

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 24-1133.01 Jason Gelender x4330

SENATE BILL 24-195

SENATE SPONSORSHIP

Winter F. and Cutter, Kolker, Michaelson Jenet, Priola

HOUSE SPONSORSHIP

Lindsay and Lindstedt,

Senate Committees
Transportation & Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING PROTECTION OF VULNERABLE ROAD USERS.**

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://leg.colorado.gov>.)

Section 1 of the bill amends the statute that governs the use of automated vehicle identification systems (AVIS) on roadways other than toll highways operated by a public highway authority or the high-performance transportation enterprise in the department of transportation (CDOT) to:

- Clarify that CDOT and the Colorado state patrol (CSP) have authority to use AVIS to detect traffic violations on any portion of a highway that is part of the state highway

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
3rd Reading Unamended
April 23, 2024

SENATE
Amended 2nd Reading
April 22, 2024

system (state highway), which generally includes federal interstate highways, U.S. highways, highways that are not part of any federal system but are declared by the transportation commission to be part of the state highway system, and other federal-aid highways;

- Clarify that the state has final authority to authorize the use of AVIS by a local government on a state highway; and
- Authorize CDOT, in consultation with the CSP, to promulgate rules, including rules governing the process by which use of AVIS is approved or disapproved, rules governing the AVIS enforcement process, and rules setting the amount of civil penalties, including increased civil penalties for traffic violations detected by AVIS that occur in work zones or school zones, for traffic violation detected by AVIS used by the state.

Section 1 also:

- Requires a local government to coordinate with CDOT and the Colorado state patrol both before designating an AVIS corridor on a state highway and before actually using AVIS on a state highway rather than only before actually using AVIS; and
- Requires civil penalties collected by the state for traffic violations detected by AVIS, net of court and operations costs, to be credited to the state highway fund and used only to fund road safety projects that protect vulnerable road users.

Section 2 requires CDOT to establish and include in its statutorily required performance plan declining annual targets for vulnerable road user fatalities and, as part of the targets, also establish engineering methodology and internal education requirements for practices to prioritize safety over speed on high-injury networks.

For state fiscal year 2025-26 and each succeeding state fiscal year, **section 3** requires CDOT, after accounting for eligible critical safety-related asset management surface transportation infrastructure projects and as determined by the transportation commission, to expend a specified minimum amount of the money credited to the state highway fund from the road safety surcharge and certain other fees, fines, and surcharges that are imposed on motor vehicle registrations and dedicated for certain types of road safety projects that protect vulnerable road users.

To guide CDOT in implementing **sections 2 and 3**, **section 4** amends an existing definition of "road safety project" to include certain types of projects that protect vulnerable road users and defines the term "vulnerable road user".

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-110.5, **amend**
3 (2) introductory portion, (2)(g)(I), (2)(g)(IV), (4)(b)(III), and (4.5); repeal
4 (1.7), and (6); and add (1.1), (2)(g)(I.3), (2)(g)(I.4), (2)(g)(I.5),
5 (2)(g)(I.6), (2)(g)(I.7), (2.5), and (8) as follows:

6 **42-4-110.5. Automated vehicle identification systems -**
7 **exceptions to liability - penalty - limits on use of photographs and**
8 **video - rules - legislative declaration - definitions.** (1.1) AS USED IN
9 THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

10 (a) (I) "AUTOMATED VEHICLE IDENTIFICATION SYSTEM" MEANS A
11 SYSTEM WHEREBY:

12 (A) A MACHINE IS USED TO AUTOMATICALLY DETECT A VIOLATION
13 OF A TRAFFIC REGULATION AND SIMULTANEOUSLY RECORD A PHOTOGRAPH
14 OF THE VEHICLE AND THE LICENSE PLATE OF THE VEHICLE; AND

15 (B) A NOTICE OF VIOLATION OR CIVIL PENALTY ASSESSMENT
16 NOTICE MAY BE ISSUED TO THE REGISTERED OWNER OF THE MOTOR
17 VEHICLE.

18 (II) "AUTOMATED VEHICLE IDENTIFICATION SYSTEM" INCLUDES A
19 SYSTEM USED TO DETECT A VIOLATION OF PART 11 OF THIS ARTICLE 4 OR
20 A LOCAL SPEED ORDINANCE, A SYSTEM USED TO DETECT VIOLATIONS OF
21 TRAFFIC RESTRICTIONS IMPOSED BY TRAFFIC SIGNALS OR TRAFFIC SIGNS,
22 AND A SYSTEM USED TO DETECT VIOLATIONS OF BUS LANE OR BICYCLE
23 LANE RESTRICTIONS.

