

# **HB 23-1267 CONCERNING INCREASED PENALTIES FOR SPEEDING VIOLATIONS ON HIGHWAYS WITH STEEP DOWNHILL GRADES**

**Sponsored by: Speaker McCluskie, Representative Soper;  
Senators Roberts and Will**

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## **Summary:**

- CDOT has found that speeding is the leading cause of crashes along I-70.
  - This bill would establish that CDOT can designate an area of any state highway where the downhill grade is 5% or greater and where safety concerns exist as a "steep downhill grade zone."
  - In these zones, fines for speeding commercial vehicles are doubled, and one-half of the funds will go toward the Mountain Highways Commercial Motor Vehicle Safety account, with the intention to increase safety and save lives.
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## **Background:**

- Interstate Highway 70 (I-70) spans the United States and is the only east-west highway that crosses Colorado. I-70 is vital in interstate trade, accessibility to the mountains and ski resorts, and the state's overall economic growth.
- I-70's steep grades, windy roads, and unpredictable weather create dangerous conditions for all vehicles, including commercial truck drivers. In particular, road conditions around the Eisenhower Tunnel are hazardous, with steep grades varying from 5% to 6% on either side.
- Since 2019, CMVs have been at fault for 67 injury involving crashes and four fatal crashes in high-grade areas between 6.5-8.4% grades.



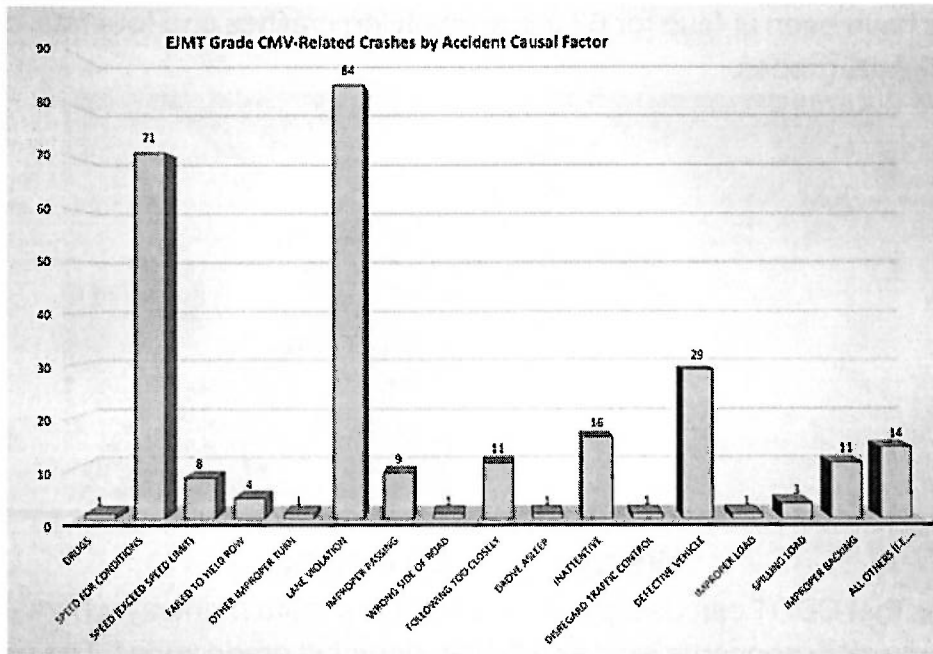
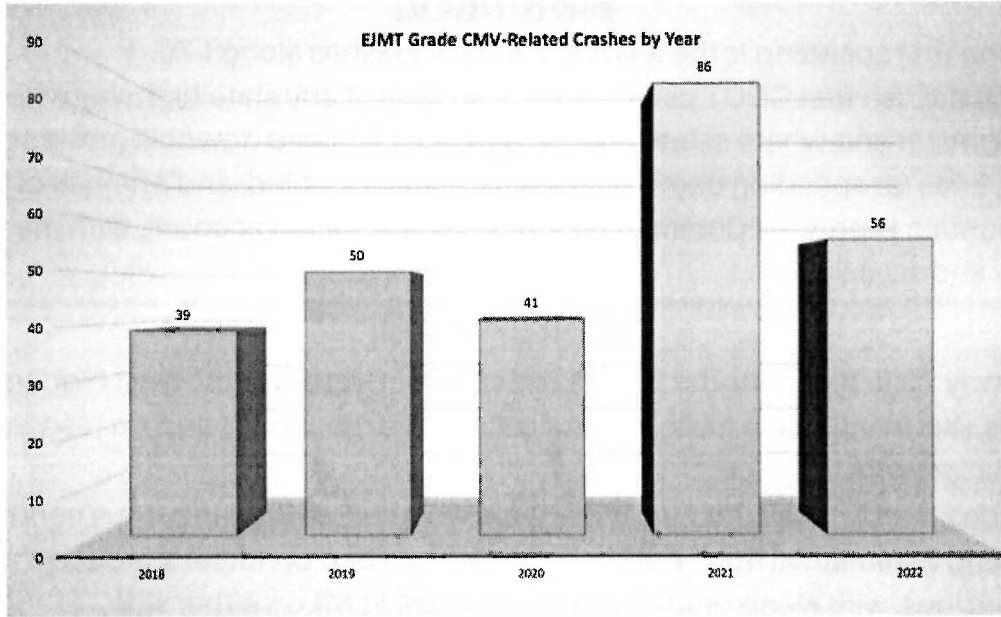
## **What this bill does:**

HB 23-1267 establishes that CDOT can designate an area of any state highway where the downhill grade is 5% or greater and where safety concerns exist as a "steep downhill grade zone." The bill will double the fines for speeding commercial motor vehicles in these zones. The increased penalties will not impact drivers' points. In an area designated as a steep downhill grade zone, CDOT must post signs to communicate the designated zone and increased penalties.

HB23-1267 defines a Commercial Motor Vehicle as:

1. A vehicle weighing over 26,001 lbs;
2. Designed to transport 16 or more passengers, including the driver;
3. Transporting hazardous materials and is required to be placarded in accordance with 49 CFR part 172, subpart F.

- This bill creates the Mountain Highways Commercial Motor Vehicle Safety account within the Highway Users Tax Fund, where one-half of the fine will be allocated.
- The money in the account will go towards educational outreach and public information about runaway truck events, the purchase and implementation of equipment to reduce the frequency of runaway truck events, and the completion of studies of means by which the state may reduce the frequency of runaway truck events and improve overall safety on state highways.
- The act applies to offenses committed on or after September 1, 2023.



Source: CSP

### **Fiscal Impact:**

In FY 2023-24, the bill increases state cash fund expenditures in the DOR by \$54,073 from the DRIVES Account. In addition, upon the designation of a steep grade zone, workload and expenditures to CDOT will increase. The bill increases expenditures in the DOR by \$54,073 in FY 2023-24 to perform computer programming in DRIVES. The bill is expected to minimally increase the amount of state revenue to increased fines.