

**Second Regular Session
Sixty-fourth General Assembly
STATE OF COLORADO**

ENGROSSED

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

LLS NO. 04-0491.01 Jery Payne

HOUSE BILL 04-1197

HOUSE SPONSORSHIP

Weddig, Borodkin, Briggs, Cerbo, Crane, Garcia, Hodge, Lee, Madden, McGihon, Merrifield, Paccione, Pommer, Ragsdale, Sinclair, Spence, Vigil, and Williams S.

SENATE SPONSORSHIP

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House Committees

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Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE USE OF DEVICES ON MOTOR VEHICLES THAT**
102 **INTERFERE WITH THE ORDERLY REGULATION OF TRAFFIC.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Clarifies that using a device causing a license plate to be unreadable by an automated vehicle identification system is a violation of the law that requires a license plate to be clearly legible. Clarifies that using an electronic device that causes a traffic light to change is a violation of the prohibition against interfering with a traffic control device.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

HOUSE
Amended 2nd Reading
February 6, 2004

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

2 **SECTION 1.** 42-3-123 (2) and (3), Colorado Revised Statutes,
3 is amended to read:

4 **42-3-123. Number plates to be attached.** (2) (a) Every number
5 plate shall at all times be securely fastened to the vehicle to which it is
6 assigned, so as to prevent the plate from swinging, and shall be horizontal
7 at a height not less than twelve inches from the ground, measuring from
8 the bottom of such plate, in a place and position to be clearly visible, and
9 shall be maintained free from foreign materials and in a condition to be
10 clearly legible.

11 (b) AFFIXING A DEVICE TO A MOTOR VEHICLE THAT CAUSES ALL OR
12 ANY PORTION OF A LICENSE PLATE TO BE UNREADABLE BY A SYSTEM USED
13 TO AUTOMATICALLY IDENTIFY A MOTOR VEHICLE SHALL CONSTITUTE A
14 VIOLATION OF THIS SUBSECTION (2). SUCH A DEVICE INCLUDES, WITHOUT
15 LIMITATION, A [REDACTED] COVER THAT DISTORTS ANGULAR VISIBILITY; ALTERS
16 THE COLOR OF THE PLATE; OR IS SMOKED, TINTED, SCRATCHED, OR DIRTY
17 SO AS TO IMPAIR THE LEGIBILITY OF THE LICENSE PLATE.

18 (3) (a) ~~Any~~ A person who violates any provision of this section
19 commits a class B traffic infraction.

20 (b) A PERSON WHO INTENTIONALLY VIOLATES SUBSECTION (2) OF
21 THIS SECTION COMMITS A CLASS A TRAFFIC INFRACTION AND SHALL BE
22 PUNISHED BY A FINE OF ONE HUNDRED DOLLARS.

23 **SECTION 2.** 42-4-607, Colorado Revised Statutes, is amended
24 to read:

25 **42-4-607. Interference with official devices.** (1) No person
26 shall, without lawful authority, attempt to or in fact alter, deface, injure,
27 knock down, remove, or interfere with the effective operation of any

1 official traffic control device or any railroad sign or signal or any
2 inscription, shield, or insignia thereon or any other part thereof. Any
3 person who violates any provision of this section commits a class B
4 traffic infraction.

5 (2) USING AN ELECTRONIC DEVICE, WITHOUT LAWFUL AUTHORITY,
6 THAT CAUSES A TRAFFIC LIGHT TO CHANGE SHALL CONSTITUTE
7 INTERFERENCE WITH A TRAFFIC CONTROL DEVICE FOR THE PURPOSES OF
8 THIS SECTION.

9 **SECTION 3. Effective date - applicability.** (1) This act shall
10 take effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly that is
12 allowed for submitting a referendum petition pursuant to article V,
13 section 1 (3) of the state constitution (August 4, 2004, if adjournment sine
14 die is on May 5, 2004); except that, if a referendum petition is filed
15 against this act or an item, section, or part of this act within such period,
16 then the act, item, section, or part, if approved by the people, shall take
17 effect on the date of the official declaration of the vote thereon by
18 proclamation of the governor.

19 (2) The provisions of this act shall apply to offenses committed
20 on or after the applicable effective date of this act.