24 (b) "STATE", NOTWITHSTANDING SECTION 42-1-102 (95), MEANS
25 THE STATE OF COLORADO ACTING THROUGH THE DEPARTMENT OF PUBLIC
26 SAFETY OR THE DEPARTMENT OF TRANSPORTATION.

27 (c) "STATE HIGHWAY" MEANS ANY HIGHWAY THAT IS OWNED BY

1 OR MAINTAINED BY THE STATE. "STATE HIGHWAY" DOES NOT INCLUDE A
2 PUBLIC HIGHWAY OPERATED BY A PUBLIC HIGHWAY AUTHORITY IN
3 ACCORDANCE WITH THE "PUBLIC HIGHWAY AUTHORITY LAW", PART 5 OF
4 ARTICLE 4 OF TITLE 43.

5 (1.7) (a) (I) ~~Upon request from the department of transportation,~~
6 ~~the department of public safety shall utilize an automated vehicle~~
7 ~~identification system to detect speeding violations under part 11 of this~~
8 ~~article 4 within a highway maintenance, repair, or construction zone~~
9 ~~designated pursuant to section 42-4-614(1)(a), if the department of public~~
10 ~~safety complies with subsections (2) to (6) of this section. An automated~~
11 ~~vehicle identification system shall not be used under this subsection (1.7)~~
12 ~~unless maintenance, repair, or construction is occurring at the time the~~
13 ~~system is being used.~~

14 (H) ~~The department of public safety may contract with a vendor~~
15 ~~to implement this subsection (1.7), including to:~~

- 16 (A) ~~Notify violators;~~
- 17 (B) ~~Collect and remit the penalties and surcharges to the state~~
18 ~~treasury less the vendor's expenses;~~
- 19 (C) ~~Reconcile payments against outstanding violations;~~
- 20 (D) ~~Implement collection efforts; and~~
- 21 (E) ~~Notify the department of public safety of unpaid violations for~~
22 ~~possible referral to the judicial system.~~

23 (H) ~~If the department of public safety contracts with a vendor, the~~
24 ~~contract must incorporate the processing elements specified by the~~
25 ~~department of public safety.~~

26 (IV) ~~No notice of violation or civil penalty assessment or a penalty~~
27 ~~or surcharge for a violation detected by an automated vehicle~~

1 identification system under this subsection (1.7) shall be forwarded to the
2 department for processing.

3 ~~(b) The department of transportation shall reimburse the~~
4 ~~department of public safety for the direct and indirect costs of complying~~
5 ~~with this subsection (1.7).~~

6 (2) A county, CITY AND COUNTY, or municipality may adopt an
7 ordinance authorizing the use of an automated vehicle identification
8 system to detect violations of traffic regulations adopted by the county,
9 CITY AND COUNTY, or municipality, or the state, a county, a city and
10 county, or a municipality may utilize an automated vehicle identification
11 system to detect traffic violations under state law, subject to the following
12 conditions and limitations AND, AS APPLICABLE, THE REQUIREMENTS FOR
13 STATE HIGHWAYS SET FORTH IN AND ANY RULES ADOPTED BY THE
14 DEPARTMENT OF TRANSPORTATION PURSUANT TO SUBSECTION (2.5) OF
15 THIS SECTION:

16 (g) (I) The state, a county, a city and county, or a municipality
17 shall not issue a notice of violation or civil penalty assessment notice for
18 a violation detected using an automated vehicle identification system
19 unless the violation occurred within a school zone, as defined in section
20 42-4-615; within a residential neighborhood; within a maintenance,
21 construction, or repair zone designated pursuant to section 42-4-614;
22 along a street that borders a municipal park; or along a street or portion
23 of a street that a county, CITY AND COUNTY, or municipality, by ordinance
24 or by a resolution of its governing body, designates as an automated
25 vehicle identification corridor, on which designated corridor the county,
26 CITY AND COUNTY, or municipality may locate an automated vehicle
27 identification system to detect violations of a county, CITY AND COUNTY,

1 or municipal traffic regulation or a traffic violation under state law.
2 Before a county or municipality begins operation of an automated vehicle
3 identification system in an automated vehicle identification corridor, the
4 county or municipality must:

5 (A) Post a permanent sign in a conspicuous place not fewer than
6 three hundred feet before the beginning of the corridor and a permanent
7 sign not fewer than three hundred feet before each camera within the
8 corridor thereafter or a temporary sign not fewer than three hundred feet
9 before any mobile camera;

10 (B) Illustrate, through data collected within the past five years,
11 incidents of crashes, speeding, reckless driving, or community complaints
12 on a street designated as an automated vehicle identification corridor; and

13 (C) Coordinate between the local jurisdiction, the department of
14 transportation, and the Colorado state patrol.

