

**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. 26-0899.01 Renee Leone x2695

**SENATE BILL 26-152**

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**SENATE SPONSORSHIP**

**Ball and Pelton B.,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**  
Transportation & Energy

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING CHANGES TO THE USAGE OF AUTOMATED VEHICLE**  
102      **IDENTIFICATION SYSTEMS.**

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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://leg.colorado.gov>.)*

The bill makes changes to the use of automated vehicle identification systems (AVIS), including:

- Modifying the public notice requirements that the state, a county, a city and county, a municipality, or an agency responsible for placing a new AVIS must provide before utilizing the new AVIS;

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.

- Creating a procedure by which a registered owner of a motor vehicle may prove that they were not the driver of the motor vehicle at the time when a violation was detected by an AVIS and, thereby, under certain circumstances, relieving the registered owner from having to pay the civil penalty associated with the notice of violation;
- Requiring that, if a variable speed limit is in effect or a speed limit is otherwise temporarily lowered due to hazardous weather or other traffic conditions, the state, a county, a city and county, or a municipality may only issue a notice of violation and civil penalty for a speeding violation that exceeds the regular maximum posted speed limit for that location;
- Changing the penalty structure for different levels of speeding violations detected by an AVIS;
- Establishing that the compensation the state, a county, a city and county, or a municipality pays to a manufacturer or vendor of an AVIS must, in addition to other conditions, be a flat monthly rate; and
- Beginning January 1, 2035, increasing the civil penalties associated with notices of violations issued for violations captured by an AVIS.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
 3 finds and declares that:

4 (a) Automated vehicle identification systems, referred to in  
 5 section as "AVIS", are used for the limited purpose of enforcing specific  
 6 traffic violations, including speeding and red-light violations, and are  
 7 subject to statutory requirements, governing notice, signage, and due  
 8 process;

9 (b) Conversely, automated license plate reader systems, referred  
 10 to in this section as "ALPR systems", are distinct technologies from AVIS  
 11 and are used primarily for law enforcement and investigative purposes,  
 12 including to locate stolen vehicles or support criminal investigations;

13 (c) The provisions of this act apply only to AVIS and civil traffic

1 enforcement;

2 (d) This act does not regulate, limit, or otherwise affect the use of  
3 ALPR systems and nothing in this act is intended to expand, restrict, or  
4 modify existing law governing ALPR systems; and

5 (e) Given the differences between AVIS as a traffic enforcement  
6 tool and ALPR systems as a broader surveillance technology, it is  
7 important to maintain a simple distinction between the systems and make  
8 clear that the provisions in this act are limited accordingly.

9 **SECTION 2.** In Colorado Revised Statutes, 42-4-110.5, **amend**  
10 (2) introductory portion, (2)(e), (2)(g)(I.7), (2)(g)(IV), (2)(h), (4), (4.5)(a),  
11 (4.6)(b), and (5); **repeal** (1.5); and **add** (2)(i) as follows:

12 **42-4-110.5. Automated vehicle identification systems - school**  
13 **buses - exceptions to liability - penalty - contracting - limits on use of**  
14 **photographs and video - rules - legislative declaration - definitions -**  
15 **repeal.**

16 (1.5) ~~Nothing in this section applies to a violation detected by an~~  
17 ~~automated vehicle identification system for driving twenty-five miles per~~  
18 ~~hour or more in excess of the reasonable and prudent speed or twenty-five~~  
19 ~~miles per hour or more in excess of the maximum speed limit of~~  
20 ~~seventy-five miles per hour detected by the use of an automated vehicle~~  
21 ~~identification system.~~

22 (2) A county, city and county, or municipality may adopt an  
23 ordinance authorizing the use of an automated vehicle identification  
24 system to detect violations of traffic regulations adopted by the county,  
25 city and county, or municipality, or the state, a county, a city and county,  
26 or a municipality may utilize an automated vehicle identification system  
27 to detect traffic violations under state law, subject to ~~the following~~

