

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 20-0943.01 Richard Sweetman x4333

HOUSE BILL 20-1178

HOUSE SPONSORSHIP

Holtorf, Liston, Pelton, Van Winkle

SENATE SPONSORSHIP

Sonnenberg, Coram, Crowder, Donovan, Garcia, Gardner, Gonzales, Hisey, Lundeen, Priola, Rankin, Smallwood, Tate, Winter

House Committees

Transportation & Local Government

Senate Committees

Transportation & Energy

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.

SENATE
3rd Reading Unamended
March 14, 2020

SENATE
Amended 2nd Reading
March 13, 2020

HOUSE
3rd Reading Unamended
February 28, 2020

HOUSE
Amended 2nd Reading
February 27, 2020

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 - definitions - repeal.**

6 (3.5) (a) THE DEPARTMENT OF TRANSPORTATION, REFERRED TO IN THIS
7 SUBSECTION (3.5) AS THE "DEPARTMENT", SHALL STUDY RELEVANT AND
8 APPROPRIATE STATE HIGHWAYS IN RURAL AREAS OF THE STATE FOR THE
9 PURPOSE OF IDENTIFYING PORTIONS OF RURAL STATE HIGHWAYS WHERE
10 THE SPEED LIMIT CAN BE RAISED AS DESCRIBED IN SECTION 42-4-1101
11 WITHOUT ENDANGERING PUBLIC SAFETY. IN IDENTIFYING THESE PORTIONS
12 OF RURAL STATE HIGHWAYS, THE DEPARTMENT SHALL CONSIDER:

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

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

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

21 (IV) THE SAFETY OF VULNERABLE ROAD USERS WHO USE THE

1 PORTION OF HIGHWAY; AND

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

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

8 (I) CONNECT RURAL TOWNS TO ONE OR MORE CITIES; ■

9 (II) PROVIDE ACCESS TO ONE OR MORE PUBLIC OR PRIVATE
10 SCHOOLS; AND

11 (III) ARE RELATIVELY HEAVILY TRAVELED.

12 (c) ON OR BEFORE MARCH 1, 2021, THE DEPARTMENT SHALL
13 COMPLETE THE STUDY DESCRIBED IN SUBSECTION (3.5)(a) OF THIS
14 SECTION. THE DEPARTMENT SHALL INCLUDE A SUMMARY OF THE STUDY IN
15 THE DEPARTMENT'S NEXT ANNUAL REPORT TO THE LEGISLATIVE
16 COMMITTEES OF REFERENCE PURSUANT TO SECTION 2-7-203. THE
17 SUMMARY MUST INDICATE THE CONCLUSIONS OF THE STUDY AND THE
18 PORTIONS OF RURAL HIGHWAYS FOR WHICH THE DEPARTMENT WILL
19 INCREASE THE SPEED LIMIT.

20 (d) AS USED IN THIS SUBSECTION (3.5), UNLESS THE CONTEXT
21 OTHERWISE REQUIRES, "VULNERABLE ROAD USER" MEANS:

22 (I) A PEDESTRIAN;

23 (II) A PERSON ENGAGED IN WORK UPON A ROADWAY OR UPON
24 UTILITY FACILITIES ALONG A ROADWAY;

25 (III) A PERSON PROVIDING EMERGENCY SERVICES WITHIN A
26 RIGHT-OF-WAY;

27 (IV) A PEACE OFFICER WHO IS OUTSIDE A MOTOR VEHICLE AND

- 1 PERFORMING THE PEACE OFFICER'S DUTIES IN A RIGHT-OF-WAY;
2 (V) A PERSON RIDING OR LEADING AN ANIMAL; OR
3 (VI) A PERSON LAWFULLY USING ANY OF THE FOLLOWING ON A
4 PUBLIC RIGHT-OF-WAY, CROSSWALK, OR SHOULDER OF THE ROADWAY:
5 (A) A BICYCLE, ELECTRICAL ASSISTED BICYCLE, TRICYCLE, OR
6 OTHER PEDAL-POWERED VEHICLE;
7 (B) A FARM TRACTOR OR SIMILAR VEHICLE DESIGNED PRIMARILY
8 FOR FARM USE;
9 (C) A SKATEBOARD;
10 (D) ROLLER SKATES;
11 (E) IN-LINE SKATES;
12 (F) A SCOOTER;
13 (G) A MOPED;
14 (H) A MOTORCYCLE;
15 (I) AN OFF-HIGHWAY VEHICLE;
16 (J) AN ANIMAL-DRAWN, WHEELED VEHICLE;
17 (K) FARM EQUIPMENT;
18 (L) A SLED;
19 (M) AN ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE;
20 (N) A WHEELCHAIR;
21 (O) A BABY STROLLER; OR
22 (P) A NONMOTORIZED PULL WAGON.
23 (e) THIS SUBSECTION (3.5) IS REPEALED, EFFECTIVE JULY 1, 2022.
24

25 **SECTION 2. Act subject to petition - effective date.** This act
26 takes effect at 12:01 a.m. on the day following the expiration of the
27 ninety-day period after final adjournment of the general assembly (August

1 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
2 referendum petition is filed pursuant to section 1 (3) of article V of the
3 state constitution against this act or an item, section, or part of this act
4 within such period, then the act, item, section, or part will not take effect
5 unless approved by the people at the general election to be held in
6 November 2020 and, in such case, will take effect on the date of the
7 official declaration of the vote thereon by the governor.