

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

REVISED

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

LLS NO. 26-0899.01 Renee Leone x2695

SENATE BILL 26-152

SENATE SPONSORSHIP

Ball and Pelton B., Coleman, Cutter, Hinrichsen

HOUSE SPONSORSHIP

Willford and Barron,

Senate Committees

Transportation & Energy

House Committees

Transportation, Housing & Local Government

A BILL FOR AN ACT

101 **CONCERNING CHANGES TO THE USAGE OF AUTOMATED VEHICLE**
102 **IDENTIFICATION SYSTEMS.**

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 makes changes to the use of automated vehicle identification systems (AVIS), including:

- Modifying the public notice requirements that the state, a county, a city and county, a municipality, or an agency responsible for placing a new AVIS must provide before utilizing the new AVIS;

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.

HOUSE
Amended 2nd Reading
May 11, 2026

SENATE
Amended 3rd Reading
May 5, 2026

SENATE
Amended 2nd Reading
May 4, 2026

- Creating a procedure by which a registered owner of a motor vehicle may prove that they were not the driver of the motor vehicle at the time when a violation was detected by an AVIS and, thereby, under certain circumstances, relieving the registered owner from having to pay the civil penalty associated with the notice of violation;
- Requiring that, if a variable speed limit is in effect or a speed limit is otherwise temporarily lowered due to hazardous weather or other traffic conditions, the state, a county, a city and county, or a municipality may only issue a notice of violation and civil penalty for a speeding violation that exceeds the regular maximum posted speed limit for that location;
- Changing the penalty structure for different levels of speeding violations detected by an AVIS;
- Establishing that the compensation the state, a county, a city and county, or a municipality pays to a manufacturer or vendor of an AVIS must, in addition to other conditions, be a flat monthly rate; and
- Beginning January 1, 2035, increasing the civil penalties associated with notices of violations issued for violations captured by an AVIS.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
 3 finds and declares that:

4 (a) Automated vehicle identification systems, referred to in
 5 section as "AVIS", are used for the limited purpose of enforcing specific
 6 traffic violations, including speeding and red-light violations, and are
 7 subject to statutory requirements, governing notice, signage, and due
 8 process;

9 (b) Conversely, automated license plate reader systems, referred
 10 to in this section as "ALPR systems", are distinct technologies from AVIS
 11 and are used primarily for law enforcement and investigative purposes,
 12 including to locate stolen vehicles or support criminal investigations;

13 (c) The provisions of this act apply only to AVIS and civil traffic

1 enforcement;

2 (d) This act does not regulate, limit, or otherwise affect the use of
3 ALPR systems and nothing in this act is intended to expand, restrict, or
4 modify existing law governing ALPR systems; and

5 (e) Given the differences between AVIS as a traffic enforcement
6 tool and ALPR systems as a broader surveillance technology, it is
7 important to maintain a simple distinction between the systems and make
8 clear that the provisions in this act are limited accordingly.

9 **SECTION 2.** In Colorado Revised Statutes, 42-4-110.5, **amend**
10 (2) introductory portion, (2)(d)(II)(B), (2)(e), (2)(g)(I.7), (2)(g)(IV),
11 (2)(h), (4), (4.5)(a), (4.6)(b), (4.6)(d)(I), and (5); **repeal** (1.5); and **add**
12 (1.1)(a)(III), (1.1)(a.5), and (2)(i) as follows:

13 **42-4-110.5. Automated vehicle identification systems - school**
14 **buses - exceptions to liability - penalty - contracting - limits on use of**
15 **photographs and video - rules - legislative declaration - definitions -**
16 **repeal.**

17 (1.1) As used in this section, unless the context otherwise
18 requires:

19 (a) (III) "AUTOMATED VEHICLE IDENTIFICATION SYSTEM" DOES
20 NOT INCLUDE AUTOMATED LICENSE PLATE READER SYSTEMS.

21 (a.5) (I) "MOBILE AUTOMATED VEHICLE IDENTIFICATION SYSTEM"
22 MEANS AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM DESIGNED TO
23 DETECT TRAFFIC VIOLATIONS AND THAT:

24 (A) IS CAPABLE OF BEING RELOCATED BETWEEN ENFORCEMENT
25 LOCATIONS;

26 (B) MAY BE INSTALLED WITHIN OR MOUNTED TO A MOTOR
27 VEHICLE, INCLUDING A VAN, SPORT UTILITY VEHICLE, OR SIMILAR VEHICLE

1 PLATFORM;

2 (C) DOES NOT INCLUDE A DEVICE OR SYSTEM INSTALLED IN OR
3 MOUNTED TO A TRAILER; AND

4 (D) IS GENERALLY USED TO PROVIDE FLEXIBILITY TO ADDRESS
5 TEMPORARY ENFORCEMENT IN HIGH-RISK TRAFFIC AREAS OR SHIFTING
6 TRAFFIC PATTERNS.

