

**First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 25-0743.01 Renee Leone x2695

**HOUSE BILL 25-1230**

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**HOUSE SPONSORSHIP**

**Caldwell and Paschal,**

**SENATE SPONSORSHIP**

**Winter F.,**

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**House Committees**

Transportation, Housing & Local Government

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING CHANGES TO THE TRAFFIC VIOLATION FOR OVERTAKING**  
102 **A SCHOOL BUS.**

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**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>.)*

**Section 1** of the bill permits the state, a county, a city and county, or a municipality to, with approval from a school district's board of education, install and utilize automated vehicle identification systems (AVIS) on the school district's school buses to detect a driver of a vehicle that overtakes a stopped school bus with actuated visual signal lights in violation of current law. If an AVIS detects such a violation, the state, a

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.*

county, a city and county, or a municipality may impose a civil penalty of not more than \$300 for the violation. The bill creates a rebuttable presumption that when an image produced by an AVIS includes an electronic indicator signifying that a school bus's visual signal lights are actuated, the visual signal lights are presumed to be actuated and operational.

The bill mandates that the state, a county, a city and county, or a municipality that installs an AVIS on a school bus shall not use the fines collected through the use of the AVIS system to compensate the AVIS manufacturer or vendor and that any such compensation paid to the manufacturer or vendor must not be based exclusively upon the number of citations issued or revenue generated by the AVIS.

Current law states that a driver on a highway with separate roadways need not stop upon meeting or passing a school bus that is on a different roadway. **Section 2** amends the definition of "highway with separate roadways" to include a roadway separated by physical barriers and to exclude a roadway separated by a painted median.

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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 (1.1)(a)(II) and (2)(g)(III); and **add** (1.1)(a.7) and (4.6) as follows:

4 **42-4-110.5. Automated vehicle identification systems - school**  
5 **buses - exceptions to liability - penalty - contracting - limits on use of**  
6 **photographs and video - rules - legislative declaration - definitions.**

7 (1.1) As used in this section, unless the context otherwise requires:

8 (a) (II) "Automated vehicle identification system" includes a  
9 system used to detect a violation of part 11 of this article 4 or a local  
10 speed ordinance; a system used to detect violations of traffic restrictions  
11 imposed by traffic signals or traffic signs; A SYSTEM USED TO DETECT THE  
12 OVERTAKING OF A STOPPED SCHOOL BUS WITH ACTUATED VISUAL SIGNAL  
13 LIGHTS IN VIOLATION OF SECTION 42-4-1903 (1)(a); and a system used to  
14 detect violations of bus lane or bicycle lane restrictions.

15 (a.7) "SCHOOL BUS" MEANS A SCHOOL BUS THAT IS REQUIRED TO  
16 BEAR ON THE FRONT AND REAR OF SUCH SCHOOL BUS THE WORDS

1 "SCHOOL BUS" AND DISPLAY VISUAL SIGNAL LIGHTS PURSUANT TO  
2 SECTION 42-4-1903 (2)(a).

3 (2) A county, city and county, or municipality may adopt an  
4 ordinance authorizing the use of an automated vehicle identification  
5 system to detect violations of traffic regulations adopted by the county,  
6 city and county, or municipality, or the state, a county, a city and county,  
7 or a municipality may utilize an automated vehicle identification system  
8 to detect traffic violations under state law, subject to the following  
9 conditions and limitations and, as applicable, the requirements for state  
10 highways set forth in and any rules adopted by the department of  
11 transportation pursuant to subsection (2.5) of this section:

12 (g) (III) This subsection (2)(g) does not apply to an automated  
13 vehicle identification system designed to detect disobedience to a traffic  
14 control signal OR THE OVERTAKING OF A SCHOOL BUS WITH ACTUATED  
15 VISUAL SIGNAL LIGHTS.

16 (4.6) (a) IF APPROVED BY A SCHOOL DISTRICT'S BOARD OF  
17 EDUCATION, THE STATE, A COUNTY, A CITY AND COUNTY, OR A  
18 MUNICIPALITY MAY INSTALL AND UTILIZE AN AUTOMATED VEHICLE  
19 IDENTIFICATION SYSTEM ON THE SCHOOL DISTRICT'S SCHOOL BUSES TO  
20 DETECT A DRIVER OF A MOTOR VEHICLE OVERTAKING A STOPPED SCHOOL  
21 BUS WITH ACTUATED VISUAL SIGNAL LIGHTS IN VIOLATION OF SECTION  
22 42-4-1903 (1)(a).

