

**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. 24-1133.01 Jason Gelender x4330

SENATE BILL 24-195

SENATE SPONSORSHIP

Winter F. and Cutter,

HOUSE SPONSORSHIP

Lindsay and Lindstedt,

Senate Committees
Transportation & Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING PROTECTION OF VULNERABLE ROAD USERS.**

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>.)

Section 1 of the bill amends the statute that governs the use of automated vehicle identification systems (AVIS) on roadways other than toll highways operated by a public highway authority or the high-performance transportation enterprise in the department of transportation (CDOT) to:

- Clarify that CDOT and the Colorado state patrol (CSP) have authority to use AVIS to detect traffic violations on any portion of a highway that is part of the state highway

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.

system (state highway), which generally includes federal interstate highways, U.S. highways, highways that are not part of any federal system but are declared by the transportation commission to be part of the state highway system, and other federal-aid highways;

- Clarify that the state has final authority to authorize the use of AVIS by a local government on a state highway; and
- Authorize CDOT, in consultation with the CSP, to promulgate rules, including rules governing the process by which use of AVIS is approved or disapproved, rules governing the AVIS enforcement process, and rules setting the amount of civil penalties, including increased civil penalties for traffic violations detected by AVIS that occur in work zones or school zones, for traffic violation detected by AVIS used by the state.

Section 1 also:

- Requires a local government to coordinate with CDOT and the Colorado state patrol both before designating an AVIS corridor on a state highway and before actually using AVIS on a state highway rather than only before actually using AVIS; and
- Requires civil penalties collected by the state for traffic violations detected by AVIS, net of court and operations costs, to be credited to the state highway fund and used only to fund road safety projects that protect vulnerable road users.

Section 2 requires CDOT to establish and include in its statutorily required performance plan declining annual targets for vulnerable road user fatalities and, as part of the targets, also establish engineering methodology and internal education requirements for practices to prioritize safety over speed on high-injury networks.

For state fiscal year 2025-26 and each succeeding state fiscal year, **section 3** requires CDOT, after accounting for eligible critical safety-related asset management surface transportation infrastructure projects and as determined by the transportation commission, to expend a specified minimum amount of the money credited to the state highway fund from the road safety surcharge and certain other fees, fines, and surcharges that are imposed on motor vehicle registrations and dedicated for certain types of road safety projects that protect vulnerable road users.

To guide CDOT in implementing **sections 2 and 3**, **section 4** amends an existing definition of "road safety project" to include certain types of projects that protect vulnerable road users and defines the term "vulnerable road user".

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-110.5, **amend**
3 (2) introductory portion, (2)(g)(I) introductory portion, (2)(g)(IV),
4 (4)(b)(III), and (4.5); **repeal** (1.5), (1.7), (2)(g)(I)(C), (4)(b)(II), and (6);
5 and **add** (1.1), (2.5), and (8) as follows:

6 **42-4-110.5. Automated vehicle identification systems -**
7 **exceptions to liability - penalty - limits on use of photographs and**
8 **video - rules - legislative declaration - definitions.** (1.1) AS USED IN
9 THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

10 (a) (I) "AUTOMATED VEHICLE IDENTIFICATION SYSTEM" MEANS A
11 SYSTEM WHEREBY:

12 (A) A MACHINE IS USED TO AUTOMATICALLY DETECT A VIOLATION
13 OF A TRAFFIC REGULATION AND SIMULTANEOUSLY RECORD A PHOTOGRAPH
14 OF THE VEHICLE AND THE LICENSE PLATE OF THE VEHICLE; AND

15 (B) A NOTICE OF VIOLATION OR CIVIL PENALTY ASSESSMENT
16 NOTICE MAY BE ISSUED TO THE REGISTERED OWNER OF THE MOTOR
17 VEHICLE.