7 (II) A DEVICE OR SYSTEM INSTALLED IN OR MOUNTED TO A
8 TRAILER IS CONSIDERED MOBILE IF IT IS MOVED TO A NEW LOCATION
9 WITHIN SEVENTY-TWO HOURS AFTER BEING DEPLOYED OR IS DEPLOYED IN
10 A MAINTENANCE, REPAIR, OR CONSTRUCTION ZONE DESIGNATED
11 PURSUANT TO SECTION 42-4-614 OR A SCHOOL ZONE AS DEFINED IN
12 SECTION 42-4-615.

13 (1.5) ~~Nothing in this section applies to a violation detected by an~~
14 ~~automated vehicle identification system for driving twenty-five miles per~~
15 ~~hour or more in excess of the reasonable and prudent speed or twenty-five~~
16 ~~miles per hour or more in excess of the maximum speed limit of~~
17 ~~seventy-five miles per hour detected by the use of an automated vehicle~~
18 ~~identification system.~~

19 (2) A county, city and county, or municipality may adopt an
20 ordinance authorizing the use of an automated vehicle identification
21 system to detect violations of traffic regulations adopted by the county,
22 city and county, or municipality, or the state, a county, a city and county,
23 or a municipality may utilize an automated vehicle identification system
24 to detect traffic violations under state law, subject to ~~the following~~
25 ~~conditions and limitations and, as applicable,~~ the requirements for state
26 highways set forth in and any rules adopted by the department of
27 transportation pursuant to subsection (2.5) of this section, AS APPLICABLE,

1 AND THE FOLLOWING CONDITIONS AND LIMITATIONS:

2 (d) (II) Except as provided in subsection (2)(d)(I) of this section,
3 an automated vehicle identification system designed to detect
4 disobedience to a traffic control signal or another violation of this article
5 4 or a local traffic ordinance shall not be used unless the state, county,
6 city and county, or municipality using such system conspicuously posts
7 a sign notifying the public that an automated vehicle identification system
8 is in use immediately ahead. The sign shall:

9 (B) Use lettering that is at least four inches high for upper case
10 letters and ~~two and nine-tenths~~ THREE inches high for lower case letters.

11 (e) (I) If the state, A county, A city and county, or A municipality
12 implements a new automated vehicle identification system ~~after July 1,~~
13 ~~2023,~~ that is not a replacement of an EXISTING automated vehicle
14 identification system:

15 (A) The agency responsible for the automated vehicle
16 identification system shall publicly announce the implementation of the
17 system through its website AND SOCIAL MEDIA ACCOUNTS, IF ANY, for at
18 least thirty days prior to the use of the system; ~~and~~

19 (B) THE AGENCY RESPONSIBLE FOR THE AUTOMATED VEHICLE
20 IDENTIFICATION SYSTEM SHALL POST A SIGN ANNOUNCING THE UPCOMING
21 USE OF AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM AT EACH
22 LOCATION WHERE AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM WILL
23 BE INSTALLED AT LEAST THIRTY DAYS BEFORE THE AUTOMATED VEHICLE
24 IDENTIFICATION SYSTEM IS UTILIZED, AND THE SIGN MUST USE LETTERING
25 THAT IS AT LEAST FOUR INCHES HIGH FOR UPPERCASE LETTERS AND THREE
26 INCHES HIGH FOR LOWERCASE LETTERS; AND

27 ~~(B)~~ (C) For the first thirty days after the system is installed or

1 deployed, only warnings may be issued for violations of a county or
2 municipal traffic regulation or traffic violation under state law detected
3 by the system. SUCH WARNINGS MUST BE ISSUED AND DELIVERED IN
4 WRITING.

5 (II) ~~A~~ THE state, county, city and county, or municipality may
6 conduct an extended public information campaign or warning period OR
7 POST ADDITIONAL SIGNS for ~~systems~~ EACH NEW SYSTEM installed or
8 deployed ~~either before or after July 1, 2023~~ BEYOND THE MINIMUM
9 REQUIREMENTS IN SUBSECTIONS (2)(e)(I)(A), (2)(e)(I)(B), AND
10 (2)(e)(I)(C) OF THIS SECTION.

