

CHAPTER 207

TRANSPORTATION

SENATE BILL 24-100

BY SENATOR(S) Roberts and Will, Rich, Ginal, Hansen, Jaquez Lewis, Marchman, Priola, Smallwood, Fenberg;
 also REPRESENTATIVE(S) Velasco and Taggart, Lukens, McCluskie, McLachlan, Soper, Story, Titone, Bird, Brown, Catlin,
 Daugherty, Duran, English, Froelich, Garcia, Hamrick, Joseph, Kipp, Lieder, Lindsay, Lindstedt, Lynch, Mabrey, Marshall,
 Martinez, Mauro, Ortiz, Pugliese, Ricks, Sirota, Snyder, Valdez, Willford, Woodrow, Young.

AN ACT

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

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

SECTION 1. In Colorado Revised Statutes, 42-4-106, **amend** (5)(a)(I)(C); and **add** (5)(a)(I)(C.5) and (5)(a)(I)(G) as follows:

42-4-106. Who may restrict right to use highways - definitions - rules.
 (5) (a) (I) (C) A closure or restriction under this subsection (5) is effective when signs, including temporary or electronic signs, that notify the public of the closure or restriction are erected upon the highway, and the restriction in subsection (5)(a)(I)(B) of this section is effective on ANY PORTION OF THE FOLLOWING CORRIDORS LOCATED ON THE WESTERN SLOPE FROM SEPTEMBER 1 THROUGH MAY 31 OF EACH YEAR DURING ANY CONDITIONS THAT EXIST ON THE HIGHWAY FOR ANY COMMERCIAL VEHICLE WITH A DECLARED GROSS VEHICLE WEIGHT RATING OF SIXTEEN THOUSAND ONE POUNDS OR MORE: ~~Interstate 70 between milepost 133 (Dotsero) and~~ WEST OF milepost 259 (Morrison), ~~from September 1 through May 31 of each year~~ COLORADO STATE HIGHWAY 9 FROM MILEPOST 63 TO MILEPOST 97 (FRISCO TO FAIRPLAY), U.S. ROUTE 40 WEST OF MILEPOST 256 (EMPIRE), U.S. ROUTE 50 WEST OF MILEPOST 225 (SALIDA), U.S. ROUTE 160 WEST OF MILEPOST 304 (WALSENBURG), U.S. ROUTE 285 WEST OF MILEPOST 250 (MORRISON), AND ALL OF U.S. ROUTE 550 FROM MILEPOST 0 TO 130. It is unlawful to proceed when a state highway is closed or to proceed when a restriction is in effect without the equipment required by this subsection (5).

(C.5) A CLOSURE OR RESTRICTION UNDER THIS SUBSECTION (5) IS EFFECTIVE ON

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.

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

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

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

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

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

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

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

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

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

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

(I) BEGINS AND ENDS AT A SIGN THAT:

(A) CONFORMS TO THE STATE TRAFFIC CONTROL MANUAL;

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

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

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

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

42-4-1014. No commercial vehicles in the left lane - penalty. (1) A DRIVER OF A COMMERCIAL VEHICLE MAY NOT ENTER THE FURTHEST LEFT LANE WHEN DRIVING IN THE FOLLOWING AREAS UNLESS SPECIFICALLY REQUIRED OR AUTHORIZED TO PASS BY LAW:

- (a) BETWEEN MILEPOST 115.5 AND MILEPOST 131.0 (GLENWOOD CANYON);
- (b) BETWEEN MILEPOST 169.5 AND MILEPOST 173.0 (DOWD JUNCTION);
- (c) BETWEEN MILEPOST 180.0 AND MILEPOST 190.5 (VAIL PASS);
- (d) BETWEEN MILEPOST 205.5 AND 221.0 (EISENHOWER-JOHNSON TUNNEL);
- (e) BETWEEN MILEPOST 224.0 AND MILEPOST 228.5 (GEORGETOWN HILL); AND
- (f) BETWEEN MILEPOST 243.0 AND MILEPOST 247.0 (FLOYD HILL).

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

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

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

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

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

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

SECTION 6. In Colorado Revised Statutes, **add** 43-1-133 as follows:

43-1-133. Additional chain-up and chain-down stations and winter safety measures feasibility report - report - repeal. (1) THE DEPARTMENT SHALL TASK THE FREIGHT MOBILITY AND SAFETY BRANCH CREATED IN SECTION 43-1-117 (4) TO STUDY LOCATIONS FOR NEW CHAIN-UP AND CHAIN-DOWN STATIONS ON ALL STATE HIGHWAYS WHERE THE DEPARTMENT DETERMINES THAT CHAIN-UP AND CHAIN-DOWN STATIONS ARE NECESSARY OR BENEFICIAL, AND TO STUDY WHAT APPROPRIATE TECHNOLOGY COULD BE ADDED TO EXISTING CHAIN-UP AND CHAIN-DOWN STATIONS. THE STUDY MUST, AT A MINIMUM:

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

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

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

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

(e) EXAMINE COMMERCIAL MOTOR VEHICLE PARKING LOCATIONS ON INTERSTATE 70 IN COLORADO; AND

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

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

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

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

43-4-1506. Fuels impact reduction grant program. (3) The enterprise shall annually distribute up to five million dollars from the fund, after making the transfers required by subsection (2) of this section and after providing for the administrative expenses of the enterprise, to key commercial freight corridors, to support state government projects related to emergency responses AND MEASURES TO PREVENT EMERGENCIES, INCLUDING BUT NOT LIMITED TO THE STUDY REQUIRED BY SECTION 43-1-133, environmental mitigation, or the transportation of fuel within the state on routes necessary for the transportation of hazardous materials.

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

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

SECTION 9. 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; 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 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 20, 2024