

**Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 14-0264.01 Kristen Forrestal x4217

**SENATE BILL 14-181**

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**SENATE SPONSORSHIP**

**Renfroe and Guzman,** Carroll, Grantham, Harvey, Jahn, Marble, Roberts, Scheffel,  
Tochtrop, Brophy

**HOUSE SPONSORSHIP**

**Ferrandino and Humphrey,** DelGrosso, Everett, Holbert, Lebsock, McNulty, Melton,  
Nordberg, Pabon, Pettersen, Saine, Salazar, Waller, Williams

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**Senate Committees**  
State, Veterans, & Military Affairs

**House Committees**  
State, Veterans, & Military Affairs  
Appropriations

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**A BILL FOR AN ACT**

101 **CONCERNING THE ELIMINATION OF THE USE OF AUTOMATED VEHICLE**  
102 **IDENTIFICATION SYSTEMS FOR TRAFFIC LAW ENFORCEMENT.**

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**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/bills summaries>.)*

The bill repeals the authorization for the state, a county, a city and county, or a municipality to use automated vehicle identification systems to identify violators of traffic regulations and issue citations based on photographic evidence, and creates a prohibition on such activity.

The bill repeals the authorization for the department of safety to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

SENATE  
3rd Reading Unamended  
April 21, 2014

SENATE  
Amended 2nd Reading  
April 17, 2014

use an automated vehicle identification system to detect speeding violations within a highway maintenance, repair, or construction zone.

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal and reenact,**  
3 **with amendments,** 42-4-110.5 as follows:

4 **42-4-110.5. Automated vehicle identification systems - study**  
5 **- definition.** (1) THE DEPARTMENT OF TRANSPORTATION SHALL CONDUCT  
6 A STUDY OF THE USE OF AUTOMATED VEHICLE IDENTIFICATION SYSTEMS  
7 AND THEIR EFFECTIVENESS IN PRESERVING PUBLIC SAFETY AND WELFARE.  
8 THE DEPARTMENT SHALL REPORT THE RESULTS OF THE STUDY TO THE  
9 SENATE TRANSPORTATION COMMITTEE AND THE HOUSE TRANSPORTATION  
10 AND ENERGY COMMITTEE ON OR BEFORE JANUARY 15, 2015.

11 (2) AS USED IN THIS SECTION, "AUTOMATED VEHICLE  
12 IDENTIFICATION SYSTEM" MEANS A SYSTEM WHEREBY A MACHINE IS USED  
13 TO AUTOMATICALLY DETECT A VIOLATION OF A TRAFFIC REGULATION AND  
14 SIMULTANEOUSLY RECORD A PHOTOGRAPH OF THE VEHICLE, THE  
15 OPERATOR OF THE VEHICLE, OR THE LICENSE PLATE OF THE VEHICLE.

16 **SECTION 2.** In Colorado Revised Statutes, 42-2-107, **repeal** (5)  
17 (a) (II) as follows:

18 **42-2-107. Application for license or instruction permit -**  
19 **anatomical gifts - donations to Emily Maureen Ellen Keyes organ and**  
20 **tissue donation awareness fund - legislative declaration - repeal.**

21 (5) (a) (II) ~~For the purposes of this subsection (5), "outstanding~~  
22 ~~judgments or warrants" does not include any judgment or warrant~~  
23 ~~reported to the department in violation of the provisions of section~~  
24 ~~42-4-110.5 (2) (c).~~

25 **SECTION 3.** In Colorado Revised Statutes, 42-2-118, **repeal** (3)

1 (a) (II) as follows:

2 **42-2-118. Renewal of license in person or by mail - donations**  
3 **to Emily Maureen Ellen Keyes organ and tissue donation awareness**  
4 **fund - repeal.** (3) (a) (II) ~~For the purposes of this subsection (3),~~  
5 ~~"outstanding judgments or warrants" does not include any judgment or~~  
6 ~~warrant reported to the department in violation of the provisions of~~  
7 ~~section 42-4-110.5 (2) (c).~~

8 **SECTION 4.** In Colorado Revised Statutes, 42-2-122, **amend** (1)  
9 (h) (I) as follows:

10 **42-2-122. Department may cancel license - limited license for**  
11 **physical or mental limitations.** (1) The department has the authority to  
12 cancel, deny, or deny the reissuance of any driver's or minor driver's  
13 license upon determining that the licensee was not entitled to the issuance  
14 thereof for any of the following reasons:

15 (h) (I) The person has an outstanding judgment or warrant referred  
16 to in section 42-4-1709 (7) issued against such person. ~~except that, as~~  
17 ~~used in this paragraph (h), "judgment or warrant" shall not include any~~  
18 ~~judgment or warrant reported to the department in violation of section~~  
19 ~~42-4-110.5 (2) (c).~~

20 **SECTION 5.** In Colorado Revised Statutes, 42-2-127, **repeal**  
21 (5.8) as follows:

22 **42-2-127. Authority to suspend license - to deny license - type**  
23 **of conviction - points.** (5.8) ~~Notwithstanding any other provision of this~~  
24 ~~section, the department may not assess any points for a violation if such~~  
25 ~~assessment of points is prohibited under section 42-4-110.5 (3).~~

26 **SECTION 6.** In Colorado Revised Statutes, 42-3-113, **repeal** (10)  
27 as follows:

1           **42-3-113. Records of application and registration.**

2           ~~(10) (a) Whenever a person asks the department or any other state~~  
3           ~~department or agency for the name or address of the owner of a motor~~  
4           ~~vehicle registered under this section, the department or agency shall~~  
5           ~~require the person to disclose if the purpose of the request is to determine~~  
6           ~~the name or address of a person suspected of a violation of a state or~~  
7           ~~municipal law detected through the use of an automated vehicle~~  
8           ~~identification system as described in section 42-4-110.5. If the purpose of~~  
9           ~~the request is to determine the name or address of such a suspect, the~~  
10           ~~department or agency shall release such information only if the county or~~  
11           ~~municipality for which the request is made complies with section~~  
12           ~~42-4-110.5.~~

13           ~~(b) No person who receives the name or address of the registered~~  
14           ~~owner of a motor vehicle from the department or from a person who~~  
15           ~~receives the information from the department shall release such~~  
16           ~~information to a county or a municipality unless the county or~~  
17           ~~municipality complies with state laws concerning the use of automated~~  
18           ~~identification devices.~~

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

- 1 November 2014 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.