18 (II) "AUTOMATED VEHICLE IDENTIFICATION SYSTEM" INCLUDES A
19 SYSTEM USED TO DETECT A VIOLATION OF PART 11 OF THIS ARTICLE 4 OR
20 A LOCAL SPEED ORDINANCE, A SYSTEM USED TO DETECT VIOLATIONS OF
21 TRAFFIC RESTRICTIONS IMPOSED BY TRAFFIC SIGNALS OR TRAFFIC SIGNS,
22 AND A SYSTEM USED TO DETECT VIOLATIONS OF BUS LANE OR BICYCLE
23 LANE RESTRICTIONS.

24 (b) "STATE", NOTWITHSTANDING SECTION 42-1-102 (95), MEANS
25 THE STATE OF COLORADO ACTING THROUGH THE DEPARTMENT OF PUBLIC
26 SAFETY OR THE DEPARTMENT OF TRANSPORTATION.

27 (c) "STATE HIGHWAY" MEANS ANY HIGHWAY THAT IS OWNED BY

1 OR OVERSEEN BY THE STATE.

2 (1.5) Except for the authorization contained in subsection (1.7) of
3 this section, nothing in this section applies to a violation detected by an
4 automated vehicle identification system for driving twenty-five miles per
5 hour or more in excess of the reasonable and prudent speed or twenty-five
6 miles per hour or more in excess of the maximum speed limit of
7 seventy-five miles per hour detected by the use of an automated vehicle
8 identification system.

9 (1.7) (a) (I) ~~Upon request from the department of transportation,~~
10 ~~the department of public safety shall utilize an automated vehicle~~
11 ~~identification system to detect speeding violations under part 11 of this~~
12 ~~article 4 within a highway maintenance, repair, or construction zone~~
13 ~~designated pursuant to section 42-4-614(1)(a), if the department of public~~
14 ~~safety complies with subsections (2) to (6) of this section. An automated~~
15 ~~vehicle identification system shall not be used under this subsection (1.7)~~
16 ~~unless maintenance, repair, or construction is occurring at the time the~~
17 ~~system is being used.~~

18 (II) ~~The department of public safety may contract with a vendor~~
19 ~~to implement this subsection (1.7), including to:~~

20 (A) ~~Notify violators;~~

21 (B) ~~Collect and remit the penalties and surcharges to the state~~
22 ~~treasury less the vendor's expenses;~~

23 (C) ~~Reconcile payments against outstanding violations;~~

24 (D) ~~Implement collection efforts; and~~

25 (E) ~~Notify the department of public safety of unpaid violations for~~
26 ~~possible referral to the judicial system.~~

27 (III) ~~If the department of public safety contracts with a vendor, the~~

1 ~~contract must incorporate the processing elements specified by the~~
2 ~~department of public safety.~~

3 ~~(IV) No notice of violation or civil penalty assessment or a penalty~~
4 ~~or surcharge for a violation detected by an automated vehicle~~
5 ~~identification system under this subsection (1.7) shall be forwarded to the~~
6 ~~department for processing.~~

7 ~~(b) The department of transportation shall reimburse the~~
8 ~~department of public safety for the direct and indirect costs of complying~~
9 ~~with this subsection (1.7).~~

10 (2) A county or municipality may adopt an ordinance authorizing
11 the use of an automated vehicle identification system to detect violations
12 of traffic regulations adopted by the county or municipality, or the state,
13 a county, a city and county, or a municipality may utilize an automated
14 vehicle identification system to detect traffic violations under state law,
15 subject to the following conditions and limitations AND, AS APPLICABLE,
16 THE REQUIREMENTS FOR STATE HIGHWAYS SET FORTH IN AND ANY RULES
17 ADOPTED BY THE DEPARTMENT OF TRANSPORTATION PURSUANT TO
18 SUBSECTION (2.5) OF THIS SECTION:

19 (g) (I) The state, a county, a city and county, or a municipality
20 shall not issue a notice of violation or civil penalty assessment notice for
21 a violation detected using an automated vehicle identification system
22 unless the violation occurred within a school zone, as defined in section
23 42-4-615; within a residential neighborhood; within a maintenance,
24 construction, or repair zone designated pursuant to section 42-4-614;
25 along a street that borders a municipal park; or along a street or portion
26 of a street that a county or municipality, by ordinance or by a resolution
27 of its governing body, designates as an automated vehicle identification

