

HB1072\_L.001

## HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Energy.HB18-1072 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 42-4-110.5, amend  
4 (1) and (2) introductory portion as follows:

5 **42-4-110.5. Automated vehicle identification systems -**  
6 **definition.** (1) The general assembly hereby finds and declares that the  
7 enforcement of traffic laws through the use of automated vehicle  
8 identification systems under this section is a matter of ~~statewide~~ MIXED  
9 STATE AND LOCAL concern and is an area in which uniform state standards  
10 THAT SUPERSEDE CONFLICTING LOCAL CHARTER PROVISIONS AND  
11 ORDINANCES are necessary.

12 (2) EXCEPT AS OTHERWISE PROVIDED IN SECTION 42-4-110.7, a  
13 municipality may adopt an ordinance authorizing the use of an automated  
14 vehicle identification system to detect violations of traffic regulations  
15 adopted by the municipality, or the state, a county, a city and county, or  
16 a municipality may utilize an automated vehicle identification system to  
17 detect traffic violations under state law, subject to the following  
18 conditions and limitations:

19 **SECTION 2.** In Colorado Revised Statutes, **add** 42-4-110.7, as  
20 follows:

21 **42-4-110.7. Automated vehicle identification systems - voter**  
22 **approval - definition.** (1) IF THE STATE, OR A LOCAL GOVERNMENT THAT  
23 IS NOT ALREADY USING AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM  
24 AS OF THE EFFECTIVE DATE OF THIS SECTION, WISHES TO BEGIN USING AN  
25 AUTOMATED VEHICLE IDENTIFICATION SYSTEM, IT SHALL SUBMIT THE  
26 FOLLOWING BALLOT QUESTION TO THE VOTERS OF THE STATE OR OF THE  
27 LOCAL GOVERNMENT, AS APPLICABLE, AT A GENERAL ELECTION: "SHALL  
28 [THE STATE/NAME OF LOCAL GOVERNMENT] BE AUTHORIZED TO USE  
29 AUTOMATED VEHICLE IDENTIFICATION SYSTEMS AT [NAME OF  
30 LOCATIONS]?" IF THE VOTERS APPROVE THE BALLOT QUESTION, THE STATE  
31 OR THE LOCAL GOVERNMENT, AS APPLICABLE, MAY BEGIN TO USE  
32 AUTOMATED VEHICLE IDENTIFICATION SYSTEMS.

33 (2) A LOCAL GOVERNMENT THAT IS USING AN AUTOMATED  
34 VEHICLE IDENTIFICATION SYSTEM AS OF THE EFFECTIVE DATE OF THIS  
35 SECTION AND THAT WISHES TO CONTINUE TO USE AN AUTOMATED VEHICLE  
36 IDENTIFICATION SYSTEM SHALL SUBMIT THE FOLLOWING BALLOT  
37 QUESTION TO ITS VOTERS AT THE 2020 GENERAL ELECTION: "SHALL [NAME  
38 OF LOCAL GOVERNMENT] BE AUTHORIZED TO CONTINUE TO USE AN  
39 AUTOMATED VEHICLE IDENTIFICATION SYSTEM AT [NAME OF

1 LOCATIONS]?" IF THE VOTERS APPROVE THE BALLOT QUESTION, THE LOCAL  
2 GOVERNMENT MAY CONTINUE TO USE AN AUTOMATED VEHICLE  
3 IDENTIFICATION SYSTEM. IF THE VOTERS DO NOT APPROVE THE BALLOT  
4 QUESTION, THE LOCAL GOVERNMENT SHALL DISCONTINUE ITS USE OF AN  
5 AUTOMATED VEHICLE IDENTIFICATION SYSTEM WITHIN TWO MONTHS  
6 AFTER THE DATE OF CERTIFICATION OF THE VOTE ON THE BALLOT  
7 QUESTION. IF THE LOCAL GOVERNMENT CHOOSES NOT TO SUBMIT THE  
8 BALLOT QUESTION, IT SHALL DISCONTINUE ITS USE OF AUTOMATED  
9 VEHICLE IDENTIFICATION SYSTEMS NO LATER THAN NOVEMBER 4, 2020.

10 (3) NOTWITHSTANDING SUBSECTIONS (1) AND (2) OF THIS SECTION,  
11 A GOVERNMENTAL ENTITY OR AGENT THEREOF OR A TOLL ROAD OR TOLL  
12 HIGHWAY OPERATOR MAY USE AN AUTOMATED VEHICLE IDENTIFICATION  
13 SYSTEM TO ASSESS TOLLS AND CHARGES AND ISSUE CITATIONS FOR  
14 VIOLATIONS RELATING TO HIGH OCCUPANCY VEHICLE LANES AND HIGH  
15 OCCUPANCY TOLL LANES PURSUANT TO SECTION 42-4-1012 (1) (d), TO  
16 ASSESS TOLLS AND CIVIL PENALTIES FOR TOLL ROADS AND HIGHWAYS  
17 PURSUANT TO SECTION 43-3-302, AND TO ASSESS TOLLS AND CIVIL  
18 PENALTIES FOR PUBLIC HIGHWAYS PURSUANT TO SECTIONS 43-4-506 AND  
19 43-4-506.5.

20 **SECTION 3. Act subject to petition - effective date.** This act  
21 takes effect at 12:01 a.m. on the day following the expiration of the  
22 ninety-day period after final adjournment of the general assembly (August  
23 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
24 referendum petition is filed pursuant to section 1 (3) of article V of the  
25 state constitution against this act or an item, section, or part of this act  
26 within such period, then the act, item, section, or part will not take effect  
27 unless approved by the people at the general election to be held in  
28 November 2018 and, in such case, will take effect on the date of the  
29 official declaration of the vote thereon by the governor."

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