

## CHAPTER 120

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**STATUTES**

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**HOUSE BILL 96-1341**

BY REPRESENTATIVES Faatz, Agler, Dean, Lamborn, Lamm, Pfiffner, Saliman, Swenson, Tool, and Young;  
also SENATORS Hopper, Bishop, Blickensderfer, Dennis, Johnson, Mutzebaugh, L. Powers, R. Powers, Tebedo, and Weddig.

**AN ACT**

**CONCERNING THE REPEAL OF OUTDATED PROVISIONS OF LAW RESULTING FROM THE LAW'S  
OBSCOLESCENCE, INFREQUENCY OF USE, OR INAPPLICABILITY TO CURRENT SOCIETY.**

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

**SECTION 1.** 3-1-129, Colorado Revised Statutes, 1980 Repl. Vol., is repealed as follows:

**3-1-129. Board to report.** ~~Whenever the said state canal number three shall have been accepted by the United States government, and all rights pertaining thereto shall have been transferred, as directed in section 3-1-128, the said board of control shall thereupon render a detailed report to the governor of its official actions, whereupon the duties of said board of control shall terminate, and the offices pertaining thereto shall be vacated.~~

**SECTION 2.** 7-43-101, Colorado Revised Statutes, 1986 Repl. Vol., is repealed as follows:

**7-43-101. Certificate for flume companies.** ~~When any company organizes under the provisions of law to form a corporation for the purpose of constructing a flume, its certificate, in addition to the matters otherwise required, shall specify as follows: The place of beginning; the terminus; the route as near as may be; and the purpose for which the flume is intended. Said company shall have the right-of-way over the line proposed in such certificate for the flume if it does not conflict with the rights of any former fluming, ditching, or other company.~~

**SECTION 3.** Article 10 of title 9, Colorado Revised Statutes, 1986 Repl. Vol., is repealed as follows:

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

~~**9-10-101. Legislative declaration.** Carbon monoxide gas caused by the operation of automobile motors and other combustion engines in public garages and other establishments is dangerous and injurious to the health of persons engaged in the repair and maintenance of such engines and working in such public garages and other establishments. It is declared to be the purpose of this article to correct dangerous existing conditions and to protect the health and safety of employees and workmen engaged in such employment.~~

~~**9-10-102. Operating garage without ventilation unlawful.** It is unlawful for any person to own or operate a public garage, automobile repair shop, or other establishment wherein one or more mechanics are employed and in which automobile motors or other combustion engines are repaired or operated unless sufficient equipment or devices are used and installed therein or sufficient ventilation provided for the elimination of carbon monoxide gases occasioned by the repair or operation of said engines.~~

~~**9-10-103. Industrial commission to make rules. (Repealed)**~~

~~**9-10-104. Penalty for violation.** Any person who violates any of the provisions of this article or of the rules and regulations of the division of labor made in respect hereto is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.~~

~~**9-10-105. District attorney to prosecute violations.** It is the duty of the district attorneys of the several districts of the state to prosecute for the violation of any of the provisions of this article or of the rules and regulations of the division of labor made in connection herewith.~~

**SECTION 4.** 10-3-242 (1), Colorado Revised Statutes, 1994 Repl. Vol., is amended to read:

**10-3-242. Money market funds.** (1) For the purposes of this section, "money market fund" means an open-end, diversified management type of mutual fund, registered under the federal "Investment Company Act of 1940", 15 U.S.C. 80a-1 et seq., as amended, the moneys of which are invested only in the following kinds of investments: ~~none of which shall mature more than one year from the date of acquisition by such mutual fund;~~ Securities issued or guaranteed as to principal and interest by the government of the United States or by agencies or instrumentalities thereof; certificates of deposit and bankers' acceptances of banks chartered by the United States or any state thereof or foreign branches of such banks; commercial paper and other obligations of corporations chartered by or under the laws of the United States or any state thereof; and repurchase agreements with respect to such investments.

**SECTION 5.** Article 3 of title 12, Colorado Revised Statutes, 1991 Repl. Vol., is repealed as follows:

~~**12-3-101. Alcohol defined - unlawful acts.** (1) "Alcohol", as used in this article, means one hundred ninety proof ethyl alcohol. It is unlawful for any person, firm,~~

association, or corporation to purchase, sell, or give away alcohol as defined in this section in any other manner than as provided in this article.