1 corridor, on which designated corridor the county or municipality may
2 locate an automated vehicle identification system to detect violations of
3 a county or municipal traffic regulation or a traffic violation under state
4 law. BEFORE A COUNTY, A CITY AND COUNTY, OR A MUNICIPALITY
5 DESIGNATES AN AUTOMATED VEHICLE IDENTIFICATION CORRIDOR ON A
6 STATE HIGHWAY, THE COUNTY, CITY AND COUNTY, OR MUNICIPALITY
7 SHALL COORDINATE WITH THE DEPARTMENT OF TRANSPORTATION.
8 COORDINATION MUST INCLUDE APPLYING FOR A SPECIAL USE PERMIT TO
9 INSTALL ANY DEVICES OR SIGNAGE ON DEPARTMENT OF TRANSPORTATION
10 RIGHT-OF-WAY IF THE SEGMENT OF HIGHWAY IN QUESTION IS MAINTAINED
11 BY THE STATE, DEMONSTRATING THAT THE REQUIREMENTS SET FORTH IN
12 SUBSECTION (2)(g)(I)(B) OF THIS SECTION HAVE BEEN MET, AND ALERTING
13 THE DEPARTMENT WHEN THE AUTOMATED VEHICLE IDENTIFICATION
14 CORRIDOR BEGINS OPERATIONS OR PERMANENTLY CEASES OPERATIONS. IF
15 A COUNTY, CITY AND COUNTY, OR MUNICIPALITY DESIGNATES AN
16 AUTOMATED VEHICLE IDENTIFICATION CORRIDOR ON A STATE HIGHWAY BY
17 ORDINANCE OR RESOLUTION BEFORE JANUARY 1, 2025, IT MAY SATISFY
18 THESE REQUIREMENTS AFTER THE DESIGNATION. THE DEPARTMENT OF
19 TRANSPORTATION SHALL NOTIFY THE COLORADO STATE PATROL WHEN A
20 COUNTY, CITY AND COUNTY, OR MUNICIPALITY COORDINATES WITH THE
21 DEPARTMENT OF TRANSPORTATION TO ESTABLISH AN AUTOMATED
22 VEHICLE IDENTIFICATION CORRIDOR ON A STATE HIGHWAY. BEFORE A
23 COUNTY, OR CITY AND COUNTY, OR MUNICIPALITY BEGINS THE OPERATION
24 OF AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM IN AN AUTOMATED
25 VEHICLE IDENTIFICATION CORRIDOR ON A COUNTY ROAD, THE COUNTY,
26 CITY AND COUNTY, OR MUNICIPALITY SHALL NOTIFY THE COLORADO
27 STATE PATROL BEFORE THE STATE DESIGNATES AN AUTOMATED VEHICLE

1 IDENTIFICATION CORRIDOR ON A STATE HIGHWAY LOCATED WITHIN THE
2 BOUNDARIES OF A COUNTY, A CITY AND COUNTY, OR A MUNICIPALITY, AND
3 BEFORE THE STATE BEGINS OPERATION OF AN AUTOMATED VEHICLE
4 IDENTIFICATION SYSTEM IN AN AUTOMATED VEHICLE IDENTIFICATION
5 CORRIDOR ON A STATE HIGHWAY, THE STATE SHALL COORDINATE WITH
6 THE RESPECTIVE COUNTY, CITY AND COUNTY, OR MUNICIPALITY. Before
7 THE STATE, a county, CITY AND COUNTY, or municipality begins operation
8 of an automated vehicle identification system in an automated vehicle
9 identification corridor, the STATE, county, CITY AND COUNTY, or
10 municipality must:

11 (C) ~~Coordinate between the local jurisdiction, the department of~~
12 ~~transportation, and the Colorado state patrol.~~

13 (IV) THE STATE, a county, A CITY AND COUNTY, or A municipality
14 implementing an automated vehicle identification corridor pursuant to
15 subsection (2)(g)(I) of this section shall publish a report on its website
16 disclosing the number of citations and revenue generated by the
17 automated vehicle identification corridor.