1 ~~conditions and limitations and, as applicable,~~ the requirements for state  
2 highways set forth in and any rules adopted by the department of  
3 transportation pursuant to subsection (2.5) of this section, AS APPLICABLE,  
4 AND THE FOLLOWING CONDITIONS AND LIMITATIONS:

5 (e) (I) If the state, A county, A city and county, or A municipality  
6 implements a new automated vehicle identification system ~~after July 1,~~  
7 ~~2023,~~ that is not a replacement of an EXISTING automated vehicle  
8 identification system:

9 (A) The agency responsible for the automated vehicle  
10 identification system shall publicly announce the implementation of the  
11 system through its website AND SOCIAL MEDIA ACCOUNTS, IF ANY, for at  
12 least thirty days prior to the use of the system; and

13 (B) For the first thirty days after the system is installed or  
14 deployed, only warnings may be issued for violations of a county or  
15 municipal traffic regulation or traffic violation under state law detected  
16 by the system. SUCH WARNINGS MUST BE ISSUED AND DELIVERED IN  
17 WRITING.

18 (II) ~~A~~ THE state, A county, A city and county, or A municipality  
19 ~~may~~ SHALL conduct an extended public information campaign or warning  
20 period for ~~systems~~ EACH NEW SYSTEM installed or deployed. ~~either before~~  
21 ~~or after July 1, 2023~~ AS PART OF SUCH CAMPAIGN OR WARNING PERIOD,  
22 THE STATE, COUNTY, CITY AND COUNTY, OR MUNICIPALITY SHALL POST A  
23 SIGN ANNOUNCING THE UPCOMING USE OF AN AUTOMATED VEHICLE  
24 IDENTIFICATION SYSTEM AT EACH LOCATION WHERE AN AUTOMATED  
25 VEHICLE IDENTIFICATION SYSTEM WILL BE INSTALLED AT LEAST THIRTY  
26 DAYS BEFORE THE AUTOMATED VEHICLE IDENTIFICATION SYSTEM IS  
27 UTILIZED. THE SIGN MUST USE LETTERING THAT IS AT LEAST FOUR INCHES

1 HIGH FOR UPPERCASE LETTERS AND TWO AND NINE-TENTHS INCHES HIGH  
2 FOR LOWERCASE LETTERS.

3 (g) (I.7) Before the state, a county, A city and county, or A  
4 municipality begins operation of an automated vehicle identification  
5 system in an automated vehicle identification corridor, the state, county,  
6 city and county, or municipality must:

7 (A) Post a permanent sign in a conspicuous place not fewer than  
8 three hundred feet before the beginning of the corridor; ~~and~~

9 (B) Post a permanent sign not fewer than three hundred feet  
10 before each static camera within the corridor ~~thereafter~~ or a temporary  
11 sign not fewer than three hundred feet before any mobile camera; except  
12 that, ~~for an automated vehicle identification corridor on which~~ IF an  
13 automated vehicle identification system is used on transit vehicles for the  
14 ~~purpose of detecting~~ WILL BE USED EXCLUSIVELY TO DETECT unauthorized  
15 use of a transit-only lane, THE STATE, COUNTY, CITY AND COUNTY, OR  
16 MUNICIPALITY MUST post permanent signs at one-half mile or more  
17 frequent intervals WITHIN THE AUTOMATED VEHICLE IDENTIFICATION  
18 CORRIDOR; and

19 (C) Illustrate, through ~~data collected within the past five years~~  
20 QUANTITATIVE DATA COLLECTION, incidents of crashes, speeding, OR  
21 reckless driving ~~or community complaints~~ WITHIN THE PAST FIVE YEARS  
22 on a street designated as an automated vehicle identification corridor,  
23 unless the automated vehicle identification system will be used  
24 exclusively to detect unauthorized ~~usage of one or more transit-only lanes~~  
25 USE OF A TRANSIT-ONLY LANE. COMMUNITY COMPLAINTS MAY ALSO BE  
26 USED TO ILLUSTRATE THE NEED FOR AN AUTOMATED VEHICLE  
27 IDENTIFICATION CORRIDOR IF COLLECTED WITH QUANTITATIVE DATA.

