

CHAPTER 105

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 04-1262

BY REPRESENTATIVE(S) Lundberg, Butcher, Hall, Spence, Spradley, and Welker;
also SENATOR(S) Cairns, Entz, Lamborn, and Teck.

AN ACT

**CONCERNING A REQUIREMENT THAT A JURISDICTION POST A NOTICE WHEN USING AN AUTOMATED
VEHICLE IDENTIFICATION SYSTEM TO DETECT TRAFFIC CONTROL SIGNAL DISOBEDIENCE.**

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

SECTION 1. 42-4-110.5 (2) (d), Colorado Revised Statutes, is amended to read:

42-4-110.5. Automated vehicle identification systems. (2) A municipality may adopt an ordinance authorizing the use of an automated vehicle identification system to detect violations of traffic regulations adopted by the municipality, or the state, a county, a city and county, or a municipality may utilize an automated vehicle identification system to detect traffic violations under state law, subject to the following conditions and limitations:

(d) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (d), the state, a county, a city and county, or a municipality may not use an automated vehicle identification system unless there is posted an appropriate temporary sign in a conspicuous place not fewer than three hundred feet before the area in which the automated vehicle identification device is to be used notifying the public that an automated vehicle identification device is in use immediately ahead. The requirement of this subparagraph (I) shall not be deemed satisfied by the posting of a permanent sign or signs at the borders of a county, city and county, or municipality, nor by the posting of a permanent sign in an area in which an automated vehicle identification device is to be used, but this subparagraph (I) shall not be deemed a prohibition against the posting of such permanent signs.

(II) ~~This paragraph (d) shall not apply to~~ An automated vehicle identification system designed to detect ~~violations for~~ disobedience to a traffic control signal SHALL NOT BE USED UNLESS THE STATE, A COUNTY, A CITY AND COUNTY, OR A MUNICIPALITY

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

USING SUCH SYSTEM CONSPICUOUSLY POSTS A SIGN AT A REASONABLE DISTANCE NOTIFYING THE PUBLIC THAT AN AUTOMATED VEHICLE IDENTIFICATION DEVICE IS IN USE IMMEDIATELY AHEAD.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution (August 4, 2004, if adjournment sine die is on May 5, 2004); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: April 7, 2004