

**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

HOUSE SPONSORSHIP

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

Senate Committees

Transportation & Energy
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING COMMERCIAL VEHICLE SAFETY MEASURES ON**
102 **COLORADO HIGHWAYS.**

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 department has authority to require certain equipment to interstate 25

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.*

(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 interstate 70 ~~between milepost 133~~
10 ~~(Dotsero) and WEST OF milepost 259 (Morrison) AND ANY U.S. HIGHWAY~~
11 WEST OF MILEPOST 259 (MORRISON) from September 1 through May 31

1 of each year DURING ANY CONDITIONS THAT EXIST ON THE HIGHWAY FOR
2 ANY COMMERCIAL VEHICLE WITH A DECLARED GROSS VEHICLE WEIGHT
3 RATING OF SIXTEEN THOUSAND ONE POUNDS OR MORE. It is unlawful to
4 proceed when a state highway is closed or to proceed when a restriction
5 is in effect without the equipment required by this subsection (5).

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

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

20 **SECTION 2.** In Colorado Revised Statutes, **add** 42-4-618 as
21 follows:

22 **42-4-618. Glenwood Canyon - increase in penalties and**
23 **surcharges for speeding violations - definitions.** (1) THE DEPARTMENT
24 MAY DETERMINE THAT THERE ARE SAFETY CONCERNS IN GLENWOOD
25 CANYON ON INTERSTATE 70 EASTBOUND BETWEEN MILEPOST 116.0 AND
26 MILEPOST 131.0 AND WESTBOUND BETWEEN MILEPOST 118.5 AND
27 MILEPOST 131.0 RELATED TO COMMERCIAL MOTOR VEHICLES EXCEEDING

1 THE POSTED SPEED LIMITS.

2 (2) THE DEPARTMENT SHALL ERECT, WHERE APPLICABLE, SIGNS
3 NOTIFYING DRIVERS OF EACH AREA OF THE STATE HIGHWAYS THAT THE
4 DEPARTMENT HAS DESIGNATED AS A HEIGHTENED SPEED LIMIT
5 ENFORCEMENT ZONE.

6 (3) A DRIVER OF A COMMERCIAL MOTOR VEHICLE WHO COMMITS
7 A SPEEDING VIOLATION IN A HEIGHTENED SPEED LIMIT ENFORCEMENT
8 ZONE IS SUBJECT TO THE INCREASED PENALTIES AND SURCHARGES
9 IMPOSED UNDER SECTION 42-4-1701 (4)(d.9); EXCEPT THAT THE
10 INCREASED PENALTIES AND SURCHARGES DO NOT APPLY WHEN THE DRIVER
11 COMMITS THE VIOLATION WITHIN A HIGHWAY MAINTENANCE, REPAIR, OR
12 CONSTRUCTION ZONE AND IS ALREADY SUBJECT TO AN INCREASED
13 PENALTY AND SURCHARGE FOR THE VIOLATION PURSUANT TO SECTION
14 42-4-614.

15 (4) AS USED IN THIS SECTION UNLESS THE CONTEXT OTHERWISE
16 REQUIRES:

17 (a) "COMMERCIAL MOTOR VEHICLE" HAS THE SAME MEANING AS
18 SET FORTH IN SECTION 42-2-402 (4).

19 (b) "DEPARTMENT" MEANS THE DEPARTMENT OF TRANSPORTATION
20 CREATED IN SECTION 43-1-103.

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

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

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

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

27 (C) NOTIFIES COMMERCIAL MOTOR VEHICLE DRIVERS THAT

1 INCREASED PENALTIES AND SURCHARGES ARE IN EFFECT AND ASSESSED
2 FOR SPEEDING IN THE ZONE; AND

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

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

8 **42-4-1014. No passing for commercial motor vehicles - penalty.**

9 **(1) A DRIVER OF A COMMERCIAL VEHICLE MAY NOT PASS A VEHICLE WHEN**
10 **DRIVING IN THE FOLLOWING AREAS UNLESS SPECIFICALLY REQUIRED OR**
11 **AUTHORIZED TO PASS BY LAW:**

12 **(a) BETWEEN MILEPOST 116 AND MILEPOST 131 (GLENWOOD**
13 **CANYON);**

14 **(b) BETWEEN MILEPOST 180 AND MILEPOST 189 (VAIL PASS);**

15 **(c) BETWEEN MILEPOST 208 AND 213 (EISENHOWER-JOHNSON**
16 **TUNNEL); AND**

17 **(d) BETWEEN MILEPOST 222 AND MILEPOST 228 (GEORGETOWN**
18 **HILL).**

19 **(2) ANY PERSON WHO VIOLATES SUBSECTION (1) OF THIS SECTION**
20 **COMMITS A CLASS A TRAFFIC INFRACTION.**

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

23 **42-4-1701. Traffic offenses and infractions classified -**
24 **penalties - penalty and surcharge schedule - repeal. (4) (d.9) (I) THE**
25 **PENALTY AND SURCHARGE IMPOSED FOR A VIOLATION UNDER SUBSECTION**
26 **(4)(a)(I)(L) OF THIS SECTION IS DOUBLED IF THE VIOLATION IS COMMITTED**
27 **BY A DRIVER OF A COMMERCIAL MOTOR VEHICLE WITHIN AN AREA OF A**

1 STATE HIGHWAY THAT THE DEPARTMENT OF TRANSPORTATION HAS
2 DESIGNATED AS A HEIGHTENED SPEED LIMIT ENFORCEMENT ZONE
3 PURSUANT TO SECTION 42-4-618; EXCEPT THAT THE FINE IS NOT DOUBLED
4 WHEN THE DRIVER OF A COMMERCIAL MOTOR VEHICLE COMMITS THE
5 VIOLATION WITHIN A HIGHWAY MAINTENANCE, REPAIR, OR CONSTRUCTION
6 ZONE AND IS ALREADY SUBJECT TO AN INCREASED PENALTY AND
7 SURCHARGE FOR THE VIOLATION PURSUANT TO SECTION 42-4-614.