18 (2.5)(a) THE STATE MAY USE AN AUTOMATED VEHICLE
19 IDENTIFICATION SYSTEM ON ANY PORTION OF A STATE HIGHWAY. THE
20 DEPARTMENT OF TRANSPORTATION MAY PROMULGATE RULES TO
21 IMPLEMENT THE PROVISIONS OF THIS SECTION RELATING TO THE USE OF
22 AUTOMATED VEHICLE IDENTIFICATION SYSTEMS BY THE DEPARTMENT OF
23 TRANSPORTATION ON STATE HIGHWAYS, INCLUDING BUT NOT LIMITED TO
24 RULES THAT:

25 (I) SPECIFY PRIORITIZATION CRITERIA THAT THE DEPARTMENT OF
26 TRANSPORTATION WILL USE TO DETERMINE WHICH ENTITY IS AUTHORIZED
27 TO USE AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM IF MULTIPLE

1 ENTITIES SEEK AUTHORIZATION TO USE AN AUTOMATED VEHICLE
2 IDENTIFICATION SYSTEM ON THE SAME PORTION OF A STATE HIGHWAY.
3 THE CRITERIA MUST SPECIFY THAT THE DEPARTMENT OF TRANSPORTATION
4 MUST GIVE PREFERENCE TO AN ENTITY THAT HAS THE PRIMARY
5 RESPONSIBILITY FOR REGULATION AND ENFORCEMENT OF TRAFFIC
6 RESTRICTIONS ON THE PORTION OF A STATE HIGHWAY ON WHICH AN
7 AUTOMATED VEHICLE IDENTIFICATION SYSTEM IS TO BE USED.

8 (II) SPECIFY, CONSISTENT WITH THE REQUIREMENTS OF
9 SUBSECTION (2)(a) OF THIS SECTION, THE PROCESS THAT THE STATE WILL
10 USE TO NOTIFY A COUNTY, CITY AND COUNTY, OR MUNICIPALITY THAT THE
11 STATE WILL BE USING AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM
12 WITHIN ITS JURISDICTION AND THE ADMINISTRATIVE AND ENFORCEMENT
13 PROCESS THAT THE DEPARTMENT OF TRANSPORTATION WILL USE TO
14 ADMINISTER, HEAR, AND RESOLVE A TRAFFIC VIOLATION DETECTED
15 THROUGH THE USE BY THE DEPARTMENT OF TRANSPORTATION OF AN
16 AUTOMATED VEHICLE IDENTIFICATION SYSTEM;

17 (III) ESTABLISH, SUBJECT TO THE CAPS SET FORTH IN SUBSECTIONS
18 (4)(b) AND (4.5) OF THIS SECTION AND ANY OTHER PROVISION OF LAW, THE
19 AMOUNT OF CIVIL PENALTIES IMPOSED FOR TRAFFIC VIOLATIONS DETECTED
20 THROUGH THE USE BY THE DEPARTMENT OF TRANSPORTATION OF AN
21 AUTOMATED VEHICLE IDENTIFICATION SYSTEM; ==

22 (IV) ESTABLISH AN ADMINISTRATIVE HEARING PROCESS THAT
23 COMPLIES WITH SUBSECTIONS (2)(a)(IV) THROUGH (2)(a)(VIII) OF THIS
24 SECTION, INCLUDING THE ABILITY TO RETAIN AND CONTRACT WITH
25 IMPARTIAL HEARING OFFICERS AND THE ABILITY FOR IMPARTIAL HEARING
26 OFFICERS TO ISSUE FINAL ORDERS REQUIRED BY SUBSECTION 2(a)(VII) OF
27 THIS SECTION; AND

1 (V) PROVIDE, CONSISTENT WITH THIS SECTION, ANY ADDITIONAL
2 REQUIREMENTS, GUIDANCE, OR CLARIFICATION THAT THE DEPARTMENT OF
3 TRANSPORTATION DEEMS NECESSARY OR APPROPRIATE TO IMPLEMENT
4 THIS SECTION.

