

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0154.03 Jessica Herrera x4218

SENATE BILL 24-100

SENATE SPONSORSHIP

Roberts and Will, Rich

HOUSE SPONSORSHIP

Velasco and Taggart, Lukens, McCluskie, McLachlan, Soper, Story, Titone

Senate Committees
Transportation & Energy

House Committees

A BILL FOR AN ACT

101 CONCERNING COMMERCIAL VEHICLE SAFETY MEASURES ON
102 COLORADO HIGHWAYS.

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>.)

Current law allows the department of transportation (department) to issue closures or require certain equipment on interstate 70 (I-70) from September 1 through May 31 each year between milepost 133 in Dotsero and milepost 259 in Morrison.

Section 1 of the bill changes the geographic location where the department has authority to require certain equipment to interstate 25

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.

(I-25) and any interstate, U.S. highway, and state highway west of I-25.

Section 2 allows the department to establish heightened speed limit enforcement zones (zone) within public highways in Glenwood Canyon on I-70 eastbound from milepost 116.0 to milepost 131.0 and westbound from milepost 118.5 to milepost 131.0 where there are safety concerns related to commercial motor vehicle drivers exceeding the posted speed limits. If the department establishes a zone, the department must erect signs identifying the zone and notifying commercial motor vehicle drivers that increased fines are assessed for speeding in the zone.

Section 3 makes it a traffic offense for any commercial vehicle to be driving in the farthest left lane on I-70 between milepost 116 in Glenwood Springs and milepost 259 in Morrison during all conditions on that highway except to safely pass a vehicle driving under the posted speed limit.

Section 4 subjects a commercial motor vehicle driver who commits a speeding violation in a zone to double fines and surcharges.

Section 5 ensures that a port of entry officer has all the powers of a peace officer when enforcing highway closures and the state's winter traction device law.

Section 6 requires the freight mobility and safety branch of the department to study the feasibility of funding additional locations of chain-up stations utilizing the money from the increased penalties in zones within public highways in Glenwood Canyon.

Section 7 allows the study on feasibility of new chain-up stations to also be funded by the fuels impact reduction grant program.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-106, **amend**
3 (5)(a)(I)(C) as follows:

4 **42-4-106. Who may restrict right to use highways - definitions**
5 **- rules.** (5) (a) (I) (C) A closure or restriction under this subsection (5)
6 is effective when signs, including temporary or electronic signs, that
7 notify the public of the closure or restriction are erected upon the
8 highway, and the restriction in subsection (5)(a)(I)(B) of this section is
9 effective on interstate ~~70 between milepost 133 (Dotsero) and milepost~~
10 ~~259 (Morrison)~~ 25 AND ANY INTERSTATE HIGHWAY, U.S. HIGHWAY, AND
11 STATE HIGHWAY WEST OF INTERSTATE 25 from September 1 through May

1 31 of each year DURING ANY CONDITIONS THAT EXIST ON THE HIGHWAY.
2 It is unlawful to proceed when a state highway is closed or to proceed
3 when a restriction is in effect without the equipment required by this
4 subsection (5).

5 **SECTION 2.** In Colorado Revised Statutes, **add** 42-4-618 as
6 follows:

7 **42-4-618. Glenwood Canyon - increase in penalties and**
8 **surcharges for speeding violations - definitions.** (1) THE DEPARTMENT
9 MAY DETERMINE THAT THERE ARE SAFETY CONCERNS IN GLENWOOD
10 CANYON ON INTERSTATE 70 EASTBOUND BETWEEN MILEPOST 116.0 AND
11 MILEPOST 131.0 AND WESTBOUND BETWEEN MILEPOST 118.5 AND
12 MILEPOST 131.0 RELATED TO COMMERCIAL MOTOR VEHICLES EXCEEDING
13 THE POSTED SPEED LIMITS.

14 (2) THE DEPARTMENT SHALL ERECT, WHERE APPLICABLE, SIGNS
15 NOTIFYING DRIVERS OF EACH AREA OF THE STATE HIGHWAYS THAT THE
16 DEPARTMENT HAS DESIGNATED AS A HEIGHTENED SPEED LIMIT
17 ENFORCEMENT ZONE.