11 (III) THE REQUIREMENTS SET FORTH IN THIS SUBSECTION (2)(e) DO
12 NOT APPLY TO A MOBILE AUTOMATED VEHICLE IDENTIFICATION SYSTEM
13 THAT HAS BEEN MOVED TO A NEW LOCATION WITHIN THE SAME
14 ESTABLISHED AUTOMATED VEHICLE IDENTIFICATION CORRIDOR.

15 (g) (I.7) Before the state, a county, A city and county, or A
16 municipality begins operation of an automated vehicle identification
17 system in an automated vehicle identification corridor, the state, county,
18 city and county, or municipality must:

19 (A) Post a permanent sign in a conspicuous place not fewer than
20 three hundred feet before the beginning of the corridor; ~~and~~

21 (B) Post a permanent sign not fewer than three hundred feet
22 before each static camera within the corridor ~~thereafter~~ or a temporary
23 sign not fewer than three hundred feet before any mobile camera; except
24 that, ~~for an automated vehicle identification corridor on which~~ IF an
25 automated vehicle identification system is used on transit vehicles for the
26 purpose of detecting WILL BE USED EXCLUSIVELY TO DETECT unauthorized
27 use of a transit-only lane, THE STATE, COUNTY, CITY AND COUNTY, OR

1 MUNICIPALITY MUST post permanent signs at one-half mile or more
2 frequent intervals WITHIN THE AUTOMATED VEHICLE IDENTIFICATION
3 CORRIDOR; and

4 (C) Illustrate, through ~~data collected within the past five years~~
5 QUANTITATIVE DATA COLLECTION, incidents of crashes, speeding, OR
6 reckless driving ~~or community complaints~~ WITHIN THE PAST FIVE YEARS
7 on a street designated as an automated vehicle identification corridor,
8 unless the automated vehicle identification system will be used
9 exclusively to detect unauthorized ~~usage of one or more transit-only lanes~~
10 USE OF A TRANSIT-ONLY LANE. COMMUNITY COMPLAINTS MAY ALSO BE
11 USED TO ILLUSTRATE THE NEED FOR AN AUTOMATED VEHICLE
12 IDENTIFICATION CORRIDOR IF COLLECTED WITH QUANTITATIVE DATA.

13 (IV) The state, a county, a city and county, or a municipality
14 implementing an automated vehicle identification corridor pursuant to
15 subsection (2)(g)(I) of this section shall ANNUALLY publish a report on its
16 website disclosing the number of citations and AMOUNT OF revenue
17 generated by the automated vehicle identification corridor.

18 (h) (I) ~~The state, a county, a city and county, or a municipality~~
19 ~~shall not require a registered owner of a vehicle to disclose the identity of~~
20 ~~a driver of the vehicle who is detected through the use of an automated~~
21 ~~vehicle identification system. However, the registered owner may be~~
22 ~~required to submit evidence that the owner was not the driver at the time~~
23 ~~of the alleged violation.~~ THE REGISTERED OWNER OF THE MOTOR VEHICLE
24 DETECTED BY THE AUTOMATED VEHICLE IDENTIFICATION SYSTEM IS
25 RESPONSIBLE FOR PAYING THE CIVIL PENALTY ASSOCIATED WITH THE
26 NOTICE OF THE VIOLATION UNLESS:

27 (A) THE REGISTERED OWNER ESTABLISHES THAT THE MOTOR

1 VEHICLE HAD BEEN SOLD OR LEASED PRIOR TO _____ THE TIME OF THE
2 VIOLATION DETECTED BY THE AUTOMATED VEHICLE IDENTIFICATION
3 SYSTEM BY PROVIDING A BILL OF SALE OR OTHER DOCUMENTATION TO
4 SHOW THAT THE MOTOR VEHICLE WAS SOLD, LEASED, OR TRANSFERRED
5 BEFORE THE DATE AND TIME OF THE VIOLATION;

6 (B) THE REGISTERED OWNER ESTABLISHES THAT THE MOTOR
7 VEHICLE HAD BEEN STOLEN PRIOR TO THE TIME OF THE VIOLATION
8 DETECTED BY THE AUTOMATED VEHICLE IDENTIFICATION SYSTEM BY
9 PROVIDING A COPY OF THE POLICE REPORT TO SHOW THAT THE OWNER'S
10 LICENSE PLATE OR MOTOR VEHICLE WAS STOLEN BEFORE THE DATE AND
11 TIME OF THE VIOLATION;

