

CHAPTER 372

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 03-333

BY SENATOR(S) May R. and Lamborn;
also REPRESENTATIVE(S) Berry, Borodkin, McFadyen, Pommer, Romanoff, Stafford, and Williams S.

AN ACT**CONCERNING THE USE OF ELECTRONIC FORMATS IN THE ENFORCEMENT OF TRAFFIC LAW.**

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

SECTION 1. 42-4-1718, Colorado Revised Statutes, is amended to read:

42-4-1718. Electronic transmission of data - standards. (1) The department, the judicial department, and the department of public safety shall jointly develop standards for the electronic transmission of any penalty assessment notice or summons and complaint issued pursuant to the provisions of this article or issued pursuant to any county ordinance adopted under section 30-15-401 (1) (h), C.R.S. Such agencies shall consult with county sheriffs, municipal police departments, municipal courts, and the office of transportation safety in the department of transportation in developing such standards. Such standards shall be consistent with requirements of the department for reporting convictions under the provisions of this article and with the requirements of the department of public safety for reporting criminal information under article 21 of title 16, C.R.S. The provisions of this section shall not be interpreted to require any municipality, county, or other government entity to transmit traffic data electronically.

(2) A MUNICIPAL COURT, COUNTY COURT, DISTRICT COURT, OR ANY COURT WITH JURISDICTION OVER VIOLATIONS OF TRAFFIC RULES AND LAWS SHALL NOT DISMISS ANY CHARGES OR REFUSE TO ENFORCE ANY TRAFFIC LAW OR RULE SOLELY BECAUSE A PENALTY ASSESSMENT NOTICE OR SUMMONS AND COMPLAINT ISSUED PURSUANT TO THE STANDARDS ESTABLISHED IN THIS SECTION IS IN ELECTRONIC FORM OR CONTAINS AN ELECTRONIC SIGNATURE.

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. 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: June 5, 2003