

First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 23-0148.01 Alana Rosen x2606

HOUSE BILL 23-1177

HOUSE SPONSORSHIP

McLachlan,

SENATE SPONSORSHIP

(None),

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING AUTOMATED VEHICLE IDENTIFICATION SYSTEMS ON
102 ROUTE SCHOOL BUSES FOR STUDENT SAFETY.

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 every route school bus used for the transportation of schoolchildren to have an automated vehicle identification system (system) installed on the route school bus on or before July 1, 2028, to record motor vehicles that unlawfully pass a stopped route school bus.

The bill creates the route school bus camera matching grant program (grant program). The purpose of the grant program is to provide

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.

grants to eligible applicants to install a system on every route school bus to record motor vehicles that unlawfully pass a stopped route school bus. The department of education shall administer the grant program pursuant to rules promulgated by the state board of education.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-110.5, **amend**
3 (2)(f) and (6); and **add** (2)(d)(III) and (7) as follows:

4 **42-4-110.5. Automated vehicle identification systems -**
5 **legislative declaration - definitions.** (2) A municipality may adopt an
6 ordinance authorizing the use of an automated vehicle identification
7 system to detect violations of traffic regulations adopted by the
8 municipality, or the state, a county, a city and county, or a municipality
9 may utilize an automated vehicle identification system to detect traffic
10 violations under state law, subject to the following conditions and
11 limitations:

12 (d) (III) NOTWITHSTANDING SUBSECTIONS (2)(d)(I) AND (2)(d)(II)
13 OF THIS SECTION, AND IN ADDITION TO THE DEPARTMENT OF EDUCATION'S
14 MINIMUM STANDARDS GOVERNING TRANSPORTATION VEHICLES, A
15 WARNING SIGN MUST BE POSTED ON ALL ROUTE SCHOOL BUSES IN WHICH
16 AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM IS INSTALLED AND
17 OPERATIONAL, STATING THAT AN AUTOMATED VEHICLE IDENTIFICATION
18 SYSTEM IS BEING USED PURSUANT TO THE DEPARTMENT OF EDUCATION'S
19 MINIMUM STANDARDS.

20 (f) The state, a county, a city and county, or a municipality shall
21 not issue a penalty assessment notice or summons for a violation detected
22 using an automated vehicle identification system unless, at the time the
23 violation is alleged to have occurred, an officer or employee of the state,

1 the county, the city and county, or the municipality is present during the
2 operation of the automated vehicle identification device; except that this
3 ~~paragraph (f) shall~~ SUBSECTION (2)(f) DOES not apply to an automated
4 vehicle identification system designed to detect violations for
5 disobedience to a traffic control signal OR STOPPED ROUTE SCHOOL BUSES
6 PURSUANT TO SUBSECTION (7) OF THIS SECTION.

7 (6) As used in this section, UNLESS THE CONTEXT OTHERWISE
8 REQUIRES:

9 (a) ~~the term~~ "Automated vehicle identification system" means a
10 system whereby:

11 ~~(a)~~ (I) A machine is used to automatically detect a violation of a
12 traffic regulation and simultaneously record a photograph of the vehicle,
13 the operator of the vehicle, and the license plate of the vehicle; and

14 ~~(b)~~ (II) A penalty assessment notice or summons and complaint
15 is issued to the registered owner of the motor vehicle.

16 (b) "ROUTE SCHOOL BUS" MEANS A SCHOOL BUS THAT TRANSPORTS
17 STUDENTS TO AND FROM SCHOOL FOR THE PURPOSE OF ATTENDING SCHOOL
18 AND THAT CAN CONTROL TRAFFIC WITH ALTERNATING FLASHING RED
19 LIGHTS.