5 (b) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE
6 DEPARTMENT OF TRANSPORTATION CONSULT WITH THE COLORADO STATE
7 PATROL WHEN PROMULGATING RULES RELATING TO THE USE OF
8 AUTOMATED VEHICLE IDENTIFICATION SYSTEMS AND BEFORE
9 AUTHORIZING THE USE OF AN AUTOMATED VEHICLE IDENTIFICATION
10 SYSTEM BY THE STATE OR A COUNTY, A CITY AND COUNTY, OR A
11 MUNICIPALITY ON ANY PORTION OF A STATE HIGHWAY. IT IS ALSO THE
12 INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT OF
13 TRANSPORTATION CONSULT WITH COUNTIES, CITY AND COUNTIES, AND
14 MUNICIPALITIES WHEN PROMULGATING RULES RELATING TO THE USE OF
15 AUTOMATED VEHICLE IDENTIFICATION SYSTEMS.

16 (c) THE PROVISIONS OF THIS SUBSECTION (2.5) DO NOT APPLY TO
17 AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM ON A STATE HIGHWAY
18 THAT A COUNTY, CITY AND COUNTY, OR MUNICIPALITY HAS IMPLEMENTED
19 OR DESIGNATED BY ORDINANCE OR RESOLUTION BEFORE JANUARY 1, 2025,
20 OR BEFORE THE DEPARTMENT OF TRANSPORTATION ADOPTS RULES
21 PURSUANT TO SUBSECTION (2.5)(a) OF THIS SECTION, WHICHEVER OCCURS
22 LATER. THIS SUBSECTION (2.5) DOES NOT REQUIRE A COUNTY, CITY AND
23 COUNTY, OR MUNICIPALITY TO REMOVE OR STOP THE IMPLEMENTATION OF
24 AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM THAT WAS PLACED ON
25 ANY PORTION OF A STATE HIGHWAY OR DESIGNATED BY ORDINANCE OR
26 RESOLUTION BEFORE JANUARY 1, 2025, OR BEFORE THE DEPARTMENT OF
27 TRANSPORTATION ADOPTS RULES PURSUANT TO SUBSECTION (2.5)(a) OF

1 THIS SECTION, WHICHEVER OCCURS LATER.

2 (4) (b) (II) ~~If any violation described in subsection (4)(b)(I) of this~~
3 ~~section occurs within a school zone, as defined in section 42-4-615, the~~
4 ~~maximum penalty that may be imposed shall be doubled.~~

5 (III) Subsection (4)(b)(I) of this section does not apply within a
6 maintenance, construction, or repair zone designated pursuant to section
7 42-4-614 OR A SCHOOL ZONE, AS DEFINED IN SECTION 42-4-615 (2).

8 (4.5) (a) If the state, a county, a city and county, or a municipality
9 detects a violation of a county or municipal traffic regulation or traffic
10 violation under state law for disobedience to a traffic control signal
11 through the use of an automated vehicle identification system, the
12 maximum civil penalty that the state, a county, a city and county, or a
13 municipality may impose for such violation, including any surcharge, is
14 seventy-five dollars.

15 (b) SUBSECTION (4.5)(a) OF THIS SECTION DOES NOT APPLY WITHIN
16 A MAINTENANCE, CONSTRUCTION, OR REPAIR ZONE DESIGNATED
17 PURSUANT TO SECTION 42-4-614 OR A SCHOOL ZONE, AS DEFINED IN
18 SECTION 42-4-615 (2).

