

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-1133.01 Jason Gelender x4330

SENATE BILL 24-195

SENATE SPONSORSHIP

Winter F. and Cutter, Kolker, Michaelson Jenet, Priola

HOUSE SPONSORSHIP

Lindsay and Lindstedt,

Senate Committees
Transportation & Energy

House Committees
Transportation, Housing & Local Government

A BILL FOR AN ACT

101 **CONCERNING PROTECTION OF VULNERABLE ROAD USERS.**

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>.)

Section 1 of the bill amends the statute that governs the use of automated vehicle identification systems (AVIS) on roadways other than toll highways operated by a public highway authority or the high-performance transportation enterprise in the department of transportation (CDOT) to:

- Clarify that CDOT and the Colorado state patrol (CSP) have authority to use AVIS to detect traffic violations on any portion of a highway that is part of the state highway

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
3rd Reading Unamended
April 23, 2024

SENATE
Amended 2nd Reading
April 22, 2024

system (state highway), which generally includes federal interstate highways, U.S. highways, highways that are not part of any federal system but are declared by the transportation commission to be part of the state highway system, and other federal-aid highways;

- Clarify that the state has final authority to authorize the use of AVIS by a local government on a state highway; and
- Authorize CDOT, in consultation with the CSP, to promulgate rules, including rules governing the process by which use of AVIS is approved or disapproved, rules governing the AVIS enforcement process, and rules setting the amount of civil penalties, including increased civil penalties for traffic violations detected by AVIS that occur in work zones or school zones, for traffic violation detected by AVIS used by the state.

Section 1 also:

- Requires a local government to coordinate with CDOT and the Colorado state patrol both before designating an AVIS corridor on a state highway and before actually using AVIS on a state highway rather than only before actually using AVIS; and
- Requires civil penalties collected by the state for traffic violations detected by AVIS, net of court and operations costs, to be credited to the state highway fund and used only to fund road safety projects that protect vulnerable road users.

Section 2 requires CDOT to establish and include in its statutorily required performance plan declining annual targets for vulnerable road user fatalities and, as part of the targets, also establish engineering methodology and internal education requirements for practices to prioritize safety over speed on high-injury networks.

For state fiscal year 2025-26 and each succeeding state fiscal year, **section 3** requires CDOT, after accounting for eligible critical safety-related asset management surface transportation infrastructure projects and as determined by the transportation commission, to expend a specified minimum amount of the money credited to the state highway fund from the road safety surcharge and certain other fees, fines, and surcharges that are imposed on motor vehicle registrations and dedicated for certain types of road safety projects that protect vulnerable road users.

To guide CDOT in implementing **sections 2 and 3**, **section 4** amends an existing definition of "road safety project" to include certain types of projects that protect vulnerable road users and defines the term "vulnerable road user".

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-110.5, **amend**
3 (2) introductory portion, (2)(g)(I), (2)(g)(IV), (4)(b)(III), and (4.5); repeal
4 (1.7), and (6); and add (1.1), (2)(a)(X), (2)(g)(I.3), (2)(g)(I.4), (2)(g)(I.5),
5 (2)(g)(I.6), (2)(g)(I.7), (2.5), and (8) as follows:

6 **42-4-110.5. Automated vehicle identification systems -**
7 **exceptions to liability - penalty - limits on use of photographs and**
8 **video - rules - legislative declaration - definitions.** (1.1) AS USED IN
9 THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

10 (a) (I) "AUTOMATED VEHICLE IDENTIFICATION SYSTEM" MEANS A
11 SYSTEM WHEREBY:

12 (A) A MACHINE IS USED TO AUTOMATICALLY DETECT A VIOLATION
13 OF A TRAFFIC REGULATION AND SIMULTANEOUSLY RECORD A PHOTOGRAPH
14 OF THE VEHICLE AND THE LICENSE PLATE OF THE VEHICLE; AND

15 (B) A NOTICE OF VIOLATION OR CIVIL PENALTY ASSESSMENT
16 NOTICE MAY BE ISSUED TO THE REGISTERED OWNER OF THE MOTOR
17 VEHICLE.