15 (I.3) BEFORE A COUNTY, A CITY AND COUNTY, OR A MUNICIPALITY
16 DESIGNATES AN AUTOMATED VEHICLE IDENTIFICATION CORRIDOR ON A
17 STATE HIGHWAY, THE COUNTY, CITY AND COUNTY, OR MUNICIPALITY
18 SHALL NOTIFY THE DEPARTMENT OF TRANSPORTATION. IF A COUNTY, CITY
19 AND COUNTY, OR MUNICIPALITY DESIGNATES AN AUTOMATED VEHICLE
20 IDENTIFICATION CORRIDOR ON A STATE HIGHWAY BY ORDINANCE OR
21 RESOLUTION BEFORE JANUARY 1, 2025, IT MAY PROCEED WITHOUT HAVING
22 PROVIDED THIS NOTIFICATION TO THE DEPARTMENT OF TRANSPORTATION.

23 (I.4) AFTER A COUNTY, CITY AND COUNTY, OR A MUNICIPALITY
24 DESIGNATES AN AUTOMATED VEHICLE IDENTIFICATION CORRIDOR ON A
25 STATE HIGHWAY, THE COUNTY, CITY AND COUNTY, OR MUNICIPALITY
26 SHALL COORDINATE WITH THE DEPARTMENT OF TRANSPORTATION.
27 COORDINATION MUST INCLUDE DEMONSTRATING THAT THE

1 REQUIREMENTS SET FORTH IN SUBSECTION (2)(g)(I.7)(B) OF THIS SECTION
2 HAVE BEEN MET AND, IF NEEDED, APPLYING FOR A SPECIAL USE PERMIT TO
3 INSTALL ANY DEVICES OR SIGNAGE ON DEPARTMENT OF TRANSPORTATION
4 RIGHT-OF-WAY IF THE SEGMENT OF HIGHWAY IN QUESTION IS MAINTAINED
5 BY THE STATE. A COUNTY, CITY AND COUNTY, OR MUNICIPALITY SHALL
6 ALERT THE DEPARTMENT OF TRANSPORTATION WHEN THE AUTOMATED
7 VEHICLE IDENTIFICATION CORRIDOR BEGINS OPERATIONS OR
8 PERMANENTLY CEASES OPERATIONS ON A STATE HIGHWAY. THE
9 DEPARTMENT OF TRANSPORTATION SHALL NOTIFY THE COLORADO STATE
10 PATROL WHEN A COUNTY, CITY AND COUNTY, OR MUNICIPALITY
11 COORDINATES WITH THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH
12 AN AUTOMATED VEHICLE IDENTIFICATION CORRIDOR ON A STATE
13 HIGHWAY.

14 (I.5) BEFORE A COUNTY, CITY AND COUNTY, OR MUNICIPALITY
15 BEGINS THE OPERATION OF AN AUTOMATED VEHICLE IDENTIFICATION
16 SYSTEM IN AN AUTOMATED VEHICLE IDENTIFICATION CORRIDOR ON A
17 COUNTY ROAD, THE COUNTY, CITY AND COUNTY, OR MUNICIPALITY SHALL
18 NOTIFY THE COLORADO STATE PATROL.

19 (I.6) BEFORE THE STATE DESIGNATES AN AUTOMATED VEHICLE
20 IDENTIFICATION CORRIDOR ON A STATE HIGHWAY LOCATED WITHIN THE
21 BOUNDARIES OF A COUNTY, A CITY AND COUNTY, OR A MUNICIPALITY, AND
22 BEFORE THE STATE BEGINS OPERATION OF AN AUTOMATED VEHICLE
23 IDENTIFICATION CORRIDOR ON A STATE HIGHWAY, THE STATE SHALL
24 COORDINATE WITH THE RESPECTIVE COUNTY, CITY AND COUNTY, OR
25 MUNICIPALITY.