12 (C) THE REGISTERED OWNER ESTABLISHES THAT LAW
13 ENFORCEMENT ISSUED A SEPARATE TRAFFIC CITATION TO THE REGISTERED
14 OWNER OR DRIVER OF THE MOTOR VEHICLE FOR THE VIOLATION DETECTED
15 BY THE AUTOMATED VEHICLE IDENTIFICATION SYSTEM; OR _____

16 (D) A REPRESENTATIVE OF THE ESTATE OR A FAMILY MEMBER OF
17 THE REGISTERED OWNER ESTABLISHES THAT THE REGISTERED OWNER WAS
18 DECEASED PRIOR TO THE DATE OF THE VIOLATION DETECTED BY THE
19 AUTOMATED VEHICLE IDENTIFICATION SYSTEM.

20 _____

21 (II) (A) TO ESTABLISH THAT THE REGISTERED OWNER IS NOT
22 RESPONSIBLE FOR PAYING A CIVIL PENALTY ASSOCIATED WITH A NOTICE
23 OF VIOLATION, THE REGISTERED OWNER OR A REPRESENTATIVE OF THE
24 ESTATE OR A FAMILY MEMBER OF THE REGISTERED OWNER MUST, WITHIN
25 THIRTY DAYS AFTER THE DATE OF ISSUANCE OF THE NOTICE OF VIOLATION,
26 PROVIDE TO THE ENTITY THAT ISSUED THE NOTICE OF VIOLATION AN
27 AFFIDAVIT WITH INFORMATION SHOWING THAT ONE OF THE EXCEPTIONS

1 SET FORTH IN SUBSECTION (2)(h)(I) OF THIS SECTION APPLIES. THE
2 AFFIDAVIT MUST INCLUDE THE CIVIL PENALTY NUMBER.

3

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4 (B) THE REGISTERED OWNER OF A MOTOR VEHICLE THAT WAS
5 LEASED AT THE TIME OF THE VIOLATION IS NOT REQUIRED TO SUBMIT AN
6 AFFIDAVIT IF THE MOTOR VEHICLE WAS REGISTERED IN THE NAME OF THE
7 LESSEE AT THE TIME OF THE VIOLATION.

8

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9 (III) IF THE REGISTERED OWNER TO WHOM A NOTICE OF VIOLATION
10 HAS BEEN ISSUED IS DECEASED, THE AFFIDAVIT MUST INCLUDE BOTH A
11 CERTIFIED COPY OF THE DEATH CERTIFICATE SHOWING THAT THE DEATH
12 OF THE REGISTERED OWNER OCCURRED BEFORE THE DATE OF THE
13 VIOLATION AND ONE OF THE FOLLOWING:

14 (A) A BILL OF SALE OR OTHER DOCUMENT SHOWING THAT THE
15 MOTOR VEHICLE WAS SOLD OR TRANSFERRED AFTER THE DATE OF THE
16 REGISTERED OWNER'S DEATH AND BEFORE THE DATE OF THE VIOLATION;

17 (B) DOCUMENTED PROOF THAT THE REGISTERED LICENSE PLATE
18 BELONGING TO THE REGISTERED OWNER WAS RETURNED TO THE
19 DEPARTMENT OR ANOTHER OFFICE OR AUTHORIZED AGENT OF THE
20 DEPARTMENT AFTER THE DATE OF THE REGISTERED OWNER'S DEATH AND
21 BEFORE THE DATE OF THE VIOLATION; OR

22 (C) A COPY OF THE POLICE REPORT SHOWING THAT THE
23 REGISTERED OWNER'S LICENSE PLATE OR MOTOR VEHICLE WAS STOLEN
24 AFTER THE DATE OF THE REGISTERED OWNER'S DEATH AND BEFORE THE
25 DATE OF THE VIOLATION.

26 (IV) UPON RECEIPT OF THE AFFIDAVIT AND SUFFICIENT
27 SUPPORTING DOCUMENTATION PURSUANT TO THIS SUBSECTION (2)(h), THE

1 STATE, A COUNTY, A CITY AND COUNTY, OR A MUNICIPALITY SHALL
2 DISMISS THE NOTICE OF VIOLATION AND PROVIDE PROOF OF THE DISMISSAL
3 TO THE REGISTERED OWNER OR OTHER PERSON THAT SUBMITTED THE
4 AFFIDAVIT.