~~(2) This article shall not apply to wood alcohol denatured or medicated under the provisions of the federal laws applicable thereto.~~

~~**12-3-102. Dealer in alcohol.** It is unlawful for any manufacturer of alcohol, wholesale dealer in alcohol, proprietor of a federal bonded warehouse, or wholesale druggist dealing in alcohol to manufacture, buy, sell, handle, transport, or otherwise deal in alcohol without first having complied with all of the federal laws governing the manufacture, purchase, sale, handling, and transportation of alcohol.~~

~~**12-3-103. Others required to comply with federal laws.** It is unlawful for any manufacturer, pharmacist, or retail druggist who uses alcohol in his products or any physician, osteopathic physician, dentist, chiropractor, podiatrist, oculist, optician, optometrist, chemist, assayer, jeweler, hospital, educational institution, or any other person, firm, association, or corporation to buy, sell, handle, transport, or otherwise deal in alcohol without first having complied with all of the federal laws governing the purchase, sale, handling, transportation, and use of alcohol.~~

~~**12-3-104. Compliance with federal law. (Repealed)**~~

~~**12-3-105. Who may purchase alcohol. (Repealed)**~~

~~**12-3-106. Violation - penalty.** Any agent, employee, representative, manager, proprietor, pharmacist, physician, member of any association, officer of any corporation, or any other person who violates any of the provisions of this article and any person, association, or corporation whose officer, agent, employee, representative, or servant violates any of the provisions of this article are guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment. If a corporation is convicted a second or subsequent time, it shall be punished by a fine of not more than one thousand dollars. The permit of any person to purchase or sell alcohol convicted a second or subsequent time shall be forfeited and none shall thereafter be granted such person within a period of five years following a second or subsequent conviction. A certified copy of the entry or judgment or other proper court record, showing the former conviction within the state, is conclusive proof of a former conviction.~~

**SECTION 6.** 17-26-130, Colorado Revised Statutes, 1986 Repl. Vol., is repealed as follows:

~~**17-26-130. Jail - pilot project authorized.** The general assembly hereby authorizes Las Animas and Huerfano counties to enter into a contract with each other for the establishment of a pilot project for the provision and operation of a jail for the incarceration of city, county, state, federal, and, if necessary, foreign prisoners. The general assembly further authorizes such counties to enter into necessary contracts with a private contractor for the provision and operation of such jail.~~

**SECTION 7.** 17-26-131, Colorado Revised Statutes, 1986 Repl. Vol., is repealed as follows:

**17-26-131. Joint jail commission authorized.** ~~(1) The general assembly hereby authorizes Las Animas and Huerfano counties to establish a joint jail commission for the purpose of determining the feasibility, method of funding, design requirements, operational costs, and management structure of the jail facility authorized by section 17-26-130.~~

~~(2) Such commission shall consist of: The county sheriff from each affected county; and one county commissioner from each affected county, which commissioner shall be selected by the board of county commissioners of that county.~~

**SECTION 8.** 17-26-132, Colorado Revised Statutes, 1986 Repl. Vol., is repealed as follows:

**17-26-132. Joint jail commission - powers and duties.** ~~(1) No contract with a private contractor shall be entered into except upon the unanimous consent of the jail commission. The commission shall submit its recommendations regarding contracts with private contractors to Las Animas and Huerfano counties for their approval. The commission, in making its recommendations, shall consider the following:~~

- ~~(a) Predesign planning;~~
- ~~(b) Architectural and engineering service;~~
- ~~(c) Financing;~~
- ~~(d) Construction;~~
- ~~(e) Construction management;~~
- ~~(f) Operation of the jail;~~
- ~~(g) Any other matter relevant to the joint jail pilot project.~~

~~(2) For the acquisition of land for jail construction, the commission shall obtain the approval of the board of county commissioners of each county.~~

~~(3) The commission shall promulgate rules and regulations, with the advice of the division of criminal justice in the department of public safety, for the management, maintenance, and operation of the jail authorized in section 17-26-130.~~