26 (I.7) BEFORE THE STATE, A COUNTY, CITY AND COUNTY, OR
27 MUNICIPALITY BEGINS OPERATION OF AN AUTOMATED VEHICLE

1 IDENTIFICATION SYSTEM IN AN AUTOMATED VEHICLE IDENTIFICATION
2 CORRIDOR, THE STATE, COUNTY, CITY AND COUNTY, OR MUNICIPALITY
3 MUST:

4 (A) POST A PERMANENT SIGN IN A CONSPICUOUS PLACE NOT FEWER
5 THAN THREE HUNDRED FEET BEFORE THE BEGINNING OF THE CORRIDOR
6 AND A PERMANENT SIGN NOT FEWER THAN THREE HUNDRED FEET BEFORE
7 EACH CAMERA WITHIN THE CORRIDOR THEREAFTER OR A TEMPORARY SIGN
8 NOT FEWER THAN THREE HUNDRED FEET BEFORE ANY MOBILE CAMERA;
9 AND

10 (B) ILLUSTRATE, THROUGH DATA COLLECTED WITHIN THE PAST
11 FIVE YEARS, INCIDENTS OF CRASHES, SPEEDING, RECKLESS DRIVING, OR
12 COMMUNITY COMPLAINTS ON A STREET DESIGNATED AS AN AUTOMATED
13 VEHICLE IDENTIFICATION CORRIDOR.

14 (IV) THE STATE, a county, A CITY AND COUNTY, or A municipality
15 implementing an automated vehicle identification corridor pursuant to
16 subsection (2)(g)(I) of this section shall publish a report on its website
17 disclosing the number of citations and revenue generated by the
18 automated vehicle identification corridor.

19 (2.5)(a) THE STATE MAY USE AN AUTOMATED VEHICLE
20 IDENTIFICATION SYSTEM ON ANY PORTION OF A STATE HIGHWAY. THE
21 DEPARTMENT OF TRANSPORTATION MAY PROMULGATE RULES TO
22 IMPLEMENT THE PROVISIONS OF THIS SECTION RELATING TO THE USE OF
23 AUTOMATED VEHICLE IDENTIFICATION SYSTEMS BY THE DEPARTMENT OF
24 TRANSPORTATION ON STATE HIGHWAYS, INCLUDING BUT NOT LIMITED TO
25 RULES THAT:

26 (I) SPECIFY PRIORITIZATION CRITERIA THAT THE DEPARTMENT OF
27 TRANSPORTATION WILL USE TO DETERMINE WHICH ENTITY IS AUTHORIZED

1 TO USE AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM IF MULTIPLE
2 ENTITIES SEEK AUTHORIZATION TO USE AN AUTOMATED VEHICLE
3 IDENTIFICATION SYSTEM ON THE SAME PORTION OF A STATE HIGHWAY.
4 THE CRITERIA MUST SPECIFY THAT THE DEPARTMENT OF TRANSPORTATION
5 MUST GIVE PREFERENCE TO AN ENTITY THAT HAS THE PRIMARY
6 RESPONSIBILITY FOR REGULATION AND ENFORCEMENT OF TRAFFIC
7 RESTRICTIONS ON THE PORTION OF A STATE HIGHWAY ON WHICH AN
8 AUTOMATED VEHICLE IDENTIFICATION SYSTEM IS TO BE USED.

9 (II) SPECIFY, CONSISTENT WITH THE REQUIREMENTS OF
10 SUBSECTION (2)(a) OF THIS SECTION, THE PROCESS THAT THE STATE WILL
11 USE TO NOTIFY A COUNTY, CITY AND COUNTY, OR MUNICIPALITY THAT THE
12 STATE WILL BE USING AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM
13 WITHIN ITS JURISDICTION AND THE ADMINISTRATIVE AND ENFORCEMENT
14 PROCESS THAT THE DEPARTMENT OF TRANSPORTATION WILL USE TO
15 ADMINISTER, HEAR, AND RESOLVE A TRAFFIC VIOLATION DETECTED
16 THROUGH THE USE BY THE DEPARTMENT OF TRANSPORTATION OF AN
17 AUTOMATED VEHICLE IDENTIFICATION SYSTEM;