5
6 (V) A PERSON THAT SUBMITS A FALSE AFFIDAVIT COMMITS A
7 CLASS 2 MISDEMEANOR TRAFFIC OFFENSE AND, UPON CONVICTION, SHALL
8 BE PUNISHED AS PROVIDED IN SECTION 42-4-1701 (3).

9 (i) (I) EXCEPT AS PROVIDED IN SUBSECTION (2)(i)(II) OF THIS
10 SECTION, IF A VARIABLE SPEED LIMIT IS IN EFFECT OR A SPEED LIMIT IS
11 OTHERWISE TEMPORARILY LOWERED DUE TO HAZARDOUS WEATHER OR
12 OTHER TRAFFIC CONDITIONS, THE STATE, A COUNTY, A CITY AND COUNTY,
13 OR A MUNICIPALITY SHALL ONLY ISSUE A NOTICE OF VIOLATION AND CIVIL
14 PENALTY FOR A VIOLATION DETECTED BY AN AUTOMATED VEHICLE
15 IDENTIFICATION SYSTEM IF THE VIOLATION IS A SPEEDING VIOLATION THAT
16 EXCEEDS THE REGULAR MAXIMUM POSTED SPEED LIMIT FOR THAT
17 LOCATION THAT IS TYPICALLY IN EFFECT WHEN A VARIABLE SPEED LIMIT
18 IS NOT IN EFFECT AND THE SPEED LIMIT IS NOT OTHERWISE TEMPORARILY
19 LOWERED.

20 (II) SUBSECTION (2)(i)(I) OF THIS SECTION DOES NOT APPLY WHEN
21 A SPEED LIMIT IS TEMPORARILY LOWERED DUE TO THE NEED FOR A
22 TEMPORARY _____ MAINTENANCE, REPAIR, OR CONSTRUCTION ZONE
23 DESIGNATED PURSUANT TO SECTION 42-4-614.

24 (4) (a) (I) If, THROUGH THE USE OF AN AUTOMATED VEHICLE
25 IDENTIFICATION SYSTEM, the state, a county, a city and county, or a
26 municipality detects a speeding violation of less than ~~ten~~ SIX miles per
27 hour over the reasonable and prudent speed under a county or municipal

1 traffic regulation or under state law, ~~through the use of an automated~~
2 ~~vehicle identification system and the violation is the first violation by the~~
3 ~~registered owner that the state, county, city and county, or municipality~~
4 ~~has detected using an automated vehicle identification system,~~ then the
5 state, county, city and county, or municipality may mail the registered
6 owner a warning regarding the violation. ~~but~~ The state, county, city and
7 county, or municipality shall not impose ~~any~~ A penalty or surcharge for
8 such ~~first~~ A violation UNLESS THE VIOLATION OCCURS WITHIN A SCHOOL
9 ZONE, AS DEFINED IN SECTION 42-4-615, OR WITHIN A MAINTENANCE,
10 REPAIR, OR CONSTRUCTION ZONE DESIGNATED PURSUANT TO SECTION
11 42-4-614, IN WHICH CASE THE MAXIMUM PENALTY THAT THE STATE,
12 COUNTY, CITY AND COUNTY, OR MUNICIPALITY MAY IMPOSE FOR SUCH
13 VIOLATION, INCLUDING ANY SURCHARGE, IS FORTY DOLLARS.

14 (II) IF, THROUGH THE USE OF AN AUTOMATED VEHICLE
15 IDENTIFICATION SYSTEM, THE STATE, A COUNTY, A CITY AND COUNTY, OR
16 A MUNICIPALITY DETECTS A SPEEDING VIOLATION OF AT LEAST SIX AND
17 LESS THAN TEN MILES PER HOUR OVER THE REASONABLE AND PRUDENT
18 SPEED UNDER A COUNTY OR MUNICIPAL TRAFFIC REGULATION OR UNDER
19 STATE LAW, AND THE VIOLATION IS THE FIRST VIOLATION BY THE
20 REGISTERED OWNER THAT THE STATE, COUNTY, CITY AND COUNTY, OR
21 MUNICIPALITY HAS DETECTED USING AN AUTOMATED VEHICLE
22 IDENTIFICATION SYSTEM, THEN THE STATE, COUNTY, CITY AND COUNTY,
23 OR MUNICIPALITY SHALL MAIL THE REGISTERED OWNER A WARNING
24 REGARDING THE VIOLATION. THE STATE, COUNTY, CITY AND COUNTY, OR
25 MUNICIPALITY SHALL NOT IMPOSE A PENALTY OR SURCHARGE FOR SUCH
26 FIRST VIOLATION.

