

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 26-0852.01 Ken Fowler x2372

HOUSE BILL 26-1318

HOUSE SPONSORSHIP

Nguyen and Froelich,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING TRAFFIC SAFETY NEAR SCHOOLS.**

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>.)

The bill defines "school zones" as all roadways within at least 1,000 feet of a school property boundary and adds and modifies additional corresponding definitions. The bill limits requirements the state, a county, a city and county, or a municipality must complete regarding placing and using an automated vehicle identification system along a safe route to school.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-615, **amend (2);**
3 **and add (4) and (5)** as follows:

4 **42-4-615. School zones - increase in penalties for moving**
5 **traffic violations.**

6 (2) (a) ~~For the purposes of AS USED IN this section, "school zone"~~
7 ~~means an area that is designated as a school zone and has~~ ALL ROADWAYS
8 WITHIN AT LEAST ONE THOUSAND FEET OF A SCHOOL PROPERTY
9 BOUNDARY; EXCEPT THAT:

10 (I) STATE HIGHWAYS, AS DEFINED IN SECTION 42-4-110.5, ARE NOT
11 INCLUDED IN A SCHOOL ZONE UNLESS DESIGNATED AS PART OF A SCHOOL
12 ZONE BY THE COLORADO DEPARTMENT OF TRANSPORTATION OR BY A
13 COUNTY, CITY AND COUNTY, OR MUNICIPALITY WITH THE WRITTEN
14 APPROVAL OF THE COLORADO DEPARTMENT OF TRANSPORTATION;

15 (II) A SCHOOL ZONE THAT EXISTS ON THE EFFECTIVE DATE OF THIS
16 SUBSECTION (2), AS AMENDED, THAT EXTENDS TO BETWEEN TWO
17 HUNDRED FEET AND ONE THOUSAND FEET FROM A SCHOOL PROPERTY
18 BOUNDARY IS THE SCHOOL ZONE FOR THAT SCHOOL PROPERTY; AND

19 (III) IF A COUNTY, CITY AND COUNTY, OR MUNICIPALITY THAT HAS
20 JURISDICTION OVER A SCHOOL ZONE REDUCES THE SIZE OF THE SCHOOL
21 ZONE PURSUANT TO SUBSECTION (4) OF THIS SECTION, THEN ONLY THE
22 REDUCED SCHOOL ZONE IS THE SCHOOL ZONE FOR THAT SCHOOL
23 PROPERTY.

24 (b) A SCHOOL ZONE MUST HAVE appropriate signs posted
25 indicating THE BOUNDARIES OF THE SCHOOL ZONE AND INDICATING that
26 the penalties and surcharges WITHIN A SCHOOL ZONE will be doubled. The
27 state or local government having jurisdiction over the placement of traffic

1 signs and traffic control devices in ~~the~~ A school zone area shall designate
2 ~~when the area will be~~ deemed to be a school zone for the purposes of this
3 section, ~~In making such designation, the state or local government shall~~
4 ~~consider when increased penalties are necessary to protect the safety of~~
5 ~~school children~~ WHICH, EXCEPT IF REDUCED AS PERMITTED IN SUBSECTION
6 (4) OF THIS SECTION, MUST INCLUDE ALL ROADWAYS WITHIN ONE
7 THOUSAND FEET OF THE SCHOOL PROPERTY BOUNDARY AND SHALL POST
8 THE SIGNS REQUIRED BY THIS SECTION.

9 (4) A COUNTY, CITY AND COUNTY, OR MUNICIPALITY THAT HAS
10 JURISDICTION OVER A SCHOOL ZONE MAY REDUCE THE SIZE OF THE SCHOOL
11 ZONE TO EXTEND TO LESS THAN ONE THOUSAND FEET FROM A SCHOOL
12 PROPERTY BOUNDARY BUT SHALL NOT REDUCE THE SIZE OF THE SCHOOL
13 ZONE TO LESS THAN TWO HUNDRED FEET FROM A SCHOOL PROPERTY
14 BOUNDARY. A COUNTY, CITY AND COUNTY, OR MUNICIPALITY SHALL NOT
15 REDUCE THE SIZE OF A SCHOOL ZONE WITHOUT FIRST HOLDING A PUBLIC
16 HEARING.

17 (5) NOTHING IN THIS SECTION PROHIBITS A COUNTY, CITY AND
18 COUNTY, OR MUNICIPALITY FROM INCREASING THE SIZE OF A SCHOOL ZONE
19 TO LARGER THAN ONE THOUSAND FEET FROM A SCHOOL PROPERTY
20 BOUNDARY OR, IN COLLABORATION WITH A LOCAL SCHOOL BOARD, FROM
21 RAISING REVENUE THROUGH BONDING TO FINANCE INCREASED SCHOOL
22 ZONE SIGNAGE.

23 **SECTION 2.** In Colorado Revised Statutes, 42-4-110.5, **amend**
24 (1.1)(a)(II) and (2)(g)(III); and **add** (1.1)(a.5) as follows:

25 **42-4-110.5. Automated vehicle identification systems - school**
26 **buses - safe route to school - exceptions to liability - penalty -**
27 **contracting - limits on use of photographs and video - rules -**

1 **legislative declaration - definitions.**

2 (1.1) As used in this section, unless the context otherwise
3 requires:

4 (a) (II) "Automated vehicle identification system" includes a
5 system used to detect a violation of part 11 of this article 4 or a local
6 speed ordinance; a system used to detect violations of traffic restrictions
7 imposed by traffic signals or traffic signs; a system used to detect the
8 overtaking of a stopped school bus with actuated visual signal lights in
9 violation of section 42-4-1903 (1)(a); A SYSTEM USED TO DETECT A
10 MOVING TRAFFIC VIOLATION IN A SCHOOL ZONE OR ALONG A SAFE ROUTE
11 TO SCHOOL; and a system used to detect violations of bus lane or bicycle
12 lane restrictions.

