

CHAPTER 150

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 09-222

BY SENATOR(S) Lundberg, Cadman, Schultheis, Harvey, Renfroe, Scheffel, Brophy, Carroll M., Gibbs, King K., Kopp, Mitchell, Penry, Sandoval, Shaffer B., Tochtrop;
also REPRESENTATIVE(S) Vaad, Gardner C., Kagan, Looper, Priola, Ryden, Todd, Waller, Carroll T., Lambert, May.

AN ACT

CONCERNING STANDARDS FOR A SIGN REQUIRED TO NOTIFY DRIVERS THAT AN AUTOMATED VEHICLE IDENTIFICATION DEVICE IS BEING USED TO DETECT TRAFFIC VIOLATIONS.

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 TO DETECT A VIOLATION OF PART 11 OF THIS ARTICLE OR A LOCAL SPEED ORDINANCE 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) EXCEPT AS PROVIDED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (d), an

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

automated vehicle identification system designed to detect disobedience to a traffic control signal OR ANOTHER VIOLATION OF THIS ARTICLE OR A LOCAL TRAFFIC ORDINANCE shall not be used unless the state, a county, a city and county, or a municipality 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. THE SIGN SHALL:

(A) BE PLACED IN A CONSPICUOUS PLACE NOT FEWER THAN TWO HUNDRED FEET NOR MORE THAN FIVE HUNDRED FEET BEFORE THE AUTOMATED VEHICLE IDENTIFICATION SYSTEM; AND

(B) USE LETTERING THAT IS AT LEAST FOUR INCHES HIGH FOR UPPER CASE LETTERS AND TWO AND NINE-TENTHS INCHES HIGH FOR LOWER CASE LETTERS.

SECTION 2. Act subject to petition - effective date - applicability. (1) 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 5, 2009, if adjournment sine die is on May 6, 2009); 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.

(2) The provisions of this act shall apply to the use of automated vehicle identification devices on or after the applicable effective date of this act.

Approved: April 20, 2009