1 (IV) The state, a county, a city and county, or a municipality  
2 implementing an automated vehicle identification corridor pursuant to  
3 subsection (2)(g)(I) of this section shall ANNUALLY publish a report on its  
4 website disclosing the number of citations and AMOUNT OF revenue  
5 generated by the automated vehicle identification corridor.

6 (h) (I) ~~The state, a county, a city and county, or a municipality~~  
7 ~~shall not require a registered owner of a vehicle to disclose the identity of~~  
8 ~~a driver of the vehicle who is detected through the use of an automated~~  
9 ~~vehicle identification system. However, the registered owner may be~~  
10 ~~required to submit evidence that the owner was not the driver at the time~~  
11 ~~of the alleged violation.~~ THE REGISTERED OWNER OF THE MOTOR VEHICLE  
12 DETECTED BY THE AUTOMATED VEHICLE IDENTIFICATION SYSTEM IS  
13 RESPONSIBLE FOR PAYING THE CIVIL PENALTY ASSOCIATED WITH THE  
14 NOTICE OF THE VIOLATION UNLESS:

15 (A) THE REGISTERED OWNER ESTABLISHES THAT THE MOTOR  
16 VEHICLE HAD BEEN SOLD PRIOR TO \_\_\_\_\_ THE TIME OF THE VIOLATION  
17 DETECTED BY THE AUTOMATED VEHICLE IDENTIFICATION SYSTEM BY  
18 PROVIDING A BILL OF SALE OR OTHER DOCUMENTATION TO SHOW THAT THE  
19 MOTOR VEHICLE WAS SOLD OR TRANSFERRED BEFORE THE DATE AND TIME  
20 OF THE VIOLATION;

21 (B) THE REGISTERED OWNER ESTABLISHES THAT THE MOTOR  
22 VEHICLE HAD BEEN STOLEN PRIOR TO THE TIME OF THE VIOLATION  
23 DETECTED BY THE AUTOMATED VEHICLE IDENTIFICATION SYSTEM BY  
24 PROVIDING A COPY OF THE POLICE REPORT TO SHOW THAT THE OWNER'S  
25 LICENSE PLATE OR MOTOR VEHICLE WAS STOLEN BEFORE THE DATE AND  
26 TIME OF THE VIOLATION;

27 (C) THE REGISTERED OWNER ESTABLISHES THAT LAW

1 ENFORCEMENT ISSUED A SEPARATE TRAFFIC CITATION TO THE REGISTERED  
2 OWNER OR DRIVER OF THE MOTOR VEHICLE FOR THE VIOLATION DETECTED  
3 BY THE AUTOMATED VEHICLE IDENTIFICATION SYSTEM;       

4 (D) A REPRESENTATIVE OF THE ESTATE OR A FAMILY MEMBER OF  
5 THE REGISTERED OWNER ESTABLISHES THAT THE REGISTERED OWNER WAS  
6 DECEASED PRIOR TO THE DATE OF THE VIOLATION DETECTED BY THE  
7 AUTOMATED VEHICLE IDENTIFICATION SYSTEM; OR

8 (E) THE REGISTERED OWNER ESTABLISHES THAT THE MOTOR  
9 VEHICLE WAS BEING RENTED TO SOMEONE OTHER THAN THE REGISTERED  
10 OWNER.

11 (II) (A) TO ESTABLISH THAT THE REGISTERED OWNER IS NOT  
12 RESPONSIBLE FOR PAYING A CIVIL PENALTY ASSOCIATED WITH A NOTICE  
13 OF VIOLATION, THE REGISTERED OWNER OR A REPRESENTATIVE OF THE  
14 ESTATE OR A FAMILY MEMBER OF THE REGISTERED OWNER MUST, WITHIN  
15 THIRTY DAYS AFTER THE DATE OF ISSUANCE OF THE NOTICE OF VIOLATION,  
16 PROVIDE TO THE ENTITY THAT ISSUED THE NOTICE OF VIOLATION AN  
17 AFFIDAVIT WITH INFORMATION SHOWING THAT ONE OF THE EXCEPTIONS  
18 SET FORTH IN SUBSECTION (2)(h)(I) OF THIS SECTION APPLIES. THE  
19 AFFIDAVIT MUST INCLUDE THE CIVIL PENALTY NUMBER.