20 (7) (a) ON OR BEFORE JULY 1, 2028, A SCHOOL DISTRICT SHALL
21 INSTALL, OPERATE, AND MAINTAIN AN AUTOMATED VEHICLE
22 IDENTIFICATION SYSTEM OR ENTER INTO AN AGREEMENT WITH A PRIVATE
23 VENDOR FOR THE INSTALLATION, OPERATION, AND MAINTENANCE OF AN
24 AUTOMATED VEHICLE IDENTIFICATION SYSTEM. THE AGREEMENT MUST
25 INCLUDE THE COST TO THE VENDOR FOR THE EXPENSE OF INSTALLING,
26 OPERATING, AND MAINTAINING THE AUTOMATED VEHICLE IDENTIFICATION
27 SYSTEM. THE AUTOMATED VEHICLE IDENTIFICATION SYSTEM MUST

1 PRODUCE A LIVE VISUAL IMAGE THAT IS VIEWABLE REMOTELY AND A
2 RECORDED IMAGE OF THE LICENSE PLATE NUMBER OF A MOTOR VEHICLE
3 THAT UNLAWFULLY PASSES A STOPPED ROUTE SCHOOL BUS, INDICATING
4 THE DATE, TIME, AND LOCATION OF THE VIOLATION.

5 (b) IF AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM DETECTS
6 AND RECORDS A MOTOR VEHICLE THAT UNLAWFULLY PASSES A STOPPED
7 ROUTE SCHOOL BUS, A SCHOOL DISTRICT SHALL PROVIDE THE EVIDENCE OF
8 THE POTENTIAL VIOLATION TO THE APPROPRIATE LAW ENFORCEMENT
9 AGENCY. THE LAW ENFORCEMENT AGENCY SHALL REVIEW THE EVIDENCE,
10 WHICH MUST INCLUDE A DIGITAL PHOTOGRAPH OF THE MOTOR VEHICLE,
11 RECORDED VIDEO OR OTHER RECORDED IMAGES, AND A SIGNED AFFIDAVIT
12 OF A PERSON WHO WITNESSED THE VIOLATION LIVE. A MOTOR VEHICLE
13 THAT UNLAWFULLY PASSES A STOPPED ROUTE SCHOOL BUS VIOLATES
14 SECTION 42-4-1903 (1). THE PEACE OFFICER MAY PERSONALLY SERVE THE
15 DRIVER A SUMMONS FOR VIOLATING SECTION 42-4-1903 (1).

16 **SECTION 2.** In Colorado Revised Statutes, 42-4-1903, **add** (3.5)
17 as follows:

18 **42-4-1903. School buses - stops - signs - passing - definition.**

19 (3.5) (a) ON OR BEFORE JULY 1, 2028, EVERY ROUTE SCHOOL BUS USED
20 FOR THE TRANSPORTATION OF SCHOOLCHILDREN MUST HAVE AN
21 AUTOMATED VEHICLE IDENTIFICATION SYSTEM, AS DEFINED IN SECTION
22 42-4-110.5 (6), INSTALLED ON A ROUTE SCHOOL BUS, AND IT MUST BE
23 TURNED ON WHILE THE BUS IS IN USE TO RECORD MOTOR VEHICLES THAT
24 UNLAWFULLY PASS A STOPPED ROUTE SCHOOL BUS PURSUANT TO SECTION
25 42-4-110.5. A MOTOR VEHICLE THAT UNLAWFULLY PASSES A STOPPED
26 ROUTE SCHOOL BUS VIOLATES SUBSECTION (1) OF THIS SECTION.

27 (b) AS USED IN THIS SECTION, "ROUTE SCHOOL BUS" MEANS A

1 SCHOOL BUS THAT TRANSPORTS STUDENTS TO AND FROM SCHOOL FOR THE
2 PURPOSE OF ATTENDING SCHOOL AND CAN CONTROL TRAFFIC WITH
3 ALTERNATING FLASHING RED LIGHTS.

4 **SECTION 3.** In Colorado Revised Statutes, **add 22-51-112** as
5 follows:

6 **22-51-112. Route school bus camera matching grant program**
7 **- creation - report - rules - definitions.** (1) AS USED IN THIS SECTION,
8 UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 (a) "AUTOMATED VEHICLE IDENTIFICATION SYSTEM" HAS THE
10 SAME MEANING AS SET FORTH IN SECTION 42-4-110.5.

11 (b) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
12 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.

13 (c) "ELIGIBLE APPLICANTS" MEANS A SCHOOL DISTRICT; A
14 CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART
15 1 OF ARTICLE 30.5 OF THIS TITLE 22; AN INSTITUTE CHARTER SCHOOL
16 AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO
17 PART 5 OF ARTICLE 30.5 OF THIS TITLE 22; AND A BOARD OF COOPERATIVE
18 SERVICES THAT OPERATES AT LEAST ONE PUBLIC SCHOOL CREATED AND
19 OPERATING PURSUANT TO ARTICLE 5 OF THIS TITLE 22.