18 (3) A DRIVER OF A COMMERCIAL MOTOR VEHICLE WHO COMMITS
19 A SPEEDING VIOLATION IN A HEIGHTENED SPEED LIMIT ENFORCEMENT
20 ZONE IS SUBJECT TO THE INCREASED PENALTIES AND SURCHARGES
21 IMPOSED UNDER SECTION 42-4-1701 (4)(d.9).

22 (4) AS USED IN THIS SECTION UNLESS THE CONTEXT OTHERWISE
23 REQUIRES:

24 (a) "COMMERCIAL MOTOR VEHICLE" HAS THE SAME MEANING AS
25 SET FORTH IN SECTION 42-2-402 (4).

26 (b) "DEPARTMENT" MEANS THE DEPARTMENT OF TRANSPORTATION
27 CREATED IN SECTION 43-1-103.

1 (c) "HEIGHTENED SPEED LIMIT ENFORCEMENT ZONE" MEANS AN
2 AREA OF A STATE HIGHWAY THAT:

3 (I) BEGINS AND ENDS AT A SIGN THAT:

4 (A) CONFORMS TO THE STATE TRAFFIC CONTROL MANUAL;

5 (B) INDICATES THAT A DRIVER IS ABOUT TO ENTER OR IS AT THE
6 END OF A HEIGHTENED SPEED LIMIT ENFORCEMENT ZONE; AND

7 (C) NOTIFIES COMMERCIAL MOTOR VEHICLE DRIVERS THAT
8 INCREASED PENALTIES AND SURCHARGES ARE IN EFFECT AND ASSESSED
9 FOR SPEEDING IN THE ZONE; AND

10 (II) IS DESIGNATED AS A HEIGHTENED SPEED LIMIT ENFORCEMENT
11 ZONE BY THE DEPARTMENT OF TRANSPORTATION PURSUANT TO
12 SUBSECTION (2) OF THIS SECTION.

13 **SECTION 3.** In Colorado Revised Statutes, 42-4-1013, **add** (1.5)
14 as follows:

15 **42-4-1013. Passing lane - penalty - definitions.** (1.5) IT IS
16 UNLAWFUL FOR A COMMERCIAL VEHICLE TO ENTER THE FARTHEST LEFT
17 LANE IF THERE ARE TWO OR MORE ADJACENT LANES OF TRAFFIC MOVING
18 IN THE SAME DIRECTION ON INTERSTATE 70 BETWEEN MILEPOST 116
19 (GLENWOOD SPRINGS) AND MILEPOST 259 (MORRISON) DURING ALL
20 CONDITIONS ON THAT HIGHWAY EXCEPT TO SAFELY PASS A VEHICLE
21 TRAVELING BELOW THE POSTED SPEED LIMIT IF THE OVERTAKING IS
22 PERFORMED IN ACCORDANCE WITH SECTION 42-4-1005.

23 **SECTION 4.** In Colorado Revised Statutes, 42-4-1701, **add**
24 (4)(d.9) as follows:

25 **42-4-1701. Traffic offenses and infractions classified -**
26 **penalties - penalty and surcharge schedule - repeal.** (4) (d.9) (I) THE
27 PENALTY AND SURCHARGE IMPOSED FOR A VIOLATION UNDER SUBSECTION

1 (4)(a)(I)(L) OF THIS SECTION IS DOUBLED IF THE VIOLATION IS COMMITTED
2 BY A DRIVER OF A COMMERCIAL MOTOR VEHICLE WITHIN AN AREA OF A
3 STATE HIGHWAY THAT THE DEPARTMENT OF TRANSPORTATION HAS
4 DESIGNATED AS A HEIGHTENED SPEED LIMIT ENFORCEMENT ZONE
5 PURSUANT TO SECTION 42-4-618.

6 (II) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
7 CONTRARY, FOR EACH FINE COLLECTED PURSUANT TO SECTION 42-4-618
8 (4) AND SUBSECTION (4)(d.9)(I) OF THIS SECTION, THE STATE TREASURER
9 SHALL CREDIT ONE-HALF OF THE AMOUNT OF THE FINE TO THE MOUNTAIN
10 HIGHWAYS COMMERCIAL MOTOR VEHICLE SAFETY ACCOUNT, CREATED IN
11 SUBSECTION (4)(d.7)(II) OF THIS SECTION. ALL MONEY CREDITED TO THE
12 ACCOUNT PURSUANT TO THIS SUBSECTION (4)(d.9) IS CONTINUOUSLY
13 APPROPRIATED TO THE FREIGHT MOBILITY AND SAFETY BRANCH CREATED
14 WITHIN THE TRANSPORTATION DEVELOPMENT DIVISION OF THE
15 DEPARTMENT OF TRANSPORTATION PURSUANT TO SECTION 43-1-117(4) TO
16 PAY COSTS ASSOCIATED WITH THE STUDY IN SECTION 43-1-132.