**SECTION 9.** 17-26-133, Colorado Revised Statutes, 1986 Repl. Vol., is repealed as follows:

**17-26-133. Contract provisions - approval by the division of criminal justice.** ~~(1) Any contract between Las Animas and Huerfano counties and a private contractor for the provision and operation of a jail authorized in section 17-26-130 shall be subject to the written approval of the division of criminal justice in the department of public safety prior to becoming effective. In order for the contract to receive departmental approval, it shall:~~

- ~~(a) Require a provision for the posting of a performance bond;~~

~~(b) Require the private contractor to provide and pay for the training of jail personnel to meet training standards specified in the contract as well as all standards required by this title;~~

~~(c) Require the private contractor to comply with the provisions of this title and with all federal, state, and local standards for the construction and operation of jails and the treatment of prisoners therein;~~

~~(d) Require the cost of incarcerating a prisoner in the jail authorized in section 17-26-130 to be less than the cost of incarcerating the same prisoner in a government jail or prison;~~

~~(e) (I) Require the private contractor to purchase liability insurance in an amount sufficient to protect such contractor and his officers, employees, and agents from any liability caused by or arising out of any aspects of the jail construction and operation;~~

~~(II) Require the private contractor to purchase liability insurance in the amounts specified in section 24-10-114 (1) to protect the state and Las Animas and Huerfano counties and their officers, employees, and agents from any liability caused by or arising out of any aspects of the jail construction and operation; however, nothing in this subparagraph (II) shall be construed as a waiver of the limitation on recoverable damages against a public entity pursuant to section 24-10-104, C.R.S.;~~

~~(f) Require a provision limiting the pilot project for three years, subject to renewal by the general assembly;~~

~~(g) Require the termination by the counties of the contract authorized in section 17-26-130 upon ninety days' notice to the contractor for:~~

~~(I) Failure to comply with requirements, standards, and conditions set forth in this section and in sections 17-26-130 and 17-26-134;~~

~~(II) Failure to comply with other contractual provisions;~~

~~(h) Provide any other provision the county or department finds necessary to implement the pilot project authorized in section 17-26-130;~~

~~(i) Provide for reimbursement to the private contractor for his costs in incarcerating prisoners.~~

**SECTION 10.** 17-26-134, Colorado Revised Statutes, 1986 Repl. Vol., is repealed as follows:

**17-26-134. Jail inspection.** ~~It is the duty of the board of county commissioners and sheriffs of Las Animas and Huerfano counties as well as the division of criminal justice in the department of public safety to inspect the jail authorized in section 17-26-130. Such inspections shall take place biannually or more frequently if the boards of county commissioners and the division deem it necessary.~~

**SECTION 11.** 17-26-135, Colorado Revised Statutes, 1986 Repl. Vol., is repealed as follows:

**17-26-135. Project shall comply with provisions pertaining to intergovernmental relationships.** ~~Completion of any pilot jail pursuant to the provisions of sections 17-26-130 to 17-26-134 by a county shall be in accordance with part 2 of article 1 of title 29, C.R.S., concerning intergovernmental relationships.~~

**SECTION 12.** 17-26-136, Colorado Revised Statutes, 1986 Repl. Vol., is repealed as follows:

**17-26-136. Termination of pilot project.** ~~The division of criminal justice in the department of public safety shall monitor the pilot project authorized in section 17-26-130 and report to the general assembly not sooner than thirty months nor later than thirty-six months after such contract for the pilot project is entered into, with recommendations whether to extend the project's authorization and whether to authorize similar projects.~~

**SECTION 13.** 24-35-101 (1) (e), Colorado Revised Statutes, 1988 Repl. Vol., is repealed as follows:

**24-35-101. Functions of department of revenue.** (1) There is hereby created the department of revenue, the functions of which are the collection of the following:

(e) ~~License fees imposed by the provisions of article 3 of title 12, C.R.S., and the administration and enforcement of said provisions;~~

**SECTION 14.** 24-50-103.7, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is repealed as follows:

**24-50-103.7. Model child care program study.** ~~The department of personnel, at the direction of the director, shall investigate and study programs to make the state a model employer in the area of child care. As part of this study the department shall investigate family leave packages and flexible schedules that the state could offer its employees. The director shall report to the joint budget committee, the chairmen of both the house and senate health, environment, welfare, and institutions committees, the president of the senate, and the speaker of the house the conclusions of this study no later than November 15, 1990.~~