27 (III) (A) NOTWITHSTANDING SUBSECTION (4)(a)(II) OF THIS

1 SECTION, IF, BEFORE JANUARY 1, 2035, THROUGH THE USE OF AN
2 AUTOMATED VEHICLE IDENTIFICATION SYSTEM, THE STATE, A COUNTY, A
3 CITY AND COUNTY, OR A MUNICIPALITY DETECTS A SPEEDING VIOLATION
4 OF AT LEAST SIX AND LESS THAN TEN MILES PER HOUR OVER THE
5 REASONABLE AND PRUDENT SPEED IN A SCHOOL ZONE AS DEFINED IN
6 SECTION 42-4-615, OR WITHIN A _____ MAINTENANCE, REPAIR, OR
7 CONSTRUCTION ZONE DESIGNATED PURSUANT TO SECTION 42-4-614, AND
8 THE VIOLATION IS THE FIRST VIOLATION BY THE REGISTERED OWNER, THE
9 MAXIMUM PENALTY THAT THE STATE, COUNTY, CITY AND COUNTY, OR
10 MUNICIPALITY MAY IMPOSE FOR SUCH VIOLATION, INCLUDING ANY
11 SURCHARGE, IS FORTY DOLLARS.

12 (B) THIS SUBSECTION (4)(a)(III) IS REPEALED, EFFECTIVE JANUARY
13 1, 2036.

14 (IV) NOTWITHSTANDING SUBSECTION (4)(a)(II) OF THIS SECTION,
15 BEGINNING JANUARY 1, 2035, IF, THROUGH THE USE OF AN AUTOMATED
16 VEHICLE IDENTIFICATION SYSTEM, THE STATE, A COUNTY, A CITY AND
17 COUNTY, OR A MUNICIPALITY DETECTS A SPEEDING VIOLATION OF AT
18 LEAST SIX AND LESS THAN TEN MILES PER HOUR OVER THE REASONABLE
19 AND PRUDENT SPEED IN A SCHOOL ZONE AS DEFINED IN SECTION 42-4-615,
20 OR WITHIN A _____ MAINTENANCE, REPAIR, OR CONSTRUCTION ZONE
21 DESIGNATED PURSUANT TO SECTION 42-4-614, AND THE VIOLATION IS THE
22 FIRST VIOLATION BY THE REGISTERED OWNER, THE MAXIMUM PENALTY
23 THAT THE STATE, COUNTY, CITY AND COUNTY, OR MUNICIPALITY MAY
24 IMPOSE FOR SUCH VIOLATION, INCLUDING ANY SURCHARGE, IS FIFTY
25 DOLLARS.

26 (b) (I) (A) If, BEFORE JANUARY 1, 2035, THROUGH THE USE OF AN
27 AUTOMATED VEHICLE IDENTIFICATION SYSTEM, the state, a county, a city

1 and county, or a municipality detects a second or subsequent speeding
2 violation BY A REGISTERED OWNER OF AT LEAST SIX AND LESS THAN TEN
3 MILES PER HOUR OVER THE REASONABLE AND PRUDENT SPEED under a
4 county or municipal traffic regulation or under state law, ~~by the registered~~
5 ~~owner, or a first such~~ SPEEDING violation by the registered owner ~~if the~~
6 ~~provisions of subsection (4)(a) of this section do not apply, through the~~
7 ~~use of an automated vehicle identification system~~ OF AT LEAST TEN AND
8 LESS THAN TWENTY-FIVE MILES PER HOUR OVER THE REASONABLE AND
9 PRUDENT SPEED, then, except as may be permitted in subsection (4)(b)(II)
10 of this section, the maximum penalty that the state, county, city and
11 county, or municipality may impose for such violation, including any
12 surcharge, is forty dollars.

13 (B) THIS SUBSECTION (4)(b)(I) IS REPEALED, EFFECTIVE JANUARY
14 1, 2036.

