

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 26-0608.01 Renee Leone x2695

HOUSE BILL 26-1071

HOUSE SPONSORSHIP

Mauro and Duran, Froelich, Woodrow

SENATE SPONSORSHIP

Cutter,

House Committees

Transportation, Housing & Local Government

Senate Committees

Local Government & Housing

A BILL FOR AN ACT

101 **CONCERNING ALLOWING A LOCAL GOVERNMENT TO LOCATE AN**
102 **AUTOMATED VEHICLE IDENTIFICATION SYSTEM ON AN**
103 **INTERSTATE HIGHWAY.**

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 state to locate an automated vehicle identification system (AVIS) on a highway that is part of the federal interstate highway system but prohibits a county, city and county, or municipality (local government) from doing so. The bill authorizes a local government to locate an AVIS on a highway that is part of the federal

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
Amended 2nd Reading
April 20, 2026

HOUSE
3rd Reading Unamended
February 23, 2026

HOUSE
Amended 2nd Reading
February 19, 2026

interstate highway system.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Municipalities have primary response authority for traffic
5 enforcement on portions of federal interstates located in their jurisdiction
6 pursuant to section 43-2-135 (1)(g), Colorado Revised Statutes;

7 (b) It is dangerous to conduct in-person traffic enforcement on
8 interstate highways, and municipalities expend significant resources
9 responding to traffic incidents on federal interstates;

10 (c) Automated vehicle identification systems, referred to in this
11 section as "AVIS", are a safe and effective way to conduct traffic
12 enforcement that municipalities have been utilizing for at least 30 years;

13 (d) In 1997, the general assembly adopted the first state law
14 regarding utilization of AVIS throughout Colorado. The law has been
15 amended from time to time but has remained in effect since that time.

16 (e) Federal prohibitions on masking convictions for traffic control
17 violations by commercial driver's license holders pursuant to 49 CFR
18 384.226 have never been implicated by the use of AVIS in the United
19 States;

20 (f) Federal masking is not implicated by AVIS because AVIS
21 violations result in administrative citations and penalties imposed on the
22 vehicle owner, not traffic control convictions, as that term is used in 49
23 CFR 384.226, imposed on the driver;

24 (g) Federal masking is only implicated where the identity of the
25 driver is known, a conviction is obtained, and a deliberate decision is

1 made not to place the conviction on the driving record;

2 (h) AVIS are separate and distinct from automated license plate
3 readers in that AVIS do not continuously capture data for every passing
4 vehicle and instead only activate and capture data when certain traffic
5 violations occur;

6 (i) Under section 42-4-110.5 (7)(b), Colorado Revised Statutes,
7 photographs or videos collected by AVIS are confidential and exempt
8 from disclosure and inspection under the "Colorado Open Records Act";
9 and

10 (j) Under section 24-74-103, Colorado Revised Statutes, state and
11 political subdivision employees are prohibited from disclosing personal
12 identifying information, which includes data from AVIS, for the purpose
13 of investigating for, participating in, cooperating with, or assisting in
14 federal immigration enforcement.

15 (2) Therefore, the general assembly expressly declares that AVIS
16 are a safe, effective, and highly regulated tool that has been successfully
17 used solely for traffic enforcement in Colorado for decades and extending
18 such use by local governments to interstate highways will further the
19 traffic safety goals of this state.

20 **SECTION 2.** In Colorado Revised Statutes, 42-4-110.5, **amend**
21 (2) introductory portion, (2)(g)(I), and (2)(g)(V) as follows:

22 **42-4-110.5. Automated vehicle identification systems - school**
23 **buses - exceptions to liability - penalty - contracting - limits on use of**
24 **photographs and video - rules - legislative declaration - definitions.**

25 (2) A county, city and county, or municipality may adopt an
26 ordinance authorizing the use of an automated vehicle identification
27 system to detect ~~violations~~ A VIOLATION of A traffic ~~regulations~~

1 REGULATION adopted by the county, city and county, or municipality, or
2 the state OR a county, a city and county, or a municipality may utilize an
3 automated vehicle identification system to detect A traffic ~~violations~~
4 VIOLATION under state law, subject to the following conditions and
5 limitations and, as applicable, the requirements for state highways set
6 forth in and any rules adopted by the department of transportation
7 pursuant to subsection (2.5) of this section:

8 (g) (I) The state OR a county, a city and county, or a municipality
9 shall not issue a notice of violation or civil penalty assessment notice for
10 a violation detected using an automated vehicle identification system
11 unless the violation occurred within a school zone, as defined in section
12 42-4-615; within a residential neighborhood; within a maintenance,
13 construction, or repair zone designated pursuant to section 42-4-614;
14 along a street that borders a municipal park; or along a street OR STATE
15 HIGHWAY or A portion of a street OR STATE HIGHWAY that a county, city
16 and county, or municipality, by ordinance or by a resolution of its
17 governing body, designates as an automated vehicle identification
18 corridor, on which designated corridor the county, city and county, or
19 municipality may locate an automated vehicle identification system to
20 detect ~~violations~~ A VIOLATION of a TRAFFIC REGULATION ADOPTED BY THE
21 STATE OR A county, city and county, or ~~municipal traffic regulation or a~~
22 ~~traffic violation under state law~~ MUNICIPALITY.

23 (V) (A) ~~Notwithstanding the provisions of subsection (2)(g)(I) of~~
24 ~~this section,~~ The state, A CITY AND COUNTY, OR A MUNICIPALITY may
25 locate an automated vehicle identification system on a STATE highway
26 that is a part of the federal interstate highway system and may issue a
27 notice of violation or a civil penalty assessment notice for a traffic

1 ~~violation under state law~~ VIOLATION OF A TRAFFIC REGULATION ADOPTED
2 BY THE STATE, A CITY AND COUNTY, OR A MUNICIPALITY detected using
3 the automated vehicle identification system.

4 (B) A county, ~~a city and county, or a municipality~~ shall not locate
5 an automated vehicle identification system or create an automated vehicle
6 identification corridor on any highway that is a part of the federal
7 interstate highway system; EXCEPT THAT A COUNTY MAY LOCATE AN
8 AUTOMATED VEHICLE IDENTIFICATION SYSTEM ON A PORTION OF SUCH A
9 HIGHWAY THAT HAS A PEAK PERIOD SHOULDER LANE, AS DEFINED IN
10 SECTION 43-4-806 (11)(a), AND A COUNTY MAY ISSUE A NOTICE OF
11 VIOLATION OR A CIVIL PENALTY FOR A VIOLATION OF A TRAFFIC
12 REGULATION ADOPTED BY THE COUNTY DETECTED BY THAT AUTOMATED
13 VEHICLE IDENTIFICATION SYSTEM.

14 **SECTION 3. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part will not take effect
21 unless approved by the people at the general election to be held in
22 November 2026 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.