20 (d) "GRANTEE" MEANS AN ELIGIBLE APPLICANT WHO THE
21 DEPARTMENT SELECTS TO RECEIVE GRANT MONEY.

22 (e) "ROUTE SCHOOL BUS" MEANS A SCHOOL BUS THAT TRANSPORTS
23 STUDENTS TO AND FROM SCHOOL FOR THE PURPOSE OF ATTENDING SCHOOL
24 AND CAN CONTROL TRAFFIC WITH ALTERNATING FLASHING RED LIGHTS.

25 (f) "ROUTE SCHOOL BUS CAMERA MATCHING GRANT PROGRAM" OR
26 "GRANT PROGRAM" MEANS THE ROUTE SCHOOL BUS CAMERA MATCHING
27 GRANT PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

1 (g) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN
2 COLORADO THAT THE DEPARTMENT DETERMINES IS RURAL BASED ON THE
3 GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE
4 SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA.

5 (h) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
6 CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE
7 STATE CONSTITUTION.

8 (2)(a) THERE IS CREATED IN THE DEPARTMENT THE ROUTE SCHOOL
9 BUS CAMERA MATCHING GRANT PROGRAM. THE PURPOSE OF THE GRANT
10 PROGRAM IS TO PROVIDE GRANTS TO ELIGIBLE APPLICANTS TO INSTALL AN
11 AUTOMATED VEHICLE IDENTIFICATION SYSTEM ON EVERY ROUTE SCHOOL
12 BUS TO RECORD VEHICLES THAT UNLAWFULLY PASS A STOPPED ROUTE
13 SCHOOL BUS, AS SET FORTH IN SECTION 42-4-1903 (3.5).

14 (b) THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM
15 PURSUANT TO THE STATE BOARD RULES ADOPTED PURSUANT TO
16 SUBSECTION (6) OF THIS SECTION. AN ELIGIBLE APPLICANT THAT RECEIVES
17 GRANT MONEY PURSUANT TO THE GRANT PROGRAM SHALL USE THE GRANT
18 MONEY TOWARD INSTALLING AUTOMATED VEHICLE IDENTIFICATION
19 SYSTEMS ON EVERY ROUTE SCHOOL BUS.

20 (3) THE DEPARTMENT SHALL IMPLEMENT A TIMELINE FOR THE
21 GRANT PROGRAM, WHICH MUST INCLUDE THE FOLLOWING:

22 (a) THE DATE THE DEPARTMENT SHALL ANNOUNCE THE GRANT
23 PROGRAM AND BEGIN ACCEPTING APPLICATIONS FROM ELIGIBLE
24 APPLICANTS;

25 (b) THE DATE AN ELIGIBLE APPLICANT MUST SUBMIT AN
26 APPLICATION BY; AND

27 (c) THE DATE THE DEPARTMENT SHALL BEGIN DISTRIBUTING

1 GRANT MONEY TO THE GRANTEES.

2 (4) TO BE CONSIDERED, AN ELIGIBLE APPLICANT MUST SUBMIT AN
3 APPLICATION TO THE DEPARTMENT. THE APPLICATION MUST INCLUDE, AT
4 A MINIMUM, THE FOLLOWING INFORMATION:

5 (a) THE NUMBER OF ROUTE SCHOOL BUSES THE ELIGIBLE DISTRICT
6 MAINTAINS;

7 (b) THE NUMBER OF ROUTE SCHOOL BUSES THAT ARE INSTALLED
8 WITH AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM;

9 (c) THE NUMBER OF ROUTE SCHOOL BUSES THAT REQUIRE THE
10 INSTALLATION OF AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM; AND

11 (d) THE AMOUNT OF MATCHING FUNDS, IF ANY, THAT THE ELIGIBLE
12 APPLICANT INTENDS TO PROVIDE TO AUGMENT GRANT MONEY RECEIVED
13 FROM THE GRANT PROGRAM AND THE SOURCE OF ANY MATCHING FUNDS.