20         
21 (B) THE REGISTERED OWNER OF A MOTOR VEHICLE THAT WAS  
22 LEASED AT THE TIME OF THE VIOLATION IS NOT REQUIRED TO SUBMIT AN  
23 AFFIDAVIT IF THE MOTOR VEHICLE WAS REGISTERED IN THE NAME OF THE  
24 LESSEE AT THE TIME OF THE VIOLATION.

25                
26 (III) IF THE REGISTERED OWNER TO WHOM A NOTICE OF VIOLATION  
27 HAS BEEN ISSUED IS DECEASED, THE AFFIDAVIT MUST INCLUDE BOTH A

1 CERTIFIED COPY OF THE DEATH CERTIFICATE SHOWING THAT THE DEATH  
2 OF THE REGISTERED OWNER OCCURRED BEFORE THE DATE OF THE  
3 VIOLATION AND ONE OF THE FOLLOWING:

4 (A) A BILL OF SALE OR OTHER DOCUMENT SHOWING THAT THE  
5 MOTOR VEHICLE WAS SOLD OR TRANSFERRED AFTER THE DATE OF THE  
6 REGISTERED OWNER'S DEATH AND BEFORE THE DATE OF THE VIOLATION;

7 (B) DOCUMENTED PROOF THAT THE REGISTERED LICENSE PLATE  
8 BELONGING TO THE REGISTERED OWNER WAS RETURNED TO THE  
9 DEPARTMENT OR ANOTHER OFFICE OR AUTHORIZED AGENT OF THE  
10 DEPARTMENT AFTER THE DATE OF THE REGISTERED OWNER'S DEATH AND  
11 BEFORE THE DATE OF THE VIOLATION; OR

12 (C) A COPY OF THE POLICE REPORT SHOWING THAT THE  
13 REGISTERED OWNER'S LICENSE PLATE OR MOTOR VEHICLE WAS STOLEN  
14 AFTER THE DATE OF THE REGISTERED OWNER'S DEATH AND BEFORE THE  
15 DATE OF THE VIOLATION.

16 (IV) UPON RECEIPT OF THE AFFIDAVIT AND SUFFICIENT  
17 SUPPORTING DOCUMENTATION PURSUANT TO THIS SUBSECTION (2)(h), THE  
18 STATE, A COUNTY, A CITY AND COUNTY, OR A MUNICIPALITY SHALL  
19 DISMISS THE NOTICE OF VIOLATION AND PROVIDE PROOF OF THE DISMISSAL  
20 TO THE REGISTERED OWNER OR OTHER PERSON THAT SUBMITTED THE  
21 AFFIDAVIT.

22 == ===== ==

23 (V) A PERSON THAT SUBMITS A FALSE AFFIDAVIT COMMITS A  
24 CLASS 2 MISDEMEANOR TRAFFIC OFFENSE AND, UPON CONVICTION, SHALL  
25 BE PUNISHED AS PROVIDED IN SECTION 42-4-1701 (3).

26 (i) (I) EXCEPT AS PROVIDED IN SUBSECTION (2)(i)(II) OF THIS  
27 SECTION, IF A VARIABLE SPEED LIMIT IS IN EFFECT OR A SPEED LIMIT IS

1 OTHERWISE TEMPORARILY LOWERED DUE TO HAZARDOUS WEATHER OR  
2 OTHER TRAFFIC CONDITIONS, THE STATE, A COUNTY, A CITY AND COUNTY,  
3 OR A MUNICIPALITY SHALL ONLY ISSUE A NOTICE OF VIOLATION AND CIVIL  
4 PENALTY FOR A VIOLATION DETECTED BY AN AUTOMATED VEHICLE  
5 IDENTIFICATION SYSTEM IF THE VIOLATION IS A SPEEDING VIOLATION THAT  
6 EXCEEDS THE REGULAR MAXIMUM POSTED SPEED LIMIT FOR THAT  
7 LOCATION THAT IS TYPICALLY IN EFFECT WHEN A VARIABLE SPEED LIMIT  
8 IS NOT IN EFFECT AND THE SPEED LIMIT IS NOT OTHERWISE TEMPORARILY  
9 LOWERED.