18 (III) ESTABLISH, SUBJECT TO THE CAPS SET FORTH IN SUBSECTIONS
19 (4)(b) AND (4.5) OF THIS SECTION AND ANY OTHER PROVISION OF LAW, THE
20 AMOUNT OF CIVIL PENALTIES IMPOSED FOR TRAFFIC VIOLATIONS DETECTED
21 THROUGH THE USE BY THE DEPARTMENT OF TRANSPORTATION OF AN
22 AUTOMATED VEHICLE IDENTIFICATION SYSTEM; ==

23 (IV) ESTABLISH AN ADMINISTRATIVE HEARING PROCESS THAT
24 COMPLIES WITH SUBSECTIONS (2)(a)(IV) THROUGH (2)(a)(VIII) OF THIS
25 SECTION, INCLUDING THE ABILITY TO RETAIN AND CONTRACT WITH
26 IMPARTIAL HEARING OFFICERS AND THE ABILITY FOR IMPARTIAL HEARING
27 OFFICERS TO ISSUE FINAL ORDERS REQUIRED BY SUBSECTION 2(a)(VII) OF

1 THIS SECTION; AND

2 (V) PROVIDE, CONSISTENT WITH THIS SECTION, ANY ADDITIONAL
3 REQUIREMENTS, GUIDANCE, OR CLARIFICATION THAT THE DEPARTMENT OF
4 TRANSPORTATION DEEMS NECESSARY OR APPROPRIATE TO IMPLEMENT
5 THIS SECTION.

6 (b) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE
7 DEPARTMENT OF TRANSPORTATION CONSULT WITH THE COLORADO STATE
8 PATROL WHEN PROMULGATING RULES RELATING TO THE USE OF
9 AUTOMATED VEHICLE IDENTIFICATION SYSTEMS AND BEFORE
10 AUTHORIZING THE USE OF AN AUTOMATED VEHICLE IDENTIFICATION
11 SYSTEM BY THE STATE OR A COUNTY, A CITY AND COUNTY, OR A
12 MUNICIPALITY ON ANY PORTION OF A STATE HIGHWAY. IT IS ALSO THE
13 INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT OF
14 TRANSPORTATION CONSULT WITH COUNTIES, CITY AND COUNTIES, AND
15 MUNICIPALITIES WHEN PROMULGATING RULES RELATING TO THE USE OF
16 AUTOMATED VEHICLE IDENTIFICATION SYSTEMS.

17 (c) THE PROVISIONS OF THIS SUBSECTION (2.5) DO NOT APPLY TO
18 AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM ON A STATE HIGHWAY
19 THAT A COUNTY, CITY AND COUNTY, OR MUNICIPALITY HAS IMPLEMENTED
20 OR DESIGNATED BY ORDINANCE OR RESOLUTION BEFORE JANUARY 1, 2025,
21 OR BEFORE THE DEPARTMENT OF TRANSPORTATION ADOPTS RULES
22 PURSUANT TO SUBSECTION (2.5)(a) OF THIS SECTION, WHICHEVER OCCURS
23 LATER. THIS SUBSECTION (2.5) DOES NOT REQUIRE A COUNTY, CITY AND
24 COUNTY, OR MUNICIPALITY TO REMOVE OR STOP THE IMPLEMENTATION OF
25 AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM THAT WAS PLACED ON
26 ANY PORTION OF A STATE HIGHWAY OR DESIGNATED BY ORDINANCE OR
27 RESOLUTION BEFORE JANUARY 1, 2025, OR BEFORE THE DEPARTMENT OF

1 TRANSPORTATION ADOPTS RULES PURSUANT TO SUBSECTION (2.5)(a) OF
2 THIS SECTION, WHICHEVER OCCURS LATER.

3

4 (III) Subsection (4)(b)(I) of this section does not apply within a
5 maintenance, construction, or repair zone designated pursuant to section
6 42-4-614 OR A SCHOOL ZONE, AS DEFINED IN SECTION 42-4-615 (2).

7 (4.5) (a) If the state, a county, a city and county, or a municipality
8 detects a violation of a county, CITY AND COUNTY, or municipal traffic
9 regulation or traffic violation under state law for disobedience to a traffic
10 control signal through the use of an automated vehicle identification
11 system, the maximum civil penalty that the state, a county, a city and
12 county, or a municipality may impose for such violation, including any
13 surcharge, is seventy-five dollars.

