

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 19-0859.01 Richard Sweetman x4333

SENATE BILL 19-144

SENATE SPONSORSHIP

Zenzinger,

HOUSE SPONSORSHIP

Roberts,

Senate Committees
Transportation & Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING ALLOWING A DRIVER OF A MOTORCYCLE TO PROCEED**
102 **PAST A MALFUNCTIONING TRAFFIC CONTROL SIGNAL.**

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>.)

The bill allows a driver of a motorcycle to proceed past a traffic control signal that is inoperative, that remains on steady red or steady yellow for 2 minutes or more, or that fails to recognize the motorcycle for 2 minutes or more.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-612, **amend** (1)
3 as follows:

4 **42-4-612. When signals are inoperative or malfunctioning.**

5 (1) (a) ~~Whenever~~ EXCEPT AS DESCRIBED IN SUBSECTION (1)(c) OF THIS
6 SECTION, WHEN a driver approaches an intersection and faces a traffic
7 control signal ~~which~~ THAT is inoperative or ~~which~~ THAT remains on
8 steady red or steady yellow during several time cycles, the ~~rules~~
9 PROVISIONS controlling entrance to a through street or highway from a
10 stop ~~street~~ SIGN or highway, as provided under section 42-4-703, ~~shall~~
11 apply until a police officer assumes control of traffic or until THE TRAFFIC
12 CONTROL SIGNAL RESUMES normal operation. ~~is resumed.~~

13 (b) ~~In the event that any~~ EXCEPT AS DESCRIBED IN SUBSECTION
14 (1)(c) OF THIS SECTION, IF A traffic control signal at a place other than an
15 intersection ~~should cease~~ CEASES to operate or ~~should malfunction as set~~
16 ~~forth in this section~~ MALFUNCTIONS AS SPECIFIED IN SUBSECTION (1)(a) OF
17 THIS SECTION, drivers may proceed ~~through~~ PAST the ~~inoperative or~~
18 ~~malfunctioning~~ signal only with caution, as if the signal were ~~one of~~
19 flashing yellow.

20 (c) WHEN A DRIVER OF A MOTORCYCLE APPROACHES A TRAFFIC
21 CONTROL SIGNAL THAT IS INOPERATIVE, THAT REMAINS ON STEADY RED OR
22 STEADY YELLOW FOR TWO MINUTES OR MORE, OR THAT FAILS TO
23 RECOGNIZE THE MOTORCYCLE FOR TWO MINUTES OR MORE:

24 (I) IF THE TRAFFIC CONTROL SIGNAL IS AT AN INTERSECTION, THE
25 PROVISIONS CONTROLLING ENTRANCE TO A THROUGH STREET OR HIGHWAY
26 FROM A STOP SIGN OR HIGHWAY, AS PROVIDED UNDER SECTION 42-4-703,
27 APPLY UNTIL A POLICE OFFICER ASSUMES CONTROL OF TRAFFIC OR UNTIL

1 THE TRAFFIC CONTROL SIGNAL RESUMES NORMAL OPERATION; AND

2 (II) IF THE TRAFFIC CONTROL SIGNAL IS AT A LOCATION OTHER
3 THAN AN INTERSECTION, THE DRIVER OF THE MOTORCYCLE MAY PROCEED
4 PAST THE SIGNAL ONLY WITH CAUTION, AS IF THE SIGNAL WERE FLASHING
5 YELLOW.

6 **SECTION 2. Act subject to petition - effective date.** This act
7 takes effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly (August
9 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
10 referendum petition is filed pursuant to section 1 (3) of article V of the
11 state constitution against this act or an item, section, or part of this act
12 within such period, then the act, item, section, or part will not take effect
13 unless approved by the people at the general election to be held in
14 November 2020 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.