

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 16-0798.01 Jason Gelender x4330

HOUSE BILL 16-1008

HOUSE SPONSORSHIP

Winter and Becker J.,

SENATE SPONSORSHIP

Cooke and Heath,

House Committees
Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZATION FOR THE DEPARTMENT OF**
102 **TRANSPORTATION TO DESIGNATE AN AREA ON A ROADWAY NOT**
103 **OTHERWISE LANED FOR TRAFFIC FOR USE BY COMMERCIAL**
104 **VEHICLES DESIGNED TO TRANSPORT SIXTEEN PASSENGERS OR**
105 **MORE THAT ARE OPERATED BY A GOVERNMENTAL ENTITY OR**
106 **GOVERNMENT-OWNED BUSINESS THAT TRANSPORTS THE**
107 **GENERAL PUBLIC OR BY A CONTRACTOR ON BEHALF OF SUCH AN**
108 **ENTITY OR GOVERNMENT-OWNED BUSINESS.**

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

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

[http://www.leg.state.co.us/bills/summaries.](http://www.leg.state.co.us/bills/summaries/))

The department of transportation (CDOT) is authorized to designate an area on a roadway not otherwise laned for traffic for use by commercial vehicles designed to transport sixteen passengers or more, including the driver, that are operated by a governmental entity or government-owned business that transports the general public or by a contractor on behalf of such an entity or government-owned business. CDOT must consult with the Colorado state patrol before making such a designation and establishing conditions of use for the designated area. CDOT must impose and each authorized user must acknowledge the conditions of use for the designated area by written agreement.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-1007, **amend**
3 (2); and **add** (3) as follows:

4 **42-4-1007. Driving on roadways laned for traffic.** (2) ~~Any~~
5 ~~person who violates any provision of this section commits a class A~~
6 ~~traffic infraction~~ THE DEPARTMENT OF TRANSPORTATION MAY DESIGNATE
7 WITH SIGNAGE AN AREA ON A ROADWAY NOT OTHERWISE LANED FOR
8 TRAFFIC FOR USE BY COMMERCIAL VEHICLES, AS DEFINED IN SECTION
9 42-4-235 (1) (a), THAT ARE DESIGNED TO TRANSPORT SIXTEEN OR MORE
10 PASSENGERS, INCLUDING THE DRIVER, AND THAT ARE OPERATED BY A
11 GOVERNMENTAL ENTITY OR GOVERNMENT-OWNED BUSINESS THAT
12 TRANSPORTS THE GENERAL PUBLIC OR BY A CONTRACTOR ON BEHALF OF
13 SUCH AN ENTITY OR GOVERNMENT-OWNED BUSINESS. USE OF SUCH AN
14 AREA IS LIMITED TO VEHICLES AUTHORIZED BY THE DEPARTMENT
15 OPERATING UNDER CONDITIONS OF USE ESTABLISHED BY THE DEPARTMENT
16 BUT, SUBJECT TO THE CONDITIONS OF USE, THE DRIVER OF AN AUTHORIZED
17 VEHICLE HAS SOLE DISCRETION TO DECIDE WHETHER OR NOT TO DRIVE ON
18 SUCH AN AREA BASED ON THE DRIVER'S ASSESSMENT OF THE SAFETY OF
19 DOING SO. THE DEPARTMENT SHALL CONSULT WITH THE COLORADO STATE

1 PATROL BEFORE GRANTING AUTHORIZATION FOR USE OF THE AREA AND
2 ESTABLISHING CONDITIONS OF USE. THE DEPARTMENT SHALL IMPOSE AND
3 EACH AUTHORIZED USER SHALL ACKNOWLEDGE THE CONDITIONS OF USE
4 BY WRITTEN AGREEMENT, AND THE DEPARTMENT NEED NOT NOTE THE
5 CONDITIONS OF USE IN ROADWAY SIGNAGE. AN AUTHORIZED USER DOES
6 NOT VIOLATE THIS SECTION OR SECTION 42-4-1004 WHEN OPERATING IN
7 ACCORDANCE WITH THE CONDITIONS OF USE FOR AN AREA IMPOSED BY THE
8 DEPARTMENT AND ACKNOWLEDGED BY THE USER IN A WRITTEN
9 AGREEMENT.

10 (3) A PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION
11 COMMITS A CLASS A TRAFFIC INFRACTION.

12 **SECTION 2. Safety clause.** The general assembly hereby finds,
13 determines, and declares that this act is necessary for the immediate
14 preservation of the public peace, health, and safety.