10 (II) SUBSECTION (2)(i)(I) OF THIS SECTION DOES NOT APPLY WHEN  
11 A SPEED LIMIT IS TEMPORARILY LOWERED DUE TO THE NEED FOR A  
12 TEMPORARY \_\_\_\_\_ MAINTENANCE, REPAIR, OR CONSTRUCTION ZONE  
13 DESIGNATED PURSUANT TO SECTION 42-4-614.

14 (4) (a) (I) If, THROUGH THE USE OF AN AUTOMATED VEHICLE  
15 IDENTIFICATION SYSTEM, the state, a county, a city and county, or a  
16 municipality detects a speeding violation of less than ~~ten~~ SIX miles per  
17 hour over the reasonable and prudent speed under a county or municipal  
18 traffic regulation or under state law, ~~through the use of an automated~~  
19 ~~vehicle identification system and the violation is the first violation by the~~  
20 ~~registered owner that the state, county, city and county, or municipality~~  
21 ~~has detected using an automated vehicle identification system,~~ then the  
22 state, county, city and county, or municipality may mail the registered  
23 owner a warning regarding the violation. ~~but~~ The state, county, city and  
24 county, or municipality shall not impose ~~any~~ A penalty or surcharge for  
25 such ~~first~~ A violation UNLESS THE VIOLATION OCCURS WITHIN A SCHOOL  
26 ZONE, AS DEFINED IN SECTION 42-4-615, OR WITHIN A MAINTENANCE,  
27 REPAIR, OR CONSTRUCTION ZONE DESIGNATED PURSUANT TO SECTION

1 42-4-614, IN WHICH CASE THE MAXIMUM PENALTY THAT THE STATE,  
2 COUNTY, CITY AND COUNTY, OR MUNICIPALITY MAY IMPOSE FOR SUCH  
3 VIOLATION, INCLUDING ANY SURCHARGE, IS FORTY DOLLARS.

4 (II) IF, THROUGH THE USE OF AN AUTOMATED VEHICLE  
5 IDENTIFICATION SYSTEM, THE STATE, A COUNTY, A CITY AND COUNTY, OR  
6 A MUNICIPALITY DETECTS A SPEEDING VIOLATION OF AT LEAST SIX AND  
7 LESS THAN TEN MILES PER HOUR OVER THE REASONABLE AND PRUDENT  
8 SPEED UNDER A COUNTY OR MUNICIPAL TRAFFIC REGULATION OR UNDER  
9 STATE LAW, AND THE VIOLATION IS THE FIRST VIOLATION BY THE  
10 REGISTERED OWNER THAT THE STATE, COUNTY, CITY AND COUNTY, OR  
11 MUNICIPALITY HAS DETECTED USING AN AUTOMATED VEHICLE  
12 IDENTIFICATION SYSTEM, THEN THE STATE, COUNTY, CITY AND COUNTY,  
13 OR MUNICIPALITY SHALL MAIL THE REGISTERED OWNER A WARNING  
14 REGARDING THE VIOLATION. THE STATE, COUNTY, CITY AND COUNTY, OR  
15 MUNICIPALITY SHALL NOT IMPOSE A PENALTY OR SURCHARGE FOR SUCH  
16 FIRST VIOLATION.

