

LLS NO. 14-0228\_AMENDMENT #1

INTERIM COMMITTEE AMENDMENT

Committee on Transportation Legislation Review.

BY REPRESENTATIVE Tyler

LLS No. 14-0228 be amended as follows:

1 Amend LLS No. 14-0228, strike everything below the enacting clause  
2 and substitute:

3 "SECTION 1. In Colorado Revised Statutes, 42-4-106, add (5)  
4 (a) (IV.5) as follows:

5 **42-4-106. Who may restrict right to use highways.**  
6 (5) (a) (IV.5) A PERSON WHO VIOLATES SUBPARAGRAPH (I) OF THIS  
7 PARAGRAPH (a) WHILE OPERATING A COMMERCIAL VEHICLE ON STATE  
8 HIGHWAY 82 BETWEEN US ROUTE 24 AND THE CITY OF ASPEN IS SUBJECT  
9 TO AN ENHANCED PENALTY AS SET FORTH IN SECTION 42-4-1701 (4) (a) (I)  
10 (F).

11 **SECTION 2.** In Colorado Revised Statutes, 42-4-1701, amend  
12 (4) (a) (I) introductory portion and (4) (a) (I) (F) as follows:

13 **42-4-1701. Traffic offenses and infractions classified -**  
14 **penalties - penalty and surcharge schedule - repeal.** (4) (a) (I) Except  
15 as provided in paragraph (c) of subsection (5) of this section, every  
16 person who is convicted of, who admits liability for, or against whom a  
17 judgment is entered for a violation of any provision of this title to which  
18 paragraph (a) or (b) of subsection (5) of this section apply shall be fined  
19 or penalized, and have a surcharge levied thereon pursuant to sections  
20 24-4.1-119 (1) (f) and 24-4.2-104 (1) (b) (I), C.R.S., in accordance with  
21 the penalty and surcharge schedule set forth in sub-subparagraphs (A) to  
22 (P) of this subparagraph (I); or, if no penalty or surcharge is specified in  
23 the schedule, the penalty for class A and class B traffic infractions shall  
24 be IS fifteen dollars, and the surcharge shall be IS four dollars. These  
25 penalties and surcharges shall apply whether the defendant acknowledges  
26 the defendant's guilt or liability in accordance with the procedure set forth  
27 by paragraph (a) of subsection (5) of this section, or is found guilty by a  
28 court of competent jurisdiction, or has judgment entered against the  
29 defendant by a county court magistrate. Penalties and surcharges for  
30 violating specific sections shall be ARE as follows:

31	Section Violated	Penalty	Surcharge
32	(F) <b>Size, weight, and load violations:</b>		
33	42-4-502	\$ 75.00	\$ 24.00
34	42-4-503	15.00	6.00
35	42-4-504	75.00	24.00
36	42-4-505	75.00	24.00

1	42-4-506	15.00	6.00
2	42-4-509	50.00	16.00
3	42-4-510 (12)(a)	35.00	10.00
4	42-4-106 (1), (3), (4),		
5	(6), or (7)	35.00	10.00
6	42-4-106 (5)(a)(I)	100.00	32.00
7	42-4-106 (5)(a)(II)	500.00	156.00
8	42-4-106 (5)(a)(III)	500.00	78.00
9	42-4-106 (5)(a)(IV)	1,000.00	156.00
10	42-4-106 (5)(a)(IV.5)	2,500.00	156.00
11	42-4-512	75.00	24.00
12	42-8-105 (1) to (5)	50.00	16.00
13	42-8-106	50.00	16.00

14       **SECTION 3. Act subject to petition - effective date -**  
15 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
16 the expiration of the ninety-day period after final adjournment of the  
17 general assembly (August 6, 2014, if adjournment sine die is on May 7,  
18 2014); except that, if a referendum petition is filed pursuant to section 1  
19 (3) of article V of the state constitution against this act or an item, section,  
20 or part of this act within such period, then the act, item, section, or part  
21 will not take effect unless approved by the people at the general election  
22 to be held in November 2014 and, in such case, will take effect on the  
23 date of the official declaration of the vote thereon by the governor.  
24       (2) This act applies to offenses committed on or after the  
25 applicable effective date of this act."

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