS SECTION IS DOUBLED IF THE VIOLATION IS COMMITTED
10 BY A DRIVER OF A COMMERCIAL MOTOR VEHICLE WITHIN AN AREA OF A
11 STATE HIGHWAY THAT THE DEPARTMENT OF TRANSPORTATION HAS
12 DESIGNATED AS A HEIGHTENED SPEED LIMIT ENFORCEMENT ZONE
13 PURSUANT TO SECTION 42-4-618; EXCEPT THAT THE FINE IS NOT DOUBLED
14 WHEN THE DRIVER OF A COMMERCIAL MOTOR VEHICLE COMMITS THE
15 VIOLATION WITHIN A HIGHWAY MAINTENANCE, REPAIR, OR CONSTRUCTION
16 ZONE AND IS ALREADY SUBJECT TO AN INCREASED PENALTY AND
17 SURCHARGE FOR THE VIOLATION PURSUANT TO SECTION 42-4-614.

18 (II) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
19 CONTRARY, FOR EACH FINE COLLECTED PURSUANT TO SECTION 42-4-618
20 (4) AND SUBSECTION (4)(d.9)(I) OF THIS SECTION, THE STATE TREASURER
21 SHALL CREDIT ALL OF THE AMOUNT OF THE FINE TO THE MOUNTAIN
22 HIGHWAYS COMMERCIAL MOTOR VEHICLE SAFETY ACCOUNT, CREATED IN
23 SUBSECTION (4)(d.7)(II) OF THIS SECTION.

24 **SECTION 5.** In Colorado Revised Statutes, 42-8-104, **amend** (2)
25 as follows:

26 **42-8-104. Powers and duties - rules.** (2) A port of entry officer,
27 during the time that the officer is actually engaged in performing the

1 officer's duties as such and while acting under proper orders or rules
2 issued by the chief of the Colorado state patrol, shall exercise all the
3 powers invested in peace officers in connection with directing traffic and
4 in the enforcement of the provisions of this article 8; articles 2, 3, and 20
5 of this title 42; part 5 of article 4 of this title 42; and sections **42-4-106**
6 **(5)**, 42-4-209, 42-4-225 (1.5), 42-4-235, 42-4-1407, 42-4-1409, and
7 42-4-1414; except that an officer does not have the power to serve civil
8 writs and process and, in the exercise of the officer's duties, an officer has
9 the authority to restrain and detain persons or vehicles and may impound
10 any vehicle until any tax or license fee imposed by law is paid or until
11 compliance is had with any tax or regulatory law or rule issued
12 thereunder.

13 **SECTION 6.** In Colorado Revised Statutes, **add** 43-1-132 as
14 follows:

15 **43-1-132. Additional chain-up and chain-down stations and**
16 **winter safety measures feasibility report - report - repeal.** (1) THE
17 DEPARTMENT SHALL TASK THE FREIGHT MOBILITY AND SAFETY BRANCH
18 CREATED IN SECTION 43-1-117 (4) TO STUDY LOCATIONS FOR NEW
19 CHAIN-UP AND CHAIN-DOWN STATIONS ON ALL STATE HIGHWAYS WHERE
20 THE DEPARTMENT DETERMINES THAT CHAIN-UP AND CHAIN-DOWN
21 STATIONS ARE NECESSARY OR BENEFICIAL, AND TO STUDY WHAT
22 APPROPRIATE TECHNOLOGY COULD BE ADDED TO EXISTING CHAIN-UP AND
23 CHAIN-DOWN STATIONS. THE STUDY MUST, AT A MINIMUM:

24 (a) IDENTIFY THE CURRENT BARRIERS TO BUILDING NEW CHAIN-UP
25 AND CHAIN-DOWN STATIONS, INCLUDING CONSULTING WITH
26 MUNICIPALITIES TO IDENTIFY BARRIERS RELATED TO THE CONSTRUCTION
27 OF NEW CHAIN STATIONS WITHIN MUNICIPAL BOUNDARIES;