19 (6) (a) ~~As used in this section, the term "automated vehicle~~
20 ~~identification system" means a system whereby:~~

21 (I) ~~A machine is used to automatically detect a violation of a~~
22 ~~traffic regulation and simultaneously record a photograph of the vehicle,~~
23 ~~the operator of the vehicle, and the license plate of the vehicle; and~~

24 (II) ~~A notice of violation or civil penalty assessment notice may~~
25 ~~be issued to the registered owner of the motor vehicle.~~

26 (b) ~~"Automated vehicle identification system" includes a system~~
27 ~~used to detect a violation of part 11 of this article 4 or a local speed~~

1 ~~ordinance, a system used to detect violations of traffic restrictions~~
2 ~~imposed by traffic signals or traffic signs, and a system used to detect~~
3 ~~violations of bus lane or bicycle lane restrictions.~~

4 (8) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
5 AGGREGATE AMOUNT OF REVENUE, EXCLUSIVE OF COURT AND
6 OPERATIONS COSTS, COLLECTED BY THE STATE AS CIVIL PENALTIES FOR
7 VIOLATIONS DETECTED BY AUTOMATED VEHICLE IDENTIFICATION SYSTEMS
8 MUST BE CREDITED TO THE STATE HIGHWAY FUND AND USED BY THE
9 DEPARTMENT ONLY TO FUND ROAD SAFETY PROJECTS, AS DEFINED IN
10 SECTION 43-4-803 (21), OF THE TYPE DESCRIBED IN SECTION 43-4-803
11 (21)(b).

12 **SECTION 2.** In Colorado Revised Statutes, **add** 43-1-132 as
13 follows:

14 **43-1-132. Vulnerable road user fatality reduction targets -**
15 **requirements.** (1) AS PART OF ITS EFFORT TO REDUCE FATALITIES FOR
16 VULNERABLE ROAD USERS, AS DEFINED IN SECTION 43-4-803 (29), THE
17 DEPARTMENT SHALL ESTABLISH DECLINING ANNUAL TARGETS FOR
18 VULNERABLE ROAD USER FATALITIES AS PART OF ITS PERFORMANCE PLAN
19 REQUIRED BY SECTION 2-7-204 (3).

20 (2) AS PART OF THE TARGETS ESTABLISHED IN SUBSECTION (1) OF
21 THIS SECTION, THE DEPARTMENT SHALL ESTABLISH ENGINEERING
22 METHODOLOGY AND INTERNAL EDUCATION REQUIREMENTS FOR PRACTICES
23 TO PRIORITIZE SAFETY OVER SPEED ON HIGH-INJURY NETWORKS.

24 **SECTION 3.** In Colorado Revised Statutes, 43-4-206, **amend** (3)
25 as follows:

26 **43-4-206. State allocation.** (3) The revenue ~~credited~~ ALLOCATED
27 to the ~~highway users tax fund~~ STATE HIGHWAY FUND pursuant to section

1 SECTIONS 43-4-205 (6.3) AND 43-4-205 (6)(b)(I) shall MUST be expended
2 by the department of transportation only for road safety projects, as
3 defined in section 43-4-803 (21); except that the department shall, in
4 furtherance of its duty to supervise state highways and as a consequence
5 in compliance with section 43-4-810:

6 (a) Expend ten million dollars per year of the ~~revenues~~ REVENUE
7 for the planning, designing, engineering, acquisition, installation,
8 construction, repair, reconstruction, maintenance, operation, or
9 administration of transit-related projects, including, but not limited to,
10 designated bicycle or pedestrian lanes of highway, CROSSING
11 IMPROVEMENTS, and infrastructure needed to integrate different
12 transportation modes within a multimodal transportation system that
13 enhance the safety of state highways for transit users; AND