18 (II) "AUTOMATED VEHICLE IDENTIFICATION SYSTEM" INCLUDES A
19 SYSTEM USED TO DETECT A VIOLATION OF PART 11 OF THIS ARTICLE 4 OR
20 A LOCAL SPEED ORDINANCE, A SYSTEM USED TO DETECT VIOLATIONS OF
21 TRAFFIC RESTRICTIONS IMPOSED BY TRAFFIC SIGNALS OR TRAFFIC SIGNS,
22 AND A SYSTEM USED TO DETECT VIOLATIONS OF BUS LANE OR BICYCLE
23 LANE RESTRICTIONS.

24 (b) "STATE", NOTWITHSTANDING SECTION 42-1-102 (95), MEANS
25 THE STATE OF COLORADO ACTING THROUGH THE COLORADO STATE
26 PATROL IN THE DEPARTMENT OF PUBLIC SAFETY OR THE DEPARTMENT OF
27 TRANSPORTATION.

1 (c) "STATE HIGHWAY" MEANS ANY HIGHWAY THAT IS OWNED BY
2 OR MAINTAINED BY THE STATE. "STATE HIGHWAY" DOES NOT INCLUDE A
3 PUBLIC HIGHWAY OPERATED BY A PUBLIC HIGHWAY AUTHORITY IN
4 ACCORDANCE WITH THE "PUBLIC HIGHWAY AUTHORITY LAW", PART 5 OF
5 ARTICLE 4 OF TITLE 43.

6 (1.7) (a) (I) ~~Upon request from the department of transportation,~~
7 ~~the department of public safety shall utilize an automated vehicle~~
8 ~~identification system to detect speeding violations under part 11 of this~~
9 ~~article 4 within a highway maintenance, repair, or construction zone~~
10 ~~designated pursuant to section 42-4-614(1)(a), if the department of public~~
11 ~~safety complies with subsections (2) to (6) of this section. An automated~~
12 ~~vehicle identification system shall not be used under this subsection (1.7)~~
13 ~~unless maintenance, repair, or construction is occurring at the time the~~
14 ~~system is being used.~~

15 (H) ~~The department of public safety may contract with a vendor~~
16 ~~to implement this subsection (1.7), including to:~~

- 17 (A) ~~Notify violators;~~
- 18 (B) ~~Collect and remit the penalties and surcharges to the state~~
19 ~~treasury less the vendor's expenses;~~
- 20 (C) ~~Reconcile payments against outstanding violations;~~
- 21 (D) ~~Implement collection efforts; and~~
- 22 (E) ~~Notify the department of public safety of unpaid violations for~~
23 ~~possible referral to the judicial system.~~

24 (HI) ~~If the department of public safety contracts with a vendor, the~~
25 ~~contract must incorporate the processing elements specified by the~~
26 ~~department of public safety.~~

27 (IV) ~~No notice of violation or civil penalty assessment or a penalty~~

1 ~~or surcharge for a violation detected by an automated vehicle~~
2 ~~identification system under this subsection (1.7) shall be forwarded to the~~
3 ~~department for processing.~~

4 ~~(b) The department of transportation shall reimburse the~~
5 ~~department of public safety for the direct and indirect costs of complying~~
6 ~~with this subsection (1.7).~~

7 (2) A county, CITY AND COUNTY, or municipality may adopt an
8 ordinance authorizing the use of an automated vehicle identification
9 system to detect violations of traffic regulations adopted by the county,
10 CITY AND COUNTY, or municipality, or the state, a county, a city and
11 county, or a municipality may utilize an automated vehicle identification
12 system to detect traffic violations under state law, subject to the following
13 conditions and limitations AND, AS APPLICABLE, THE REQUIREMENTS FOR
14 STATE HIGHWAYS SET FORTH IN AND ANY RULES ADOPTED BY THE
15 DEPARTMENT OF TRANSPORTATION PURSUANT TO SUBSECTION (2.5) OF
16 THIS SECTION:

17 (a) (X) IF THE REGISTERED OWNER OF A MOTOR VEHICLE INVOLVED
18 IN A TRAFFIC VIOLATION UNDER STATE LAW OR UNDER TRAFFIC
19 REGULATIONS ADOPTED BY A COUNTY, CITY AND COUNTY, OR
20 MUNICIPALITY IS ENGAGED IN THE BUSINESS OF LEASING OR RENTING
21 MOTOR VEHICLES, THE REGISTERED OWNER REMAINS LIABLE FOR PAYMENT
22 OF THE CIVIL PENALTY EVEN IF THE REGISTERED OWNER WAS NOT DRIVING
23 THE MOTOR VEHICLE BUT MAY OBTAIN PAYMENT FROM THE LESSOR OR
24 RENTER OF THE MOTOR VEHICLE AND FORWARD THE PAYMENT TO THE
25 STATE OR THE COUNTY, CITY AND COUNTY, OR MUNICIPALITY IMPOSING
26 THE CIVIL PENALTY.

27 (g) (I) The state, a county, a city and county, or a municipality

1 shall not issue a notice of violation or civil penalty assessment notice for
2 a violation detected using an automated vehicle identification system
3 unless the violation occurred within a school zone, as defined in section
4 42-4-615; within a residential neighborhood; within a maintenance,
5 construction, or repair zone designated pursuant to section 42-4-614;
6 along a street that borders a municipal park; or along a street or portion
7 of a street that a county, CITY AND COUNTY, or municipality, by ordinance
8 or by a resolution of its governing body, designates as an automated
9 vehicle identification corridor, on which designated corridor the county,
10 CITY AND COUNTY, or municipality may locate an automated vehicle
11 identification system to detect violations of a county, CITY AND COUNTY,
12 or municipal traffic regulation or a traffic violation under state law.
13 Before a county or municipality begins operation of an automated vehicle
14 identification system in an automated vehicle identification corridor, the
15 county or municipality must:

16 (A) Post a permanent sign in a conspicuous place not fewer than
17 three hundred feet before the beginning of the corridor and a permanent
18 sign not fewer than three hundred feet before each camera within the
19 corridor thereafter or a temporary sign not fewer than three hundred feet
20 before any mobile camera;

21 (B) Illustrate, through data collected within the past five years,
22 incidents of crashes, speeding, reckless driving, or community complaints
23 on a street designated as an automated vehicle identification corridor; and

24 (C) Coordinate between the local jurisdiction, the department of
25 transportation, and the Colorado state patrol.

26 (I.3) BEFORE A COUNTY, A CITY AND COUNTY, OR A MUNICIPALITY
27 DESIGNATES AN AUTOMATED VEHICLE IDENTIFICATION CORRIDOR ON A

1 STATE HIGHWAY, THE COUNTY, CITY AND COUNTY, OR MUNICIPALITY
2 SHALL NOTIFY THE DEPARTMENT OF TRANSPORTATION. IF A COUNTY, CITY
3 AND COUNTY, OR MUNICIPALITY DESIGNATES AN AUTOMATED VEHICLE
4 IDENTIFICATION CORRIDOR ON A STATE HIGHWAY BY ORDINANCE OR
5 RESOLUTION BEFORE JANUARY 1, 2025, IT MAY PROCEED WITHOUT HAVING
6 PROVIDED THIS NOTIFICATION TO THE DEPARTMENT OF TRANSPORTATION.

