

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Local Government.

HB19-1099 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 42-4-110.5, **amend**  
4 (1) and (2) introductory portion as follows:

5 **42-4-110.5. Automated vehicle identification systems -**  
6 **definition.** (1) The general assembly hereby finds and declares that the  
7 enforcement of traffic laws through the use of automated vehicle  
8 identification systems under this section is a matter of ~~statewide~~ MIXED  
9 STATE AND LOCAL concern and is an area in which uniform state standards  
10 ~~are~~ THAT SUPERSEDE CONFLICTING LOCAL CHARTER PROVISIONS AND  
11 ORDINANCES MAY BE necessary.

12 (2) EXCEPT AS OTHERWISE PROVIDED IN SECTION 42-4-110.7, a  
13 municipality may adopt an ordinance authorizing the use of an automated  
14 vehicle identification system to detect violations of traffic regulations  
15 adopted by the municipality, or the state, a county, a city and county, or  
16 a municipality may utilize an automated vehicle identification system to  
17 detect traffic violations under state law, subject to the following  
18 conditions and limitations:

19 **SECTION 2.** In Colorado Revised Statutes, **add** 42-4-110.7 as  
20 follows:

21 **42-4-110.7. Automated vehicle identification systems - voter**  
22 **approval - definitions.** (1) BEFORE THE STATE, OR A LOCAL  
23 GOVERNMENT THAT IS NOT ALREADY USING AN AUTOMATED VEHICLE  
24 IDENTIFICATION SYSTEM ON THE EFFECTIVE DATE OF THIS SECTION, BEGINS  
25 USING AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM, IT MUST SUBMIT  
26 THE FOLLOWING BALLOT QUESTION TO THE VOTERS OF THE STATE OR OF  
27 THE LOCAL GOVERNMENT, AS APPLICABLE, AT A GENERAL ELECTION:  
28 "SHALL [THE STATE/NAME OF LOCAL GOVERNMENT] BE AUTHORIZED TO  
29 USE AUTOMATED VEHICLE IDENTIFICATION SYSTEMS AT [NAME OF  
30 LOCATIONS]?" IF THE VOTERS APPROVE THE BALLOT QUESTION, THE STATE  
31 OR THE LOCAL GOVERNMENT, AS APPLICABLE, MAY BEGIN TO USE  
32 AUTOMATED VEHICLE IDENTIFICATION SYSTEMS AT THE IDENTIFIED  
33 LOCATIONS.

34 (2) TO CONTINUE TO USE AN AUTOMATED VEHICLE IDENTIFICATION  
35 SYSTEM, A LOCAL GOVERNMENT THAT IS USING AN AUTOMATED VEHICLE  
36 IDENTIFICATION SYSTEM ON THE EFFECTIVE DATE OF THIS SECTION MUST  
37 SUBMIT THE FOLLOWING BALLOT QUESTION TO ITS VOTERS AT THE 2020  
38 GENERAL ELECTION: "SHALL [NAME OF LOCAL GOVERNMENT] BE  
39 AUTHORIZED TO CONTINUE TO USE AN AUTOMATED VEHICLE

1 IDENTIFICATION SYSTEM AT [NAME OF LOCATIONS]?" IF THE VOTERS  
2 APPROVE THE BALLOT QUESTION, THE LOCAL GOVERNMENT MAY  
3 CONTINUE TO USE AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM AT  
4 THE IDENTIFIED LOCATIONS. IF THE VOTERS DO NOT APPROVE THE BALLOT  
5 QUESTION, THE LOCAL GOVERNMENT SHALL DISCONTINUE ITS USE OF AN  
6 AUTOMATED VEHICLE IDENTIFICATION SYSTEM WITHIN TWO MONTHS  
7 AFTER THE DATE OF CERTIFICATION OF THE VOTE ON THE BALLOT  
8 QUESTION. IF THE LOCAL GOVERNMENT CHOOSES NOT TO SUBMIT THE  
9 BALLOT QUESTION, IT SHALL DISCONTINUE ITS USE OF AUTOMATED  
10 VEHICLE IDENTIFICATION SYSTEMS NO LATER THAN NOVEMBER 4, 2020.

11 (3) NOTWITHSTANDING SUBSECTIONS (1) AND (2) OF THIS SECTION,  
12 THE STATE OR A LOCAL GOVERNMENT OR A TOLL ROAD OR TOLL HIGHWAY  
13 OPERATOR MAY USE AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM TO  
14 ASSESS TOLLS AND CHARGES AND ISSUE CITATIONS FOR VIOLATIONS  
15 RELATING TO HIGH OCCUPANCY VEHICLE LANES AND HIGH OCCUPANCY  
16 TOLL LANES PURSUANT TO SECTION 42-4-1012 (1)(d), TO ASSESS TOLLS  
17 AND CIVIL PENALTIES FOR TOLL ROADS AND HIGHWAYS PURSUANT TO  
18 SECTION 43-3-302, AND TO ASSESS TOLLS AND CIVIL PENALTIES FOR  
19 PUBLIC HIGHWAYS PURSUANT TO SECTIONS 43-4-506 AND 43-4-506.5.

20 (4) FOR PURPOSES OF THIS SECTION:

21 (a) "AUTOMATED VEHICLE IDENTIFICATION SYSTEM" HAS THE  
22 SAME MEANING ESTABLISHED IN SECTION 42-4-110.5 (6).

23 (b) "LOCAL GOVERNMENT" MEANS A COUNTY, CITY AND COUNTY,  
24 OR MUNICIPALITY.

25 **SECTION 3. Act subject to petition - effective date.** This act  
26 takes effect at 12:01 a.m. on the day following the expiration of the  
27 ninety-day period after final adjournment of the general assembly (August  
28 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
29 referendum petition is filed pursuant to section 1 (3) of article V of the  
30 state constitution against this act or an item, section, or part of this act  
31 within such period, then the act, item, section, or part will not take effect  
32 unless approved by the people at the general election to be held in  
33 November 2020 and, in such case, will take effect on the date of the  
34 official declaration of the vote thereon by the governor."

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