



## Fiscal Note

### Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

## HB 25-1230: CHANGES VIOLATION DRIVER OVERTAKING SCHOOL BUS

---

**Prime Sponsors:**

Rep. Caldwell; Paschal  
Sen. Winter F.

**Fiscal Analyst:**

Colin Gaiser, 303-866-2677  
colin.gaiser@coleg.gov

**Published for:** House Trans., Hous. & Local Gov.**Drafting number:** LLS 25-0743**Version:** Initial Fiscal Note**Date:** February 27, 2025**Fiscal note status:** The fiscal note reflects the introduced bill.

---

### Summary Information

**Overview.** The bill allows state and local governments to install and use automated vehicle identification systems on school buses to detect drivers illegally passing stopped buses, and creates related penalties.

**Types of impacts.** The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Workload
- Local Government
- School Districts

**Appropriations.** No appropriation is required.

---

**Table 1**  
**State Fiscal Impacts**

<b>Type of Impact</b>	<b>Budget Year FY 2025-26</b>	<b>Out Year FY 2026-27</b>
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

## **Summary of Legislation**

---

### **Authorization of AVIS on School Buses**

The bill permits state and local governments, with school board approval, to install and use automated vehicle identification systems (AVIS) on school buses to detect when drivers overtake a stopped school bus with actuated visual signal lights. Violators are subject to a civil penalty of up to \$300.

### **Presumption of Violation**

The bill creates a rebuttable presumption that when an AVIS-produced image includes an electronic indicator signifying that a school bus's visual signal lights are actuated, the lights are presumed to be actuated and operational.

### **Restrictions of Fine Revenue Use**

Penalties may not be used to compensate the AVIS manufacturer or vendor, and any payment to the manufacturer or vendor cannot be based exclusively on the number of citations issued or revenue generated by AVIS.

### **Highway with Separate Roadways Definition**

Under current law, drivers on highways with separate roadways are not required to stop when meeting or passing a school bus on a different roadway. The bill clarifies that a "highway with separate roadways" includes roadway divided by physical barriers but does not include those separated only by a painted median.

## **Comparable Crime Analysis**

---

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or creates a new factual basis for an existing crime. The following section outlines crimes that are comparable to the offense in this bill and discusses assumptions on future rates of criminal convictions resulting from the bill.

### **Prior Conviction Data**

This bill creates a new factual basis for the existing class 2 misdemeanor offense of overtaking a school bus by changing the definition of "highway with separate roadways." From FY 2021-22 to FY 2023-24, 71 have been convicted and sentenced for this offense. Of the persons convicted, 41 were male and 30 were female. Demographically, 58 were White, 9 were Hispanic, 1 was classified as "Other," and 3 did not have a race identified.

## Assumptions

This analysis assumes that changing the definition of “highway with separate roadways” will not substantially increase or decrease the number of violations; therefore, there will be minimal or no additional criminal case filings or convictions for this offense under the bill. Because the bill is not expected to have a tangible impact on criminal justice related revenue or expenditures at the state or local levels, these potential impacts are not discussed further in this fiscal note. Visit [the Fiscal Note section web page](#) for more information about criminal justice costs in fiscal notes.

## State Expenditures

---

The bill increases workload in departments involved in road safety materials and enforcement – including the departments of Public Safety, Revenue, and Transportation – to update materials. Any workload increase is absorbable with existing resources.

## Local Governments and School District

---

The bill may increase revenue, expenditures, and workload for local governments that elect to purchase and install AVIS on school buses within their jurisdictions. Workload may increase for affected school districts to coordinate with local governments on installing and maintaining AVIS equipment.

## Effective Date

---

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

## State and Local Government Contacts

---

Counties	Local Affairs	Revenue
Judicial	Municipalities	School Districts
Law	Public Safety	Transportation

---

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).