

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0943.01 Richard Sweetman x4333

HOUSE BILL 20-1178

HOUSE SPONSORSHIP

Holtorf,

SENATE SPONSORSHIP

Sonnenberg,

House Committees

Transportation & Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING INCREASING THE SPEED LIMIT ON RURAL STATE
102 HIGHWAYS WHERE IT IS SAFE TO DO SO, AND, IN CONNECTION
103 THEREWITH, DIRECTING THE DEPARTMENT OF TRANSPORTATION
104 TO IDENTIFY THESE HIGHWAYS.

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 requires the department of transportation to perform a study of state highways in rural areas of the state in 2020 and every 5 years thereafter for the purpose of identifying portions of rural state

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

highways where the speed limit can be raised to 70 miles per hour without endangering public safety. On or before January 1, 2021, and every 5 years thereafter, the department shall complete its study and:

- ! Submit a report to committees of reference of the general assembly; and
- ! Increase the speed limit to 70 miles per hour for each portion of rural state highway that is identified by the study.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-1102, **add** (3.5)
3 as follows:

4 **42-4-1102. Altering of speed limits - department to study rural**
5 **state highways and increase speed limits every five years - definitions.**

6 (3.5) (a) IN 2020 AND EVERY FIVE YEARS THEREAFTER, THE DEPARTMENT
7 OF TRANSPORTATION, REFERRED TO IN THIS SUBSECTION (3.5) AS THE
8 "DEPARTMENT", SHALL PERFORM A STUDY OF STATE HIGHWAYS IN RURAL
9 AREAS OF THE STATE FOR THE PURPOSE OF IDENTIFYING PORTIONS OF
10 RURAL STATE HIGHWAYS WHERE THE SPEED LIMIT CAN BE RAISED TO
11 SEVENTY MILES PER HOUR WITHOUT ENDANGERING PUBLIC SAFETY. IN
12 IDENTIFYING THESE PORTIONS OF RURAL STATE HIGHWAYS, THE
13 DEPARTMENT SHALL CONSIDER:

14 (I) WHETHER THE PORTION OF HIGHWAY IS PREDOMINANTLY
15 STRAIGHT;

16 (II) THE QUALITY OF THE SURFACE OF THE PORTION OF HIGHWAY,
17 INCLUDING WHETHER THE PORTION OF HIGHWAY HAS BEEN RESURFACED
18 RECENTLY;

19 (III) THE PRESENCE OR ABSENCE OF ADEQUATE SPACE ALONG
20 BOTH SIDES OF THE PORTION OF HIGHWAY TO ALLOW A VEHICLE TO SAFELY
21 PULL OVER TO THE SIDE OF THE HIGHWAY; AND

1 (IV) ANY OTHER SAFETY CONCERNS THAT THE DEPARTMENT, IN
2 ITS DISCRETION, INCLUDES IN THE REPORT.

3 (b) IN IDENTIFYING PORTIONS OF RURAL STATE HIGHWAYS WHERE
4 THE SPEED LIMIT CAN BE RAISED TO SEVENTY MILES PER HOUR PURSUANT
5 TO SUBSECTION (3.5)(a) OF THIS SECTION, THE DEPARTMENT SHALL GIVE
6 PREFERENCE TO PORTIONS OF RURAL STATE HIGHWAYS THAT:

7 (I) CONNECT RURAL TOWNS TO ONE OR MORE CITIES; AND

8 (II) ARE RELATIVELY HEAVILY TRAVELED.

9 (c) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), ON OR
10 BEFORE JANUARY 1, 2021, AND ON OR BEFORE EACH JANUARY 1 EVERY
11 FIVE YEARS THEREAFTER, THE DEPARTMENT SHALL COMPLETE THE STUDY
12 DESCRIBED IN SUBSECTION (3.5)(a) OF THIS SECTION AND SUBMIT A
13 REPORT TO THE TRANSPORTATION AND LOCAL GOVERNMENT COMMITTEE
14 AND THE RURAL AFFAIRS AND AGRICULTURE COMMITTEE OF THE HOUSE OF
15 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, AND TO THE
16 TRANSPORTATION AND ENERGY COMMITTEE OF THE SENATE, OR ANY
17 SUCCESSOR COMMITTEE. THE REPORT MUST SUMMARIZE THE
18 CONCLUSIONS OF THE STUDY AND INDICATE THE PORTIONS OF RURAL
19 STATE HIGHWAYS FOR WHICH THE DEPARTMENT WILL INCREASE THE SPEED
20 LIMIT PURSUANT TO SUBSECTION (3.5)(d) OF THIS SECTION.

21 (d) ON OR BEFORE JANUARY 1, 2021, AND ON OR BEFORE EACH
22 JANUARY 1 EVERY FIVE YEARS THEREAFTER, THE DEPARTMENT, PURSUANT
23 TO ITS AUTHORITY UNDER THIS PART 11, SHALL INCREASE THE SPEED LIMIT
24 TO SEVENTY MILES PER HOUR FOR EACH PORTION OF RURAL STATE
25 HIGHWAY THAT IS IDENTIFIED BY THE STUDY DESCRIBED IN SUBSECTION
26 (3.5)(a) OF THIS SECTION.

27 (e) NOTWITHSTANDING ANY PROVISION OF THIS SECTION AND

1 SECTION 42-4-111 TO THE CONTRARY, COUNTY AND LOCAL MUNICIPAL
2 AUTHORITIES DO NOT HAVE AUTHORITY TO LOWER A SPEED LIMIT THAT IS
3 SET BY THE DEPARTMENT PURSUANT TO THIS SUBSECTION (3.5).

4 **SECTION 2. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly (August
7 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
8 referendum petition is filed pursuant to section 1 (3) of article V of the
9 state constitution against this act or an item, section, or part of this act
10 within such period, then the act, item, section, or part will not take effect
11 unless approved by the people at the general election to be held in
12 November 2020 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.