17 (III) (A) NOTWITHSTANDING SUBSECTION (4)(a)(II) OF THIS  
18 SECTION, IF, BEFORE JANUARY 1, 2035, THROUGH THE USE OF AN  
19 AUTOMATED VEHICLE IDENTIFICATION SYSTEM, THE STATE, A COUNTY, A  
20 CITY AND COUNTY, OR A MUNICIPALITY DETECTS A SPEEDING VIOLATION  
21 OF AT LEAST SIX AND LESS THAN TEN MILES PER HOUR OVER THE  
22 REASONABLE AND PRUDENT SPEED IN A SCHOOL ZONE AS DEFINED IN  
23 SECTION 42-4-615, OR WITHIN A \_\_\_\_\_ MAINTENANCE, REPAIR, OR  
24 CONSTRUCTION ZONE DESIGNATED PURSUANT TO SECTION 42-4-614, AND  
25 THE VIOLATION IS THE FIRST VIOLATION BY THE REGISTERED OWNER, THE  
26 MAXIMUM PENALTY THAT THE STATE, COUNTY, CITY AND COUNTY, OR  
27 MUNICIPALITY MAY IMPOSE FOR SUCH VIOLATION, INCLUDING ANY

1 SURCHARGE, IS FORTY DOLLARS.

2 (B) THIS SUBSECTION (4)(a)(III) IS REPEALED, EFFECTIVE JANUARY  
3 1, 2036.

4 (IV) NOTWITHSTANDING SUBSECTION (4)(a)(II) OF THIS SECTION,  
5 BEGINNING JANUARY 1, 2035, IF, THROUGH THE USE OF AN AUTOMATED  
6 VEHICLE IDENTIFICATION SYSTEM, THE STATE, A COUNTY, A CITY AND  
7 COUNTY, OR A MUNICIPALITY DETECTS A SPEEDING VIOLATION OF AT  
8 LEAST SIX AND LESS THAN TEN MILES PER HOUR OVER THE REASONABLE  
9 AND PRUDENT SPEED IN A SCHOOL ZONE AS DEFINED IN SECTION 42-4-615,  
10 OR WITHIN A \_\_\_\_\_ MAINTENANCE, REPAIR, OR CONSTRUCTION ZONE  
11 DESIGNATED PURSUANT TO SECTION 42-4-614, AND THE VIOLATION IS THE  
12 FIRST VIOLATION BY THE REGISTERED OWNER, THE MAXIMUM PENALTY  
13 THAT THE STATE, COUNTY, CITY AND COUNTY, OR MUNICIPALITY MAY  
14 IMPOSE FOR SUCH VIOLATION, INCLUDING ANY SURCHARGE, IS FIFTY  
15 DOLLARS.

16 (b) (I) (A) If, BEFORE JANUARY 1, 2035, THROUGH THE USE OF AN  
17 AUTOMATED VEHICLE IDENTIFICATION SYSTEM, the state, a county, a city  
18 and county, or a municipality detects a second or subsequent speeding  
19 violation BY A REGISTERED OWNER OF AT LEAST SIX AND LESS THAN TEN  
20 MILES PER HOUR OVER THE REASONABLE AND PRUDENT SPEED under a  
21 county or municipal traffic regulation or under state law, ~~by the registered~~  
22 ~~owner, or a first such~~ SPEEDING violation by the registered owner ~~if the~~  
23 ~~provisions of subsection (4)(a) of this section do not apply, through the~~  
24 ~~use of an automated vehicle identification system~~ OF AT LEAST TEN AND  
25 LESS THAN TWENTY-FIVE MILES PER HOUR OVER THE REASONABLE AND  
26 PRUDENT SPEED, then, except as may be permitted in subsection (4)(b)(II)  
27 of this section, the maximum penalty that the state, county, city and

1 county, or municipality may impose for such violation, including any  
2 surcharge, is forty dollars.

3 (B) THIS SUBSECTION (4)(b)(I) IS REPEALED, EFFECTIVE JANUARY  
4 1, 2036.