13 (a.5) "SAFE ROUTE TO SCHOOL" MEANS A ROADWAY THAT IS
14 FREQUENTED BY PEDESTRIANS AND BICYCLISTS ON THEIR WAY TO OR FROM
15 A NEARBY SCHOOL THAT A COUNTY, A CITY AND COUNTY, OR A
16 MUNICIPALITY DESIGNATES TO INCREASE PEDESTRIAN AND BICYCLIST
17 SAFETY.

18 (2) A county, city and county, or municipality may adopt an
19 ordinance authorizing the use of an automated vehicle identification
20 system to detect violations of traffic regulations adopted by the county,
21 city and county, or municipality, or the state, a county, a city and county,
22 or a municipality may utilize an automated vehicle identification system
23 to detect traffic violations under state law, subject to the following
24 conditions and limitations and, as applicable, the requirements for state
25 highways set forth in and any rules adopted by the department of
26 transportation pursuant to subsection (2.5) of this section:

27 (g) (III) This subsection (2)(g) does not apply to an automated

1 vehicle identification system designed to detect disobedience to a traffic
2 control signal, ~~or~~ the overtaking of a school bus with actuated visual
3 signal lights, OR A MOVING VIOLATION ALONG A SAFE ROUTE TO SCHOOL

4 **SECTION 3.** In Colorado Revised Statutes, **add** 42-4-119 as
5 follows:

6 **42-4-119. Establishment of a school street - speed limit -**
7 **definition.**

8 (1) AS USED IN THIS SECTION, "SCHOOL STREET" MEANS A PORTION
9 OF A ROADWAY IMMEDIATELY ADJACENT TO A SCHOOL PROPERTY
10 BOUNDARY THAT IS DESIGNATED AS A SCHOOL STREET.

11 (2) A COUNTY, CITY AND COUNTY, OR MUNICIPALITY MAY
12 DESIGNATE A ROADWAY AS A SCHOOL STREET; EXCEPT THAT A STATE
13 HIGHWAY, AS DEFINED IN SECTION 42-4-110.5, MUST NOT BE DESIGNATED
14 AS A SCHOOL STREET, UNLESS DESIGNATED IN ACCORDANCE WITH SECTION
15 42-4-615 (2).

16 (3) A COUNTY, CITY AND COUNTY, OR MUNICIPALITY SHALL NOT
17 DESIGNATE A ROADWAY THAT DIRECTLY CONNECTS TO A STATE HIGHWAY
18 AS A SCHOOL STREET WITHOUT THE WRITTEN APPROVAL OF THE
19 COLORADO DEPARTMENT OF TRANSPORTATION.

20 (4) A COUNTY, CITY AND COUNTY, OR MUNICIPALITY THAT
21 DESIGNATES A ROADWAY AS A SCHOOL STREET MAY CLOSE THE SCHOOL
22 STREET TO VEHICLES.

23 (5) ALL VEHICLES TRAVELING ALONG A SCHOOL STREET SHALL
24 YIELD THE RIGHT-OF-WAY TO A PEDESTRIAN, BICYCLIST, OR
25 MICROMOBILITY USER. A BICYCLIST OR OPERATOR OF A MICROMOBILITY
26 DEVICE SHALL YIELD THE RIGHT-OF-WAY TO A PEDESTRIAN ON A SCHOOL
27 STREET.

1 (6) A STATE OR LOCAL GOVERNMENT HAVING JURISDICTION OVER
2 THE PLACEMENT OF TRAFFIC SIGNS AND TRAFFIC CONTROL DEVICES ON A
3 SCHOOL STREET SHALL POST CONSPICUOUS TRAFFIC SIGNS INDICATING AN
4 AREA DESIGNATED AS A SCHOOL STREET AS A SCHOOL STREET.

5 (7) THE MAXIMUM SPEED LIMIT ON A SCHOOL STREET IS TEN MILES
6 PER HOUR. A STATE OR LOCAL GOVERNMENT HAVING JURISDICTION OVER
7 THE PLACEMENT OF TRAFFIC SIGNS SHALL POST SPEED LIMIT SIGNS ON A
8 SCHOOL STREET.

9 (8) SECTIONS 42-4-801, 42-4-803, AND 42-4-805 (1) AND (2) DO
10 NOT APPLY TO SCHOOL STREETS.

11 (9) A COUNTY, CITY AND COUNTY, OR MUNICIPALITY THAT
12 DESIGNATES A ROADWAY AS A SCHOOL STREET MAY SUSPEND ADDITIONAL
13 TRAFFIC PROVISIONS ON THE SCHOOL STREET THAT ENDANGER
14 PEDESTRIANS, BICYCLISTS, OR MICROMOBILITY USERS AND FRUSTRATE
15 EASE OF PEDESTRIAN AND BICYCLE MOVEMENT.

16 **SECTION 4. Act subject to petition - effective date.** This act
17 takes effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly
19 (August 12, 2026, if adjournment sine die is on May 13, 2026); except
20 that, if a referendum petition is filed pursuant to section 1 (3) of article
21 V of the state constitution against this act or an item, section, or part of
22 this act within such period, then the act, item, section, or part will not
23 take effect unless approved by the people at the general election to be
24 held in November 2026 and, in such case, will take effect on the date of
25 the official declaration of the vote thereon by the governor.