7 (I.4) AFTER A COUNTY, CITY AND COUNTY, OR A MUNICIPALITY
8 DESIGNATES AN AUTOMATED VEHICLE IDENTIFICATION CORRIDOR ON A
9 STATE HIGHWAY, THE COUNTY, CITY AND COUNTY, OR MUNICIPALITY
10 SHALL COORDINATE WITH THE DEPARTMENT OF TRANSPORTATION.
11 COORDINATION MUST INCLUDE DEMONSTRATING THAT THE
12 REQUIREMENTS SET FORTH IN SUBSECTION (2)(g)(I.7)(B) OF THIS SECTION
13 HAVE BEEN MET AND, IF NEEDED, APPLYING FOR A SPECIAL USE PERMIT TO
14 INSTALL ANY DEVICES OR SIGNAGE ON DEPARTMENT OF TRANSPORTATION
15 RIGHT-OF-WAY IF THE SEGMENT OF HIGHWAY IN QUESTION IS MAINTAINED
16 BY THE STATE. A COUNTY, CITY AND COUNTY, OR MUNICIPALITY SHALL
17 ALERT THE DEPARTMENT OF TRANSPORTATION WHEN THE AUTOMATED
18 VEHICLE IDENTIFICATION CORRIDOR BEGINS OPERATIONS OR
19 PERMANENTLY CEASES OPERATIONS ON A STATE HIGHWAY. THE
20 DEPARTMENT OF TRANSPORTATION SHALL NOTIFY THE COLORADO STATE
21 PATROL WHEN A COUNTY, CITY AND COUNTY, OR MUNICIPALITY
22 COORDINATES WITH THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH
23 AN AUTOMATED VEHICLE IDENTIFICATION CORRIDOR ON A STATE
24 HIGHWAY.

25 (I.5) BEFORE A COUNTY, CITY AND COUNTY, OR MUNICIPALITY
26 BEGINS THE OPERATION OF AN AUTOMATED VEHICLE IDENTIFICATION
27 SYSTEM IN AN AUTOMATED VEHICLE IDENTIFICATION CORRIDOR ON A

1 COUNTY ROAD, THE COUNTY, CITY AND COUNTY, OR MUNICIPALITY SHALL
2 NOTIFY THE COLORADO STATE PATROL.

3 (I.6) BEFORE THE STATE DESIGNATES AN AUTOMATED VEHICLE
4 IDENTIFICATION CORRIDOR ON A STATE HIGHWAY LOCATED WITHIN THE
5 BOUNDARIES OF A COUNTY, A CITY AND COUNTY, OR A MUNICIPALITY, AND
6 BEFORE THE STATE BEGINS OPERATION OF AN AUTOMATED VEHICLE
7 IDENTIFICATION CORRIDOR ON A STATE HIGHWAY, THE STATE SHALL
8 COORDINATE WITH THE RESPECTIVE COUNTY, CITY AND COUNTY, OR
9 MUNICIPALITY.

10 (I.7) BEFORE THE STATE, A COUNTY, CITY AND COUNTY, OR
11 MUNICIPALITY BEGINS OPERATION OF AN AUTOMATED VEHICLE
12 IDENTIFICATION SYSTEM IN AN AUTOMATED VEHICLE IDENTIFICATION
13 CORRIDOR, THE STATE, COUNTY, CITY AND COUNTY, OR MUNICIPALITY
14 MUST:

15 (A) POST A PERMANENT SIGN IN A CONSPICUOUS PLACE NOT FEWER
16 THAN THREE HUNDRED FEET BEFORE THE BEGINNING OF THE CORRIDOR;
17 AND

18 (B) POST A PERMANENT SIGN NOT FEWER THAN THREE HUNDRED
19 FEET BEFORE EACH STATIC CAMERA WITHIN THE CORRIDOR THEREAFTER
20 OR A TEMPORARY SIGN NOT FEWER THAN THREE HUNDRED FEET BEFORE
21 ANY MOBILE CAMERA; EXCEPT THAT, FOR AN AUTOMATED VEHICLE
22 IDENTIFICATION CORRIDOR ON WHICH AN AUTOMATED VEHICLE
23 IDENTIFICATION SYSTEM IS USED ON TRANSIT VEHICLES FOR THE PURPOSE
24 OF DETECTING UNAUTHORIZED USE OF A TRANSIT-ONLY LANE, POST
25 PERMANENT SIGNS AT ONE-HALF MILE OR MORE FREQUENT INTERVALS;
26 AND

27 (B) ILLUSTRATE, THROUGH DATA COLLECTED WITHIN THE PAST

1 FIVE YEARS, INCIDENTS OF CRASHES, SPEEDING, RECKLESS DRIVING, OR
2 COMMUNITY COMPLAINTS ON A STREET DESIGNATED AS AN AUTOMATED
3 VEHICLE IDENTIFICATION CORRIDOR UNLESS THE AUTOMATED VEHICLE
4 IDENTIFICATION SYSTEM WILL BE USED EXCLUSIVELY TO DETECT
5 UNAUTHORIZED USAGE OF ONE OR MORE TRANSIT-ONLY LANES.