5 (I.5) BEGINNING JANUARY 1, 2035, IF, THROUGH THE USE OF AN  
6 AUTOMATED VEHICLE IDENTIFICATION SYSTEM, THE STATE, A COUNTY, A  
7 CITY AND COUNTY, OR A MUNICIPALITY DETECTS A SECOND OR  
8 SUBSEQUENT SPEEDING VIOLATION BY A REGISTERED OWNER OF AT LEAST  
9 SIX AND LESS THAN TEN MILES PER HOUR OVER THE REASONABLE AND  
10 PRUDENT SPEED UNDER A COUNTY OR MUNICIPAL TRAFFIC REGULATION OR  
11 UNDER STATE LAW, OR A SPEEDING VIOLATION BY THE REGISTERED OWNER  
12 OF AT LEAST TEN AND LESS THAN TWENTY-FIVE MILES PER HOUR OVER THE  
13 REASONABLE AND PRUDENT SPEED, THEN, EXCEPT AS MAY BE PERMITTED  
14 IN SUBSECTION (4)(b)(II) OF THIS SECTION, THE MAXIMUM PENALTY THAT  
15 THE STATE, COUNTY, CITY AND COUNTY, OR MUNICIPALITY MAY IMPOSE  
16 FOR SUCH VIOLATION, INCLUDING ANY SURCHARGE, IS FIFTY DOLLARS.

17 (II) If ~~any~~ A violation described in subsection (4)(b)(I) OR  
18 (4)(b)(I.5) of this section occurs within a school zone as defined in  
19 section 42-4-615, OR WITHIN A \_\_\_\_\_ MAINTENANCE, REPAIR, OR  
20 CONSTRUCTION ZONE DESIGNATED PURSUANT TO SECTION 42-4-614, the  
21 maximum penalty that may be imposed ~~shall be~~ IS doubled.

22 (III) ~~Subsection (4)(b)(I) of this section does not apply within a~~  
23 ~~maintenance, construction, or repair zone designated pursuant to section~~  
24 ~~42-4-614 or a school zone, as defined in section 42-4-615 (2).~~

25 (c) (I) (A) IF, BEFORE JANUARY 1, 2035, THROUGH THE USE OF AN  
26 AUTOMATED VEHICLE IDENTIFICATION SYSTEM, THE STATE, A COUNTY, A  
27 CITY AND COUNTY, OR A MUNICIPALITY DETECTS A SPEEDING VIOLATION

1 BY A REGISTERED OWNER OF TWENTY-FIVE MILES PER HOUR OR MORE  
2 OVER THE REASONABLE AND PRUDENT SPEED UNDER A COUNTY OR  
3 MUNICIPAL TRAFFIC REGULATION OR UNDER STATE LAW, THE MAXIMUM  
4 PENALTY THAT THE STATE, COUNTY, CITY AND COUNTY, OR MUNICIPALITY  
5 MAY IMPOSE FOR SUCH VIOLATION, INCLUDING ANY SURCHARGE, IS ONE  
6 HUNDRED TWENTY DOLLARS.

7 (B) THIS SUBSECTION (4)(c)(I) IS REPEALED, EFFECTIVE JANUARY  
8 1, 2036.

9 (II) BEGINNING JANUARY 1, 2035, IF, THROUGH THE USE OF AN  
10 AUTOMATED VEHICLE IDENTIFICATION SYSTEM, THE STATE, A COUNTY, A  
11 CITY AND COUNTY, OR A MUNICIPALITY DETECTS A SPEEDING VIOLATION  
12 BY A REGISTERED OWNER OF TWENTY-FIVE MILES PER HOUR OR MORE  
13 OVER THE REASONABLE AND PRUDENT SPEED UNDER A COUNTY OR  
14 MUNICIPAL TRAFFIC REGULATION OR UNDER STATE LAW, THE MAXIMUM  
15 PENALTY THAT THE STATE, COUNTY, CITY AND COUNTY, OR MUNICIPALITY  
16 MAY IMPOSE FOR SUCH VIOLATION, INCLUDING ANY SURCHARGE, IS ONE  
17 HUNDRED FIFTY DOLLARS.

18 (4.5) (a) (I) (A) If, BEFORE JANUARY 1, 2035, the state, a county,  
19 a city and county, or a municipality detects a violation of a county, city  
20 and county, or municipal traffic regulation or traffic violation under state  
21 law for disobedience to a traffic control signal through the use of an  
22 automated vehicle identification system, the maximum civil penalty that  
23 the state, a county, a city and county, or a municipality may impose for  
24 such violation, including any surcharge, is seventy-five dollars.

