

CHAPTER 180

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 98-1059

BY REPRESENTATIVES Gordon, Bacon, G. Berry, Chavez, Clarke, Dean, Epps, Hagedorn, Hefley, Paschall, Sullivant, and S. Williams;
also SENATORS Dennis, Bishop, Hernandez, Linkhart, Pascoe, and Rupert.

AN ACT

CONCERNING THE IMPOSITION OF INCREASED PENALTIES FOR TRAFFIC VIOLATIONS COMMITTED IN SCHOOL ZONES.

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

SECTION 1. Part 6 of article 4 of title 42, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

42-4-615. School zones - increase in penalties for moving traffic violations.

(1) ANY PERSON WHO COMMITS A MOVING TRAFFIC VIOLATION IN A SCHOOL ZONE IS SUBJECT TO THE INCREASED PENALTIES AND SURCHARGES IMPOSED BY SECTION 42-4-1701 (4) (d).

(2) FOR THE PURPOSES OF THIS SECTION, "SCHOOL ZONE" MEANS AN AREA THAT IS DESIGNATED AS A SCHOOL ZONE AND HAS APPROPRIATE SIGNS POSTED INDICATING THAT THE PENALTIES AND SURCHARGES WILL BE DOUBLED. THE STATE OR LOCAL GOVERNMENT HAVING JURISDICTION OVER THE PLACEMENT OF TRAFFIC SIGNS AND TRAFFIC CONTROL DEVICES IN THE SCHOOL ZONE AREA SHALL DESIGNATE WHEN THE AREA WILL BE DEEMED TO BE A SCHOOL ZONE FOR THE PURPOSES OF THIS SECTION. IN MAKING SUCH DESIGNATION, THE STATE OR LOCAL GOVERNMENT SHALL CONSIDER WHEN INCREASED PENALTIES ARE NECESSARY TO PROTECT THE SAFETY OF SCHOOL CHILDREN.

(3) THIS SECTION DOES NOT APPLY IF THE PENALTY AND SURCHARGE FOR A VIOLATION HAS BEEN DOUBLED PURSUANT TO SECTION 42-4-614 BECAUSE SUCH VIOLATION ALSO OCCURRED WITHIN A HIGHWAY MAINTENANCE, REPAIR, OR CONSTRUCTION ZONE.

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

SECTION 2. 42-4-1701 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

42-4-1701. Traffic offenses and infractions classified - penalties - penalty and surcharge schedule. (4) (d) THE PENALTY AND SURCHARGE IMPOSED FOR ANY MOVING TRAFFIC VIOLATION UNDER SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (4) ARE DOUBLED IF THE VIOLATION OCCURS WITHIN A SCHOOL ZONE PURSUANT TO SECTION 42-4-615.

SECTION 3. Effective date - applicability. This act shall take effect July 1, 1998, and shall apply to offenses committed on or after said date.

SECTION 4. 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 30, 1998