6 (IV) THE STATE, a county, A CITY AND COUNTY, or A municipality
7 implementing an automated vehicle identification corridor pursuant to
8 subsection (2)(g)(I) of this section shall publish a report on its website
9 disclosing the number of citations and revenue generated by the
10 automated vehicle identification corridor.

11 (2.5)(a) THE STATE MAY USE AN AUTOMATED VEHICLE
12 IDENTIFICATION SYSTEM ON ANY PORTION OF A STATE HIGHWAY. THE
13 DEPARTMENT OF TRANSPORTATION MAY PROMULGATE RULES TO
14 IMPLEMENT THE PROVISIONS OF THIS SECTION RELATING TO THE USE OF
15 AUTOMATED VEHICLE IDENTIFICATION SYSTEMS BY THE DEPARTMENT OF
16 TRANSPORTATION ON STATE HIGHWAYS AND PRIORITIZATION FOR THE USE
17 OF AUTOMATED VEHICLE IDENTIFICATION SYSTEMS BY OTHER ENTITIES ON
18 STATE HIGHWAYS, INCLUDING BUT NOT LIMITED TO RULES THAT:

19 (I) SPECIFY PRIORITIZATION CRITERIA THAT THE DEPARTMENT OF
20 TRANSPORTATION WILL USE TO DETERMINE WHICH ENTITY IS AUTHORIZED
21 TO USE AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM IF MULTIPLE
22 ENTITIES SEEK AUTHORIZATION TO USE AN AUTOMATED VEHICLE
23 IDENTIFICATION SYSTEM ON THE SAME PORTION OF A STATE HIGHWAY.
24 THE CRITERIA MUST SPECIFY THAT THE DEPARTMENT OF TRANSPORTATION
25 MUST GIVE PREFERENCE TO AN ENTITY THAT HAS THE PRIMARY
26 RESPONSIBILITY FOR REGULATION AND ENFORCEMENT OF TRAFFIC
27 RESTRICTIONS ON THE PORTION OF A STATE HIGHWAY ON WHICH AN

1 AUTOMATED VEHICLE IDENTIFICATION SYSTEM IS TO BE USED.

2 (II) SPECIFY, CONSISTENT WITH THE REQUIREMENTS OF
3 SUBSECTION (2)(a) OF THIS SECTION, THE PROCESS THAT THE STATE WILL
4 USE TO NOTIFY A COUNTY, CITY AND COUNTY, OR MUNICIPALITY THAT THE
5 STATE WILL BE USING AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM
6 WITHIN ITS JURISDICTION AND THE ADMINISTRATIVE AND ENFORCEMENT
7 PROCESS THAT THE DEPARTMENT OF TRANSPORTATION WILL USE TO
8 ADMINISTER, HEAR, AND RESOLVE A TRAFFIC VIOLATION DETECTED
9 THROUGH THE USE BY THE DEPARTMENT OF TRANSPORTATION OF AN
10 AUTOMATED VEHICLE IDENTIFICATION SYSTEM;

11 (III) ESTABLISH, SUBJECT TO THE CAPS SET FORTH IN SUBSECTIONS
12 (4)(b) AND (4.5) OF THIS SECTION AND ANY OTHER PROVISION OF LAW, THE
13 AMOUNT OF CIVIL PENALTIES IMPOSED FOR TRAFFIC VIOLATIONS DETECTED
14 THROUGH THE USE BY THE DEPARTMENT OF TRANSPORTATION OF AN
15 AUTOMATED VEHICLE IDENTIFICATION SYSTEM; ==

16 (IV) ESTABLISH AN ADMINISTRATIVE HEARING PROCESS THAT
17 COMPLIES WITH SUBSECTIONS (2)(a)(IV) THROUGH (2)(a)(VIII) OF THIS
18 SECTION, INCLUDING THE ABILITY TO RETAIN AND CONTRACT WITH
19 IMPARTIAL HEARING OFFICERS AND THE ABILITY FOR IMPARTIAL HEARING
20 OFFICERS TO ISSUE FINAL ORDERS REQUIRED BY SUBSECTION 2(a)(VII) OF
21 THIS SECTION; AND

22 (V) PROVIDE, CONSISTENT WITH THIS SECTION, ANY ADDITIONAL
23 REQUIREMENTS, GUIDANCE, OR CLARIFICATION THAT THE DEPARTMENT OF
24 TRANSPORTATION DEEMS NECESSARY OR APPROPRIATE TO IMPLEMENT
25 THIS SECTION.

