Second Regular Session Sixty-ninth General Assembly STATE OF COLORADO

DRAFT 10.23.13

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LLS NO. 14-0228.01 Jery Payne x2157

INTERIM COMMITTEE BILL

Transportation Legislation Review Committee

SHORT TITLE: "Highway Restriction Violation Penalties"

A BILL FOR AN ACT

101 CONCERNING THE PENALTY FOR VIOLATING A ROAD RESTRICTION.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://www.leg.state.co.us/billsummaries.)

Transportation Legislation Review Committee. The bill raises the fine for the operator of a commercial vehicle who violates a road closure or road restriction from \$500 to \$2,000, and, when the violation of a restriction (e.g., chains required) results in the closure of a travel lane, the fine is increased to \$2,500. In addition, two license suspension points are imposed for each of these violations.

Be it enacted by the General Assembly of the State of Colorado:

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2 **SECTION 1.** In Colorado Revised Statutes, 42-4-1701, **amend** 3 (4) (a) (I) introductory portion and (4) (a) (I) (F) as follows:

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

22	Section Violated	Penalty	Surcharge
23	(F) Size, weight, and load violations:		
24	42-4-502	\$ 75.00	\$ 24.00
25	42-4-503	15.00	6.00
26	42-4-504	75.00	24.00
27	42-4-505	75.00	24.00

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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)(III) 2,000.00 156.00			
10	42-4-106 (5)(a)(IV) 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 2. In Colorado Revised Statutes, 42-2-127, add (5)			
15	15 (ll) as follows:			
16	42-2-127. Authority to suspend license - to deny license - type			
of conviction - points. (5) Point system schedule:				
18	Type of conviction Points			
19	(11) EFFECTIVE JULY 1, 2015, DRIVING IN VIOLATION OF A			
20	HIGHWAY RESTRICTION UNDER SECTION 42-4-106			
21	SECTION 3. Act subject to petition - effective date -			
22	applicability. (1) This act takes effect at 12:01 a.m. on the day following			
23	the expiration of the ninety-day period after final adjournment of the			
24	general assembly (August 6, 2014, if adjournment sine die is on May 7,			
25	2014); except that, if a referendum petition is filed pursuant to section 1			
26	(3) of article V of the state constitution against this act or an item, section,			
27	or part of this act within such period, then the act, item, section, or part			

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- will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.
- 4 (2) This act applies to offenses committed on or after the applicable effective date of this act.

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