

CHAPTER 132

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 94-017

BY SENATOR Mutzebaugh;
also REPRESENTATIVES Fleming, Kerns, and Snyder.

AN ACT

CONCERNING REVISIONS TO THE PENALTY AND SURCHARGE SCHEDULE APPLICABLE TO TRAFFIC OFFENSES.

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

SECTION 1. 42-4-1501 (2) (a) (I), (3) (a) (I.1), and (3) (a) (IV) (A), Colorado Revised Statutes, 1993 Repl. Vol., are amended to read:

42-4-1501. Traffic offenses and infractions classified - penalties - penalty and surcharge schedule. (2) (a) (I) Except as provided in subsections (3) and (4) of this section, traffic infractions are divided into two classes which shall be subject to the following penalties which are authorized upon entry of judgment against the defendant:

Class	Minimum Penalty	Maximum Penalty
A	\$10 15 penalty.	\$100 penalty.
B	\$ 5 15 penalty.	\$100 penalty.

(3) (a) (I.1) Except as provided in paragraph (c) of subsection (4) of this section, every person who is convicted of, who admits liability for, or against whom a judgment is entered for a violation of any provision of this title to which the provisions of paragraph (a) or (b) of subsection (4) of this section apply shall be fined or penalized, and have a surcharge levied thereon pursuant to section 24-4.2-104 (1) (b) (I), C.R.S., in accordance with the penalty and surcharge schedule set forth in sub-subparagraphs (A) to (P) of this subparagraph (I.1); or, if no penalty or surcharge

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

is specified in the schedule, the penalty for a class A traffic infraction shall be ten dollars, the penalty for a class B traffic infraction AND CLASS B TRAFFIC INFRACTIONS shall be five FIFTEEN dollars, and the surcharge shall be calculated pursuant to section 24-4-2-104 (1) (b) (F), C.R.S. TWO DOLLARS. These penalties and surcharges shall apply whether the defendant acknowledges his guilt or liability in accordance with the procedure set forth by paragraph (a) of subsection (4) of this section or is found guilty by a court of competent jurisdiction or has judgment entered against him by a county court magistrate. Penalties and surcharges for violating specific sections shall be as follows:

Section Violated	Penalty	Surcharge
(A) Drivers' license violations:		
42-2-101 (1), (3), or (4)		
42-2-101 (1) OR (4)	\$ 35.00	\$ 5.00 4.00
42-2-101 (2), (3), or (5)	15.00	5.00 2.00
42-2-102.5	15.00	2.00
42-2-104	35.00	1.00 4.00
42-2-105	35.00	1.00 4.00
42-2-114	25.00 15.00	3.00 2.00
42-2-117	20.00 15.00	3.00 2.00
42-2-126	35.00	1.00 4.00
42-2-128	35.00	1.00 4.00
42-2-131	35.00	1.00 4.00
42-2-132	35.00	3.00 4.00
42-2-133	35.00	3.00 4.00
(B) Registration and taxation violations:		
42-3-102	\$ 40.00 50.00	\$ 3.00 6.00
42-3-111	15.00	2.00
42-3-113	10.00 15.00	3.00 2.00
42-3-116	50.00	3.00 6.00
42-3-122 (1)(a)	150.00 75.00	56.00 9.00
42-3-122 (1)(c)	25.00 35.00	3.00 4.00
42-3-122 (1)(f)	75.00	3.00 9.00
42-3-123	20.00 50.00	3.00 6.00
(C) Traffic regulation generally:		
42-4-106.5	\$ 15.00	\$ 1.00 2.00
42-4-107	15.00	1.00 2.00
42-4-112	15.00	3.00 2.00
42-4-113	15.00	3.00 2.00
(D) Equipment violations:		
42-4-201	\$ 35.00	\$ 1.00 4.00
42-4-202	40.00 35.00	1.00 4.00
42-4-203	15.00	3.00 2.00

