

HB1406_L.003

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Energy.

HB18-1406 be amended as follows:

1 Amend printed bill page 4, after line 16, insert:

2 "SECTION 2. In Colorado Revised Statutes, 42-4-1710, amend
3 (4)(a)(I)(A); and add (4)(c) as follows:

4 **42-4-1710. Failure to pay penalty for traffic infractions -**
5 **failure of parent or guardian to sign penalty assessment notice -**
6 **procedures.** (4) (a) (I) (A) If judgment is entered against a violator, the
7 violator shall be assessed an appropriate penalty and surcharge thereon,
8 a docket fee of sixteen dollars, and other applicable costs authorized by
9 section 13-16-122 (1), ~~C.R.S.~~, AND AN ADMINISTRATIVE PROCESSING FEE
10 OF THIRTY DOLLARS. THE COURT ENTERING THE JUDGMENT SHALL RETAIN
11 FIFTY PERCENT OF THE ADMINISTRATIVE PROCESSING FEE AND SHALL
12 TRANSMIT THE OTHER FIFTY PERCENT TO THE STATE TREASURER, WHO
13 SHALL CREDIT THAT MONEY TO THE HIGHWAY USERS TAX FUND. If the
14 violator had been cited by a penalty assessment notice, the penalty shall
15 be assessed pursuant to section 42-4-1701 (4)(a). If a penalty assessment
16 notice is prohibited by section 42-4-1701 (5)(c), the penalty shall be
17 assessed pursuant to section 42-4-1701 (3)(a).

18 (c) (I) AFTER JUDGMENT IS ENTERED, THE COURT SHALL SEND
19 WRITTEN NOTICE OF THE JUDGMENT TO THE VIOLATOR. THIS NOTICE SHALL
20 INCLUDE A DESCRIPTION OF ALL PENALTIES, SURCHARGES, COSTS, AND
21 FEES OWED PURSUANT TO SUBSECTION (4)(a)(I)(A) OF THIS SECTION.

22 (II) IF PAYMENT OF THE AMOUNTS DESCRIBED IN SUBSECTION
23 (4)(a)(I)(A) OF THIS SECTION IS NOT RECEIVED BY THE COURT WITHIN
24 FORTY-FIVE DAYS AFTER ISSUANCE OF THE NOTICE DESCRIBED IN
25 SUBSECTION (4)(c)(I) OF THIS SECTION, THE VIOLATOR SHALL BE ASSESSED
26 AN OUTSTANDING JUDGMENT FEE IN THE SAME AMOUNT AS THE
27 RESTORATION FEE DESCRIBED IN SECTION 42-2-132 (4)(a)(I). PAYMENTS
28 MADE BY THE VIOLATOR MUST FIRST BE APPLIED TO THE AMOUNTS
29 DESCRIBED IN SUBSECTION (4)(a)(I)(A) OF THIS SECTION, SUCH THAT THE
30 OUTSTANDING JUDGMENT FEE IS LAST TO BE PAID. ONCE PAID, THE COURT
31 SHALL TRANSMIT THE OUTSTANDING JUDGMENT FEE TO THE TREASURER,
32 WHO SHALL CREDIT THE OUTSTANDING JUDGMENT FEE IN THE SAME
33 MANNER AS THE RESTORATION FEE DESCRIBED IN SECTION 42-2-132
34 (4)(b).

35 (III) IF PAYMENT OF THE AMOUNTS DESCRIBED IN SUBSECTION
36 (4)(a)(I)(A) OF THIS SECTION IS RECEIVED WITHIN FORTY-FIVE DAYS AFTER
37 ISSUANCE OF THE NOTICE DESCRIBED IN SUBSECTION (4)(c)(I) OF THIS
38 SECTION, THE COURT SHALL PROVIDE THE VIOLATOR WITH CONFIRMATION
39 IN WRITING THAT ALL AMOUNTS OWED HAVE BEEN PAID."

40 Renumber succeeding sections accordingly.

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