23 (b) IF, THROUGH THE USE OF AN AUTOMATED VEHICLE  
24 IDENTIFICATION SYSTEM, THE STATE, A COUNTY, A CITY AND COUNTY, OR  
25 A MUNICIPALITY DETECTS A DRIVER OF A MOTOR VEHICLE OVERTAKING A  
26 STOPPED SCHOOL BUS WITH ACTUATED VISUAL SIGNAL LIGHTS IN  
27 VIOLATION OF SECTION 42-4-1903 (1)(a), THE MAXIMUM CIVIL PENALTY

1 THE STATE, COUNTY, CITY AND COUNTY, OR MUNICIPALITY MAY IMPOSE  
2 FOR THE VIOLATION IS THREE HUNDRED DOLLARS, INCLUDING  
3 SURCHARGES OR FEES.

4 (c) WHEN A RECORDED IMAGE PRODUCED BY AN AUTOMATED  
5 VEHICLE IDENTIFICATION SYSTEM INCLUDES AN ELECTRONIC INDICATOR  
6 SIGNIFYING ACTUATION OF A SCHOOL BUS'S VISUAL SIGNAL LIGHTS, THERE  
7 IS A REBUTTABLE PRESUMPTION THAT THE SCHOOL BUS'S VISUAL SIGNAL  
8 LIGHTS WERE ACTUATED AND OPERATIONAL.

9 (d) (I) THE STATE, A COUNTY, A CITY AND COUNTY, OR A  
10 MUNICIPALITY THAT HAS INSTALLED AN AUTOMATED VEHICLE  
11 IDENTIFICATION SYSTEM ON A SCHOOL BUS TO DETECT A DRIVER OF A  
12 MOTOR VEHICLE OVERTAKING A STOPPED SCHOOL BUS SHALL NOT USE ANY  
13 PORTION OF A FINE COLLECTED THROUGH THE USE OF SUCH SYSTEM AS  
14 PAYMENT TO THE MANUFACTURER OR VENDOR OF THE AUTOMATED  
15 VEHICLE IDENTIFICATION SYSTEM EQUIPMENT. THE COMPENSATION PAID  
16 BY THE STATE, COUNTY, CITY AND COUNTY, OR MUNICIPALITY FOR SUCH  
17 EQUIPMENT MUST BE BASED UPON THE VALUE OF ANY EQUIPMENT OR  
18 SERVICES PROVIDED AND MUST NOT BE BASED EXCLUSIVELY UPON THE  
19 NUMBER OF TRAFFIC CITATIONS ISSUED OR THE REVENUE GENERATED BY  
20 THE AUTOMATED VEHICLE IDENTIFICATION SYSTEM EQUIPMENT.

21 (II) A CONTRACT FOR AUTOMATED VEHICLE IDENTIFICATION  
22 SYSTEM EQUIPMENT AND FOR SERVICES PROVIDED FOR THE USE OF AN  
23 AUTOMATED VEHICLE IDENTIFICATION SYSTEM ON A SCHOOL BUS MUST  
24 NOT CONTAIN A QUOTA REGARDING THE NUMBER OF VIOLATIONS  
25 CAPTURED OR NOTICES OF VIOLATION ISSUED OR REGARDING THE REVENUE  
26 GENERATED FOR THE AUTOMATED VEHICLE IDENTIFICATION SYSTEM TO BE  
27 CONTINUOUSLY UTILIZED.

1           **SECTION 2.** In Colorado Revised Statutes, 42-4-1903, **amend**  
2 (4) as follows:

3           **42-4-1903. School buses - stops - signs - passing - definition.**

4 (4) The driver of a vehicle upon a highway with separate roadways need  
5 not stop upon meeting or passing a school bus ~~which~~ THAT is on a  
6 different roadway. ~~For the purposes of AS USED IN~~ this section, "highway  
7 with separate roadways" means a highway that is divided into two or  
8 more roadways by a depressed OR raised ~~or painted~~ median, PHYSICAL  
9 BARRIERS, or other intervening space serving as a clearly indicated  
10 ~~dividing~~ section or island THAT PHYSICALLY DIVIDES THE ROADWAYS.

11           **SECTION 3. Applicability.** This act applies to violations  
12 occurring on or after the effective date of this act.

13           **SECTION 4. Safety clause.** The general assembly finds,  
14 determines, and declares that this act is necessary for the immediate  
15 preservation of the public peace, health, or safety or for appropriations for  
16 the support and maintenance of the departments of the state and state  
17 institutions.