15 (I.5) BEGINNING JANUARY 1, 2035, IF, THROUGH THE USE OF AN
16 AUTOMATED VEHICLE IDENTIFICATION SYSTEM, THE STATE, A COUNTY, A
17 CITY AND COUNTY, OR A MUNICIPALITY DETECTS A SECOND OR
18 SUBSEQUENT SPEEDING VIOLATION BY A REGISTERED OWNER OF AT LEAST
19 SIX AND LESS THAN TEN MILES PER HOUR OVER THE REASONABLE AND
20 PRUDENT SPEED UNDER A COUNTY OR MUNICIPAL TRAFFIC REGULATION OR
21 UNDER STATE LAW, OR A SPEEDING VIOLATION BY THE REGISTERED OWNER
22 OF AT LEAST TEN AND LESS THAN TWENTY-FIVE MILES PER HOUR OVER THE
23 REASONABLE AND PRUDENT SPEED, THEN, EXCEPT AS MAY BE PERMITTED
24 IN SUBSECTION (4)(b)(II) OF THIS SECTION, THE MAXIMUM PENALTY THAT
25 THE STATE, COUNTY, CITY AND COUNTY, OR MUNICIPALITY MAY IMPOSE
26 FOR SUCH VIOLATION, INCLUDING ANY SURCHARGE, IS FIFTY DOLLARS.

27 (II) If ~~any~~ A violation described in subsection (4)(b)(I) OR

1 (4)(b)(I.5) of this section occurs within a school zone as defined in
2 section 42-4-615, OR WITHIN A _____ MAINTENANCE, REPAIR, OR
3 CONSTRUCTION ZONE DESIGNATED PURSUANT TO SECTION 42-4-614, the
4 maximum penalty that may be imposed ~~shall be~~ IS doubled.

5 (III) ~~Subsection (4)(b)(I) of this section does not apply within a~~
6 ~~maintenance, construction, or repair zone designated pursuant to section~~
7 ~~42-4-614 or a school zone, as defined in section 42-4-615 (2).~~

8 (c) (I) (A) IF, BEFORE JANUARY 1, 2035, THROUGH THE USE OF AN
9 AUTOMATED VEHICLE IDENTIFICATION SYSTEM, THE STATE, A COUNTY, A
10 CITY AND COUNTY, OR A MUNICIPALITY DETECTS A SPEEDING VIOLATION
11 BY A REGISTERED OWNER OF TWENTY-FIVE MILES PER HOUR OR MORE
12 OVER THE REASONABLE AND PRUDENT SPEED UNDER A COUNTY OR
13 MUNICIPAL TRAFFIC REGULATION OR UNDER STATE LAW, THE MAXIMUM
14 PENALTY THAT THE STATE, COUNTY, CITY AND COUNTY, OR MUNICIPALITY
15 MAY IMPOSE FOR SUCH VIOLATION, INCLUDING ANY SURCHARGE, IS ONE
16 HUNDRED TWENTY DOLLARS.

17 (B) THIS SUBSECTION (4)(c)(I) IS REPEALED, EFFECTIVE JANUARY
18 1, 2036.

19 (II) BEGINNING JANUARY 1, 2035, IF, THROUGH THE USE OF AN
20 AUTOMATED VEHICLE IDENTIFICATION SYSTEM, THE STATE, A COUNTY, A
21 CITY AND COUNTY, OR A MUNICIPALITY DETECTS A SPEEDING VIOLATION
22 BY A REGISTERED OWNER OF TWENTY-FIVE MILES PER HOUR OR MORE
23 OVER THE REASONABLE AND PRUDENT SPEED UNDER A COUNTY OR
24 MUNICIPAL TRAFFIC REGULATION OR UNDER STATE LAW, THE MAXIMUM
25 PENALTY THAT THE STATE, COUNTY, CITY AND COUNTY, OR MUNICIPALITY
26 MAY IMPOSE FOR SUCH VIOLATION, INCLUDING ANY SURCHARGE, IS ONE
27 HUNDRED FIFTY DOLLARS.

1 (4.5) (a) (I) (A) If, BEFORE JANUARY 1, 2035, the state, a county,
2 a city and county, or a municipality detects a violation of a county, city
3 and county, or municipal traffic regulation or traffic violation under state
4 law for disobedience to a traffic control signal through the use of an
5 automated vehicle identification system, the maximum civil penalty that
6 the state, a county, a city and county, or a municipality may impose for
7 such violation, including any surcharge, is seventy-five dollars.

8 (B) THIS SUBSECTION (4.5)(a)(I) IS REPEALED, EFFECTIVE
9 JANUARY 1, 2036.

10 (II) BEGINNING JANUARY 1, 2035, IF THE STATE, A COUNTY, A CITY
11 AND COUNTY, OR A MUNICIPALITY DETECTS A VIOLATION OF A COUNTY,
12 CITY AND COUNTY, OR MUNICIPAL TRAFFIC REGULATION OR TRAFFIC
13 VIOLATION UNDER STATE LAW FOR DISOBEDIENCE TO A TRAFFIC CONTROL
14 SIGNAL THROUGH THE USE OF AN AUTOMATED VEHICLE IDENTIFICATION
15 SYSTEM, THE MAXIMUM CIVIL PENALTY THAT THE STATE, COUNTY, CITY
16 AND COUNTY, OR MUNICIPALITY MAY IMPOSE FOR SUCH VIOLATION,
17 INCLUDING ANY SURCHARGE, IS NINETY-FIVE DOLLARS.

