

**LOCAL  
FISCAL IMPACT**

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**Drafting Number:** LLS 13-0077 **Date:** January 18, 2013  
**Prime Sponsor(s):** Sen. Renfroe **Bill Status:** Senate SVMA  
 Rep. Humphrey **Fiscal Analyst:** Kelli Kelty (303-866-3518)

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**TITLE:** CONCERNING THE ELIMINATION OF THE USE OF AUTOMATED VEHICLE IDENTIFICATION SYSTEMS FOR TRAFFIC LAW ENFORCEMENT.

<b>Fiscal Impact Summary</b>	<b>FY 2013-2014</b>	<b>FY 2014-2015</b>
<b>State Revenue</b>		
<b>State Expenditures</b>	See State Expenditures section.	
<b>FTE Position Change</b>		
<b>Effective Date:</b> August 7, 2013, if the General Assembly adjourns on May 8, 2013, as scheduled, and no referendum petition is filed.		
<b>Appropriation Summary for FY 2013-2014:</b> None.		
<b>Local Government Impact:</b> See Local Government Impact Section.		

**Summary of Legislation**

This bill prohibits the use of automated vehicle identification systems, including photo radar and "red light cameras" for traffic law enforcement. Under the bill, an automated vehicle identification system may be used on a toll road or highway to assess toll charges and issue citations for related violations.

**Background**

As described below, fines for traffic enforcement are set by statute at no more than \$40 for speeding and \$75 for running a red light. Under current law, in the instance of either fine, the driver is served a penalty assessment notice or summons within 90 days of the alleged violation. An automated vehicle identification system may not be used to detect traffic enforcement violations unless there are adequate signs notifying the public that the automated vehicle identification system is in use.

**Speed limit violations.** Under current law, if an automated vehicle identification system detects an individual driving less than 10 miles per hour over the speed limit, and the violation is the first such violation by the driver, then the state, county, city and county, or municipality shall mail the driver a warning notifying him or her of the violation. The driver may not be required to pay a penalty or surcharge for the first violation. A second or subsequent violation is a fine of \$40. If a second or subsequent violation occurs within a school zone, the maximum penalty shall be doubled.

**Traffic control signal violations.** Under current law, if an automated vehicle identification system detects disobedience to a traffic control signal by a driver, such as running a red light, the maximum penalty that can be imposed is \$75.

**State Expenditures**

While provisions of the bill repeal the CDOT's ability to use the Colorado State Patrol (CSP) to monitor areas within a highway maintenance, repair, or construction zone for speeding violations, this monitoring by the CSP was never implemented and, as such, the bill does not does impact state expenditures.

**Local Government Impact**

**Beginning in FY 2013-14, local government fine revenue is anticipated to decrease by at least \$14 million.** Local governments use fine revenue to pay for the installation and maintenance of the photo radar and red light camera systems, as well as other community programs. There are currently nine cities in Colorado that use photo radar and red light cameras. Table 1 summarizes data provided by all nine jurisdictions.

<b>City</b>	<b>Speed Photo Radar Revenue</b>	<b>Red Light Camera Fine Revenue</b>	<b>Cost of the Program</b>	<b>Total Fine Revenue</b>
Aurora	No photo radar	\$3.2 million	\$1.3 million	\$3.2 million
Boulder	\$415,996	\$915,200	\$1.4 million	\$1.3 million
Cherry Hills Village	No photo radar	\$76,860	\$58,139	\$76,860
Commerce City	No photo radar	\$356,225	\$186,478	\$356,225
Denver	\$5.8 million	\$1.6 million	\$2.7 million**	\$7.4 million
Fort Collins*	Not provided	Not provided	\$359,040	\$574,359
Greenwood Village	No photo radar	\$595,221	\$469,030	\$595,221
Littleton	No photo radar	\$804,634	\$678,806	\$804,634
Pueblo	No photo radar	\$158,696	\$158,116	\$158,696
<b>Total Revenue</b>				<b>\$14.5 million</b>

\* Fort Collins data is for January-November 2011

\*\* Cost of the program in 2011. Costs for 2012 were not available at the time the fiscal note was written.

**Departments Contacted**

Judicial  
Transportation

Public Safety  
Counties

Revenue