



**CITY OF MANITOU SPRINGS
POLICE DEPARTMENT
CHIEF OF POLICE: JOE RIBEIRO**



THE MISSION OF THE MANITOU SPRINGS POLICE DEPARTMENT IS TO BUILD AND MAINTAIN A SENSE OF SAFETY AND A HIGH QUALITY OF LIFE THROUGH EXEMPLARY CUSTOMER SERVICE.

Colorado General Assembly
200 East Colfax
Denver, CO 80203

April 15, 2016

Dear Members of the General Assembly,

I urge you and your colleagues to support HB-1437, which provides a narrow change to the existing school bus stop arm statute. This change will allow for the increased enforcement of a law that is too often violated and improve the safety of school children in and around school buses.

Colorado Revised Statute § 42-4-1903 requires that either an officer observe the violation or the bus driver submit a list of information related to the violation, including a description of the vehicle and license plate number, to law enforcement through his dispatcher. After receiving the information, law enforcement must then identify and locate the driver in order to issue a citation. Law enforcement, school districts, and bus drivers agree that it is infeasible for a school bus driver to monitor and record stop arm violations while carrying out his or her primary duties in a safe manner. As a result, school bus driver observed stop arm violations go virtually unenforced in Colorado.

HB-1437 improves the enforceability of C.R.S. § 42-4-1903 by: A) Authorizing law enforcement to enforce stop arm violations based on information and evidence it obtains from any source, and B) Authorizing violations to be enforced by either Penalty Assessment Notice or a Summons and Complaint. The current statute requires violations be pursued by Summons and Complaint only to the driver. With these changes, a Penalty Assessment may be delivered to the registered owner of the vehicle, eliminating the requirement to positively identify the driver. This change will allow law enforcement to be more effective – we can choose to enforce school bus stop arm violations as civil citations but reserve discretion to charge criminally for egregious violations or repeat offenders.

These changes would enable law enforcement to better enforce stop arm violations. The amendment does not create a directive or mandate but simply provides practical enforcement framework should agencies choose to pursue stop arm violations.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Ribeiro".

Joe Ribeiro, Chief of Police