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

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

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

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

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

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

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

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

SECTION 2. 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 (August 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.