14 (5) (a) THE DEPARTMENT SHALL CREATE A FORMULA TO
15 DISTRIBUTE GRANT MONEY BASED ON THE NUMBER OF ROUTE SCHOOL
16 BUSES THE ELIGIBLE APPLICANT MAINTAINS AND THE NUMBER OF ROUTE
17 SCHOOL BUSES THAT ARE INSTALLED WITH AUTOMATED VEHICLE
18 IDENTIFICATION SYSTEMS.

19 (b) THE DEPARTMENT SHALL REVIEW THE APPLICATIONS
20 SUBMITTED PURSUANT TO SUBSECTION (4) OF THIS SECTION AND MAKE
21 RECOMMENDATIONS TO THE STATE BOARD. THE STATE BOARD SHALL TAKE
22 INTO CONSIDERATION THE RECOMMENDATIONS OF THE DEPARTMENT IN
23 SELECTING THE ELIGIBLE APPLICANTS THAT RECEIVE GRANTS AND
24 DETERMINING THE AMOUNT OF EACH GRANT. THE DEPARTMENT SHALL
25 DISTRIBUTE THE GRANT MONEY TO THE GRANTEES.

26 (6) THE STATE BOARD SHALL PROMULGATE RULES FOR THE
27 IMPLEMENTATION OF THIS SECTION.

1 (7) ON OR BEFORE JULY 31 OF EACH YEAR FOLLOWING A BUDGET
2 YEAR FOR WHICH MONEY WAS APPROPRIATED FOR THE GRANT PROGRAM,
3 EACH GRANTEE SHALL REPORT TO THE DEPARTMENT:

4 (a) THE NUMBER OF ROUTE SCHOOL BUSES INSTALLED WITH
5 AUTOMATED VEHICLE IDENTIFICATION SYSTEMS;

6 (b) THE NUMBER OF MOTOR VEHICLES RECORDED BY THE
7 AUTOMATED VEHICLE IDENTIFICATION SYSTEMS THAT UNLAWFULLY
8 PASSED A STOPPED ROUTE SCHOOL BUS;

9 (c) THE BUS STOP LOCATIONS WHERE MOTOR VEHICLES
10 UNLAWFULLY PASS STOPPED ROUTE SCHOOL BUSES; AND

11 (d) THE NUMBER OF MOTOR VEHICLES REPORTED TO LAW
12 ENFORCEMENT FOR UNLAWFULLY PASSING STOPPED ROUTE SCHOOL BUSES.

13 (8) ON OR BEFORE NOVEMBER 1 OF EACH YEAR FOLLOWING A
14 BUDGET YEAR FOR WHICH MONEY WAS APPROPRIATED FOR THE GRANT
15 PROGRAM, THE DEPARTMENT SHALL SUBMIT TO THE EDUCATION
16 COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR
17 THEIR SUCCESSOR COMMITTEES, A REPORT THAT, AT A MINIMUM,
18 SUMMARIZES THE INFORMATION RECEIVED BY THE DEPARTMENT
19 PURSUANT TO SUBSECTION (7) OF THIS SECTION, THE TOTAL AMOUNT OF
20 MONEY DISTRIBUTED, THE AMOUNT OF MONEY RECEIVED BY EACH
21 GRANTEE, AND THE NUMBER OF AUTOMATED VEHICLE IDENTIFICATION
22 SYSTEMS INSTALLED IN ROUTE SCHOOL BUSES WITH THE GRANT MONEY.

23 (9) THE DEPARTMENT IS AUTHORIZED TO SEEK, ACCEPT, AND
24 EXPEND GIFTS, GRANTS, AND DONATIONS FROM PRIVATE OR PUBLIC
25 SOURCES TO IMPLEMENT THE GRANT PROGRAM.

26 (10) MONEY DISTRIBUTED THROUGH THE GRANT PROGRAM IS NOT
27 PART OF THE PUBLIC SCHOOL TRANSPORTATION CATEGORICAL PROGRAM

1 FOR PURPOSES OF SECTION 22-55-107 AND SECTION 17 OF ARTICLE IX OF
2 THE STATE CONSTITUTION.

3 **SECTION 4. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly; except
6 that, if a referendum petition is filed pursuant to section 1 (3) of article V
7 of the state constitution against this act or an item, section, or part of this
8 act within such period, then the act, item, section, or part will not take
9 effect unless approved by the people at the general election to be held in
10 November 2024 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.