

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

PREAMENDED

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

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 - 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 TO SEVENTY MILES PER HOUR WITHOUT
11 ENDANGERING PUBLIC SAFETY. IN IDENTIFYING THESE PORTIONS OF RURAL
12 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; AND

21 (IV) ANY OTHER SAFETY CONCERNS THAT THE DEPARTMENT, IN

1 ITS DISCRETION, INCLUDES IN THE REPORT.

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

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

7 (II) PROVIDE ACCESS TO ONE OR MORE PUBLIC OR PRIVATE
8 SCHOOLS; AND

9 (III) ARE RELATIVELY HEAVILY TRAVELED.

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

18 (d) THIS SUBSECTION (3.5) IS REPEALED, EFFECTIVE JULY 1, 2022.

19 ■

20 **SECTION 2. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly (August
23 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
24 referendum petition is filed pursuant to section 1 (3) of article V of the
25 state constitution against this act or an item, section, or part of this act
26 within such period, then the act, item, section, or part will not take effect
27 unless approved by the people at the general election to be held in

- 1 November 2020 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.