26 (b) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE
27 DEPARTMENT OF TRANSPORTATION CONSULT WITH THE COLORADO STATE

1 PATROL WHEN PROMULGATING RULES RELATING TO THE USE OF
2 AUTOMATED VEHICLE IDENTIFICATION SYSTEMS AND BEFORE
3 AUTHORIZING THE USE OF AN AUTOMATED VEHICLE IDENTIFICATION
4 SYSTEM BY THE STATE OR A COUNTY, A CITY AND COUNTY, OR A
5 MUNICIPALITY ON ANY PORTION OF A STATE HIGHWAY. IT IS ALSO THE
6 INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT OF
7 TRANSPORTATION CONSULT WITH COUNTIES, CITY AND COUNTIES, AND
8 MUNICIPALITIES WHEN PROMULGATING RULES RELATING TO THE USE OF
9 AUTOMATED VEHICLE IDENTIFICATION SYSTEMS.

10 (c) THE PROVISIONS OF THIS SUBSECTION (2.5) DO NOT APPLY TO
11 AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM ON A STATE HIGHWAY
12 THAT A COUNTY, CITY AND COUNTY, OR MUNICIPALITY HAS IMPLEMENTED
13 OR DESIGNATED BY ORDINANCE OR RESOLUTION BEFORE JANUARY 1, 2025,
14 OR BEFORE THE DEPARTMENT OF TRANSPORTATION ADOPTS RULES
15 PURSUANT TO SUBSECTION (2.5)(a) OF THIS SECTION, WHICHEVER OCCURS
16 LATER. THIS SUBSECTION (2.5) DOES NOT REQUIRE A COUNTY, CITY AND
17 COUNTY, OR MUNICIPALITY TO REMOVE OR STOP THE IMPLEMENTATION OF
18 AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM THAT WAS PLACED ON
19 ANY PORTION OF A STATE HIGHWAY OR DESIGNATED BY ORDINANCE OR
20 RESOLUTION BEFORE JANUARY 1, 2025, OR BEFORE THE DEPARTMENT OF
21 TRANSPORTATION ADOPTS RULES PURSUANT TO SUBSECTION (2.5)(a) OF
22 THIS SECTION, WHICHEVER OCCURS LATER.

23 ==
24 (III) Subsection (4)(b)(I) of this section does not apply within a
25 maintenance, construction, or repair zone designated pursuant to section
26 42-4-614 OR A SCHOOL ZONE, AS DEFINED IN SECTION 42-4-615 (2).

27 (4.5) (a) If the state, a county, a city and county, or a municipality

1 detects a violation of a county, CITY AND COUNTY, or municipal traffic
2 regulation or traffic violation under state law for disobedience to a traffic
3 control signal through the use of an automated vehicle identification
4 system, the maximum civil penalty that the state, a county, a city and
5 county, or a municipality may impose for such violation, including any
6 surcharge, is seventy-five dollars.

7 (b) SUBSECTION (4.5)(a) OF THIS SECTION DOES NOT APPLY WITHIN
8 A MAINTENANCE, CONSTRUCTION, OR REPAIR ZONE DESIGNATED
9 PURSUANT TO SECTION 42-4-614 OR A SCHOOL ZONE, AS DEFINED IN
10 SECTION 42-4-615 (2).

