

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Herod

1 Amend printed bill, page 18, after line 11 insert:

2 "SECTION 18. In Colorado Revised Statutes, add 24-33.5-229
3 as follows:

4 **24-33.5-229. Alternative municipal traffic enforcement**
5 **mechanisms study group - report - repeal.** (1) ON OR BEFORE
6 SEPTEMBER 1, 2021, THE CHIEF SHALL CONVENE A STUDY GROUP TO
7 STUDY METHODS TO ENCOURAGE PERSONS WHO HAVE RECEIVED A TRAFFIC
8 CITATION AND FAIL TO APPEAR IN COURT TO CONTEST THE CITATION OR TO
9 PAY ANY DEFAULT JUDGMENT ASSOCIATED WITH THE CITATION.

10 (2) (a) THE STUDY GROUP CONSISTS OF SEVEN MEMBERS AS
11 FOLLOWS:

12 (I) A REPRESENTATIVE OF THE COLORADO DEPARTMENT OF
13 REVENUE, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT
14 OF REVENUE; AND

15 (II) THE FOLLOWING MEMBERS APPOINTED BY THE CHIEF:

16 (A) A REPRESENTATIVE OF THE COLORADO STATE PATROL;

17 (B) A REPRESENTATIVE OF A STATEWIDE ASSOCIATION
18 REPRESENTING MUNICIPAL COURT JUDGES;

19 (C) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION
20 REPRESENTING MUNICIPALITIES;

21 (D) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF CHIEFS
22 OF POLICE; AND

23 (E) REPRESENTATIVES OF TWO STATEWIDE ORGANIZATIONS
24 ADVOCATING CRIMINAL JUSTICE OR SENTENCING REFORM.

25 (b) THE APPOINTING AUTHORITIES SHALL MAKE APPOINTMENTS NO
26 LATER THAN AUGUST 16, 2021.

27 (c) THE MEMBERS OF THE STUDY GROUP SHALL SERVE WITHOUT
28 COMPENSATION.

29 (3) THE STUDY GROUP SHALL:

30 (a) SURVEY EVIDENCE-BASED POLICY AND NATIONAL BEST
31 PRACTICES TO ACHIEVE COMPLIANCE WITH TRAFFIC CITATIONS THAT ARE
32 EQUITABLE AND ENCOURAGE INDIVIDUALS TO RESOLVE THEIR TRAFFIC
33 VIOLATIONS, BUT DO NOT INVOLVE THE USE OF LICENSING SANCTIONS TO
34 FORCE COMPLIANCE;

35 (b) REVIEW THE EFFICACY OF MUNICIPAL PRACTICES FOR
36 ENCOURAGING TIMELY COURT APPEARANCES AND PAYMENT OF ANY FINES,
37 WITH A SPECIAL FOCUS ON PROCEDURES THAT INCREASE CLEAR
38 COMMUNICATION AND EXPECTATIONS BETWEEN LOCAL GOVERNMENTS
39 AND INDIVIDUALS REGARDING FINES, FEES, AND COURT DATES;

40 (c) SURVEY POLICIES AND PROCEDURES IN MUNICIPAL COURTS

1 THAT TAKE INTO ACCOUNT EACH PERSON'S ABILITY TO PAY TRAFFIC FINES
2 AND FEES AND THAT PROVIDE COURTS WITH FLEXIBILITY TO ADJUST
3 AMOUNTS DUE OR EXTEND THE TIME FOR PAYMENT IN APPROPRIATE
4 CIRCUMSTANCES;
5 (d) GATHER STAKEHOLDER FEEDBACK ON THE EFFECTIVENESS OF
6 EXISTING ENFORCEMENT MECHANISMS FOR COLLECTION OF UNPAID FINES;
7 (e) STUDY THE COST OF IMPLEMENTING IMPROVED SYSTEMS FOR
8 ENCOURAGING DEFENDANTS TO APPEAR IN COURT AND FOR COLLECTION
9 OF ANY FINES AND FEES FROM THOSE WHO FAIL TO APPEAR IN COURT; AND
10 (f) DEVELOP RECOMMENDATIONS FOR POTENTIAL STATE
11 LEGISLATION THAT MAY ASSIST MUNICIPAL COURTS TO REDUCE THE
12 INCIDENCE OF FAILURES TO APPEAR ON TRAFFIC TICKETS AND TO INCREASE
13 THE LIKELIHOOD OF PAYMENT OF FINES AND FEES AFTER A JUDGMENT HAS
14 BEEN ENTERED ON A TRAFFIC CITATION.
15 (4) THE STUDY GROUP SHALL REPORT ITS FINDINGS AND
16 RECOMMENDATIONS TO THE DEPARTMENT ON OR BEFORE DECEMBER 31,
17 2021.
18 (5) THE DEPARTMENT SHALL INCLUDE THE STUDY GROUP'S
19 FINDINGS IN ITS ANNUAL REPORT BEFORE THE HOUSE OF REPRESENTATIVES
20 AND SENATE COMMITTEES OF REFERENCE PURSUANT TO SECTION 2-7-203
21 MADE DURING THE 2022 LEGISLATIVE SESSION.
22 (6) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2022."
23 Renumber succeeding sections accordingly."

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