**SECTION 15.** 25-1-614, Colorado Revised Statutes, 1989 Repl. Vol., is repealed as follows:

**25-1-614. Regulation of privies and water closets.** ~~Boards of health in counties, cities, towns, and villages are empowered to make such rules and regulations in relation to the care and cleaning of privies and water closets within such counties, cities, towns, or villages as it may deem desirable for the preservation of the health of any of the inhabitants thereof, or such boards may declare any such privy or water closet a nuisance and order and enforce the abatement thereof.~~

**SECTION 16.** 25-1-623, Colorado Revised Statutes, 1989 Repl. Vol., is repealed as follows:

**25-1-623. Removal of contagious disease.** ~~Any county judge may make out a warrant under his hand, directed to any sheriff of the county in and for which he is~~

judge, requiring him, under the direction of the board of health, to remove any person infected with contagious sickness or take possession of convenient houses and lodging and provide nurses, attendants, and other necessities for the accommodation, safety, and relief of the sick.

**SECTION 17.** 25-1-624, Colorado Revised Statutes, 1989 Repl. Vol., is repealed as follows:

**25-1-624. Quarantine of suspected goods.** ~~When, on application of the board of health or any member thereof, it appears to any county judge that there is just cause to suspect that any baggage, clothing, or goods of any kind found within the town, city, or county are infected with any disease which may be dangerous to the public health, such county judge shall, by warrant under his hand directed to the sheriff of the county, require him to take with him as many men as the said judge deems necessary to secure such baggage, clothing, or other goods and to post said men as a guard over the house or place where such baggage, clothing, or other goods are lodged. The guard shall take effectual care to prevent any person removing or coming near to such baggage, clothing, or other goods, until due inquiry is made into the circumstances thereof, and they shall be discharged therefrom.~~

**SECTION 18.** 25-1-625, Colorado Revised Statutes, 1989 Repl. Vol., is repealed as follows:

**25-1-625. Removal for safekeeping.** ~~The county judge, by the same warrant, may require the said officer, under the direction of the board of health, to impress or take convenient houses or stores for the safekeeping of such baggage, clothing, or goods; and the board of health may cause them to be removed to such houses or stores or be otherwise detained until they shall, in the opinion of the board of health, be free from infection.~~

**SECTION 19.** 25-1-626, Colorado Revised Statutes, 1989 Repl. Vol., is repealed as follows:

**25-1-626. Officer may break building.** ~~The officer, in the execution of the warrant, if need be in the daytime, shall break open any house, shop, or other place mentioned in said warrant where such baggage, clothing, or other goods may be. He may require such aid as may be necessary to effect the execution of the warrant, and all persons, at the command of any such officer, under a penalty not exceeding ten dollars, shall assist in the execution of the warrant if able to do so.~~

**SECTION 20.** 25-1-627, Colorado Revised Statutes, 1989 Repl. Vol., is repealed as follows:

**25-1-627. Expense - jurisdiction of municipal court.** ~~The reasonable charges of securing such baggage, clothing, or other goods and of transporting and purifying the same shall be paid by the county, city, or town whose board of health is exercising jurisdiction in the premises. In all cities or incorporated towns, all actions provided for in this part 6 may be instituted before the municipal court which has jurisdiction thereof, and police officers and marshals in such cities and towns shall have equal authority with sheriffs in executing the provisions of this part 6.~~

**SECTION 21.** 25-1-628, Colorado Revised Statutes, 1989 Repl. Vol., is repealed as follows:

~~**25-1-628. Attendants - compensation.** Whenever the sheriff or other officer takes possession of houses, stores, lodgings, or other necessities or employs any nurse or attendants, as provided in this part 6, the several parties interested shall be entitled to a just compensation therefor, to be paid by the county, city, or town in which such person or property has been so employed or taken possession of.~~

**SECTION 22.** 25-1-629, Colorado Revised Statutes, 1989 Repl. Vol., is repealed as follows:

~~**25-1-629. Examine or restrain passengers.** The board of health of any town, city, or county near to or bordering upon the neighboring states may appoint suitable persons to attend any places by which travelers may pass into this state from infected places in other states. The persons so appointed may examine such passengers as they may suspect of bringing with them any infection which may be dangerous to public health and, if need be, restrain them from traveling until licensed thereto by the board of health of the town, city, or county to which such person may come. Any person coming from such infected place who, without license, travels within this state, unless it is to travel by the most direct way to the state from which he came, after being cautioned to depart by the persons appointed shall forfeit a sum not exceeding one hundred dollars.~~