14 (b) (I) ALLOCATE, FOR STATE FISCAL YEAR 2025-26 AND EACH
15 SUCCEEDING STATE FISCAL YEAR, AFTER ACCOUNTING FOR CRITICAL
16 SAFETY-RELATED ASSET MANAGEMENT SURFACE TRANSPORTATION
17 INFRASTRUCTURE PROJECTS ELIGIBLE FOR FUNDING PURSUANT TO SECTION
18 43-4-803 (21)(a) AND AS DETERMINED BY THE TRANSPORTATION
19 COMMISSION, AT LEAST TEN PERCENT OF THE REMAINING REVENUE BUT NO
20 LESS THAN SEVEN MILLION DOLLARS, AS ADJUSTED PURSUANT TO
21 SUBSECTION (3)(b)(II) OF THIS SECTION FOR STATE FISCAL YEAR 2026-27
22 AND EACH SUCCEEDING STATE FISCAL YEAR, FOR THE TYPES OF ROAD
23 SAFETY PROJECTS DESCRIBED IN SECTION 43-4-803 (21)(b).

24 (II) FOR STATE FISCAL YEAR 2026-27 AND EACH SUCCEEDING
25 STATE FISCAL YEAR, THE MINIMUM DOLLAR AMOUNT OF ALLOCATION
26 REQUIRED BY SUBSECTION (3)(b)(I) OF THIS SECTION IS SEVEN MILLION
27 DOLLARS, ADJUSTED FOR THE CUMULATIVE PERCENTAGE CHANGE IN THE

1 AMOUNT OF REVENUE ACTUALLY CREDITED TO THE STATE HIGHWAY FUND
2 PURSUANT TO SECTION 43-4-205 (6.3) FROM STATE FISCAL YEAR 2024-25
3 THROUGH THE PRIOR STATE FISCAL YEAR.

4 **SECTION 4.** In Colorado Revised Statutes, 43-4-803, **amend**
5 (21); and **add** (29) as follows:

6 **43-4-803. Definitions.** As used in this part 8, unless the context
7 otherwise requires:

8 (21) "Road safety project" means:

9 (a) A construction, reconstruction, or maintenance project that the
10 commission determines is needed to enhance the safety of a state
11 highway, a county determines is needed to enhance the safety of a county
12 road, or a municipality determines is needed to enhance the safety of a
13 city street; OR

14 (b) A PROJECT THAT IMPROVES TRANSPORTATION SYSTEM
15 INFRASTRUCTURE OR OTHERWISE IMPLEMENTS DATA-DRIVEN STRATEGIES
16 THAT REDUCE THE NUMBER OF COLLISIONS WITH MOTOR VEHICLES THAT
17 RESULT IN DEATH OR SERIOUS INJURY TO VULNERABLE ROAD USERS.
18 ELIGIBLE PROJECTS INCLUDE, BUT ARE NOT LIMITED TO, PROJECTS THAT
19 MEET OR EXCEED THE DEPARTMENT'S COST-TO-BENEFIT RATIO FOR SAFETY
20 PROJECTS AND:

21 (I) SEPARATE USERS IN SPACE, SUCH AS SEPARATED BIKE LANES,
22 WALKWAYS, CROSSING IMPROVEMENTS, AND PEDESTRIAN REFUGE
23 ISLANDS; OR

24 (II) INCREASE ATTENTIVENESS AND AWARENESS, SUCH AS
25 CROSSWALK VISIBILITY ENHANCEMENTS, PEDESTRIAN HYBRID BEACONS,
26 AND LIGHTING.

27 (29) "VULNERABLE ROAD USER" MEANS AN INDIVIDUAL WHO IS

1 UNPROTECTED BY AN OUTSIDE SHIELD WHEN USING A ROAD, INCLUDING,
2 BUT NOT LIMITED TO, A PEDESTRIAN, A CONSTRUCTION WORKER, A
3 BICYCLIST, AND AN INDIVIDUAL USING ANY OTHER NONMOTORIZED OR
4 MOTORIZED PERSONAL CONVEYANCE THAT DOES NOT ENCLOSE THE
5 INDIVIDUAL.

6 **SECTION 5. Safety clause.** The general assembly finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, or safety or for appropriations for
9 the support and maintenance of the departments of the state and state
10 institutions.