11 ~~(6) (a) As used in this section, the term "automated vehicle~~
12 ~~identification system" means a system whereby:~~

13 ~~(I) A machine is used to automatically detect a violation of a~~
14 ~~traffic regulation and simultaneously record a photograph of the vehicle,~~
15 ~~the operator of the vehicle, and the license plate of the vehicle; and~~

16 ~~(II) A notice of violation or civil penalty assessment notice may~~
17 ~~be issued to the registered owner of the motor vehicle.~~

18 ~~(b) "Automated vehicle identification system" includes a system~~
19 ~~used to detect a violation of part 11 of this article 4 or a local speed~~
20 ~~ordinance, a system used to detect violations of traffic restrictions~~
21 ~~imposed by traffic signals or traffic signs, and a system used to detect~~
22 ~~violations of bus lane or bicycle lane restrictions.~~

23 (8) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
24 AGGREGATE AMOUNT OF REVENUE, EXCLUSIVE OF COURT AND
25 OPERATIONS COSTS, COLLECTED BY THE STATE AS CIVIL PENALTIES FOR
26 VIOLATIONS DETECTED BY AUTOMATED VEHICLE IDENTIFICATION SYSTEMS
27 MUST BE CREDITED TO THE STATE HIGHWAY FUND AND USED BY THE

1 DEPARTMENT ONLY TO FUND ROAD SAFETY PROJECTS, AS DEFINED IN
2 SECTION 43-4-803 (21), OF THE TYPE DESCRIBED IN SECTION 43-4-803
3 (21)(b).

4 **SECTION 2.** In Colorado Revised Statutes, **add** 43-1-132 as
5 follows:

6 **43-1-132. Vulnerable road user fatality reduction targets -**
7 **requirements.** (1) AS PART OF ITS EFFORT TO REDUCE FATALITIES FOR
8 VULNERABLE ROAD USERS, AS DEFINED IN SECTION 43-4-803 (29), THE
9 DEPARTMENT SHALL ESTABLISH DECLINING ANNUAL TARGETS FOR
10 VULNERABLE ROAD USER FATALITIES AS PART OF ITS PERFORMANCE PLAN
11 REQUIRED BY SECTION 2-7-204 (3).

12 (2) AS PART OF THE TARGETS ESTABLISHED IN SUBSECTION (1) OF
13 THIS SECTION, THE DEPARTMENT SHALL ESTABLISH ENGINEERING
14 METHODOLOGY AND INTERNAL EDUCATION REQUIREMENTS FOR PRACTICES
15 TO PRIORITIZE SAFETY OVER SPEED ON HIGH-INJURY NETWORKS.

16 **SECTION 3.** In Colorado Revised Statutes, 43-4-206, **amend** (3)
17 as follows:

18 **43-4-206. State allocation.** (3) The revenue ~~credited~~ ALLOCATED
19 to the ~~highway users tax fund~~ STATE HIGHWAY FUND pursuant to section
20 SECTIONS 43-4-205 (6.3) AND 43-4-205 (6)(b)(I) ~~shall~~ MUST be expended
21 by the department of transportation only for road safety projects, as
22 defined in section 43-4-803 (21); except that the department shall, in
23 furtherance of its duty to supervise state highways and as a consequence
24 in compliance with section 43-4-810:

25 (a) Expend ten million dollars per year of the ~~revenues~~ REVENUE
26 for the planning, designing, engineering, acquisition, installation,
27 construction, repair, reconstruction, maintenance, operation, or

1 administration of transit-related projects, including, but not limited to,
2 designated bicycle or pedestrian lanes of highway, CROSSING
3 IMPROVEMENTS, and infrastructure needed to integrate different
4 transportation modes within a multimodal transportation system that
5 enhance the safety of state highways for transit users; AND

6 (b) (I) ALLOCATE, FOR STATE FISCAL YEAR 2025-26 AND EACH
7 SUCCEEDING STATE FISCAL YEAR, AFTER ACCOUNTING FOR CRITICAL
8 SAFETY-RELATED ASSET MANAGEMENT SURFACE TRANSPORTATION
9 INFRASTRUCTURE PROJECTS ELIGIBLE FOR FUNDING PURSUANT TO SECTION
10 43-4-803 (21)(a) AND AS DETERMINED BY THE TRANSPORTATION
11 COMMISSION, AT LEAST TEN PERCENT OF THE REMAINING REVENUE BUT NO
12 LESS THAN SEVEN MILLION DOLLARS, AS ADJUSTED PURSUANT TO
13 SUBSECTION (3)(b)(II) OF THIS SECTION FOR STATE FISCAL YEAR 2026-27
14 AND EACH SUCCEEDING STATE FISCAL YEAR, FOR THE TYPES OF ROAD
15 SAFETY PROJECTS DESCRIBED IN SECTION 43-4-803 (21)(b).