**SECTION 23.** Part 2 of article 3 of title 25, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed as follows:

~~**25-3-201. Maternity hospital defined.** Any place into which women are received to be cared for, before, during, or while recovering from parturition, shall be considered a "maternity hospital". A "maternity hospital" is further defined as any place where more than three maternity cases are cared for during one calendar year. This definition includes: Maternity hospitals operated exclusively for maternity cases; a department, ward, or section for maternity cases; a private home or other place making a business of receiving maternity cases, including institutions commonly known as maternity or lying-in hospitals and homes.~~

~~**25-3-202. Enforcement of regulations.** The department of public health and environment has the power to direct and enforce regulations concerning maternity hospitals in the state of Colorado.~~

~~**25-3-203. Adoption of children.** No person licensed by the department of public health and environment to maintain a maternity hospital shall advertise, undertake, or promise that he will adopt any child received or born in any such hospital, nor shall he hold out any promise, reward, or inducement to any parent to part with any such child. No such child shall be given away by any parent or in any manner given out for adoption except in compliance with part 2 of article 5 of title 19, C.R.S., pertaining to adoption.~~

~~**25-3-204. Records not public.** No officer, member, or agent of the department of public health and environment or of any local board of health where any such licensed home or hospital is located nor any keeper of such home or hospital shall~~

divulge or disclose any of the contents of its records relating to illegitimate children born therein or brought thereto as inmates, except as required by a court or for the information of the department of public health and environment or of the local board of health where said home or hospital is located.

**25-3-205. License required.** No person, firm, association, or corporation shall conduct a maternity hospital that receives unmarried women for confinement without a license so to do from the department of public health and environment. Said department is empowered to prescribe and enforce reasonable regulations for the granting, refusing, revoking, or suspending of any such license. Any violation of this part 2 by a licensee shall be grounds for the revocation of any such license, and any such license may be revoked in any instance where, in the opinion of the department of public health and environment, the public welfare requires such action.

**25-3-206. Liberal construction -- expenses.** This part 2 shall be liberally construed with a view to effecting its purpose which is primarily to safeguard the interests of illegitimate children and children of undetermined legitimacy born in maternity hospitals, and to secure for them the nearest possible approximation to the care, support, and education that they would be entitled to receive if born of lawful marriage, which purpose is acknowledged and declared to be the duty of the state, and also to secure from the fathers of such children, when known, the payment of moneys necessarily expended in connection with their birth. No maternity hospital shall receive a child without its mother except in cases of emergency.

**25-3-207. Penalty.** Any person, association, or corporation violating any provisions of this part 2, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars and not less than one hundred dollars, and its license shall be revoked.

**SECTION 24.** Part 6 of article 10.5 of title 27, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed as follows:

**27-10.5-601. Study of group trust funds for the purpose of providing lifetime services and supports to persons with developmental disabilities.** The department and the state planning council on developmental disabilities are directed to study the different approaches to creating group trust funds for the purpose of assisting families in arranging for lifetime services and supports to be provided for a family member with a developmental disability. In conducting such study the department and council shall consider the planned lifetime assistance network proposal which involves the establishment of a nonprofit corporation through which lifetime services and supports for persons with a developmental disability could be purchased and includes the monitoring of services and supports purchased, the appointment of guardians, and the performing of special requests made by the family. The department and council shall also consider the creation of self-sufficiency trusts which involve the creation of private federally insured trusts for investment for the benefit of the person with a developmental disability, the pooling of investment income from self-sufficiency trusts into an account administered by the state and used for purchasing designated services and supports for persons with developmental disabilities, and the creation of a charitable trust for families without the financial means for investing in a private self-sufficiency trust. The department and council shall make a report to the general assembly on or before December 1, 1991. Such report shall include an evaluation of

~~the different approaches studied, recommendations about the efficacy of implementing the different approaches and which approach, if any, should be implemented, and the fiscal impact and benefits of implementing such proposals.~~

