

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

February 28, 2023  
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB23-028 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 2, strike lines 4 through 20 and substitute:

2           **"42-2-404. Commercial driver's license - limitations - rules.**  
3 (3) In addition to any applicable federal penalty concerning commercial  
4 motor vehicle operators, any person who violates subsection (1) or (2) of  
5 this section, or any rule or regulation promulgated by the department  
6 pursuant to this part 4, ~~is guilty of~~ COMMITS a class A traffic infraction.  
7 ~~and, upon conviction thereof, shall be punished by a fine of not less than~~  
8 ~~twenty-five dollars nor more than one thousand dollars, or by~~  
9 ~~imprisonment in the county jail for not more than one year, or by both~~  
10 ~~such fine and imprisonment.~~

11           **SECTION 2.** In Colorado Revised Statutes, 42-4-1701, **amend**  
12 (4)(a)(I)(A) as follows:

13           **42-4-1701. Traffic offenses and infractions classified -**  
14 **penalties - penalty and surcharge schedule - repeal.** (4) (a) (I) Except  
15 as provided in subsection (5)(c) of this section, every person who is  
16 convicted of, who admits liability for, or against whom a judgment is  
17 entered for a violation of this title 42 to which subsection (5)(a) or (5)(b)  
18 of this section applies shall be fined or penalized and have a surcharge  
19 levied in accordance with sections 24-4.1-119 (1)(f) and 24-4.2-104  
20 (1)(b)(I), in accordance with the penalty and surcharge schedule set forth  
21 in subsections (4)(a)(I)(A) to (4)(a)(I)(S) of this section; or, if no penalty  
22 or surcharge is specified in the schedule, the penalty for class A and class  
23 B traffic infractions is fifteen dollars, and the surcharge is four dollars.  
24 These penalties and surcharges apply whether the defendant  
25 acknowledges the defendant's guilt or liability in accordance with the  
26 procedure set forth by subsection (5)(a) of this section, is found guilty by  
27 a court of competent jurisdiction, or has judgment entered against the

1 defendant by a county court magistrate. Penalties and surcharges for  
2 violating specific sections are as follows:

3	<b>Section Violated</b>	<b>Penalty</b>	<b>Surcharge</b>
4	(A) <b>Drivers' license violations:</b>		
5	42-2-101	\$ 35.00	\$ 10.00
6	42-2-101 (2), (3), or (5)	15.00	6.00
7	42-2-103	15.00	6.00
8	42-2-105	70.00	10.00
9	42-2-105.5 (4)	65.00	10.00
10	42-2-106	70.00	10.00
11	42-2-115	35.00	10.00
12	42-2-116 (6)(a)	30.00	6.00
13	42-2-119	15.00	6.00
14	42-2-134	35.00	10.00
15	42-2-136	35.00	10.00
16	42-2-138	100.00	15.00
17	42-2-139	35.00	10.00
18	42-2-140	35.00	10.00
19	42-2-141	35.00	10.00
20	42-2-204	70.00	10.00
21	<b><i>42-2-404</i></b>	<b><i>100.00</i></b>	<b><i>15.00"</i></b>

22 Renumber succeeding sections accordingly.

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