17 **SECTION 5.** In Colorado Revised Statutes, 42-8-104, **amend** (2)
18 as follows:

19 **42-8-104. Powers and duties - rules.** (2) A port of entry officer,
20 during the time that the officer is actually engaged in performing the
21 officer's duties as such and while acting under proper orders or rules
22 issued by the chief of the Colorado state patrol, shall exercise all the
23 powers invested in peace officers in connection with directing traffic and
24 in the enforcement of the provisions of this article 8; articles 2, 3, and 20
25 of this title 42; part 5 of article 4 of this title 42; and sections **42-4-106**
26 **(5)**, 42-4-209, 42-4-225 (1.5), 42-4-235, 42-4-1407, 42-4-1409, and
27 42-4-1414; except that an officer does not have the power to serve civil

1 writs and process and, in the exercise of the officer's duties, an officer has
2 the authority to restrain and detain persons or vehicles and may impound
3 any vehicle until any tax or license fee imposed by law is paid or until
4 compliance is had with any tax or regulatory law or rule issued
5 thereunder.

6 **SECTION 6.** In Colorado Revised Statutes, **add** 43-1-132 as
7 follows:

8 **43-1-132. Additional chain-up stations feasibility report -**
9 **report - repeal.** (1) THE DEPARTMENT SHALL TASK THE FREIGHT
10 MOBILITY AND SAFETY BRANCH CREATED IN SECTION 43-1-117 (4) TO
11 STUDY LOCATIONS FOR NEW CHAIN-UP STATIONS ON ALL STATE HIGHWAYS
12 WHERE THE DEPARTMENT DETERMINES THAT CHAIN-UP STATIONS ARE
13 NECESSARY OR BENEFICIAL. THE STUDY MUST, AT A MINIMUM:

14 (a) IDENTIFY THE CURRENT BARRIERS TO BUILDING NEW CHAIN-UP
15 STATIONS;

16 (b) FIND CREATIVE SOLUTIONS TO ADDRESS ANY IDENTIFIED
17 BARRIERS; AND

18 (c) IDENTIFY ANY MODIFICATIONS OR ADDITIONS THAT EXISTING
19 STATE TRANSPORTATION INFRASTRUCTURE MAY NEED TO ENABLE THE
20 ADDITION OF NEW CHAIN-UP STATIONS, THE TIMELINE FOR MAKING SUCH
21 MODIFICATIONS OR ADDITIONS, AND THE ANTICIPATED COST OF MAKING
22 SUCH MODIFICATIONS OR ADDITIONS.

23 (2) THE DEPARTMENT SHALL PRESENT THE REPORT TO THE
24 TRANSPORTATION LEGISLATION REVIEW COMMITTEE CREATED IN SECTION
25 43-2-145 (1)(a) DURING THE 2025 LEGISLATIVE INTERIM.

26 (3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2026.

27 **SECTION 7.** In Colorado Revised Statutes, 43-4-1506, **amend**

1 (3) as follows:

2 **43-4-1506. Fuels impact reduction grant program.** (3) The
3 enterprise shall annually distribute up to five million dollars from the
4 fund, after making the transfers required by subsection (2) of this section
5 and after providing for the administrative expenses of the enterprise, to
6 key commercial freight corridors, to support state government projects
7 related to emergency responses AND MEASURES TO PREVENT
8 EMERGENCIES, INCLUDING BUT NOT LIMITED TO THE STUDY REQUIRED BY
9 SECTION 43-1-132, environmental mitigation, or the transportation of fuel
10 within the state on routes necessary for the transportation of hazardous
11 materials.

12 **SECTION 8. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly; except
15 that, if a referendum petition is filed pursuant to section 1 (3) of article V
16 of the state constitution against this act or an item, section, or part of this
17 act within such period, then the act, item, section, or part will not take
18 effect unless approved by the people at the general election to be held in
19 November 2024 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.