42-4-204	15.00	1.00 2.00
42-4-205	15.00	1.00 2.00
42-4-206	10.00 15.00	1.00 2.00
42-4-207	15.00	1.00 2.00
42-4-208	15.00	1.00 2.00
42-4-209	15.00	1.00 2.00
42-4-210	15.00	1.00 2.00
42-4-211	10.00 15.00	1.00 2.00
42-4-212	15.00	1.00 2.00
42-4-212.5	15.00	1.00 2.00
42-4-213	15.00	1.00 2.00
42-4-214	10.00 15.00	1.00 2.00
42-4-215	15.00	1.00 2.00
42-4-216	10.00 15.00	1.00 2.00
42-4-217	10.00 15.00	1.00 2.00
42-4-218	15.00	1.00 2.00
42-4-218.5	15.00	1.00 2.00
42-4-219 (1) or (2)	15.00	1.00 2.00
42-4-220	15.00	1.00 2.00
42-4-221	15.00	1.00 2.00
42-4-222	15.00	1.00 2.00
42-4-223	10.00 15.00	1.00 2.00
42-4-224	50.00	1.00 6.00
42-4-225 (1), (2), (3), (6), or (7)	15.00	1.00 2.00
42-4-226	15.00	1.00 2.00
42-4-227	15.00	1.00 2.00
42-4-228	50.00	18.00
42-4-229	15.00	1.00 2.00
42-4-231	15.00	3.00 2.00
42-4-232	100.00 75.00	37.00 9.00
42-4-233	15.00	3.00 2.00
42-4-234	50.00	18.00 6.00
42-4-235	50.00	9.00 6.00
42-4-236	10.00 15.00	1.00 2.00
42-4-237	15.00	3.00 2.00
42-4-238	35.00	3.00 4.00

(E) Emissions inspections:

42-4-315 (2)(b)	\$ 100.00	\$ 37.00
42-4-315 (3)(c)	\$ 50.00	\$ 6.00
42-4-315 (3)(d)	15.00	2.00

(F) Size, weight, and load violations:

42-4-402	\$ 75.00	\$ 2.00 9.00
42-4-403	20.00 15.00	2.00
42-4-404	75.00	2.00 9.00
42-4-404.5	75.00	2.00 9.00
42-4-405	15.00	1.00 2.00

42-4-408	50.00	7.00 6.00
42-4-409 (12)(a)	35.00	3.00 4.00
42-4-410	20.00 35.00	3.00 4.00
42-4-411	85.00 75.00	2.00 9.00

(G) Signals, signs, and markings violations:

42-4-504	\$ 20.00 35.00	\$ 3.00 4.00
42-4-505	20.00 35.00	1.00 4.00
42-4-506	20.00 35.00	1.00 4.00
42-4-507	15.00	3.00 2.00
42-4-508	50.00	3.00 6.00
42-4-509	15.00	3.00 2.00
42-4-510	15.00	3.00 2.00
42-4-512	5.00 15.00	1.00 2.00
42-4-514	20.00 35.00	3.00 4.00

(H) Rights-of-way violations:

42-4-601	\$ 20.00 35.00	\$ 2.00 4.00
42-4-602	20.00 35.00	1.00 4.00
42-4-603	35.00	2.00 4.00
42-4-604	35.00	2.00 4.00
42-4-605	50.00	2.00 6.00
42-4-606	35.00	1.00 4.00
42-4-607	35.00	1.00 4.00
42-4-608	35.00	3.00 4.00
42-4-609	35.00	3.00 4.00
42-4-609.5	35.00	3.00 4.00
42-4-610	20.00 35.00	3.00 4.00
42-4-611	20.00 35.00	3.00 4.00
42-4-614	35.00	3.00 4.00

(I) Pedestrian violations:

42-4-701	\$ 20.00 15.00	\$ 1.00 2.00
42-4-702	20.00 15.00	2.00
42-4-703	10.00 15.00	1.00 2.00
42-4-704	10.00 15.00	1.00 2.00
42-4-705	10.00 15.00	1.00 2.00
42-4-706	20.00 35.00	3.00 4.00
42-4-707	20.00 35.00	3.00 4.00
42-4-709	35.00	3.00 4.00

(J) Turning and stopping violations:

42-4-801	\$ 20.00 35.00	\$ 2.00 4.00
42-4-802	20.00 35.00	2.00 4.00
42-4-803	20.00 35.00	1.00 4.00

(K) Driving, overtaking, and passing violations:

42-4-901	\$ 20.00 35.00	\$ 3.00 4.00
42-4-902	20.00 35.00	3.00 4.00
42-4-903	20.00 35.00	2.00 4.00
42-4-904	20.00 35.00	2.00 4.00
42-4-905	20.00 35.00	2.00 4.00
42-4-906	20.00 35.00	3.00 4.00
42-4-907	20.00 35.00	3.00 4.00
42-4-908	20.00 35.00	1.00 4.00
42-4-909	15.00 35.00	3.00 4.00
42-4-910	20.00 35.00	3.00 4.00
42-4-911	100.00	37.00 12.00

(L) Speeding violations:

42-4-1001 (1), (7)(a), or (7)(b) (1 to 4 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 55 or 65 miles per hour)

\$ ~~10.00~~ 15.00 \$ ~~3.00~~ 2.00

42-4-1001 (1), (7)(a), or (7)(b) (5 to 9 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 55 or 65 miles per hour)

~~25.00~~ 35.00 ~~9.00~~ 4.00

42-4-1001 (1) or (7)(b) (10 to 19 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 55 miles per hour)

~~55.00~~ 50.00 ~~9.00~~ 6.00

42-4-1001 (7)(a) (10 to 14 miles per hour over maximum lawful speed limit of 65 miles per hour)

~~55.00~~ 50.00 ~~9.00~~ 6.00

42-4-1001 (7)(a) (15 to 19 miles per hour over maximum lawful speed limit of 65 miles per hour)

~~60.00~~ 75.00 9.00

42-4-1001 (1) or (7)(b) (20 to 24 miles per hour over the reasonable and prudent speed or over the maximum

lawful speed limit of 55
miles per hour) 100.00 ~~9.00~~ 12.00

42-4-1001 (3)	40.00 35.00	9.00 4.00
42-4-1003	15.00	3.00 2.00
42-4-1004	15.00	3.00 2.00

(M) Parking violations:

42-4-1101	\$ 15.00	\$ 1.00 2.00
42-4-1102	15.00	1.00 2.00
42-4-1104	10.00 15.00	1.00 2.00
42-4-1105	10.00 15.00	1.00 2.00
42-4-1106	10.00 15.00	1.00 2.00
42-4-1107	15.00	3.00 2.00
42-4-1109 (4) or (5)	50.00	0.00 6.00

(N) Other offenses:

42-4-1204	\$ 50.00	\$ 7.00 6.00
42-4-1205	15.00	3.00 2.00
42-4-1206	15.00	3.00 2.00
42-4-1207	40.00 35.00	2.00 4.00
42-4-1208	40.00 35.00	1.00 4.00
42-4-1210	35.00	3.00 4.00
42-4-1212	15.00	3.00 2.00

(O) Motorcycle violations:

42-4-1302	\$ 20.00 15.00	\$ 3.00 2.00
42-4-1303	20.00 15.00	3.00 2.00
42-4-1304	20.00 15.00	3.00 2.00

(P) Offenses by persons controlling vehicles:

42-4-1503	\$ 20.00 15.00	\$ 3.00 2.00
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(IV) (A) Any person convicted of violating section 42-3-114 who has not been convicted of a violation of section 42-3-114 in the twelve months preceding such conviction shall be fined as follows, whether the defendant acknowledges his guilt pursuant to the procedure set forth in paragraph (a) of subsection (4) of this section or is found guilty by a court of competent jurisdiction:

**Number of days beyond renewal
period that registration
has been expired**

	Penalty	Surcharge
1-29	\$25.00 35.00	\$3.00 4.00
30-59	50.00	3.00 6.00
60 and over	75.00	3.00 9.00

SECTION 2. Effective date - applicability. This act shall take effect January 1, 1995, and shall apply to traffic infractions committed on or after said date.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 19, 1994