1 (b) FIND CREATIVE SOLUTIONS TO ADDRESS ANY IDENTIFIED
2 BARRIERS;

3 (c) IDENTIFY APPROPRIATE TECHNOLOGY THAT COULD BE ADDED
4 TO EXISTING CHAIN UP AND CHAIN-DOWN STATIONS TO IMPROVE SAFETY
5 AND MOBILITY;

6 (d) EXAMINE THE ECONOMIC AND SAFETY IMPACTS OF
7 COMMERCIAL MOTOR VEHICLE AND OTHER ROADWAY INCIDENTS AND
8 CLOSURES DURING INCLEMENT WEATHER EVENTS, INCLUDING EVALUATING
9 THE POTENTIAL BENEFITS OF CLOSURES TO COMMERCIAL MOTOR VEHICLES
10 FOR LIMITED PERIODS OF TIME DURING SNOWSTORMS AND WORKING WITH
11 VARIOUS STAKEHOLDERS ON STRATEGIES AND OPTIONS FOR KEEPING
12 ROADWAYS OPEN; AND

13 (e) EXAMINE COMMERCIAL MOTOR VEHICLE PARKING LOCATIONS
14 ON INTERSTATE 70 IN COLORADO.

15 (f) IDENTIFY ANY MODIFICATIONS OR ADDITIONS THAT EXISTING
16 STATE TRANSPORTATION INFRASTRUCTURE MAY NEED TO ENABLE THE
17 ADDITION OF NEW CHAIN-UP AND CHAIN-DOWN STATIONS, THE TIMELINE
18 FOR MAKING SUCH MODIFICATIONS OR ADDITIONS, AND THE ANTICIPATED
19 COST OF MAKING SUCH MODIFICATIONS OR ADDITIONS.

20 (2) THE DEPARTMENT SHALL PRESENT THE REPORT TO THE
21 TRANSPORTATION LEGISLATION REVIEW COMMITTEE CREATED IN SECTION
22 43-2-145 (1)(a), TO THE TRANSPORTATION COMMISSION CREATED IN
23 SECTION 43-1-106, AND TO EACH MEMBER OF THE GENERAL ASSEMBLY
24 WHOSE SENATORIAL OR REPRESENTATIVE DISTRICT IS LOCATED WHOLLY
25 OR PARTLY WITHIN THE WESTERN SLOPE. DURING THE 2025 LEGISLATIVE
26 INTERIM.

27 (3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2026.

1 **SECTION 7.** In Colorado Revised Statutes, 43-4-1506, **amend**
2 (3) as follows:

3 **43-4-1506. Fuels impact reduction grant program.** (3) The
4 enterprise shall annually distribute up to five million dollars from the
5 fund, after making the transfers required by subsection (2) of this section
6 and after providing for the administrative expenses of the enterprise, to
7 key commercial freight corridors, to support state government projects
8 related to emergency responses AND MEASURES TO PREVENT
9 EMERGENCIES, INCLUDING BUT NOT LIMITED TO THE STUDY REQUIRED BY
10 SECTION 43-1-132, environmental mitigation, or the transportation of fuel
11 within the state on routes necessary for the transportation of hazardous
12 materials.

13 **SECTION 8. Appropriation.** For the 2024-25 state fiscal year,
14 \$31,684 is appropriated to the department of revenue. This appropriation
15 is from the Colorado DRIVES vehicle services account in the highway
16 users tax fund created in section 42-1-211(2), C.R.S. To implement this
17 act, the department may use this appropriation as follows:

- 18 (a) \$23,808 for DRIVES maintenance and support;
- 19 (b) \$1,728 for personal services related to driver services;
- 20 (c) \$2,485 for personal services related to administration and
21 support; and
- 22 (d) \$3,663 for payments to OIT.

23 **SECTION 9. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly; except
26 that, if a referendum petition is filed pursuant to section 1 (3) of article V
27 of the state constitution against this act or an item, section, or part of this

1 act within such period, then the act, item, section, or part will not take
2 effect unless approved by the people at the general election to be held in
3 November 2024 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.