**SECTION 25.** 30-10-711, Colorado Revised Statutes, 1986 Repl. Vol., is amended to read:

**30-10-711. Payment of warrants - call published.** (1) County orders and warrants, properly made and issued, shall be entitled to a preference as to payment, according to the order of time in which they may be presented to the county treasurer; but where two or more orders are presented at the same time, precedence shall be given to the order or warrant of the oldest date, and when two or more orders are presented at the same time, and there are no funds to the credit of the proper fund in the treasury to pay the same, the same shall be registered in the order of their date, precedence being given to the warrant of the oldest date. When there is in the treasury, to the credit of any fund, five hundred dollars or more, against which fund there are any outstanding and unpaid lawful warrants or orders, the county treasurer shall immediately give public notice of the fact ~~by publication for thirty days in a newspaper published in the county, or if there is no newspaper published in the county, then~~ by a written notice posted for thirty days at the outer door of the office of the treasurer. The treasurer, at the same time, shall call in for payment all outstanding and unpaid lawful warrants and orders drawn on said fund which the moneys in the treasury will pay and which are entitled to payment from said funds.

(2) Such notice shall also contain the number, date, and amount of such warrants and orders as are entitled to payment and call upon the holders thereof to present the same for payment to the treasurer within thirty days from the day of the ~~first publication or~~ posting of said notice, and that interest on the sums due by said warrants and orders will cease to accrue thereon after the last day of said ~~publication or~~ posting of said notice, and interest shall cease to accrue on said sums accordingly. Such notice shall be dated at the county seat, be signed by the treasurer, and a record of the same be kept in the office of the treasurer in a book provided for that purpose; and such books shall be open to inspection and examination at all reasonable hours. Such funds shall be held by the county treasurer for the payment of the warrants and orders called by him, until the expiration of six years from the date of registry of such warrants and orders, when the same shall be paid out upon such other warrants or orders as are entitled to payment on the day of the expiration of the six years.

**SECTION 26.** Article 6 of title 36, Colorado Revised Statutes, 1990 Repl. Vol., is repealed as follows:

~~**36-6-101. Credit to soldiers, sailors.** Whenever any honorably discharged soldier, sailor, or marine purchases any state lands under the provisions of article 5 of this title, he shall be credited in the purchase of such lands with the sum of one dollar per day for each day of service, within the periods enumerated in section 36-5-101, and the purchase price shall be reduced in such amount.~~

~~**36-6-102. Land board to grant credit.** The governor and the state board of land commissioners, in the sale of state lands to honorably discharged soldiers, sailors, and marines under the provisions of article 5 of this title, are empowered to grant the credit authorized in section 36-6-101.~~

**SECTION 27.** 40-32-103, Colorado Revised Statutes, 1993 Repl. Vol., is repealed as follows:

**40-32-103. Telegraph operators - qualifications.** ~~No railroad company operating a railroad within this state shall hire or employ any persons as telegraph operators for the purpose of receiving or transmitting telegraph messages or train orders for the movement of trains, unless said persons are at least eighteen years of age, and have had not less than one year's experience as a telegraph operator.~~

**SECTION 28.** 40-32-104, Colorado Revised Statutes, 1993 Repl. Vol., is repealed as follows:

**40-32-104. Violation - penalty.** ~~Any railroad company, or any officer or agent thereof, violating the provisions of section 40-32-103, is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars for each and every offense.~~

**SECTION 29.** 42-4-804, Colorado Revised Statutes, 1993 Repl. Vol., as amended, is repealed as follows:

**42-4-804. Pedestrian to use right half of crosswalk.** ~~Pedestrians shall move whenever practicable upon the right half of crosswalks. Any person who violates any provision of this section commits a class B traffic infraction.~~

**SECTION 30.** 42-4-1701 (4) (a) (I) (I), Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended to read:

**42-4-1701. Traffic offenses and infractions classified - penalties - penalty and surcharge schedule.**

(4) (a) (I) (I) **Pedestrian violations:**

42-4-801	\$ 15.00	\$ 2.00
42-4-802	15.00	2.00
42-4-803	15.00	2.00
<del>42-4-804</del>	<del>15.00</del>	<del>2.00</del>
42-4-805	15.00	2.00
42-4-806	35.00	4.00
42-4-807	35.00	4.00
42-4-808	35.00	4.00

**SECTION 31. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 24, 1996