8 (II) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
9 CONTRARY, FOR EACH FINE COLLECTED PURSUANT TO SECTION 42-4-618
10 (4) AND SUBSECTION (4)(d.9)(I) OF THIS SECTION, THE STATE TREASURER
11 SHALL CREDIT ALL OF THE AMOUNT OF THE FINE TO THE MOUNTAIN
12 HIGHWAYS COMMERCIAL MOTOR VEHICLE SAFETY ACCOUNT, CREATED IN
13 SUBSECTION (4)(d.7)(II) OF THIS SECTION. ==

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

16 **42-8-104. Powers and duties - rules.** (2) A port of entry officer,
17 during the time that the officer is actually engaged in performing the
18 officer's duties as such and while acting under proper orders or rules
19 issued by the chief of the Colorado state patrol, shall exercise all the
20 powers invested in peace officers in connection with directing traffic and
21 in the enforcement of the provisions of this article 8; articles 2, 3, and 20
22 of this title 42; part 5 of article 4 of this title 42; and sections **42-4-106**
23 **(5)**, 42-4-209, 42-4-225 (1.5), 42-4-235, 42-4-1407, 42-4-1409, and
24 42-4-1414; except that an officer does not have the power to serve civil
25 writs and process and, in the exercise of the officer's duties, an officer has
26 the authority to restrain and detain persons or vehicles and may impound
27 any vehicle until any tax or license fee imposed by law is paid or until

1 compliance is had with any tax or regulatory law or rule issued
2 thereunder.

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

5 **43-1-132. Additional chain-up and chain-down stations**
6 **feasability report - report - repeal.** (1) THE DEPARTMENT SHALL TASK
7 THE FREIGHT MOBILITY AND SAFETY BRANCH CREATED IN SECTION
8 43-1-117 (4) TO STUDY LOCATIONS FOR NEW CHAIN-UP AND CHAIN-DOWN
9 STATIONS ON ALL STATE HIGHWAYS WHERE THE DEPARTMENT
10 DETERMINES THAT CHAIN-UP AND CHAIN-DOWN STATIONS ARE NECESSARY
11 OR BENEFICIAL, AND TO STUDY WHAT APPROPRIATE TECHNOLOGY COULD
12 BE ADDED TO EXISTING CHAIN-UP AND CHAIN-DOWN STATIONS. THE STUDY
13 MUST, AT A MINIMUM:

14 (a) IDENTIFY THE CURRENT BARRIERS TO BUILDING NEW CHAIN-UP
15 AND CHAIN-DOWN STATIONS, INCLUDING CONSULTING WITH
16 MUNICIPALITIES TO IDENTIFY BARRIERS RELATED TO THE CONSTRUCTION
17 OF NEW CHAIN STATIONS WITHIN MUNICIPAL BOUNDARIES;

18 (b) FIND CREATIVE SOLUTIONS TO ADDRESS ANY IDENTIFIED
19 BARRIERS; ==

20 (c) IDENTIFY APPROPRIATE TECHNOLOGY THAT COULD BE ADDED
21 TO EXISTING CHAIN UP AND CHAIN-DOWN STATIONS TO IMPROVE SAFETY
22 AND MOBILITY; AND

23 (d) IDENTIFY ANY MODIFICATIONS OR ADDITIONS THAT EXISTING
24 STATE TRANSPORTATION INFRASTRUCTURE MAY NEED TO ENABLE THE
25 ADDITION OF NEW CHAIN-UP AND CHAIN-DOWN STATIONS, THE TIMELINE
26 FOR MAKING SUCH MODIFICATIONS OR ADDITIONS, AND THE ANTICIPATED
27 COST OF MAKING SUCH MODIFICATIONS OR ADDITIONS.

1 (2) THE DEPARTMENT SHALL PRESENT THE REPORT TO THE
2 TRANSPORTATION LEGISLATION REVIEW COMMITTEE CREATED IN SECTION
3 43-2-145 (1)(a), TO THE TRANSPORTATION COMMISSION CREATED IN
4 SECTION 43-1-106, AND TO EACH MEMBER OF THE GENERAL ASSEMBLY
5 WHOSE SENATORIAL OR REPRESENTATIVE DISTRICT IS LOCATED WHOLLY
6 OR PARTLY WITHIN THE WESTERN SLOPE. DURING THE 2025 LEGISLATIVE
7 INTERIM.

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

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

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

21 **SECTION 8. Act subject to petition - effective date.** This act
22 takes effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly; except
24 that, if a referendum petition is filed pursuant to section 1 (3) of article V
25 of the state constitution against this act or an item, section, or part of this
26 act within such period, then the act, item, section, or part will not take
27 effect unless approved by the people at the general election to be held in

- 1 November 2024 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.