25 (B) THIS SUBSECTION (4.5)(a)(I) IS REPEALED, EFFECTIVE  
26 JANUARY 1, 2036.

27 (II) BEGINNING JANUARY 1, 2035, IF THE STATE, A COUNTY, A CITY

1 AND COUNTY, OR A MUNICIPALITY DETECTS A VIOLATION OF A COUNTY,  
2 CITY AND COUNTY, OR MUNICIPAL TRAFFIC REGULATION OR TRAFFIC  
3 VIOLATION UNDER STATE LAW FOR DISOBEDIENCE TO A TRAFFIC CONTROL  
4 SIGNAL THROUGH THE USE OF AN AUTOMATED VEHICLE IDENTIFICATION  
5 SYSTEM, THE MAXIMUM CIVIL PENALTY THAT THE STATE, COUNTY, CITY  
6 AND COUNTY, OR MUNICIPALITY MAY IMPOSE FOR SUCH VIOLATION,  
7 INCLUDING ANY SURCHARGE, IS NINETY-FIVE DOLLARS.

8 (4.6) (b) (I) (A) If, BEFORE JANUARY 1, 2035, through the use of  
9 an automated vehicle identification system, the state, a county, a city and  
10 county, or a municipality detects a motor vehicle overtaking a stopped  
11 school bus with actuated visual signal lights in violation of section  
12 42-4-1903 (1)(a), the maximum civil penalty the state, county, city and  
13 county, or municipality may impose for the violation is three hundred  
14 dollars, including surcharges or fees.

15 (B) THIS SUBSECTION (4.6)(b)(I) IS REPEALED, EFFECTIVE  
16 JANUARY 1, 2036.

17 (II) BEGINNING JANUARY 1, 2035, IF, THROUGH THE USE OF AN  
18 AUTOMATED VEHICLE IDENTIFICATION SYSTEM, THE STATE, A COUNTY, A  
19 CITY AND COUNTY, OR A MUNICIPALITY DETECTS A MOTOR VEHICLE  
20 OVERTAKING A STOPPED SCHOOL BUS WITH ACTUATED VISUAL SIGNAL  
21 LIGHTS IN VIOLATION OF SECTION 42-4-1903 (1)(a), THE MAXIMUM CIVIL  
22 PENALTY THE STATE, COUNTY, CITY AND COUNTY, OR MUNICIPALITY MAY  
23 IMPOSE FOR THE VIOLATION IS THREE HUNDRED SEVENTY-FIVE DOLLARS,  
24 INCLUDING SURCHARGES OR FEES.

25 (5) If the state, a county, a city and county, or a municipality has  
26 established an automated vehicle identification system for the  
27 enforcement of county or municipal traffic regulations or state traffic

1 laws, then no portion of any fine collected through the use of such system  
2 may be paid to the manufacturer or vendor of the automated vehicle  
3 identification system equipment. The compensation paid by the state,  
4 county, city and county, or municipality for such equipment shall:

5 (a) Be based upon the value of such equipment and the value of  
6 any services provided to the state, county, city and county, or  
7 municipality; ~~and may~~

8 (b) Not be based upon the number of traffic citations issued or the  
9 AMOUNT OF revenue generated by such equipment or services; AND

10 (c) BE A FLAT MONTHLY RATE.

11 **SECTION 3. Act subject to petition - effective date -**  
12 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
13 the expiration of the ninety-day period after final adjournment of the  
14 general assembly (August 12, 2026, if adjournment sine die is on May 13,  
15 2026); except that, if a referendum petition is filed pursuant to section 1  
16 (3) of article V of the state constitution against this act or an item, section,  
17 or part of this act within such period, then the act, item, section, or part  
18 will not take effect unless approved by the people at the general election  
19 to be held in November 2026 and, in such case, will take effect on the  
20 date of the official declaration of the vote thereon by the governor.

21 (2) This act applies to conduct occurring or contracts entered into  
22 or renewed on or after the applicable effective date of this act.