14 (b) SUBSECTION (4.5)(a) OF THIS SECTION DOES NOT APPLY WITHIN
15 A MAINTENANCE, CONSTRUCTION, OR REPAIR ZONE DESIGNATED
16 PURSUANT TO SECTION 42-4-614 OR A SCHOOL ZONE, AS DEFINED IN
17 SECTION 42-4-615 (2).

18 (6) (a) ~~As used in this section, the term "automated vehicle~~
19 ~~identification system" means a system whereby:~~

20 (I) ~~A machine is used to automatically detect a violation of a~~
21 ~~traffic regulation and simultaneously record a photograph of the vehicle,~~
22 ~~the operator of the vehicle, and the license plate of the vehicle; and~~

23 (II) ~~A notice of violation or civil penalty assessment notice may~~
24 ~~be issued to the registered owner of the motor vehicle.~~

25 (b) ~~"Automated vehicle identification system" includes a system~~
26 ~~used to detect a violation of part 11 of this article 4 or a local speed~~
27 ~~ordinance, a system used to detect violations of traffic restrictions~~

1 ~~imposed by traffic signals or traffic signs, and a system used to detect~~
2 ~~violations of bus lane or bicycle lane restrictions.~~

3 (8) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
4 AGGREGATE AMOUNT OF REVENUE, EXCLUSIVE OF COURT AND
5 OPERATIONS COSTS, COLLECTED BY THE STATE AS CIVIL PENALTIES FOR
6 VIOLATIONS DETECTED BY AUTOMATED VEHICLE IDENTIFICATION SYSTEMS
7 MUST BE CREDITED TO THE STATE HIGHWAY FUND AND USED BY THE
8 DEPARTMENT ONLY TO FUND ROAD SAFETY PROJECTS, AS DEFINED IN
9 SECTION 43-4-803 (21), OF THE TYPE DESCRIBED IN SECTION 43-4-803
10 (21)(b).

11 **SECTION 2.** In Colorado Revised Statutes, **add** 43-1-132 as
12 follows:

13 **43-1-132. Vulnerable road user fatality reduction targets -**
14 **requirements.** (1) AS PART OF ITS EFFORT TO REDUCE FATALITIES FOR
15 VULNERABLE ROAD USERS, AS DEFINED IN SECTION 43-4-803 (29), THE
16 DEPARTMENT SHALL ESTABLISH DECLINING ANNUAL TARGETS FOR
17 VULNERABLE ROAD USER FATALITIES AS PART OF ITS PERFORMANCE PLAN
18 REQUIRED BY SECTION 2-7-204 (3).

19 (2) AS PART OF THE TARGETS ESTABLISHED IN SUBSECTION (1) OF
20 THIS SECTION, THE DEPARTMENT SHALL ESTABLISH ENGINEERING
21 METHODOLOGY AND INTERNAL EDUCATION REQUIREMENTS FOR PRACTICES
22 TO PRIORITIZE SAFETY OVER SPEED ON HIGH-INJURY NETWORKS.

23 **SECTION 3.** In Colorado Revised Statutes, 43-4-206, **amend** (3)
24 as follows:

25 **43-4-206. State allocation.** (3) The revenue ~~credited~~ ALLOCATED
26 to the ~~highway users tax fund~~ STATE HIGHWAY FUND pursuant to section
27 SECTIONS 43-4-205 (6.3) AND 43-4-205 (6)(b)(I) ~~shall~~ MUST be expended

1 by the department of transportation only for road safety projects, as
2 defined in section 43-4-803 (21); except that the department shall, in
3 furtherance of its duty to supervise state highways and as a consequence
4 in compliance with section 43-4-810:

5 (a) Expend ten million dollars per year of the ~~revenues~~ REVENUE
6 for the planning, designing, engineering, acquisition, installation,
7 construction, repair, reconstruction, maintenance, operation, or
8 administration of transit-related projects, including, but not limited to,
9 designated bicycle or pedestrian lanes of highway, CROSSING
10 IMPROVEMENTS, and infrastructure needed to integrate different
11 transportation modes within a multimodal transportation system that
12 enhance the safety of state highways for transit users; AND