16 (II) FOR STATE FISCAL YEAR 2026-27 AND EACH SUCCEEDING
17 STATE FISCAL YEAR, THE MINIMUM DOLLAR AMOUNT OF ALLOCATION
18 REQUIRED BY SUBSECTION (3)(b)(I) OF THIS SECTION IS SEVEN MILLION
19 DOLLARS, ADJUSTED FOR THE CUMULATIVE PERCENTAGE CHANGE IN THE
20 AMOUNT OF REVENUE ACTUALLY CREDITED TO THE STATE HIGHWAY FUND
21 PURSUANT TO SECTION 43-4-205 (6.3) FROM STATE FISCAL YEAR 2024-25
22 THROUGH THE PRIOR STATE FISCAL YEAR.

23 **SECTION 4.** In Colorado Revised Statutes, 43-4-803, **amend**
24 (21); and **add** (29) as follows:

25 **43-4-803. Definitions.** As used in this part 8, unless the context
26 otherwise requires:

27 (21) "Road safety project" means:

1 (a) A construction, reconstruction, or maintenance project that the
2 commission determines is needed to enhance the safety of a state
3 highway, a county determines is needed to enhance the safety of a county
4 road, or a municipality determines is needed to enhance the safety of a
5 city street; OR

6 (b) A PROJECT THAT IMPROVES TRANSPORTATION SYSTEM
7 INFRASTRUCTURE OR OTHERWISE IMPLEMENTS DATA-DRIVEN STRATEGIES
8 THAT REDUCE THE NUMBER OF COLLISIONS WITH MOTOR VEHICLES THAT
9 RESULT IN DEATH OR SERIOUS INJURY TO VULNERABLE ROAD USERS.
10 ELIGIBLE PROJECTS INCLUDE, BUT ARE NOT LIMITED TO, PROJECTS THAT
11 MEET OR EXCEED THE DEPARTMENT'S COST-TO-BENEFIT RATIO FOR SAFETY
12 PROJECTS AND:

13 (I) SEPARATE USERS IN SPACE, SUCH AS SEPARATED BIKE LANES,
14 WALKWAYS, CROSSING IMPROVEMENTS, AND PEDESTRIAN REFUGE
15 ISLANDS; OR

16 (II) INCREASE ATTENTIVENESS AND AWARENESS, SUCH AS
17 CROSSWALK VISIBILITY ENHANCEMENTS, PEDESTRIAN HYBRID BEACONS,
18 AND LIGHTING.

19 (29) "VULNERABLE ROAD USER" MEANS A NONMOTORIST WITH A
20 FATALITY ANALYSIS REPORTING SYSTEM PERSON ATTRIBUTE CODE FOR A
21 PEDESTRIAN, BICYCLIST, OTHER CYCLIST, AND A PERSON ON A PERSONAL
22 CONVEYANCE OR AN INJURED PERSON THAT IS, OR IS EQUIVALENT TO, A
23 PEDESTRIAN OR PEDAL CYCLIST AS DEFINED IN THE ANSI D16.1-2007 IN
24 ACCORDANCE WITH 23 U.S.C. SEC. 148(a)(15) AND 23 CFR 490.205.
25 "VULNERABLE ROAD USER" DOES NOT INCLUDE A MOTOR CYCLIST BUT
26 DOES INCLUDE:

27 (a) AN INDIVIDUAL WHO IS WALKING, BIKING, OR ROLLING;

1 (b) A HIGHWAY WORKER ON FOOT IN A WORK ZONE, GIVEN THEY
2 ARE CONSIDERED A PEDESTRIAN.

3 **SECTION 5. Safety clause.** The general assembly finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, or safety or for appropriations for
6 the support and maintenance of the departments of the state and state
7 institutions.