18 (4.6) (b) (I) (A) If, BEFORE JANUARY 1, 2035, through the use of
19 an automated vehicle identification system, the state, a county, a city and
20 county, or a municipality detects a motor vehicle overtaking a stopped
21 school bus with actuated visual signal lights in violation of section
22 42-4-1903 (1)(a), the maximum civil penalty the state, county, city and
23 county, or municipality may impose for the violation is three hundred
24 dollars, including surcharges or fees.

25 (B) THIS SUBSECTION (4.6)(b)(I) IS REPEALED, EFFECTIVE
26 JANUARY 1, 2036.

27 (II) BEGINNING JANUARY 1, 2035, IF, THROUGH THE USE OF AN

1 AUTOMATED VEHICLE IDENTIFICATION SYSTEM, THE STATE, A COUNTY, A
2 CITY AND COUNTY, OR A MUNICIPALITY DETECTS A MOTOR VEHICLE
3 OVERTAKING A STOPPED SCHOOL BUS WITH ACTUATED VISUAL SIGNAL
4 LIGHTS IN VIOLATION OF SECTION 42-4-1903 (1)(a), THE MAXIMUM CIVIL
5 PENALTY THE STATE, COUNTY, CITY AND COUNTY, OR MUNICIPALITY MAY
6 IMPOSE FOR THE VIOLATION IS THREE HUNDRED SEVENTY-FIVE DOLLARS,
7 INCLUDING SURCHARGES OR FEES.

8 (d) (I) NOTWITHSTANDING ANY OTHER PROVISION IN THIS SECTION,
9 the state, a county, a city and county, a school district, or a municipality
10 that has installed an automated vehicle identification system on a school
11 bus to detect a motor vehicle overtaking a stopped school bus shall not
12 use any portion of a fine collected through the use of such system as the
13 basis for payment to the manufacturer or vendor of the automated vehicle
14 identification system equipment. The compensation paid by the state,
15 county, city and county, school district, or municipality for such
16 equipment must be based upon the value of any equipment or services
17 provided and must not be based exclusively upon the number of traffic
18 citations issued or the revenue generated by the automated vehicle
19 identification system equipment.

20 (5) If the state, a county, a city and county, or a municipality has
21 established an automated vehicle identification system for the
22 enforcement of county or municipal traffic regulations or state traffic
23 laws, then no portion of any fine collected through the use of such system
24 may be paid to the manufacturer or vendor of the automated vehicle
25 identification system equipment. The compensation paid by the state,
26 county, city and county, or municipality for such equipment ■ ■ shall:

27 (a) Be based upon the value of such equipment and the value of

1 any services provided to the state, county, city and county, or
2 municipality; ~~and may~~

3 (b) (I) Not be based upon the number of traffic citations issued or
4 the AMOUNT OF revenue generated by such equipment or services; OR

5 (II) BE STRUCTURED AS A FLAT MONTHLY FEE OR A FLAT HOURLY
6 RATE THAT IS NOT CONTINGENT UPON, AND DOES NOT VARY BASED ON,
7 THE NUMBER OF TRAFFIC CITATIONS ISSUED OR THE AMOUNT OF REVENUE
8 GENERATED; AND

9 (c) NOT INCLUDE ANY INCENTIVES, BONUSES, ESCALATORS, OR
10 OTHER PROVISIONS THAT ARE DIRECTLY TIED TO THE NUMBER OF
11 CITATIONS ISSUED OR THE AMOUNT OF REVENUE GENERATED.

12 **SECTION 3. Act subject to petition - effective date -**
13 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
14 the expiration of the ninety-day period after final adjournment of the
15 general assembly (August 12, 2026, if adjournment sine die is on May 13,
16 2026); except that, if a referendum petition is filed pursuant to section 1
17 (3) of article V of the state constitution against this act or an item, section,
18 or part of this act within such period, then the act, item, section, or part
19 will not take effect unless approved by the people at the general election
20 to be held in November 2026 and, in such case, will take effect on the
21 date of the official declaration of the vote thereon by the governor.

22 (2) This act applies to conduct occurring or contracts entered into
23 or renewed on or after the applicable effective date of this act.