13 (b) (I) ALLOCATE, FOR STATE FISCAL YEAR 2025-26 AND EACH
14 SUCCEEDING STATE FISCAL YEAR, AFTER ACCOUNTING FOR CRITICAL
15 SAFETY-RELATED ASSET MANAGEMENT SURFACE TRANSPORTATION
16 INFRASTRUCTURE PROJECTS ELIGIBLE FOR FUNDING PURSUANT TO SECTION
17 43-4-803 (21)(a) AND AS DETERMINED BY THE TRANSPORTATION
18 COMMISSION, AT LEAST TEN PERCENT OF THE REMAINING REVENUE BUT NO
19 LESS THAN SEVEN MILLION DOLLARS, AS ADJUSTED PURSUANT TO
20 SUBSECTION (3)(b)(II) OF THIS SECTION FOR STATE FISCAL YEAR 2026-27
21 AND EACH SUCCEEDING STATE FISCAL YEAR, FOR THE TYPES OF ROAD
22 SAFETY PROJECTS DESCRIBED IN SECTION 43-4-803 (21)(b).

23 (II) FOR STATE FISCAL YEAR 2026-27 AND EACH SUCCEEDING
24 STATE FISCAL YEAR, THE MINIMUM DOLLAR AMOUNT OF ALLOCATION
25 REQUIRED BY SUBSECTION (3)(b)(I) OF THIS SECTION IS SEVEN MILLION
26 DOLLARS, ADJUSTED FOR THE CUMULATIVE PERCENTAGE CHANGE IN THE
27 AMOUNT OF REVENUE ACTUALLY CREDITED TO THE STATE HIGHWAY FUND

1 PURSUANT TO SECTION 43-4-205 (6.3) FROM STATE FISCAL YEAR 2024-25
2 THROUGH THE PRIOR STATE FISCAL YEAR.

3 **SECTION 4.** In Colorado Revised Statutes, 43-4-803, **amend**
4 (21); and **add** (29) as follows:

5 **43-4-803. Definitions.** As used in this part 8, unless the context
6 otherwise requires:

7 (21) "Road safety project" means:

8 (a) A construction, reconstruction, or maintenance project that the
9 commission determines is needed to enhance the safety of a state
10 highway, a county determines is needed to enhance the safety of a county
11 road, or a municipality determines is needed to enhance the safety of a
12 city street; OR

13 (b) A PROJECT THAT IMPROVES TRANSPORTATION SYSTEM
14 INFRASTRUCTURE OR OTHERWISE IMPLEMENTS DATA-DRIVEN STRATEGIES
15 THAT REDUCE THE NUMBER OF COLLISIONS WITH MOTOR VEHICLES THAT
16 RESULT IN DEATH OR SERIOUS INJURY TO VULNERABLE ROAD USERS.
17 ELIGIBLE PROJECTS INCLUDE, BUT ARE NOT LIMITED TO, PROJECTS THAT
18 MEET OR EXCEED THE DEPARTMENT'S COST-TO-BENEFIT RATIO FOR SAFETY
19 PROJECTS AND:

20 (I) SEPARATE USERS IN SPACE, SUCH AS SEPARATED BIKE LANES,
21 WALKWAYS, CROSSING IMPROVEMENTS, AND PEDESTRIAN REFUGE
22 ISLANDS; OR

23 (II) INCREASE ATTENTIVENESS AND AWARENESS, SUCH AS
24 CROSSWALK VISIBILITY ENHANCEMENTS, PEDESTRIAN HYBRID BEACONS,
25 AND LIGHTING.

26 (29) "VULNERABLE ROAD USER" MEANS A NONMOTORIST WITH A
27 FATALITY ANALYSIS REPORTING SYSTEM PERSON ATTRIBUTE CODE FOR A

1 PEDESTRIAN, BICYCLIST, OTHER CYCLIST, AND A PERSON ON A PERSONAL
2 CONVEYANCE OR AN INJURED PERSON THAT IS, OR IS EQUIVALENT TO, A
3 PEDESTRIAN OR PEDAL CYCLIST AS DEFINED IN THE ANSI D16.1-2007 IN
4 ACCORDANCE WITH 23 U.S.C. SEC. 148(a)(15) AND 23 CFR 490.205.
5 "VULNERABLE ROAD USER" DOES NOT INCLUDE A MOTOR CYCLIST BUT
6 DOES INCLUDE:

- 7 (a) AN INDIVIDUAL WHO IS WALKING, BIKING, OR ROLLING;
8 (b) A HIGHWAY WORKER ON FOOT IN A WORK ZONE, GIVEN THEY
9 ARE CONSIDERED A PEDESTRIAN.

10 **SECTION 5. Safety clause.** The general assembly finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, or safety or for appropriations for
13 the support and maintenance of the departments of the state and state
14 institutions.